



Burdekin Shire Council

AGENDA

ORDINARY COUNCIL MEETING

**HELD AT COUNCIL ADMINISTRATION BUILDING,
145 YOUNG STREET, AYR**

on 13 February 2024

COMMENCING AT 9:00 AM

At this meeting contributions made by members of the public may be recorded by way of audio recording which will be used for the purpose of developing minutes of the meeting and decision making of Council. Burdekin Shire Council is bound by the *Information Privacy Act 2009* to protect the privacy of personal information.

Under Local Law 1 Section 35(3) a person must not make an audio or video recording of a local government meeting, a standing committee meeting, a special committee meeting or an advisory committee meeting unless the chairperson at the meeting gives consent in writing to the recording of the meeting.

Further information may be found on council's website at www.burdekin.qld.gov.au

ORDER OF BUSINESS:

ATTENDANCE

2. PRAYER

3. DECLARATIONS OF INTEREST

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 23 January 2024

4.2. Burdekin Shire Youth Council Meeting Minutes - 4 December 2023

5. EXECUTIVE

5.1. CEO

5.1.1. Council Workshop - January 2024

5.2. ECONOMIC DEVELOPMENT

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY DEVELOPMENT

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.4. GOVERNANCE

6.4.1. Operational Plan 2023/2024 Q2 Report

6.4.2. Business Continuity Management Policy

6.4.3. Privacy Policy

6.4.4. Burdekin Shire Council Meeting Procedures and Burdekin Shire Council Standing Orders

6.4.5. Local Government Remuneration Commission Annual Report 2023

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.1.1. Operational Changes to Burdekin Cascades Caravan Park

7.2. OPERATIONS

7.2.1. Emulsion Inventory Disposal

7.3. PLANNING AND DEVELOPMENT

7.3.1. Approval for Additional Capital Allocation for Project TBSC/23/036 - Home Hill Pool Amenities Refurbishment

7.3.2. Development Application for a Development Permit for Reconfiguring a Lot - Boundary Realignment (Two (2) into Two (2) Lots) at 334 Burstall Road and 525 Airdmillan Road, Airdmillan

7.3.3. Development Application for a Development Permit for Reconfiguring a Lot - Subdivision One (1) Lot into Two (2) Lots at 501 Hurney Road, Osborne (Lot 5 on RP722896)

7.4. TECHNICAL SERVICES

8. NOTICE OF MOTION

9. RECEIPT OF PETITIONS

10. CORRESPONDENCE FOR INFORMATION

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11. **GENERAL BUSINESS**
 12. **CLOSED BUSINESS ITEMS**
 13. **DELEGATION**

4.1. MINUTES AND BUSINESS ARISING

Ordinary Council Meeting Minutes - 23 January 2024

Recommendation

That the minutes of the Ordinary Council Meeting held on 23 January 2024 be received as a true and correct record.

Attachments

1. 20240123OrdinaryCouncilMeetingMinutes V3



Burdekin Shire Council

MINUTES

ORDINARY COUNCIL MEETING

**HELD AT COUNCIL ADMINISTRATION BUILDING,
145 YOUNG STREET, AYR**

on 23 January 2024

COMMENCING AT 9:00 AM

ORDER OF BUSINESS:

1. ATTENDANCE

Councillor Lyn McLaughlin, Councillor Sue Perry, Councillor Kaylee Boccalatte, Councillor John Bonanno, Councillor Michael Detenon, Councillor John Furnell, Councillor Max Musumeci.

Mr. T. Brennan - Chief Executive Officer
Mr. N. O'Connor – Director Corporate and Community Services
Mr. N. Wellwood – Director of Infrastructure, Planning and Environmental Services
Mr. K. Byers - Manager Technical Services (Part)
Mrs. K. Galletta - Manager Planning and Development (Part)
Mrs. K. Olsen - Manager Financial and Administrative Services (Part)
Mr. W. Saldumbide - Manager Operations (Part)
Mrs. R. Stockdale - Senior Governance (Part)
Mr. G. Arboit - Manager Community Services - Acting (Part)
Ms. T. Heuir - Project Engineer (Part)
Ms. C. Mannea - Cadet Engineer - Civil (Part)
Ms. L. Govan - Coordinator Environment and Health Projects (Part)

Minutes Clerk - Ms. G. Biffanti

2. PRAYER

The meeting prayer was delivered by Pastor Laufile Ah-You of the Seventh Day Adventist Church.

3. DECLARATIONS OF INTEREST

The Mayor called for declarations of interest.

Councillor McLaughlin advised she had a Declarable Conflict of Interest in relation to Item 7.3.3 Development Application for a Development Permit for Reconfiguring a Lot - Subdivision (One (1) Lot into Two (2) Lots) at 501 Hurney Road, Osborne (Lot 5 on RP722896) as her nephew and his wife, Mr. and Mrs. Mark and Kristy Vass are the owners of the property seeking the Development Permit. Councillor McLaughlin advised of her intention to leave the meeting prior to this discussion.

Councillor McLaughlin advised she had a Declarable Conflict of Interest in relation to Item 7.4.2 Tenders/Quotations Received for the Ayr Industrial Estate as she is a close family friend of Mr. Richard Bonato of Laser Electrical as he submitted a tender for Item 4 QBSC/23/072 Supply and Installation of Two Switchboards at Expanded Ayr Industrial Estate. Councillor McLaughlin advised that she will remain for Items Numbers 1,2,3 and 5 with intention to leave the meeting prior to the discussion of Item Number 4.

4. MINUTES AND BUSINESS ARISING

4.1. Ordinary Council Meeting Minutes - 12 December 2023

Recommendation

That the minutes of the Ordinary Council Meeting held on 12 December 2023 be received as a true and correct record.

Resolution

Moved Councillor Furnell, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

4.2. Economic Development Advisory Group Meeting Minutes - 7 December 2023

Recommendation

Item 1 - New Residents Morning Tea

Council investigate hosting a new residents morning tea to assist new residents learn more about the shire and meet new people.

That:

1. the minutes of the Economic Development Advisory Group Meeting held on 7 December 2023 be noted and adopted.
2. the recommendations as detailed in the minutes and summarised in Item 1 above be adopted.

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

9.10am Mr. Arboit entered the meeting.

5. EXECUTIVE

5.1. CEO

5.1.1. Council Workshop - December 2023

Executive Summary

In line with agreed meeting arrangements, the Council conducted one (1) general workshop during December with the workshop held on 5 December 2023.

A range of policy and operational issues were discussed by Councillors and staff at the workshop. A summary of the items discussed is outlined in the report.

Recommendation

That the report on the Council workshop held on 5 December 2023 be received and noted.

Resolution

Moved Councillor Furnell, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

5.2. ECONOMIC DEVELOPMENT

5.2.1. Charlie's Hill WWII Radar Station

Executive Summary

In 2021, a Landscape Report commissioned by Council for Charlie's Hill was completed by CUSP Landscape Architects. Following adoption of the report, Council updated the concept plan and project budget and has been awaiting possible funding opportunities to develop the area. The Queensland Government has recently released a new funding program 'Building Bush Tourism'.

This program is to deliver new or enhanced tourism related infrastructure, or improve amenity and/or accessibility of social, community and tourism infrastructure or experiences, and will attract and grow both regional participation and visitors to the region. Funding of between \$50,000.00 and \$200,000.00 (ex GST) is available for eligible and approved projects.

Recommendation

That Council submit an application to the Queensland Government Building Bush Tourism for the Charlie's Hill WWII Radar Station Development noting that the funding available is up to \$200,000.00 ex. GST. Eligible expenditure above the approved funding amount and any ineligible expenditure is to be met by Council including possible funding under the Local Roads and Community Infrastructure Program (LRCIP).

Resolution

Moved Councillor Perry, seconded Councillor Furnell that the recommendation be adopted.

FOR - Councillors Lyn McLaughlin, Sue Perry, Kaylee Boccalatte and John Furnell

AGAINST - Councillors Max Musumeci, Michael Detenon and John Bonanno

4/3

CARRIED

9.28am Mrs. Stockdale entered the meeting.

6. CORPORATE AND COMMUNITY SERVICES

6.1. CLIENT SERVICES

6.2. COMMUNITY DEVELOPMENT

6.2.1. Burdekin Shire Sport and Recreation Plan Review

Executive Summary

This report seeks Council's formal consideration of responses to a request for quotation to complete a review of the current Burdekin Shire Sport and Recreation Plan 2018-2028.

In its 2023/24 Budget Council set aside funds to undertake a comprehensive review of the existing Sport and Recreation Plan. Staff sought quotations from six (6) suitably qualified consulting firms to undertake the review. Quotations were received from the following firms:

- MAK Planning and Design
- CPR Group; and
- Otium Planning Group.

Recommendation

That Council accept the quotation from MAK Planning and Design to undertake a review of the Burdekin Shire Sport and Recreation Plan 2018-2028 for the sum of \$28,535.00 (ex GST).

Resolution

Moved Councillor Perry, seconded Councillor Furnell that the recommendation be adopted noting the following amendment:

" That Council accept the quotation from MAK Planning and Design to undertake a review of the Burdekin Shire Sport and Recreation Plan 2018-2028 to develop a new Burdekin Shire Sport and Recreation Plan 2024-2029 for the sum of \$28,535.00 (ex GST)."

CARRIED

9.37am - Mr. Arboit left the meeting.

6.3. FINANCIAL AND ADMINISTRATIVE SERVICES

6.3.1. Monthly Financial Report - December 2023

Recommendation

That the Monthly Financial Report for Period Ending 31 December 2023 be received.

9.41am - Mr. Saldumbide entered the meeting.

Resolution

Moved Councillor Detenon, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

9.49am Mrs. Olsen left the meeting.

6.4. GOVERNANCE

6.4.1. Installation of Advertising Devices (Amendment) Subordinate Local Law (No. 1) 2024

Executive Summary

Council commenced the local law making process to propose amendments to the *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2012* in mid 2023 and delegated power to the Chief Executive Officer to undertake the public interest testing in relation to anti-competitive provisions within the proposed amended subordinate local law.

The proposed amendments to the Subordinate Local Law include provisions for A-frame signs, sandwich boards, outdoor dining signs that are not fixed and advertising banners, flags, teardrop signs, balloons and other devices that may or may not have a supporting framework. The amendments to the Subordinate Local Law will also make provisions to ensure adequate pedestrian corridors are maintained where advertising devices are placed on Council controlled land (for example, public footpaths) to reduce the risk of injury or harm to pedestrians.

This report outlines how to proceed with the local law making process previously adopted by Council and resolve to proceed with the making of, and actually make *Installation of Advertising Devices (Amendment) Subordinate Local Law (No.1) 2024*.

Recommendation

That Council:

1. Resolves to implement each of the recommendations of the public interest test report (attached) about *Installation of Advertising Devices (Amendment) Subordinate Local Law (No. 1) 2023* and note that the subordinate local law contains anti-competitive provisions.
2. Resolves:
 - a) to proceed with the making of, and make, *Installation of Advertising Devices (Amendment) Subordinate Local Law (No. 1) 2023* as advertised, but amended by omitting each reference to 2023 and inserting, instead, a reference to 2024; and
 - b) pursuant to section 32 of the *Local Government Act 2009*, to adopt a consolidated version of *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2012* in the form attached to this report to Council.

Resolution

Moved Councillor Perry, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

6.4.2. Complaints Regarding Corrupt Conduct by the CEO Policy (Section 48A Policy)

9.54am Mr. Brennan left the meeting during this discussion.

Executive Summary

The *Crime and Corruption Act 2001* (Qld) requires every public unit of administration, including each Local Government, to develop and adopt a policy for dealing with any complaints that may be made regarding corrupt conduct of the Chief Executive Officer (CEO). The Complaints Regarding Corrupt Conduct of the CEO Policy (Section 48A Policy) has been developed to comply with requirements of the *Crime and Corruption Act 2001*, promote public confidence in the way Council deals with allegations or suspicions of corrupt conduct by the CEO and promote accountability, transparency and integrity.

The policy was last reviewed and adopted by Council in November 2021 and has recently been reviewed in accordance with the set review schedule. The Policy appoints the Independent Chairperson of the Audit Committee as the "nominated person" to deal with complaint or matters involving corrupt conduct or alleged corrupt conduct by the CEO. The policy makes provisions for the appropriate resourcing of the nominated person to carry out their responsibilities under the policy.

Recommendation

That Council adopts the Complaints Regarding Corrupt Conduct by the CEO Policy (Section 48A Policy) as attached to this report.

Resolution

Moved Councillor Detenon, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

9.56am - Mrs. Stockdale left the meeting.

9.56am - Mr. Brennan re-entered the meeting.

7. INFRASTRUCTURE, PLANNING AND ENVIRONMENTAL SERVICES

7.1. ENVIRONMENTAL AND HEALTH SERVICES

7.2. OPERATIONS

7.2.1. Development and Installation of an Additional Water Supply Production Bore at Conlan Street, Ayr.

Executive Summary

Construction of a Water Filtration Plant and development of new production bores at South Ayr will secure water supply to the townships of Ayr, Brandon and Alva from early 2026 onwards however water supply production capacity will remain a significant challenge for Council until the aforementioned infrastructure projects have been completed and brought into service.

The development and commissioning of an additional water supply production bore at Conlan Street, Ayr will provide Council with much needed production redundancy and water supply resilience during the two (2) year construction period and beyond.

Recommendation

Council approve the development, installation and network connection of an additional water supply production bore at Conlan Street, Ayr at an estimated cost of \$145,290.00.

Resolution

Moved Councillor Musumeci, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

9.59am - Mr. Saldumbide left the meeting.

10.00am - Mrs. Galletta entered the meeting.

7.3. PLANNING AND DEVELOPMENT

7.3.1. Development Application for a Development Permit for Material Change of Use for Intensive Animal Industry (Poultry Farm) at 793 McLain Road, Barratta (Lot 85 on SP181324)

Executive Summary

Council is in receipt of an impact assessable material change of use development application lodged by BNC Planning on behalf of applicant, Green Acres Farm Fresh, for an Intensive Animal Industry (Poultry Farm) on land described as Lot 85 on SP181324, located at 793 McLain Road, Barratta.

As the development application is impact assessable, officers have assessed it both against the relevant assessment benchmarks of the *Burdekin Shire Council Planning Scheme 2022* and all other relevant legislation together with an assessment on the merits of the application.

Based on the assessment of the development application against the relevant assessment benchmarks, it is considered that the proposed Poultry Farm complies with and/or can be conditioned to comply with outcomes sought by the applicable codes (Rural Zone Code, Development Works Code and Overlay Codes), the proposal generally aligns with the outcomes sought by the Planning Scheme including its Strategic Framework.

Given this and with the application of reasonable and relevant conditions, the proposed development is therefore recommended for approval.

Recommendation

That Council approve the proposed Development Application for a Development Permit for Material Change of Use for – Intensive Animal Industry (Poultry Farm), subject to reasonable and relevant conditions as set out below.

Condition	Reason	Timing
<p>1 General and Administration</p> <p><u>Compliance with Conditions</u></p> <p>1.1 The Applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with:</p> <p>1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports.</p> <p>1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) and all other relevant legislative requirements to Council's satisfaction, and best industry practice.</p> <p>1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail.</p> <p>1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation.</p> <p><u>Notice of Intention to Commence the Use</u></p> <p>1.4 Prior to the commencement of the use on the land the subject of the application, written notice must be given to Council that the use (development and/or works) fully complies with the decision notice issued in respect of the use.</p> <p><u>Works – Applicant's Responsibility/Expense</u></p> <p>1.5 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the applicant, at no cost to the Council.</p> <p>1.6 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.</p> <p>1.7 Any required relocation and/or alteration to any public service or facility installation must be carried out at no cost to council.</p> <p><u>Infrastructure Conditions</u></p> <p>1.8 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i>, should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.</p>		At all times.

Condition	Reason	Timing		
2. Approved Plans and Documents				
<u>Approved Plans & Documents</u>				
2.1 The proposed development and use of the site must be completed, comply with and maintained generally in accordance with drawings/documents identified in the table below, except as otherwise specified and/or amended by any condition of this approval.	The approved development must be completed and maintained generally in accordance with the approved drawings and documents.	At all times.		
2.2 The development must generally accord with the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.				
2.3 One full set of the most up to date approved plans must be held on site and available for inspection for the duration of the construction phase.				
Approved Plans				
Drawing Title	Drawing/Revision	Date		
Site Plan - Intensive Animal industry use (Poultry Farm)	DA Issue, Drawing No: S01-01, Rev: B	November 2023		
3. Outstanding charges				
All rates and charges (including infrastructure charges), in arrears in respect of the land subject of the application, are paid in full prior to the commencement of the proposed use.				
Operation of the Use/Limitation of Approval				
4. Operation of the Use/Limitation of Approval				
4.1 This approval is limited to a Material Change of Use for 'Intensive Animal Industry' use only as defined by Schedule 1, Definitions SC1.1 Use Definitions of <i>Burdekin Shire Planning Scheme 2022</i> .	The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit.	At all times.		
4.2 Specifically the approved use is to remain in accordance with the scale and intensity provided in the development application and as set out on the approved proposal plan listed in the table forming part of Condition 2.				
4.3 No other operations and/or activities are allowed other than that approved by this permit.				
4.4 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the development application including its supporting material provided to it by the Applicant.				
Condition	Reason	Timing		
4.5 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the development application and supporting material as constituting a representation by the applicant as to its accuracy and completeness.				
Intensive Animal Industries - Poultry Farm and Egg Production Activities				
5. General				
5.1 Premises used for intensive animal industries are to be operated and maintained to ensure all significant impacts from noise, odour or other emissions is unlikely to be experienced.	The development must comply with all relevant legislation.	At all times.		
6. Stocking Density				
6.1 A stocking density of a maximum of 200 birds is permitted on site at any one time.				
7. Chicken Coup Trailers				
7.1 The activity including location chicken coup trailers are to remain in the boundaries of the designated paddocks as per the approved proposal plan listed in the table forming part of Condition 2.				
8. Bird Disposal				
8.1 Deceased birds must be incinerated in a designated Bird Disposal Area with the boundaries of the site.				
9. Bird Waste Management and Disposal				
9.1 Excess poultry waste is not to accumulate in the designated paddocks.				
9.2 The cleaning of all poultry associated infrastructure must be undertaken in accordance with the relevant legislation and regulations.				
9.3 All egg waste is to be appropriately disposed.				
10. Storage				
10.1 Animal associated supplies are to be stored appropriately to ensure reasonable accessibility and is to be appropriately screened from the view of neighbouring properties and the road reserve.				
10.2 All unloading and loading of goods/supplies related to the use must be carried out within the confines of the allotment boundary.				
Roadworks, Access, Parking and Traffic				

Condition	Reason	Timing
11. External Roadworks – New Access 11.1 The section of new access proposed within the existing road reserve is to be a minimum gravel standard and must be designed: <ul style="list-style-type: none"> i. By a Registered Professional Engineer of Queensland (RPEQ). ii. To not adversely affect any third-party service provider assets within the road reserve (Sunwater Wilmar and Ergon). iii. To ensure a minimum road width of 3.0m. iv. To provide adequate manoeuvre space for the maximum size vehicle proposed to access the site. v. To provide a minimum 6.0m clearance to the nearest Sunwater channel bank. vi. To ensure surface water for the access drains away from the Sunwater channel, to reduce risk of scouring along channel bank. 12. Access, Internal Works, Carparking and Traffic 12.1 Adequate on site carparking for the activity is to be provided on site. 12.2 The construction of any additional crossovers to give access to the land is to be the owner's responsibility and be designed to the satisfaction of the Chief Executive Officer. 12.3 All car parking areas and internal traffic manoeuvring areas are to be designed and constructed to ensure safe and efficient inward and outward traffic movement. 12.4 Drainage through and from all trafficable areas and production activities must be designed to minimise surface flow velocities. 12.5 All stormwater generated from hardstand areas must be directed to a point of discharge on the subject site. 12.6 Trafficable areas must be maintained using all reasonable and practicable measures necessary to minimise the release of windblown dust or traffic generated dust.	To ensure development is appropriately serviced by adequate parking and access in accordance with relevant code/s and policy direction; and that the developments impact on the road network and safety of road users in this location is appropriately mitigated.	<ul style="list-style-type: none"> i. Technical details are to be submitted to Council as part of an application for Operational Work. ii. Works to be completed prior to the commencement of the use. iii. To be maintained for the life of the development.
Infrastructure		
13. Potable Water Supply 13.1 Provide and maintain a sufficient supply of potable water for all staff and visitors associated with the approved use. 13.2 The water must satisfy the relevant standards applicable at time of approval.	The development must comply with all relevant legislation.	At all times.
Condition		
14. On Site Sewerage Treatment All contaminated water must be directly piped to the on-site sewerage treatment and disposal system. Contaminants / wash-down is not permitted to discharge into drainage lines or onto adjoining properties.	The development must comply with all relevant legislation.	Prior to commencement of use and at all times.
15. Stormwater The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.	To ensure the premises appropriately manages and convey stormwater legally and in an environmentally responsible manner in accordance with relevant standards, code/s and policy direction.	Prior to commencement of use and at all times.
Nuisance		
16. Environmental Management and Avoiding Nuisance 16.1 At all times, the proposed activity shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and all relevant regulations and standards. 16.2 No off site release of prescribed contaminants is permitted. 16.3 The proposed activity must be conducted in a manner that applies such reasonable and practical means to avoid, minimise or manage the mission or likelihood of emissions that constitutes noise, dust, light, vibration and odour nuisances. 16.4 An adequate buffer zone (being a minimum 150.0m in width) is to be maintained at all times from and around all waterways including the Sunwater channel. <u>Environmental Management Plan</u> 16.5 An Environmental Management Plan (EMP) prepared by a suitably qualified and experienced person, must be submitted to Council for approval. 16.6 The EMP must be site specific and activity specific for a poultry farm and egg production activity in this location. 16.7 The EMP must address/detail at minimum <u>but not limited to</u> , matters of site-based management pre, during and post construction, stormwater management, prescribed contaminants release, storage of hazardous chemicals, vibration, dust, noise, light and odour emissions, erosion	<p>To manage and to minimise the risk of the development causing environmental harm and to ensure adequate control measures are in place.</p> <p>Concrete is a prescribed contaminant under the <i>Environmental Protection Act 1994</i>.</p> <p>The site is not connected to Council's reticulated sewerage system, therefore appropriate wastewater management on site must be addressed.</p>	<ul style="list-style-type: none"> i. The Environmental Management Plan is to be submitted to Council as part of an application for Operational Work. ii. All works to be completed and measures in place prior to the commencement of the use. iii. To be maintained for the life of the development.

Condition	Reason	Timing
<p>sediment control and refuse and waste management. The EMP must also have a section for Incident recording including management and corrective action recording.</p> <p>16.8 The final EMP and its associated control measures and any conditions or amendments thereto approved by Council must be implemented and maintained by the applicant/owner at all times.</p> <p>16.9 A copy of the Environmental Management Plan for the site must be held on site at all times and produced if requested by Council officers. All staff, including sub-contractors, must be inducted and familiar with the plan.</p> <p>16.10 Where potential or actual environmental harm may be caused by the approved development, Council may at any time direct the applicant/owner, or persons acting on behalf of the applicant/owner, to:</p> <ol style="list-style-type: none"> cease an activity implement appropriate impact control measures modify work plans or methods. <p>16.11 In accordance with the requirements of the <i>Environmental Protection (Noise) Policy 2019</i>, noise and sound from premises and activities are to be managed to ensure any adverse effects on environmental values including health and wellbeing and sensitive receptors are prevented or minimised.</p> <p>16.12 A minimum 400.0m separation distance between the activity to other existing sensitive land uses is to be maintained at all times.</p>	<p>To ensure that the use of the site does not cause unacceptable nuisance to nearby sensitive receptors, in accordance with the <i>Environmental Protection Act 1994</i>.</p>	
<p>17. Refuse Facilities and Waste Management</p> <p>17.1 Refuse collection arrangements must be provided by the developer to the satisfaction of Council. In particular:</p> <ol style="list-style-type: none"> All construction waste generated as a result of the construction of the development is to be effectively controlled and contained entirely within the boundaries of the site prior to disposal. All waste at all times is to be disposed of in accordance with the <i>Environmental Protection Regulation 2019</i> and Council's waste management policy. Waste and recycling services must be provided in accordance with Council's Waste Management Policy. 	<p>To ensure the premises is appropriately serviced and to protect matters of public health and amenity in accordance with relevant code/s and policy direction.</p>	<p>At all times, for the life of the development.</p>
18. Soil Erosion Minimisation, Sediment Control		
Condition	Reason	Timing
<p>Should any works that involve the exposure of earth occur on site, appropriate erosion and sediment control management must be undertaken (including installation of site-specific stormwater treatment devices) and maintained to the satisfaction of the Council.</p>		
Miscellaneous		
<p>19. Operational Works</p> <p>A Development Permit for Operational Works is to be obtained for the external road works to provide access to the development.</p>	<p>To ensure the construction works required are assessed and constructed in accordance with relevant standards/codes and applicable legislation.</p>	<p>Prior to the commencement of the use.</p>
<p>20. Property Numbering</p> <p>20.1 Legible property numbers must be erected at the premises and must be maintained.</p> <p>20.2 The site identification numbers should be of reflective material, maintained free from foliage and other obstructions, and be large enough to be read from the street.</p>	<p>To allow the general public, service and emergency service providers to effectively identify the property.</p>	<p>Prior to the commencement of the use and maintained for the life of the development.</p>
<p>21. Signage</p> <p>21.1 Any signage to be associated with the use may require further approvals.</p> <p>21.2 No illuminated signage permitted.</p>	<p>To maintain amenity for the surrounding area.</p>	<p>Prior to the commencement of the use and maintained for the life of the development.</p>
<p>22. Storage</p> <p>22.1 Goods, equipment, packaging material or machinery must not be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.</p> <p>22.2 Where storage of chemicals is required, a bunded area with a non-porous base is to be provided.</p> <p>22.3 Any storage on site is required to be screened from view from all roads and adjacent properties.</p>		

Advice

1. Infrastructure Charges
Infrastructure contributions are not payable relevant to the Development Permit is attached for your information.
2. Uses other than Intensive Animal Husbandry (Poultry Farm)
Any other uses proposed on this lot that are not defined as "Medium Impact Industry" and/or separately defined in <i>Council's Planning Scheme</i> will require a separate development application and permit as per the Planning Scheme requirements.
3. Compliance with Conditions
Inspections will be required to be undertaken by council to determine compliance with conditions that are not subject to a further approval.
4. Further Approvals Required
a) Operational Work
A Development Permit for Operational Works to carry out civil works associated with the planning approval is required prior to any works commencing on site.
5. Uses other than Intensive Animal Industry (Poultry Farm)
Any other uses proposed on this lot that are not defined as 'Intensive Animal Industry' and/or separately defined in <i>Council's Planning Scheme</i> will require a separate development application and permit as per the Planning Scheme requirements.
6. On-site Sewage Disposal
The development is proposed to be serviced by the existing on-site sewage disposal system. Any change to the existing system must be in accordance with the On-Site Sewerage Code and AS/NZS 1547:2000 and may require a plumbing and drainage approval.
7. Acid Sulfate Soils Management
Should the soil and groundwater investigations reveal the presence of acid sulfate soils or potential acid sulfate soils, an Acid Sulfate Soils Management Plan must be prepared and submitted to Council for approval.
8. Amenity Impacts
Use of the site is to be operated in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, excessive glare, noise, vibration or lighting, in accordance with the <i>Environmental Protection Act 1994</i> .
9. Miscellaneous
9.1 Council will not be obligated to upgrade any roads accessing the development due to increased vehicle numbers accessing the development.
9.2 The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of Council.
9.3 If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.
9.4 The activity must comply with all relevant legislation and is at all times to abide by all requirements of Safe Food Production QLD and their requirements for commercial egg producers and processors under the Primary Standard for Egg and Egg Products.

Resolution

Moved Councillor Perry, seconded Councillor Boccalatte that the recommendation be adopted.

CARRIED

7.3.2. Development Application for a Development Permit for Reconfiguring a Lot - Boundary Realignment (Two (2) Lots into Two (2) Lots) at 76 and 90 Colevale Road, Brandon (Lot 3 on SP238865 and Lot 3 on RP731691)

Executive Summary

Council is in receipt of an impact assessable reconfiguring a lot development application lodged by Brazier Motti on behalf of applicant, SunRice, for a boundary realignment of the common boundary of two (2) parcels of rural zoned land described as Lot 3 on RP731691 and Lot 3 on SP238865 and located at 76 and 90 Colevale Road, Brandon.

As the development application is impact assessable, Officers have assessed it both against the relevant assessment benchmarks of the *Burdekin Shire Council Planning Scheme 2022* and all other relevant legislation and relevant matters together with an assessment on the merits of the application.

As a result of this assessment, Officers consider that the proposed boundary realignment of the existing two lots despite any conflicts identified in part with the applicable codes, the proposal generally aligns with the outcomes sought by the Planning Scheme including its Strategic Framework. Given this and through the application of reasonable and relevant conditions, the proposed boundary realignment is therefore recommended for approval.

Recommendation

That Council approve the proposed Development Application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (Two (2) Lots into Two (2) Lots) over land described as Lot 3 on RP731691 and Lot 3 on SP238865 and located at 76 and 90 Colevale Road, Brandon, subject to reasonable and relevant conditions as set out below:

Condition	Reason	Timing
1 General and Administration <u>Compliance with Conditions</u> 1.1 The Applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with: 1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports. 1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering. 1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail. 1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation. <u>Works – Applicant's Responsibility/Expense</u> 1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the applicant, at no cost to the Council. 1.5 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately. <u>Infrastructure Conditions</u> 1.6 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i> , should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.		At all times.
2. Approved Plans and Documents <u>Approved Plans & Documents</u> 2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/ documents identified in the above, except as otherwise specified and/or amended by any condition of this approval.	The development must comply with all planning scheme requirements as approved and conditioned by this development permit.	At all times.
Condition	Reason	Timing
2.2 The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines. 2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.		
Approved Plans		
Drawing Title	Drawing/Revision	Date
Proposed Boundary Realignment – Lots 1 and 2 Cancelling Lot 3 on RP731691 and Lot 3 on SP238865	Plan No: 57017/001 B Prepared by Brazier Motti	18 August 2023
3. Payment of Rates, Charges and Expenses 3.1 Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land. 3.2 Pay the sum calculated at the current charge per lot to be levied on the Council by the Department of Resources, for each new valuation.	Confirmation to be provided to Council prior to the release of the Plan of Survey.	
4. Confirmation of Existing Services The existing services for each lot must be contained within the individual allotments.	To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.	Confirmation to be provided to Council prior to the release of the Plan of Survey.
5. Relocation/alteration of Public Utilities The developer must at its own cost undertake all necessary alterations to public utility mains and services as rendered necessary by the carrying out of any required external works or other works associated with the approved development to the satisfaction of Council, and at no cost to Council.	To ensure development is appropriately serviced by public services and/or facilities in accordance with relevant code/s and policy direction.	Prior to the release of the Plan of Survey.

Condition	Reason	Timing
6. Roadworks The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.	To provide appropriate access in accordance with relevant code/s and policy direction.	Prior to the issuing of a Development Permit for Building or Operational Works.
7. Drainage/Stormwater The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.	To convey stormwater across other lands legally and in an environmentally responsible manner in accordance with relevant code/s and policy direction.	At all times.

Advice

1. Infrastructure Charges Not Applicable.
2. Compliance with Conditions Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.
3. Limitation of Approval 3.1 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant. 3.2 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving tide to any claim by a third party the applicant agrees to indemnity and save the council harmless in respect of any claim so arising.
4. Acid Sulfate Soils Should the presence of acid sulfate soils or potential acid sulfate soils be detected, an Acid Sulfate Soils Management Plan may be required to be prepared and submitted to Council for approval.
5. Amenity Impacts Use of the site is to be operated in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting, in accordance with the <i>Environmental Protection Act 1994</i> .
6. Earthworks Earthworks are not approved as part of this Development Permit. If any earthworks are required and deemed assessable development, an operational works development application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.
7. Miscellaneous The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au . If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

7.3.3. Development Application for a Development Permit for Reconfiguring a Lot - Subdivision (One (1) Lot into Two (2) Lots) at 501 Hurney Road, Osborne (Lot 5 on RP722896)

10.04am Councillor McLaughlin left the meeting at the commencement of this discussion as she had a Declared Conflict of Interest in relation to Item 7.3.3 Development Application for a Development Permit for Reconfiguring a Lot - Subdivision (One (1) Lot into Two (2) Lots) at 501 Hurney Road, Osborne (Lot 5 on RP722896) as her nephew and his wife, Mr. and Mrs. Mark and Kristy Vass are the owners of the property seeking the Development Permit.

Councillor Perry assumed the Chair.

10.05am - Mr. Byers entered the meeting.

Executive Summary

Council is in receipt of a Development Application lodged by BNC Planning on behalf of applicant, VMK Holdings Pty Ltd seeking a Development Permit for Reconfiguring a Lot (One (1) lot into Two (2) lots) on rural zoned land described as Lot 5 on RP722896 and located at 501 Hurney Road Osborne.

As the proposed development is impact assessable, the development application has been assessed against the *Burdekin Shire Council Planning Scheme 2022* and all other relevant legislation together with an assessment of the merits of the application itself.

This assessment found that there was not sufficient merit nor need demonstrated for Officers to support the development proposal and recommend approval.

Officers consider the proposal is in conflict in part with the intent of the new implemented Strategic Framework of the 2022 Planning Scheme. In particular Part 2.4 Economic Growth, 2.4.1 Diverse Rural Futures, which requires:

.....All land in the rural zone is protected from fragmentation as a result of the creation of small lot sizes below the minimum size nominated in the zone code. Reconfiguration creating lots below these minimum sizes does not occur, other than where:

1. *consolidating the balance of the farmed lot which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme.....*

As the Strategic Framework sets the policy direction for the planning scheme and forms the basis for ensuring that appropriate development occurs for the life of the planning scheme, this development cannot be supported. Given this the application is therefore recommended for refusal by Officers.

Recommendation

That Council refuse the proposed Development Application seeking a Development Permit for Reconfiguring of a Lot (One (1) lot into Two (2) lots) on land described as Lot 5 on RP722896 and located at 501 Hurney Road, Osborne, as the proposed development is in conflict (and cannot be conditioned to be consistent/align) with:

1. *Burdekin Shire Council Planning Scheme 2002*, in particular:
 - a) Part 2 - Strategic Framework, 2.4.1 Diverse Rural Futures.
 - b) Part 3 – Zones, 4.2.9 Rural Zone Code.
 - c) Part 6 – Development Codes, 6.2.2 Reconfiguring a Lot Code.

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted.

FOR - Nil

AGAINST - Councillors Sue Perry, Kaylee Boccalatte, Max Musumeci, Michael Detenon, John Furnell and John Bonato.

0/6
LOST

Recommendation

That:

1. the Officer recommendation for refusal of the application not be supported for the reasons that the proposed reconfiguration of the land does not involve the loss of any existing agricultural land and there is an existing dwelling on the proposed smaller lot and;
2. the Officers be requested to prepare conditions of approval for the application for consideration at the next Council Meeting on 13 February 2024.

Resolution

Moved Councillor Detenon, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

**** The following updated correspondence was presented to the Council at the meeting:**

From: Ben Collings - BNC Planning <bnc@bncplanning.com.au>

Sent: Monday, January 22, 2024 11:31 AM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: RAL23/0016 - VKM Holdings Pty Ltd - Proposed Rural Subdivision - Further Advice Request

Further to the email below and the Further Advice response issued for the above referenced development application, please find attached additional supporting information in support of the development proposal.

To further support the developments consistency with the Strategic Framework, the subdivision was reviewed by a local agronomist from Burdekin Productivity Services Limited. The agronomist has confirmed that the subdivision will not impact the productivity of the cane farm and that the production area of the farm will not need to change/reduce as a result of the subdivision.

This confirmation lends further weight to the position that the subdivision will have no adverse impacts on the rural productivity of the rural landscape. When considered in conjunction with the detailed justification provided in the Further Advice response, this provides a defensible basis from which the development application can be approved.

Please contact me should there be any further issues or should you wish to discuss the matter further.

Kind regards,

Benjamin Collings
Director

 **BNC PLANNING**
town planning & property development consultants
Office 7 / Ground Floor / 41 Denham Street TOWNSVILLE CITY QLD 4810

Burdekin Productivity Services Limited



ABN 18 107 846 060
210 Old Clare Road, AYR 4807
PO Box 237 AYR 4807
Phone: (07) 4783 1101
Email: reception@bps.net.au

17 January 2024

To whom it may concern

I, Rob Mills, Manager of Burdekin Productivity Services Ltd am writing to confirm that the proposed reconfiguration of lots 4 and 5 on RP722896 will not affect the productivity of the farm. The actual agricultural production area of the farm on RP722896 will not change as a result of the reconfiguration, hence no loss in productivity of the farm.

If you have any questions relating to this issue, please feel free to contact me.

Regards,

Rob Mills

Manager
Burdekin Productivity Services Ltd

10.27am - Mrs. Galletta left the meeting.

10.27am - Meeting adjourned for Morning Tea.

10.50am - Meeting recommenced.

10.50am - Councillor McLaughlin re-entered the meeting and resumed the chair.

7.4. TECHNICAL SERVICES

7.4.1. TBSC/23/021 Tender for the Supply and Delivery of One (1) only Tractor Mounted with Power Arm Flail

Executive Summary

The *Local Government Regulation Queensland 2012* requires Council to invite written tenders for large sized contractual arrangements for goods and services purchased from a supplier that is expected to exceed \$200,000.00 ex GST per financial year. The purchase of this tractor mounted with power arm flail is in the category.

Tenders were called in TBSC/23/021 - Supply and Delivery of one (1) Tractor mounted with Power Arm Flail. Tender closed on Wednesday, 10 January 2024. Four (4) Prequalified suppliers were selected in the following Local Buy Contract LB282 Tractors, Mowers & General Powered Equipment.

The dealer's responses were from four (4) tractor manufacturers that consisted of six (6) tractor and flail combinations. These quotations were assessed using a multi-criteria weighting method.

Recommendation

That Council accepts the quotation in TBSC/23/021 - Tractor mounted with Power Arm Flail (included in price) from The Brown and Hurley Group Pty Ltd (Brown and Hurley Ag Ayr) for one (1) CASE IH Maxxum 125 Tractor mounted with McConnel PA64 - 75 series power arm flail with variable forward reach and evolution control for a total of \$270,922.73 excluding GST.

Resolution

Moved Councillor Furnell, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

10.50am Ms. Mannea entered the meeting.

7.4.2. Tenders/Quotations Received for the Ayr Industrial Estate

Executive Summary

The Ayr Industrial Estate Expansion project is the result of an identified need for additional industrial land within the shire. Due to the limited water and wastewater construction and drainage construction resources within the Operations Department, some components were issued for tender/quotation to capture the most cost effective and efficient method of construction.

The separate components which have been advertised for tender/quotation were:

- TBSC/23/029 Potable Water Infrastructure construction.
- TBSC/23/030 Sewer Infrastructure construction.
- TBSC/23/033 Supply of Prefabricated Pump Stations.
- TBSC/23/034 Supply of Water and Sewerage materials.
- QBSC/23/072 Supply and Installation of Pump Station Switchboards.

The purpose of this report is to seek Council's approval to award the above contracts as per the companies stated in the recommendations below.

Councillors agreed to deal with recommendations 1, 2, 3 and 5 separately from recommendation 4 to enable the Mayor to participate in the discussion for these items.

Recommendation

That Council endorses the following recommendations:

1. Advanced Civil to be awarded the contract for the installation of water infrastructure (TBSC/23/029) for the total lump sum of \$552,776.00 exc. GST.
2. Advanced Civil to be awarded the contract for the installation of sewer infrastructure (TBSC/23/030) for the total lump sum of \$810,467.00 exc. GST.
3. PLD Holdings to be awarded the contract for the supply of sewer pump stations (TBSC/23/033) for the total lump sum of \$295,800.00 exc. GST.
4. Burdekin Air Conditioning and Electrical to be awarded the contract for the supply and installation of switchboards for sewer pump stations (QBSC/23/072) for the total lump sum of \$135,368.00 exc. GST.
5. Pio Burelli Constructions to be awarded the contract for the installation of access culverts (TBSC/23/038) for the total lump sum of \$361,636.36 exc. GST.

Resolution

Moved Councillor Furnell, seconded Councillor Perry that recommendations 1, 2, 3 and 5 be adopted.

CARRIED

11.07am Councillor McLaughlin left the meeting at the commencement of the discussion of recommendation 4 as she had a Declarable Conflict of Interest in relation to Item 7.4.2 Tenders/Quotations Received for the Ayr Industrial Estate as she is a close family friend of Mr. Richard Bonato of Laser Electrical as he submitted a tender for Item 4 QBSC/23/072 Supply and Installation of Two Switchboards at Expanded Ayr Industrial Estate.

Councillor Perry assumed the Chair.

Resolution

Moved Councillor Detenon, seconded Councillor Boccalatte that recommendation 4 be adopted.

CARRIED

11.09am - Ms. Heuir entered the meeting.

11.11am - Councillor McLaughlin re-entered the meeting and resumed the chair.

11.12am - Ms. Mannea left the meeting.

7.4.3. South Ayr Filtration Plant - Consultancy Engineer Tender Recommendation

Executive Summary

Council is currently in the tendering phase of the South Ayr Filtration Plant construction project, which is scheduled to be completed by summer 2026 at the location of existing South Ayr Water Treatment Plant on Burke Street, Ayr. This filtration plant is a critical piece of infrastructure that will allow Council to continue to filter water from South Ayr bores to supplement the supply of clean, potable drinking water to the townships of Ayr, Alva and Brandon.

For specialised engineering, support and assistance for the 24-month construction period, an Engineering Consultant is required for the project, to work with Council and the Principal Contractor to ensure the project is executed efficiently, to scope and to the appropriate construction and operational standards. This Engineering Consultant will be responsible for design verification, engineering inspections, engineering certification, payment certification and end of defect liability inspections.

Through the tendering process, bids were assessed by an evaluation panel and a recommendation for a suitably qualified tenderer has been developed for consideration and endorsement by Council.

Recommendation

That Council endorses the recommendation to award GHD the contract for TBSC/23/023 Design Verification and Engineering Consultancy Services for the South Ayr Filtration Plant Construction Project for the target total estimated cost of \$790,256.00 ex GST.

Resolution

Moved Councillor Boccalatte, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

7.4.4. Anzac Park Precinct and Youth Zone Design Detailed Design

Executive Summary

The Anzac Park Masterplan was developed in 2019, with the aim to create a community recreational space that is inclusive and engaging for youth and families alike. Since then, the concept for the space has evolved. It was envisaged that this precinct will not only appeal to local youth and families, but also draw interest from visitors to the region.

A Youth Zone was included within the precinct concept, linking the newly constructed water park and aquatic facility to the adjacent sporting and community areas. This area includes elements tailored to the adolescent age group that will appeal to the whole family and include play spaces, recreational spaces, and hangout groves.

In August 2023, Council awarded the design works of the reconceptualised Anzac Park Precinct and the detailed design of the Youth Zone to JFP Consultants who have worked with Council's project team to deliver the detailed design plans in December 2023.

The purpose of this report is to gain endorsement of the current precinct design plans completed by JFP Consultants so that they can be used for construction funding applications and planning in the future.

Recommendation

That Council:

1. Endorses the concept design plans for the Anzac Park Precinct and detailed design plans for the Youth Zone, as shown below:



Resolution

Moved Councillor Perry, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

11.28am - Ms. Heuir left the meeting.

8. NOTICE OF MOTION**9. RECEIPT OF PETITIONS****10. CORRESPONDENCE FOR INFORMATION****11. GENERAL BUSINESS**

11.44am Ms. Govan entered the meeting.

11.1. Appointment of Acting Chief Executive Officer (CEO)**Recommendation**

That the Director Corporate and Community Services, Mr. Nick O'Connor, be appointed Acting CEO from 24 to 30 January 2024 during the absence of the CEO on annual leave.

Resolution

Moved Councillor Perry, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

11.2. Approval of Leave of Absence - Councillor Michael Detenon**Recommendation**

Councillor Detenon requested approval for leave of absence for the period of 8 to 16 February 2024.

Resolution

Moved Councillor Perry, seconded Councillor Furnell that the recommendation be adopted.

CARRIED

12. CLOSED BUSINESS ITEMS

Council Meeting closed to Public under Section 254J (3) of *Local Government Regulation 2012*.

Resolution

Moved Councillor Boccalatte, seconded Councillor Musumeci that the Council meeting be closed to the public under the following sections of the *Local Government Regulation 2012*:

254J (3)(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

For the purpose of discussing:

1. Interim Management Home Hill Caravan Park and Swimming Pool.

CARRIED

Council Meeting opened to Public.

Moved Councillor Boccalatte, seconded Councillor Perry that the Council meeting be opened to the public.

CARRIED

12.1. Confidential - Interim Management Home Hill Caravan Park and Swimming Pool

Executive Summary

In November 2023, Council staff received a request from the Contractor that manages the Home Hill Caravan Park and Swimming Pool, seeking termination of the contract as soon as possible. Council staff have followed legal direction to terminate the contract and are now seeking approval to engage interim management while the tender process for a new contract commences. The awarding of the tender is planned to occur in April 2024.

Recommendation

That Council resolve due to "emergent circumstances" and approve that it is satisfied that there is only one supplier reasonable available and approves the engagement of Sage Swim Pty Ltd as the temporary Manager at the Home Hill Caravan Park and Swimming Pool for a total cost of \$79,000.00 based on a maximum period of (4) months whilst a formal tender process is completed for a new Manager of the combined facility and the subsequent appointment.

Resolution

Moved Councillor Perry, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

13. DELEGATION

There being no further business the meeting closed at 12.02pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 13 February 2024.

MAYOR

4.2. MINUTES AND BUSINESS ARISING

Burdekin Shire Youth Council Meeting Minutes - 4 December 2023

File Reference:	137
Report Author:	Tammy Quagliata, Community Development Officer
Authoriser:	Nick OConnor, Director Corporate and Community Services
Meeting Date:	13 February 2024

Purpose

This report provides the minutes of the Burdekin Shire Youth Council Meeting held on 4 December 2023

Summary of recommendations and actions for consideration and adoption:

There are no recommendations for adoption.

Recommendation

That:

1. the minutes of the Burdekin Shire Youth Council Meeting held on 4 December 2023 be noted and adopted.

Attachments

1. Minutes - Burdekin Shire Youth Council Meeting - 4 December 2023

Meeting Minutes

Meeting	Burdekin Shire Youth Council Meeting		
Date	Monday, 4 December 2023	Time	3:30 PM
Attendees	Zavier Wood – Youth Mayor Brent Dingle – Deputy Youth Mayor Breanna Wood – Ayr State High School Clodagh Liessmann – Burdekin Catholic High School Eddie Jones – Ayr State High School Haigan MacDonald – Burdekin Catholic High School Jorda Quagliata – Ayr State High School Martina Bojack – Home Hill State High School Matilda Wiseman – Ayr State High School Michael Lindley – Ayr State High School Sarah Shepherd – Ayr State High School Taliyah Lammon – Burdekin Catholic High School William Wiseman – Ayr State High School Tammy Quagliata – Community Development Officer, Burdekin Shire Council Councillor Kaylee Boccalatte – Burdekin Shire Council Councillor John Furnell – Burdekin Shire Council		
Apologies	Emily Holmes – Burdekin Christian College Councillor Lyn McLaughlin – Mayor, Burdekin Shire Council		
Chairperson	Zavier Wood, Youth Mayor		
Minutes Clerk	Tammy Quagliata		
Location	John Drysdale Chamber		

Agenda Items

1. Minutes of 6 November 2023 Meeting Received

Moved by Sarah Shepherd, seconded by Eddie Jones that the minutes of the Burdekin Shire Youth Council Meeting held on 6 November, be received.

CARRIED

2. Business Arising from the Minutes

- Tammy Quagliata noted that 'save the date' promotion for the Fast Track Talent Showcase has been announced on social media and via email correspondence. It was noted that the event would be held on Saturday 16 March 2024. Members were advised that both Taylor Hendersen (X Factor Runner Up & ARIA Nominated Artist) and Ethan Beckton (2023 The Voice, Finalist) would both be special guests for the 2024 North Queensland Fast Track Talent Showcase. Registrations would open in early 2024.

