



Confirmed Minutes
 Burke Shire Council Ordinary Meeting
 Wednesday 24 April 2024
 9.00am Council Chambers

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01. Opening of Meeting

The Chair declared the meeting open at 9.00am.

02. Record of Attendance

**Cr Ernie Camp; Mayor – Chair
Cr John Clarke; Deputy Mayor
Cr Clinton Murray
Cr John Yanner
Cr Paul Poole**

**Dan McKinlay; Chief Executive Officer
Chris Wilson; Director of Engineering
Amir Akrami; Senior Engineering Manager
Chelsea Nelson; People, Performance and Culture Manager
Kimberly Chan; Economic Development Manager (Minutes)
Shannon Moren; Community and Communications Manager
Shaun Jorgensen; Finance and Technology Manager**

02.01 LGR 2012 Section 254K – Participating in meetings by audio link or visual audio link

That Council, in accordance with section 254K of the Local Government Regulation 2012, allows the following person/s to participate in the meeting by audio link or visual audio link:

- **Chelsea Nelson; People, Performance and Culture Manager**

**Moved: Cr Clarke
Seconded: Cr Yanner**

Carried 240424.01 5/0

03. Prayer

Cr Camp led Council in prayer.

04. Consideration of applications for leave of absence

That Council notes that no applications for leave of absence were received.

05. Confirmation of minutes of previous meeting(s)

05.01 Ordinary Meeting Thursday 7 March 2024 and Post Election Meeting Thursday 28 March 2024

That the Minutes of the Ordinary Meeting of Council held on Thursday 7 March 2024 and the Post Election Meeting of Council held on Thursday 28 March 2024 as presented be confirmed by Council.

Moved: Cr Camp

Seconded: Cr Yanner

Carried 240424.02 5/0

06. Condolences

Council notes the passing of Irene Marshall and Jane Jacobs and expresses their condolences to the families.

07. Declaration of Interests

i. Cr Clinton Murray - Item 10.05 2023 DFRA Restoration Works – Contract for Package 5

Cr Clinton Murray informed the meeting that he has a declarable conflict of interest in Item 10.05 2023 DFRA Restoration Works – Contract for Package 5 – as my father-in-law Kenny Booth is the owner of the company that is the preferred tenderer.

I will leave the meeting and will not participate in the decision relating to this matter, including any area set aside for the public while this matter is being discussed and voted on.

ii. Cr Clinton Murray - Item 10.05– 2023 DFRA Restoration Works – Contract for Package 4, 6, 7

Cr Clinton Murray informed the meeting that he has a declarable conflict of interest in Item 10.05– 2023 DFRA Restoration Works – Contract for Package 4, 6, 7 as I am employed by Northlane the Consulting Engineering.

I have determined that this conflict of interest is not of sufficient significance that it will lead me to deciding on this matter that is contrary to the public interest as I was not advising the tendering panel. I will best perform my responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining Councillors must now determine whether I have a declarable conflict of interest in this matter and if so whether I may participate or must leave for the discussion and voting.

07.01 Declaration of Interest – Cr Murray

That Cr Clinton Murry remains in the Chambers for discussion and vote on Item 10.05 - 2023 DFRA Restoration Works – Contract for Package 4, 6, 7-2023 DFRA Restoration, as the conflict of interest raised is not of significant interest to lead him to make a decision that is contrary to the public interest.

Moved: Cr Camp

Seconded: Cr Yanner

Carried 240424.03 4/0

Vote against – 0

Vote ineligible – 1

08. Registers of Interests

In accordance with the Local Government Regulation 2012, section 201B (2), The councillor or councillor advisor must, in the approved form, inform the chief executive officer of the particulars required to be included in a register of interests under a regulation for the new interest or the change to the particulars within 30 days after the interest is acquired or the change happens.

09. Consideration of Notice(s) of Motion and Petitions**09.01 Notices of Motion**

None received at time of agenda preparation.

09.02 Petitions

None received at time of agenda preparation.

10. Engineering Services Reports

10.01 Engineering Department Monthly Report

DEPARTMENT:	Engineering
RESPONSIBLE OFFICER:	Chris Wilson – Director of Engineering
PREPARED BY:	Chris Wilson – Director of Engineering
DATE REPORT PREPARED:	15 April 2024
LINK TO COUNCIL PLAN/S:	Corporate Plan 2019-24

1. PURPOSE

This report is provided for information and outlines the works carried out by the Engineering Department for the month of March 2024.

2. SUMMARY

The key items for noting are provided below with associated background detail.

The ongoing flooding events during March curtailed what work could be undertaken. The depot crews were kept busy with flood preparation work, after-flood emergent work, more preparation work for the following cyclone and flooding, training or local maintenance work.

I would like to express my appreciation to all of our small Depot team that kept services going during the month.

2.1 General Business (including Parks, Gardens and Cemetery)

Burketown:

- Training with Martyr training (chainsaw, cherry picker, Gregory staff also did forklift training)
- Cleaning units for new tenants to move in.
- Keeping on top of the mowing and general maintenance in parks and gardens.
- Weeding and mowing the footy field.
- Delivering and maintaining portable public toilets.
- Assisting with maintenance works at the airport.
- Assisting with resupply.
- Weekly rubbish collection was maintained without any issues.

Gregory:

- Maintenance of parks and gardens.
- Mowing and brush cutting at airport.
- Daily road inspection and reports.
- Water treatment depot maintenance.

- Assisting with work on the depot accommodation.
- Keeping township clean and tidy.

2.2 Roads

Council:

- Plant machine training.
- Maintaining and work around depot.
- Daily road inspections.
- Repair Airport Rd and holding works.
- Emergent Works; Truganini Rd, Doomadgee East Rd, Wills Development Rd.
- Assist with repairs of airport runway.
- Assisting with resupply.
- Cleaned SES shed after storm.

RMPC:

- Repair signage
- Daily road inspections
- Emergent Works; Jacks Gully, Doomadgee East Rd, Floodway silt removal.
- Slashing; Wills Development Rd.
- Plant machine training

2.3 Water & Sewerage

- Assist with repairs of airport runway.
- Slashing and grounds maintenance at the airport .
- Replace the Blevins transfer pump at the STP.
- Remove meter and associated infrastructure feeding the football fields due to pipe failure.
- Attend to several minor leaks in town.
- increased testing of river and treated water due to the constantly changing conditions.
- Grounds maintenance at the WTP.
- Robert completed a further two weeks of TAFE training.
- Beau conducted training for excavator and EWP operation.
- Staff were unable to attend Gregory due to road conditions but provided support via SCADA and phone.

2.4 Airports

- Multiple critical runway repairs were completed.
- Issues with the generator were identified and remedial actions put in place.
- A program for the remediation of the deep scoured area at the Burketown airport caused by the 2023 major floods was planned to commence in December, however due to flooding, this has now been put on hold until May.

2.5 Waste Management

- The weekly waste collection continues as normal.
- Due to the flooding, waste was stored in the waste collection vehicle at the cemetery carpark until the vehicle was able to access the landfill.