3. Correspondence

Inward Correspondence

NIL

Outward Correspondence

NIL

4. 2024 Ideas and Suggestions

Discussions were held regarding ideas and projects for the 2024 year. Tammy Quagliata noted that North Queensland Fast Track Talent showcase would be the first project when returning in 2024. It was noted that cash and prize sponsors were currently being sought.

Discussions were held regarding ideas and suggestions for the 30-year anniversary of the Burdekin Shire Youth Council. Ideas included a formal luncheon with past members and guest speakers following by a community concert style celebration in the Burdekin Theatre Forecourt. This would be discussed early in the new year. Other suggestions for 2024 included a messenger group chat for members to stay in touch and a catch up with Townsville Youth Council members.

It was noted that nominations would be called for membership in late January and the first meeting would likely be held in February 2024.

5. Other General Business

- Tammy provided information on the upcoming Community Christmas Carols being held this Sunday, 10 December at Touch Fields near the Burdekin PCYC Building. Members were encouraged to attend the event and promote with family and friends.
- A copy of the school holiday library activity program was tabled for members. Members were encouraged to attend any sessions to either take part or assist if they wished.

6. Presentation of Youth Council Certificates

Councillors Boccalatte and Furnell thanked all members for their contribution and acknowledged their hard work throughout 2023. Tammy Quagliata further acknowledged the dedication of all members and thanked each member for their contribution throughout 2023. Tammy Quagliata wished all members who would not be returning in 2024, all the very best for the future.

Councillors Boccalatte and Furnell presented members with a Certificate of Recognition for their service in 2023 and members enjoyed afternoon tea and secret Santa.

7. Next Meeting – February 2024

There being no further business, the meeting closed at 4.30pm.

Actions Items from Meeting

	Action Item	Responsible Officer	Due Date	Status
	Investigate alternative Youth Leadership Development programs.	Tammy Quagliata	2024	
	Liaise with Burdekin Education Program regarding networking opportunities.	Tammy Quagliata	2024	
	Discuss options and ideas to celebrate the 30 th Anniversary of the Burdekin Shire Youth Council in 2024.	All members	Early 2024	
	Coordinate meet & greet event with Townsville Youth Council.	Tammy Quagliata	2024	
	Coordinate and promote NQ Fast Track Talent Showcase to be held on 16 March 2024.	Tammy Quagliata All members	16 March 2024	

5.1.1. CEO

Council Workshop - January 2024

File Reference: 1394

Report Author: Terry Brennan, Chief Executive Officer

Authoriser: Terry Brennan, Chief Executive Officer

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027:

5.2.1 Demonstrate open and transparent leadership

Executive Summary

In line with agreed meeting arrangements, the Council conducted one (1) general workshop during January which was held on 16 January 2024.

A range of policy and operational issues were discussed by Councillors and staff at the workshop. A summary of the items discussed is outlined in the report.

Recommendation

That the report on the Council workshop held on 16 January 2024 be received and noted.

Background

The Council has adopted governance arrangements based on holding Council meetings on a fortnightly basis each month, except in December and January each year, where only one (1) meeting is held in each month. Similar arrangements apply to the conduct of general workshops which are held on the alternate week to Council meetings.

In line with these arrangements, a general workshop was conducted on 16 January 2024.

A broad range of policy and operational issues were discussed at the workshop. A summary of the issues discussed is outlined below:

16 January 2024

- Development Application – Material Change of Use – Community Care Centre and Caretaker's Accommodation – Wickham Street, Ayr
- Development Application – Material Change of Use – Expansion of Extractive Industry – Ayr Dalbeg Road, Mt. Kelly
- Development Application – Reconfiguring a Lot – Boundary Realignment – Burstall and Airdmillan Roads, Airdmillan
- Update on Local Housing Action Plan
- Discuss Funding Opportunity – Building Bush Tourism Program – Charlie's Hill Development
- Details of Tender for Engineering Consultancy - South Ayr Water Filtration Plant Project

- Discuss Tenders Received for Main Hall Refurbishment – Ayr Showgrounds
- Discuss Quotations Received to Review the Burdekin Sport and Recreation Plan
- Review of Existing Policy – Complaints Regarding Corrupt Conduct of the CEO
- Discuss Tenders Received for the Supply of One (1) Tractor with Mounted Power Arm Flail
- Review Tenders Received for following Contracts at the Ayr Industrial Estate Expansion:
 - Installation of Water Mains
 - Installation of Sewers and Associated Pump Stations
 - Supply of Two (2) Prefabricated Sewerage Pump Stations
 - Supply and Installation of Pump Station Switchboards
 - Installation of Access Culverts
- Discuss Proposed Installation of New Bore – Conlan Street, Ayr
- Update on Planning Appeal Matter and Superseded Planning Scheme Request
- Update on Tenders Received for Home Hill Swimming Pool Amenities Refurbishment

Consultation

Consultation was undertaken with various parties in the presentation of the workshop topics.

Budget & Resource Implications

Not Applicable.

Legal Authority & Implications

Not Applicable.

Policy Implications

Any policy proposals or approvals are subsequently referred to a Council meeting via a report for consideration and if approved, formal adoption.

Risk Implications (Strategic, Operational, Project Risks)

Strategic Risk due to possible reputation damage if policies or major initiatives are not effectively developed with input and support from Councillors.

Attachments

None

6.4.1. GOVERNANCE

Operational Plan 2023/2024 Q2 Report

File Reference: 419

Report Author: Rebecca Stockdale, Senior Governance Officer

Authoriser:

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

5.2.3: Implement effective governance frameworks.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Executive Summary

The Q2 Operational Plan Report has been prepared in accordance with reporting requirements of the *Local Government Regulation 2012*. At the end of the second quarter period (1 October-31 December 2023), of the 174 agreed activities within the Operational Plan 2023/2024, 154 activities (88%) are meeting or above target, 19 activities (11%) are progressing, one (1) activity is considered to be under target and zero activities are currently considered to be inactive. A graph comparing Council's performance at the same time last year is included as an attachment to this report.

Recommendation

That Council adopts the Q2 Operational Plan Report as attached to this report.

Background

Council adopted the Operational Plan 2023/2024 at its budget meeting on 27 June 2023. The Plan outlines the activities and projects to be delivered during the financial year, contributing to the achievement of strategies in Council's Corporate Plan. The Operational Plan must be consistent with the annual budget.

The CEO must provide a report to Council on the implementation of the agreed activities within the Operational Plan for each quarter of the financial year. A traffic light system is used to provide an "at a glance" indication of how each activity and project is tracking against the agreed targets and measures. Explanatory comments also provide further insight about the progress achieved as of 31 December 2023.

Consultation

The Q2 report for the 2023/2024 Operational Plan was discussed at a Council workshop on 6 February 2024. All Senior Leadership Group members and relevant supervisors were required to provide information for this report.

Budget & Resource Implications

The Operational Plan must be consistent with the annual budget.

Legal Authority & Implications

Local Government Regulation 2012 s174 - Preparation and adoption of annual operational plan

- (1) A Local government must prepare and adopt an annual operational plan for each financial year.
- (2) The local government may, but need not, adopt the annual operational plan for a financial year at the same time the local government adopts its budget for the financial year.
- (3) The chief executive officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals of not more than three (3) months.
- (4) A local government may, by resolution, amend its annual operational plan at any time before the end of the financial year.
- (5) A local government must discharge its responsibilities in a way that is consistent with its annual operational plan.

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

Lack of transparency and accountability are risks that can affect the achievement of Council's corporate and operational objectives. The preparation and presentation of the quarterly Operational Plan report helps to mitigate against these risks by providing an opportunity for Council to be updated on the progress achieved during each quarter in a transparent and accountable manner.

Attachments

- 1. FINAL Q2 Operational Plan Report 2023_2024
- 2. Comparison graphs

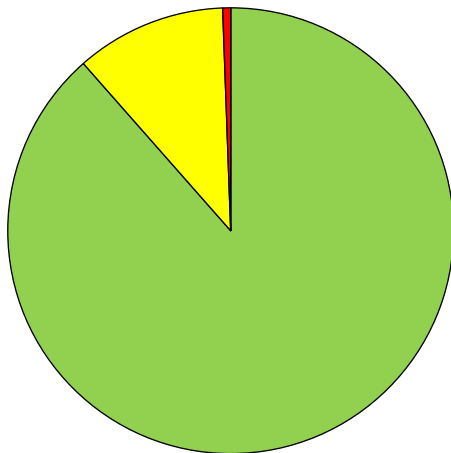


Index

AM - Animal Management	OPW - Operations- Works
AR - Administration and Records	PS - Purchasing and Stores
CD - Community Development	PG - Parks and Gardens
CG - Corporate Governance	PD - Planning and Development
CP - Caravan Parks	NR - Natural Resources
CS - Customer Service Centre	VM - Vector Management
CV - Cultural Venues	R - Rates
ED - Economic Development	SP- Swimming Pools
EH - Environment and Health	SQ - Safety and Quality
EXC - Executive	TOU - Tourism
EXP - Expenditure Services	TR - Training
FM - Financial Management	TS - Technical Services
HR - Human Resources	WM - Waste Management
ICT - Information and Communication Technology	WWW - Water and Waste Water
LDMG - Local Disaster Management	
L - Library	
MC - Media and Communications	

Overall Performance Q2
Operational Plan 2023/2024

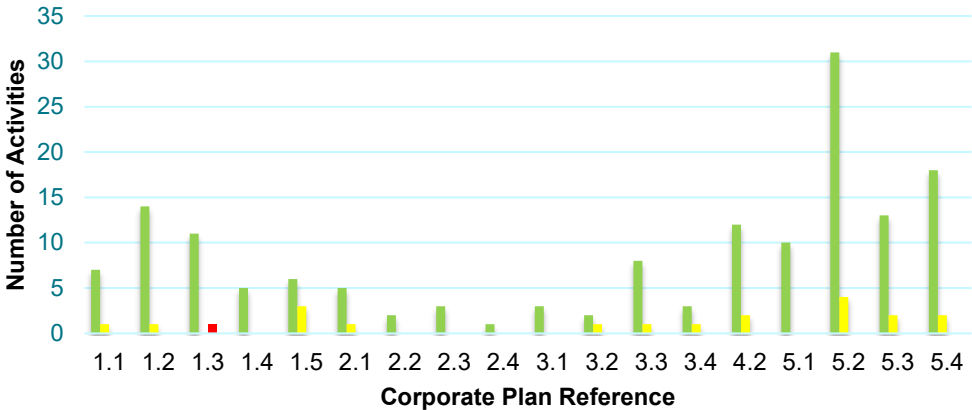
Q2 Overall Performance



■ Meeting or above target ■ Progressing ■ Under Target ■ Inactive

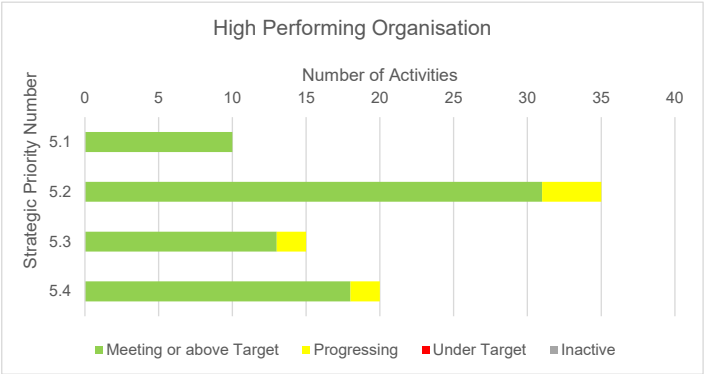
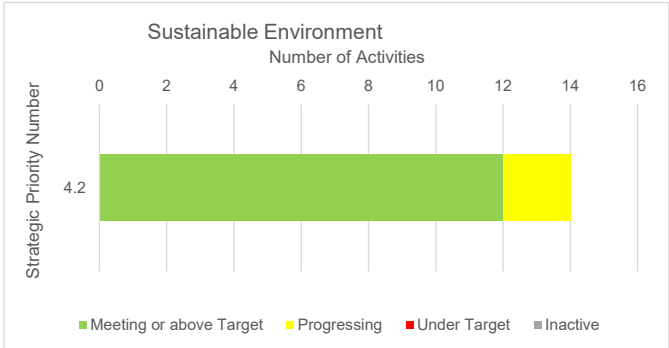
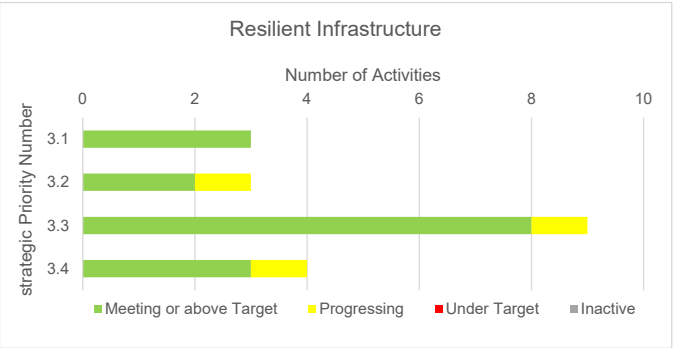
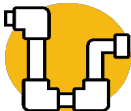
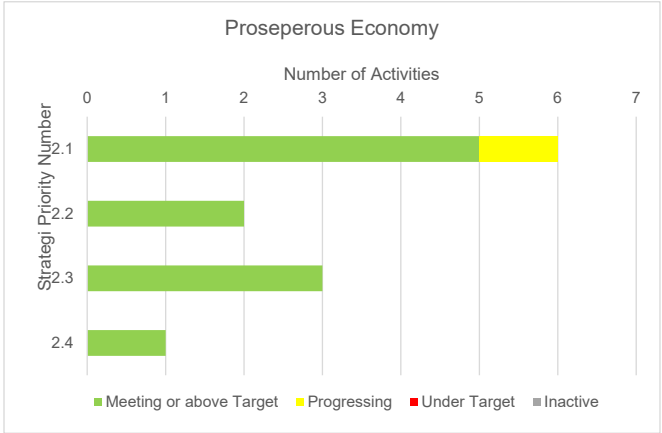
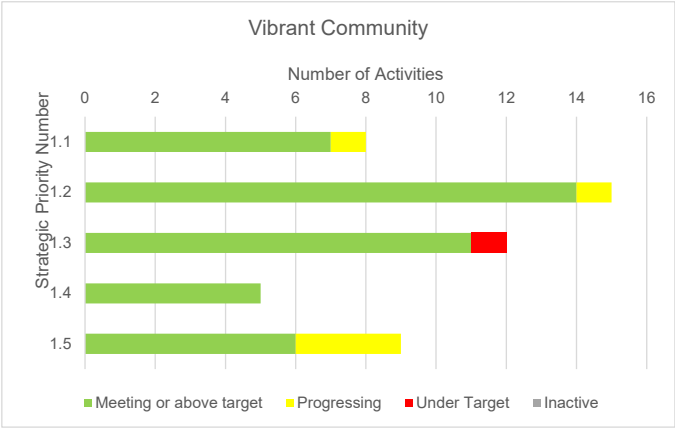
Meeting or above target: 154
Progressing: 19
Under target: 1
Inactive: 0

Breakdown of Q2 performance by Strategic Objective Area



■ Meeting or above target ■ Progressing ■ Under Target ■ Inactive

Q2 Report Dashboard



Traffic Lights

Record Name	Operational Plan Activity	
Vibrant Community		
Community Development 1	Facilitate partnerships with community organisations within the Shire to ensure a co-ordinated community-focussed approach to service delivery.	●
Library 01	Investigate collaboration opportunities with community organisations and educational institutions to promote lifelong learning for Shire residents.	●
Animal Management 1	Participate in and promote community events such as the Pet Fair with a focus on responsible animal ownership.	●
Vector Management 1	Undertake a monitoring and larvicidal program to manage mosquito numbers as per Shire Mosquito Management Plan including proactive larvicide control during adverse weather	●
Cultural Venues 1	Facilitate a diverse range of events, shows and activities at each of the Council-owned Cultural Venues through the provision of high quality services to meet the needs of the community.	●
Library 02	Deliver contemporary, innovative and dynamic Library services and programs to Shire residents.	●
Community Development 2	Deliver relevant partnership based activities to encourage health, inclusivity and social engagement for the Burdekin Community.	●
Community Development 3	Engage with community groups to identify opportunities to increase participation in community life and improve health and wellbeing.	●
Planning and Development 1	Deliver Planning Services within the Burdekin Shire to: - Provide consistent and transparent strategic framework and direction for the development industry and community. - Ensure development complies with the applicable legislation, policies and codes. - Provide planning and development advice. - Process all statutory applications within statutory timeframes. - Monitor development and land use to ensure compliance with statutory requirements and development conditions. - Develop, review and maintain a Heritage Report for the Burdekin Shire Planning Scheme 2022 in accordance with State Interests.	●
Planning and Development 2	Deliver Building Certification services within the Burdekin Shire: - In accordance with the Building Act 1975 and associated regulations. - Provide building advice in a timely manner. - Process all statutory applications within statutory timeframes. - Monitor approvals to ensure compliance with statutory requirements and development conditions.	●
Planning and Development 3	Ensure all new and existing swimming pools comply with current pool fencing legislation.	●
Planning and Development 4	Deliver Plumbing Services to: - Ensure development complies with the Plumbing and Drainage Act, standards, Council Policies and conditions of approvals; - Provide plumbing and drainage advice; - Assess plumbing and drainage applications; - Undertake inspections of plumbing and drainage works; and - Undertake a backflow prevention device testing regime;	●
Animal Management 2	Enforce animal management legislation and local laws including: animal management; illegal camping on Council land; abandoned vehicles and overgrown properties.	●
Animal Management 3	Maintain and operate Council's animal pound with a focus on rehoming animals where suitable i.e. where health and temperament allows.	●
Environment and Health 1	"Undertake regulatory responsibilities under State legislations: Food Act 2006, Public Health (Infection Control for Personal Appearance Services) Act 2003, Public Health Act 2005. 1. Processing and issuing new licenses. 2. Regular annual inspections. 3. Risk-based enforcement action to achieve compliance. 4. Annual renewal of licenses."	●
Environment and Health 2	"Undertake regulatory responsibilities under Burdekin Shire Local Laws and Subordinate Local Laws - Rental Accommodation, Caravan Parks, Camping. 1. Processing and issuing new approvals. 2. Regular annual inspections. 3. Risk-based enforcement action to achieve compliance. 4. Annual renewal of approvals."	●
Environment and Health 3	Deliver Food Safety education and awareness activities to the community.	●
Environment and Health 4	Conduct water quality testing of drinking water (on a fee for service basis) and public swimming pools.	●
Environment and Health 5	Investigate nuisance complaints under State legislation (e.g. public health, environmental protection) and Local Laws.	●
Local Disaster Management 1	Local Disaster Management Plan and Sub-Plans are reviewed and updated annually.	●
Local Disaster Management 2	Approve and manage all local Burdekin State Emergency Services operations including material and associated costs relating to all State Emergency Services buildings and plant.	●
Local Disaster Management 3	Facilitate community education and promote disaster readiness in the Burdekin Shire with a focus on new residents to the region.	●
Natural Resources 1	Undertake public safety activities.	●
Tourism 1	Continue membership of Townsville Enterprise Ltd. and host industry forums/workshops to encourage development of tourism product.	●

Tourism 2	Provide support to the Visitor Information Centres in Ayr and Home Hill.	●
Tourism 3	Participate in Economic Development/Tourism Expos.	●
Tourism 4	Promote the Burdekin as a business and lifestyle destination. Source and develop new advertising opportunities to market Burdekin tourism and lifestyle e.g. Qld Country Week, RegionsQ.	●
Caravan Parks 1	Promote the Council-owned caravan parks in local, state and national outlets and publications.	●
Community Development 4	Deliver key prioritised initiatives from the Arts and Cultural Strategy in collaboration with the Cultural Venues Team and Council's Community and Cultural Development Advisory Group (CCDAG).	●
Library 03	Provide resources, technology and programs where people can discover and record their own histories and stories.	●
Media and Communications 1	Develop and issue media releases including posting releases to Council website and social media platforms informing the community on Council activities.	●
Media and Communications 2	Provide support to Mayor, Councillors and Officers in responding to media enquiries.	●
Community Development 4	Conduct Australia Day Awards Ceremony January 2024.	●
Tourism 5	Undertake planning for 2025 'Sweet Days Hot Nights Festival', including associated events, as a biennial destination event for the Burdekin. Consider 2024 complimentary events program (e.g. Feast by the Field, Farming in Focus).	●
Community Development 6	Facilitate targeted community events, activities and programs that foster a vibrant community and improve health and wellbeing.	●
Community Development 7	Facilitate partnerships; forums and workshops that build capacity and resilience of local sport, recreation and community groups.	●
Corporate Governance 1	Coordinate RADF (Regional Arts Development Funding) Program.	●
Community Development 8	Manage the Community Assistance Grants Program.	●
Corporate Governance 2	Administer Council's Revenue Financial Assistance Program (Interest Free Loans).	●
Community Development 9	Review the Burdekin 10 Year Sport and Recreation Plan.	●
Swimming Pools 1	Administer the management contracts for the Ayr and Home Hill Swimming Pools and inspect and maintain all Shire pools.	●
Swimming Pools 2	Implement outcomes of the Burdekin Aquatics Facility Study.	●
Corporate Governance 3	Manage Council's property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.	●
Cultural Venues 2	Undertake a review of the Ayr Showgrounds Master Plan to identify outstanding projects.	●
Cultural Venues 3	Undertake annual consultation and survey of local user groups (Hirers) to understand customer expectations/satisfaction to ensure Cultural Venues remain relevant into the future.	●
Library 4	Investigate need and options for delivery of Library materials to remote communities.	●
Parks and Gardens 1	Ensure operational responsiveness and departmental performance of the parks and gardens team aligns with Council's Customer Service Charter and agreed service timeframes.	●
Planning and Development 5	Manage existing service contracts for Council facilities and implement facilities management strategies that will ensure effective and efficient planning and coordination of all relevant building maintenance activities.	●
Caravan Parks 2	Administer the management contracts for Home Hill Caravan Park and the Burdekin Cascades Caravan Park.	●
Prosperous Economy		
Economic Development 1	Facilitate meetings of the Economic Development Advisory Group and implement agreed recommendations as endorsed by Council.	●
Economic Development 2	Support initiatives and facilitate programs that build capacity of local businesses to better utilise digital technology.	●
Economic Development 3	Promote funding opportunities available to businesses for research and development.	●
Economic Development 4	Market and promote the Burdekin Shire, including opportunities at the Ayr Industrial Estate, to potential developers/investors.	●
Tourism 6	Continue to implement projects and activities outlined in the Burdekin Tourism Strategy.	●
Tourism 7	Seek to identify funding to update the Burdekin Tourism Strategy.	●
Economic Development 5	In collaboration with Smart Precinct NQ and the Queensland Small Business Commissioner's Small Business Friendly (SBF) Program, identify, promote and implement activities and initiatives to encourage development and expansion of existing businesses and support and encourage new and establishing small businesses.	●
Economic Development 6	Collaborate with State and Federal Government Departments and with Townsville Enterprise Ltd. (TEL) to identify, promote and implement economic development opportunities for the Burdekin region.	●
Economic Development 7	Implement actions identified in the Burdekin Shire Economic Development Strategy.	●
Economic Development 8	Encourage and support individuals and businesses to better participate in regional economic development initiatives.	●
Planning and Development 6	Facilitate pre-lodgement meetings with developers to support and encourage economic growth opportunities for the Burdekin Shire whilst balancing planning and environmental outcomes.	●
Economic Development 9	Encourage businesses and individuals to participate in activities to promote employment and training opportunities.	●
Resilient Infrastructure		
Operations- Works 1	Achieve a satisfactory external audit of the Road Maintenance Performance Contract from the Department of Transport and Main Roads.	●
Technical Services 1	Complete Transport Infrastructure Development Scheme (TIDS) program in accordance with Roads and Transport Alliance requirements.	●
Technical Services 2	Complete Roads to Recovery Program in accordance with Australian Government requirements.	●
Water Wastewater 1	Implement approved Drinking Water Quality Management Plan.	●
Water Wastewater 2	Ensure operational responsiveness and departmental performance of the Water Wastewater team aligns with Council's Customer Service Charter and agreed service timeframes.	●
Water Wastewater 3	Complete construction and commissioning of the Macro-algae Bioremediation Treatment Facility at the Ayr-Brandon Wastewater Treatment Plant.	●
Technical Services 3	Complete asset inspections in accordance with inspection program.	●

Technical Services 4	Complete asset capitalisations in a timely manner.	●
Technical Services 4	Complete asset capitalisations in a timely manner.	●
Technical Services 5	Complete asset valuation reviews including desktop reviews for Transport, Drainage, Land and Improvements and Other Assets and comprehensive valuation of Buildings, Water and Sewerage Assets.	●
Technical Services 6	Completion of assigned Asset Management Roadmap tasks.	●
Operations- Works 2	Implement Annual Works Program as adopted within the financial year considering revisions required to accommodate externally funded projects and/or natural disasters.	●
Technical Services 7	Undertake detailed designs of 2024/2025 reseals.	●
Planning and Development 7	Coordinate and manage major facilities management projects and asset management plans as required and in line with agreed strategic outcomes.	●
Technical Services 8	Develop and monitor Annual capital delivery program.	●
Technical Services 9	Develop 5 and 10 year roadworks and drainage capital works program.	●
Corporate Governance 4	Coordinate and project manage Council's external funding applications.	●
Operations- Works 3	Construct Macro-Algae earthworks pad for bioremediation facility.	●
Planning and Development 8	Ensure all new developments are assessed against provisions contained within Council's adopted Local Government Infrastructure Plan (LGIP), Planning Act 2016, Planning Scheme, legislative requirements and other relevant instruments.	●
Economic Development 10	Seek to identify suitable funding sources to support the commencement of construction of Stage 1 of the Ayr Industrial Estate Expansion.	●
Sustainable Environment		
Environment and Health 6	Provide Environmental and Health Assessments for relevant Development Applications in accordance with legislative requirements.	●
Planning and Development 9	Undertake a review of Burdekin Shire Council Planning Scheme December 2022 and implement any amendments in accordance with the required processes.	●
Vector Management 2	Deliver vector management public education and community awareness activities.	●
Environment and Health 7	Maintain Council's status as a Reef Guardian Council.	●
Environment and Health 8	Undertake works identified in the Dune Management Strategy.	●
Natural Resources 2	Undertake aquatic weed control in Riparian Management Agreement (RMA) participating waterways in Shire.	●
Natural Resources 3	Undertake pest plant and pest animal reduction activities including development of property biosecurity plans with landowners.	●
Natural Resources 4	Implement the Herbicide Subsidy Policy, Fox and Wild Dog Bounty Policy and Wild Dog Control Assistance Policy. Manage applications received under these policies.	●
Natural Resources 5	Undertake surveillance, monitoring and community education in relation to new invasive pests as identified in Burdekin Shire Biosecurity Plan and legislation.	●
Waste Management 1	Continue participation in approved Local Government Illegal Dumping Partnership Grant Program - Round 2A Extension (ends 15 March 2024).	●
Waste Management 2	Implement Waste Management Services Contract including Collection Service Specification to ensure Contractor meets performance standards - Delivery of new bin service. Number of missed services. Response to missed services. Bin repairs/replacements. Service complaints.	●
Waste Management 3	Supervise waste management sites to ensure compliance with conditions of the Environmental Authority and improve performance for Kirknie Landfill and Ayr, Home Hill, Giru and Clare Transfer Stations.	●
Waste Management 4	Review of Council-generated waste audit findings and implement a community sample recycling bin audit.	●
Waste Management 5	Continue environmental monitoring programs and commission report on treatment plans for legacy landfill sites: - Cromarty Landfill (groundwater and surface water); - Legacy Landfill Sites (groundwater); - Kirknie Landfill (groundwater, surface water and landfill gas); - Ayr and Home Hill Transfer Stations green waste runoff (surface water).	●
High Performing Organisation		
Community Development 10	Facilitate inclusive community consultation and advisory group processes.	●
Technical Services 10	Assess items identified by the Burdekin Road Safety Advisory Committee.	●
Media and Communications 3	Facilitate the production of corporate publications including the Annual Report and Annual Budget documents.	●
Media and Communications 4	Produce community updates, prepare internal staff communications including staff newsletters, and develop other material as required by the Executive Leadership Team and Senior Leadership Group.	●
Customer Service 1	Deliver professional customer service assistance to internal and external customers.	●
Customer Service 2	Implement the agreed actions from the Customer Request Management Internal Audit.	●
Executive Office 1	Develop and maintain effective regional partnerships through membership of relevant regional bodies including the North Queensland Regional Organisation of Councils (NQROC) and Townsville Enterprise Ltd (TEL).	●

Technical Services 11	Deliver Road Maintenance Performance Contract (RMPC) in accordance with requirements and within budget.	●
Executive Office 2	Support the provision of training activities to assist councillors in meeting their legislative responsibilities. Undertake councillor induction and training activities following the 2024 local government elections.	●
Corporate Governance 5	Manage Council's Corporate Policy Program.	●
Corporate Governance 6	Coordinate Council's Complaints Management System in accordance with the adopted Complaints Management Policy and Process and facilitate the provision of information to external authorities (QAO, Queensland Ombudsman, Queensland Police etc) as required.	●
Corporate Governance 7	Provide access to Council documents in accordance with the Right to Information Act and Information Privacy Act.	●
Corporate Governance 8	Coordinate the Internal Audit function including the annual review of the Internal Audit Plan by the Audit Committee.	●
Financial Management 1	Coordinate/provide information for external audit projects undertaken by Queensland Audit Office.	●
Corporate Governance 9	Coordinate Council's insurance program to manage risks associated with Council operations and assets.	●
Financial Management 2	Prepare and deliver Council budgets (including revised budgets) in accordance with statutory requirements.	●
Financial Management 3	Report actual performance against budget to Council monthly.	●
Financial Management 4	Coordinate and submit 10-year financial forecast to Local Government Department.	●
Financial Management 5	Maximise recovery of outstanding sundry debtors.	●
Rates 1	Issue timely and accurate rates and charges notices.	●
Rates 2	Maximise recovery of overdue rates and charges, in accordance with Council's Rates and Charges Recovery Policy with an emphasis on more timely follow up action on overdue rates from Reminder Notices through to Sale of Land for Arrears of Rates.	●
Rates 3	Undertake system and process review and policy update to prepare to implement six-monthly rating system in the 2024/2025 financial year.	●
Expenditure Services 1	Administer accounts payable and contract register.	●
Expenditure Services 2	Maximise earnings on cash holdings in accordance with Investment Policy.	●
Expenditure Services 3	Administer financial delegations.	●
Expenditure Services 4	Conduct Tender of Approved Contractors Listing applications for private hire and traffic control providers for the period 1 October 2023 to 30 September 2026.	●
Purchasing and Stores 1	Embed operation of new fuel system to ensure full functionality and auditability with training provided as required.	●
Technical Services 12	Implementation of Council fleet renewal program - ordered, delivered and program developed.	●
Technical Services 13	Implement agreed actions from the Fuel and Fleet Management Internal Audit.	●
Executive Office 3	Continue to manage risks effectively through ongoing improvements to Council's Enterprise Risk Management systems.	●
Corporate Governance 10	Monitor and review Fraud and Corruption Control Plan for legislative and regulatory changes.	●
Corporate Governance 11	Continue the review and update of Council's Delegations Register.	●
Corporate Governance 12	Implement Council's Business Continuity program through review of the Business Continuity Plans and completion of testing activities as per the adopted testing strategy and schedule.	●
Safety and Quality 1	Develop an all of Council Internal Quality Audit Program to ensure compliance with AS/NZ ISO9001 - Quality Management Systems.	●
Safety and Quality 2	Retain Council's Quality Management System Certification (currently with Certex)	●
Administration and Records 1	Ensure the safe custody of Council records through the classification and registration of daily correspondence into the records management system.	●
Corporate Governance 13	Coordinate Council's Public Interest Disclosure Investigations and Training.	●
Financial Management 6	Prepare and deliver draft annual Financial Statements in accordance with legislative and accounting standards requirements and within the agreed external audit plan timeframes.	●
Financial Management 7	Facilitate external audit of Burdekin Shire Council as required by and in co-operation with the Queensland Audit Office (QAO) and their contracted auditor Crowe.	●
Financial Management 8	Coordinate and complete the annual Local Government Comparative Data Return.	●
Financial Management 9	Prepare and lodge all necessary statutory/legislative returns.	●
Rates 4	Maintain the property and rating database to ensure a high level of accuracy.	●
Rates 5	Ensure accurate and timely Emergency Management Levy, Rural Fire Brigade Charge and State Government Pensioner Subsidy claims and payments.	●
Administration and Records 2	Ensure compliance with Queensland State Archives schedules for the retention and disposal of paper-based corporate records.	●
Administration and Records 3	Coordinate and provide administrative support for Council's statutory meetings and deliver accurate and timely minutes of meetings.	●
Customer Service 3	Undertake biennial full review of the current CRM workflows and timeframes.	●
ICT 1	Coordinate the design, acquisition, configuration, maintenance and management of ICT hardware infrastructure.	●
ICT 2	Provide Corporate software systems and applications that meet the current and future needs of the organisation.	●
ICT 3	Provide quality ICT services to internal customers, including timely resolution of customer requests.	●
IC 4	Progress the transition of Council's ICT core system modules from Ci to CiAnywhere for improved utilisation and enhanced mobility.	●
ICT 5	Undertake a full review of Council's Public Camera Surveillance Program.	○
ICT6	Implement cybersecurity controls to address the ongoing risk of cyber threats.	●
Safety and Quality 3	Management, maintenance and reporting of the Skytrust System as the primary repository for Safety information.	●
LDMG 4	Coordinate systems that support disaster planning and preparedness.	●


Library 05	Investigate the adoption of Radio Frequency Identification (RFID) technology for collection management. Library Strategic Plan 4.2.	●
Purchasing and Stores 2	Implement key recommendations from BDO Internal Fuel Management Audit Report.	●
Technical Services 14	Implement Technology One mobility modules.	●
Media and Communications 5	Manage, monitor and promote Council's social media platforms as an effective community information and engagement tool.	●
Tourism 8	Enhance online presence including the Visit Burdekin website, destination events calendar and Tourism Social Media Platforms.	●
Library 06	Manage Library website pages to ensure an effective online presence.	●
Executive Office 4	Undertake effective planning and coordination of Council programs and operations through the Senior Leadership Group.	●
Training 1	Develop and maintain the 2023/2024 Training Plan and ensure that skills and qualifications required by legislation are maintained/updated.	●
Training 2	Facilitate Council traineeships, apprenticeships and work experience opportunities.	●
Operations- Works 4	Ensure operational responsiveness and departmental conduct (operations- works) aligns with Council's Customer Service Charter and agreed service timeframes.	●
Training 3	Coordinate Council's corporate training and employee professional development initiatives.	●
Administration and Records 4	Deliver systematic ongoing Recordkeeping Awareness training and records management system training for all employees to ensure recordkeeping is supported at all levels of Council.	●
Human Resources 1	Manage work-related injuries including the facilitation of workers compensation claims and return to work programs.	●
Safety and Quality 4	Development and adoption of Council's Annual Work Health and Safety Plan	●
Safety and Quality 5	Develop and roll out a successful and engaging Safe Work Month Program for all employees.	●
Operations- Works 5	Achieve a net reduction in number of WHS incidents involving property damage by Works Staff. Benchmark established from 2022/23 SkyTrust reporting.	●
Operations- Works 6	Operations- Works Record of non-compliance against Site Safety Checklists. Year 1 is to establish benchmark performance with view to continuous improvement in following years.	●
Water Wastewater 4	Achieve a net reduction in number of WHS incidents involving property damage by Water and Wastewater Staff. Benchmark established from 2022/23 SkyTrust reporting.	●
Water Wastewater 5	Water and Wastewater Record of non-compliance against Site Safety Checklists. Year 1 is to establish benchmark performance with view to continuous improvement in following years.	●
Parks and Gardens 2	Achieve a net reduction in number of WHS incidents involving property damage by Parks and Gardens Staff. Benchmark established from 2022/23 SkyTrust reporting.	●
Parks and Gardens 3	Parks and Gardens Record of non-compliance against Site Safety Checklists. Year 1 is to establish benchmark performance with view to continuous improvement in following years.	●
Executive Office 5	Complete the implementation of agreed actions from the Strategic Workforce Planning and Succession Management internal audit report.	●
Human Resources 2	Deliver workforce data reports that meet Council's requirements and highlights workforce trends to inform workforce planning.	●
Human Resources 3	Development of a Workforce Plan to enable Council to attract, retain and better plan for the future workforce.	●
Executive Office 6	Continue to implement initiatives designed to improve organisational culture through the adopted Action Plan.	●
Human Resources 4	Manage Council's human resources functions including employee relations, compliance, compensation and benefits, and all other employee related matters.	●






Vibrant Community


We are a welcoming, inclusive and adaptive community.


Objective: 1.1 Healthy, inclusive and socially engaged community



Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.1.1	Support projects and activities to improve public safety, health, and inclusiveness through strategic partnerships.	CD1	<i>Facilitate partnerships with community organisations within the Shire to ensure a co-ordinated community-focussed approach to service delivery.</i>	<p>Conduct regular partnership forums that foster collaborative program planning and coordination of activities (Minimum two per year).</p> <p>Manage Council donations and in-kind support to Burdekin Community Association, PCYC and Burdekin Neighbourhood Centre and other welfare groups.</p>	Manager Community Services	<p>Council was the auspice organisation on behalf of the Burdekin Neighbourhood Centre (funds provided by North Queensland Sports Foundation for Move It NQ program) to deliver a 15-week free Health and Wellbeing program for Burdekin residents aged 55+.</p> <p>Payment made to Giru Progress Association which is Councils contribution towards Giru pool operations.</p>	


Objective: 1.1 Healthy, inclusive and socially engaged community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.1.1	Support projects and activities to improve public safety, health, and inclusiveness through strategic partnerships.	L01	<p><i>Investigate collaboration opportunities with community organisations and educational institutions to promote lifelong learning for Shire residents.</i></p> <p><i>Library Strategic Plan 9.1.</i></p>	<p>Collaborative opportunities identified. E.g. Burdekin Business Hub.</p> <p>Number of collaborations undertaken to promote lifelong learning.</p>	Library Services Manager	<p>The Library collaborated with:</p> <ul style="list-style-type: none"> - East Ayr State School - provided guidance and instructions on robots and coding to assist the school to run a STEM club at lunchtimes. The Library also loaned 9 robots to the school for some school activities. - Jarvisfield State School teachers - provided an end-of-year reward day. The children visited the Ayr Library and participated in a range of audio-visual and other STEM related activities. - Men's Shed Ayr - provided technical assistance and instruction to members, including how to operate a smart phone, scam awareness, and how to access electronic resources provided by the Library (ongoing collaboration). - Burdekin Early Childhood Network (group reconnected after some inactivity earlier in the year) - cross-promoted early childhood learning opportunities in the local area. 	

Objective: 1.1 Healthy, inclusive and socially engaged community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.1.1	Support projects and activities to improve public safety, health, and inclusiveness through strategic partnerships.	AM1	<i>Participate in and promote community events such as the Pet Fair with a focus on responsible animal ownership.</i>	Pet Fair event publicised and held. Four animal management topics covered in media. De-sexing applications approved in accordance with guidelines. Three discounted microchipping events held.	Coordinator Environment and Health Projects	Pet Fair occurs in May/June 2024. 1 Animal Management topic in paper. 3 animal de-sexing applications received, 5 approved, including 4 from previous quarter, and 2 pending requiring further information. No discounted microchipping events held.	
		VM1	<i>Undertake a monitoring and larvicidal program to manage mosquito numbers as per Shire Mosquito Management Plan including proactive larvicide control during adverse weather conditions.</i>	Implementing the Mosquito Management Plan and treatment of known breeding sites. Identifying adverse weather events and developing appropriate response.	Coordinator Public Health and Environment	All current breeding sites monitored for larvae twice weekly and treated with larvicide as required. No aerial treatment was carried out. Parks barrier/harbourage sprayed as needed for adult mosquitoes.	


Objective: 1.1 Healthy, inclusive and socially engaged community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.1.2	Encourage equitable access to facilities and resources.	CV1	<i>Facilitate a diverse range of events, shows and activities at each of the Council-owned Cultural Venues through the provision of high quality services to meet the needs of the community.</i>	Quarterly reports delivered to Council including number of attendees and number of events. Client satisfaction survey results.	Cultural Venues Manager	<p>Total Q2 attendance for Burdekin Theatre was 4415 people which is an increase from the same time last year (3501 people). Event highlights include Live in the Delta Festival, Menopause the Musical, and local end of year dance concerts.</p> <p>Total attendance during Q2 for Burdekin Memorial Hall was 2209. This is slightly lower than the same period last year (2790). Event highlights include Students Ball, Burdekin Football Club 50th Anniversary Dinner, Home Hill State High School Awards Night, Kick Off the Conversation, Rotary Harvest Festival Ball, High School graduation ceremonies.</p> <p>Total Q2 attendance for Ayr Showgrounds was 1441 people. Event highlights include Fijian Celebration, Seniors Health and Wellbeing Expo, and the Katherine Outback Experience.</p> <p>Total number of events during Q2 across Cultural Venues was 57. Total attendance across Cultural Venues was 8065.</p>	



Objective: 1.1 Healthy, inclusive and socially engaged community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.1.2	Encourage equitable access to facilities and resources.	L02	<p><i>Deliver contemporary, innovative and dynamic Library services and programs to Shire residents.</i></p> <p><i>Library Strategic Plan 1.1 & 2.3</i></p>	<p>Wide variety of services and programs delivered including: First 5 Forever Baby Rhyme Time Toddler Time Tech Connect (Digital literacy) School holiday programs.</p> <p>Number of participants in programs per quarter.</p> <p>Number of book/resource borrowings per quarter.</p>	Library Services Manager	<p>Delivered 82 program sessions during Q2 (slight decrease from 99 program sessions in Q1 period due to Christmas/New Year shut down) attended by 962 people. (27% decrease compared to previous quarter). This included 36 First Five Forever sessions, 25 Digital Literacy program sessions, and 18 School Holidays activities.</p> <p>Staff helped 38 library members with one-on-one Tech Assist support and learning. This is a slight increase compared to the same period last year (23 Tech Assist attendees).</p> <p>Members borrowed and renewed 12,704 items, including 606 electronic items.</p>	



Objective: 1.1 Healthy, inclusive and socially engaged community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.1.3	Provide ongoing support for art, culture, youth, seniors, and welfare activities.	CD2	<i>Deliver relevant partnership based activities to encourage health, inclusivity and social engagement for the Burdekin Community.</i>	Facilitate regular Youth Council meetings throughout the year. Youth Strategy adopted by Council. Manage and facilitate access to information on the MyBurdekin Community directory web portal.	Manager Community Services	Monthly Youth Council meetings conducted. Discussions held regarding ideas and suggestions for the 30th anniversary of the Burdekin Shire Youth Council in 2024. Youth Council Members volunteered at the Seniors Luncheon and held their annual Christmas Break Up. Review of Youth Strategy currently underway with a report on progress to be delivered to Council in Q3. Community Directory had 7,078 online results views. The Community Services Newsletter was sent to approximately 850 community members and organisations each month of the quarter.	
1.1.4	Build active communities by delivering programs promoting regular physical activity and wellbeing.	CD3	<i>Engage with community groups to identify opportunities to increase participation in community life and improve health and wellbeing.</i>	Facilitate and promote targeted community development; health promotion and health and wellbeing initiatives.	Manager Community Services	Coordinated and delivered the <i>Kick Off the Conversation</i> community wellbeing event at Burdekin Memorial Hall, funded under the Qld Mental Health Initiatives Funding program. 170 attendees enjoyed local and professional speakers and special guest speaker Wally Lewis. Information packs with local health and wellbeing contacts and information was provided to all attendees.	



Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.1	Deliver regulatory and advisory programs.	PD1	<p><i>Deliver Planning Services within the Burdekin Shire to:</i></p> <ul style="list-style-type: none"> - <i>Provide consistent and transparent strategic framework and direction for the development industry and community.</i> - <i>Ensure development complies with the applicable legislation, policies and codes.</i> - <i>Provide planning and development advice.</i> - <i>Process all statutory applications within statutory timeframes.</i> - <i>Monitor development and land use to ensure compliance with statutory requirements and development conditions.</i> - <i>Develop, review and maintain a Heritage Report for the Burdekin Shire Planning Scheme 2022 in accordance with State Interests.</i> 	<p>100% compliance with statutory timeframes for assessment activities.</p> <p>Timely responses to enquiries and requests for planning and development advice. Responses provided within five business days.</p>	Manager Planning and Development	<p>Measures generally met, if not exceeded.</p> <p>8 Development Applications were received in this quarter with 9 Development Approvals determined and issued.</p> <p>All applications received and approvals determined were all completed within Statutory Timeframes.</p> <p>On average 83% of approvals were decided in less than 35 business days with a further 50% decided in less than 25 business days.</p> <p>15 formal prelodgement meetings held during this quarter for planning matters, with officers attending numerous informal prelodgement meetings and discussions during this time, via face to face, email and phone. In addition, officers attended 1 formal meeting arranged by/through the Economic Development Team.</p>	



Objective: 1.2 A safe and resilient community



Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.1	Deliver regulatory and advisory programs.	PD1 cont..	<i>Deliver Planning Services within the Burdekin Shire to:</i> <ul style="list-style-type: none"> - Provide consistent and transparent strategic framework and direction for the development industry and community. - Ensure development complies with the applicable legislation, policies and codes. - Provide planning and development advice. - Process all statutory applications within statutory timeframes. - Monitor development and land use to ensure compliance with statutory requirements and development conditions. - Develop, review and maintain a Heritage Report for the Burdekin Shire Planning Scheme 2022 in accordance with State Interests. 	<p>Two compliance audits and inspections planned and conducted each quarter. 100% of identified non-compliance matters raised with relevant proponents.</p> <p>Cultural Heritage Study and Report complete by June 2024.</p> <p>Review of Scheme to be completed by March 2024, with amendments to be completed by September 2024.</p>	Manager Planning and Development	<p>Officers' complete compliance checks on survey plans received for endorsement, prior to release. However currently insufficient staff available in both Planning and Technical Services to complete compliance audits for development approvals for planning uses. Anticipate improvement for this measure when graduate planner role is filled (February 2024).</p> <p>Cultural Heritage Report - Planning Scheme.</p> <p>Measure not currently met. Anticipate completion by March 2025.</p> <p>Planning Scheme Review Not commenced.</p>	Continued from previous page
		PD2	<i>Deliver Building Certification services within the Burdekin Shire:</i> <ul style="list-style-type: none"> - In accordance with the Building Act 1975 and associated regulations. - Provide building advice in a timely manner. - Process all statutory applications within statutory timeframes. - Monitor approvals to ensure compliance with statutory requirements and development conditions. 	<p>95% compliance with statutory timeframes for Building Certification activities.</p> <p>Timely responses to enquiries and requests for building advice.</p>	Manager Planning and Development	<p>Measures met and/or exceeded.</p> <p>Council has a 20 business day assessment timeframe.</p> <p>62 development applications for building works were received in the Q2 quarter, with 51 development approvals granted.</p> <p>Over 53% of building approvals were granted in less than 10 business days, with the remaining approvals all issued within statutory 20 business day timeframe.</p>	


Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.1	Deliver regulatory and advisory programs.	PD3	<i>Ensure all new and existing swimming pools comply with current pool fencing legislation.</i>	<p>100% of all new pools erect compliant fencing (e.g. temporary) before filling in excess of 300mm.</p> <p>100% of all permanent fencing to be compliant within three months from temporary pool fence inspection date.</p> <p>100% of all pool safety certificates issued within two business days of inspection being carried out.</p>	Manager Planning and Development	<p>All measures met, where relevant.</p> <p>While no development applications for new swimming pools were received by Council for assessment, in this period, one (1) privately certified approval was received for filing.</p> <p>One (1) Decommissioning Approval was granted by Council.</p> <p>No inspections were carried out.</p>	
		PD4	<i>Deliver Plumbing Services to:</i> <ul style="list-style-type: none"> - Ensure development complies with the Plumbing and Drainage Act, standards, Council Policies and conditions of approvals; - Provide plumbing and drainage advice; - Assess plumbing and drainage applications; - Undertake inspections of plumbing and drainage works; and - Undertake a backflow prevention device testing regime; 	<p>95% of plumbing and drainage related customer requests responded to within 10 business days.</p> <p>90% of plumbing and drainage applications determined with a compliance permit within 10 business days from commencement of the decision stage.</p>	Manager Planning and Development	<p>All measures met.</p> <p>A total of 106 CRMs for Council Building Maintenance were received in this quarter, with 99% of CRMs completed within target timeframes.</p> <p>15 plumbing applications approved in this reporting period, 100% within the statutory 10 business day timeframe. 47% of approvals were assessed and approved in less than 5 business days.</p> <p>Testing of backflow prevention devices of Council buildings only undertaken as scheduled.</p> <p>Council is no longer providing the Onsite Effluent Design service to the public.</p>	


Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.1	Deliver regulatory and advisory programs.	AM2	<i>Enforce animal management legislation and local laws including: animal management; illegal camping on Council land; abandoned vehicles and overgrown properties.</i>	<p>80% of requests responded to within adopted timeframes.</p> <p>Implement out of hours patrol roster.</p> <p>Increased patrolling of target areas to monitor non-compliance - Animal Blitz.</p>	Coordinator Environment and Health Projects	98% of animal requests, 100% of overgrown CRMs and 96% of abandoned vehicle CRMs responded to within adopted timeframes. Early and late patrols undertaken as required based on CRMs. No Animal Blitz undertaken this quarter, focus was on early and late patrols where needed.	
		AM3	<i>Maintain and operate Council's animal pound with a focus on rehoming animals where suitable i.e. where health and temperament allows.</i>	<p>Facility cleaned daily with animal containers disinfected prior to reuse.</p> <p>Drop off cages checked twice per day on work days and once on other days.</p> <p>Animals relocated to offsite pound facility within 24 hours.</p> <p>75% of animals are rehomed where suitable.</p>	Coordinator Environment and Health Projects	<p>Facility cleaned daily and animal containers disinfected after use.</p> <p>Drop off cages checked at least twice a day on work days and once a day otherwise.</p> <p>Majority of animals were relocated to offsite pound within 24 hours, usually the same day. A small delay, 4 days, occurred while the external pound underwent some maintenance. 121 animals went through the pound this quarter. 87% (95 of 109) were returned to owner or rehomed. 9 animals were deemed not suitable for rehoming. 12 animals were in the pound on 31 December 2023.</p>	



Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.1	Deliver regulatory and advisory programs.	EH1	<i>Undertake regulatory responsibilities under State legislations: Food Act 2006, Public Health (Infection Control for Personal Appearance Services) Act 2003, Public Health Act 2005.</i> <i>1. Processing and issuing new licenses.</i> <i>2. Regular annual inspections.</i> <i>3. Risk-based enforcement action to achieve compliance.</i> <i>4. Annual renewal of licenses.</i>	Timely and accurate processing and issuing of new licenses. Regular annual inspections with 100% of non-compliances addressed as per standard procedure. Enforcement as per risk matrix to achieve compliance. Annual renewal of licenses - notices sent by 30 April, licenses issued by 30 August.	Coordinator Public Health and Environment	Seven (7) new licenses/transfers were approved from 1 October to 31 December 2023. 38 regular inspections conducted with 15 re-inspections from 1 October to 31 December 2023. Currently 121 fixed/mobile and 11 annual temporary food stalls food premises licensed under Food Act 2006.	
		EH2	<i>Undertake regulatory responsibilities under Burdekin Shire Local Laws and Subordinate Local Laws - Rental Accommodation, Caravan Parks, Camping.</i> <i>1. Processing and issuing new approvals.</i> <i>2. Regular annual inspections.</i> <i>3. Risk-based enforcement action to achieve compliance.</i> <i>4. Annual renewal of approvals.</i>	Processing and issuing new licenses within 20 working days of receipt. Each licenced premises inspected at least once annually. Non-compliance issues identified and addressed. Enforcement as per risk matrix to achieve compliance. Annual renewal of approvals - renewal notices by 30 May and licenses issued by 30 August.	Coordinator Public Health and Environment	Two (2) new applications processed from 1 October to 31 December 2023. 10 annual inspections conducted during Q2. Four (4) Re-inspections conducted during Q2.	



Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.1	Deliver regulatory and advisory programs.	EH3	<i>Deliver Food Safety education and awareness activities to the community.</i>	<p>Relevant information maintained on website - reviewed and updated twice annually.</p> <p>Two food safety training sessions conducted annually.</p> <p>Two or more food-related media activities (newsletter/media release/social media post).</p> <p>Participation in environmental health events e.g. Clean Up Day, Food Safety Week, Plastic Free July.</p>	Coordinator Public Health and Environment	<p>Food safety training planned for February 2024.</p> <p>What's Eating Burdekin newsletter to be sent out in January 2024.</p> <p>3 educational sessions undertaken for kindy from 1 October to 31 December 2023.</p> <p>1 clean up activity undertaken in October.</p> <p>Display organised for Food safety week in November at libraries.</p>	
		EH4	<i>Conduct water quality testing of drinking water (on a fee for service basis) and public swimming pools.</i>	<p>Testing of private drinking water supplies completed within agreed timeframes.</p> <p>Monthly testing of water quality at Council swimming pools.</p>	Coordinator Public Health and Environment	<p>Monthly water testing for all Council swimming pools carried out in September.</p> <p>No customer requests for private drinking water testing during the quarter.</p>	





Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.2	Facilitate partnerships to improve community safety and wellbeing, including crime prevention initiatives.	EH5	<i>Investigate nuisance complaints under State legislation (e.g. public health, environmental protection) and Local Laws.</i>	80% of requests responded to within adopted timeframes.	Coordinator Public Health and Environment	65 nuisance customer requests received during Q2. 100% of CRMs completed within target or open within target.	
1.2.3	Partner with State, District, and local agencies to coordinate and facilitate disaster planning, preparedness, response, and recovery to reduce the impact of disaster events.	LDMG1	<i>Local Disaster Management Plan and Sub-Plans are reviewed and updated annually.</i>	100% of plans and sub-plans reviewed.	Local Disaster Coordinator	All Disaster Management Plans and Subplans were approved by the Burdekin Local Disaster Management Group on 3 November 2023 and adopted by Council on 14 November 2023. The LDMP and Sub Plans have now been uploaded onto the Council website and made available for public use.	





Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.3	Partner with State, District, and local agencies to coordinate and facilitate disaster planning, preparedness, response, and recovery to reduce the impact of disaster events.	LDMG2	<i>Approve and manage all local Burdekin State Emergency Services operations including material and associated costs relating to all State Emergency Services buildings and plant.</i>	Report on State Emergency Services funding opportunities and grant applications. SES operations delivered in accordance with adopted budget.	Local Disaster Coordinator	<p>SES operations delivered within adopted and revised budget.</p> <p>Toilet upgrades at Ayr SES Headquarters with Resilience and Recovery Grant Funds completed.</p> <p>SES Support Grant Round 2024-25 is open, SES is applying for a 4WD Dual Cab to replace the old Clare Truck.</p> <p>SES was successful in receiving the following items through the Energising Queensland Grant -</p> <ol style="list-style-type: none"> 1. Ayr SES Group - Vehicle - 2 x Maxtrax 2. Home Hill SES Group – Heat Gun Milwaukee 18v Compact M18BHGO (pack of 2 heat guns with 1 battery each) 3. Clare SES Group – Vehicle - 2 x Maxtrax 4. Giru SES Group – T Cardholder (Magnetic), 10 x folding chairs, 2 x 6ft Trestle Tables 5. Rita Island SES Group – Pole Saw Storage Box (Colour - orange). 	



Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.3	Partner with State, District, and local agencies to coordinate and facilitate disaster planning, preparedness, response, and recovery to reduce the impact of disaster events.	LDMG3	<i>Facilitate community education and promote disaster readiness in the Burdekin Shire with a focus on new residents to the region.</i>	Development of 500 new resident packs, Get Ready Burdekin campaign and a minimum of three Community engagement activities.	Disaster Management Officer	<p>Over 800 Disaster Management Packs were completed and over 400 were distributed through Community events and activities. Packs are still available from the Council's Customer Service Centre.</p> <p>Get Ready Burdekin stand held at the Burdekin Library on 11 October 2023 from 10.00am to 1.00pm and at the Home Hill Library on 12 October 2023 from 1.00pm to 5.00pm.</p> <p>Get Ready Burdekin Week electronic advertising (9 to 15 October) – 3 Steps to Get Ready - on all electronic variable message boards (VMB) – Giru, Home Hill, and Ayr (paid advertising at the Queens Hotel). Get Ready Burdekin – Burdekin Shire Council Chambers foyer display all of October 2023.</p>	




Objective: 1.2 A safe and resilient community							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.2.3	Partner with State, District, and local agencies to coordinate and facilitate disaster planning, preparedness, response, and recovery to reduce the impact of disaster events.	NR1	<i>Undertake public safety activities.</i>	<p>Attend meetings hosted by local and regional QFES.</p> <p>Undertake preventative measures as proposed in the Burdekin Bushfire Risk Mitigation Plan.</p> <p>Coordinate with different stakeholders and Council departments to mitigate the risk on identified Council properties.</p>	Coordinator Environment and Health Projects	<p>Attended one meeting with QFS, RFS, SES, Gudjuda Rangers, DES & BSC Disaster management.</p> <p>No hazard reduction burns carried out this quarter. Arranged for one landholder near town to burn a parcel of land that was of concern.</p>	
Objective: 1.3 Celebrate our unique identity							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.3.1	Promote the benefits of living, working, playing, visiting, and investing in the Burdekin.	TOU1	<i>Continue membership of Townsville Enterprise Ltd. and host industry forums/workshops to encourage development of tourism product.</i>	<p>Increased presence in regional and national tourism promotion and marketing.</p> <p>Maintain existing visitor numbers to the Visitor Information Centres.</p>	Tourism Officer	Continuation of EDM newsletter with Burdekin Tourism Members. Attended a networking event hosted by Townsville Enterprise and Tourism and Events Queensland. Conducted three one-on-one meetings with local tourism operators to discuss their development and Council support available.	



Objective: 1.3 Celebrate our unique identity							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.3.1	Promote the benefits of living, working, playing, visiting, and investing in the Burdekin.	TOU2	<i>Provide support to the Visitor Information Centres in Ayr and Home Hill.</i>	Maintain existing visitor numbers to the Visitor Information Centres. Analyse Visitor Information Centre Data to identify where visitors are travelling from prior to visiting the Burdekin to assist with marketing activities.	Tourism Officer	Hosted a familiarisation at the Ayr Nature Display in October. Hosted the annual Tourism Volunteers Christmas party in December. Welcomed three new volunteers in Q2. Visitor Information Centre statistics: October – December 2023: Ayr 1,246 visitors / Home Hill 1,386 visitors.	
		TOU3	<i>Participate in Economic Development/Tourism Expos.</i>	Attend three expos and distribute a minimum of 100 information packs at each event.	Tourism Officer	Delivered Visit Burdekin Guides to local accommodation, businesses and organisations. Posted 33 boxes of Visit Burdekin Guides to various Queensland Visitor Information Centres. Gave away Visit Burdekin merchandise at the Triple M Tiny Towns Tour in Brandon.	




Objective: 1.3 Celebrate our unique identity							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.3.1	Promote the benefits of living, working, playing, visiting, and investing in the Burdekin.	TOU4	<i>Promote the Burdekin as a business and lifestyle destination. Source and develop new advertising opportunities to market Burdekin tourism and lifestyle e.g. Qld Country Week, RegionsQ.</i>	Four promotional opportunities identified and pursued annually.	Tourism Officer	Created a free School Holiday Guide which included free and budget activities and a photo competition to encourage visitors from surrounding regions to visit the Burdekin for a daytrip, overnight stay or weekend away. Over 120 engagements with the School Holiday Guide link during the duration of the school holiday period.	
		CP1	<i>Promote the Council-owned caravan parks in local, state and national outlets and publications.</i>	Four promotional activities undertaken. Updated website developed.	Coordinator Environment and Health Projects	Renewed Yellow pages advertisement for both parks. Updated Australian Tourism Data Warehouse listing. Updated Queensland Tourism Industry Council listing. Reviewed Google Business profile and responded to reviews. New website is progressing.	
1.3.2	Support and encourage creative and cultural activities and initiatives that enhance the community identity through the Arts and Cultural Strategy.	CD4	<i>Deliver key prioritised initiatives from the Arts and Cultural Strategy in collaboration with the Cultural Venues Team and Council's Community and Cultural Development Advisory Group (CCDAG).</i>	Report on key initiatives of Arts and Cultural Strategy to Council (six monthly). Minutes of CCDAG presented to Council.	Manager Community Services	CCDAG meeting held 12 October 2023. No further actions on delivering initiatives of the Arts and Cultural Strategy.	
		L03	<i>Provide resources, technology and programs where people can discover and record their own histories and stories. Library Strategic Plan 6.2.</i>	Increase usage of Create@108 recording equipment.	Library Services Manager and Community and Digital Programs Officer	The Create@108 recording equipment was used by approximately 20 children during the Sound Booth workshop, Stop Motion Video workshop and Green Screen Video workshop in the December school holidays. The children were provided with brief instructions before working on their projects.	




Objective: 1.3 Celebrate our unique identity							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.3.3	Communicate our story and recognise the achievements of our community members.	MC01	<i>Develop and issue media releases including posting releases to Council website and social media platforms informing the community on Council activities.</i>	30 Media Releases per quarter.	Media and Communications Officer	The quarter saw the production and promotion of 30 media releases.	
		MC02	<i>Provide support to Mayor, Councillors and Officers in responding to media enquiries.</i>	Factual and positive coverage of Council issues. 90% response rate provided within 2 business days of enquiry.	Media and Communications Officer	Major initiatives and projects were communicated through media releases and online platforms. Responded promptly to any questions or enquiries received.	
		CD5	<i>Conduct Australia Day Awards Ceremony January 2024.</i>	EOI Nominations for award recipients September 2023. Conduct Australia Day Awards Ceremony January 2024.	Manager Community Services	The 2024 Australia Day Award nominations opened on 11 October with 11 award categories and closed on 6 December 2023. Winners to be announced at the Australia Day Ceremony at Burdekin Memorial Hall on 12 February 2024.	
1.3.4	Facilitate events for the community.	TOU5	<i>Undertake planning for 2025 'Sweet Days Hot Nights Festival', including associated events, as a biennial destination event for the Burdekin. Consider 2024 complimentary events program (e.g. Feast by the Field, Farming in Focus).</i>	Event plan developed and delivered. 5% increase in level of external visitation to the event. 80% positive feedback from sponsors.	Tourism Officer	Finalised the 2023 Sweet Days Hot Nights Festival post event review and distributed report to the appropriate managers. Mick the Mascot public appearances: Triple M Tiny Towns Tour in Brandon. Flyers promoting the 2025 festival available at the Ayr and Home Hill Visitor Information Centres. Applied for the Queensland Destination Events Program Event Funding.	



Objective: 1.3 Celebrate our unique identity							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.3.4	Facilitate events for the community.	CD6	<i>Facilitate targeted community events, activities and programs that foster a vibrant community and improve health and wellbeing.</i>	Facilitate community events within agreed timeframes and budget. Conduct minimum of one targeted youth, family or seniors community development event annually.	Manager Community Services	Community Christmas Carols was held at the Burdekin Touch Fields attracting over 2,000 attendees. A successful Seniors Month Luncheon was held on 23 October at Ayr Showgrounds Hall with 120 attendees and 14 stall holders.	
Objective: 1.4 Strong community organisations							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.4.1	Promote and encourage community participation, volunteerism, and capacity building within community organisations.	CD7	<i>Facilitate partnerships; forums and workshops that build capacity and resilience of local sport, recreation and community groups.</i>	Provide quarterly reports on Community capacity building program initiatives to Council.	Manager Community Services	Good Governance Capacity Building Workshop successfully facilitated with representatives from local sport, recreation and community groups on 16 November 2023. Approximately 30 individuals attended this workshop. Two volunteer first aid courses (13 October and 21 November 2023) were facilitated with attendance from around 30 volunteers from local sport, recreation and community organisations. Clubmap Health Checks and Resource Packages to local not-for-profit organisations commenced. Health checks focussed on the health of the organisations over 10 key areas with unique action plan for each participating organisation.	

Objective: 1.4 Strong community organisations							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.4.2	Support community organisations and events.	CG1	<i>Coordinate RADF (Regional Arts Development Funding) Program.</i>	Ensure RADF funding supports local artists and arts and cultural activities, provides opportunities for participation in cultural and arts activities and contributes towards achieving Arts and Cultural Strategy objectives.	Grants and Property Officer	During the quarter, ten (10) applications were received for Round 1 of the 2023/24 Council's RADF Program totalling \$34,867. Nine applications were approved totalling \$26,990.	
		CD8	<i>Manage the Community Assistance Grants Program.</i>	Review Community Grants Guidelines. Conduct Grant Rounds 2024. Reports to Council on Number of events/organisations supported and amount of financial and in-kind resources provided.	Manager Community Services	Round 2 of Community Grants Program held, applications opened 1-14 October. 5 applications were received. Council endorsed successful applicants including – Ayr Surf Lifesaving Club, Burdekin Race Club Inc., Clare Primary School P&C, Giru State School P&C and Laurie's Love Inc. Review of Community Grants Guidelines has been on hold and will be discussed further in Q3.	
1.4.3	Support sporting organisations in providing opportunities for physical activity.	CG2	<i>Administer Council's Revenue Financial Assistance Program (Interest Free Loans).</i>	Appropriate support provided to applicants. Funds allocated in accordance with Council Policy. Acquittals received and processed in a timely manner.	Grants and Property Officer	No applications for Revenue Financial Assistance were received in the period.	

Objective: 1.4 Strong community organisations							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.4.4	Implement the 10 Year Sport and Recreation Plan.	CD9	Review the Burdekin 10 Year Sport and Recreation Plan.	Report on review findings to Council by 30 March 2024.	Manager Community Services	On 6 November 2023 Council invited (via Vendor Panel) quotations from 6 qualified respondents to undertake a review of the existing Burdekin Sport and Recreation Plan. Three responses were received, and the assessment panel will determine the preferred consultant in January 2024.	
Objective: 1.5 Engaging public spaces							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.5.1	Encourage active communities through provision and maintenance of recreational spaces.	SP1	Administer the management contracts for the Ayr and Home Hill Swimming Pools and inspect and maintain all Shire pools.	<p>Customer satisfaction. Positive feedback from users of the facilities.</p> <p>Facilities are maintained in accordance with the contract specifications.</p> <p>Biannual site inspections.</p> <p>Maintenance items addressed as identified.</p> <p>Annual review of water park operations and maintenance.</p>	Coordinator Environment and Health Projects	<p>The Burdekin Aquatic Centre contract has been progressing well. Home Hill Swimming Pool contract is being reviewed.</p> <p>The new entry at Burdekin Aquatic Centre is now complete with the screen/fence at the new entry installed in early December 2023. Tables and chairs for the covered seating area have arrived. Inspection occurred at Home Hill Pool.</p> <p>Maintenance issues for all sites addressed as and when they arise. Water park operations and maintenance issues will be reviewed towards the end of the season.</p>	

Objective: 1.5 Engaging public spaces							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.5.1	Encourage active communities through provision and maintenance of recreational spaces.	SP2	<i>Implement outcomes of the Burdekin Aquatics Facility Study.</i>	Implementation of Study outcome recommendations adopted by Council.	Manager of Environmental and Health Services	Clare Pool upgrades planned for 2024 - 2025 in response to comments in the Burdekin Aquatics Facilities Study.	
1.5.2	Provide safe, attractive, accessible, and functional community spaces and facilities.	CG3	<i>Manage Council's property portfolio (including the Ayr Aerodrome) in accordance with legislation with the timely reporting of matters to Council for approval.</i>	Council tenure arrangements managed in a timely matter. Quarterly reporting regarding finalised tenure matters.	Director Corporate and Community Services; Governance and Property Officer	Renewal of lease/agreements: Four in progress. One completed New lease/agreements: Two in progress Two completed Surrender of lease/agreements: One in progress One completed	
		CV2	<i>Undertake a review of the Ayr Showgrounds Master Plan to identify outstanding projects.</i>	Report on review of Ayr Showgrounds Master Plan and future directions to Council .	Cultural Venues Manager	Ayr Showgrounds Main Hall - Tenders called for Refurbishment Project on 29 November and closed 20 December 2023. Ayr Showgrounds Master Plan Report to be presented during Q4.	




Objective: 1.5 Engaging public spaces							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.5.2	Provide safe, attractive, accessible, and functional community spaces and facilities.	CV3	<i>Undertake annual consultation and survey of local user groups (Hirers) to understand customer expectations/satisfaction to ensure Cultural Venues remain relevant into the future.</i>	Identify key user groups. Survey developed. Number of surveys completed. Report on findings delivered to Council.	Cultural Venues Manager	Key user groups have been identified and a consultation survey has been developed. Qualitative data to be captured and reviewed in Q3 & Q4. Report to be presented to Council Q4.	
		L04	<i>Investigate need and options for delivery of Library materials to remote communities.</i> <i>Library Strategic Plan 2.2.</i>	Conduct survey and community consultation and collaboration with community and other libraries. Initiatives planned in response to community feedback.	Library Services Manager	Survey process completed and results are being assessed. Remote community library materials to be identified and sourced during Q3 & Q4.	
		PG1	<i>Ensure operational responsiveness and departmental performance of the parks and gardens team aligns with Council's Customer Service Charter and agreed service timeframes.</i>	Quarterly analysis of compliments versus formal complaints received with a target of 8:1 compliments to complaints. 90% or more of customer requests completed within target timeframes.	Parks Coordinator	4 compliments received this quarter with no complaints. Year to date total of 12 compliments without complaint. 98% of Customer Requests completed within target time frame year to date.	




Objective: 1.5 Engaging public spaces							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
1.5.2	Provide safe, attractive, accessible, and functional community spaces and facilities.	PD5	<i>Manage existing service contracts for Council facilities and implement facilities management strategies that will ensure effective and efficient planning and coordination of all relevant building maintenance activities.</i>	<p>Timely response to building maintenance requests for Council buildings.</p> <p>In accordance with relevant asset management categorisation, complete condition assessments on all relevant Council buildings.</p> <p>95% of building maintenance service contracts are actively monitored throughout term and reviewed and renewed in accordance with Council's adopted procurement processes.</p>	Manager Planning and Development	<p>All measures met.</p> <p>A total of 106 CRMs for Council Building Maintenance were received in this quarter, with 99% of CRMs completed within target timeframes.</p>	
		CP2	<i>Administer the management contracts for Home Hill Caravan Park and the Burdekin Cascades Caravan Park.</i>	<p>Customer satisfaction.</p> <p>Maintaining both caravan parks to optimize customer satisfaction and occupancy levels.</p> <p>Liaison with BCCP Managers to facilitate dynamic pricing arrangement.</p>	Coordinator Environment and Health Projects	<p>Caravan Parks regularly receive 4-5 star reviews from customers as seen on Google. Occupancy is up 14% across the Burdekin Cascades Caravan Park from same period last year. Home Hill Caravan Park has had a 20% increase in cabin occupancy and 5% in permanents. No progress on dynamic pricing.</p>	







Prosperous Economy



We build upon our strong agricultural base and encourage opportunities that strengthen a thriving and resilient community.

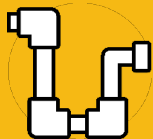
Objective: 2.1 Diverse and innovative industry							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
2.1.1	Position the Burdekin as regional leaders in agriculture, aquaculture, manufacturing, and other agribusiness activities.	ED01	<i>Facilitate meetings of the Economic Development Advisory Group and implement agreed recommendations as endorsed by Council.</i>	Minutes presented to Council. Number of actions implemented.	Economic Development Coordinator	Economic Advisory Group meetings held on 5 October 2023 and 7 December 2023. Completed actions and recommendations as required.	
2.1.2	Facilitate the provision of information to encourage a digitally connected community.	ED02	<i>Support initiatives and facilitate programs that build capacity of local businesses to better utilise digital technology.</i>	10% increase annually in business attendance at digital information and/or training workshops.	Economic Development Coordinator	Promoted all programs that encourage small businesses to better utilise digital technology. Promoted digital programs and courses available through Smart Precinct NQ. Connected with local businesses who provide smart farming technology to identify how Council can promote innovative technology available in the district.	
2.1.3	Promote opportunities and initiatives that encourage business to invest in research and diversification.	ED03	<i>Promote funding opportunities available to businesses for research and development.</i>	100% of funding opportunities identified and appropriate businesses advised through EDM distribution.	Economic Development Coordinator	Promoted all funding programs that had been released to chambers of commerce, relevant businesses and organisations via email, EDMs, media releases and social media. Provided letters of support for projects as requested.	

Objective: 2.1 Diverse and innovative industry							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
2.1.4	Encourage business establishment, development, and expansion.	ED04	<i>Market and promote the Burdekin Shire, including opportunities at the Ayr Industrial Estate, to potential developers/investors.</i>	6 marketing and promotional activities undertaken.	Economic Development Coordinator	Non-binding expressions of interest launched at industry breakfast on 8 November 2023. Marketing campaign finalised. To be implemented once tenders are released.	
2.1.5	Support and encourage the development of tourism through implementation of the <i>Burdekin Tourism Strategy</i> .	TOU6	<i>Continue to implement projects and activities outlined in the Burdekin Tourism Strategy.</i>	100% of selected activities completed within agreed timeframes.	Tourism Officer	Distributed the Visit Burdekin Guide across the Burdekin and Queensland Visitor Information Centres. Sent out application forms for the 2024 Destination Events Calendar to all local community, sporting and cultural groups. Conducted one-on-one meetings with local tourism operators to discuss their development and Council support available. Successfully obtained funding from RADF to update the Burdekin Art Trail map. Continued to implement initiatives and actions in the strategy.	
		TOU7	<i>Seek to identify funding to update the Burdekin Tourism Strategy.</i>	Funding identified. Application successfully lodged.	Tourism Officer	Investigating funding opportunities to update current Tourism Strategy.	

Objective: 2.2 Strong networks							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
2.2.1	Support business and industry networks.	ED05	<i>In collaboration with Smart Precinct NQ and the Queensland Small Business Commissioner's Small Business Friendly (SBF) Program, identify, promote and implement activities and initiatives to encourage development and expansion of existing businesses and support and encourage new and establishing small businesses.</i>	2% annual increase in attendance numbers at industry breakfasts and mentoring sessions. Number of other activities undertaken.	Economic Development Coordinator	Hosted Burdekin Industry Breakfast on 8 November 2023. Presentations included release of non-binding expression of interest for Ayr Industrial Estate expansion and Wundarra Industrial Hemp production. Hosted Smart Precinct NQ mentoring sessions on 28 September 2023 and 21 November 2023. Promoted 3 local businesses who were finalists in the Smart Precinct NQ Celebrate 2023 Business Awards.	
Objective: 2.2 Strong networks							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
2.2.2	Advocate for local and regional needs through lobbying and partnerships.	ED06	<i>Collaborate with State and Federal Government Departments and with Townsville Enterprise Ltd. (TEL) to identify, promote and implement economic development opportunities for the Burdekin region.</i>	Two collaborative initiatives conducted annually. TEL service level agreement activities delivered.	Economic Development Coordinator	Continued to promote workshops, events and campaigns hosted by Townsville Enterprise. Provided updated project information for the State Government Unlock the North submission.	

Objective: 2.3 Investment growth and opportunities							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
2.3.1	Implement actions from the Burdekin Shire Economic Development Strategy.	ED07	<i>Implement actions identified in the Burdekin Shire Economic Development Strategy.</i>	Number of action items completed within agreed timeframes.	Economic Development Coordinator	Continued to investigate initiatives and activities identified by the Economic Development Advisory Group that align with Council strategies. Continued Smart Hub Burdekin and Small Business Friendly Councils initiatives and hosted 6 delegations for potential projects in the Burdekin.	
2.3.2	Support, facilitate and promote potential synergies with agribusiness including bio-futures, technology, and innovation.	ED08	<i>Encourage and support individuals and businesses to better participate in regional economic development initiatives.</i>	20 businesses showcased annually across four economic development activities.	Economic Development Coordinator	Hosted Burdekin Industry Breakfast on 8 November 2023 - attended by 68 people. Presentations included launch of non-binding expressions of interest for Ayr Industrial Estate and Wandarra Industrial Hemp Production.	

Objective: 2.3 Investment growth and opportunities							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
2.3.3	Support development, value-adding, diversification, and expansion to provide a sustainable economic base.	PD6	<i>Facilitate pre-lodgement meetings with developers to support and encourage economic growth opportunities for the Burdekin Shire whilst balancing planning and environmental outcomes.</i>	80% of written responses provided to applicants within 10 business days of pre-lodgement meetings.	Manager Planning and Development; Economic Development Coordinator	<p>Measures met.</p> <p>Fifteen (15) formal prelodgement meetings held during this quarter for planning matters, with officers attending numerous informal prelodgement meetings and discussions during this time, via face to face, email and phone.</p> <p>In addition, Officers attended one (1) formal meeting arranged by/through the Economic Development Team.</p> <p>Where required, 100% of any written responses were provided within ten (10) business days.</p>	
Objective: 2.4 Resilient adaptive business							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
2.4.2	Promote local employment and training opportunities.	ED09	<i>Encourage businesses and individuals to participate in activities to promote employment and training opportunities.</i>	One event delivered and two events attended annually.	Economic Development Coordinator	<p>Promoted all training and webinars that had been released to chambers of commerce, relevant businesses and organisations via email, EDMs, media releases and social media.</p> <p>Participated in 4 meetings to progress TAFE campus utilisation.</p>	



Resilient Infrastructure






We Provide and advocate for cost-effective infrastructure that supports our quality of life




Objective: 3.1 Effective transport and drainage networks



Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.1.2	Collaborate with State and Federal Governments to enhance the regional transport network.	OPW1	<i>Achieve a satisfactory external audit of the Road Maintenance Performance Contract from the Department of Transport and Main Roads.</i>	95% compliance against Key Performance Indicators.	Manager Operations	There has been no additional audits since the July 2023 result reported in Q1. The next RMPC Audit is scheduled for February 2024.	●
		TS1	<i>Complete Transport Infrastructure Development Scheme (TIDS) program in accordance with Roads and Transport Alliance requirements.</i>	100% of TIDS funding claimed by 30 June 2024 Prioritisation of construction projects to achieve 100% expenditure.	Manager Technical Services	99% claimed by 31 December 2023	●
		TS2	<i>Complete Roads to Recovery Program in accordance with Australian Government requirements.</i>	100% of Roads to Recovery funding claimed by 30 June 2024.	Manager Technical Services	30% Roads to Recovery completed to 31 December 2023. Remaining projects due to commence May 2024	●




Objective: 3.2 Sustainable water resources

Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.2.1	Enhance water security and protect and improve water quality.	WW1	<i>Implement approved Drinking Water Quality Management Plan.</i>	Maintain strict compliance with water quality testing matrix and continued implementation of water safety improvement initiatives.	Manager Water and Wastewater	Additional scrutiny has been applied to maintaining compliance with DWQMP due to the variability of detected PFAS concentrations. Increased testing and communication of results with Water Regulator has ensured target has been met.	●


Objective: 3.2 Sustainable water resources							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.2.2	Improve water and sewerage network reliability and efficiency through planned infrastructure renewals and upgrades.	WW2	<i>Ensure operational responsiveness and departmental performance of the Water Wastewater team aligns with Council's Customer Service Charter and agreed service timeframes.</i>	Quarterly analysis of compliments versus formal complaints received with a target of 5:1 compliments to complaints. 90% or more of customer requests completed within target timeframes.	Manager Water and Wastewater	One compliment received in the period for Operational conduct with no complaints recorded. Year to date total of four compliments without complaint. 95% of Customer Requests completed within target timeframe year to date.	
		WW3	<i>Complete construction and commissioning of the Macro-algae Bioremediation Treatment Facility at the Ayr-Brandon Wastewater Treatment Plant.</i>	Macro-algae Bioremediation Treatment Facility commissioned and in service by 31 March, 2024.	Manager Water and Wastewater	Possession of site awarded to RegenAqua Wednesday 6 December 2023. Tenders awarded for internal pump station, piping, wash down bore and electrical works. Extension of time (3 days) granted as a result of wet weather in December.	
Objective: 3.3 Vibrant community assets							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.3.1	Implement the Asset Management Strategy and Roadmap.	TS3	<i>Complete asset inspections in accordance with inspection program.</i>	60% of asset inspection program completed by 31 March 2024	Manager Technical Services	Asset inspections ongoing through year. Currently on track with most inspections due in Q3.	
		TS4	<i>Complete asset capitalisations in a timely manner.</i>	60% of projects capitalised within three (3) months after financial completion.	Manager Technical Services	74% achieved to 31 December 2023	
		TS5	<i>Complete asset valuation reviews including desktop reviews for Transport, Drainage, Land and Improvements and Other Assets and comprehensive valuation of Buildings, Water and Sewerage Assets.</i>	Review to be completed by Council Officers by 30 April 2024. Valuations completed by 30 April 2024.	Manager Technical Services	Valuer completed site inspections of Buildings and above-ground Water and Sewerage assets in December. Planning for desktop valuations commenced.	


Objective: 3.3 Vibrant community assets							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.3.1	Implement the Asset Management Strategy and Roadmap.	TS6	<i>Completion of assigned Asset Management Roadmap tasks.</i>	Strategic Asset Management Plans for Transport, Drainage, Water Supply and Sewerage reviewed by March 2024	Director Infrastructure, Planning and Environmental Services	Asset Management Plan reviews planned for February to May 2024.	
3.3.2	Plan, build and maintain infrastructure that enhances and extends the life of community assets.	OPW2	<i>Implement Annual Works Program as adopted within the financial year considering revisions required to accommodate externally funded projects and/or natural disasters.</i>	85% of Works completed at end of financial year, including dollar value.	Manager Operations	34% of Roadworks and Drainage projects completed at 31 December 2023.	
		TS7	<i>Undertake detailed designs of 2024/2025 reseals.</i>	70% of detailed designs for reseal program 2024/2025 completed by 30 June 2024	Manager Technical Services	2024/2025 program development commenced with final selection planned for completion with Transport valuations in April 2024. Detail designs to commence in June 2024.	

Objective: 3.3 Vibrant community assets							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.3.2	Plan, build and maintain infrastructure that enhances and extends the life of community assets.	PD7	<i>Coordinate and manage major facilities management projects and asset management plans as required and in line with agreed strategic outcomes.</i>	Project Plans identified and drafted with appropriate project management resources for all major projects. Asset management plans defined for major Council facilities.	Manager Planning and Development	<p>Measures met.</p> <p>Facilities Management Officers are providing project management, procurement and contract management assistance to Managers and Asset Owners for 23 capital projects. 4 of these projects are fully completed.</p> <p>The Ayr Showgrounds Main Hall refurbishment project has been postponed and will not be completed in this financial year.</p> <p>14 projects remain in various stage of progress, with 4 projects still awaiting final scoping due to external consultant input still outstanding.</p> <p>Expecting 100% completion of all projects by May 2024.</p>	
		TS8	<i>Develop and monitor Annual capital delivery program.</i>	Monitor program in Capital PCG and number of monthly meetings to track progress.	Director Infrastructure, Planning and Environmental Services.	Five PCG meetings held to 31 December 2023.	

Objective: 3.3 Vibrant community assets							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.3.3	Develop and implement strategic infrastructure plans to inform the decision-making process when planning for future infrastructure renewal and enhancements.	TS9	<i>Develop 5 and 10 year roadworks and drainage capital works program.</i>	Programs adopted by Council.	Manager Technical Services	Preliminary works commenced in five and ten year capital works program development. Finalisation of programs developed during asset valuation process.	
Objective: 3.4 Well-planned communities							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.4.1	Support strategic projects that will contribute to liveability and economic growth in the Burdekin.	CG4	<i>Coordinate and project manage Council's external funding applications.</i>	100% of applications for identified grant opportunities submitted on time. 100% of acquittals submitted accurately and on time.	Director Corporate and Community Services; Grants and Property Officer	Three funding applications were submitted in the quarter. Advice was received that two previous applications were successful. Six grant acquittals were submitted in the quarter in the required timeframes.	
		OPW3	<i>Construct Macro-Algae earthworks pad for bioremediation facility.</i>	30 September 2023	Manager Operations	Partial possession of site awarded to RegenAqua in October 2023 to allow site building works to commence in line with project management critical path.	

Objective: 3.4 Well-planned communities

Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.4.1	Support strategic projects that will contribute to liveability and economic growth in the Burdekin.	PD8	<i>Ensure all new developments are assessed against provisions contained within Council's adopted Local Government Infrastructure Plan (LGIP), Planning Act 2016, Planning Scheme, legislative requirements and other relevant instruments.</i>	<p>Compliance checks completed for 60% of new developments at pre-lodgement stage to identify relevant Infrastructure Charges, if requested by applicant.</p> <p>100% of development applications for planning matters processed within relevant statutory timeframes for each stage of the application process.</p>	Manager Planning and Development	<p>Measures met.</p> <p>Eight (8) Development Applications were received in this quarter with nine (9) Development Approvals determined and issued.</p> <p>All applications received and approvals determined, were completed within the Statutory Timeframes (35 business days).</p> <p>On average 83% of approvals were decided in less than 35 business days with a further 50% decided in less than 25 business days.</p> <p>Plan endorsement for three (3) reconfiguration approvals were processed and determined in this quarter, with 100% of compliance checks undertaken before endorsement.</p> <p>When requested, Council officers can and do provide advice on possible infrastructure charges and approximate costs, applicable to a development proposal.</p>	


Objective: 3.4 Well-planned communities							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
3.4.2	Review land supply and uses to meet community and business needs	ED10	<i>Seek to identify suitable funding sources to support the commencement of construction of Stage 1 of the Ayr Industrial Estate Expansion.</i>	<p>Application made for suitable grant funding if available and other funding sources investigated with budget review.</p> <p>Project plan finalised and works commenced for Stage 1.</p>	Chief Executive Officer; Director Corporate and Community Services; Director Infrastructure, Planning and Environmental Services.	Earthworks for Stage 1 of the new Industrial Estate were finalised during the quarter. Next stage of infrastructure works scheduled to commence in Q4 after the wet season, with tenders invited and closed for various works packages.	




Sustainable Environment




We value and respect our natural and built environments and work towards balanced and improved outcomes for our community.


Objective: 4.1 A sustainable and healthy environment


Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.1.2	Improve environmental sustainability outcomes through consultation, collaboration, and partnerships with key stakeholder groups.	EH6	<i>Provide Environmental and Health Assessments for relevant Development Applications in accordance with legislative requirements.</i>	Number of accurate and timely Environmental and Health Assessments provided for relevant development applications.	Coordinator Public Health and Environment	6 applications were supported and conditions provided to Planning Department during the quarter. 2 REF completed for design and works department	



Objective: 4.2 Balanced environmental outcomes


Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.1	Maintain the balance between positive environmental outcomes and ongoing development.	PD9	<i>Undertake a review of Burdekin Shire Council Planning Scheme December 2022 and implement any amendments in accordance with the required processes.</i>	Complete review and report on any changes required. Ensure development applications achieve substantial compliance with the requirements of the new 2022 Planning Scheme.	Manager Planning and Development	Measures met in part. Review of the 2022 Scheme will commence March 2024, with a view to have amendments completed by September 2024.	



Objective: 4.2 Balanced environmental outcomes							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.2	Promote and support community education programs that contribute to improved environmental and community outcomes.	VM2	<i>Deliver vector management public education and community awareness activities.</i>	Provision of appropriate information via website and other media channels. Information reviewed and updated on website six monthly. One media release produced at wet season onset. Support for Wolbachia mosquito release project in Burdekin Shire.	Coordinator Public Health and Environment	1 media release this quarter. Information reviewed and updated on website, six monthly.	
4.2.3	Protect and enhance the natural environment, partnering with organisations and the community to safeguard and improve environmentally sensitive areas	EH7	<i>Maintain Council's status as a Reef Guardian Council.</i>	Progress report delivered. Community event held.	Coordinator Public Health and Environment	Face to face meeting attended in October. Grant application was successful.	
		EH8	<i>Undertake works identified in the Dune Management Strategy.</i>	Revegetation work undertaken in priority phase one area at Wunjunga/Beachmount by 31 December 2023. Liaise with other environmental groups and organisations to plan and undertake work within the dune systems.	Coordinator Environment and Health Projects	Revegetation work occurred in December 2023. NQ Dry Tropics and Gudjuda Rangers undertook site preparation and revegetation works including installing signage of Dune Restoration work in progress. 1,500 native seedlings were planted in the southern area prior to the Community Planting Day on 9 December 2023 at the area adjacent to the helipad to the south of the township. More than 30 participants assisted in planting 900 native seedlings. Dune protection signs are currently being designed and are to be installed in January 2024.	



Objective: 4.2 Balanced environmental outcomes							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.3	Protect and enhance the natural environment, partnering with organisations and the community to safeguard and improve environmentally sensitive areas	NR2	<i>Undertake aquatic weed control in Riparian Management Agreement (RMA) participating waterways in Shire.</i>	<p>Issue Riparian Management Agreement invoices for the current financial year by 28 February 2024.</p> <p>Aquatic weed under control to be maintained at low to medium scattered growth in participating waterways.</p>	Coordinator Public Health and Environment	<p>Aquatic weed control ongoing, all lagoons monitored regularly. Majority of systems in good condition, only requiring maintenance work.</p> <p>Data recorded on ArcGIS on tablet.</p> <p>Biocontrol nursery for weevils for distributing is going well, there have been five releases in this quarter.</p>	

Objective: 4.2 Balanced environmental outcomes							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.3	Protect and enhance the natural environment, partnering with organisations and the community to safeguard and improve environmentally sensitive areas	NR3	<i>Undertake pest plant and pest animal reduction activities including development of property biosecurity plans with landowners.</i>	<p>Undertake pest animal and plant activities as described in the Shire Biosecurity Plan.</p> <p>Participation in QFPI Feral Pig Cluster Project and existing aerial shoot program.</p> <p>Inspection of property biosecurity plans biennially.</p> <p>Participation in other weed control projects with stakeholders.</p>	Coordinator Public Health and Environment	<p>Grader Grass project with DAF - the first treatment was carried out in December, next treatment in January.</p> <p>Injector gun (neem insecticide) specific control undertaken at Mt Kelly has been ongoing.</p> <p>QFPI/ BSC - 1 aerial shoot for Rangelands Cluster group - 129 pigs and 4 dogs. 1 aerial shoot for the northern cluster group - 40 pigs and 11 dogs. 2 shoots for the southern cluster group - 41 pigs and 77 deer. 2 shoots for the Baratta group - 120 pigs and 6 dogs. 1 shoot rangelands - 129 pigs. 1 shoot Millaroo/Dalbeg group - 66 pigs.</p> <p>1080 baiting for the quarter - 2 landholders baited for dogs. 13 landholders baited for pigs.</p> <p>Traps - 13 Council traps on loan. 2 new requests for traps. 1 new trap not in circulation as yet.</p> <p>16 biocontrol releases undertaken at various stages from trial to established.</p>	

Objective: 4.2 Balanced environmental outcomes							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.3	Protect and enhance the natural environment, partnering with organisations and the community to safeguard and improve environmentally sensitive areas	NR4	<i>Implement the Herbicide Subsidy Policy, Fox and Wild Dog Bounty Policy and Wild Dog Control Assistance Policy. Manage applications received under these policies.</i>	Applications administered within guidelines and agreed timeframes. Percentage of budget expended.	Coordinator Public Health and Environment	Landholders accessed herbicide subsidy totalling approximately \$58,808.00 around 48% of annual budget. 130 dingo pelts received for Wild Dog Bounty. No applications to date under the Wild Dog Control Assistance Policy.	
		NR5	<i>Undertake surveillance, monitoring and community education in relation to new invasive pests as identified in Burdekin Shire Biosecurity Plan and legislation.</i>	Ongoing surveillance of waterways completed. Inspections of each nursery and home nurseries. Liaise with and act on instruction from Biosecurity Queensland. Progress with Siam Weed Taskforce and Action Plan. One workshop and media release per annum. Weed of the quarter on social media.	Coordinator Public Health and Environment	Regular surveillance carried out every month for water ways. Regular surveillance undertaken for Siam, Water Mimosa, Giant Rats Tail Grass, Itch grass as per Surveillance program. Yellow Crazy ant not completed yet. One nursery inspection for this quarter. Siam Weed Taskforce - one email communication, 3 on ground delimitation surveys conducted, contract ground spraying over Haughton River conducted. Biocontrol gall flies are effective in control and are spreading. Siam weed action plan developed and being implemented. Media- Pest of the quarter-Belly ache bush was published on social media. Flying fox- Dispersal activity undertaken as needed at Home Hill - Kidby Gully, Burdekin Road in Home Hill, Mango plantation on Burdekin Road, Mill, Lloyd Mann Park, Fourth Street behind High School TAFE and Home Hill depot/Sewage plant.	

Objective: 4.2 Balanced environmental outcomes							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.4	Actively encourage reduction, reuse, and recycling of waste to support sustainable waste management principles through the implementation of the North Queensland Waste and Resources Recovery Strategy 2020-2030.	WM1	<i>Continue participation in approved Local Government Illegal Dumping Partnership Grant Program - Round 2A Extension (ends 15 March 2024).</i>	<p>Completion of grant milestone reports.</p> <p>Percentage of successful compliance outcomes (over 80% success).</p> <p>Development of educational materials and program.</p> <p>Liaise with regional partners to develop and implement a regional illegal dumping prevention strategy.</p>	Coordinator Waste Services	<p>Milestone Grant Report to be submitted on 15 April 2024. Council staff has submitted ongoing monthly reports.</p> <p>14 requests received: All requests were completed within the target. Draft Litter and Illegal Dumping Strategy reviewed and modified. All solar cameras are now connected to solar charging units reducing the need for fortnightly servicing and changing batteries.</p>	

Objective: 4.2 Balanced environmental outcomes							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.4	Actively encourage reduction, reuse, and recycling of waste to support sustainable waste management principles through the implementation of the North Queensland Waste and Resources Recovery Strategy 2020-2030.	WM2	<i>Implement Waste Management Services Contract including Collection Service Specification to ensure Contractor meets performance standards - Delivery of new bin service. Number of missed services. Response to missed services. Bin repairs/replacements. Service complaints.</i>	<p>Achievement of standards listed in the collection service specification.</p> <p>Analysis of complaints and compliments received regarding kerbside collections.</p> <p>70% or more of customer requests actioned within agreed timeframes.</p>	Coordinator Waste Services	<p>Details of complaints are as follows:</p> <ul style="list-style-type: none"> - Delivery of new bin service 8 requests, all completed within the time frame. - Number of missed services 24 requests - 10 of recorded missed services were bins not out to empty. Out of 14 of driver missed, 2 were too close to be tipped, 3 were completed the same or the next day, and 5 were not present. The remaining 4 were due to obstruction. <p>All requests resolved within timeframe unless bin not presented or had blockages.</p> <p>Bin repairs/replacements - 116 requests, all completed within timeframe.</p> <p>Service complaint - Nil reported apart from missed services.</p>	
		WM3	<i>Supervise waste management sites to ensure compliance with conditions of the Environmental Authority and improve performance for Kirknie Landfill and Ayr, Home Hill, Giru and Clare Transfer Stations.</i>	<p>Full compliance with audits conducted by Department of Environment and Science.</p> <p>100% compliance with internal inspection and audit programme.</p>	Coordinator Waste Services	<p>DES Pollution Hotline was sent a notification about a green waste fire at Kirknie landfill Green-waste Pad on 21 November 2023. The fire was controlled with the internal resources.</p> <p>The Department was satisfied with the information provided and found no non-compliance with the EA EPPR00597513.</p>	

Objective: 4.2 Balanced environmental outcomes							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.4	Actively encourage reduction, reuse, and recycling of waste to support sustainable waste management principles through the implementation of the North Queensland Waste and Resources Recovery Strategy 2020-2030.	WM4	<i>Review of Council-generated waste audit findings and implement a community sample recycling bin audit.</i>	<p>Review of previous audit findings to improve waste management practices and recycling across various Council work functions.</p> <p>50 premises audited within financial year. Reduction achieved in contamination rates in recycling bins.</p>	Coordinator Waste Services	<p>School poster competition encouraging recycle right among the school children is finalised. Interested schools conducted the competition and hosted award ceremony.</p> <p>The selected posters will be printed on the waste transportation trucks with the Cleanaway consultation.</p>	
Objective: 4.2 Balanced environmental outcomes							
Corporate Plan		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
4.2.5	Promote the implementation of environmental best practice by Council, residents, and business.	WM5	<i>Continue environmental monitoring programs and commission report on treatment plans for legacy landfill sites:</i> <ul style="list-style-type: none"> - <i>Cromarty Landfill (groundwater and surface water);</i> - <i>Legacy Landfill Sites (groundwater);</i> - <i>Kirknie Landfill (groundwater, surface water and landfill gas);</i> - <i>Ayr and Home Hill Transfer Stations green waste runoff (surface water).</i> 	<p>Complete monitoring and reporting as detailed in the monitoring program.</p> <p>Record and analyse monitoring data and revise monitoring programs if required.</p> <p>Commission report outlining treatment plans for priority legacy landfill sites.</p>	Coordinator Waste Services	<p>December quarter environmental monitoring (ground and surface water) is still pending due to the weather and staff arrangement. It is being planned to be completed as soon as the weather permits. All the final reports for the four legacy landfills as mentioned in RFQ were submitted by the consultant.</p>	







High Performing Organisation





We deliver positive outcomes for our community through ethical, transparent, and financially sustainable decision-making.