2.6 Workshop and Fleet

- 523 140M grader - Uni-joint/ yoke replacement – parts ordered and to be completed upon arrival of parts.
- 588 10 Tonne truck – 2 new steer tyres fitted.
- 551 Prime mover – Faulty idler pulley and auto tensioner replacement.
- 528 Gregory Depot Genset – service.
- 608 Gregory WTP Genset – service.
- 566 single cab Landcruiser – Front Differential centre replacement, Front wheel bearing replacement, front shock absorber replacement, front swivel hub full rebuild, rear differential pinion seal replacement, UHF handpiece replacement.
- Flood Prep – Gensets refuel, Pontoon raised/ lowered.
- New Fleet prep – Stickers and towbar fitment.
- 543 – Genset rebuild.
- 598 extra cab Hilux – 4WD actuator repair.
- 529 John Deere ride on – Spindle replacement on mower deck.
- 614 zero turn mower BUC – Radiator, thermostat, and dash panel replacement.
- Auction preparation.
- 585 Road crew job truck – ECM relay and fuse replacement.
- 532 Cleaners car – computer fault – ongoing diagnosis and are currently in contact with dealership chasing a solution.
- SES boat BUC – Propeller Replacement.
- SES – Rewired radio.

3. OFFICER’S RECOMMENDATION

That Council receive and note the Engineering Department monthly report for March 2024.

10.01 Engineering Department Monthly Report

That Council receive and note the Engineering Department monthly report for March 2024.

Moved: Cr Murray

Seconded: Cr Clarke

Carried 240424.04 5/0

10.02 Capital Works Projects Status Update Report

DEPARTMENT:	Engineering and Infrastructure Services
RESPONSIBLE OFFICER:	Chris Wilson
DATE REPORT PREPARED:	15 April 2024
LINK TO COUNCIL PLAN/S:	Corporate Plan Operational Plan Budget

1. PURPOSE

This report seeks to inform Council of the progress of the Shire's 2023/24 Capital Works Program, from 1 to 31 March 2024.

2. SUMMARY

The total funding for Capital Works program including the WIP for the carryover projects and 23-24 FY budget is: **\$18,070,513.27**.

Below please find the summary of the Project and Financial progresses:

- Average Capital Works Program Progress: **76%**
- Average Capital Works Financial Progress: **79%**

The above percentages didn't include the progress of the Deferred Projects.

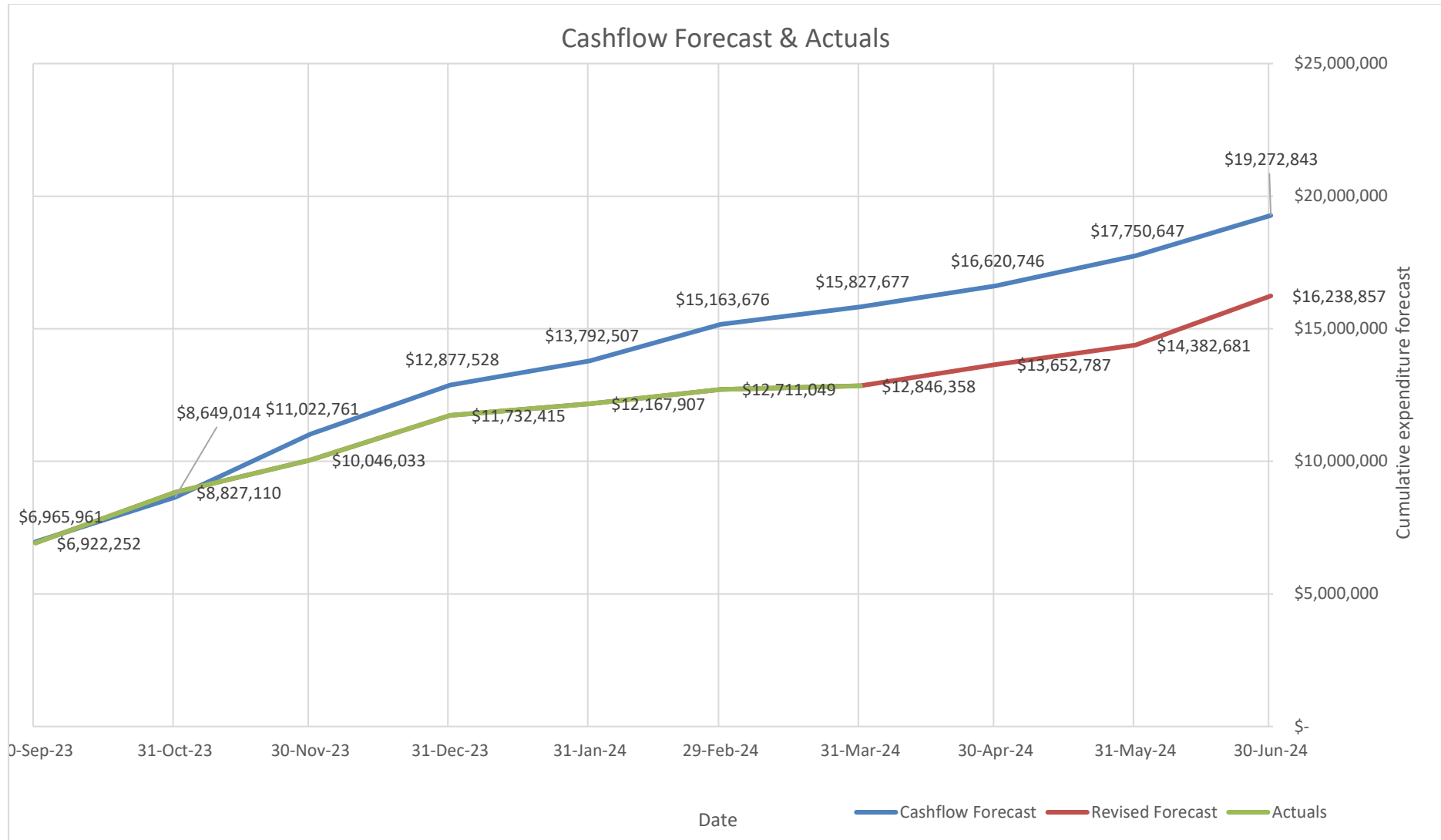
Attached please find a list of Capital Works Projects including details such as the description and status of each project.

3. CASHFLOW

Below please find the Cashflow Forecast baseline (the blue line), the actuals (the black line), and the revised forecasts (the brown line) for this financial year.

The actuals are short by approximately \$3m which is consistent with the revised forecast provided last month. The revised forecast indicated that the gap between the baseline and the forecast will remain consistent in the next couple of months till the end of the financial year. The main reasons for the big gap between the cashflow baseline and the revised forecasts are related to shifting some of the expenditure forecasts of the following major projects to 24-25 FY.

- SCADA and Gregory Water Treatment Plant Upgrade
- Burketown Wharf Recreational Ground Project
- Burketown Health and Wellbeing Precinct
- Fleet Renewal 2023-24



4. CAPITAL WORKS PROGRAM HIGHLIGHTS

Gregory Water Treatment Plant (WTP) Upgrade & SCADA Upgrade project

- Main outstanding items include installation of the new Gregory River Pump, and Gregory WTP clarifier and media filter replacement.
- Quote has been requested for Gregory River Pump.
- Council is reviewing the option of purchasing a clarifier (just the structure) from Richmond (as per picture 1) and assembling the electrical and mechanical equipment aiming to provide costs saving.
- \$260,000 is being requested from the funding body (BoR) to be transferred from the savings of Smart Water Meter.
- **Risk:** In absence of a quote for the Gregory WTP clarifier, the financial status of the project to be monitored to ensure the project can be delivered within the budget.



Figure 1: Lamella clarifier located at Richmond

Burketown Wharf Recreational Grounds

- The contractor provided alternative for the shade structure and toilet blocks
- The specifications for fill and stormwater management are being finalised.
- Funding applications have been submitted for the footpath and toilet block, awaiting the result.
- **Risk:** Additional funding may be required depending on the final scope and specifications.

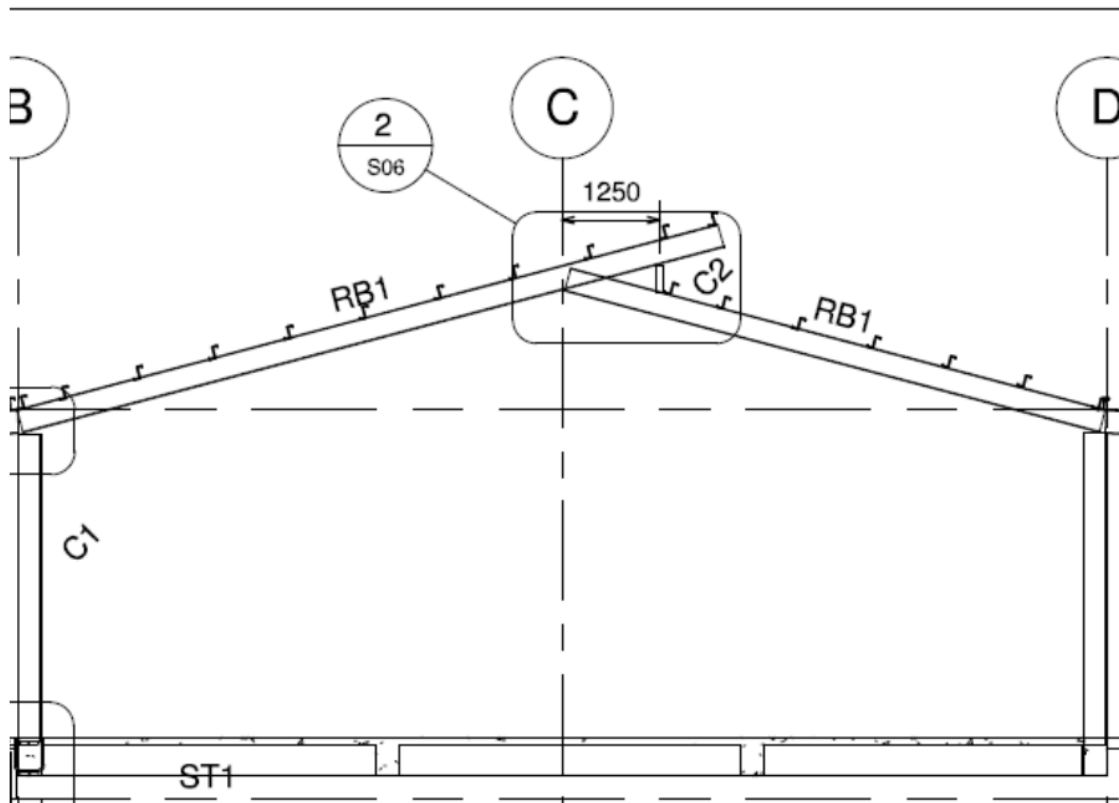


Figure 2: The elevation of an alternative to the designed shade structure

Health & Wellbeing Precinct

- All disciplines progressing to 90% drawings for Admin building, Pool Pump Room, Swimming Pool and site coordination.
- The Splash Park RFT evaluation completed and the report has been submitted to Council for approval.
- Funding application for the final stage of GRP was submitted, awaiting approval.

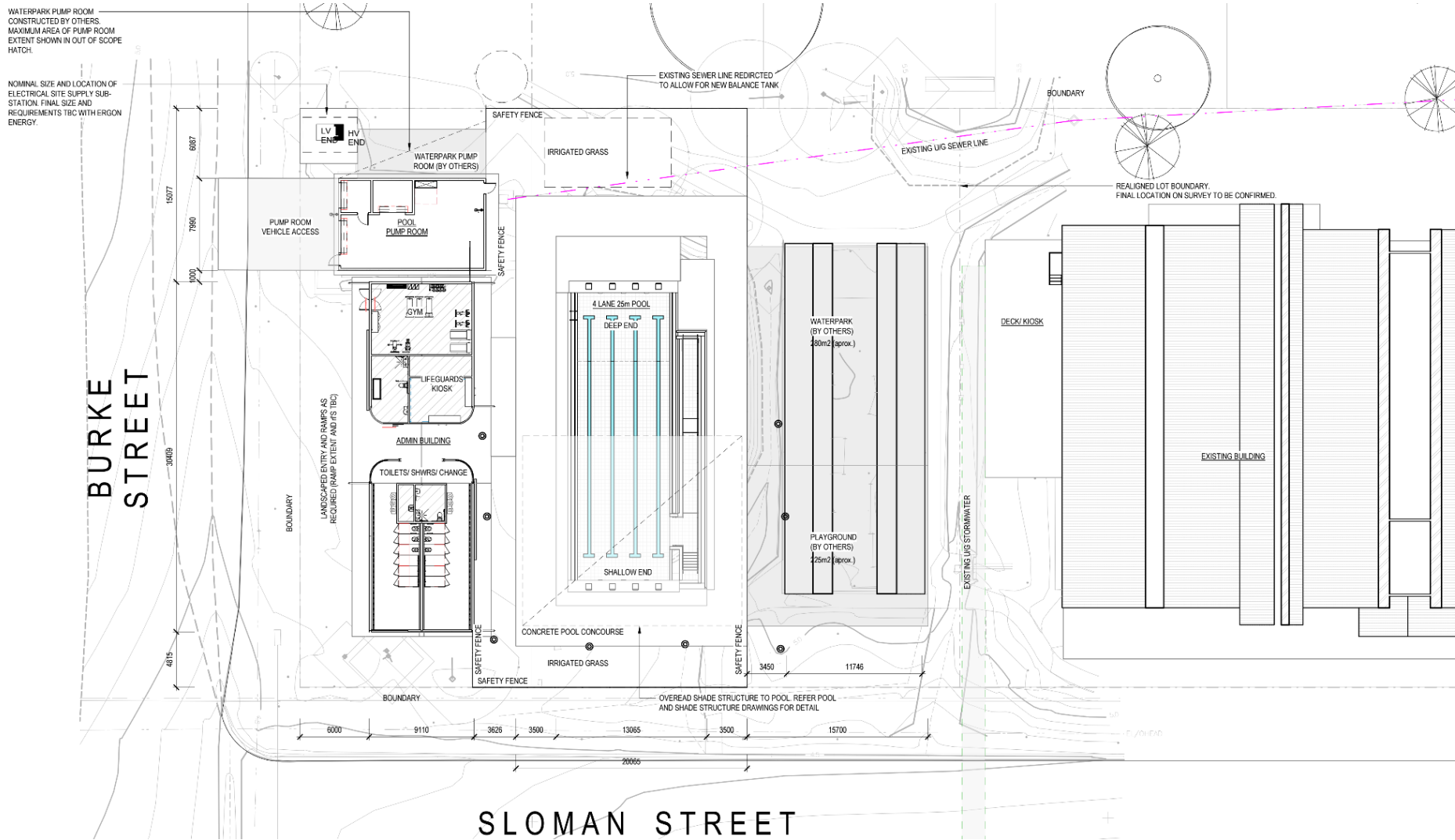


Figure 3: Burketown Health and Wellbeing Site Plan

Burketown Revitalisation Project

- Council has reviewed the Preliminary design of Beams St and Shared Path Upgrade and provided the feedback.
- The Consultant will finalise the street lighting design and detailed design accordingly.