Objective: 5.1 Engaged community and stakeholders





Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.1.1	Undertake meaningful community engagement through Community Advisory Groups and other engagement methods to encourage diverse community participation and feedback.	CD10	<i>Facilitate inclusive community consultation and advisory group processes.</i>	Conduct "Community Connect" consultation forums for local towns and community organisation. Conduct community surveys and report to Council. Conduct minimum of four CCDAG advisory Group meetings per year. Report on CCDAG matters arising to Council.	Manager Community Services	Jarvisfield and Rita Island Community Action Plan adopted by Council 12 December 2023.	●
		TS10	<i>Assess items identified by the Burdekin Road Safety Advisory Committee.</i>	50% of recommendations from advisory group reviewed by management to determine applicability and key recommendations brought to Council for decision and appropriate implementation plan developed within 3 months.	Manager Technical Services	100% of action items from 15 November advisory group meeting reviewed by officers and adopted by Council. 75% in progress due for completion within 3 months	●

Objective: 5.1 Engaged community and stakeholders							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.1.2	Be responsive and proactive in providing information to keep the community informed.	MC03	<i>Facilitate the production of corporate publications including the Annual Report and Annual Budget documents.</i>	100% compliance with statutory obligations.	Media and Communications Officer	The 2022/23 Annual Report and the 2023/24 Annual Budget were prepared and adopted in previous quarters.	
		MC04	<i>Produce community updates, prepare internal staff communications including staff newsletters, and develop other material as required by the Executive Leadership Team and Senior Leadership Group.</i>	One staff newsletter produced quarterly. All communications prepared and distributed in appropriate timeframes.	Media and Communications Officer	Created and delivered various communication materials, such as community updates and staff newsletters, as well as other documents as needed.	
		CS1	<i>Deliver professional customer service assistance to internal and external customers.</i>	Minimum 80% service level - all calls answered within 20 seconds. Less than 5% of calls abandoned. Less than 5% error rate in call codes.	Customer Service Centre Coordinator	Service Level 82% Abandonment Rate 3% Non-Compliant 3%	
		CS2	<i>Implement the agreed actions from the Customer Request Management Internal Audit.</i>	Actions implemented in accordance with agreed timeframes. Actions reported to Audit Committee.	Customer Service Centre Coordinator	Online contact form has been reviewed and is near completion. Customer Request Management charter rolled out to responsible officers.	








Objective: 5.1 Engaged community and stakeholders

Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.1.3	Foster cooperative and collaborative partnerships on matters of regional, state, and national importance.	EXC1	<i>Develop and maintain effective regional partnerships through membership of relevant regional bodies including the North Queensland Regional Organisation of Councils (NQROC) and Townsville Enterprise Ltd (TEL).</i>	Participate in activities of NQROC and relevant sub-committees. Key outcomes identified in Service Level Agreement with Townsville Enterprise Ltd.	Chief Executive Officer; Economic Development Coordinator	Council is participating in NQROC meetings, along with the various subgroups including the Regional Roads Group, QWRAP group, regional planners group and regional waste group. New service level agreement has been completed with TEL.	
		TS11	<i>Deliver Road Maintenance Performance Contract (RMPC) in accordance with requirements and within budget.</i>	Contract obligations fulfilled within budget.	Manager Technical Services	Two-year contract on track for completion in June 2024. Audit results consistently highest in region. Additional works outside contract awarded to Council.	
5.1.4	Demonstrate the Council's strategic direction to government, business, and the community through strong leadership and advocacy.	EXC2	<i>Support the provision of training activities to assist councillors in meeting their legislative responsibilities. Undertake councillor induction and training activities following the 2024 local government elections.</i>	Relevant education and training activities provided as required.	Chief Executive Officer	Councillors and senior officers participated in an EMU conducted by the LGAQ during the first quarter. Presentations and updates on key emerging issues and legislation has been undertaken at workshops.	
		CG5	<i>Manage Council's Corporate Policy Program.</i>	90% of policies that are due for review, are reviewed within the agreed timeframes.	Senior Governance Officer	91% of Council's policies are considered to be current and up to date. There are 6 policies that are currently under review as part of the adopted review schedule.	






Objective: 5.2 Transparent and accountable governance

Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.2.1	Demonstrate open and transparent leadership.	CG6	<i>Coordinate Council's Complaints Management System in accordance with the adopted Complaints Management Policy and Process and facilitate the provision of information to external authorities (QAO, Queensland Ombudsman, Queensland Police etc) as required.</i>	100% compliance with Council's adopted Complaints Management Process.	Senior Governance Officer	Four administrative action complaints have been received during the quarter. 100% of complaints have been assessed in accordance with the adopted complaint management policy and procedure. Three of the four complaint matters remain open and have not been resolved or finalised.	
		CG7	<i>Provide access to Council documents in accordance with the Right to Information Act and Information Privacy Act.</i>	100% of applications for information are processed in accordance with legislative timelines.	Governance and Property Officer	One information privacy application received and completed.	
		CG8	<i>Coordinate the Internal Audit function including the annual review of the Internal Audit Plan by the Audit Committee.</i>	Internal audits are delivered in accordance with adopted internal audit plan and within budget. Agreed management action items from internal audit implemented and reported to Audit Committee.	Director Corporate and Community Services; Senior Governance Officer	The internal audit of the Waste Services Contract was successfully finalised during the Q2 period. A report is to be presented to the Audit Committee at their meeting on 7 February 2024. Planning is underway for the next audit - cyber resiliency. Internal Audit Agreed Management Action Items continue to be implemented and monitored. A report on progress of implementation will be presented to the Audit Committee in February.	
		FM1	<i>Coordinate/provide information for external audit projects undertaken by Queensland Audit Office.</i>	Timeliness of response to Queensland Audit Office requests and results of audits if applicable.	Manager Financial and Administrative Services	No activity required for this quarter.	





Objective: 5.2 Transparent and accountable governance






Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.2.2	Responsibly manage Council's financial position to ensure sustainability.	CG9	<i>Coordinate Council's insurance program to manage risks associated with Council operations and assets.</i>	100% of insurance products reviewed and insurance renewals submitted on time. Timely response to all insurance claims and enquiries.	Governance and Property Officer	Renewal and review of insurance products to be reported in Q4. Three insurance claims completed. Three insurance claims in progress.	
		FM2	<i>Prepare and deliver Council budgets (including revised budgets) in accordance with statutory requirements.</i>	Council budget prepared and presented to Council by 30 June 2024.	Manager Financial and Administrative Services	Second revised budget was approved by Council on 12 December 2023.	
		FM3	<i>Report actual performance against budget to Council monthly.</i>	Monthly reports prepared and submitted in accordance with agenda deadlines.	Manager Financial and Administrative Services	Monthly reports have been presented to Council within agreed timeframes.	
		FM4	<i>Coordinate and submit 10-year financial forecast to Local Government Department.</i>	Submission by 31 August 2023.	Manager Financial and Administrative Services	Completed within agreed deadlines.	
		FM5	<i>Maximise recovery of outstanding sundry debtors.</i>	Review of aged debtors particularly those in 60 and 90 days.	Financial Accountant Systems	Continue to monitor and follow up outstanding debtors.	
		R1	<i>Issue timely and accurate rates and charges notices.</i>	Annual notices and supplementary notices issued within agreed timeframes with less than 10 instances of incorrect notices issued.	Manager Financial and Administrative Services	During this period 1,379 Overdue Reminder Notices and 229 Supplementary Notices were issued. No instances of inaccurate notices issued.	
		R2	<i>Maximise recovery of overdue rates and charges, in accordance with Council's Rates and Charges Recovery Policy with an emphasis on more timely follow up action on overdue rates from Reminder Notices through to Sale of Land for Arrears of Rates.</i>	Less than 5% increase in rate arrears percentage at 30 June 2024 as compared to rate arrears from previous financial year.	Manager Financial and Administrative Services	3.66% arrears of net rates at 31 December 2023 in comparison to 3.40% at 31 December 2022. 213 active files with Collection House at 31 December 2023. 343 current periodic payments plans with Council, which are being monitored by Council staff. This is in comparison to 302 payment plans for the same period last year.	







Objective: 5.2 Transparent and accountable governance





Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.2.2	Responsibly manage Council's financial position to ensure sustainability.	R3	<i>Undertake system and process review and policy update to prepare to implement six-monthly rating system in the 2024/2025 financial year.</i>	Processes, systems and policy updated to support the commencement of 6-monthly rating in the 2024/2025 financial year.	Manager Financial and Administrative Services	Currently working with TechnologyOne consultants to identify the system changes required in Property and Rating to transition to six monthly rating. Also reviewing current policies and procedures to ensure alignment and compliance with rating six monthly.	
		EXP1	<i>Administer accounts payable and contract register.</i>	Invoices to be paid within 30 days from EOM in weekly, fortnightly and monthly payment runs.	Expenditure Services Officers	2,918 invoices processed with all invoices paid within 30 days.	
		EXP2	<i>Maximise earnings on cash holdings in accordance with Investment Policy.</i>	Interest earnings - Rates sourced from various institutions to ascertain best rate for period of investment.	Manager Financial and Administrative Services	Average interest rate to 31/12/23 - 4.97%. \$1,710,787.06 interest received to 31 December 2023 compared with \$1,136,793.17 interest received to 31 December 2022.	
		EXP3	<i>Administer financial delegations.</i>	Update of Financial Delegations Register.	Expenditure Services Officers	Financial Delegation Register changes were made in a timely manner.	
		EXP4	<i>Conduct Tender of Approved Contractors Listing applications for private hire and traffic control providers for the period 1 October 2023 to 30 September 2026.</i>	Collate and update private hire and traffic control information for database throughout year.	Expenditure Services Officers	Conforming tenders for ACL/23/001 and ACL/23/002 were tabled and adopted at the Council meeting on the 10 October, 2023. During October acceptance letters were emailed or posted. Ongoing database updates and plant rate amendments were completed in a timely manner. Compliance checking of insurances in VendorPanel is ongoing.	

Objective: 5.2 Transparent and accountable governance




Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.2.2	Responsibly manage Council's financial position to ensure sustainability.	PS1	<i>Embed operation of new fuel system to ensure full functionality and auditability with training provided as required.</i>	Full implementation and operation of Jones Street Fuel delivery system by March 31, 2024.	Purchasing and Stores Supervisor	Original tender not accepted by Fleet Section. Project Management Office have revised the scope and new RFT issued with 8 February 2024 closing date.	
		TS12	<i>Implementation of Council fleet renewal program - ordered, delivered and program developed.</i>	80% of fleet items ordered by 31 December 2023. 90% of fleet items delivered by 30 June 2024. Future renewal program developed by 30 April 2024.	Manager Technical Services	83% of 23/24 budget ordered by 31 December 2023 including ROPS for light vehicles. Modified tender for fuel tanks to be released in January.	
		TS13	<i>Implement agreed actions from the Fuel and Fleet Management Internal Audit.</i>	Complete agreed actions identified for 2023/2024	Manager Technical Services	Fleet management strategy scheduled to be developed by April 2024. Commencement of implementation of telematics in Councils fleet delayed due to availability of devices. Revised tender for fuel tank to be released in January.	
5.2.3	Implement effective governance frameworks.	EXC3	<i>Continue to manage risks effectively through ongoing improvements to Council's Enterprise Risk Management systems.</i>	Conduct annual risk register reviews. Hold regular meetings of the Risk Management Committee. Oversight and testing of Council's Business Continuity Plans. Regular risk briefings provided to Audit Committee.	Chief Executive Officer; Senior Governance Officer	One meeting of the risk management committee was held during the quarter. Information on risk management activities is being provided regularly to the Audit Committee. Annual review of strategic and operational risks commenced during the quarter.	

Objective: 5.2 Transparent and accountable governance							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.2.3	Implement effective governance frameworks.	CG10	<i>Monitor and review Fraud and Corruption Control Plan for legislative and regulatory changes.</i>	Annual Review of Fraud and Corruption Risks. Monitor other ongoing prevention and response activities as necessary. Training provided to all workers on the updated Code of Conduct for Workers.	Director Corporate and Community Services	Fraud and Corruption risk register reviewed and updated. In accordance with Fraud and Corruption Control Action Plan, Code of Conduct training developed as an online training course and delivered to all new employees. Fraud and Corruption Awareness Handbook developed for staff resource.	
		CG11	<i>Continue the review and update of Council's Delegations Register.</i>	Registers are updated within 2 months of LGAQ updates.	Director Corporate and Community Services	Council register of delegated powers has been reviewed and all relevant powers have been delegated.	
		CG12	<i>Implement Council's Business Continuity program through review of the Business Continuity Plans and completion of testing activities as per the adopted testing strategy and schedule.</i>	BCP Test conducted in accordance with adopted testing strategy and schedule. Relevant amendments to BCPs applied.	Senior Governance Officer	Business Continuity Testing has not been completed this quarter as work on renewing the BCP subplans has taken priority. Testing schedule will resume when all subplans have been updated.	
		SQ1	<i>Develop an all of Council Internal Quality Audit Program to ensure compliance with AS/NZ ISO9001 - Quality Management Systems.</i>	Development of an Internal Quality Audit Program recommending two internal quality audits to be conducted each quarter.	Safety and Quality Coordinator	No change to auditing plan - ISO 9001 auditing plan underway coinciding with the National Self Insurer WHS Auditing Tool.	
		SQ2	<i>Retain Council's Quality Management System Certification (currently with Certex)</i>	External audits and compliance activities undertaken in accordance within agreed timeframes. Action items implemented in accordance with agreed timeframes - measured by percentage completed.	Safety and Quality Coordinator	One action item outstanding from Certex surveillance audit regarding written procedure for Quality Audit. Item requires management feedback to auditor to finalise.	





Objective: 5.2 Transparent and accountable governance							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.2.3	Implement effective governance frameworks.	AR1	<i>Ensure the safe custody of Council records through the classification and registration of daily correspondence into the records management system.</i>	Completion of registration of all correspondence into the records management system within 48 working hours of receipt.	Administration and Records Coordinator	100% of correspondence was registered within 48 working hours of receipt.	
5.2.4	Undertake regulatory responsibilities in accordance with legislative obligations.	CG13	<i>Coordinate Council's Public Interest Disclosure Investigations and Training.</i>	100% of complaints assessed against Public Interest Disclosure criteria. 100% of new employees to receive PID awareness in induction training.	Senior Governance Officer	100% of complaints assessed against Public Interest Disclosure Criteria. PID Training provided to all new employees. No PID matters identified during quarter.	
		FM6	<i>Prepare and deliver draft annual Financial Statements in accordance with legislative and accounting standards requirements and within the agreed external audit plan timeframes.</i>	Presentation of Financial Statements within the agreed external audit plan timeframes. Accurate proposed Financial Statements can be measured based on audit committee and external auditor queries.	Manager Financial and Administrative Services	No activity required this quarter.	
		FM7	<i>Facilitate external audit of Burdekin Shire Council as required by and in co-operation with the Queensland Audit Office (QAO) and their contracted auditor Crowe.</i>	Feedback from external auditor on performance of audit process. As per the agreed external audit plan.	Manager Financial and Administrative Services	No activity required this quarter.	
		FM8	<i>Coordinate and complete the annual Local Government Comparative Data Return.</i>	Submission by the target date. Accuracy can be measured by queries from the department.	Manager Financial and Administrative Services	The comparative data return was completed and lodged on 17 November 2023 which was within the department's deadline.	
		FM9	<i>Prepare and lodge all necessary statutory/legislative returns.</i>	Returns to be lodged by 30 June 2024.	Manager Financial and Administrative Services	During the quarter the monthly BAS returns were lodged within the Australian Taxation Office deadlines.	

Objective: 5.2 Transparent and accountable governance							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q1 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.2.4	Undertake regulatory responsibilities in accordance with legislative obligations.	R4	<i>Maintain the property and rating database to ensure a high level of accuracy.</i>	Less than 10 instances of errors in rating data brought to the attention of Council.	Revenue Coordinator	All maintenance completed in a timely manner within set timelines, nil errors.	
		R5	<i>Ensure accurate and timely Emergency Management Levy, Rural Fire Brigade Charge and State Government Pensioner Subsidy claims and payments.</i>	Returns and payments submitted in accordance with State Government requirements.	Revenue Coordinator	Returns and payments submitted in accordance with State Government requirements. Extensive audit of the Council's assessment and collection of the Emergency Management Levy was undertaken during the quarter. Council was advised that we have successfully passed the audit with formal confirmation to be issued to the CEO in the coming weeks.	
		AR2	<i>Ensure compliance with Queensland State Archives schedules for the retention and disposal of paper-based corporate records.</i>	70% of records archived within six months of delivery to Records team.	Administration and Records Coordinator	100% of records archived or disposed of within six months of delivery to Records Team.	
		AR3	<i>Coordinate and provide administrative support for Council's statutory meetings and deliver accurate and timely minutes of meetings.</i>	Accurate, complete and timely minutes published to website within five (5) days of each statutory Council meeting. Minutes to comply with requirements of Local Government Regulation 2012.	Administration and Records Coordinator	Council's statutory meeting minutes were accurately completed and published on Council's Website within the five business day statutory requirement.	



Objective: 5.3 Embrace Technology




Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.3.1	Support and improve Council's operational performance through the delivery of innovative, efficient, and effective ICT solutions.	CS3	<i>Undertake biennial full review of the current CRM workflows and timeframes.</i>	Review completed by March 2024. Percentage completed.	Customer Service Centre Coordinator	<p>Roll out of CRM Charter to relevant staff completed.</p> <p>All Departmental workflow reviews, including categories, timeframes and workflows have been completed.</p> <p>ICT is working on updating the reviewed information within the TechOne CRM system.</p>	
		ICT1	<i>Coordinate the design, acquisition, configuration, maintenance and management of ICT hardware infrastructure.</i>	Budgeted operational hardware projects delivered in accordance with budget and agreed timeframes (computer and photocopier renewal programs) Budgeted capital hardware projects delivered in accordance with budget and agreed timeframes (Drone replacement, Large Edge Switches, Server Virtualisation).	ICT Coordinator	All operational and capital hardware replacement projects are on-track. All hardware has been ordered, and some has been delivered, installed and is fully operational.	
		ICT2	<i>Provide Corporate software systems and applications that meet the current and future needs of the organisation.</i>	Report on Server updates and compliance with operating system currency - minimum compliance level of 85%.	ICT Coordinator	<p>100% of Council's servers meet Council's server update compliance level.</p> <p>During the quarter the percentage of Council servers with a current operating system dropped to 69% due to Microsoft ending support for Windows Server 2012 in October 2023. Council's critical servers are all on supported versions. Replacement or decommissioning of the unsupported servers is presently either in-progress or planned.</p>	




Objective: 5.3 Embrace Technology



Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.3.1	Support and improve Council's operational performance through the delivery of innovative, efficient, and effective ICT solutions.	ICT3	<i>Provide quality ICT services to internal customers, including timely resolution of customer requests.</i>	90% helpdesk requests responded to and resolved in accordance with agreed service levels.	ICT Coordinator	The number of new requests created in Q2 was 580. Of those, ICT completed 532 within the agreed service level to give a compliance rate of 91.7% for the quarter.	
		ICT4	<i>Progress the transition of Council's ICT core system modules from Ci to CiAnywhere for improved utilisation and enhanced mobility.</i>	Improvements implemented in line with agreed roadmap and budget allocation.	Manager Client Services	Supply Chain (Purchasing and Inventory) design is completed, configuration is ongoing, and key user testing has commenced. Ongoing work on assets and mobility with the user training being provided as required. HR Payroll Processing testing has been completed and is now live in CiA.	
		ICT5	<i>Undertake a full review of Council's Public Camera Surveillance Program.</i>	Report to Council outlining the current camera surveillance network and recommendations for future expansion. Report to be presented to Council by 31 March 2024.	Manager Client Services	The report will be commenced in January 2024 and presented to the Council in February.	
		ICT6	<i>Implement cybersecurity controls to address the ongoing risk of cyber threats.</i>	Develop Cyber incident Response Plan. Implement DMARC for all Council domains. Cyber Threat Training provided to staff. Upgrade to Microsoft 365 E3. Arrange for inclusion of information and cybersecurity provisions in Council's procurement documentation.	Manager Client Services	Implementation of the cyber-security controls project plan is progressing. Microsoft Defender for Endpoint has been deployed to the majority of Council's corporate Windows endpoint devices, attack surface reduction (ASR) has been enabled on approximately 33% of Council Windows endpoints and we have commenced investigating Microsoft Intune for endpoint management.	



Objective: 5.3 Embrace Technology





Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.3.1	Support and improve Council's operational performance through the delivery of innovative, efficient, and effective ICT solutions.	SQ3	<i>Management, maintenance and reporting of the Skytrust System as the primary repository for Safety information.</i>	Development, monitoring and distribution of a corrective actions register, to enhance compliance with best practice in relation to closing out of all incidents and injuries. 90% or greater compliance.	Safety and Quality Coordinator	90% compliance achieved. Further training and support to be provided as required. Defect reporting for select fleet vehicles can now be completed electronically via Skytrust with the use of QR codes in relevant vehicles. In time this will be extended to all fleet vehicles. All approved contractors have been added to the Skytrust system, allowing online safety inductions through the platform, reducing the administrative burden of manual forms.	
		LDMG4	<i>Coordinate systems that support disaster planning and preparedness.</i>	Management of Councils Disaster Management Software - Guardian IMS including the training of key staff and stakeholders.	Disaster Management Officer	Guardian Training for "key personnel" and "key agencies" was scheduled to be held at the Burdekin SES Headquarters Training Room on 13 and 14 December 2023 and was cancelled due to TC Jasper. QIT Plus staff were deployed to Cairns to assist in the Cairns and surrounding LG's - LDCC Operations. Training planned for Q3.	




Objective: 5.3 Embrace Technology							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.3.1	Support and improve Council's operational performance through the delivery of innovative, efficient, and effective ICT solutions.	L05	<i>Investigate the adoption of Radio Frequency Identification (RFID) technology for collection management.</i> <i>Library Strategic Plan 4.2.</i>	Report developed outlining cost-benefit analysis and budget options prepared.	Library Services Manager	Identification of options and specifications for Radio Frequency Identification (RFID) technology commenced. A report outlining the benefits, risks and projected costs of a RFID system will be prepared and presented to Council during Q3. This project supports achievement of strategy 4.2 "Reduce administrative resources required for daily operations" in the Burdekin Library Strategic Plan 2020-2025.	
		PS2	<i>Implement key recommendations from BDO Internal Fuel Management Audit Report.</i>	Develop a coordinated and defined fuel management policy or operational standard that establishes the goals of the fuel management process and Council's accepted operational requirements for the handling and utilisation of fuel assets within six months of installation of new infrastructure.	Purchasing and Stores Supervisor	Task ongoing and to be finalised when decision on PS1 fuel system is advised.	
		TS14	<i>Implement Technology One mobility modules.</i>	Complete final state of Technology One Field App module.	Manager Technical Services	Field App training for building inspections completed in December. Remaining training to be completed January-May 2024	





Objective: 5.3 Embrace Technology							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.3.2	Improve access to information through digital platforms.	MC05	<i>Manage, monitor and promote Council's social media platforms as an effective community information and engagement tool.</i>	Number of unique "news items" published to Council's social media platforms.	Media and Communications Officer.	Regular posts of unique news items were published on Council's website and to social media platforms. Community updates including road closures and water supply issues were also published to keep residents informed.	
		TOU8	<i>Enhance online presence including the Visit Burdekin website, destination events calendar and Tourism Social Media Platforms.</i>	5% increase in hits and likes on sites.	Tourism Officer	Continued to update Visit Burdekin website and ATDW as required. Added 10 events to the Visit Burdekin website. Quarterly statistics for Visit Burdekin social media: Facebook – 0.56% increase in followers. Instagram: 0.7% increase in followers.	
		L06	<i>Manage Library website pages to ensure an effective online presence.</i> <i>Library Strategic Plan 1.2.</i>	Website pages reviewed and redesigned where necessary.	Library Services Manager	Library webpage content updates this quarter included improved display of Home Hill opening hours (in response to customer feedback) and updates to links and instructions for electronic resources.	






Objective: 5.4 An enviable organisational culture that actively demonstrates our values							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.4.1	Build effective leadership and management capability.	EXC4	<i>Undertake effective planning and coordination of Council programs and operations through the Senior Leadership Group.</i>	Regular meetings of Executive Leadership Team (ELT) and Senior Leadership Group (SLG). Level of planning and coordination of Council operations across Departments.	Chief Executive Officer; Director of Corporate and Community Services; Director of Infrastructure, Planning and Environmental Services	The ELT has met on a regular basis during the quarter, generally fortnightly and the SLG continues to meet monthly. The capital PCG has held monthly meetings and various project groups and working groups have been established to coordinate major projects and activities.	
5.4.2	Develop a cost-effective, adaptable, and capable workforce to implement our vision.	TR1	<i>Develop and maintain the 2023/2024 Training Plan and ensure that skills and qualifications required by legislation are maintained/updated.</i>	Reported quarterly- 95% training compliance for new and renewed qualifications and skills in accordance with position requirements and legislation.	Human Resources Coordinator	98.61% compliance Continuing to review expired skill sets and archiving them due to not being relevant to the officer's position and streamlining of the skills register.	

Objective: 5.4 An enviable organisational culture that actively demonstrates our values							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.4.2	Develop a cost-effective, adaptable, and capable workforce to implement our vision.	TR2	<i>Facilitate Council traineeships, apprenticeships and work experience opportunities.</i>	Report on number of trainees appointed in line with proposed budgetary limitations. Report on number of apprentices appointed annually. Report on additional or new Cadets and/or Graduates appointed. Report on number of work experience students.	Human Resources Coordinator	<p>Council's 2023 business administration trainees who are located in Administration Services and the Burdekin Library have completed their traineeship. Two new trainees will commence employment in January 2024.</p> <p>Council have four Diesel Mechanic Apprentices located at Council's workshop. Council's fourth year apprentice completed his apprenticeship in December 2023. A new first-year apprentice is commencing with Council in January 2024.</p> <p>Council's 2022/2023 ICT trainee will finish up with Council in January 2024. Council will continue the ICT traineeship program to take advantage of government funding and a new ICT trainee will commence employment in January 2024.</p>	
		OPW4	<i>Ensure operational responsiveness and departmental conduct (operations- works) aligns with Council's Customer Service Charter and agreed service timeframes.</i>	Quarterly analysis of compliments versus formal complaints received with a target of 8:1 compliments to complaints. 90% or more of customer requests completed within target timeframes.	Manager Operations	Seven compliments received in the quarter with two complaints regarding unsealed road conditions. Year to date 15 compliments received against two complaints. 90% of Customer Requests completed within target timeframe year to date.	

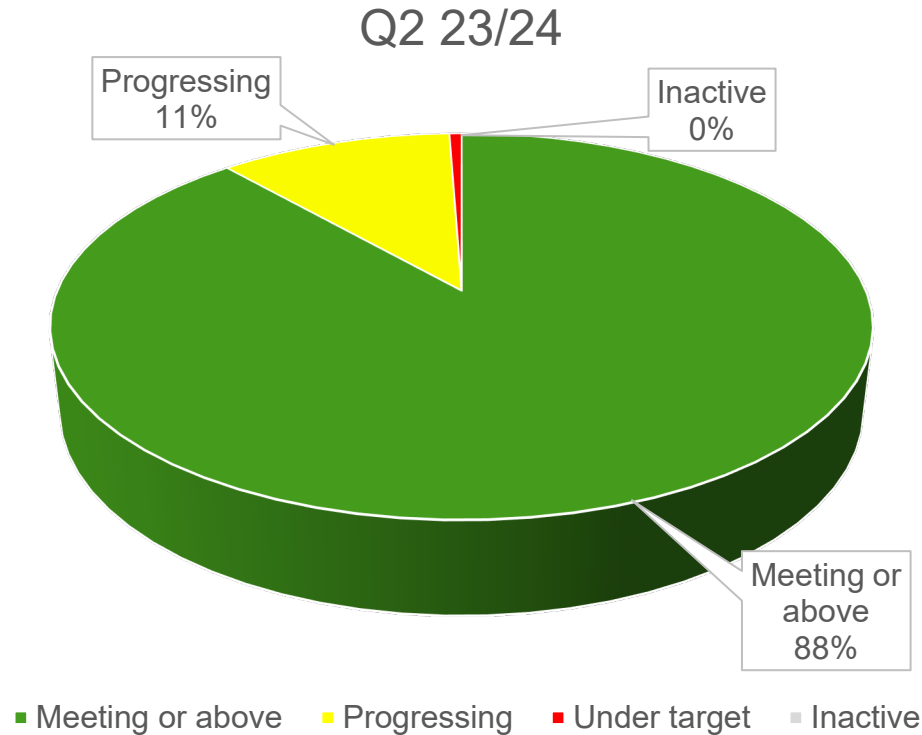
Objective: 5.4 An enviable organisational culture that actively demonstrates our values							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.4.3	Provide training and development opportunities to meet organisational needs.	TR3	<i>Coordinate Council's corporate training and employee professional development initiatives.</i>	Report on current operational expenditure for training in line with predicted forecasted budget.	Human Resources Coordinator	The second quarter report will be completed in January 2024 at the end of the quarter. Report completed 30 January 2024	
		AR4	<i>Deliver systematic ongoing Recordkeeping Awareness training and records management system training for all employees to ensure recordkeeping is supported at all levels of Council.</i>	100% of new employees receive awareness training as part of their induction. 100% of new employees using the records management system are trained within three months of employment.	Administration and Records Coordinator	100% of new employees have received records awareness training as part of their induction. 100% ECM Users have received ECM CiAnywhere System training and one-on-one recordkeeping training within three months of commencement with Council.	
5.4.4	Protect the health and safety of employees and community members through the implementation of an effective Health and Safety Management System.	HR1	<i>Manage work-related injuries including the facilitation of workers compensation claims and return to work programs.</i>	100% of workers' compensation claims recorded and managed in accordance with Council policies and procedures. Report on number and status of new and existing cases each quarter.	Human Resources Coordinator	Two new claims within period with both completed and back to full duties. Two claims ongoing from previous period.	
		SQ4	<i>Development and adoption of Council's Annual Work Health and Safety Plan</i>	Monitor and report on Council's monthly tasks and actions in accordance with the Annual Work Health and Safety Plan. 90% of tasks completed each quarter.	Safety and Quality Coordinator	Regular reports provided to the Risk Management Committee regarding implementation of Annual WHS Plan. 100% of agreed actions completed to date.	

Objective: 5.4 An enviable organisational culture that actively demonstrates our values							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.4.4	Protect the health and safety of employees and community members through the implementation of an effective Health and Safety Management System.	SQ5	<i>Develop and roll out a successful and engaging Safe Work Month Program for all employees.</i>	Development of the Safe Work Month Program and successful facilitation of planned activities. 80% engagement of employees over Safe Work Month.	Safety and Quality Coordinator	Safe Work Month activities delivered in accordance with plan. High level of engagement from staff. New safety slogan to be promoted this quarter with the assistance of the supervisors including: - posters - toolbox discussions on Council values - information on understanding safety culture.	
		OPW5	<i>Achieve a net reduction in number of WHS incidents involving property damage by Works Staff. Benchmark established from 2022/23 SkyTrust reporting.</i>	Reduction in number of WHS incidents involving property damage compared to prior year.	Manager Operations; Overseer - Works	2 Property damage incidents reported in Works Section in the second quarter.	
		OPW6	<i>Operations- Works Record of non-compliance against Site Safety Checklists. Year 1 is to establish benchmark performance with view to continuous improvement in following years.</i>	Establish a WHS non-compliance benchmark for internal project audits. Conduct at least one internal site audit of all Capital Works projects and measure instance of non-compliance against Site Safety Plan and Traffic Management Plan.	Manager Operations; Overseer - Works	117 Site Safety Inspections carried out on Works Section projects in the quarter with one minor non-conformance recorded.	

Objective: 5.4 An enviable organisational culture that actively demonstrates our values							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.4.4	Protect the health and safety of employees and community members through the implementation of an effective Health and Safety Management System.	WW4	<i>Achieve a net reduction in number of WHS incidents involving property damage by Water and Wastewater Staff. Benchmark established from 2022/23 SkyTrust reporting.</i>	Reduction in number of WHS incidents involving property damage compared to prior year.	Manager Operations; Manager Water and Wastewater.	One property damage incident reported in the Water Wastewater Section in the second quarter.	
		WW5	<i>Water and Wastewater Record of non-compliance against Site Safety Checklists. Year 1 is to establish benchmark performance with view to continuous improvement in following years.</i>	Establish a WHS non-compliance benchmark for internal project audits. Conduct at least one internal site audit of all Capital Works projects and measure instance of non-compliance against Site Safety Plan and Traffic Management Plan.	Manager Operations; Manager Water and Wastewater.	26 Site Safety Inspections carried out on Water Wastewater Section projects in the quarter with six minor non-conformances recorded.	
		PG2	<i>Achieve a net reduction in number of WHS incidents involving property damage by Parks and Gardens Staff. Benchmark established from 2022/23 SkyTrust reporting.</i>	Reduction in number of WHS incidents involving property damage compared to prior year.	Manager Operations; Parks Coordinator; Supervisor - Parks.	One incident involving minor property damage reported in Parks Section during the second quarter.	
		PG3	<i>Parks and Gardens Record of non-compliance against Site Safety Checklists. Year 1 is to establish benchmark performance with view to continuous improvement in following years.</i>	Establish a WHS non-compliance benchmark for internal project audits. Conduct at least one internal site audit of all Capital Works projects and measure instance of non-compliance against Site Safety Plan and Traffic Management Plan.	Manager Operations; Parks Coordinator; Supervisor - Parks.	Seven site safety inspections conducted in the second quarter for capital projects including: Installation of Irrigation - Minor Parks and the replacement of Basketball fence Spiller Street Park - Brandon. One external contractor evaluation undertaken - Replacement BBQ project. Three minor non-compliances recorded.	

Objective: 5.4 An enviable organisational culture that actively demonstrates our values							
Corporate Plan Reference		Operational Plan Activities		Accountability		Q2 Comment	Traffic Light
Ref	Key action	Ref	Targeted Activities	Measure	Responsible Officer		
5.4.5	Develop and implement a strategic workforce plan to advance Council's recruitment, onboarding, career mapping and succession planning activities.	EXC5	<i>Complete the implementation of agreed actions from the Strategic Workforce Planning and Succession Management internal audit report.</i>	Implement actions as per timelines in audit report.	Chief Executive Officer; Director Corporate and Community Services; Human Resources Coordinator	Proposals have been sought from alternative consultants to undertake the preparation of a Workforce Plan. It is planned to appoint a consultant to undertake the project during Q3.	
		HR2	<i>Deliver workforce data reports that meet Council's requirements and highlights workforce trends to inform workforce planning.</i>	Reports prepared and presented according to agreed reporting timetable to meet strategic and operational needs.	Human Resources Coordinator	Six-monthly leave report as at October 2023 completed and provided to SLG 8 November 2023.	
		HR3	<i>Development of a Workforce Plan to enable Council to attract, retain and better plan for the future workforce.</i>	Develop a key document/strategy around workforce planning. Report on progress and any new initiatives.	Director Corporate and Community Services; Human Resources Coordinator	Additional "teams" meetings have been held with three respective consultants and further information is being assessed. A meeting has been scheduled in the New Year to review responses and award the contract.	
5.4.6	Implement the Staff Culture Program.	EXC6	<i>Continue to implement initiatives designed to improve organisational culture through the adopted Action Plan.</i>	Action Plan initiatives implemented in accordance with budget and agreed timeframes.	Chief Executive Officer	The next areas of focus from the Action Plan relate to Onboarding and Future Leaders. These issues will be examined as part of the development of the Workforce Plan.	
		HR4	<i>Manage Council's human resources functions including employee relations, compliance, compensation and benefits, and all other employee related matters.</i>	Report on number of disputes raised by Unions or matters lodged with the QIRC. Report on the status of recruitment for the quarter.	Human Resources Coordinator	Preliminary planning undertaken to prepare for EB negotiations during Q3. On Joint Consultative Committee (JCC) meeting held during Q2. No disputes raised. 12 positions advertised - process ongoing for 5 positions.	

Operational Plan Q2 overall results

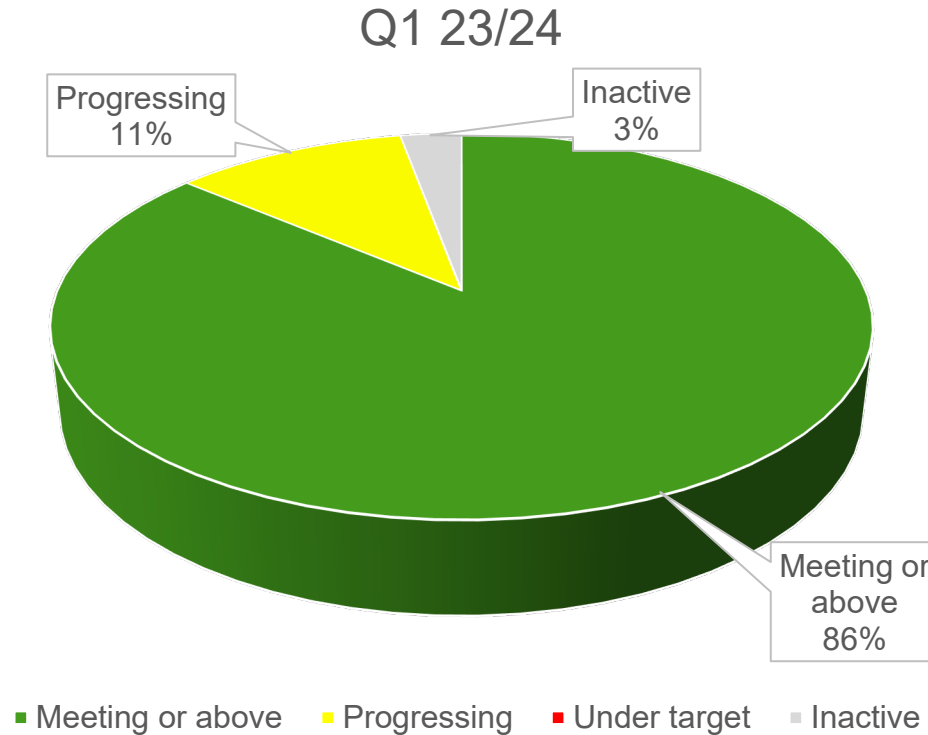


Total activities: 174
Meeting or above: 154
Progressing: 19
Under target: 1
Inactive: 0



Burdekin
Shire Council

Q1 results

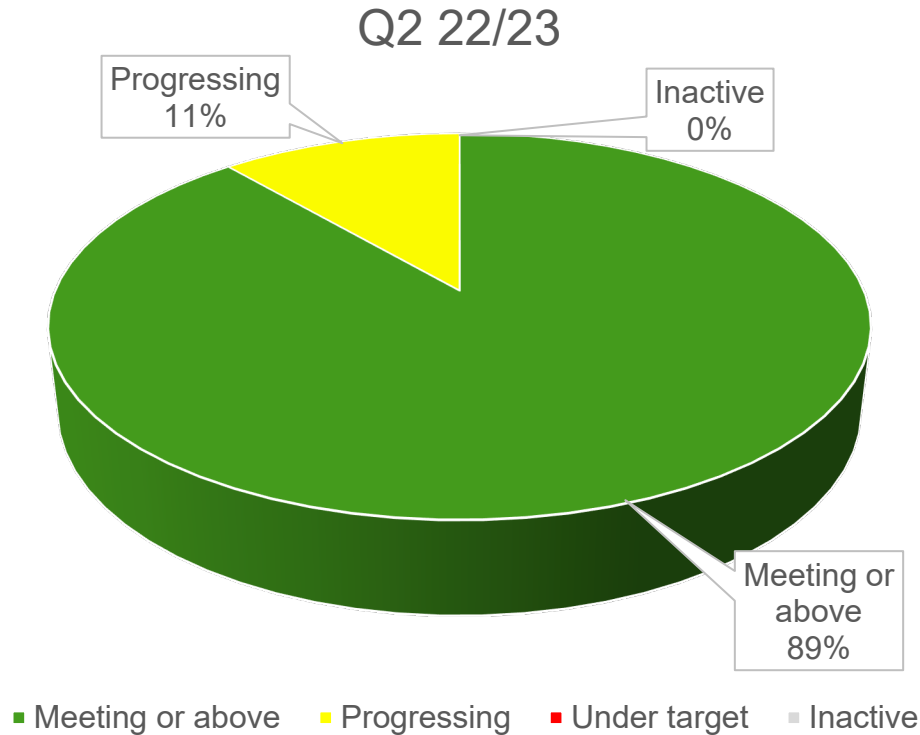


Total activities: 174
Meeting or above: 150
Progressing: 19
Under target: 0
Inactive: 5



Burdekin
Shire Council

Same time last year

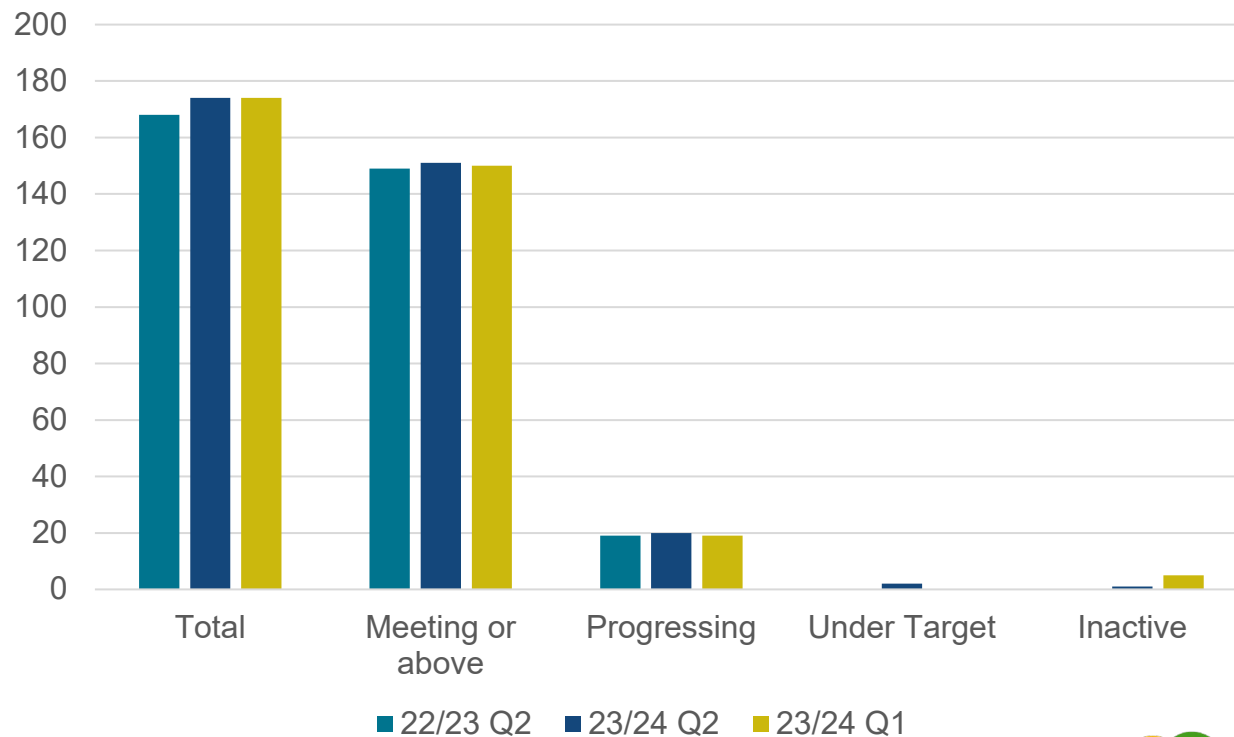


Total activities: 168
Meeting or above: 149
Progressing: 19
Under target: 0
Inactive: 0



Burdekin
Shire Council

Comparison



6.4.2. GOVERNANCE

Business Continuity Management Policy

File Reference: 2431

Report Author: Rebecca Stockdale, Senior Governance Officer

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027
5.2.3: Implement effective governance frameworks.

Burdekin Shire Council Operational Plan 2022-2023
CG12 Implement Council's Business Continuity program through review of the Business Continuity Plans and completion of testing activities as per the adopted testing strategy and schedule.

Executive Summary

Council delivers a wide range of services and facilities to the community, and in doing so relies on its people, its infrastructure and its data and information. From time to time events may occur that can impact on Council's ability to deliver services and provide facilities. Council's Business Continuity Management Policy outlines our commitment to maintaining an effective framework to minimise service delivery outages caused by business interruption events. The policy highlights Council's Business Continuity Management Framework and ensures that Council's approach to business continuity aligns with the accepted Australian Standards. This policy was last reviewed and adopted in November 2021 with a 24 month review period. The Policy has been reviewed and updated by officers and is now presented to Council for readoption.

Recommendation

That Council adopts the amended Business Continuity Management Policy as attached to this report.

Background

A business interruption event refers to a significant and unforeseen incident that disrupts normal operations and can have substantial impact on the delivery of services. This type of event goes beyond the routine challenges that may be seen as "business as usual" (BAU). Whilst BAU events generally are short term with limited impact and can be managed within existing resources, business interruption events will have an extended period of impact and will be of a significant or widespread nature. They require additional resources and comprehensive response and recovery plans to manage the crisis. Business interruption events can be caused by various factors, either alone or combined, such as natural disasters, cyberattacks, pandemics, large-scale accidents, or other emergencies such as fire. Generally the impacts of these risks can be grouped into the following categories:

- loss of key personnel,
- loss of or loss of access to infrastructure assets
- loss of or loss of access to data/information

Council's Business Continuity Management Policy provides a proactive and strategic approach to position Council to effectively manage disruptions, protect the community, and maintain essential services. It is a critical component of Council's Business Continuity Framework that contributes to the ongoing resilience and sustainability of operations.

Consultation

The SLG were provided with a copy of the amended policy for feedback. The policy was also discussed at a Council Workshop on Tuesday 6 of February 2024.

Budget & Resource Implications

There are no additional budget implications associated with the adoption of this policy.

Legal Authority & Implications

There are no legal implications associated with the adoption of this policy.

Policy Implications

This policy will be updated on Council's website and in the policy register.

Risk Implications (Strategic, Operational, Project Risks)

The Business Continuity Management Policy enables Council to identify and assess potential risks and vulnerabilities to its operations through a business impact assessment process. With a comprehensive understanding of the continuity risks, Council can then implement proactive measures to mitigate and deal with disruption events.

Attachments

1. Business Continuity Management Policy

Policy Type	Corporate
Function	Governance
Policy Owner	Chief Executive Officer
Policy Contact	Senior Governance Officer
Effective Date	

Purpose

This Policy demonstrates Council's commitment to maintaining an effective business continuity management framework which will minimise service delivery outages caused by business disruption events.

Scope

This policy applies to business disruption events, affecting critical business functions, that cannot be managed as part of usual business practices and is underpinned by Council's Enterprise Risk Management Framework.

Policy Statement

This policy establishes the Business Continuity Framework for the management of business continuity risks.

Council's business continuity management framework aims to build organisational resilience and facilitate the effective management of and recovery from business disruption events.

In accordance with Council's adopted Enterprise Risk Management Framework, council will address business continuity risks by recognising and anticipating disruption risks and identifying and implementing appropriate mitigation strategies to minimise the disruption should a business interruption event occur.

Business Continuity Management Framework

Council's business continuity management framework includes:

- Business Continuity Management Roadmap
- Business Impact Analysis Methodology
- Business Impact Analysis (BIA)
- Business Impact Analysis Report
- Business Continuity Plans (BCPs) Master Plan and Sub-Plans
- Business Continuity Tests
- Enterprise Risk Management Framework
- Disaster Management Plan and Sub Plans

Business Continuity Management Principles

The following principles should be considered in all aspects of business continuity management.

Risk-based

Business continuity management decisions and actions are risk-based. Council's Enterprise Risk Management Framework sets out Council's risk appetites and risk tolerances in each area of consequence.

Simplicity

While disruption events may be complex in nature, it is vital that business continuity management plans and processes are simple and fit for purpose.

Flexibility

Business continuity plans (BCPs) and subplans should be flexible and able to be adapted to accommodate the situation.

Achievable

Business continuity objectives must be achievable and within the resources available to Council.

Whole of Business approach

A whole of business approach allows the proper identification of dependencies and interdependencies so that prioritised restoration of critical business functions can be achieved.

Testing

BCP testing is an important element of the business continuity management framework. BCP testing will be conducted using various testing techniques including:

- Checklists
- Walk-throughs
- Desktop tests
- Simulations/scenario testing; and
- Real-life events.

Testing will be planned and conducted in accordance with an endorsed BCP test schedule. BCP Test plans will be prepared and presented to the Risk Management Committee to be formally endorsed, prior to testing taking place. Test plans will include:

- Test scenario – a detailed description of the disruption event
- Scope and Objective- a detailed description of what is being tested
- Timing
- Resources (including personnel, facilities, asset information)
- Success/Failure criteria
- Debriefing Plan

Following each completed test, a report will be prepared by the Senior Governance Officer providing details about

- Elements of the BCPs that were effective
- Any deficiencies identified and recommendations for improvement
- Responsibilities and due dates for recommended improvement actions

The BCP test report will be presented to the Risk Management Committee for endorsement. The Risk Management Committee will also oversee the implementation of improvement actions.

The testing schedule may be amended from time to time in response to operational demands and/or real-life business interruption events.

Review of Framework Documents

BCM framework documents will be reviewed in accordance with the set review dates, or earlier where there is a significant change within the organisation that affects any part of the framework. Triggers for review of the framework documents may include significant change to the organisational structure, introduction of new systems or assets, an interruption event, or the identification of new significant business interruption risks.

Responsibilities

The Chief Executive Officer has overall accountability for the implementation of an effective risk management program, including the business continuity framework.

The Executive Leadership Team (ELT) and Senior Leadership Group (SLG) are responsible for gathering information for and participating in the Business Impact Analysis process, the Business Continuity Planning process and any BCP tests that are carried out. ELT and SLG members are also responsible for communicating any implications of changes within the organisation that may impact on any part of the Business Continuity Management Framework.

The Risk Management Committee is responsible for maintaining a governance oversight of the Business Continuity Management Framework and endorsing the elements of the framework. Business Continuity Management will be a quarterly item on the Risk Management Committee meeting agenda.

Risk Management

A risk-based approach will be applied to the development and implementation of council's business continuity management framework. Critical business functions with a high risk rating and interdependent resources and business functions will be identified, and appropriate risk treatments will be implemented in accordance with escalation plans outlined in Council's adopted Enterprise Risk Management Framework.

The policy helps to ensure that an effective governance framework is in place to properly manage business continuity risks.

References

HB 292-2006	Standards Australia Handbook – A Practitioner's Guide to Business Continuity Management
SA TS ISO 22317:2017	Standards Australia – Technical Specification – Societal security – Business continuity management systems – Guidelines for business impact analysis (BIA)
AS ISO 22301:2020	Standards Australia – Australian Standard – Security and resilience – Business continuity management systems – Requirements
AS ISO 22313:2020	Standards Australia – Australian Standard – Security and resilience – Business continuity management systems – Guidance on the use of ISO 22301

Definitions and Abbreviations

Business Continuity	Capability of Council to continue the delivery of services within acceptable time frames during a business interruption event.
Business Continuity Management (BCM)	Business Continuity Management provides the availability of process and resources in order to ensure the continued achievement of critical objectives.
Business Continuity Plan (s) (BCPs)	The procedures and documents that are developed and maintained in readiness for use during a Business Continuity Disruption Event (BCDE).

Business Impact Analysis	A management level, risk-based analysis that examines the nature and extent of disruptions and the likelihood of the resulting consequences. The BIA provides management with data upon which to base risk mitigation and continuity planning decisions.
Critical Business Function	A business function or part thereof identified as essential for survival of the organization and achievement of its critical objectives.
Business interruption event	An incident, whether anticipated or unanticipated that causes an unplanned, negative deviation from the expected delivery of Council services, according to the Council's adopted objectives.

Related Documents

Reference Number	Document Title
ECM 1547649	Business Continuity Plan – Burdekin Shire Council
ECM 1490274	Enterprise Risk Management Framework

Document History and Version Control

Title of Document	Business Continuity Management Policy
Document Reference Number	GOV-POL-0023 Rev 2
Review Schedule	24 months
Council Meeting Date	
Council Resolution Number	

6.4.3. GOVERNANCE

Privacy Policy

File Reference: 1477

Report Author: Rebecca Stockdale, Senior Governance Officer

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

5.2.3: Implement effective governance frameworks.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Burdekin Shire Council Operational Plan 2022-2023

CG5 Manage Council's Corporate Policy Program

Executive Summary

Council's adopted Privacy Policy outlines Council's commitment to properly manage personal information in accordance with requirements of the *Privacy Act 2009* and the *Right to Information Act 2009*. Council must balance the provision of information that is in the public interest with the protection of individual privacy. The Privacy Policy was last adopted by Council in October 2021 and has recently been reviewed in accordance with the agreed review schedule. The most significant proposed change to the policy is the inclusion of a clause for dealing with the transfer of personal information outside of Australia. This clause has been included to ensure that in instances where information (data) may be transferred outside of Australia (for example via one of Council's corporate information systems) the transfer is completed in accordance with requirements of the relevant privacy laws. Minor changes to the policy include formatting changes, the addition of more types of information that may be collected and the purposes for which information may be collected by Council, and the proposed removal of the public disclosure log, as this is not a requirement for Council under the legislation and the administrative burden is not warranted due to the very low number of relevant documents that the eligible to be included in a disclosure log.

Recommendation

That Council adopts the amended Privacy Policy as attached to this report.

Background

Council first adopted a Privacy Policy in 2016 and the policy has been reviewed and updated since that time as changes have been necessary. The Office of the Information Commissioner Queensland has published a series of guidelines about Right to Information and Information Privacy specifically targeted to Local Government. These guidelines, as well as the relevant legislation, have been considered in the review of the Privacy Policy.

Consultation

The revised policy was circulated to members of the SLG and was discussed at a Council workshop on 6 February 2024.

Budget & Resource Implications

Not applicable.

Legal Authority & Implications

This policy has been reviewed and updated to ensure Council fulfils its obligations under the *Information Privacy Act 2009* and the *Right to Information Act 2009*.

Policy Implications

This is a revised policy and will replace the existing Privacy Policy which was adopted in October 2021. The policy will be published to Council's website and will be updated in Council's Policy Register.

Risk Implications (Strategic, Operational, Project Risks)

The Privacy Policy has been developed to help mitigate against the risks associated with the handling of personal information. These risks include, but are not limited to:

- unauthorised access to or use of private information
- incomplete or inaccurate personal information
- improper disclosure of personal information
- improper classification and storage of personal information

Attachments

1. Privacy Policy

Policy Type	Corporate
Function	Governance
Policy Owner	Chief Executive Officer
Policy Contact	Director Corporate and Community Services
Effective Date	21 October 2021

Purpose

The purpose of this policy is to outline Council's commitment to maintaining a culture that respects each individual's right to privacy. The policy sets out the principles in relation to Council's management of personal information.

Scope

This policy applies to the management, collection, use, storage and disclosure of personal information by all Council employees, contractors, the Mayor and Councillors.

Policy Statement

The *Information Privacy Act 2009* sets out how Council must handle personal information. Individuals have the right to request a copy of their personal information and request for documents to be amended if they are inaccurate, incomplete or out of date.

Collection of Personal Information

The Council will not collect personal information unless:

- the personal information is collected for a lawful purpose directly related to a legislative function or power of the Council or Council business operations; and
- collection of the personal information is necessary for or directly related to that purpose; and
- at the time of collection, or as soon as practical thereafter, Council will take reasonable steps to ensure that the person is generally aware of:
 - the purpose of collection;
 - if the collection is authorised or required under a law;
 - if it is Council's usual practice to disclose this type of personal information and to whom it is disclosed.

The personal information¹ that may be collected will depend on the particular purpose for which it is collected and may include but is not limited to:

- telephone/mobile numbers;
- name and addresses (postal, residential and email addresses);
- age and/or date of birth;
- gender;
- property ownership and/or occupier details;
- details of resident's/ratepayer's or employee's spouse or partner;
- development applications including plans or specifications of buildings;
- pet ownership;
- electoral roll details;

¹ See [Section 12](#) of the *Information Privacy Act 2009*

- pensioner/concession information;
- payment history;
- financial, rental or income details;
- details of land valuation;
- power of attorney details;
- wills;
- preferred addresses and methods of contacts including email addresses;
- details of employment;
- car registration and driver's licence details
- next of kin, emergency contact or parent details;
- details of membership of community groups;
- insurance details; and
- photographs or videos of individuals (including images captured through camera surveillance)

The purposes for which personal information may be collected by Council includes but is not limited to:

- delivering services and programs
- determining rates
- assessing applications for development approval, licences, registration and permits
- maintaining Council run facilities
- maintaining security of Council's property

Collection Notices

All personal information that is collected by Council will be collected in a fair and lawful manner. Where possible, Council will publish a collection notice to advise the public that their information is being collected. Collection notices may be included on public forms, on Council's website and may be displayed on an A-Frame sign at public events.

Council will take reasonable steps to inform the person whose personal information it collects:

- of the purpose(s) for which the personal information is being collected; and
- if the collection of the information is authorised or required by law, that the collection is so authorised or required; and
- in general terms of its usual practices with respect to the use and disclosure of personal information of the kind collected.

Council will take reasonable steps to ensure that personal information collected by it, is relevant to the purpose(s) of collection and is up to date and complete.

Council will take reasonable steps to ensure that the collection of personal information does not unreasonably intrude upon an individual's personal affairs.

Council may collect information concerning persons from a number of private and public sector agencies, which may include, but is not limited to, the Electoral Commission of Queensland, Office of the Valuer-General, Telstra and from individual persons.

Collection of Sensitive Information

Council will not collect sensitive information about an individual unless:

- the individual has consented;
- the collection is required by law;
- the collection is necessary to prevent or lessen a serious and imminent threat to the life or health of any person; or

- the collection is necessary for the establishment, exercise or defence of a legal or equitable claim.

If Council collects sensitive information about an individual in accordance with the provisions of this Policy, Council will take reasonable steps to de-identify the information before Council discloses it.

Maintenance and Storage of Personal Information

Council may disclose some personal information to an offshore third party cloud computing services provider. In this event, Council will take adequate and reasonable steps to assure appropriate data security.²

Council will take reasonable steps to:

- protect the personal information it holds from misuse and loss and from unauthorised access, modification or disclosure; and
- maintain its recordkeeping systems to ensure that all personal information collected is up to date, accurate and complete as far as reasonably practicable; and
- ensure that any person who, on behalf of Council, uses or discloses personal information held by Council has appropriate authorisation to do so.

Transfer of personal information outside of Australia

Council may transfer personal information outside of Australia in any of the following circumstances, in accordance with Section 33 of the *Information Privacy Act 2009*:

- if the individual has agreed; or
- if the transfer is authorised or required under a law; or
- if Council is satisfied on reasonable grounds that the transfer is necessary to lessen or prevent a serious threat to the life, health, safety or welfare of any individual, or to public health, safety and welfare; or
- if two or more of the following apply:
 - Council reasonably believes that the recipient of the personal information is subject to a law, binding scheme or contract that effectively upholds principles for the fair handling of personal information that are substantially similar to the Information Privacy Principles.
 - The transfer is necessary for the performance of Council's functions in relation to the individual.
 - The transfer is for the benefit of the individual but it is not practicable to seek the agreement of the individual, and if it were practicable to seek agreement of the individual, the individual would be likely to give the agreement.
 - Council has taken reasonable steps to ensure that the personal information it transfers will not be held, used or disclosed by the recipient of the information in a way that is inconsistent with the Information Privacy Principles.

Use of Personal Information

Where Council collects personal information for a particular purpose (the primary purpose), it will not use that personal information for any other purpose (secondary purpose), unless:

- Council first takes steps to obtain the consent of the individual concerned to use his or her personal information for that secondary purpose; or
- the individual would reasonably expect Council to use or disclose the information for the secondary purpose and the secondary purpose is directly (for sensitive information) or indirectly related (for any other information) to the primary purpose; or

² See [Section 33 Information Privacy Act 2009](#)

- Council believes on reasonable grounds that use of the information for that secondary purpose is necessary to prevent or lessen a serious or imminent threat to the life or health of the individual concerned or another person; or
- use of the information for that secondary purpose is required or authorised by law; or
- use of the information for that secondary purpose is reasonably necessary for the enforcement of the criminal law or law imposing a pecuniary penalty.

Direct Marketing

Reasonable expectation to use or disclose:

If Council holds personal non-sensitive information about an individual, it must not use or disclose the information for the purpose of direct marketing except when Council has collected the information from the individual and the individual would reasonably expect Council to use or disclose the information for that purpose (except for sensitive information).

No reasonable expectation to use or disclose:

In the event that the individual would not reasonably expect Council to use or disclose non-sensitive information for direct marketing, the individual needs to have given consent to the use or disclosure of the information for that purpose.

Disclosure of Personal Information

Council will not disclose³ personal information it holds about a person to a third party, except where:

- a reasonable individual is likely to have been aware that his or her personal information would be disclosed in that way;
- a resident or ratepayer has consented to or made a written request for personal information to be provided to a third party;
- the personal information is provided for the purpose of distributing materials of and on behalf of Council (for example: the provision of address data for use by a mailing service provider to post Rate Notices or other materials);
- under contractual arrangements for data analysis purposes, personal information may be provided to a third party service provider for analysis of Council's procurement activities;
- a third party has been contracted by Council to provide advice or services for the purpose of assisting Council in providing benefits to persons (for example: Electoral Commission of Queensland, Office of the Valuer-General, insurers, legal service providers);
- Council is required or authorised by law to disclose the personal information to a third party or to the public at large;
- a resident or ratepayer has been advised of Council's usual practice of disclosing personal information to that third party or a third party of that type for a particular purpose and the disclosure is consistent with that purpose; or
- a public consultation submission has been received by Council. To enable transparency in consultation processes to occur, all public consultation submissions received by Council will become public documents and may be included in a report to Council which is also available to the public.

Where personal information is provided to Council by a person "in confidence", Council will not disclose such information to a third party without the person's consent, unless such disclosure is required or authorised by law (for example, applications made under the *Right to Information Act 2009* (Qld)).

Council will take reasonable steps to:

- contract only with third party service providers that are subject to the provisions of the *Privacy Act 1998* (Cth) and the National Privacy Principles; and

³ See [Section 23](#) of the *Information Privacy Act 2009*

- where the third party service provider is not subject to the provisions of the *Privacy Act 1998* (Cth) and the National Privacy Principles, enter into a Privacy Agreement that requires the third party service provider to comply with the provisions of this Policy relating to the collection, use, storage and disclosure of personal information supplied by Council.

Council may supply personal information about an individual to that individual as part of a standard communication or pursuant to a request made by the individual.

Council does not accept any responsibility for any loss or damage suffered by a person because of their reliance on any personal information provided to them by Council or because of Council's inability to provide persons with any requested personal information.

Council expects that persons will, before relying on any personal information Council provides to them, first seek confirmation from Council about the accuracy and currency of such personal information.

Integrity and Alteration of Personal Information

Council assumes that personal information provided by persons or other persons is accurate, complete and up-to-date. It is the responsibility of persons to provide Council with details of any changes to their personal information as soon as reasonably practicable following such change.⁴

Council will take reasonable steps such as making appropriate deletions, additions and corrections to ensure that personal information held by it is accurate, relevant, complete, up to date and not misleading.

A person may apply to Council, in a form determined by Council to have his or her personal information amended so that it is accurate, relevant, complete, up to date and not misleading. Where Council, on reasonable grounds, decides not to amend an individual's personal information in the manner requested in the application, Council will inform the person of its decision and the reasons for refusing to make the requested amendments. If requested by an individual, Council will take reasonable steps to attach to a record containing that person's personal information a statement provided by that person of the correction, deletion or addition sought.

Access to Personal Information

A person who wishes to access personal information held by Council must make a written application, using the approved form and accompanied by the application fee (if applicable) in accordance with the *Right to Information Act 2009* (Qld) or *Information Privacy Act 2009* (Qld).

Subject to the provisions of this legislation, the Council may grant or refuse access to personal information as it deems fit.⁵

The Council recognises that there are certain documents which may contain personal information that the Council is legislatively required to make available for access by members of the public.

All Right to Information (RTI) applications will be dealt with in accordance with the timeframes prescribed within the *Right to Information Act 2009* (Qld). Council may request from the applicant a further specified period in which to process the application for information.

Internal and External Review

An individual may seek internal review of a decision by the Council. The application for internal review must:

- be in writing;
- state an address to which notices may be sent to the applicant for internal review;

⁴ See [Chapter 3 Part 1 & 2 Information Privacy Act 2009 and Part 2 s24\(2\)\(a\) Right to Information Act 2009](#)

⁵ See [Chapter 3 Part 3 Information Privacy Act 2009](#)

- be made within 20 business days after the date of the written notice of the decision; and
- be lodged at an office of Council.

Instead of an internal review, an individual may seek external review of the Council's initial decision by the Queensland Information Commissioner. The application for external review must:

- be in writing;
- state an address to which notices may be sent to the applicant for external review;
- give details of the decision for review;
- be made within 20 business days from the date of the written notice of the decision; and
- be lodged with the Queensland Information Commissioner

Exceptions

Nil.

Risk Management

This Policy, in part serves to mitigate against the risks associated with the collection, storage, use and disclosure of personal information. Council is committed to ensuring that all staff and elected members are aware of and know how to apply the privacy principles to the information they deal with when performing their duties. Council's Code of Conduct for Workers along with the Document Management Operational Standard helps to reduce the risk of private information being accessed, stored or used incorrectly.

Legislation

Information Privacy Act 2009

Information Privacy Regulation 2009

Right to Information Act 2009

Right to Information Regulation 2009

Local Government Act 2009

Local Government Regulation 2012

Definitions and Abbreviations

Access	means providing to an individual, information about himself or herself that is held by the Council. This may include allowing that individual to inspect personal information or to obtain a copy.
Collection	means gathering, acquiring or obtaining personal information from any sources and by any means, including information that the Council has come across by accident or has not asked for.
Consent	means voluntary agreement to some act, practice or purpose.
Council	means Burdekin Shire Council.
Disclosure	means the release of information to persons or organisations outside the Council. It does not include giving individuals information about themselves.
Local Government Act	means the <i>Local Government Act 2009</i> , Queensland or a law under which Council performs its responsibilities, including for example – a local law, Building Act,

Planning Act, Planning Scheme, Plumbing and Drainage Act, Water Act or Water Supply Act.

Personal Information

means information or an opinion (including information or an opinion forming part of a database), whether true or not and whether recorded in a material form or not, about a natural living person whose identity is apparent or can reasonably be ascertained from the information or opinion, including a photograph or other pictorial representation of a person, but does not include information that is in:

- generally available publications;
- material kept in public records and archives such as the Commonwealth or State archives; or
- anything kept in a library, art gallery or museum for the purpose of reference, study or exhibition.

Sensitive Information

means information or an opinion about an individual's:

- racial or ethnic origin;
- political opinions;
- membership of a political association, a professional or trade association or a trade union;
- religious beliefs or affirmations;
- philosophical beliefs;
- sexual preferences or practices;
- criminal record; or
- health.

Use

means the handling of personal information within Council including the inclusion of information in a publication.

Related Documents

Reference Number	Document Title
External Form	Information Privacy Personal Information Amendment Application
External Form	Right to Information and Information Privacy Access Application
ICT-POL-0002	Camera Surveillance Policy
MED-POL-0004	Social Media Policy
GOV-POL-0024	Working with Children Policy
ICT-OSD-0005	Document Management Operational Standard

Document History and Version Control

Title of Document	Privacy Policy
Document Reference Number	GOV-POL-0006 Rev 3
Review Schedule	24 months
Council Meeting Date	21 October 2021
Council Resolution Number	

6.4.4. GOVERNANCE

Burdekin Shire Council Meeting Procedures and Burdekin Shire Council Standing Orders

File Reference: 395

Report Author: Rebecca Stockdale, Senior Governance Officer

Authoriser: Nick O'Connor

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.3: Implement effective governance frameworks.

5.2.4: Undertake regulatory responsibilities in accordance with legislative obligations.

Executive Summary

It is a requirement under the *Local Government Act 2009* for Council to adopt a set of Meeting Procedures. *The Local Government Act 2009* also requires that the chief executive of the Department of Local Government prepares a set of model meeting procedures. Council can either choose to adopt the model meeting procedures or prepare and adopt other procedures that are consistent with the model meeting procedures. In November 2023, the *Local Government (Councillor Conduct) and Other Legislation Amendment Bill 2023* was passed by the Queensland Parliament. This bill has resulted in the Department releasing an updated set of model meeting procedures. Council's Meeting Procedures and Standing Orders have been updated to align with the changes to the legislation and the model meeting procedures produced by the Department of Local Government.

Recommendation

That Council adopt the Burdekin Shire Council Meeting Procedures and Burdekin Shire Council Standing Orders as attached to this report.

Background

On 15 November 2023 the *Local Government (Councillor Conduct) and Other Legislation Amendment Bill 2023* was passed by the Queensland Government. This legislation introduces further changes to the Councillor Conduct and Complaints handling framework. Council's Meeting Procedures and Standing Orders have been amended to reflect the new legislation. This includes the removal of the term "inappropriate conduct" which is replaced by "conduct breach". The changes also include the introduction of a clause dealing with unsuitable meeting conduct of the chairperson which was not previously included in the meeting procedures or standing orders. Additionally, the updated meeting procedures and standing orders make reference to the preliminary assessment process for Councillor Conduct Complaint matters, to be undertaken by the Independent Assessor. The amended legislation also increases the mandatory reporting by Council of Councillor conduct matters, requiring the publication of council's investigation reports for conduct matters.

Consultation

The updated Burdekin Shire Council Meeting Procedures and Burdekin Shire Council Standing Orders were discussed at a Council Workshop on 6 February 2024.

Budget & Resource Implications

There are no budget or resource implications associated with the adoption of the meeting procedures and standing orders.

Legal Authority & Implications

Legal Authority

Local Government (Councillor Conduct) and Other Legislation Amendment Bill 2023

Policy Implications

Not Applicable.

Risk Implications (Strategic, Operational, Project Risks)

The adoption of updated meeting procedures and standing orders helps to mitigate against the risk of non-compliance with legislation.

Attachments

1. Burdekin Shire Council Meeting Procedures
2. Burdekin Shire Council Standing Orders

Purpose

These meeting procedures set out certain procedures to ensure the Local Government principles are reflected in the conduct of local government meetings and advisory committee meetings.

It is not intended that these meeting procedures will deal with all aspects of meeting conduct but only those required to strengthen public confidence in Local Government to deal with the conduct of Councillors in meetings. These meeting procedures do not apply to meetings of Council's audit committee.

Background

As required under section 150F of the Local Government Act 2009 (LGA) this document sets out:

- the process for how a chairperson of a local government meeting may deal with instances of unsuitable meeting conduct by a councillor.
- the process for how the councillors at a local government meeting may deal with the unsuitable meeting conduct by the chairperson.
- the process for how a suspected conduct breach by a councillor, that is referred to the local government by the Independent Assessor (IA), must be dealt with at a council meeting.
- The process for dealing with a conflict of interest (COI) arising during a local government meeting and recording the COI in the minutes of the meeting.
- The process for dealing with a loss of quorum due to the number of councillors with a COI.
- Procedures for closing meetings to the public.

Processes

1. Process for dealing with unsuitable meeting conduct by a Councillor in a meeting

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a local government meeting and contravenes a behavioural standard of the code of conduct for Councillors. When dealing with an instance of unsuitable meeting conduct by a Councillor, the following procedures must be followed:

- 1.1 The Chairperson must reasonably believe that the conduct of a councillor during a meeting is unsuitable meeting conduct.
- 1.2 If the Chairperson decides the unsuitable meeting conduct has occurred, the Chairperson may consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature, or another warning is unwarranted, proceed to step 1.7.
- 1.3 If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the Chairperson may request the Councillor take remedial actions such as:
 - 1.3.1 Ceasing and refraining from exhibiting unsuitable meeting conduct
 - 1.3.2 Apologising for their conduct

- 1.3.3 Withdrawing their comments.
- 1.4 If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- 1.5 If the Councillor fails to comply with the Chairperson's request for remedial action, the Chairperson may warn the Councillor that failing to comply with the request may result in an order being issued.
- 1.6 If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- 1.7 If the Councillor continues to fail to comply with the Chairperson's request for remedial actions or the chairperson decided a warning was not appropriate under 1.3, the Chairperson may make one or more of the orders below:
- 1.7.1 an order reprimanding the Councillor for the conduct.
- 1.7.2 an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.¹
- 1.8 If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting.²
- 1.9 Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 1.1, 1.7 and 1.8 above.
- 1.10 Following the completion of the meeting, the Chairperson must ensure the minutes record the information about unsuitable meeting conduct (see note)

Note: Details of any order issued is recorded in the minutes of the meeting. If it is the third or more order made within a 12-month period against a councillor, or the councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next local government meeting as a suspected conduct breach. The local governments chief executive officer (CEO) is advised to ensure details of any order made is updated in the Council's Councillor Conduct Register.

2. Process for Dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting

- 2.1 If a councillor at the meeting reasonably believes that the conduct of the chairperson during the meeting is unsuitable meeting conduct, the councillor will raise the matter in the meeting by point of order.
- 2.2 The chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the councillor may move a motion that the councillor has engaged in unsuitable meeting conduct (a seconder for the motion is required). Councillors present, excluding the chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
- 2.3 The chairperson has a declarable conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the chairperson wishes to remain in the meeting, the eligible councillors must make a decision and follow the procedures set out in *part 5* below.

¹ Section 150I (2) of the LGA.

² Section 150I (2)(c) of the LGA.

- 2.4 For the debate and vote on the motion, a councillor other than the councillor that moved the motion, is to act as the chairperson.
- 2.5 If the original chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible councillors, they can put forward their reasoning about their conduct, and respond to questions through the chairperson from the eligible councillors.
- 2.6 The acting chairperson of the meeting will preside over the meeting while the councillors present at the meeting vote on whether the chairperson has engaged in unsuitable meeting conduct (the acting chairperson will have a casting vote on the resolution if required).
- 2.7 If it is decided that the chairperson has engaged in unsuitable meeting conduct the councillors can make an order reprimanding the chairperson for the conduct.
- 2.8 Once the councillors make a decision, the chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting chairperson.
- 2.9 The chairperson then resumes the role of chairperson, and the meeting continues.

Note: Details of any reprimand order is recorded in the minutes of the meeting. The local governments chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's councillor conduct register.

For conduct of a chairperson, at local government meetings that is part of a course of conduct leading to a reprimand order for unsuitable meeting conduct being made against the chairperson, on three occasions within a period of 12 months, the conduct that led to the orders being made, taken together, becomes a conduct breach.

If the conduct of a councillor, including a chairperson, at the meeting becomes a conduct breach; in accordance with section 150J of the LGA, and is a conduct breach under section 150K(2)(b) and (3) of the LGA, the local government is not required to notify the assessor about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted. It may be dealt with at the next local government meeting.

3. Meeting Procedures for dealing with a suspected Conduct Breach which has been referred to a Local Government by the Independent Assessor

Under Chapter 5A, part 3, Division 3A of the LGA (Preliminary Assessments), the IA must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action if satisfied that particular circumstances apply. If the IA assesses that a matter is a suspected conduct breach it must refer the matter to the local government. The assessor refers the councillor's suspected conduct breach to the local government by giving a referral notice.

Note: Conduct breach is conduct that contravenes a behavioural standard of the code of conduct for councillors, or a policy, procedure or resolution of the local government; or the conduct contravenes an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held or an instance of a suspected conduct breach that may arise from circumstances under paragraph 1.9.2 of this document.

- 3.1 In relation to matters referred by the IA to the local government, the local government may decide not to start or discontinue an investigation if the complainant withdraws the complaint, or consents to the investigation not starting or discontinuing, or the complainant does not provide extra information when requested, or there is insufficient information to investigate the complaint, or the councillor vacates or has vacated their office as a councillor.

Note *The local government investigation must be conducted in a way that is consistent with the local government's investigation policy. An investigation report must be prepared to assist the councillors in making a decision on the outcome under section 150AG of the LGA. Before debating a matter relating to making a decision, a summary investigation report (with redactions) must be prepared and made publicly available under section 150AFA of the LGA on or before the day and time prescribed by regulation.*

- 3.2 The local government must decide in a local government meeting, whether the councillor has engaged in a conduct breach. Unless in accordance with section 150AG of the LGA, it has delegated responsibility for this decision to the mayor under section 257(2)(a), or to a standing committee section 257(2)(b) of the LGA or section 238(2)(a), (b) or (c) of the COBA.
- 3.3 When dealing with an instance of a suspected conduct breach which has been referred to a local government by the IA:
- 3.3.1 Local government must be consistent with the Local Government principle of transparent and accountable decision making in the public interest, by deciding the outcome of an investigation of a suspected conduct breach in an open meeting of the Local government. However, where the matter requires debate a local government may close all or part of a meeting to the public, if considered necessary, to discuss an investigation report under section 254J(3)(f) of the *Local Government Regulation 2012* (the LGR).
 - 3.3.2 No resolution for a decision can be made in the closed session. The matter must be decided in an open session of the meeting or at later meeting.
 - 3.3.3 Where a local government makes a decision about a conduct breach matter at a local government meeting that is inconsistent with a recommendation made about that matter in an investigation report, a statement of the reasons for the inconsistency must be included in the minutes of the meeting under section 254H of the *Local Government Regulation 2012*.
 - 3.3.4 The subject Councillor has a declarable conflict of interest in the matter and is permitted by the local government to remain in the closed meeting (unless Local government decides otherwise) during the debate about the investigation report and answer questions put to the subject Councillor through the chairperson in relation to the evidence or written submissions provided by the councillor to the local government.
 - 3.3.5 The subject Councillor who has a declarable conflict must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have engaged in a conduct breach and what, if any, penalty to impose if the Councillor is found to have engaged in a conduct breach.
 - 3.3.6 If the complainant is a Councillor, that Councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 4. If the complainant Councillor who has a conflict of interest wishes to remain in the meeting during the debate and vote on the matter, the other eligible Councillors (who do not have a COI in the matter) must decide how to deal with the conflict of interest under section 4. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that

Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.

- 3.3.7 After making a decision under section 150AG of the LGA, the Local government must make the full investigation report publicly available within 10 business days after the decision is made, with redactions of the name of the complainant and any witnesses but including the name of a councillor or the CEO of the local government if they were complainants, or any councillor who declared a COI in the matter.

- 3.4 If the local government has lost quorum due to the number of conflicted councillor or another reason, the Local government must do one of the following:

- 3.4.1 Delegate deciding the matter under section 257 of the LGA to the mayor or a standing committee, or
- 3.4.2 Decide, by resolution, to defer the matter to a later meeting or
- 3.4.3 Decide, by resolution, not to decide the matter and take no further action in relation to the matter unless this Act or another Act provides that the local government must decide the matter.

Note: Local government cannot decide to take no further action on a decision about a conduct matter because it is required under the LGA. In order to reach a decision when a loss of quorum has occurred, the matter can be deferred to a later meeting when a quorum can be maintained, or the conflicted councillors may apply to the Minister for permission to participate in the decision.

- 3.5 If a decision is reached that the subject Councillor has engaged in a conduct breach, then the councillors must decide what penalty or penalties detailed in section 2.6, if any, to impose on the subject Councillor. In deciding what penalty Local government may impose, the local government may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the local government is reasonably satisfied is true.
- 3.6 The local government may order that no action be taken against the Councillor or make one or more of the following:
- 3.6.1 an order that the Councillor make a public apology, in the way decided by the local government.
- 3.6.2 an order reprimanding the Councillor for the conduct breach
- 3.6.3 an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
- 3.6.4 an order that the Councillor be excluded from a stated local government meeting
- 3.6.5 an order that the Councillor is removed, or must resign, from a position representing the Local Government, other than the office of Councillor, (for example, the Councillor is ordered to resign from an appointment representing the Local Government on a State board or committee.)
- 3.6.6 an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
- 3.6.7 an order that the Councillor reimburse the Local Government for all or some of the costs arising from the Councillor's conduct breach.
- 3.6.8 A local government may not make an order in relation to a person who has vacated their office as a Councillor.

- 3.7 The subject Councillor and where relevant the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the Chairperson must advise them of the details of the decision made by the Council as if relevant any orders made by resolution.
- 3.8 The Local Government must ensure the meeting minutes reflect the resolution made. A notice must be given to the IA as soon as practicable about the decision and the reasons for the decision and if an order is made under section 150AH the details of the order.

4. Prescribed conflict of interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a Local government or committee meeting. When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- 4.1 A Councillor who has notified the Chief Executive Officer of a prescribed conflict of interest in a matter to be discussed in a local government meeting must also give notice during the meeting.
- 4.2 A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a local government meeting must immediately inform the meeting of the conflict of interest.
- 4.3 When notifying the meeting of a prescribed conflict of interest, the following details, at a minimum, must be provided:
 - 4.3.1 If it arises because of a gift, loan or contract, the value of the gift, loan or contract.
 - 4.3.2 If it arises because of an application or submission, the subject of the application or submission.
 - 4.3.3 The name of any entity, other than the Councillor, that has an interest in the matter
 - 4.3.4 The nature of the Councillor's relationship with the entity that has an interest in a matter
 - 4.3.5 Details of the Councillor's and any other entity's interest in the matter.
- 4.4 The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter.
- 4.5 Once the Councillor has left the area where the meeting is being conducted, the local government can continue discussing and deciding on the matter at hand.

5. Declarable conflict of interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at local government meetings, advisory group meetings or committee meetings (other than ordinary business matters) that might lead to a decision that is contrary to the public interest.

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other councillors suspect the personal interest might be a conflict of interest, the other Councillors may disclose their suspicion and the processes under section 150EW of the LGA will apply.

When dealing with a conflict of interest, Councillors must abide by the following procedures:

- 5.1 A Councillor who has notified the Chief Executive Officer of a declarable conflict of interest in a matter to be discussed at a local government meeting must also give notice during the meeting.
- 5.2 A Councillor who first becomes aware of a declarable conflict of interest in a matter during a local government meeting must inform the meeting of the conflict of interest.
- 5.3 When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided:
 - 5.3.1 the nature of the declarable conflict of interest
 - 5.3.2 if it arises because of the Councillor's relationship with a related party:
 - the name of the related party to the Councillor
 - the nature of the relationship of the related party to the Councillor
 - the nature of the related party's interest in the matter
 - 5.3.3 if it arises because of a gift or loan from another person to the Councillor or a related party:
 - the name of the other person
 - the nature of the relationship of the other person to the Councillor or related party
 - the nature of the other person's interest in the matter
 - the value of the gift or loan and the date the gift or loan was made.
- 5.4 After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
 - 5.4.1 If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision.
 - 5.4.2 The other eligible Councillors at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote.
 - 5.4.3 The Councillor must comply with any decision or condition imposed by the eligible Councillors. The councillor must not participate in the decision unless authorised in compliance with section 150ES of the LGA or under an approval by the minister for local government under section 150EV of the LGA.
 - 5.4.4 In deciding on whether a Councillor may participate in a decision about a matter in which the Councillor has a declarable conflict of interest, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those Councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the LGA.
- 5.5 The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the Chairperson to assist the other councillors in making their decision. The subject Councillor must not vote or otherwise

participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the Councillor has a declarable conflict of interest.

- 5.6 When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the circumstances of the matter including, but not limited to:
- 5.6.1 how does the inclusion of the Councillor in the deliberation affect the public trust
 - 5.6.2 how close or remote is the Councillor's relationship to the related party
 - 5.6.3 if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
 - 5.6.4 will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
 - 5.6.5 how does the benefit or detriment the subject Councillor stands to receive compare to others in the community
 - 5.6.6 how does this compare with similar matters that local government has decided and have other Councillors with the same or similar interests decided to leave the meeting
 - 5.6.7 whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest
- 5.7 If the eligible Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the Councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- 5.8 A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillor decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a local government meeting about the same matter e.g. briefing sessions or workshops.
- 5.9 In making the decision under 4.6 and 4.9, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 5.10 A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister as prescribed in section 150EV of the LGA..

6. Reporting a suspected conflict of interest

- 6.1 If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that Councillor is participating in a decision on that matter, the Councillor who **believes** or suspects this, must immediately inform the Chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.
- 6.2 The Chairperson should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the councillor must follow the relevant procedures above.

- 6.3 If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 6.4 The eligible Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above. If a Councillor with a declarable conflict of interest wants to participate in the decision despite the declarable conflict of interest, then the eligible Councillors must make a decision about the Councillor's participation.
- 6.5 If the Councillors cannot reach a majority decision about the conflict of interest, or the subject Councillor's participation in the matter despite a declarable conflict of interest, then they are taken to have determined that the Councillor must leave and stay away from the place where the meeting is being held while the eligible councillors discuss and vote on the matter. This decision will continue to apply in relation to all subsequent decisions about the same matter, where the conflict of interest remains unchanged.
- 6.6 If the belief or suspicion of a COI relates to more than one councillor, the parts 6.1 to 6.5 of these procedures must be complied with in relation to each councillor separately.

7. Loss of quorum

- 7.1 In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, all the councillors including the conflicted councillors must resolve to:
- 7.1.1 delegate the consideration and decision on the matter, pursuant to section 257 of the LGA; or
 - 7.1.2 defer the matter to a later meeting
 - 7.1.3 not to decide the matter and take no further action in relation to the matter unless the LGA or another Act provides that the local government must decide the matter.
- 7.2 The local government must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 7.3 The local government must not delegate a power that an Act says must be decided by resolution of the local government under section 257(3) of the LGA.
- 7.4 The local government may be resolution delegate a power under section 257 of the LGA to:
- 7.4.1 The mayor or chief executive office, or
 - 7.4.2 A standing committee, or joint committee of the local government, or
 - 7.4.3 The chairperson of a standing committee or joint standing committee of the local government
 - 7.4.4 Another local government for a joint government activity
- 7.5 The local government may only delegate a power to make a decision about a councillor's conduct under section 150AE or 150AG of the LGA pursuant to section 257(2) of the LGA, to:
- 7.5.1 The mayor, or
 - 7.5.2 A standing committee.

- 7.6 The minister for Local Government may, by signed notice give approval for a conflict councillor to participate in deciding a matter in a meeting including being present for the discussion and vote on the matter, if there is a loss of quorum and deciding the matter cannot be delegated, subject to any conditions the Minister may impose.

8. Recording prescribed and declarable conflicts of interest

- 8.1 When a Councillor informs a meeting that they or another councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the conflict of interest was dealt with, being:
- 8.1.1 the name of any Councillor and any other councillor who may have a prescribed or declarable conflict of interest,
 - 8.1.2 the particulars of the prescribed or declarable conflict of interest provided by the councillor,
 - 8.1.3 the actions taken by a Councillor after informing the meeting that they have, or they reasonably suspect another councillor has a prescribed or declarable conflict of interest,
 - 8.1.4 any decision then made by the eligible Councillors,
 - 8.1.5 whether the Councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval,
 - 8.1.6 the local government's decision on what actions the Councillor with a declarable conflict of interest must take and the reasons for the decision,
 - 8.1.7 the name of each Councillor who voted on the matter and how each voted.
- 8.2 If the Councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a Councillor's personal interest by someone other than the councillor:
- 8.2.1 the name of each Councillor who voted in relation to whether the Councillor has a declarable conflict of interest, and how each of the Councillors voted
- 8.3 Where a decision has been made under section 4 above – the minutes must include
- 8.3.1 the decision and reasons for the decision, and
 - 8.3.2 the name of each eligible Councillor who voted and how each eligible Councillor voted.

9. Closed Meetings

- 9.1 A local government meeting, standing committee meeting or advisory committee meeting may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to discuss any of the following matters:
- 9.1.1 Appointment, dismissal or discipline of the CEO,
 - 9.1.2 Industrial matters affecting employees,
 - 9.1.3 The local government's budget, which does not include the monthly financial statements,
 - 9.1.4 Rating concessions,

- 9.1.5 Legal advice obtained by the local government, including legal proceedings that may be taken by or against the local government,
 - 9.1.6 Matters that may directly affect the health and safety of an individual or a group of individuals,
 - 9.1.7 negotiations relating to a commercial matter involving the local government for which a public discussion could prejudice the interests of the local government,
 - 9.1.8 negotiations relating to the taking of land by the local government under the *Acquisition of Land Act 1967*,
 - 9.1.9 a matter that the local government is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or State.
 - 9.1.10 A matter relating to the consideration of an investigation report for an investigation of a conduct breach given to the local government under the LGA chapter 5A, part 3, division 5.
- 9.2 A local government meeting, standing and advisory committee meeting cannot resolve that a meeting be closed where the meeting is informed of a councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the councillor has a declarable conflict of interest in the matter.
- 9.3 Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the meeting and the local government must;
- 9.3.1 delegate the matter (unless the matter cannot be delegated),
 - 9.3.2 decide by resolution to defer to a later meeting,
 - 9.3.3 decide by resolution to take no further action on the matter.
- 9.4 None of the above will be considered, discussed, voted on or made during a closed session.
- 9.5 If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting (a failure to do so could be a contravention of section 171(3) of the LGA).
- 9.6 To take a matter into a closed session the local government must abide by the following:
- 9.6.1 Pass a resolution to close the meeting.
 - 9.6.2 The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered.
 - 9.6.3 If it is known in advance, the agenda should clearly identify that the matter may be considered in closed session, and an explanation of why the councillors at the meeting may consider it necessary to take the issue into closed session must be stated.
 - 9.6.4 Not make a resolution while in a closed meeting (other than a procedural resolution).

10. Related Documents

Document Title
Standing Orders for Council Meetings

Councillor Code of Conduct
Investigation of Inappropriate Councillor Conduct Behaviour

11. Document History

Revision Number	Revision Details	Approved By	Resolution Number	Date
1.0	These Meeting Procedures will come into effect on 3 December 2018	Ordinary Council Meeting	1499251	27/11/2018
2.0	As per legislative changes that came into effect on 12 October 2020	Ordinary Council Meeting	1620561	10/11/2020
3.0	Amended November 2022. Adopted by Council 28 Feb 2023.	Ordinary Council Meeting	1741038	28/2/2023
4.0	Amended January 2024 in response to amendments to Local Government Act	Ordinary Council Meeting		

1. Standing Orders

- 1.1 These Standing Orders apply to all meetings of Burdekin Shire Council and any of its standing Committees. These standing orders do not apply to meetings of the audit committee.
- 1.2 Any provision of these Standing Orders may be suspended by resolution of any meeting of Council, except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any such suspension and must specify the application and duration of each suspension.
- 1.3 Where at a Council meeting a matter arises which is not provided for in these Standing Orders, such matters shall be determined by resolution of Council upon a motion which may be put without notice but otherwise in conformity with these Standing Orders.

Procedures for Meetings of Council

2. Presiding Officer

- 2.1 The Mayor will preside at a meeting of Council.
- 2.2 If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3 If both the Mayor and the Deputy Mayor, or the Mayors' delegate, are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
- 2.4 Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee.
- 2.5 If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.

3. Order of Business

- 3.1 The order of business will be determined by resolution of the local government from time to time. The order of business may be altered for a particular meeting where the councillors at that meeting pass a procedural motion to that effect. A motion to alter the order of business may be moved without notice.
- 3.2 Unless otherwise altered, the order of business will be as follows:
 - attendances
 - apologies and granting of leaves of absence
 - confirmation of minutes
 - officers' reports.

Note: The minutes of a preceding meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, at every ordinary meeting of the local government, in order that the minutes may be confirmed. No discussion will be permitted about

these minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All Councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting.

4. Agendas

4.1 The Agenda may contain:

- Notice of meeting
- Minutes of the previous meetings
- Business arising out of previous meetings
- Business which the Mayor wishes to have considered at that meeting without notice
- Matters of which notice has been given
- Committees' reports to Council referred to the meeting by the CEO
- Officers' reports to Council referred to the meeting by the CEO
- Deputations and delegations
- Any other business Council determines by resolution be included in the agenda paper.

4.2 Business not on the Agenda or not fairly arising from the Agenda shall not be considered at any Meeting unless permission for that purpose is given by Council at such meeting. Business must be in accordance with the adopted Terms of Reference for each Committee.

4.3 The agenda for the local government must be made publicly available by 5pm on the business day after the notice of meeting is given to the councillors. The related reports for the local government meeting must also be included and available to the public excluding confidential reports. If the related report is made available to Councillors during the period starting immediately after notice of the meeting is given and ending immediately before the meeting is held, then these reports must be made available to the public as soon as practicable after it is made available to the Councillors.

4.4 Matters on the agenda that will require the meeting to be in a closed session will be clearly identified including the reasons why the session will be closed.

5. Quorum

5.1 A quorum at a Council meeting is four Councillors.

5.1.1 If a quorum is not present within 15 minutes after the time set for the meeting to begin, it may be adjourned to a later hour or a later day within 14 days after the day of the adjournment. The meeting may be adjourned by a majority of Councillors present, or if only one Councillor is present, then that Councillor, or if no Councillors are present then the Chief Executive Officer.

6. Petitions

6.1 Any petition presented to a meeting of Council shall:

- be in legible writing or typewritten and contain a minimum of ten (10) signatures
- include the name and contact details of the Principal Petitioner (i.e., one person who is the organiser and who will act as the key contact for the issue)
- include the postcode of all petitioners, and
- have the details of the specific request/matter appear on each page of the petition.

6.2 Where a Councillor presents a petition to a meeting of Council no debate on or in relation to it shall be allowed and the only motion which may be moved is

- that the petition be received; or
- received and referred to a committee or officer for consideration and a report to Council; or
- not be received because it is deemed invalid.

6.3 Council will respond to the Principal Petitioner in relation to all petitions deemed valid.

7. Deputations

7.1 A deputation wishing to attend and address a meeting of Council shall apply in writing to the CEO not less than seven (7) business days before the meeting. The application must include details of the topic to be discussed and the expected approximate time required to make the address.

7.2 The CEO, on receiving an application for a deputation shall notify the Chairperson who shall determine whether the deputation may be heard. The CEO shall inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time shall be arranged for that purpose, and an appropriate time period allowed.

7.3 For deputations comprising three or more persons, only three persons shall be at liberty to address Council unless the Councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.

7.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the Council, the Chairperson may finalise the deputation.

7.5 The Chairperson may terminate an address by a person in a deputation at any time where:

- the Chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the Councillors at the meeting
- the time period allowed for a deputation has expired, or
- the person uses insulting or offensive language or is derogatory towards Councillors, staff members, or others.

7.6 The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

8. Public participation at meetings

8.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the chairperson.