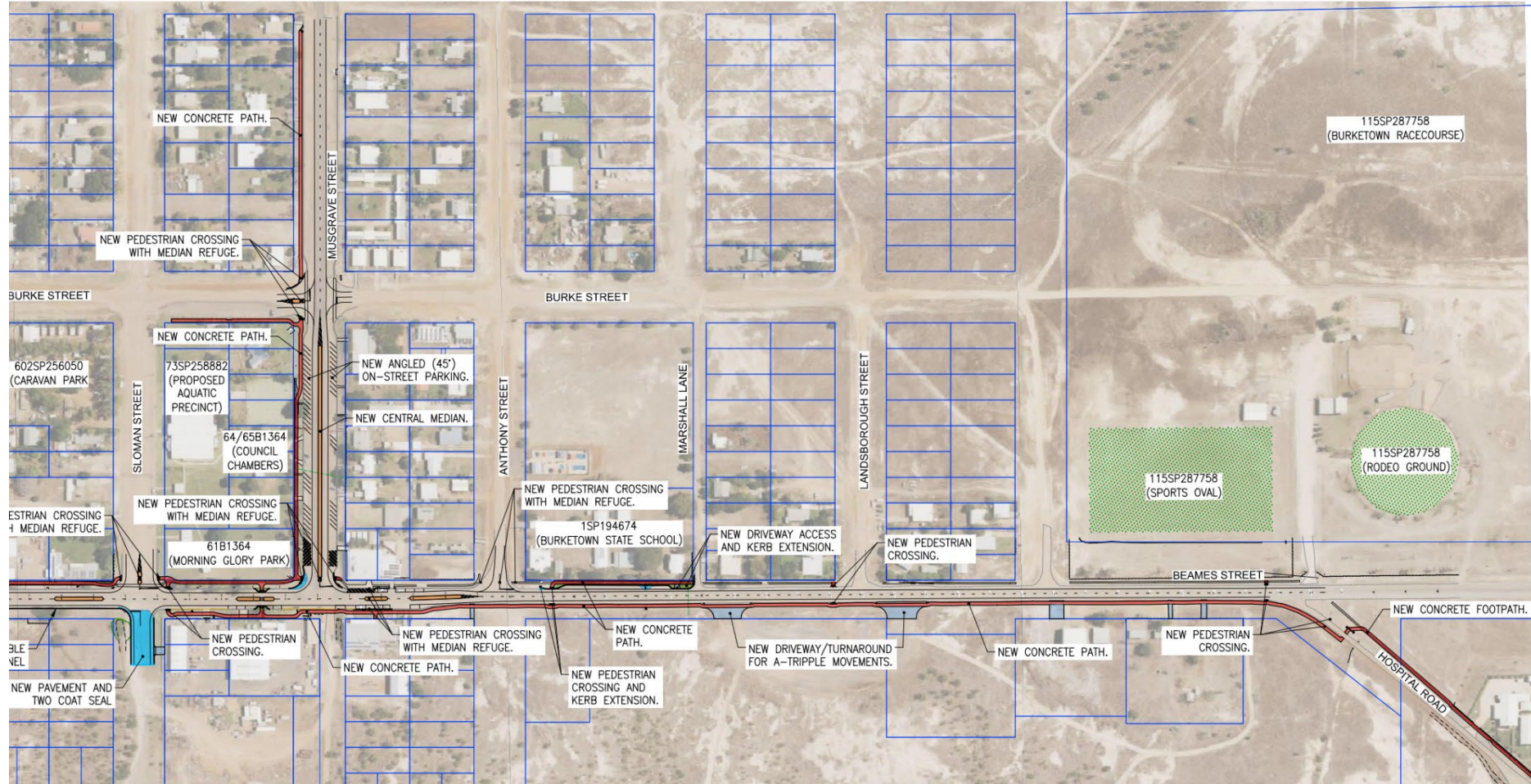


Figure 4: Layout plan of Burketown Revitalisation Project

5. OFFICER’S RECOMMENDATION

That Council receive and note the Capital Works Projects Report for March 2024.

10.02 Capital Works Projects Status Update Report

That Council receive and note the Capital Works Projects Report for March 2024.

Moved: Cr Poole

Seconded: Cr Yanner

Carried 240424.05 5/0

10.03 DRFA Works Project Status Report

DEPARTMENT:	Engineering and Infrastructure Services
RESPONSIBLE OFFICER:	Chris Wilson, Director of Engineering
DATE REPORT PREPARED:	15 April 2024
LINK TO COUNCIL PLAN/S:	Corporate Plan Operational Plan Budget

1. PURPOSE

This Disaster Recovery Funding Arrangements (**DRFA**) report is provided for information and outlines progress to date on the restoration program for Tropical Cyclone Jasper 2023/24; Northern Queensland Monsoon and Flooding 20 December 2022 - April 2023; the Northern and Western Queensland Rainfall and Flooding Event 2022; and the January 2021 Tropical Low event.

2. BACKGROUND

2023/24 Season - REPA Works

Tropical Cyclone Jasper commenced on the 13th of December 2023 and the subsequent flooding that occurred in its aftermath has been the most significant event for this region in many years. The heavy rain during tropical cyclones Kirrily, Esther and Megan and subsequent flooding further damaged public infrastructure.

2022/2023 Season - REPA Works

Burke Shire's funding for the Northern Queensland Monsoon and Flooding, 20 December 2022 - April 2023 event's final approved value to date is \$178,590,740.30 with total payments received to date of \$44,571,540.46. The first set of the contracts (packages 1 to 3) works have been completed. Packages 4 to 7 will be awarded once the tenders have been assessed and the appointment of contractors approved. Another five submissions are in development.

Four percent (4%) of the 2023 REPA works were complete before Cyclone Jasper put an early stop to all remaining works.

DRFA 2022 and 2023 Update:

Please find below the summary of each package of DRFA works, along with progress updates.

5601-3000-0001-2022-2023 DRFA Restoration Package 1 – Gregory Lawn Hill Road

- Works completed 20/12/2023 with exception of cattle grid and culvert silt removal which will be completed in January subject to weather.