- 8.2 In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. An appropriate time period will be allowed (e.g., fifteen (15) minutes) and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local government during this period shall be at the absolute discretion of the chairperson.
- 8.3 If any address or comment is irrelevant, offensive, or unduly long, the chairperson may require the person to cease making the submission or comment.
- 8.4 For any matter arising from such an address, the local government may take the following actions:
- refer the matter to a committee
 - deal with the matter immediately
 - place the matter on notice for discussion at a future meeting
 - note the matter and take no further action.
- 8.5 Any person addressing the local government shall stand (if able), and act and speak with decorum and frame any remarks in respectful and courteous language.
- 8.6 Any person who is considered by the local government or the mayor to be unsuitably dressed may be directed by the mayor or chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

9. Prescribed conflict of interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a council or committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, Councillors must abide by the following procedures:

- 9.1 A Councillor who has notified the Chief Executive Officer in writing, including all the particulars of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting at or before the time when the matter is to be dealt with.
- 9.2 A Councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of the interest and the particulars.
- 9.3 When notifying the meeting of a prescribed conflict of interest, the following details must be provided:
- if it arises because of a gift, loan or contract, the value of the gift, loan or contract.
 - if it arises because of an application or submission, the subject of the application or submission:
 - the name of any entity other than the councillor that has an interest in the matter,
 - the nature of the Councillor's relationship with the entity that has an interest in a matter,
 - details of the Councillor's and any other entity's interest in the matter.
- 9.4 The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject

Councillor has written notice from the Minister to participate in deciding the matter in a meeting including participating in the discussion and the vote.

Note: Ministerial approval may be obtained when a quorum is lost due to the number of councillors with a conflict of interest in the matter, and the matter cannot be delegated. The Councillor with the conflict of interest must apply to the Minister for approval to participate. The Minister may give the approval subject to the conditions stated in the notice of approval.

- 9.5 Once the Councillor has left the area where the meeting is being conducted, the council can continue discussing and deciding on the matter at hand. However, if the prescribed conflict of interest was reported to the meeting by a Councillor other than the subject Councillor, then the Councillor must disclose their belief or suspicion to the chairperson and the processes, duty to report another Councillor's conflict of interest under section 150EW of the LGA, will apply. If the Councillor with the suspected COI considers there is no conflict of interest then the eligible Councillors must make a decision whether or not the subject Councillor has a prescribed conflict of interest under 150EX(2) of the LGA.

10. Declarable conflict of interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at council or committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes under section 150EW of the LGA will apply. The eligible Councillors must then make a decision under 150EX(2) of the LGA.

When dealing with a declarable conflict of interest, Councillors must abide by the following procedures:

- 10.1 A Councillor who has notified the chief executive officer of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting.
- 10.2 A Councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must stop participating in the decision on the matter and must inform the meeting of the conflict of interest, including the particulars.
- 10.3 When notifying the meeting of a declarable conflict of interest, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following details must be provided:
- the nature of the declarable conflict of interest
 - if it arises because of the Councillor's relationship with a related party:
 - (i) the name of the related party to the Councillor
 - (ii) the nature of the relationship of the related party to the Councillor
 - (iii) the nature of the related party's interest in the matter
 - if it arises because of a gift or loan from another person to the Councillor or a related party:
 - (i) the name of the other person

For Council Meetings including Standing Committees

- (ii) the nature of the relationship of the other person to the Councillor or related party
- (iii) the nature of the other person's interest in the matter
- (iv) the value of the gift or loan and the date the gift or loan was made.

- 10.4 After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have ministerial approval to participate, or they have reasons why their participation would improve making the decision in the public interest.
- 10.5 If the Councillor chooses not to leave the meeting, the Councillor may advise the other Councillors of their reasons for seeking permission to participate in making the decision as prescribed in section 150ES of the LGA. In deciding on a Councillor's declarable conflict of interest in a matter, only Councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of eligible Councillors is less than the majority or do not form a quorum for the meeting or is a single eligible Councillor consistent with section 150ET of the LGA. If there is a single eligible Councillor deciding, then a seconder for the resolution is not required.
- 10.6 The other non-conflicted Councillors at the meeting must then decide, by resolution, whether the Councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted Councillors. The non-conflicted Councillors may impose conditions on the Councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The Councillor must comply with any decision or condition imposed by the non-conflicted councillors.
- 10.7 The Councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other Councillors in making their decision. The subject Councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the Councillor may remain in the meeting and participate in deciding the matter in which the councillor has a declarable conflict of interest.
- 10.8 When deciding whether a Councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other Councillors should consider the particular circumstances of the matter including, but not limited to:
- how does the inclusion of the Councillor in the deliberation affect the public trust
 - how close or remote is the Councillor's relationship to the related party
 - if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
 - will the benefit or detriment the subject Councillor or their related party stands to receive from the decision have major or minor impact on them
 - how does the benefit or detriment the subject Councillor stands to receive compare to others in the community
 - how does this compare with similar matters that council has decided and have other Councillors with the same or similar interests decided to leave the meeting

- whether the subject Councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.

- 10.9 If the non-conflicted Councillors cannot decide about the declarable conflict of interest of a Councillor, they are taken to have decided that the councillor must leave and stay away from the meeting while the non-conflicted Councillors discuss and vote on the matter.
- 10.10 A decision about a Councillor who has a declarable conflict of interest in a matter applies in relation to the Councillor for participating in the decision, and all subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted Councillors decide that the Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. briefing sessions or workshops.
- 10.11 In making the decision under 9.6 and 9.9, it is irrelevant how the subject Councillor intended to vote on the issue or any other issue (if known or suspected).
- 10.12 A Councillor does not contravene the above procedures if the Councillor participates in a decision under written approval from the Minister.

11. Reporting a suspected conflict of interest

If a Councillor at a meeting reasonably believes or suspects that another Councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that Councillor is participating in a decision on that matter, the Councillor must immediately inform the chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.

- 11.1 The chairperson then should ask the relevant Councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the Councillor agrees they have a conflict of interest, the Councillor must follow the relevant procedures above for prescribed and declarable conflicts of interest.
- 11.2 If the Councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 11.3 The non-conflicted Councillors must then decide whether the Councillor has a prescribed conflict of interest, a declarable conflict of interest or that the Councillor does not have prescribed or declarable conflict of interest in the matter. If the meeting decides the Councillor has a conflict of interest, the Councillor must follow the relevant procedures above.
- 11.4 If the eligible Councillors cannot reach a majority decision, then they are taken to have determined that the Councillor has a declarable conflict of interest. A decision under these provisions about a Councillor participating in the meeting applies to the matter and subsequent decisions, about the same matter unless there is a change to the Councillor's personal interests and/or the nature of the matter being discussed. If the eligible councillors decide that the subject Councillor can act in the public interest on the matter, then the Councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. workshops.

12. Loss of quorum

- 12.1 In the event where one or more Councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the council must resolve to:
- delegate the consideration and decision on the matter, pursuant to section 257 of the LGA
 - defer the matter to a later meeting
 - not decide the matter and take no further action in relation to the matter.
- 12.2 All Councillors including the conflicted Councillors, may participate in deciding to delegate or defer a matter.
- 12.3 The council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 12.4 If the matter cannot be delegated under an Act, the council should seek ministerial approval for the Councillors to be able to consider and vote on the matter, subject to any conditions the Minister may impose.

Motions

13. Motion to be moved

- 13.1 A Councillor is required to 'move' a motion and then another Councillor is required to 'second' the motion.
- 13.2 When a motion has been moved and seconded, it shall become subject to the control of Council and shall not be withdrawn without the consent of Council.
- 13.3 Other Councillors can propose amendments to the motion which must be voted on before voting on the final motion.
- A motion brought before a meeting of Council in accordance with the Local Government Act 2009 or these Standing Orders shall be received and put to the meeting by the Chairperson.
 - The Chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
 - The Chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.
- 13.4 The Chairperson may call the notices of motion in the order in which they appear on the agenda, and where no objection is taken to a motion being taken as a formal motion, the Chairperson may put the motion to the vote without discussion and the vote occur.
- 13.5 Not more than one motion or one proposed amendment to a motion may be put before a meeting of a local government at any one time.

14. Absence of Mover of Motion

14.1 Where a Councillor who has given notice of a motion is absent from the meeting of Council at which the motion is to be considered, the motion may be:

- moved by another Councillor at the meeting, or
- deferred to the next meeting.

15. Motion to be seconded

15.1 A motion or an amendment to a motion shall not be debated at a meeting of Council unless or until the motion or the amendment is seconded, with the exception of Procedural Motions.

16. Amendment of Motion

16.1 An amendment to a motion shall be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.

16.2 Where an amendment to a motion is before a meeting of Council, no other amendment to the motion shall be considered until after the first amendment has been voted on.

16.3 Where a motion is amended by another motion, the original motion shall not be put as a subsequent motion to amend that other motion.

17. Speaking to motions and amendments

17.1 The mover of a motion or amendment shall read it and shall state that it is so moved but shall not speak to it until it is seconded.

17.2 The Chairperson will manage the debate by allowing the Councillor who proposed the motion the option of speaking first on the motion. The Chairperson will then call on any other Councillor who wishes to speak against the motion and then alternatively for and against the motion as available, until all Councillors who wish to speak have had the opportunity.

17.3 A Councillor may make a request to the Chairperson for further information before or after the motion or amendment is seconded.

17.4 The mover of a motion or amendment has the right to reply. Each councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once the right of reply has been delivered the debate ends.

17.5 Each speaker will be restricted to not more than five (5) minutes unless the Chairperson rules otherwise.

17.6 Where two or more Councillors indicate they may wish to speak at the same time, the Chairperson shall determine who is entitled to priority.

17.7 In accordance with section 254H of the *Local Government Regulation 2012* (LGR), if a decision made at the council meeting is inconsistent with a recommendation or advice given to the

council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

18. Method of taking vote

- 18.1 The Chairperson will call for all Councillors in favour of the motion to indicate their support. The Chairperson will then call for all Councillors against the motion to indicate their objection. A Councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minute secretary shall record the names of Councillors voting in the affirmative and of those voting in the negative. The Chairperson shall declare the result of a vote or a division as soon as it has been determined.
- 18.2 Councillors have the right to request that their names and how they voted be recorded in the minutes if they so request, for voting other than by Division.
- 18.3 Except upon a motion to repeal or amend it, the resolution shall not be discussed after the vote has been declared.

Note: If a report contains distinct recommendations, the decision of Council may be taken separately on each recommendation. If a decision by the meeting is contra to a recommendation in a report the minutes must give the reasons for the decision.

19. Withdrawing a motion

- 19.1 A motion or amendment may be withdrawn by the mover with the consent of the council, which will be without debate, and a councillor will not speak to the motion or amendment after the mover has been granted permission by the council meeting for its withdrawal.

20. Repealing or amending resolutions

- 20.1 A resolution of Council may not be amended or repealed unless notice of motion is given in accordance with the requirements of the Local Government Act 2009 or the Local Government Regulation 2012.
- 20.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. Such deferral shall not be longer than three (3) months.

21. Procedural motions

- 21.1 A Councillor at a meeting of Council may, during the debate of a matter at the meeting, move, as a procedural motion, without the need for a seconder the following motions:
- that the question/motion be now put
 - that the motion or amendment now before the meeting be adjourned
 - that the meeting proceeds to the next item of business
 - that the question lies on the table
 - a point of order
 - a motion of dissent against the Chairpersons decision
 - that this report/document be tabled
 - to suspend the rule requiring that (insert requirement)

- that the meeting stands adjourned.

- 21.2 A procedural motion, that 'the question be put', may be moved and where such a procedural motion is carried, the Chairperson shall immediately put the question to the motion or amendment to that motion under consideration. Where such procedural motion is lost, debate on the motion or amendment to that motion will resume.
- 21.3 The procedural motion, that the motion or amendment now before the meeting be adjourned, may specify a time or date, to which the debate shall be adjourned. Where no date or time is specified:
- 21.4 a further motion may be moved to specify such a time or date, or
- 21.5 the matter about which the debate is to be adjourned, shall be included in the business paper for the next meeting.
- 21.6 Where a procedural motion, that the meeting proceeds to the next item is carried, debate on the matter that is the subject of the motion shall cease and may be considered again by Council on the giving of notice in accordance with the Standing Orders.
- 21.7 A procedural motion, that the question lie on the table, shall only be moved where the Chairperson or a Councillor requires additional information on the matter before the meeting (or the result of some other action of Council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the Council shall proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.
- 21.8 Any Councillor may ask the Chairperson to decide on a 'point of order' where it is believed that another Councillor:
- has failed to comply with proper procedures
 - is in contravention of the Local Government Act/Regulations, or
 - is beyond the jurisdiction power of Council.

Note: Points of order cannot be used as a means of contradicting a statement made by the Councillor speaking. Where a 'point of order' is moved, consideration of the matter to which the motion was moved shall be suspended pursuant to clause 10.2. The Chairperson shall determine whether the point of order is upheld.

- 21.9 Upon the question of order suddenly arising during the process of a debate, a Councillor may raise a point of order, and thereupon the Councillor against whom the point of order is raised, shall immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising shall, until decided, suspend the consideration and decision of every other question.
- 21.10 A Councillor may move 'a motion of dissent' in relation to a ruling of the Chairperson on a point of order. Where such motion is moved, further consideration of any matter shall be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the Chairperson was made shall proceed as though that ruling had not been made. Whereas

a result of that ruling the matter was discharged as out of order, it shall be restored to the business paper and be dealt with in the normal course of business.

- 21.11 The motion, 'that this report/document be tabled', may be used by a Councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
- 21.12 A procedural motion, "to suspend the rule requiring that", may be made by any Councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule shall specify the duration of such a suspension.
- 21.13 A procedural motion, that the meeting stands adjourned, may be moved by a Councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a Councillor's time for speaking to the matter, and shall be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting the Council shall continue with the business before the meeting at the point where it was discontinued on the adjournment.

22. Questions

- 22.1 A Councillor may at the local government meeting ask a question for reply by another councillor or an officer regarding any matter under consideration at the meeting. A question will be asked categorically and without argument and no discussion will be permitted at the council meeting in relation to a reply or a refusal to reply to the question. A Councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.
- 22.2 A Councillor who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.
- 22.3 The Chairperson may disallow a question which is considered inconsistent with an acceptable request or good order, provided that a Councillor may move a motion that the Chairperson's ruling be disagreed with, and if carried the Chairperson will allow the question.

Meeting Conduct

23. Process for dealing with Unsuitable Meeting Conduct

The conduct of a Councillor is unsuitable meeting conduct if the conduct happens during a council meeting and contravenes a behavioural standard of the [Code of Conduct for Councillors](#). When dealing with an instance of unsuitable conduct by a Councillor in a meeting, the following procedures must be followed:

- 23.1 The Chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a councillor at a meeting.
- 23.2 If the Chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the Councillor has had any previous warnings for unsuitable meeting conduct issued. If the Chairperson decides the conduct is of a serious nature or another warning is unwarranted, proceed to step 23.7.

- 23.3 If the Chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the councillor take remedial actions such as:
- ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
 - apologising for their conduct;
 - withdrawing their comments.
- 23.4 If the Councillor complies with the Chairperson's request for remedial action, no further action is required.
- 23.5 If the Councillor fails to comply with the Chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the request could result in an order being issued.
- 23.6 If the Councillor complies with the Chairperson's warning and request for remedial action, no further action is required.
- 23.7 If the Councillor still continues to fail to comply with the Chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 22.3, the Chairperson may make one or more of the orders below:
- an order reprimanding the Councillor for the conduct
 - an order requiring the Councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- 23.8 If the Councillor fails to comply with an order to leave and stay away from the meeting, the Chairperson can issue an order that the Councillor be removed from the meeting.
- 23.9 Following the completion of the meeting, the Chairperson must ensure:
- details of any order issued is recorded in the minutes of the meeting
 - if it is the third or more order made within a 12-month period against a Councillor, or the Councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council and treated as a conduct breach
 - the council's Chief Executive Officer (CEO) is advised to ensure details of any order made is updated in the council's Councillor conduct register.
- 23.10 Any Councillor aggrieved with an order issued by the Chairperson can move a motion of dissent for parts 22.1, 22.7 and 22.8 above.

Note: Chairpersons of a meeting are carrying out a statutory responsibility under the LGA to manage and lead the meeting. As such, where a Chairperson behaves inappropriately in a meeting this involves a serious breach of the trust placed in them as the Chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor (OIA) to be dealt with. However, breaches of trust don't arise because Councillors disagree with the Chairperson's decision or ruling during the meeting.

24. General conduct during meetings

- 24.1 After a meeting of the council has been formally constituted and the business commenced, a Councillor will not enter or leave from the meeting without first notifying the Chairperson.

- 24.2 Councillors will speak to each other or about each other during the local government meeting by their respective titles ('mayor' or 'councillor'), and when speaking of or addressing officers will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.
- 24.3 No Councillor who is speaking will be interrupted except upon a point of order being raised either by the Chairperson or by another Councillor.
- 24.4 When the Chairperson speaks during the process of a debate, the Councillor speaking or offering to speak will immediately cease speaking, and each Councillor present will observe strict silence so that the Chairperson may be heard without interruption.

25. Meeting process for dealing with Unsuitable Meeting Conduct by a Chairperson in a Meeting.

- 25.1 If a councillor at the meeting reasonably believes that the conduct of the chairperson during the meeting is unsuitable meeting conduct, the councillor will raise the matter in the meeting by point of order.
- 25.2 The chairperson may correct their unsuitable meeting conduct or if they do not properly correct their behaviour, the councillor may move a motion that the councillor has engaged in unsuitable meeting conduct (a seconder for the motion is required). Councillors present, excluding the chairperson, must decide by resolution if the conduct is unsuitable meeting conduct.
- 25.3 The chairperson has a declarable conflict of interest in the matter and must leave the place where the meeting is being held, including any area set aside for the public, during the debate and vote on the matter. If the chairperson wishes to remain in the meeting, the eligible councillors must make a decision and follow the procedures set out in *part 5* below.
- 25.4 For the debate and vote on the motion, a councillor other than the councillor that moved the motion, is to act as the chairperson.
- 25.5 If the original chairperson remains in the meeting, on the condition that they will not vote on the matter as determined by the eligible councillors, they can put forward their reasoning about their conduct, and respond to questions through the chairperson from the eligible councillors.
- 25.6 The acting chairperson of the meeting will preside over the meeting while the councillors present at the meeting vote on whether the chairperson has engaged in unsuitable meeting conduct (the acting chairperson will have a casting vote on the resolution if required).
- 25.7 If it is decided that the chairperson has engaged in unsuitable meeting conduct the councillors can make an order reprimanding the chairperson for the conduct.
- 25.8 Once the councillors make a decision, the chairperson returns to the meeting (unless they have been permitted to remain in the meeting) and is informed of the decision by the acting chairperson.
- 25.9 The chairperson then resumes the role of chairperson, and the meeting continues.

Note: Details of any reprimand order is recorded in the minutes of the meeting. The local governments chief executive officer (CEO) is advised to ensure details of any order made is updated in the local government's councillor conduct register.

For conduct of a chairperson, at local government meetings that is part of a course of conduct leading to a reprimand order for unsuitable meeting conduct being made against the chairperson, on three occasions within a period of 12 months, the conduct that led to the orders being made, taken together, becomes a conduct breach.

If the conduct of a councillor, including a chairperson, at the meeting becomes a conduct breach; in accordance with section 150J of the LGA, and is a conduct breach under section 150K(2)(b) and (3) of the LGA, the local government is not required to notify the assessor about the conduct; and may deal with the conduct under section 150AG as if an investigation had been conducted. It may be dealt with at the next local government meeting.

26. Meeting process for dealing with a suspected conduct breach which has been referred to Council by the Independent Assessor (IA)

Pursuant to Chapter 5A, Division 3A of the LGA (Preliminary Assessments) the IA must make a preliminary assessment and consider dismissing a complaint, notice or information before taking other action if satisfied that particular circumstances apply. If the IA assesses that the matter is a suspected conduct breach it must refer the matter to the local government. The assessor refers the councillor's suspected conduct breach to the local government by giving a referral notice.

Note: Conduct breach is conduct that contravenes a behavioural standard of the code of conduct for councillors, or a policy, procedure or resolution of the local government; or the conduct contravenes an order of the chairperson of a local government meeting for the councillor to leave and stay away from the place at which the meeting is being held or an instance of a suspected conduct breach that may arise from circumstances under paragraph 23.9 dot point two of this document.

When dealing with an instance of suspected conduct breach which has been referred to a local government by the IA:

- 26.1 The council must be consistent with the local government principle of transparent and accountable decision making in the public interest by dealing with suspected inappropriate conduct in an open meeting of the council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the council may resolve to go into closed session under section 254J of the LGR to discuss the allegation.
- 26.2 The subject Councillor has a declarable conflict of interest in the matter and is permitted by the council to remain in the meeting during the debate about whether the Councillor engaged in the inappropriate conduct and answer questions put to the subject councillor by the chairperson to assist the other Councillors in making a decision. This permission to remain in the meeting for the debate is on the condition that the subject Councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the Councillor is found to have committed inappropriate conduct.
- 26.3 Should the complainant be a Councillor, that Councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in

section 9. If the complainant Councillor who has a declarable conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other Councillors must decide how to deal with the conflict of interest under section 9. The complainant Councillor can be ordered to leave the meeting place or conditions may be applied to allow that Councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.

- 26.4 The council must debate the issue and decide whether the accused Councillor committed a conduct breach. If the council has lost quorum due to the number of conflicted Councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or deferred to another date when a quorum will be present.
- 26.5 If a decision is reached that the accused Councillor has engaged in a conduct breach, then the Councillors must decide what penalty or penalties from the orders detailed in 24.6, if any, to impose on the Councillor. In deciding what penalty to impose, the council may consider any previous inappropriate conduct of the Councillor and any allegation made in the investigation that was admitted, or not challenged, and that the council is reasonably satisfied is true.
- 26.6 The council may order that no action be taken against the Councillor or make one or more of the following:
- an order that the Councillor make a public admission that the councillor has engaged in inappropriate conduct
 - an order reprimanding the Councillor for the conduct
 - an order that the Councillor attend training or counselling to address the Councillor's conduct, including at the Councillor's expense
 - an order that the Councillor be excluded from a stated council meeting
 - an order that the Councillor is removed, or must resign, from a position representing the local government, other than the office of Councillor, for example that the Councillor is ordered to resign from an appointment representing the local government on a state board or committee
 - an order that if the Councillor engages in the same type of conduct again, it will be treated as misconduct
 - an order that the Councillor reimburse the council for all or some of the costs arising from the Councillor's inappropriate conduct.
- 26.7 A local government may not make an order that the Councillor attend training/counselling, be suspended from a meeting, be removed or resign from a position or that the same conduct will be treated as misconduct in future, in relation to a person who is no longer a Councillor.
- 26.8 The subject Councillor, and where relevant, the complainant Councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the Chairperson must advise them of the details of the decision.
- 26.9 The Chairperson must ensure the meeting minutes reflect the resolution made.

27. Disorder

- 27.1 The Chairperson may adjourn the meeting of Council, where disorder arises at a meeting other than by a Councillor. On resumption of the meeting, the Chairperson shall move a motion, which shall be put without debate, to determine whether the meeting shall proceed. Where

such a motion is lost, the Chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

Attendance and Non-Attendance

28. Attendance of public and the media at meeting

- 28.1 An area shall be made available at the place where any meeting of Council is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area shall be permitted to attend the meeting.
- 28.2 When the Council is sitting in Closed Session, the public and representatives of the media shall be excluded.

29. Closed session

- 29.1 Council and standing committee meetings may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:
- appointment, dismissal or discipline of the CEO
 - industrial matters affecting employees
 - the council's budget
 - rating concessions
 - legal advice obtained by the council, including legal proceedings that may be taken by or against the council
 - matters that may directly affect the health and safety of an individual or a group of individuals
 - negotiations relating to a commercial matter involving the council for which a public discussion could prejudice the interests of the council
 - negotiations relating to the taking of land by the council under the *Acquisition of Land Act 1967*
 - a matter that the council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or state.
- 29.2 A council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillor's personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a declarable conflict of interest in the matter.
- 29.3 Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and the council must;
- delegate the matter
 - decide by resolution to defer to a later meeting
 - decide by resolution to take no further action on the matter.

Note: None of the above will be considered, discussed, voted on or made during a closed session.

If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

29.4 To take a matter into a closed session the council must abide by the following:

- pass a resolution to close the meeting
- the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered
- if the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated
- not make a resolution while in a closed meeting (other than a procedural resolution).

30. Teleconferencing of meetings

30.1 If a Councillor wishes to be absent from a council meeting place during a meeting, the Councillor must apply to the Chairperson to participate by teleconference, at least three (3) business days prior to the meeting or as soon as practicable once the Councillor becomes aware of their intended absence. The Chairperson may allow a Councillor to participate in a council or committee meeting by teleconference.

30.2 A Councillor taking part by teleconference is taken to be present at the meeting if the Councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the Councillor must be recorded in the minutes as present at the meeting.

Note: Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

31. Related Documents

Document Title
Councillor Code of Conduct
Meeting Procedures
Investigations of Inappropriate Councillor Conduct Policy

32. Document History

Revision Number	Revision Details	Approved By (Officers Name)	Resolution Number	Date
1.0	As provided by Department of Local Government, racing and Multicultural Affairs	Ordinary Council Meeting	1499251	27/11/2018
1.1	Updated 6.1 to require requests for deputations to include details of the topic to be discussed.	Ordinary Council Meeting	1528840	14/05/2019

2.0	Updated in line with new legislation introduced 12 October 2020	Ordinary Council Meeting	N/A	10/11/2020
3.0	Amended November 2022. Adopted by Council 28 Feb 2023.	Ordinary Council Meeting	1741038	28/2/2023
4.0	Amended Jan 2024			

6.4.5. GOVERNANCE

Local Government Remuneration Commission Annual Report 2023

File Reference: 404

Report Author: Rebecca Stockdale, Senior Governance Officer

Authoriser: Nick OConnor, Director Corporate and Community Services

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

5.2.1: Demonstrate open and transparent leadership.

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

Executive Summary

The Local Government Remuneration Commission is an independent body appointed by the State Government charged with the responsibility of deciding the remuneration amounts for Mayors, Deputy Mayors and Councillors in Queensland. The Commission is also responsible for reviewing and deciding the categories for each Local Government. Each year, the commission publishes this information in their annual report. The Local Government Remuneration Commission Annual Report 2023 was published in December and is attached to this report. The report establishes new categories for Councils in Queensland, based primarily on operational revenue. Other supporting criteria used to categorise councils includes population/geography dispersion, projected population growth, and socio-economic indexes for areas (SEIFA).

Recommendation

That Council notes the Local Government Remuneration Commission Annual Report 2023 as attached to this report.

Background

The Local Government Remuneration Commission has determined that Burdekin Shire Council is now a category B1 Council. This new category is to be applied from 1 July 2024. The operational revenue threshold for Category B Councils is \$50.1m to \$125m. The method for remuneration in category B1 has now changed. Previously, remuneration was paid on as two thirds base payment and on third meeting attendance payment. As a B1 Council this no longer applies and payment will be made in equal allotments.

The below table demonstrates the current remuneration rates for Burdekin Shire Councillors and the new remuneration rates.

Position	23/24	24/25
Mayor	\$114,801.00	\$120,541.00
Deputy Mayor	\$ 66,231.00	\$ 69,543.00
Councillor	\$ 57,400.00	\$ 60,270.00

Consultation

Councillors discussed the the Commission's report at a workshop on 6 February 2024.

Budget & Resource Implications

Councillor remuneration is included in the Council Budget. New remuneration amounts will become effective from 1 July 2024.

Legal Authority & Implications

Not Applicable.

Policy Implications

The Councillor Remuneration Policy will be reviewed and a recommendation will be made regarding rescinding the policy at the end of the current financial year.

Risk Implications (Strategic, Operational, Project Risks)

Not Applicable.

Attachments

1. local-government-remuneration-commission-report-2023

Local Government Remuneration Commission

Annual Report 2023

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Any references to legislation are not an interpretation of the law. They are to be used as a guide only. The information in this publication is general and does not consider individual circumstances or situations. Where appropriate, independent legal advice should be sought.

An electronic copy of this report is available at www.dsdlgp.qld.gov.au.

13 December 2023

The Hon. Steven Miles MP
Deputy Premier
Minister for State Development, Infrastructure, Local Government and Planning and Minister
Assisting the Premier on Olympic and Paralympic Games Infrastructure
1 William Street
Brisbane QLD 4000

Dear Deputy Premier

On 1 December 2023, the Local Government Remuneration Commission (Commission) concluded its determination of the levels of remuneration for mayors, deputy mayors and councillors of Queensland local governments (excluding Brisbane City Council) as required by section 177(c) of the *Local Government Act 2009* and Chapter 8, Division 1 of the *Local Government Regulation 2012* (the Regulation).

This also concluded our review of the council remuneration categories, which the Commission undertook during 2023 in accordance with the requirement of section 243 of the Regulation.

Our determinations on these matters, together with the Remuneration schedule to apply from 1 July 2024 are included in the enclosed Report, which we commend to you.

Yours sincerely



Robert (Bob) Abbot OAM
Chairperson



Andrea Ranson
Commissioner



Reimen Hii
Commissioner

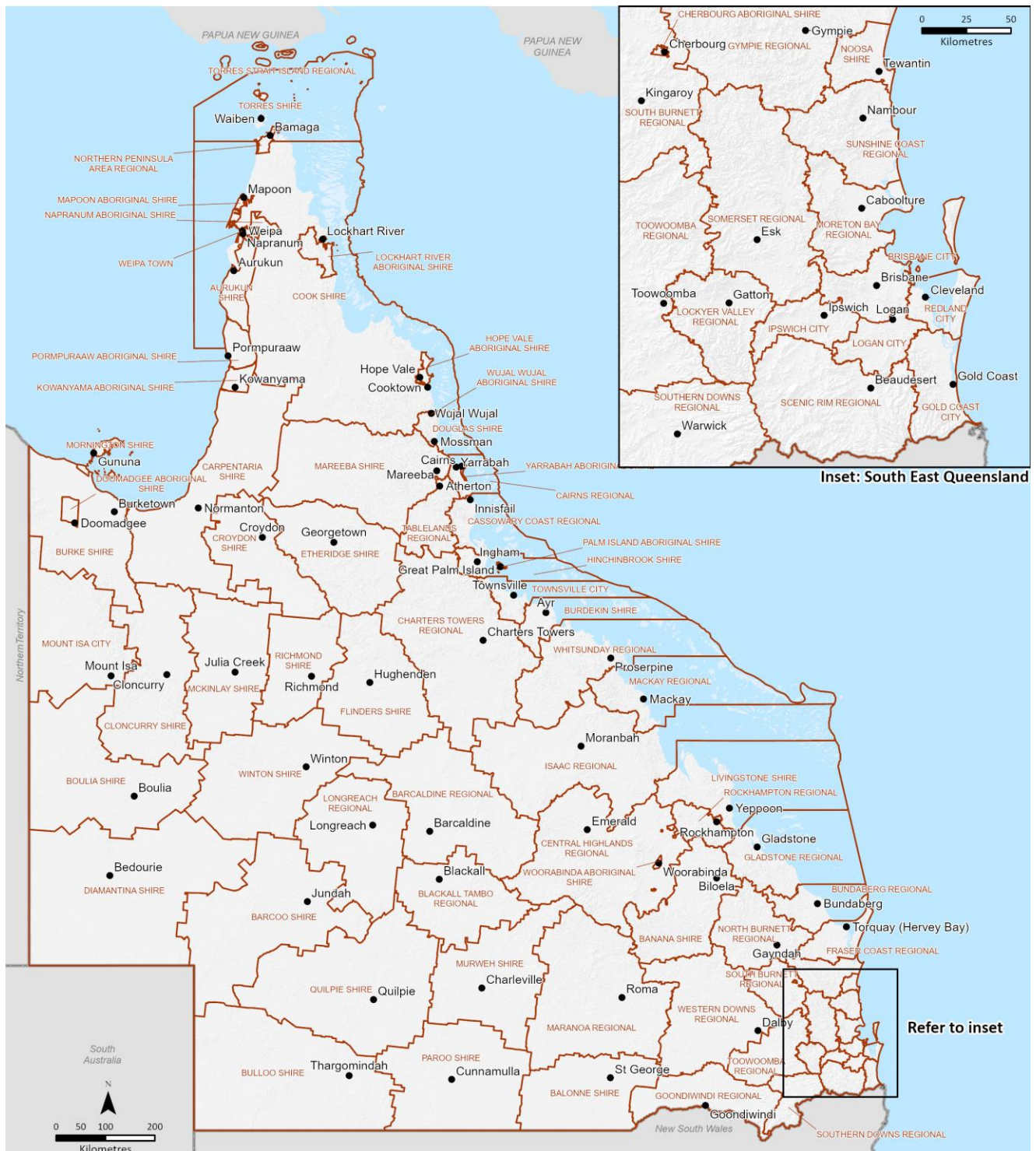


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1.2023 Report key determinations

Review of council remuneration categories

The Commission has a statutory obligation to complete a review of the remuneration categories once during each local government term.

Consistent with section 243 of the *Local Government Regulation 2012* (the Regulation) the Commission has completed a review of council remuneration categories, which included consultation with Queensland councils and other stakeholders. Following this review the Commission has established new remuneration categories to better reflect the current environment.

Under the *Local Government Act 2009* (the Act), in establishing council categories, the Commission is required to consider the size, and geographical and environmental terrain, of local government areas; the population of local government areas, including the areas' demographics, the spread of population serviced by the local governments and the extent of the services the local governments provide; and any other matter relevant to the effectiveness, efficiency and sustainability of local government.

Following a comprehensive review during 2023, a new set of council remuneration categories has been developed for implementation from 1 July 2024.

Determination of maximum remuneration levels

The Commission has established maximum remuneration levels for Queensland mayors, deputy mayors and councillors for each of the new council remuneration categories. In most cases maximum remuneration levels increase by between 3% and 5% from 2023-24.

As a result of the outcomes of the review, and in the application of the new methodology determined by the Commission in setting the new council remuneration categories, some councils will receive a larger maximum remuneration level increase. No councils receive a reduced maximum remuneration level.

In making its determination of maximum remuneration levels applicable for 2024-25, the Commission considered the following:

- The practical outcome of the Commission's new category methodology, together with the general application of earlier principles that have been consistently applied by the Commission in its annual determination, namely; consistency and austerity, when reviewing wages in the public sector.
- The importance of maintaining financially sustainable and fiscally responsible wage growth, taking into consideration:
 - the recently challenging and unstable inflationary environment and measures taken by other government authorities to manage the impacts of inflation;
 - the challenges faced by local governments and their communities in relation to climate change and environmental, social and corporate governance (ESG) reporting;
 - the affordability and sustainability impacts for councils of wage increases for elected members;

- the Commission's inability to predict changes in the Consumer Price Index (CPI) in the short or long term;
- the potential differential impact of CPI changes across various parts of Queensland, including rural and remote regions;
- the appropriateness or otherwise of CPI as a potential measure in significant inflationary periods of time and the relative volatility of CPI in the past twelve (12) months;
- existing remuneration disparity in dollar terms between the remuneration paid to mayors and councillors in smaller, rural, regional and remote parts of Queensland when compared to mayors and councillors in larger, metropolitan locations;
- the role of local governments in Queensland's economic development and innovation;
- anecdotal evidence of uncertainty as to future trade and industry opportunities and how this may impact sustainability of communities;
 - anecdotal evidence of the potential costs and resources required to address climate, sustainability and ESG reporting requirements, including trade diversification and significant anticipated increases in investment in infrastructure and innovation;
 - anecdotal evidence of transient populations and the impact of serving the needs of a shifting population;
 - anecdotal evidence of, and a generally observed increasing call from council's for role recognition via remuneration increases that align with attracting diversity and high performance in mayor and councillor candidates;
- anecdotal evidence of the desire to attract and retain high quality candidates to these roles, particularly in regional and remote areas.

The Commission further took into consideration the following data:

- Increase in CPI¹:

	Dec qtr 2022	Mar qtr 2023	Jun qtr 2023	Sep qtr 2023
All Groups CPI inflation change (quarterly)				
Brisbane	1.5%	1.9%	1.0%	0.7%
Australia ¹	1.9%	1.4%	0.8%	1.2%
All Groups CPI inflation change (annual)				
Brisbane	7.7%	7.4%	6.3%	5.2%
Australia	7.8%	7.0%	6.0%	5.4%

¹ 'Australia' refers to weighted average of eight capital cities

- Increases in the Wage Price Index (WPI) for the financial year ended 30 June 2023 as compared to the financial year ending 30 June 2022²:

¹ Australian Bureau of Statistics
Consumer Price Index, Australia, September 2021 | Australian Bureau of Statistics
(abs.gov.au)<https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>

² Australian Bureau of Statistics
<https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/wage-price-index-australia/sep-2023>

		Seasonally adjusted		Original	
		All Industries	Public Sector	All Industries	Public Sector
Quarterly change	Queensland			2.3%	
Jun 2023 to Sep 2023	Australia	1.3%	0.9%	1.9%	1.1%
Annual change	Queensland			4.7%	
Sep 2022 to Sep 2023	Australia	4.0%	3.5%	4.1%	3.5%

- As in previous years, the Commission considered the Brisbane City Council's Independent Councillor Remuneration Tribunal (ICRT) remuneration determination as a potentially relevant factor. However, at the time of the Commission's determination the ICRT had not yet made their decision about remuneration.
- The Office of Industrial Relations (OIR) advice that on 23 October 2023, the *State Government Entities Certified Agreement 2023* (2023 Core Agreement) was certified by the Queensland Industrial Relations Commission (QIRC). The wage increased as part of the 2023 Core Agreement are as follows
 - 4% effective 1 July 2023 + COLA payment of max 3% base wages
 - 4% effective 1 July 2024 + max 3% COLA if applicable
 - 3% effective 1 July 2025 + max 3% COLA if applicable.

COLA refers to the Cost of Living Adjustment paid if CPI is higher than the base wage increases e.g. in a year where base increase is 4% and CPI is 7% the COLA paid will be 3%. If base increase is 4% and CPI is 6%, the COLA paid will be 2%.

New South Wales³

- Section 239 of the New South Wales Local Government Act (the LG Act) requires the New South Wales Tribunal (NSW Tribunal) to determine the categories of councils and mayors at least once every 3 years.
- In accordance with the LG Act the NSW Tribunal undertook a review of the categories and allocation of councils into each category as part of this review.
- Accordingly, the revised categories of general purposes councils were determined by the NSW Tribunal as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

- The NSW Tribunal determination of a 3 per cent per annum increase in the minimum and maximum fees applicable to each category, together with the NSW Tribunal determination

³ <https://www.remtribunals.nsw.gov.au/local-government/current-lgrt-determinations>

for new categories having regard to the relevant factors and relativities of remuneration ranges for existing categories.

Victoria

- On 30 June 2023, the Victorian Independent Remuneration Tribunal made the allowance payable to mayors, deputy mayors, and councillors (Victoria) Annual Adjustment Determination 2023⁴.
- The VIRT determined a 2% increase to the values of the base allowances payable to mayors, deputy mayors, and councillors, effective from 1 July 2023. A 2% increase has also been applied to the base allowance values which take effect on⁵:
 - 18 December 2023
 - 18 December 2024 (mayors and deputy mayors only)
 - 18 December 2025 (mayors and deputy mayors only).

Tasmania

- In Tasmania, the remuneration for local government councillors is automatically increased under the provisions of the Local Government (General) Regulations 2015. The increase, effective 1 November 2023, is an automatic indexation of local government allowances provided for under the Local Government Act 1993 (Tas) by multiplying the allowances for the previous year by the inflationary factor (determined by calculating the current year's June quarter Wage Price Index divided by the previous years' June Wage Price Index)⁶.

Northern Territory

- In the Northern Territory, the allowances for local government council members are indexed by CPI (Darwin) on 1 July each year⁷.

Councillor advisors

The Commission did not receive any direction or request from councils to make recommendations relating to councillor advisors in the period between 1 December 2022 to 30 November 2023.

⁴ <https://www.vic.gov.au/allowances-mayors-deputy-mayors-and-councillors#minister%E2%80%99s-letter-of-request>

⁵ <https://www.vic.gov.au/allowances-mayors-deputy-mayors-and-councillors-annual-adjustment>
https://www.dpac.tas.gov.au/divisions/local_government/councillor_resources/councillor_allowances
https://www.dpac.tas.gov.au/__data/assets/pdf_file/0019/126613/2023-Councillor-allowances-information-sheet.PDF

⁷ <https://dlghcd.nt.gov.au/local-government/local-government-legislationguideline-1-local-authorities.pdf>
(nt.gov.au)

2. The Commission

Formation and composition

The Local Government Remuneration Commission (the Commission) is an independent entity established under the *Local Government Act 2009* (the Act). On 1 October 2019, Governor in Council, approved the current Commission for a term of four years.

The Chair and Commissioners were reappointed by Governor in Council for a second four-year term on 1 October 2023.

This is the fifth report of the Commission, and the 17th report including the reports of the former Local Government Remuneration and Discipline Tribunal and the Local Government Remuneration Tribunal.

The Chair and Commissioners of the Commission are:

Mr Robert (Bob) Abbot OAM

Chairperson

Mr Abbot has extensive experience in the local government sector with 32 years as an elected councillor and mayor. Mr Abbot has experience working at state and national local government organizations and has held board and panel positions, including Deputy Chair of the South East Queensland Council of Mayors, Director of the Local Government Association of Queensland (LGAQ), and Director of the Australian Local Government Association. Mr Abbot has been a mentor for newly elected mayors on behalf of the LGAQ, with a particular focus on mentoring Queensland Indigenous mayors.

In the Australia Day 2021 Honours List, Mr Abbot was the recipient of an Order of Australia (OAM) for his service to local government and to the communities of Noosa and the Sunshine Coast.

Ms Andrea Ranson

Commissioner

Ms Ranson is a practising commercial and dispute resolution lawyer with experience in both public and private sectors of business and governance. She holds a Master of Laws (LLM), Bachelor of Laws (Hons) and Bachelor of Arts from Monash University, Victoria. She is additionally a Graduate of the Australian Institute of Directors (GAICD) and a Fellow of the Governance Institute of Australia (FGIA). Ms Ranson is a director appointed to North Queensland Bulk Ports Corporation, a government owned corporation, holding the role of Chair of the Corporate Governance and Planning Committee, and the role of Member of the Audit & Financial Risk Management Committee of that Board. Her experience includes business and commercial law, employment and industrial relations, diversity, justice, and ethics. Ms Ranson lives regionally and is passionate about regional development. Ms Ranson is a Nationally Accredited Mediator presently working with QCAT, the QSBC, the QBCC and is a member of the QLD Department of Justice & Attorney-General Dispute Resolution Panel.

Mr Reimen Hii

Commissioner

Mr Hii is a barrister and Nationally Accredited Mediator. He holds the degrees of Bachelor of Laws and Bachelor of Arts. He is a practicing lawyer with extensive knowledge in public administration and community affairs, and a particular interest in civil and commercial law. Mr Hii is experienced in professional discipline matters, including investigations, public administration, corporate and public governance, public sector ethics and finance. Mr Hii has a culturally and linguistically diverse background and experience collaborating with diverse communities. Mr Hii has previously been recognized as Australian Young Lawyer of the Year by the Law Council of Australia, in recognition of his significant contribution to access to justice and diversity advocacy. Mr Hii provides a deep understanding of diversity and brings well respected analytic skill, together with legal and business acumen to the role.

Remuneration responsibilities

Chapter 6, Part 3 of the Act, established the Local Government Remuneration Commission to assume the remuneration functions of the former Local Government Remuneration and Discipline Tribunal which ceased to exist on 3 December 2018.

Section 177 of the Act provides the functions of the Commission are:

- to establish the categories of local governments, and
- to decide the category to which each local government belongs, and
- to decide the maximum amount of remuneration payable to the councillors in each of the categories, and
- to consider and make recommendations to the Minister about the following matters relating to councillor advisors—
 - (i) whether or not to prescribe a local government under section 197D(1)(a)
 - (ii) the number of councillor advisors each councillor of a local government may appoint
 - (iii) the number of councillor advisors a councillor of the council under the City of Brisbane Act 2010 may appoint; and
- another function related to the remuneration of councillors if directed, in writing, by the Minister.

Chapter 8, Part 1, Division 1 of the *Local Government Regulation 2012* (Regulation) sets out the processes of the Commission in deciding the remuneration that is payable to mayors and councillors.

The Regulation requires the Commission to review the categories of local governments once every four years, in the year prior to each quadrennial election, to determine whether the categories and the assignment of local governments to those categories require amendment.

After determining the categories of local governments, the Regulation also requires the Commission to decide annually, before 1 December each year, the maximum amount of remuneration to be paid to mayors, deputy mayors and councillors in each category from 1 July of the following year.

In addition, section 248 of the Regulation allows a local government to make a submission to the Commission to vary the remuneration for a councillor, or councillors, to a level higher than that stated in the Remuneration schedule where the local government considers exceptional circumstances apply. The Commission may, but is not required to, consider any such submission. If the Commission is satisfied that exceptional circumstances exist, the Commission may approve payment of a higher amount of remuneration.

Section 197A of the Act established requirements for councils that wish to employ councillor advisors and councillor administrative support staff to assist councillors to complete their duties.

The requirements in relation to the appointment of councillor advisors include the following:

- must vote to pass a resolution to create councillor advisor positions (except Brisbane City Council)
- appoint advisor, at the discretion of councillors and only until the councillor's term ends, unless re-appointed by a new councillor

- must report the costs of councillor advisors to the community, for example through the council's annual report.

Requirements for councillor advisors include the following:

- they must submit registers of interests and keep them up to date
- they must follow a new Code of conduct for councillor advisors in Queensland
- they must comply with the local government principles and can be found guilty of integrity offences.

The Commission is yet to receive any submissions or enquiries in relation to councillor advisors as at the date of its determination.

3. Remuneration determination

Remuneration determination for councillors

As required by section 246 of the Regulation the Commission has prepared a Remuneration schedule (the Schedule) for the 2023-2024 financial year, applicable from 1 July 2024, which appears below.

Arrangements have been made to publish the Schedule in the Queensland Government Gazette and for this Report to be printed and presented to the Minister for Local Government.

Methodology

The Commission had regard to the matters in section 244 and 247 (2), (5) of the Regulation in determining the Schedule. The Commission also noted and had regard to the matters listed throughout this Report to determine the appropriate maximum remuneration in each category of local government.

Matters not included in the Remuneration schedule

The Commission considered all submissions received during the consultation phase of the review of council categorisations for the purpose of developing a framework to create categories and place councils.

Pro rata payment

Should an elected representative hold a councillor position for only part of a financial year, they are only entitled to remuneration to reflect the portion of the year served. It is out of the scope of the Commission's powers to determine otherwise.

Remuneration schedule to apply from 1 July 2024

Remuneration determined from 1 July 2024 (\$ per annum; see Note 1)				
Category	Local Governments assigned to categories	Mayor	Deputy Mayor	Councillor
A1 ** Note 2	Barcaldine Regional Council	\$119,393	\$68,880	\$59,695
	Barcoo Shire Council			
	Bulloo Shire Council			
	Croydon Shire Council			
	Doomadgee Aboriginal Shire Council			
	Kowanyama Aboriginal Shire Council			
	Mapoon Aboriginal Shire Council			
	McKinlay Shire Council			
	Richmond Shire Council			
	Torres Shire Council			
	Woorabinda Aboriginal Shire Council			
	Wujal Wujal Aboriginal Shire Council			
A2 ** Note 2	Aurukun Shire Council	\$119,393	\$68,880	\$59,695
	Blackall-Tambo Regional Council			
	Boulia Shire Council			
	Burke Shire Council			
	Cherbourg Aboriginal Shire Council			
	Cloncurry Shire Council			
	Diamantina Shire Council			
	Etheridge Shire Council			
	Hinchinbrook Shire Council			
	Hope Vale Aboriginal Shire Council			
	Lockhart River Aboriginal Shire Council			
	Mornington Shire Council			
	Murweh Shire Council			
	Napranum Aboriginal Shire Council			
	North Burnett Regional Council			
	Palm Island Aboriginal Shire Council			
	Paroo Shire Council			
	Pormpuraaw Aboriginal Shire Council			
	Quilpie Shire Council			
	Winton Shire Council			
	Yarrabah Aboriginal Shire Council			

A3 ** Note 2	Longreach Regional Council	\$120,541	\$69,543	\$60,270
	Balonne Shire Council			
	Douglas Shire Council			
	Flinders Shire Council			
	Goondiwindi Regional Council			
	Northern Peninsula Area Regional Council			
B1	Banana Shire Council	\$120,541	\$69,543	\$60,270
	Carpentaria Shire Council			
	Burdekin Shire Council			
	Cook Shire Council			
	Torres Strait Island Regional Council			
B2	Maranoa Regional Council	\$146,239	\$91,399	\$77,688
	Cassowary Coast Regional Council			
	Charters Towers Regional Council			
	Gympie Regional Council			
	Livingstone Shire Council			
	Mareeba Shire Council			
	Mount Isa City Council			
	Scenic Rim Regional Council			
	Somerset Regional Council			
	South Burnett Regional Council			
	Southern Downs Regional Council			
	Tablelands Regional Council			
B3	Isaac Regional Council	\$146,593	\$91,620	\$77,876
	Noosa Shire Council			
	Whitsunday Regional Council			
	Lockyer Valley Regional Council			
C1	Central Highlands Regional Council	\$148,359	\$92,723	\$78,814
	Western Downs Regional Council			
C2	Gladstone Regional Council	\$171,156	\$112,604	\$99,090
	Rockhampton Regional Council			
C3	Bundaberg Regional Council	\$172,818	\$113,697	\$100,052
	Fraser Coast Regional Council			
D2	Cairns Regional Council	\$198,182	\$135,123	\$117,109
	Mackay Regional Council			
	Redland City Council			
	Toowoomba Regional Council			
D3	Townsville City Council	\$225,206	\$153,145	\$135,123
	Ipswich City Council			
E2	Logan City Council	\$252,233	\$174,761	\$153,141

	Moreton Bay City Council			
	Sunshine Coast Regional Council			
F2	Gold Coast City Council	\$279,258	\$196,679	\$166,653

Notes to the Remuneration schedule

The 2014 annual report by the former Local Government Remuneration and Discipline Tribunal explained the rationale behind the adoption of a system of remuneration which comprised a base payment (of two thirds of the annual remuneration) and a monthly payment based upon attendance at, and participation in, the 12 mandated council meetings.