Figure 1: DRFA (Restoration) works are in progress along Gregory Lawn Hill Road

5601-5000-0001-2022 & 2023 DRFA Restoration Package 2 – Doomadgee West Road

- Works completed and rectification/touch-up works completed
- Lagoon Creek Sight Distance Improvement works completed



Figure 2: Doomadgee West Road

5601-4200-0001-2022 & 2023-DRFA Restoration Package 3 – Bowthorn Road

- Works completed 7th December 2023.



Figure 3: Bowthorn Rd

0280-4063-0002 2021 DRFA Bowthorn Road Culvert

- Culvert construction completed – 02/11/2023.



Figure 4: Bowthorn Rd Culvert Replacement

DRFA Restoration – Doomadgee East Road

- Fill and repair shoulder erosion (holding works) completed.
- Preparation of damaged pavement for re-sealing (various locations) in progress.

Current DRFA Tenders Advertised (Closing 12th February 2024)

- RFT 5601-3200-0001 - 2023 DRFA Restoration Works - Package 4
 - Town Streets
 - Lawn Hill National Park Road – Sealed Sections
 - Truganini Road
- RFT 5601-4250-0001 - 2023 DRFA Restoration Works - Package 5
 - Bowthorn Road
 - Doomadgee Lawn Hill Road
- RFT 5601-3250-0001 - 2023 DRFA Restoration Works - Package 6
 - Lawn Hill National Park Road – Unsealed Sections
 - Riversleigh Road
- RFT 5601-6800-0001 - 2023 DRFA Restoration Works - Package 7
 - Morella Road
 - Nugaburra Road

The Council Report with recommendations to appoint the Principal Contractors will be presented to this month's Council meeting for approval.

Submission Summary

- DRFA Submission summary is as follows:

Submission Number	Submission Description	Submission Value	Progression
BrkSC.0042.2223G.REC	Lawn Hill Creek North Crossing	\$984,111.81	Approved
BrkSC.0041.2223G.REC	Lawn Hill National Park Road (Sealed) Gregory Lawn Hill Road (Sealed) Doomadgee West Road (Sealed)	\$18,063,872.81	Approved
BrkSC.0040.2223G.REC	Burketown Airport Runway	\$13,287,626.37	Approved
BrkSC.0035.2223G.REC	FWIN Cameras	\$201,598.33	Approved
BrkSC.0043.2223G.REC	Doomadgee East Road	\$15,789,955.00	Approved
BrkSC.0038.2223G.REC	Holding Works various roads	\$1,101,670.32	Approved

Submission Number	Submission Description	Submission Value	Progression
BrkSC.0036.2223G.REC	Burketown streets Gregory town streets Airport Road (Burketown) Cemetery Road Doomadgee Lawn Hill Road Escott Road Five Mile Road Gregory Pump Station Road Mellish Park Road Truganini Road Utilities Road	\$5,066,313.97	Approved
BrkSC.0034.2223G.REC	Bowthorn Road Doomadgee West Road (Gravel) Morella Road Nugaburra Road	\$10,468,335.41	Approved
BrkSC.0032.2223G.REC	Gregory Lawn Hill Road (Gravel) Lawn Hill National Park Road (Gravel) Riversleigh Road	\$7,312,611.23	Approved
BrkSC.0044.2223G.REC	Floraville Road	\$94,387,425.45	Approved
DRAFT: 007646	Gregory Lawn Hill Road Concrete Mattresses	\$17,166,735.20	Under QRA assessment
Sum Total		\$183,830,255.90	

3. OFFICER'S RECOMMENDATION

That Council receive note the DRFA Works Project Status Report for March 2024.

10.03 DRFA Works Project Status Report

That Council receive note the DRFA Works Project Status Report for March 2024.

Moved: Cr Murray

Seconded: Cr Clarke

Carried 240424.06 5/0

10.04 Revision of Procurement Policy (Statutory)

DEPARTMENT:	Engineering
RESPONSIBLE OFFICER:	Chris Wilson; Director of Engineering/Deputy CEO
PREPARED BY:	Wendy van der Wolf; Contracts and Procurement Coordinator
DATE REPORT PREPARED:	19 April 2024
LINK TO COUNCIL PLAN/S:	Goal - Good Governance 1. Council develops implements and maintains an effective and compliant governance framework (governance, finance, risk).

1. PURPOSE

To present an update of Council's Procurement Policy for consideration and endorsement by Councillors.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

In accordance with the Local Government Regulations 2012 section 198, Council is required to prepare and adopt a policy about procurement (a Procurement Policy) and review this Procurement Policy annually.

The attached revised Procurement Policy was tabled with Council for workshopping in October 2023 with the policy also being reviewed and endorsed by the Burke Shire Council Audit Committee on the 27th of November 2023

3. PROPOSAL

The current Procurement Policy has been reviewed by the Executive Management Team and the Contracts and Procurement Coordinator and the Burke Shire Council Audit Committee. This Policy was workshopped with Councillors in October 2023.

Key proposed changes are as follows

- Section 5 C) Table 1 - Delegated Financial Authorities
 - Classification changes to align with Financial Delegations Register
- Section 5.3 – Contract and Project Delivery
 - Changes to subsection (a): the previous wording allowed for officers to approve transactions up to the total project budget. The revised wording limits Council Officers to approve transactions up to the limit of their approved financial delegation as issued by the CEO.
- Section 6, Table 2 Purchasing Thresholds and Requirements
 - New Requisition value range added – '\$1,100 to less than \$5,500' with 1 required quotation to reflect the rise in costs goods and services.
- Section 6.3 – Exceptions to Quotations and tender Requirements

- Pre-qualified Supplier List; New Suppliers can be added at any time within the validity period of the Register of Pre-qualified Suppliers (RoPS). All suppliers on the RoPS at the time of renewal will be invited at the same time regardless of when it was appointed to the RoPS.

4. FINANCIAL & RESOURCE IMPLICATIONS

There are no financial or resource implications associated with this report. Ongoing improvements to the Procurement Policy will enhance procurement accountability.

Compliance	The endorsement of the policy clarifies the procurement processes to be followed, reducing the risk of compliance. It should also increase staff awareness and understanding with regards to procurement practices.	Decreased likelihood of inconsistency in Council procurement practice.
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5. POLICY & LEGAL IMPLICATIONS

Local Government Regulations 2012	Section 104 Sound Contracting principles Section 198-Adoption of Procurement Policy Section 223-238-The default contracting procedures.
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6. CRITICAL DATES & IMPLICATIONS

The next scheduled review of this policy will be April 2025. This policy must be reviewed annually.

7. CONSULTATION

In preparing the content of this Report, consultation has been undertaken in regard to the Policy with Council’s CEO, Management Team, in particular the Contract and Procurement Coordinator and the Finance and Technology Manager.

8. CONCLUSION

The Procurement Policy has been reviewed to ensure compliance with accounting standards, regulations, and legislation. The changes made provide greater clarity around governance and purpose.

9. OFFICER’S RECOMMENDATION

That the attached updated Procurement Policy be endorsed.

10.04 Revision of Procurement Policy (Statutory)

That the attached updated Procurement Policy be endorsed.

Moved: Cr Camp

Seconded: Cr Poole

Carried 240424.07 5/0

Conflict of Interest

Cr Clinton Murray informed the meeting that he has a declarable conflict of interest in Item 10.05 2023 DRFA Restoration Works – Contract for Package 5 and would leave the meeting for that particular package and will not participate in the decision relating to this matter. This is detailed under section 7. He left the meeting at 10.15am and returned at 10.20am.

10.05 2023 DRFA Restoration Works - Contracts for Packages 4 to 7

DEPARTMENT:	Department of Engineering
RESPONSIBLE OFFICER:	Christopher Wilson; Director of Engineering
PREPARED BY:	Sarath Jayasekara; Senior Project Engineer
DATE REPORT PREPARED:	14 February 2024

1. PURPOSE

This report provides Council with recommendations to appoint the Principal Contractors to carry out the works designated under four individual Contracts for the tendered prices as per Table No. 2— Recommended Contractors and Prices. Due to the interrelated nature of the work packages and the tenders received, it has been considered appropriate to provide one Council report covering all four contracts.

It is noted that the overall project budgets for all the projects are provided for under the QRA Restoration Works scheme. The budget includes preliminaries, consulting services, internal costs and construction costs for restoration works.

The details of the project budgets are provided in **Section 4** – Financial and Resource Implications Table 3.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

As a part of the State Government's Disaster Recovery Funding Arrangements (DRFA) for the 2022/2023 flood events, reconstruction of public assets work packages was approved under Restoration Works.

The first three packages were awarded last year, and that work has been completed. Four additional work packages have now been approved to proceed. The four packages are:

- 5601-3200-0001 - 2023 DRFA Restoration Works Package 4
- 5601-4250-0001 - 2023 DRFA Restoration Works Package 5
- 5601-3250-0001 - 2023 DRFA Restoration Works Package 6
- 5601-6800-0001 - 2023 DRFA Restoration Works Package 7

The tender

The tenders for these projects were released via VendorPanel on 15 December 2023 and closed on 12 February 2024. Table 1- Summary of the Tenders and Responses lists the tender submissions received for each project.

The tenders received for Packages 4 to 7 from DNE Civil & Hire Pty Ltd are deemed non-conforming by the tender evaluation panel because the offers did not conform with the lump sum contract conditions.

The tenders received for Packages 4 to 7 from NQ Estimating & Civil Services Pty Ltd are also deemed non-conforming because the financial statements, insurance and management system documentation provided to support the tender were for WAR NQ Pty Ltd, not the company that would be party to the Contract.

Lohman Contracting Pty Ltd submitted a tender of \$2,050,222.28 for package 6; however, it was deemed non-conforming by the tender evaluation panel as none of the response schedules were attached to the response.

McLachlan Family Trust T/as Townsville Earthmoving (TEM) submitted a tender of \$4,549,689.13 for package 7; however, it was deemed non-conforming by the tender evaluation panel due to critical response schedules not being completed, such as management plans, Local Content, Experience & Technical Capability, and Program.

The evaluation panel reviewed each tender in accordance with the probity and evaluation plan and undertook a tender evaluation meeting on 26 February 2024 to discuss and agree on the consensus scoring. The results of this evaluation meeting are contained in the evaluation summary, and the consensus scoring assessment is attached in **Appendix A**.

Since these tenders were advertised and assessed, the shire has been hit with further flooding in February and March 2024. These events have caused further damage to the road network that are part of these packages. As a consequence, further DRFA projects will be submitted to QRA for approval. There would be significant advantages if this year's work was included with the works from last year's event. It would allow the additional work to be done at the original contract rates, and it would allow the two lots of work to be coordinated to achieve the maximum benefit.

Therefore, there is a second recommendation for RFT 5601-3200-0001 - 2023 DRFA Restoration Works Package 4 contract that Council provide delegated authority to the CEO to negotiate a variation to the contract up to the value of the final QRA funding approval.

Table No. 1 – Summary of Tenders and Responses

Tenderer Package	Scope of Work	Number of Tenders Received	Non-confirming Tenders
RFT 5601-3200-0001 - 2023 DRFA Restoration Works Package 4: <ul style="list-style-type: none"> • Gregory Airport Road • Gregory Pump Station Road • Punjab Road • Burketown Rubbish Tip Road • Airport Road • Utilities Road 	2023 DRFA Restoration Works for the activated event. Flood damage restoration works incorporate various approved QRA treatments including but not limited to gravel re-sheeting, heavy formation grading and pavement repairs.	7	2

Tenderer Package	Scope of Work	Number of Tenders Received	Non-confirming Tenders
<ul style="list-style-type: none"> • Anthony Street • Old River Road • Beames Street • Bowen Street • Burke Street • Macintyre Street • Musgrave Street • Sloman Street • Firefly Street • Landsborough Street • Cemetery Road • Truganini Road • Lawn Hill National Park Road - Seal sections 			
<p>RFT 5601-4250-0001 - 2023 DRFA Restoration Works Package 5:</p> <ul style="list-style-type: none"> • Bowthorn Road • Doomadgee Lawn Hill Road 	<p>2023 DRFA Restoration Works for the activated event.</p> <p>Flood damage restoration works incorporate various approved QRA treatments including but not limited to gravel re-sheeting, heavy formation grading and pavement repairs.</p>	12	3
<p>RFT 5601-3250-0001 - 2023 DRFA Restoration Works Package 6:</p> <ul style="list-style-type: none"> • Lawn Hill National Park Road – Unsealed Sections Only • Riversleigh Road 	<p>2023 DRFA Restoration Works for the activated event.</p> <p>Flood damage restoration works incorporate various approved QRA treatments including but not limited to gravel re-sheeting, heavy formation grading and pavement repairs.</p>	13	3
<p>RFT 5601-6800-0001 - 2023 DRFA Restoration Works Package 7:</p> <ul style="list-style-type: none"> • Morella Road • Nugaburra Road 	<p>2023 DRFA Restoration Works for the activated event.</p> <p>Flood damage restoration works incorporate various approved QRA treatments including but not limited to gravel re-sheeting, heavy formation grading and pavement repairs.</p>	11	3

3. PROPOSAL

That Council, having referenced the Tender Evaluation Assessment, endorses the recommendations of the Tender Evaluation Panel to the extent that each Contract is awarded to the respective tenderer to the maximum amount stated (ex GST).

Table No. 2 – Recommended Contractors and Prices

Tender Package	Awarded to	Contract Amount
RFT 5601-3200-0001 - 2023 DRFA Restoration Works Package 4	Stabilised Pavements of Australia Pty Ltd	\$2,870,393.55 ex GST.
RFT 5601-4250-0001 - 2023 DRFA Restoration Works Package 5	Kenglen Civil Pty Ltd	\$2,841,391.68 ex GST.
RFT 5601-3250-0001 - 2023 DRFA Restoration Works Package 6	Durack Civil Pty Ltd	\$1,617,639.03 ex GST.
RFT 5601-6800-0001 - 2023 DRFA Restoration Works Package 7	Durack Civil Pty Ltd	\$2,078,496.81 ex GST.

4. FINANCIAL & RESOURCE IMPLICATIONS

Table 3 lists the budget allocated for each work package. This budget figure incorporates all work to complete the project, including preliminaries, design, project management, contingency, and internal costs. All costs associated with the delivery of the works are covered through QRA DRFA funding.