* Note 1

The monetary amounts shown are the per annum figures to apply from 1 July 2024. If an elected representative only serves for part of a full financial year (that is, 1 July to 30 June) they are currently only entitled to a pro rata payment to reflect the portion of the year served.

** Note 2

For councillors in category A1, A2 or A3 councils, a base payment of \$39,796.67 is payable for the 12 months commencing on 1 July 2024. A meeting fee of \$1,658 per calendar month (or fortnightly equivalent) is payable for attendance at, and participation in, scheduled meetings of council subject to certification by the mayor and/or chief executive of the council. Mayors and deputy mayors in category A1, A2 and A3 are currently entitled to receive their full annual remuneration level shown.

The Commission has not determined to make changes to the system of base payment and mandated council meetings for its 2022-2023 determination. Future consideration by the Commission may be given to whether changes to the current system should be made.

4. Finalisation of council categorisation review

As outlined in the Commission's [Consultation Paper](#) released in July 2023, the new framework for council categorisation would include a primary criterion and supporting criteria to assist in the categorisation of councils.

The Commission has considered various input factors and has determined that operating revenue aligns to the Commission's guiding principles for the category review and importantly the legislative requirements as it addresses all the primary requirements. The Commission observed that a council's revenue raising capacity is influenced by the size of land, population demographics and the extent of service delivery required to be met.

The Commission has used operating revenue as the primary criterion to guide decision-making about council categorisation. A council's operating revenue information is collated from council's audited financial records will consist of net rates, service fees, utilities and charges, operating grants revenue, sales contract, and recoverable works. This will not include capital grants or disaster recovery grants. This information is readily available and supports a transparent methodology.

Supporting criteria are included by the Commission in the framework to assist the primary criteria classification. The supporting criteria recognises elements that are not captured by operating revenue, but which may have an impact on the complexity and demands placed on a council.

The supporting criteria used by the Commission includes:

- population/geography dispersion
- projected population growth
- socio-economic indexes for areas (SEIFA)

Future criterion for category determination may include items raised in council's submissions received, for example, the impact of trade or industry diversification / growth; the impact of transient populations; the impact and cost of working with renewables.

The Framework for council categorisation includes:

CRITERIA		KEY MEASURE (SOURCE)	RATIONALE
PRIMARY CRITERION	Revenue	Total operating revenue (Source: Council's Financial Statements)	Total operating revenue (rates, service fees, grants, other sources) provides an accurate measure of regular and sustained revenue to reflect the scale and complexity of operations on an ongoing basis and is not subject to fluctuations.
SUPPORTING CRITERIA	Population/ Geography	Population dispersion based on total average distance from primary centre (calculated as average km of small centres from primary centre multiplied by number of small places based on scaled count score) (Source: QGSO)	Population dispersion considers both population and geography. It reflects the travel demands placed on council / councillors, as measured by the total average distance from the primary centre, which is not captured by total operating revenue, or the other supporting criteria.
	Projected population growth	Annualised population growth based on data from the previous 5 years and projected 5 years (Source: QGSO)	A historical and projected view over a 10-year period smooths out and reduces any potential projection errors. Any significant infrastructure and service delivery impacts on Council because of projected population growth would include longer-term planning horizon. This approach acknowledges the complexities of future planning and infrastructure development not reflected in total operating revenue or other supporting criteria.
	Socio-Economic Status	SEIFA index of relative socio-economic disadvantage decile (Source: ABS)	SEIFA is a commonly used measure to assess the socio-economic status of an area.

The revenue thresholds used for the primary criterion were as follows:

Category	Operating Revenue
A	Up to \$50m
B	\$50.1m to \$125m
C	\$125.1m to \$250m
D	\$250.1m to \$500m
E	\$500.1m to \$1b
F	> \$1b

Category review consultation

In July 2023, the Commission released a consultation paper to councils as part of the review process. The Commission confirmed that submissions in response to the consultation paper would be considered as part of completing the category review.

26 responses were received by the Commission, these were made up of submissions from councils, individual councillors, and council associations.

Overall, 90% of the respondents were supportive of the case for change, 83% supported the guiding principles, whilst 59% supported operating revenue as the key criterion.

One council who did not support the case for change also commented that total operating revenue should exclude non recurrent grant and incomes such as disaster recovery funding.

97% support was observed for the use of supporting criteria to further differentiate from the revenue categories.

Key themes

Industry Impacts

The use of industry impacts as a supporting criterion was widely supported by councils, however, there were very few metrics that could be used to document this impact to councillor complexity. The impacts from industry included; mining, FIFO and non-resident population, regional planning/development applications and Indigenous Councils' inability to attract certain industries due to their lack of freehold land.

However, without a fair, equitable and contestable metric to measure this impact the Commission decided that this potential supporting criterion would presently remain on hold. The Commission may elect to give future consideration to these suggested metrics.

Diversity of council issues and councillor challenges

Multiple submissions highlighted the difficulties for council's that were negatively impacted by managing and providing services to a transient, non-resident population. This was notable in the responses received from regional areas and those with significant FIFO or tourism activity.

Town and regional planning including development precincts such as state planning areas; were also raised as topics that increased the challenges for councils due to large scale negotiations of the council.

Small councils

A theme raised by a group of councils indicated that the size of the council does not reflect the needs and requirement of councillors in smaller councils, particularly where the council has limited administrative resources. It was also highlighted that the framework did not recognise the increased need in smaller councils for greater travel, advocacy, and the difficulty in provision of services.

5. Matters raised with the Commission

A summary table of submissions made to the Commission during the review period and the Commission's determination is provided below.

Meetings and deputations

Local governments were provided with the opportunity to engage with the Commission at the Annual Conference of the LGAQ in Gladstone from 21 to 23 October 2023.

Livingstone Shire Council, Logan City Council, Sunshine Coast Regional Council, Northern Peninsular Area Regional Council, Western Down Regional Council, and Western Queensland Alliance of Councils provided the Commission with oral deputations during the 2023 LGAQ Conference in Gladstone.

Local governments were also given an opportunity to provide written submissions to the Commission. A total of 26 written submissions were received and considered.

The Commission did not seek submissions solely based on remuneration during the period of its category review. Many of the 26 written submissions proposed greater remuneration based on the complexities of modern governance faced by councillors and mayors.

In making its determination, the Commission had regard to all submissions it received, together with the matters on throughout this report.

Key points raised with the Commission during the 2023 review period included themes that had been consistently submitted by councils in earlier years; as accounting for an increase in complexity and workload for elected members. These included:

- **Innovation and Sustainability:** growing demands on council to take action, particularly in relation to transitioning to renewables and economic diversification.
- **Remuneration and Talent:** need for competitive salaries to attract diverse and skilled elected candidates and a desire to attract and maintain high quality candidates, particularly in regional areas.
- **Innovation Recognition:** exploring potential ways to incentivise and reward innovative council initiatives that support community growth, resourcefulness and development.
- **Inflationary Impact:** addressing the disproportionate impact of rising inflation on local governments and their constituents, especially those on lower incomes and in rural areas.
- **Economic Uncertainty:** navigating the current volatility and uncertainty surrounding inflation and its impact on cost-of-living pressures.
- **Community Sustainability:** ensuring the long-term viability and prosperity of communities during the global transition to renewable energy and the need for significant infrastructure changes.

Table – Summary of 2023 submissions

1	Date received	<u>Oral submission</u> 17 October 2023 – LGAQ Annual Conference
	Received from	<u>Livingstone Shire Council:</u> Councillor Andrea Friend
	Summary of submission	<p>Livingstone Shire Council has approximately 9,000 ratepayers though they are all portfolio councillors and not divisional councillors. Therefore, all councillors are required to oversee the entire council area and not just a specific area within council boundary.</p> <p>Management of waste, water, environment, local laws permeate throughout the entire council space and not just the smaller divisional space. Councillors who manage portfolio instead of divisions should be remunerated at higher rate.</p> <p>Role of a councillor is not part time and often councillors within Livingstone Shire council are required to work extended period continuously without break.</p> <p>Concerned that the salary level of a councillor is less than that during time when employed by council. This reduced salary is having a negative impact on potential candidates and not incentivising quality candidates from running for council.</p>
	Determination	<p>Cr Friend proposed the Commission consider a payment option of a base level x an amount per ratepayer.</p> <p>There was ongoing concern that the current remuneration categorisation methodology is no longer fit for purpose in particular requiring ad hoc submissions by councils for their matters to be heard. In addition, the assessment of environment terrain is too varied given that Livingstone Shire Council has the second longest coastline behind Torres Strait, plus inclusive of rural and coasted terrain)</p> <p>Chairperson outlined the Commissions' position and the legislative requirements to complete a category review and allocate councils into categories. That the development of a new framework to guide the council categorisation process was to be concise measurable and defensible.</p> <p>The matters raised specifically in the submissions have also been considered by the Commission as part of the 2023 annual review of council categorisation</p>
2	Date received	<u>Oral submission</u> 17 October 2023 – LGAQ Annual Conference
	Received from	<u>Logan City Council</u> Councillor Jaco Heremaia Councillor Jon Raven

	<p>Summary of submission</p> <p>Provided initial feedback to say that council accepted the proposed framework and that they agreed with the use of operating revenue as the primary criterion.</p> <p>Raised a query for the use of SEIFA index and how this would aid councils with greater issues of lower socio-economic standing given that housing, homelessness, and unemployment are areas that are often interlinked.</p> <p>Councillors stated their support for the inclusion of innovation in the framework and outlined the innovative measure that Logan City Council were managing and developing. This included transitioning council operations and resources to a net zero position over the coming years.</p> <p>Logan City Council were producing other innovative measures to improve their community such as façade improvement programs for business shop fronts and the integration of their town plan to consider net zero.</p> <p>Cr Raven raised the topic of innovation being a driver of councillor challenges and highlighted that rolling revenue was being used as a proxy to use a measurable criterion to assist in category placement.</p> <p>Request</p> <p>Cr Raven requested that a broader assessment to consider regional topics such as housing and how councils could be assessed against measurements for attending to State Regional Plans (i.e. Housing or infrastructure development) could be incorporated in the Commission's determinations.</p> <p>Determination</p> <p>Commission reinforced their position that despite any council reclassification no council would be going backwards from a financial remuneration position.</p>
3	<p>Date received</p> <p>Received from</p> <p>Summary of submission</p> <p><u>Oral submission</u> 17 October 2023 – LGAQ Annual Conference</p> <p><u>Sunshine Coast Regional Council</u> Mayor Mark Jamieson Emma Thompson – Chief Executive Officer Craig Matheson – Group Executive Civic Government</p> <p>Council believed that this was a timely view and appropriate given that the existing framework is no longer fit for purpose. Council supported the method to anchor councils using operating revenue as the primary criterion and the use of multiple supporting criteria.</p> <p>Council supported the additional possible consideration for innovation and non-resident population to be enhanced and considered in further iterations of the framework by the Commission.</p> <p>Council submitted that non-resident population does not directly provide input to operating revenue base but that it does impact on council's provision of services including waste management, water, and road traffic.</p>

Request	Council requested that consideration be given to growth councils who require additional levels of innovation as a basis for increased revenue. Strong councils would ensure that increases occurred through delivery of development and project delivery and not through alternative methods of improving revenue, for example, increasing rates.
Determination	<p>Commission provided an overview of proposed model and expressed the use of operating revenue as a useable proxy to assess challenges and difficulties of local governments fairly, transparently and consistently. Council agreed that use of population should not be the key driver.</p> <p>Commission advised that they would be unable to include an additional supporting criterion to promote innovation in the current determination, as it is as yet unable to be defined in a measurable way across different council's and sectors.</p>
4 Date received	<u>Oral submission</u> 17 October 2023 – LGAQ Annual Conference
Received from	<p><u>Northern Peninsula Area Regional Council</u> Mayor Patricia Yusia Deputy Mayor Kitty Gebadi Councillor Gina Nona Councillor Mabalene Whap Kate Gallaway – Chief Executive Officer</p>
Summary of submission	<p>Council advised that the workload and responsibilities within Indigenous communities is exceedingly high for elected members. Northern Peninsula Area Regional Council was amalgamated in 2008. Prior to amalgamation there were 26 elected members to complete a similar volume of work. The council now consists of only 6 elected members creating significant pressure and increased workload for elected members.</p> <p>Councillors raised concerns regarding workload and issues related to management of land under Deed of Grant in Trust (DOGIT).</p> <p>Part 4 of the <i>Local Government Act 2009</i> provides that DOGIT matters must be addressed separately from council business which results in additional responsibilities that are not dealt with by non-Indigenous councils.</p> <p>Councillors were not supportive of the use of operating revenue as primary criterion given that councils' capacity to generate own revenue was submitted to be limited due to the small percentage of rateable land. Council further submitted that revenue raised through DOGIT land use has limitations on how it is used under the <i>Land Act 1994</i> and that council does not have full autonomy to use of this revenue.</p> <p>Councillors raise the ongoing issue of their council being the provider of last resort and councils limited ability to obtain commercially viable terms for essential services such as waste management. This increased the workload of councillors.</p> <p>Mayor Yusia raised the topic of ongoing housing issues and council attending to the responsibilities that other government</p>

	<p>departments such as Department of Housing would normally address. NPARC councillors and staff, it was submitted, were nevertheless required to have a housing plan and address the associated tasks.</p> <p>CEO Gallaway mentioned that the use of census data in relation to population growth and population numbers are troublesome due to low literacy rates and low completion rates for census in their demographic. As a result, it was submitted that, this produces a reduced rating for these areas that are not reflected by the category framework.</p> <p>Council submitted that the propose category framework did not include matters such as the impact on councillor workloads related to the limited boarder control measures regionally with respect to the ongoing and regular movement of people from Papua New Guinea in the region.</p> <p>Lastly council submitted that the transference of responsibility of the Local Thriving Communities initiatives are primarily State based responsibilities to local government resulting in councillors attending additional meetings. It was submitted that these demands do not reflect equally across all local government.</p>
Determination	<p>The Commission advised that framework for council categorisation would have regard to the challenges incurred by DOGIT responsibilities.</p>
5	<p>Date received Oral submission 17 October 2023 – LGAQ Annual Conference</p>
Received from	<p>Western Queensland Alliance of Councils Mayor Jane McNamara Mayor Jack Bawden Mayor Samantha O'Toole Mayor Andrea Martin Councillor Tony Rayner Simone Talbot – Executive Officer, South West Queensland Region of Council) Greg Hoffman PSM – Executive Officer, North West Queensland Region of Council</p>
Summary of submission	<p>Attended on behalf of the entire group of councils within their association.</p> <p>Expressed that the proposed framework model does not accurately reflect the challenges within small and regional council. Cost shifting and requirements for small councils to provide services due to their inability to obtain commercially viable terms limits their options was raised with the Commission.</p> <p>The use of operating revenue as a primary criterion does not adequately reflect the challenges and workload of councillors. Within Flinders, it was submitted that, only 10-12% of revenue is rate based and that revenue fluctuates based on disaster recovery grants. Therefore, the year-on-year revenue level is heavily impacted by natural disaster works and grants.</p>

	<p>Simone Talbot queried how the proposed model would assist regional councils to attract young and quality candidates for future elections, unless their remuneration reflected a full-time equivalent value. It was submitted that the use of population growth as a supporting criterion would not assist regional Queensland, nor does it adequately reflect the workload of councillors due to the decreasing population from far Western Queensland areas.</p> <p>It was further submitted that despite the decrease in population, the services expected to be delivered and the workload of councillors remained the same. The theme of smaller councils required to provide more with less is prevalent and ongoing within their communities.</p> <p>An additional criterion was proposed to be added, to reflect the diversity of industry and operating revenue options within a council's operations.</p> <p>The Commission reiterated their process for the review of councillor categorisation and their intention to develop a framework that is based on a model using a simple, repeatable, and documented process supported by clear and measurable metrics.</p>
<p>6</p> <p>Date received</p> <p>Received from</p> <p>Summary of submission</p>	<p>Written submission: 16 January 2023 Oral submission: 17 October 2023 – LGAQ Annual Conference</p> <p>Western Downs Regional Council Councillor Paul McVeigh Councillor Andrea Smith Jodie Taylor – Chief Executive Officer</p> <p>Councillor Smith submitted that the role of a councillor exceeds the previously held view of a part time role and that the remuneration level should reflect the workload.</p> <p>This increased workload has resulted in councillors having to forego additional part time employment, with resulting adverse financial outcomes for individual councillors and the potential for a reduction in candidates who can fulfil the role.</p> <p>The region and specifically Western Down Regional Council, it was submitted, has seen significant growth across both agricultural and energy industries. This has included the inclusion and involvement in regional and a State plan such as Queensland Energy and Jobs Plan that requires state-based negotiations and creates additional workload and responsibility.</p> <p>It was submitted that the knowledge and skill required of a councillor to guide this transitional process to renewables and trade diversification has increased over recent years. Additionally, the need to continue to attract a diversity of business and industries to the area remains important due to the proposed use of operating revenue as a primary criterion in the proposed category review framework.</p> <p>Councillor's highlighted that their local government has 24 approved solar and 3 approved wind farms on top of their</p>

Determination

traditional agricultural sector and that this innovation is not acknowledged by the Commission in their proposed framework.

The Commission reiterated that the use of operating revenue as a primary criterion would assist the Commission to capture the complexities and challenges that developing councils faced in a measurable way. This included councils that transitioned their business operations to include and increased involvement across varying industries.

The use of operating revenue as a primary criterion was discussed as a possible method for council to aspire to continue to develop their revenue and expand their operations to improve the outcomes for their residents and in turn be classified in a higher category.

6. Other activities

Exceptional circumstances submissions (matters raised under Local Government Regulation 2012, section 248):

Nil.

7.Future priorities

The Commission will continue to consider enhancements to the framework for council remuneration categorisation including an equitable method to consider industry impacts on councils and matters relating to transitioning communities and improving sustainability.

The Commission will invite ongoing submissions from all Councils as part of its general review of categories and maximum determination of remuneration prior to 1 December 2024.

The Commission intends to engage with local governments throughout the year including the option for a mid-year deputation process to be established. The Commission invites councils in all areas to participate in the deputation process and any further opportunities for submissions to be made that the Commission may announce.

Further information about the Commission can be located at www.statedevelopment.qld.gov.au.

Local Government Remuneration Commission

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7.1.1. ENVIRONMENTAL AND HEALTH SERVICES

Operational Changes to Burdekin Cascades Caravan Park

File Reference: 918 and 165

Report Author: Linda Govan, Coordinator Environment and Health Projects

Authoriser: Paul Day, Manager Environment and Health Services

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

1.5.2: Provide safe, attractive, accessible, and functional community spaces and facilities.

Burdekin Shire Council Operational Plan 2023-2024

CP2 Administer the management contracts for Home Hill Caravan Park and the Burdekin Cascades Caravan Park.

Executive Summary

A request has been received by Council staff from the Managers of the Burdekin Cascades Caravan Park for to increase the number of permanent sites within the Caravan Park and plan towards the consolidation of permanents to an area within the Park.

Recommendation

That Council approves an increase from ten (10) to fifteen (15) permanent sites within the Burdekin Cascades Caravan Park and that Council staff work with the facility managers to consolidate the permanents into one (1) area within the Park following consultation and further investigation.

Background

A request has been received from the current managers of the Burdekin Cascades Caravan Park, Belgravia PRO Pty Ltd, for Council to increase the number of sites available for permanents from ten (10) to fifteen (15). The current terms of the contract limit the number of permanent sites to ten (10).

The maximum time that a tourist can stay in a caravan park in Queensland is 84 days. Several of the tourists have expressed interest in staying on as a permanent.

A permanent resident:

- enters into a rental tenancy agreement;
- pays a weekly amount for the site, currently \$158.00;
- pays for electricity used, each sites powerhead is individually metered; and
- is to comply with the rules of the caravan park which include standards for behaviour and site presentation.

Occupancy figures have been reviewed and it is rare that the Park is at 100% occupancy. The increase in permanents should have little to no effect on the number of sites for tourists and seasonal workers during peak season.

A request has also been received to consolidate the permanents into one area within the Park. This would make the supervision of the permanents easier to coordinate and manage during peak times. Further discussions will be held on the plan for relocation of permanents, most likely to occur at the end of the tenancy agreement.

Consultation

Discussions were held with the current managers of Burdekin Cascades Caravan Park, Belgravia PRO Pty Ltd as well as several current tenants interested in staying on as a permanent tenant.

Budget & Resource Implications

There is no additional cost to Council to implement as the sites are already established with metered powerheads. Council will receive an increase in regular income.

Legal Authority & Implications

Not Applicable.

Policy Implications

Contract terms would be formally amended to allow the increase in permanents within the current contract.

Risk Implications (Strategic, Operational, Project Risks)

At this stage the risks to Council are low, however any identified risks will be managed in accordance with the Enterprise Risk Management Policy and adopted Enterprise Risk Management Framework.

Council staff will discuss with the facility management regarding how the final "permanents area" is managed and ensure that the permanents understand the facilities are to be shared and not "quasi" owned by them.

Attachments

None

7.2.1. OPERATIONS

Emulsion Inventory Disposal

File Reference: 1355

Report Author: Michelle Stockdale, Purchasing and Stores Supervisor

Authoriser: Wayne Saldumbide, Manager Operations

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

5.2.2: Responsibly manage Council's financial position to ensure sustainability.

Burdekin Shire Council Operational Plan 2023-2024

Executive Summary

Prior to decommissioning the original Jones Street Depot emulsion storage tank was holding approximately 9,000 litres of emulsion with a portion of this deemed to be unusable due to an unplanned chemical reaction resulting in coagulation of the stored product. It was determined that the tank would require pumping out and filtration to separate remnant useable and unusable stock.

Recommendation

That Council approves the write off of unusable Emulsion inventory to the value of \$8,676.40 (ex GST) following recovery of usable emulsion.

Background

An external resource recovery contractor was engaged to pump out the tank and recover the useable inventory with the balance of product to be written off. 3,800 litres of emulsion stock was recovered and 5,200 litres of unusable emulsion transported for disposal at the contractors waste facility.

The 5,200 litres of disposed Emulsion will be removed from inventory via a stock take write off. Recovery of the useable product was timed to coincide with the commissioning of a new emulsion storage tank at Jones Street.

Consultation

Council workshop May 2023.

Budget & Resource Implications

Council accommodates a generic annual amount for stock take adjustments in the Store budget – GL 1.507.2291.

Legal Authority & Implications

Not Applicable.

Policy Implications

Manager Operations has a write off delegation of up to \$2,000.00 per item, therefore Council approval is required.

Risk Implications (Strategic, Operational, Project Risks)

Not Applicable.

Attachments

None

7.3.1. PLANNING AND DEVELOPMENT

Approval for Additional Capital Allocation for Project TBSC/23/036 - Home Hill Pool Amenities Refurbishment

File Reference: Not Applicable

Report Author: Keith Lewty, Facilities Management Coordinator

Authoriser: Paul Day, Manager Environment and Health Services

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

1.5.2: Provide safe, attractive, accessible, and functional community spaces and facilities.

Burdekin Shire Council Operational Plan 2023-2024

Executive Summary

There is a legal requirement under Chapter 6, Part 3, Division 2, Section 226 of the *Local Government Regulation 2012* " that a local government can not enter into a large-sized contractual arrangement unless the local government first invites written tenders for the contract under section 228". Large-sized contractual arrangements are for purchases from a supplier that is expected to be worth \$200,000.00 or more (ex GST). Council's proposed project, TBSC/23/036 - Home Hill Pool Amenities Refurbishment, falls within this category.

Invitations for written tenders were sent out via VendorPanel with three conforming tenders being submitted by RJG Builders Pty Ltd, W & F Construction Pty Ltd and Blanco Building Pty Ltd. All three (3) tenders received were above Council's allocated capital budget.

Recommendation

That Council approves and accepts the tender submitted by RJG Builders Pty Ltd for the amount of \$288,422.18 (ex GST) having the highest assessment score and Council also approves an additional capital allocation of \$85,000.00, including a contingency of \$10,000.00.

Background

On 29 November 2023, invitations to tender for Council's proposed project TBSC/23/036 - Home Hill Pool Amenities Refurbishment were sent out via VendorPanel with an allocated remaining budget of \$213,718.00 (ex GST). The remaining budget amount is the original allocated budget amount less expenses for the design plans and specifications, which have already been paid for.

Council received quotation responses from 3 companies, with the council panel reviewing the proposals utilising the pre-determined multi-factor assessment criteria which included:

- Quoted Price
- Completion Time
- Experience and Resourcing
- Local Content

Tenderer	Score/10	Rating	Comments
Bianco Building Pty Ltd	8.4	3	Townsville based
RJG Builders Pty Ltd	9.2	1	Townsville based
W & F Constructions Pty Ltd	8.5	2	Townsville based

Staff internally discussed if any items could be changed or the project de-scoped to reduce costs, but it was determined that the re-development was a basic upgrade and no components should be changed or completed at a later stage.

Consultation

All relevant Council Departments have been consulted. Discussions were held regarding this item at the Council Workshop held 16 January 2024.

Budget & Resource Implications

The proposed increase will have a one-off effect on the budget by an increase of \$85,000.00 (ex GST), which includes a \$10,000.00 contingency component.

Legal Authority & Implications

Not Applicable

Policy Implications

Burdekin Shire Council Procurement Policy 1 July 2023 and Procurement Guideline 24 November 2023.

Risk Implications (Strategic, Operational, Project Risks)

Any risks will be managed by the successful contractor's Work Health & Safety policies and procedures.

Council staff will negotiate with the successful tenderer to complete the works whilst the pool remains operational.

The contractor will be engaged immediately with a proposed completion date of 30 June 2024.

Attachments

1. Home Hill Pool Refurbishment - Tender Submissions

7.3.2. PLANNING AND DEVELOPMENT

Development Application for a Development Permit for Reconfiguring a Lot - Boundary Realignment (Two (2) into Two (2) Lots) at 334 Burstall Road and 525 Airdmillan Road, Airdmillan

File Reference: 234

Report Author: Kellie Galletta, Manager Planning and Development

Authoriser: Nick Wellwood, Director Infrastructure Planning and Environmental Services

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

3.4.1: Support strategic projects that will contribute to liveability and economic growth in the Burdekin.

Burdekin Shire Council Operational Plan 2023-2024

PD8 Ensure all new developments are assessed against provisions contained within Council's adopted Local Government Infrastructure Plan (LGIP), Planning Act 2016, Planning Scheme, legislative requirements and other relevant instruments.

Executive Summary

Council is in receipt of an impact assessable reconfiguring a lot development application lodged by Brazier Motti on behalf of applicant, Robert Gray, for a boundary realignment of the common boundary of two (2) parcels of rural zoned land described as Lot 7 on SP184054 and Lot 4 on RP702359 and located at 334 Burstall Road and 525 Airdmillan Road, Airdmillan.

As the development application is impact assessable, officers have assessed it both against the relevant assessment benchmarks of the *Burdekin Shire Council Planning Scheme 2022* and all other relevant legislation and relevant matters together with an assessment on the merits of the application. As a result of this assessment, Officers consider that despite any conflicts identified in part with the applicable codes, the proposed realignment of the common boundary of the existing two lots to improve the layout and management of the existing farms in a manner that is responsive to site constraints, generally aligns with the outcomes sought by the Planning Scheme including its Strategic Framework.

Given this and through the application of reasonable and relevant conditions, the proposed boundary realignment is therefore recommended for approval.

Recommendation

That Council approve the proposed Development Application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (Two (2) Lots into Two (2) Lots) over land described as Lot 7 on SP184054 and Lot 4 on RP702359 and located at 334 Burstall Road and 525 Airdmillan Road, Airdmillan, subject to reasonable and relevant conditions as set out in **Attachment A**.

Background

Proposal

The applicant is proposing to realign the existing common boundaries of both Lot 7 on SP184054 and Lot 4 on RP702359, to create proposed Lot 1 with an area of 54.71ha and proposed Lot 2 with an area of 21.21ha.

The proposal plan prepared by Brazier Motti is provided at **Attachment B**.

The planning report submitted with the application states that*Specifically, the proposal seeks to amend the common boundary to follow the direction of the current crop. The resultant lots are of a size to support the existing land uses and ensures the character and density intended for the rural zone remains.....*

Post approval, the existing agricultural land uses will remain unchanged from the current arrangements. Both Proposed Lot 1 and 2 will remain as cane farms.

No change to the existing infrastructure arrangements currently servicing the properties is proposed. Nor are any new accesses needing to be created.

Subject Site and Surrounding Land Uses

A locality plan is provided at **Attachment B**.

The subject land is located within the Rural Zone of the *Burdekin Shire Council's Planning Scheme 2022*.

Currently Lot 7 on SP184054 has a total area of 57.80ha and is improved with the existing sugar cane farm.

The site is burdened by an easement on the northwestern boundary for drainage purposes. Lot 4 on RP702359 has an area of 18.30ha and is improved with a sugar cane farm.

The western boundary of both lots is fully bound by an unnamed and unformed road reserve.

The subject sites are not serviced by Councils reticulated infrastructure.

The surrounding area is generally a mixture of rural lots used predominately for sugar cane farms, some farmed lots also include existing dwellings and associated machinery sheds. The area also includes numerous rural residential sized lots improved with dwellings and sheds.

Planning Assessment Summary

Development applications that attract an impact level of assessment are assessable against the whole of the planning scheme and other applicable planning instruments, any other relevant matters and on their individual merit.

A detailed assessment has been completed (refer **Attachment C**) with a summary provided below in the below table (Table 1):

2022 Planning Scheme Provision	Proposal/Officer Comment
<u>Strategic Framework</u> 2.3 Liveable communities and infrastructure: 2.3.5 Integrated infrastructure 2.4 Economic Growth: 2.4.1 Diverse Rural Futures 2.5 safe and resilient communities: 2.5.1 All natural hazards 2.5.2 Flood hazard	Considered to Comply Existing Lot 4 (525 Airdmillan Road) is already under the 30.0ha minimum area requirement at 18.3ha and is an existing cane farm. However no new lots are proposed to be created. A boundary realignment of the common boundary of the two existing rural zoned parcels of land is proposed to improve farm management.

2022 Planning Scheme Provision	Proposal/Officer Comment
	<p>Given this officers consider that the proposal generally complies with the relevant intentions sought by the Strategic Framework, as it does not increase the number of lots in the rural zone and no change to the existing agricultural viability of the land nor existing cane farming activities as a result of the boundary realignment, is expected.</p>
Rural Zone Code	<p>Does Not Strictly Comply</p> <p>While proposed Lot 2 will remain less than the 30.0ha minimum area requirement post realignment if approved, the proposal does not create any new lots in the Rural Zone nor further fragment or reduce the existing use of the rural land.</p> <p>Rather the boundary realignment is proposed to improve farm management, responsive to site constraints and cropping layout.</p> <p>Given this, the proposal is considered to generally achieve the outcomes sought by the Rural Zone Code.</p>
Development Works Code	<p>Considered to Comply</p> <p>As the proposal proposes no change to the existing servicing and access arrangements as part of the realignment application, the proposal is considered to be generally consistent with the relevant requirements of the Development Works Code, where applicable.</p>
Reconfiguring a Lot Code	<p>Does not Strictly Comply</p> <p>Proposed Lot 2 will not comply with the minimum lot size requirement in the Rural Zone, being 30.0ha for each lot created, as it will be only 21.21ha in area.</p> <p>However, the current lot area of Lot 4 18.3ha is proposed to increase by 2.9ha post realignment.</p> <p>As proposed development is only to minorly realign the common boundary with no new lots are to be created, despite the non-compliance with lot size requirements for the Rural Zone, officers consider the proposal can be recommended for approval despite this non-compliance.</p>

2022 Planning Scheme Provision	Proposal/Officer Comment
Overlay Codes <ul style="list-style-type: none"> Flood Hazard Overlay Code Acid Sulfate Soils 	<p>The site is mapped as:</p> <ul style="list-style-type: none"> a. being subject to low flood hazard inundation in a river flood event; and b. being between AHD5m–AHD20.0m contour and therefore possibly containing actual or potential acid sulfate soils. <p>As the proposal is a realignment only of a common boundary with no change to the existing operations, nor site works required, these matters are not affected by the new lot layout proposed.</p>

Based on the assessment of the development application, Council officers consider that the proposed development can be recommended for approval, subject to the application of reasonable and relevant conditions.

Further Information Request

No further information request was issued to the applicant.

Public Notification

The applicant undertook Public Notification between 7 December 2023 – 15 January 2024, being a period of at least 15 business days, in accordance with the relevant requirements of the *Planning Act 2016*. No submissions were received during the notification period.

Referral Agency Response

The application did not trigger referral to the North Queensland State Assessment and Referral Agency (NQSARA) under the Planning Regulation 2017.

Detailed Summary

Refer to **Attachment C** for the detailed assessment against the relevant provisions of the planning scheme.

Infrastructure Charges

Reconfiguring a Lot is a development type which can trigger infrastructure charges to be applied as per Council's Charges Resolution. However, as this application is for a boundary realignment and not proposing to create any additional lots, an Infrastructure Charges Notice will not be issued.

Consultation

All relevant Council Departments have been consulted, with comments and development conditions included as part of the recommendation.

The application was workshopped with the Mayor, Councillors and Executive Leadership Team on 16 January 2024.

Budget & Resource Implications

Possible legal fees associated with any Planning and Environment Court appeal.

Legal Authority & Implications

A potential risk is present in that any decision made by the Assessment Manager may attract an appeal in the Planning and Environment Court.

Policy Implications

Not applicable in concerning the acceptance of this report.

Risk Implications (Strategic, Operational, Project Risks)

Risk to Council relating to its obligation under the *Planning Act 2016*, is primarily ensuring that the development application is properly managed, assessed and decided. Risk has been managed by undertaking a thorough assessment of this application, preparation of this report and identifying relevant and reasonable conditions of approval.

Attachments

1. 01 Attachment A - Officers recommended Conditions of Approval - Robert Gray
2. 02 Attach B - Locality and Proposal Plan - Robert Gray
3. 03 Attachment C - Detailed Assessment - Robert Gray

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
1 General and Administration <u>Compliance with Conditions</u> 1.1 The Applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with: 1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports. 1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering. 1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail. 1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation. <u>Works – Applicant's Responsibility/Expense</u> 1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the applicant, at no cost to the Council. 1.5 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately. <u>Infrastructure Conditions</u> 1.6 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i> , should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.		
2. Approved Plans and Documents <u>Approved Plans & Documents</u> 2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/ documents identified in the above, except as otherwise specified and/or amended by any condition of this approval.		
	The development must comply with all planning scheme requirements as approved and conditioned by this development permit.	At all times.

Attachment A – Recommended Conditions of Approval

Condition		Reason	Timing
2.2	The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.		
2.3	Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.		
Approved Plans			
Drawing Title		Drawing/Revision	Date
Proposed Boundary Realignment – Lots 1 and 2 Cancelling Lot 7 on SP184054 and Lot 4 on RP702359		Plan No: 57054/001 A Prepared by Brazier Motti	11 October 2023
3. Payment of Rates, Charges and Expenses		Confirmation to be provided to Council prior to the release of the Plan of Survey.	
3.1 Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.			
3.2 Pay the sum calculated at the current charge per lot to be levied on the Council by the Department of Resources, for each new valuation.			
4. Confirmation of Existing Services		Confirmation to be provided to Council prior to the release of the Plan of Survey.	
The existing services for each lot must be contained within the individual allotments.		To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.	Prior to the release of the Plan of Survey.
5. Relocation/alteration of Public Utilities		To ensure development is appropriately serviced by public services and/or facilities in accordance with relevant code/s and policy direction.	
The developer must at its own cost undertake all necessary alterations to public utility mains and services as rendered necessary by the carrying out of any required external works or other works associated with the approved development to the satisfaction of Council, and at no cost to Council.		Prior to the release of the Plan of Survey.	

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
6. Roadworks The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to the satisfaction of the Chief Executive Officer.	To provide appropriate access in accordance with relevant code/s and policy direction.	Prior to the issuing of a Development Permit for Building or Operational Works.
7. Drainage/Stormwater The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.	To convey stormwater across other lands legally and in an environmentally responsible manner in accordance with relevant code/s and policy direction.	At all times.

Advice

1. Infrastructure Charges Not Applicable.
2. Compliance with Conditions Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.
3. Limitation of Approval 3.1 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant. 3.2 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnity and save the council harmless in respect of any claim so arising.
4. Acid Sulfate Soils Should the presence of acid sulfate soils or potential acid sulfate soils be detected, an Acid Sulfate Soils Management Plan may be required to be prepared and submitted to Council for approval.

Attachment A – Recommended Conditions of Approval

5. Amenity Impacts

Use of the site is to be operated in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting, in accordance with the *Environmental Protection Act 1994*.

6. Earthworks

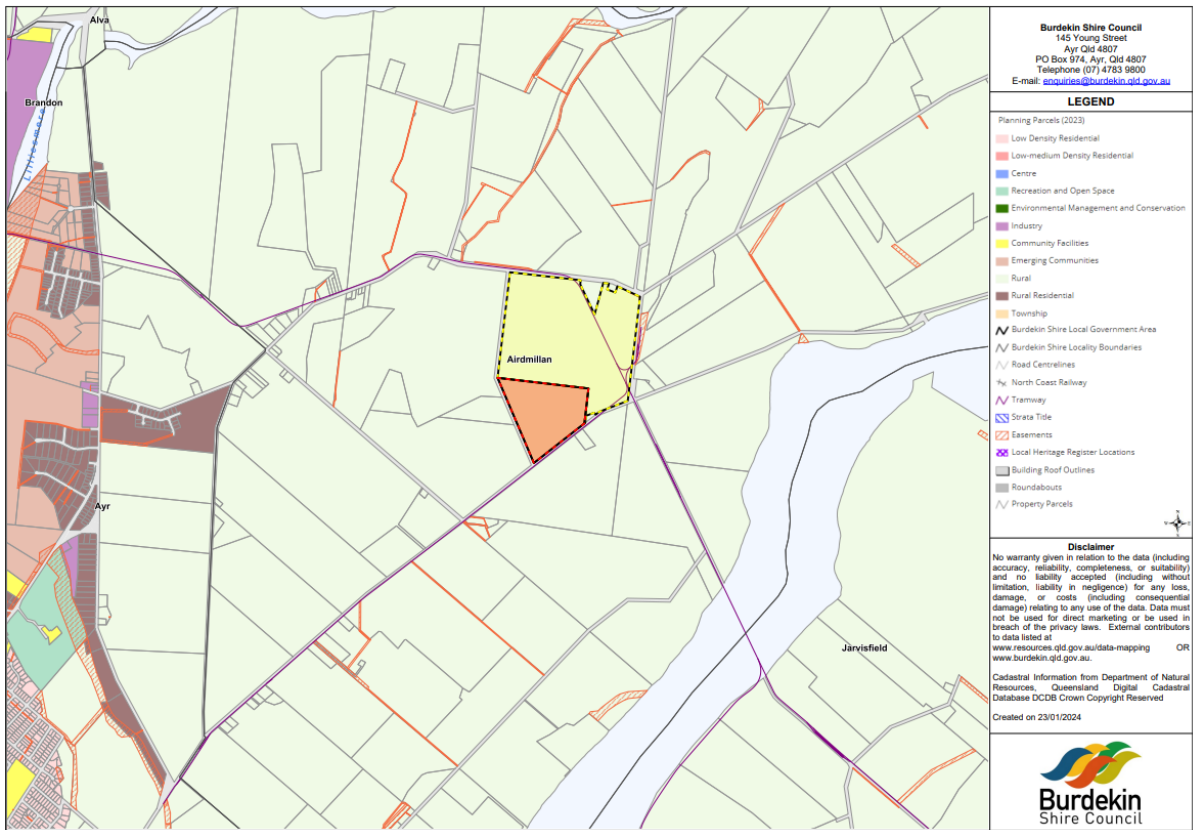
Earthworks are not approved as part of this Development Permit. If any earthworks are required and deemed assessable development, an operational works development application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.

7. Miscellaneous

The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au.

If any item of cultural heritage is identified during site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.

Attachment B – Zone, Locality, Proposal and Overlay Plan



Attachment B – Zone, Locality, Proposal and Overlay Plan



**PROPOSED
BOUNDARY REALIGNMENT**
Lots 1 and 2
Cancelling Lot 7 on SP184054
and Lot 4 on RP702359



This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approvals.

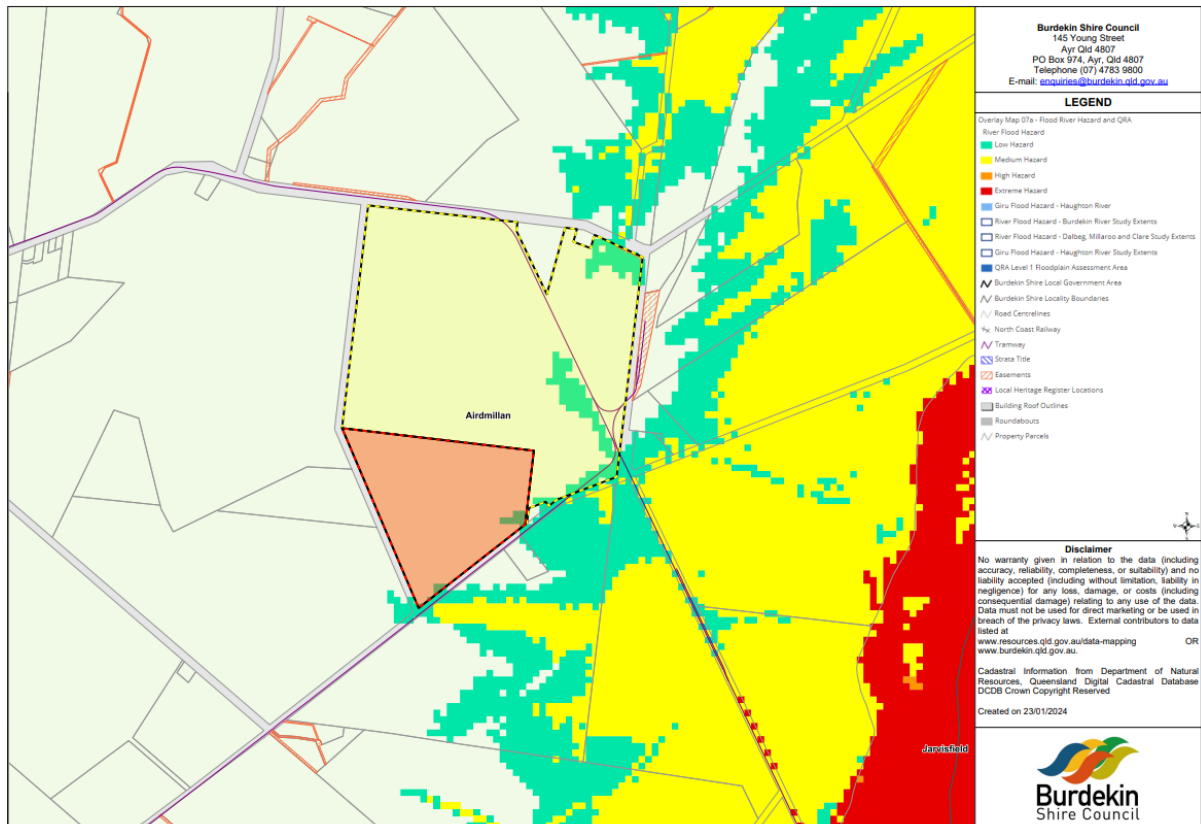
Date: 11th October, 2023	
Scale: 1:5000	A3
Drawn: MJM	
Job No: 57054/001-01	
Plan No: 57054/001 A	

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7th
SURVEYING
TOWN PLANNING
PROJECT MANAGEMENT
MAPPING & GIS

7th
YEARS
OF
SERVICE

River Flood Hazard



Attachment C – Detailed Assessment

Assessment Summary

Based on the assessment of the development application, Council officers have determined that the proposed development can comply or can be conditioned to comply with the assessment benchmarks relevant to the assessment.

Detailed Assessment

The timeframes for assessing and deciding applications is set in the *Planning Act 2016* and *Development Assessment Rules* (s.60 and 61(3)). A day referred to in the timeframe below means a business day as defined by the *Planning Act 2016*.

The assessment timeframes applicable to this application are as follows:

ASSESSMENT TIMEFRAMES			
Application Process		Timeframe	Date
1.0	Application lodged with Council		3 November 2023
1.1	Application deemed properly made		10 November 2023
1.2	Action Notice issued	5 days (from 1.0)	Not applicable
1.3	Confirmation Notice issued	10 days (from 1.0)	21 November 2023
2.0	Application referred (properly referred)	10 days (from 1.3)	Not applicable
3.0	Council Information Request	10 days (from 1.3)	Not Applicable
4.0	Public Notification commences	20 days (from 3.0)	7 December 2023
4.1	Public Notification completed	Min. 15 business days	15 January 2024
4.2	Consider submissions	10 days (from 4.1)	Not applicable
4.3	Applicant gives Council Notice of Compliance	10 days (from 4.2)	17 January 2024
5.0	Further Advice Request		Not applicable
6.0	Decision making period starts	1 day (after last applicable)	18 January 2024
6.1	Decision making period ends	35 days (minus up to 10 days from 3.0)	27 February 2024
6.2	Decision making period extended	9 days	Not applicable
	Council Meeting		13 February 2024
6.3	Issue Decision Notice	5 days (after decision is made)	20 February 2024

Attachment C – Detailed Assessment

Level of Assessment

The development proposal is assessable under the *Burdekin Shire Council Planning Scheme December 2022* (the planning scheme) in accordance with Section 43 (1) of the *Planning Act 2016*. The Assessment Manager is the Burdekin Shire Council as determined by Schedule 8 of the *Planning Regulation 2017*. In accordance with the planning scheme, the Reconfiguring a Lot application was subject to impact assessment.

Council, as the Assessment Manager, has undertaken assessment of the application against the whole of the planning scheme making the decision pursuant to s. 60 of the *Planning Act 2016*, as outlined in s. 45 (3) and s.26 to 28 of the *Planning Regulations 2017*.

Assessment against the relevant provisions of the planning scheme has been undertaken:

Development	Zone	Overlays	Assessment Benchmarks
Reconfiguring a lot - Boundary Realignment (two (2) lot into two (2) lots)	Rural	<ul style="list-style-type: none"> • Acid Sulfate Soils • Agricultural • Flood (River) Hazard 	<p>The following assessment benchmarks are applicable in the assessment of the development application:</p> <ul style="list-style-type: none"> • The whole of the planning scheme.