Table No 3 – Total Project Budget

Tenderer Package	Total QRA Project Budget
RFT 5601-3200-0001 - 2023 DRFA Restoration Works Package 4	\$2,370,083.70 excl. contingency The QRA initial pre-tender assessment is lower than the tendered price (for \$2,870,393.55 ex GST), however the QRA will update and increase its funding to meet the market price. The new Budget will be \$3,300,952.58 including contingency.
RFT 5601-4250-0001 - 2023 DRFA Restoration Works Package 5	\$4,531,302.27 including contingency.
RFT 5601-3250-0001 - 2023 DRFA Restoration Works Package 6	\$3,624,050.84 including contingency.
RFT 5601-6800-0001 - 2023 DRFA Restoration Works Package 7	\$3,480,511.37 including contingency.

5. RISK

Table No 4 – Risk Mitigation Strategy

Risk	Possible consequence	Mitigation
Contract variation – due to wet weather, latent conditions	Increase in Contract Sum	<ul style="list-style-type: none"> • Contingency in the order of 10 - 15% allowed. • Project Management “on the ground” available at all times.
Local Contractor non-award	<ul style="list-style-type: none"> ▪ Criticism of Council ▪ Requested review of procurement methodology 	<ul style="list-style-type: none"> ▪ De-brief with the local businesses who tendered. ▪ Council briefing on procurement methodology.
Delays to the completion of projects	Not meeting the funding requirements	<ul style="list-style-type: none"> • Monitor progress closely with Project Management “on the ground” overview. • Seek a time extension from the funding authority if necessary.

6. POLICY & LEGAL IMPLICATIONS

The Council is required to meet all the requirements of the QRA funding guidelines.

The Council must also meet all relevant local government procurement requirements outlined in the Local Government Act 2009, Local Government Regulation 2012, and Council's Procurement Policy. These requirements have been met through the tender process involved with these projects.

7. CONSULTATION

Consultation has taken place with:

- Queensland Reconstruction Authority
- Northlane Consulting Engineers

8. OFFICER'S RECOMMENDATION

That Council:

1. Receive and note the contents of this report and relevant attachments, and
2. Awards the Contract to the respective Tenderer to the maximum contract value (ex GST) of:
 - a. RFT 5601-3200-0001 - 2023 DRFA Restoration Works Package 4
 1. Stabilised Pavements of Australia Pty Ltd under contract number 5601-3200-0001 for \$2,870,393.55 ex GST, and
 2. Delegate authority to the CEO to negotiate a contract variation for the inclusion of the recent 2024 flood event scope of works up to the value of the final QRA funding approval.
 - b. RFT 5601-4250-0001 - 2023 DRFA Restoration Works Package 5 Kenglen Civil Pty Ltd under contract number 5601-4250-0001 for \$2,841,391.68 ex GST,
 - c. RFT 5601-3250-0001 - 2023 DRFA Restoration Works Package 6 Durack Civil Pty Ltd under contract number 5601-3250-0001 for \$1,617,639.03 ex GST,
 - d. RFT 5601-6800-0001 - 2023 DRFA Restoration Works Package 7 Durack Civil Pty Ltd under contract number 5601-6800-0001 for \$2,078,496.81 ex GST,and
3. Delegates authority to the CEO to enter into negotiations regarding any and all matters associated with executing the Contract to the maximum values of the Project Budgets as stated in Recommendation 2 above.

10.05 2023 DRFA Restoration Works - Contracts for Packages 4 to 7

That Council:

1. Receive and note the contents of this report and relevant attachments, and
2. Awards the Contract to the respective Tenderer to the maximum contract value (ex GST) of:
 - a. RFT 5601-3200-0001 - 2023 DRFA Restoration Works Package 4
 1. Stabilised Pavements of Australia Pty Ltd under contract number 5601- 3200-0001 for \$2,870,393.55 ex GST, and
 2. Delegate authority to the CEO to negotiate a contract variation for the inclusion of the recent 2024 flood event scope of works up to the value of the final QRA funding approval.

Amendment to motion: a. RFT 5601-3200-001 - 2023 DRFA Works Package 4:

- a. RFT 5601-3200-0001 - 2023 DRFA Restoration Works Package 4
 1. GOS Constructions under contract number 5601-3200-0001 for \$2,624,917.34 ex GST, and
 2. Delegate authority to the CEO to negotiate a contract variation for the inclusion of the recent 2024 flood event scope of works up to the value of the final QRA funding approval.

Moved: Cr Poole

Seconded: Cr Clarke

Voted for - Councillors Poole and Clarke-2

Votes against – Cr Yanner, Cr Camp and Cr Murray-3

The motion was lost.

The original motion stands.

- a. RFT 5601-3200-0001 - 2023 DRFA Restoration Works Package 4
 1. Stabilised Pavements of Australia Pty Ltd under contract number 5601- 3200-0001 for \$2,870,393.55 ex GST, and
 2. Delegate authority to the CEO to negotiate a contract variation for the inclusion of the recent 2024 flood event scope of works up to the value of the final QRA funding approval.

Moved: Cr Yanner

Seconded: Cr Camp

Votes for – Cr Yanner, Cr Camp and Cr Murray-3

Voted against-Cr Poole and Cr Clarke-2

Carried 240424.08 3/2

- b. RFT 5601-4250-0001 - 2023 DRFA Restoration Works Package 5 Kenglen Civil Pty Ltd under contract number 5601-4250-0001 for \$2,841,391.68 ex GST,

Moved: Cr Camp

Seconded: Cr Poole

Carried 240424.09 4/0

Ineligible to vote - Cr Murray-1

- c. RFT 5601-3250-0001 - 2023 DRFA Restoration Works Package 6 Durack Civil Pty Ltd under contract number 5601-3250-0001 for \$1,617,639.03 ex GST.

Amendment to motion: c. RFT 5601-3250-001 - 2023 DRFA Works Package 6:

- c. RFT 5601-3250-0001 - 2023 DRFA Restoration Works Package 6 Halloran & Sons Earthmoving Pty Ltd under contract number 5601-3250-0001 for \$1,754, 649.40 ex GST.

The amendment was proposed as:

- I. Council has been pleased with the preferred tenderers work for Council in the past.
- II. Council was concerned about issuing duplicate contracts due to possible timing issues.
- III. The total points were only .3 difference, and the preferred tenderer has a stronger local content.

Moved: Cr Clarke

Seconded: Cr Poole

Carried 240424.10 5/0

- d. RFT 5601-6800-0001 - 2023 DRFA Restoration Works Package 7 Durack Civil Pty Ltd under contract number 5601-6800-0001 for \$2,078,496.81 ex GST,

Moved: Cr Camp

Seconded: Cr Clarke

Carried 240424.11 5/0

and

- 3. Delegates authority to the CEO to enter into negotiations regarding any and all matters associated with executing the Contract to the maximum values of the Project Budgets as stated in Recommendation 2 above.**

Moved: Cr Camp

Seconded: Cr Clarke

Carried 240424.12 5/0

Adjournment

That Council adjourned the meeting from 10.31am to 10.46am for morning tea.