ASSESSMENT	
APPLICABLE ASSESSMENT BENCHMARKS	
Part 2 Strategic framework	
2.1 Preliminary (1) The strategic framework sets the policy direction for the planning scheme and forms the basis for ensuring appropriate development occurs in the planning scheme area for the life of the planning scheme. (2) Mapping for the strategic framework is included in part 2 and schedule 4. (3) For the purpose of describing the policy direction for the planning scheme, the strategic framework is structured in the following way: (a) the strategic intent (b) the following four themes that collectively represent the policy intent of the scheme: (i) Liveable communities and infrastructure (ii) Economic growth (iii) Safe and resilient communities (iv) Natural resources, the environment and heritage (c) the strategic outcomes proposed for development in the planning scheme area for each theme. (4) The strategic framework in its entirety represents the policy intent for the planning scheme.	
<u>Officers Comment</u> The proposed development is considered to align with the policy direction and intent of the Scheme, including the Strategic Framework given the proposal is a boundary realignment of a common boundary to align the property boundary with the existing farm headland and paddock configuration.	

ASSESSMENT
APPLICABLE ASSESSMENT BENCHMARKS

6.2.2 Reconfiguring a lot zone code**6.2.2.1 Application**

- (1) This code applies to development identified as requiring assessment against the Reconfiguring a lot code by the tables of assessment in part 3.
- (2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.

6.2.2.2 Purpose and overall outcomes

- (1) The purpose of the reconfiguring a lot code is to facilitate the development of attractive, accessible, safe and functional neighbourhoods, centres and industrial areas, and to protect Burdekin's natural resources and environmental and landscape values.
- (2) The purpose of the code will be achieved through the following overall outcomes:
 - (a) reconfiguration creates safe, convenient and attractive neighbourhoods, industrial areas and centres that are consistent with the intended outcomes for the zone in which the land is located;
 - (b) reconfiguration occurs in a way that makes efficient use of land and facilitates cost effective provision of infrastructure;
 - (c) functional street networks are created which provide high levels of accessibility and safety, particularly for pedestrians and cyclists;
 - (d) lots are of a size to support the uses intended and create the character and density intended for the zone in which the land is located;
 - (e) the creation of new lots for residential purposes occurs only within urban or rural residential zoned land;
 - (f) reconfiguration ensures public open space and movement networks can be provided that are interconnected with the surrounding area, convenient, safe and able to meet community needs;
 - (g) reconfiguration in the rural zone occurs only in the circumstances intended in the zone code;
 - (h) new lots are provided with services that meet the need of users and minimise risks to the environmental or public health and safety;
 - (i) reconfiguration enables the protection of waterways, wetlands, ecological corridors for the movement of fauna and other significant environmental values.

Officers Comment

The proposal is for a boundary realignment only that is not proposing significant layout changes. No new rural zoned lots are to be created. Notwithstanding the non-compliance of the proposed Lot 2 with the requirements of the Reconfiguring a Lot Code for a rural lot (being a minimum area of 30ha), the proposed development is considered to be generally in compliance with the outcomes sought.

Attachment C – Detailed Assessment

Specific assessment against the relevant provisions of the Reconfiguring a lot Code is provided below:

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<i>Neighbourhood design</i>		
PO1 The layout for a new neighbourhoods and subdivisions creates a strong and positive identity, and is responsive to site characteristics, setting, landmarks and views.	No acceptable outcome is nominated.	Not applicable. Rural boundary realignment only. No new lots created.
PO2 Open space and movement networks are integrated internally within the development site and with surrounding areas, including: <ul style="list-style-type: none"> (a) a clear hierarchy of roads linking safely and directly with external roads; (b) an open space network linking with other existing or potential open space; (c) an urban drainage system integrated with the open space and pathway network and major streams; and (d) a pedestrian and bicycle path system integrated with the open space and road networks. 	No acceptable outcome is nominated.	As above.
PO3 Vehicle, cyclist and pedestrian networks reduce need for local vehicle trips and ensures walking and cycling are prioritised.	No acceptable outcome is nominated.	As above.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO4 The subdivision layout incorporates separation of sensitive land uses from potentially incompatible land uses or infrastructure within or external to the site.	No acceptable outcome is nominated.	Not applicable. Rural boundary realignment only. No new lots created, nor is a sensitive land use affected by the proposal.
PO5 The reconfiguration is designed to maximise personal safety and minimise potential for antisocial behaviour and crime, including by establishing clear sight lines and creating opportunities for casual surveillance of streets, paths, parks and public spaces.	No acceptable outcome is nominated.	Not applicable. Rural boundary realignment only. No new lots created.
PO6 Street and lot orientation facilitates energy-efficient building and site design by: (a) maximising lot orientation to the north and minimising orientation to the west; and (b) maximising access to prevailing breezes.	No acceptable outcome is nominated.	As above.
PO7 The subdivision layout retains significant habitat areas and ecological corridors.	No acceptable outcome is nominated.	As above.
PO8 The subdivision layout ensures development is setback from and protects the habitat values and ecological function values of waterways.	No acceptable outcome is nominated.	The proposed realigned boundaries are located outside any mapped waterways.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<i>Landslip hazard</i>		
PO9 Reconfiguration does not occur on land vulnerable to landslip and erosion, unless it is in the form of a boundary alignment which improves the safety of people and property.	AO9 Development is not located on slopes greater than 15%	Not applicable, no landslip hazard present.
<i>Lot size and layout</i>		
PO10 Reconfiguration results in lots that are: <ul style="list-style-type: none"> (a) of a size and dimension which complement the intended character of the zone in which the land is located; (b) are capable of accommodating uses intended in the zone in which the land is located; and (c) are sized and located to enable development to be primarily oriented to the street and accommodate all ancillary components of the use. 	AO10 Minimum frontage and lot size occurs in accordance with table 6.2.2.3(b), unless stated otherwise in a zone code.	<p>Does not strictly comply.</p> <p>The proposal is for a boundary realignment only of a shared boundary to align the property boundary with the existing farm headland and paddock configuration.</p> <p>The proposal does not propose the creation of any new lots in the Rural Zone.</p> <p>The reduction of the Lot 7 (proposed Lot 1) is considered minor in nature and is not considered to result in any reduced farming ability/agricultural viability to that currently existing.</p> <p>Lot 4 (proposed Lot 2) will increase in area and provide a more practical farm layout, despite not meeting the minimum lot size of 30ha.</p>

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO11 Reconfiguration does not reduce the future development potential of land within the emerging community zone.	No acceptable outcome is nominated.	Not Applicable.
PO12 New lots are not created in the rural zone, other than where consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme.	No acceptable outcome is nominated.	Complies, as no new lots are created.
PO13 Realignment of boundaries in the rural zone occurs only where this demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots.	No acceptable outcome is nominated.	The proposed realignment of boundaries is minor in nature and does not alter the existing agricultural uses on the subject site. The proposal will formalise the property boundaries alignment with the existing headland and paddock layout.
PO14 New lots are not created in the environmental management and conservation zone.	No acceptable outcome is nominated.	Not Applicable.
Services		
PO15 All lots are provided with legal access to a constructed road.	No acceptable outcome is nominated.	Considered to comply as no change to existing access proposed as part of this application.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Note—A constructed road in an urban zone means a sealed road with kerbing and channelling. Elsewhere, this means a formed and trafficable road.		
PO16 Services, including water supply, stormwater management, sewage disposal, waste disposal, drainage, electricity and telecommunications, are provided in a manner that: <ul style="list-style-type: none"> (a) is efficient; (b) is adaptable to allow for future extensions and upgrades; (c) minimises the risk of adverse environmental or amenity related impacts; and (d) minimises whole-of-lifecycle costs for that infrastructure. 	No acceptable outcome is nominated.	Not applicable, boundary realignment only. There are no existing on the subject site..
PO17 Lots are provided with an electricity supply which minimises visual impacts on the locality.	AO17.1 Except for land in the Rural zone, electricity is connected to all new lots. AO17.2 Underground electricity service is provided to all new lots in an urban zone.	While not strictly applicable given the rural zoning, both lots have existing reticulated electricity connections for farm irrigation purposes.
Road design		
PO18 The design features of each type of street are appropriate to the primary function of the street in the network.	AO18 The design of each new street or road complies with the approach taken in “Austroads Guide to Traffic Engineering Practice Manuals.”	Not applicable. Boundary realignment of existing rural lots only.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
PO19 Provision for safe on-street parking in appropriate locations.	No acceptable outcome is nominated.	
PO20 Intersections along streets are spaced to create safe and convenient pedestrian and vehicle movements and designed to provide safe sight lines and geometry for all road users.	AO20 The street or road network complies with the approach taken in the “Austroads Guide to Traffic Engineering Practice Manuals.”	
PO21 Road reserves are designed to accommodate co-location of infrastructure services.	No acceptable outcome is nominated.	
PO22 All new roads are constructed to standards appropriate to their intended use.	No acceptable outcome is nominated.	
PO23 All streets in an urban and rural residential zone are provided with street lighting.	AO23.1 Street lighting is provided in all new urban streets. AO23.2 In all new development where an underground electricity service is provided, underground mains service street lighting.	
Environmental management Editor’s note—A property management plan or environmental management plan, illustrating how environmental impacts will be minimised, may be required to support the proposed development.		
PO24	No acceptable outcome is nominated	Not applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Development does not alter the hydrological regime external to the site.		Boundary realignment only with no changes to existing site regimes proposed as part of this application.
PO25 Development maintains the environmental values and water quality of Burdekin Shire's groundwater, waterways and surface water storages.	No acceptable outcome is nominated	
PO26 Development minimises erosion and sediment run-off by: <ul style="list-style-type: none"> (a) minimising clearing and earthworks; (b) not increasing the rate or volume of run-off; (c) utilising natural flow paths; (d) minimising impervious surfaces; (e) incorporating erosion and sediment control devices to detain and treat run off to remove sediments and gross pollutants. 	No acceptable outcome is nominated	
PO27 Stormwater drainage is provided that has sufficient capacity to safely remove stormwater run-off, in a way that: <ul style="list-style-type: none"> (a) minimises risk to public safety and property; (b) provides a lawful point of discharge from each lot; (c) minimises ponding; 	No acceptable outcome is nominated	No assessment required as it is a rural reconfiguration with no change to existing stormwater drainage proposed.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
(d) allows for risk associated with potential failures within the system; and (e) allows for practical access for maintenance requirements.		

Table 6.2.2.3(b)–Acceptable outcome – lot size and frontage

Zone	Frontage (m)	Area
Low density residential zone	15	500m ²
Low-medium density residential zone		
Township zone	15	800m ² Or 2,000m ² where not connected to sewerage
Rural residential zone -	60	2ha
- Horseshoe Lagoon	40	4,000m ²
- Mount Kelly	40	2,000m ²
- Elsewhere		
Centre zone	10	400m ²
Industry zone	20	1,000m ²
Community facilities zone	20	1,000m ²
Recreation and open space zone		
Emerging community zone	200	5ha
Rural zone		
(a) In the Groper Creek, Jarvisfield, Jerona and Wunjunga village precincts	No new lots created	
(b) In the priority agricultural area or agricultural land class A and B on overlay map OM2.	200	30ha
(c) Elsewhere	200	100ha

APPLICABLE ASSESMENT BENCHMARK

4.2.9 Rural Zone Code

4.2.9.1 Application

(1) This code applies to development where the code is identified as applicable in the categories of assessment and development in part 3.

(2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3 in part 3.

4.2.9.2 Purpose and overall outcomes

(1) The purpose of the rural zone is to—

(a) provide for rural uses and activities; and

(b) provide for other uses and activities that are compatible with— (i) existing and future rural uses and activities; and (ii) the character and environmental features of the zone; and

(c) maintain the capacity of land for rural uses and activities by protecting and managing significant natural resources and processes. Editor's note—This purpose statement is required to be used for the zone under the regulated requirements set out in the Planning Regulation 2017. Editor's note—The rural zone includes the village precinct.

(2) The purpose of the zone will be achieved through the following overall outcomes:

(a) rural land will be used sustainably to ensure the viability of the primary production base;

(b) other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, residential and accommodation uses in the rural zone include: (i) dwelling houses generally limited to a single dwelling house on a lot; (ii) caretaker's accommodation, small scale rural workers' accommodation and non-resident workforce accommodation where they directly support primary production activities in the locality; and (iii) small scale tourist accommodation in the form of bed and breakfasts, farm stay, cabins and camping;

(c) in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, development is limited to a dwelling house on an existing lot; Editor's note—Additional requirements may exist for the establishment of dwelling houses in some villages that are affected by natural hazards (refer to part 5 Overlays).

(d) land in the rural zone is not used or subdivided for urban residential or rural residential purposes;

(e) other than as provided for under (f), reconfiguration does not result in the creation of: (i) any new lots in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts; or (ii) lots less than 30ha in priority agricultural areas or agricultural land classification class A and B areas shown on overlay map OM2; or (iii) lots less than 100ha elsewhere;

(f) reconfiguration to create a smaller lot than the minimum set out in (e)(ii) and (iii) may occur where: (i) consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme; or (ii) rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land or the protection of its environmental values, without increasing the number of lots; Burdekin Shire Council Planning Scheme Part 4–87 Editor's note—Applicants would need to demonstrate the nature of the improvement, such as amalgamating lots to create a large balance area for an environmental reserve or that is managed in accordance with an appropriate land management plan.

(g) agricultural land classification class A and B and priority agricultural areas shown on overlay map OM2 are protected from encroachment of uses that may impact on the opportunity to enable increased agricultural production;

(h) other than for public infrastructure, non-agricultural development within priority agricultural areas does not result in a net loss in agricultural production; Editor's note—A net loss is one that results in widespread or irreversible impacts to existing or future agricultural activities, such as a significant reduction in the supply of raw product or altering resources necessary to maintain the function of the land.

(i) intensive animal industries and aquaculture occur in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts) where they are sufficiently separated from existing sensitive land uses to ensure significant impacts are avoided;

(j) industries which may establish in the rural zone (other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts) include only: (i) rural industries; (ii) industries processing agricultural products which require a rural location: A. for proximity to the produce being processed; or B. to ensure a clean environment separate from general industrial activities; or C. to secure a lot size larger than lots available within

APPLICABLE ASSESMENT BENCHMARK

4.2.9 Rural Zone Code

industrial zoned land; (iii) industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain, or their biproducts; (iv) extractive industries and other industries that require separation from urban or rural residential areas; and (v) renewable energy facilities;

(k) other than within the KRA shown on overlay map OM6, any expansion of an existing extractive industry is limited to development that will not increase impacts to the priority agricultural area or nearby sensitive land uses, the visual amenity of the locality or matters of environmental significance;

(l) development for small scale tourism and recreational activities, such as nature-based tourism, outdoor sport and recreation, environment facilities or similar cultural attractions occur where they have a limited building footprint and do not involve significant modification of the natural landform;

(m) home based businesses occur at a scale consistent with the amenity and character of the surrounding area;

(n) development does not prejudice or detract from existing and intended rural activities in the surrounding area, or on the functionality of the stock route network shown on overlay map OM2;

Editor's note–The stock route network within Burdekin Shire Council exists as pasturage rights through pasturage leases. Stock routes exist as pasturage rights 800m either side of an unsurveyed road (section 432 of the Land Act 1994).

(o) development does not significantly impact on: (i) water and soil quality; (ii) the amenity of nearby sensitive land uses; (iii) the landscape and natural values of the locality; and (iv) the capacity of the road network on which it relies;

(p) development minimises impacts on the natural environment and maintains habitat areas and corridors;

(q) development is sited, designed and managed to avoid or reduce any risk of landslide to an acceptable or tolerable level;

(r) sensitive land uses and other forms of inappropriate development do not occur in proximity to former mining activities and related hazards (e.g. abandoned mines, tunnels and shafts), which may cause risk to people and property. Editor's note–The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.

Officers Comment

As the proposed development is for a boundary realignment of the common boundary of existing lots only to align the property boundaries with the existing farm layout and no change to the agricultural activates is proposed. Tt is considered to remain in alignment with the relevant outcomes sought by the Rural Zone Code.

4.2.9.3 Specific Benchmarks for assessment

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Site layout		
PO1 Any non-residential buildings, structures and open use areas are setback from site boundaries to ensure that the amenity of adjoining land and the rural character of the locality are maintained.	AO1 Non-residential buildings, structures and open use areas are setback not less than: (a) 20m from any road frontage of the site; (b) 10m from all other site boundaries; and (c) 100m from any existing dwelling on an adjacent property.	Not applicable. Proposed boundary realignment does not affect existing structure setbacks, nor the existing character and amenity of the area.
Lighting		
PO2 Lighting does not cause undue disturbance.	AO2 The vertical illumination resulting from direct, reflected or incidental light coming from a site does not exceed 8 lux when measured at any point 1.5m outside of the boundary of the property at any level from ground level up.	Not applicable. Rural boundary realignment only.
Infrastructure		
PO3 Premises have a level of infrastructure that allows for the efficient functioning of the use while not impacting on nearby land uses or the environment.	AO3.1 Premises are connected to a reliable supply of potable water. AO3.2 Premises are provided with an on-site sewerage treatment and disposal system. PO3.3 Premises have a legal access to a constructed road.	Considered to comply. All services present on the subject site are existing. No changes are proposed as a result of this application.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Separation		
PO4 Sensitive land uses are sufficiently separated from approved or existing lawful activities likely to generate impacts to protect the safety and amenity of residents and to ensure the ongoing operation of those activities is not prejudiced.	AO4 Minimum separation distances to animal keeping (being kennels or catteries), intensive animal industries and extractive industries are in accordance with table 4.2.9.3(c).	Not applicable, rural boundary realignment, no new lots created.
Home based business – bed and breakfast and other		
PO5-PO11	AO6 – AO11.2	Not Applicable.
Roadside stalls		
PO12 Roadside stalls are small in scale and do not impact negatively upon the amenity, character or safety of the locality and the safety and efficiency of roads. Editor's note—A roadside stall on a state controlled road requires approval from the Department of Transport and Main Roads.	AO12.1 Any structure used for the sale of goods or produce is limited to 20m2 gross floor area. AO12.2 Access to the structure is via the existing primary property access point. AO12.3 Produce or goods sold is grown, made or produced on the land on which the roadside stall is erected.	Not Applicable.
Stock route network		
PO13 Development does not interfere with the use of stock routes or diminish their landscape, recreational or heritage values. Editor's note—Stock routes are shown on overlay map OM2.	AO13 Development is not located within the stock route network.	Not Applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Hazardous activities		
PO14 Where development is in proximity to an abandoned mine, geotechnical investigations and adequate protections are applied. Editor's note–The location of mining claims, mineral development licences and mining leases is available online via GeoResGlobe.	AO14 Abandoned mines are avoided.	Not Applicable.
Landslip hazard		
PO15 Development does not occur on land that is vulnerable to landslip and erosion and ensures the safety of people and property.	AO15 Where involving building work, development is not located on slopes greater than 15%.	Not applicable. No Landslip hazard present.

Table 4.2.9.3(b)–Benchmarks for assessable development only

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Protecting rural production		
PO16 Other than for public infrastructure, non-agricultural development within priority agricultural areas does not result in a net loss to agricultural production. Editor's note–A net loss is one that results in widespread or irreversible impacts to existing or future agricultural activities, such as a significant	No acceptable outcome is nominated	Considered to comply. As the proposal is a boundary realignment of the common boundary of the two (2) existing rural lots that will align the property boundary with the farm layout, no net loss to agricultural production in the Shire is anticipated as a result of this proposal being approved.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
reduction in the supply of raw product or altering resources necessary to maintain the function of the land.		The existing agricultural uses are not changing so there will be no effect to the surrounding farming activities or any interference with the existing Wilmar tram line that intersects the subject site.
PO17 Development occurs on the least productive part of the site.	No acceptable outcome is nominated	
PO18 Development does not prejudice the ongoing operation, intensification or expansion of nearby farming activities.	No acceptable outcome is nominated	
PO19 Development is buffered so nuisance from normal farming practices such as spray drift, odour, noise and the like are avoided.	No acceptable outcome is nominated	
PO20 Development does not interfere with the use of cane tram lines. Editor's note—Cane tram lines are shown on the road hierarchy map in Figure 6.2.1.3.	No acceptable outcome is nominated	
PO21 Development does not interfere with the use of stock routes or diminish their landscape, recreational or heritage values. Editor's note—Stock routes are shown on overlay map OM2.	No acceptable outcome is nominated	Not applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Reconfiguration		
PO22 Reconfiguration does not result in the creation of any new lots in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts.	No acceptable outcome is nominated	Not applicable.
PO23 Except as provided for in PO24, reconfiguration does not result in the creation of: (a) lots less than 30ha in the priority agricultural area or agricultural land classification class A and B areas shown on overlay map OM2; or (b) lots less than 100ha elsewhere. Editor's note—to remove any doubt, this performance outcome does not apply to land in a village precinct.	No acceptable outcome is nominated	Refer to response for PO24
PO24 Reconfiguration creating lots less than required under PO23 occurs only where: (a) consolidating the balance of the farmed lot, which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme; or (b) rearranging lot boundaries in a way that demonstrates a substantial improvement in the management of the land or the protection of its	No acceptable outcome is nominated	Considered to comply. As the proposal is a boundary realignment of the common boundary of the two (2) existing rural lots to align the property boundary with the existing farm layout. No net loss to agricultural production in the Shire is anticipated as a result of this proposal being approved.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
<p>environmental values without increasing the number of lots.</p> <p>Editor's note—Applicants would need to demonstrate the nature of the improvement, such as amalgamating lots to create a large balance area for an environmental reserve or that is managed in accordance with an appropriate land management plan.</p>		
Industrial activities		
<p>PO25</p> <p>Other than in the Groper Creek, Jarvisfield, Jerona or Wunjunga village precincts, industries in the rural zone include only:</p> <p>(a) rural industries;</p> <p>(b) industries processing agricultural products which require a rural location:</p> <p>(i) for proximity to the produce being processed; or</p> <p>(ii) to ensure a clean environment separate from general industrial activities; or</p> <p>(iii) to secure a lot size larger than lots available within the industrial zoned land;</p> <p>(c) industries associated with the use or processing of commodities grown in the region, such as sugar cane and grain;</p>	No acceptable outcome is nominated	Not applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
(d) extractive industries and other industries that require separation from urban or rural residential areas; and (e) renewable energy facilities.		
Aquaculture, intensive animal industries, animal keeping and extractive industry		
PO26 Premises used for extractive industry, aquaculture, animal keeping or intensive animal husbandry are separated from existing sensitive land uses so that significant impact from noise, odour or other emissions are unlikely to be experienced at the sensitive receptor.	No acceptable outcome is nominated Editor's note—Applicants seeking approval for intensive animal industries should refer to the 'National Guidelines for Beef Cattle Feedlots in Australia, National Beef Cattle Feedlot Environmental Code of Practice', 'Queensland Dairy Farming Environmental Code of Practice', 'National Environmental Guidelines for Piggeries' and 'Queensland Guidelines Meat Chicken Farms and that applicants consult with the relevant State government department prior to the lodgement of a development application. For other uses council may require a study that, amongst other matters, identifies how the development meets Environmental Protection (Air) Policy 2019 or Environmental Protection (Noise) Policy 2019.	Not applicable.
Rural workers' accommodation, non-resident workforce accommodation, caretaker's Accommodation		
PO27 – PO28	No acceptable outcome is nominated; AO28	Not applicable.
Development for tourism and recreation purposes		
PO29 – PO30	No acceptable outcome is nominated	Not applicable.

Assessable Development		
Performance outcomes	Acceptable outcomes	Comment
Renewable energy facilities		
PO31 – PO32	No acceptable outcome is nominated	Not applicable.
Extractive industries		
PO33 - PO38	No acceptable outcome is nominated; AO34.1 – AO35.2	Not applicable.
Rural amenity and character		
PO39 – PO46	No acceptable outcome is nominated; AO40; AO43	Considered to comply where relevant. Proposed boundary realignment is reasonably minor in nature and does propose any change to the existing layout of the subject sites.

Table 4.2.9.3(c)–Separation Distances

Column 1	Column 2	Column 3 Minimum separation distances (metres)	
Use	Number of animals	Land in an urban zone or rural residential zone	Other sensitive land use
Poultry	100-200	100	60
	200-500	200	60
	501+	300	150
Animal keeping (being kennels or cattery)	n/a	400	150
Intensive animal industry	n/a	1000	400
Extractive industry (being an existing or approved extractive industry operation or a resource/processing area shown on overlay map OM6)	n/a	(i) 1,000m from a hard rock extractive industry; (ii) 200m from a sand and gravel extractive industry; and (iii) 100m from a haul route used by any existing operation.	

ASSESSMENT	
APPLICABLE ASSESSMENT BENCHMARKS	
6.2.1 Development works code	
6.2.1.1 Application	
<p>(1) This code applies to development identified as requiring assessment against the Development works code by the tables of assessment in part 3.</p> <p>(2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.</p>	
6.2.1.2 Purpose and overall outcomes	
<p>(1) The purpose of the code is to ensure that development provides services to a standard which is efficient, effective and reflects community expectations, enhances the lifestyle of the community, and minimises impacts on neighbours, the streetscape and the environment.</p> <p>(2) The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> (a) the location and design of infrastructure or works minimise impacts on amenity and landscape character; (b) development minimises site disturbance and impacts on the natural environment; (c) adequate infrastructure is provided to meet the demand likely to be generated by the development; (d) the safe, efficient and cost-effective provision and operation of infrastructure networks occurs by ensuring: <ul style="list-style-type: none"> (i) development is of a scale commensurate with the capacity of the strategic road network and provides access in a manner that protects the safety and efficiency of the network; (ii) development maintains high standards of water quality and the environmental health of waterways; (iii) public health and safety are protected. (e) excavation and/or filling in the rural zone does not adversely impact on Council controlled land including road reserves and infrastructure, overland flow paths, drainage paths, waterways, wetlands, or road and drainage infrastructure. 	
<u>Officers Comment</u>	
<p>Where relevant, the proposed development is considered to comply overall with the prescribed relevant outcomes sought by the Development Works Code, as no works to existing roads or changes to that currently existing on site, is proposed.</p>	

6.2.1.3 Specific benchmarks for assessment

Table 6.2.1.3(a)—Benchmarks for development that is accepted subject to requirements and assessable development

Specific assessment against the relevant provisions of the Development Works Code is provided below:

Earthworks		
PO1 – PO7	AO1 – AO3; No acceptable outcome is nominated;	Not applicable. Rural boundary realignment only and no earthworks or filling proposed.
Excavation and/or filling in the rural zone		
PO8 - PO11	No acceptable outcome is nominated; AO10 – AO11	Not applicable. Rural boundary realignment only and no earthworks or filling proposed.
Infrastructure		
PO12 – PO17	No acceptable outcome is nominated; AO13; AO16.1 – AO17	Not applicable. Rural boundary realignment.
Water management		
Editor's note—A property management plan or environmental management plan, illustrating how environmental impacts will be minimised, may be required to support the proposed development.		
PO18 – PO21	No acceptable outcome is nominated	Considered to comply. Boundary realignment only.
Acid sulfate soils		
PO22 Within the areas identified as potential acid sulfate soils on overlay map OM1, the generation or release of acid and metal contaminants into the environment from acid sulfate soils is avoided by: (a) not disturbing acid sulfate soils when excavating or otherwise removing soil or sediment, draining or extracting groundwater, excluding tidal water or filling land; or (b) where disturbance of acid sulfate soils cannot be avoided, development:	AO22.1 Development does not: (a) Involve excavating or removing 100m ³ or more of soil and sediment at or below 5m AHD; or (b) permanently or temporarily drain or extract groundwater or exclude tidal water resulting in the aeration of previously saturated acid sulfate soils; or (c) involve filling with 500m ³ or more with an average depth of 0.5m or greater that results in: (i) actual acid sulfate soils being moved below the water table; or (ii) previously saturated acid sulfate soils being aerated.	Considered to comply. While the site has been identified as being within the 5m – 20m AHD contour, there is no excavation or removal of soil proposed by the applicant. No further assessment is necessary.

Earthworks		
<p>(i) neutralises existing acidity and prevents the generation of acid and metal contaminants; and</p> <p>(ii) prevents the release of surface or groundwater flows containing acid and metal contaminants into the environment.</p> <p>Editor's note—Where works are proposed within the areas identified as potential acid sulfate soils on overlay map OM1 - Acid sulfate soils, the applicant is required to undertake an on-site acid sulfate investigation. The reason for undertaking an acid sulfate soils investigation is to determine the presence of acid sulfate soil in order to avoid disturbance. Where acid sulfate soils cannot reasonably be avoided, investigation results assist in the planning of treatment and remedial activities and must be undertaken in accordance with the Queensland Acid Sulfate Soil Technical Manual and relevant State Planning Policy. Applicants should also refer to the Guidelines for Sampling Analysis of Lowland Acid Sulfate Soils in Queensland, Acid Sulfate Soils Laboratory Methods Guidelines or Australian Standard 4969. It is highly recommended that the applicant develop a practical Acid Sulfate Soil Management Plan for use in monitoring and treating acid sulfate soils.</p>	<p>OR</p> <p>AO22.2</p> <p>Development manages waters so that:</p> <p>(a) all disturbed acid sulfate soils are adequately treated and/or managed so that they can no longer release acid or heavy metals;</p> <p>(b) the pH of all sites, and any water including discharges and seepage to groundwater, is maintained between 6.5 and 8.5 (or an agreed pH in line with natural background);</p> <p>(c) waters on the site, including discharges and seepage to groundwater, do not contain elevated levels of soluble metals;</p> <p>(d) there are no visible iron stains, flocs or sums in discharge water;</p> <p>(e) all reasonable preparations and actions are undertaken to ensure that aquatic health is safeguarded; and</p> <p>(f) infrastructure such as buried services, pipes, culverts and bridges are protected from acid attack.</p>	
Traffic and access		
P023 – P032	No acceptable outcome is nominated; AO21 – AO24	Considered to comply where applicable, as there will be no change to the existing access and traffic arrangements.

Earthworks		
Landscaping		
PO33 – PO34	No acceptable outcome is nominated.	Not applicable. Rural boundary realignment of existing lots only with no earthworks required.
Waste and pollutant management		
PO35 – PO40	No acceptable outcome is nominated.	Not applicable. A boundary realignment of existing lots.

ASSESSMENT	
APPLICABLE ASSESSMENT BENCHMARKS	
5.2.5 Flood hazard overlay code	
<p>5.2.5.1 Application</p> <p>(1) This code applies to development where the code is identified as applicable in the categories of assessment and development for the Flood hazard overlay code.</p> <p>(2) When using this code, reference should be made to section 3.3.2 and, where applicable, section 3.3.3, in part 3.</p> <p>Note—For the purposes of section 13 of the Building Regulation 2006:</p> <ul style="list-style-type: none"> (a) the area covered by the flood overlay maps is the designated flood hazard area; (b) the defined flood level is the level described in schedule SC1.2; (c) the overlay mapping shows both river flooding (overlay mapping OM7(a)) and local rain event flooding (overlay map OM7(b)). The defined flood event and defined flood level relates to both events. To remove any doubt, the defined flood level is the higher of either flood type under the defined flood event. <p>5.2.5.2 Purpose and overall outcomes</p> <p>(1) The overall outcomes are the purpose of the flood hazard overlay code.</p> <p>(2) The purpose of the code will be achieved through the following overall outcomes:</p> <ul style="list-style-type: none"> (a) in an urban zone or rural residential zone, reconfiguration of land does not result in additional lots on land subject to high or extreme flood hazard; Editor's note—to remove any doubt, this outcome does not apply to the township of Giru for which just one "flood hazard area" category is mapped. Editor's note—the provisions of the rural zone code identify when reconfiguration may be contemplated in the rural zone. No new lots are intended in the village precinct of the rural zone, which includes settlements also affected by flood hazard. (b) elsewhere, reconfiguration is designed to ensure each lot is provided with: <ul style="list-style-type: none"> (i) a building envelope to accommodate a dwelling house with floor levels above the defined flood level; and (ii) vehicular access from a public road to the building envelope that is free of high or extreme flood hazard; (c) in the rural, low density residential, township or emerging community zones, new dual occupancies or more intensive residential uses, or worker or tourist accommodation uses are not established on land subject to medium, high or extreme flood hazard, and any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site; Editor's note—to remove any doubt, this outcome does not apply to the area covered by the Giru flood hazard area or the floodplain assessment area. (d) unless necessary to meet a significant community need: <ul style="list-style-type: none"> (i) new critical or vulnerable uses are not established in a flood hazard area; and (ii) any redevelopment of an existing use does not substantially increase the number of people accommodated or requiring evacuation from the site; Editor's note—Critical or vulnerable uses are defined in schedule 1. (e) development in a flood hazard area otherwise occurs in the way intended in the relevant zone; 	

- (f) development in a flood hazard area is designed to ensure the safety of people, reduce vulnerability to the hazard and, for critical uses, minimise disruption to services;
- (g) development involving the bulk storage or manufacture of hazardous materials does not increase the risk to public safety or the environment in a flood hazard event;
- (h) development does not worsen the severity of, or exposure to, the hazard on other properties;
- (i) flood flow conveyance paths and flood storage volumes of the floodplain are maintained;
- (j) the cost to the public of measures to mitigate flood risks is minimised;
- (k) development supports effective and efficient disaster management capacity and capabilities.

Officers Comment

The eastern corner of the site is mapped as being subject to low flood hazard in a river flood event. The proposed realignment does not change any of the existing uses of the subject site, nor will a residential use result as a part of this application. No further assessment is required for this application.

5.2.5.3 Specific benchmarks for assessment

Table 5.2.5.3–Benchmarks for assessable development

Specific assessment against the relevant provisions of the Flood Hazard overlay code is provided below:

Compatible development		
PO1 – PO9	AO1 ; No acceptable outcome is nominated.	Not applicable. Boundary realignment of existing rural lots only.
Mitigation of flood hazard		
PO10 – PO18 Development which occurs in areas subject to a flood hazard ensures new buildings or extensions are designed to remain structurally sound during the defined flood event.	No acceptable outcome is nominated; AO12	Not applicable, There are no existing and no new buildings are proposed as part of this application.

North Queensland Regional Plan

The proposal site is located in the Priority Agricultural Area (PPA) mapped in the North Queensland Regional Plan (NQRP), with the NQRP noted by the Departments Planning Minister as being integrated into the *Burdekin Shire Planning Scheme December 2022*. Officers consider that the proposed development if approved, will not contribute to a net loss to overall agricultural activity or result in widespread or irreversible impacts of the PPA and therefore is considered consistent with the outcomes sought by the NQRP.

Public Submissions

Public notification was required for the development, as it is subject to impact level of assessment under the *Burdekin Shire Planning Scheme December 2022*. The applicant undertook Public Notification between 7 December 2023 – 15 January 2024, being a minimum period of at least 15 business days, in accordance with the relevant requirements of the *Planning Act 2016*.

No submissions were received during the notification period.

Infrastructure Charges

Reconfiguring a Lot is a development type which can trigger infrastructure charges to be applied as per Council's Charges Resolution. As this application is for a boundary realignment and not proposing to create any additional lots, no Infrastructure Charges are applicable.

7.3.3. PLANNING AND DEVELOPMENT

Development Application for a Development Permit for Reconfiguring a Lot - Subdivision One (1) Lot into Two (2) Lots at 501 Hurney Road, Osborne (Lot 5 on RP722896)

File Reference: 234

Report Author: Kellie Galletta, Manager Planning and Development

Authoriser: Nick Wellwood, Director Infrastructure Planning and Environmental Services

Meeting Date: 13 February 2024

Link to Corporate/Operational Plan:

Burdekin Shire Council Corporate Plan 2022-2027

3.4.1: Support strategic projects that will contribute to liveability and economic growth in the Burdekin.

Burdekin Shire Council Operational Plan 2023-2024

PD8 Ensure all new developments are assessed against provisions contained within Council's adopted Local Government Infrastructure Plan (LGIP), Planning Act 2016, Planning Scheme, legislative requirements and other relevant instruments.

Executive Summary

With respect to the Development Application lodged by BNC Planning on behalf of applicant, VMK Holdings Pty Ltd seeking a Development Permit for Reconfiguring a Lot (One (1) lot into Two (2) lots) on rural zoned land described as Lot 5 on RP722896 and located at 501 Hurney Road Osborne, Council (excluding the Mayor who had a Declared Conflict of Interest) at its meeting of 23 January 2024, resolved that:

1. The Officer recommendation for refusal of the application not be supported for the reasons that the proposed reconfiguration of the land does not involve the loss of any existing agricultural land and there is an existing dwelling on the proposed smaller lot; and
2. The Officers be requested to prepare conditions of approval for the application for consideration at the next Council meeting on 13 February 2024.

The recommended conditions of approval are provided in **Attachment A**.

Recommendation

That Council approve the conditions as set out in **Attachment A** with respect to the Development Application seeking a Development Permit for Reconfiguring of a Lot (One (1) lot into Two (2) lots) on land described as Lot 5 on RP722896 and located at 501 Hurney Road, Osborne.

Background

Not Applicable.

Consultation

All relevant Council Departments have been consulted with.

Budget & Resource Implications

Possible legal fees associated with any Planning and Environment Court appeal.

Legal Authority & Implications

Any decision made by the Assessment Manager may attract an appeal in the Planning and Environment Court.

Policy Implications

Not applicable in concerning the acceptance of this report.

Risk Implications (Strategic, Operational, Project Risks)

Risk to Council relating to its obligation under the *Planning Act 2016*, is primarily ensuring that the development application is properly managed, assessed and decided. Risk and implications have been managed by the application of relevant and reasonable development conditions.

Attachments

1. 02 Att A - Rec Conditions of Approval - VMK Holdings
2. 23012024 Ordinary Minutes unconfirmed

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
1 General and Administration <u>Compliance with Conditions</u> 1.1 The Applicant (and any contractor, agent, employee or invitee of the applicant) is responsible for carrying out the approved development and ensuring compliance with this development approval, the conditions of the approval and the relevant requirements in accordance with: 1.1.1 The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the relevant technical reports. 1.1.2 The development must comply in full with all conditions of this approval, and is to be designed, constructed and maintained in accordance with relevant Planning Scheme requirements, Council policies, guidelines and standards (except as otherwise specified by any condition) to Council's satisfaction, and best practice engineering. 1.2 Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) of the development approval will prevail. 1.3 Where these conditions refer to 'Council' in relation to requiring Council to approve or be satisfied, the role of the Council may be fulfilled in whole or in part by an officer acting under appropriate delegation. <u>Works – Applicant's Responsibility/Expense</u> 1.4 The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met by the applicant, at no cost to the Council. 1.5 The applicant must repair any damage to existing infrastructure (e.g. kerb and channel, footpath or roadway) that may occur during any works undertaken as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately. <u>Infrastructure Conditions</u> 1.6 All development conditions contained in this development approval relating to infrastructure under Chapter 4 of the <i>Planning Act 2016 (the Act)</i> , should be read as being non-trunk infrastructure conditioned under section 145 of the Act, unless otherwise stated.		At all times.
2. Approved Plans and Documents <u>Approved Plans & Documents</u> 2.1 The proposed development must be completed, comply with and maintained generally in accordance with the drawings/ documents identified in the above, except as otherwise specified and/or amended by any condition of this approval.	The development must comply with all planning scheme requirements as approved and conditioned by this development permit.	At all times.

Attachment A – Recommended Conditions of Approval

Condition		Reason	Timing
<p>2.2 The development must be constructed in the position and at the levels identified on the approved plans or as stipulated by a condition of this approval, noting that all boundary setback measurements are taken from the real property boundary and not from such things as road bitumen or fence lines.</p> <p>2.3 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.</p>			
Approved Plans			
Drawing Title		Drawing/Revision	Date
Proposed Reconfiguration – Lots 4 & 5 cancelling Lot 5 on RP722896		P23-102a.dwg Sheet 1 of 1	17/04/2023
<p>3. Payment of Rates, Charges and Expenses</p> <p>3.1 Prior to signing the Plan of Survey, payment is required of any outstanding rates or charges levied by the Council or any expenses being a charge over the subject land.</p> <p>3.2 Pay the sum calculated at the current charge per lot to be levied on the Council by the Department of Resources, for each new valuation.</p>		Confirmation to be provided to Council prior to the release of the Plan of Survey.	
<p>4. Confirmation of Existing Services</p> <p>The existing services for each lot must be contained within the individual allotments.</p>		To ensure the development is appropriately serviced in accordance with relevant code/s and policy direction.	Confirmation to be provided to Council prior to the release of the Plan of Survey.
<p>5. Relocation/alteration of Public Utilities</p> <p>The developer must at its own cost undertake all necessary alterations to public utility mains and services as rendered necessary by the carrying out of any required external works or other works associated with the approved development to the satisfaction of Council, and at no cost to Council.</p>		To ensure development is appropriately serviced by public services and/or facilities in accordance with relevant code/s and policy direction.	Prior to the release of the Plan of Survey.

Attachment A – Recommended Conditions of Approval

Condition	Reason	Timing
6. Roadworks The construction of any additional crossovers to give access to the land is to be the owner's responsibility and to be undertaken to the satisfaction of the Chief Executive Officer.	To provide appropriate access in accordance with relevant code/s and policy direction.	Prior to the issuing of a Development Permit for Building or Operational Works.
7. Drainage/Stormwater The approved development and use(s) must not interfere with the natural flow of stormwater in the locality in such a manner as to cause ponding or concentration of stormwater on adjoining land or roads.	To convey stormwater across other lands legally and in an environmentally responsible manner in accordance with relevant code/s and policy direction.	At all times.

Attachment A – Recommended Conditions of Approval

Advice

<p>1. Infrastructure Charges</p> <p>An Infrastructure Charges Notice outlining the estimated infrastructure contributions payable relevant to the Development Permit is attached for your information.</p>
<p>2. Compliance with Conditions</p> <p>Unless otherwise specified by these conditions, the conditions must be complied with prior to Council's endorsement of the Plan of Survey.</p>
<p>3. Limitation of Approval</p> <p>3.1 The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the application including its supporting material provided to it by the applicant.</p> <p>3.2 The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the application and supporting material as constituting a representation by the applicant as to its accuracy and completeness. Insofar as the application and its supporting material may be incomplete and/or inaccurate giving rise to any claim by a third party the applicant agrees to indemnify and save the council harmless in respect of any claim so arising.</p>
<p>4. Acid Sulfate Soils</p> <p>Should the presence of acid sulfate soils or potential acid sulfate soils be detected, an Acid Sulfate Soils Management Plan may be required to be prepared and submitted to Council for approval.</p>
<p>5. Amenity Impacts</p> <p>Use of the site is to be operated in a way that protects the values of the existing environment and will not cause unacceptable impacts on surrounding areas as a result of dust, odour, noise or lighting, in accordance with the <i>Environmental Protection Act 1994</i>.</p>
<p>6. Earthworks</p> <p>Earthworks are not approved as part of this Development Permit. If any earthworks are required and deemed assessable development, an operational works development application is to be lodged with Council for assessment in accordance with relevant code/s and policy direction.</p>
<p>7. Miscellaneous</p> <p>The Applicant is reminded of their obligations under the Aboriginal Cultural Heritage Act, 2003 and the Torres Strait Islander Cultural Heritage Act 2003. Further information and databases are available from the Department of Aboriginal and Torres Strait Islander Partnerships at: www.datsip.qld.gov.au.</p> <p>If any item of cultural heritage is identified during any site works, all work must cease, and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained.</p>

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted.

CARRIED

7.3.3. Development Application for a Development Permit for Reconfiguring a Lot - Subdivision (One (1) Lot into Two (2) Lots) at 501 Hurney Road, Osborne (Lot 5 on RP722896)

10.04am Councillor McLaughlin left the meeting at the commencement of this discussion as she had a Declared Conflict of Interest in relation to Item 7.3.3 Development Application for a Development Permit for Reconfiguring a Lot - Subdivision (One (1) Lot into Two (2) Lots) at 501 Hurney Road, Osborne (Lot 5 on RP722896) as her nephew and his wife, Mr. and Mrs. Mark and Kristy Vass are the owners of the property seeking the Development Permit.

Councillor Perry assumed the Chair

10.05am - Mr. Byers entered the meeting.

Executive Summary

Council is in receipt of a Development Application lodged by BNC Planning on behalf of applicant, VMK Holdings Pty Ltd seeking a Development Permit for Reconfiguring a Lot (One (1) lot into Two (2) lots) on rural zoned land described as Lot 5 on RP722896 and located at 501 Hurney Road Osborne.

As the proposed development is impact assessable, the development application has been assessed against the *Burdekin Shire Council Planning Scheme 2022* and all other relevant legislation together with an assessment of the merits of the application itself.

This assessment found that there was not sufficient merit nor need demonstrated for Officers to support the development proposal and recommend approval.

Officers consider the proposal is in conflict in part with the intent of the new implemented Strategic Framework of the 2022 Planning Scheme. In particular Part 2.4 Economic Growth, 2.4.1 Diverse Rural Futures, which requires:

.....All land in the rural zone is protected from fragmentation as a result of the creation of small lot sizes below the minimum size nominated in the zone code. Reconfiguration creating lots below these minimum sizes does not occur, other than where:

- 1. consolidating the balance of the farmed lot which is a minimum of 30ha and the single lot created contains a dwelling house that existed at the commencement of this planning scheme.....*

As the Strategic Framework sets the policy direction for the planning scheme and forms the basis for ensuring that appropriate development occurs for the life of the planning scheme, this development cannot be supported. Given this the application is therefore recommended for refusal by Officers.

Recommendation

That Council refuse the proposed Development Application seeking a Development Permit for Reconfiguring of a Lot (One (1) lot into Two (2) lots) on land described as Lot 5 on RP722896 and located at 501 Hurney Road, Osborne, as the proposed development is in conflict (and cannot be conditioned to be consistent/align) with:

1. *Burdekin Shire Council Planning Scheme 2002*, in particular:
 - a) Part 2 - Strategic Framework, 2.4.1 Diverse Rural Futures.
 - b) Part 3 – Zones, 4.2.9 Rural Zone Code.
 - c) Part 6 – Development Codes, 6.2.2 Reconfiguring a Lot Code.

Resolution

Moved Councillor Musumeci, seconded Councillor Detenon that the recommendation be adopted.

FOR - Nil

AGAINST - Councillors Sue Perry, Kaylee Boccalatte, Max Musumeci, Michael Detenon, John Furnell and John Bonato.

0/6

LOST

Recommendation

That:

1. the Officer recommendation for refusal of the application not be supported for the reasons that the proposed reconfiguration of the land does not involve the loss of any existing agricultural land and there is an existing dwelling on the proposed smaller lot and;
2. the Officers be requested to prepare conditions of approval for the application for consideration at the next Council Meeting on 13 February 2024.

Resolution

Moved Councillor Detenon, seconded Councillor Musumeci that the recommendation be adopted.

CARRIED

**** The following updated correspondence was presented to the Council at the meeting:**

From: Ben Collings - BNC Planning <bnc@bncplanning.com.au>

Sent: Monday, January 22, 2024 11:31 AM

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: RAL23/0016 - VKM Holdings Pty Ltd - Proposed Rural Subdivision - Further Advice Request

Further to the email below and the Further Advice response issued for the above referenced development application, please find attached additional supporting information in support of the development proposal.

To further support the developments consistency with the Strategic Framework, the subdivision was reviewed by a local agronomist from Burdekin Productivity Services Limited. The agronomist has confirmed that the subdivision will not impact the productivity of the cane farm and that the production area of the farm will not need to change/reduce as a result of the subdivision.

This confirmation lends further weight to the position that the subdivision will have no adverse impacts on the rural productivity of the rural landscape. When considered in conjunction with the detailed justification provided in the Further Advice response, this provides a defensible basis from which the development application can be approved.

Please contact me should there be any further issues or should you wish to discuss the matter further.

Kind regards,

Benjamin Collings
Director

 **BNC PLANNING**
town planning & property development consultants
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Burdekin Productivity Services Limited



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17 January 2024

To whom it may concern

I, Rob Mills, Manager of Burdekin Productivity Services Ltd am writing to confirm that the proposed reconfiguration of lots 4 and 5 on RP722896 will not affect the productivity of the farm. The actual agricultural production area of the farm on RP722896 will not change as a result of the reconfiguration, hence no loss in productivity of the farm.

If you have any questions relating to this issue, please feel free to contact me.

Regards,

Rob Mills

Manager
Burdekin Productivity Services Ltd

10.27am - Mrs. Galletta left the meeting.