10.06 Burketown Health & Wellbeing Precinct Stage 1 – Splash Park & Playground Contract No.: 0280-4201-0005

DEPARTMENT:	Engineering
RESPONSIBLE OFFICER:	Chris Wilson; Director of Engineering
PREPARED BY:	Wendy van der Wolf; Procurement and Contracts Coordinator
DATE REPORT PREPARED:	16 April 2024

1. PURPOSE

This report provides Council with recommendations to appoint, with provisions, the Principal Contractor to carry out the works designated under the Burketown Health & Wellbeing Precinct – Stage 1 Splash Park & Playground Contract No.: 0280-4201-0005.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The scope of work is located at the Morning Glory Park at the site of the existing playground. The project aims to create a community facility at this site encompassing a splash park, playground, and swimming pool in two stages:

- Stage 1
 - Splash Park and Playground
- Stage 2
 - Gym
 - Amenities - toilets and changing facilities
 - Swimming pool
 - Landscaping

GHD PTY Ltd was engaged in October 2022 to develop a Masterplan and Detailed Design for the Health & Wellbeing Precinct. The final Masterplan, approved by council, was used to form the scope for the Design and Construction Tender for Stage 1 of the Precinct being the Splash Park and Playground.

Stage 1 of the project is jointly funded by Council and the Growing Regions Program (**GRP**), should the funding application be successful. As a contingency, an application is in progress for Regions Precincts & Partnerships Program (**RPPP**) grant. Should the application for the GRP funding be successful the Stage 1 construction works are required to commence by 30 May 2024. The tender award for the works needs to commence as soon as possible after the funding approval to ensure this commencement date can be met.

Due to the large volume of documents, it is impractical to provide these in this report, however copies of the tender submissions and plans for the two shortlisted companies will be available for Councillors at the Council Meeting or earlier if requested.

The Tender

The tender for the Health & Wellbeing Precinct – Stage 1 was released via VendorPanel on the 27th October 2023 and closed on 12th December 2023.

The evaluation panel reviewed each tender in accordance with the *Probity and Evaluation Plan* and undertook a tender evaluation meeting on 10th January 2024 to discuss and agree on the consensus scoring.

The tender submissions received and the consensus scoring from the evaluation meeting are contained in **Attachment 1**.

A copy of the proposed design plan and images is contained in **Attachment 2**.

Council received nine tenders. The tender from Ozzie Surveys was deemed non-conforming due to no submission of response schedules or a tender addressing the Scope of Works.

Of the eight conforming tenders received, the tender submissions from Beucorp and Swimplex were quite similarly ranked and therefore both shortlisted. Beucorp's concept design emphasised the playground and Swimplex's concept design emphasised the water play area. Post tender discussions were held with both companies to address changes to their concept plans to enable a like-for-like comparison. Both concepts were presented to Councillors at a workshop in February 2024. Council concluded that the preference is for a bigger wet play area including a decent sized water bucket, and a slide in the dry park.

Both companies provided revised concept drawings and pricing that is comparable, however the concept provided by Swimplex offers features that are appealing to a wider age range and meets Council's aspiration for a large bucket water feature, while the revised concept from Beucorp is more appropriate for a younger demographic with smaller water features.

The evaluation panel concluded that the Swimplex concept is more appealing and is likely to have a longer lifespan for all age groups.

Council has submitted funding application to GRP for \$4,096,737 and is awaiting approval. An application with the same amount will be submitted to Precinct Development and Planning (RPPP) in case the GRP application is not successful.

3. PROPOSAL

That Council, having referenced the Tender Evaluation Report, endorses the recommendations of the Tender Evaluation Panel to the extent that the Contract is, in principle, awarded to Swimplex Pty Ltd to the maximum amount of \$3,001,000 (ex GST).

4. FINANCIAL & RESOURCE IMPLICATIONS

Table 1: Construction Project Income Budget

Funding Body	Funding
Burke Shire Council	\$455,193
GRP (awaiting result) / RPPP	\$4,096,737
Funding Total	\$4,551,930

Table 2: Construction Project Expenditure Budget

Activity	Value
Construction	\$3,001,000
Project Management	\$380,000
Contingency (15%)	\$491,000
Escalation	\$380,000
Public facilities (optional)	\$300,000
Project Total	\$4,552,000

5. RISK

Risk Type	What could happen	Possible consequence
Delays to the Construction commencement	Not meeting the funding requirements commencement by 30 th May 2024 for GRP	Negotiate with GRP to extend the project commencement date
Contract variation – due to wet weather, latent conditions	Increase in Contract Sum	Contingency in the order of 5 - 10% allowed Project Management “on the ground” available at all times
Delay due to supply chain issues	Increase in Contract Sum and delay to the proposed completion date	Contingency in the order of 5 - 10% allowed Selection of contractor with material in stock
Funding application unsuccessful	Other sources of funds to be sought	Project commencement gets delayed

6. POLICY AND LEGAL IMPLICATIONS

The Council must also meet all relevant local government procurement requirements outlined in the Local Government Act 2009, Local Government Regulation 2012 and in Council's Procurement Policy. These requirements have been met through the tender process involved with these projects.

Instrument	Reference	Details
<i>Local Government Act 2009</i>	Sections 12 and 13 – responsibilities of councillors and employees	Section 12 charges councillors with ensuring the local government achieves its corporate plan. Section 13 charges council employees with carrying out their duties in a way that ensures the local government achieves its corporate plan.
<i>Local Government Act 2009</i>	Section 257	Council authorises the CEO to incur certain expenditure on behalf of Council by way of a delegation made by Council resolution.
<i>Local Government Regulation 2012</i>	Sections 228-238 – Default Contracting Procedures	These Sections in the Regulation provide the requirements for Procurement for contracts valued at \$200,000 and above.
Burke Shire Council Corporate Plan 2019/2024	Vision, Mission, Values	Local Government Principles and Sound Contracting Principles
Burke Shire Council Procurement Policy 2023		Regulate and guide All Council procurement and contracting activities from external parties.

7. CRITICAL DATES AND IMPLICATIONS

Tender Opened - 27th October 2023

Tender Closed - 12th December 2023

Tender Award - May 2024

GRP funding required construction contract commencement date - 30 May 2024

Construction Practical Completion – 30 June 2025

A delay in the award of this tender may impact the Contractors procurement phase (Preliminaries) which could delay the start of the construction works if materials are not delivered in time.

8. CONSULTATION

Consultation has taken place with:

- GHD Pty Ltd
- Burke Shire Council Evaluation Panel

9. CONCLUSION

The contract should be awarded to Swimplex Pty Ltd subject to funding availability including a contingency sum.

10. OFFICER'S RECOMMENDATION

That Council:

- a) Receive and note the contents of the report and relevant attachments; and
- b) Awards the construction contract to Swimplex to the maximum value of \$3,001,000 (ex. GST) subject to a successful funding application and availability of sufficient budget; and
- c) Delegates authority to the CEO to enter into negotiations regarding any and all matters associated with executing the Contract for the Burketown Health & Wellbeing Precinct to the maximum budget value of \$4,552,000 (ex. GST)

**10.06 Burketown Health & Wellbeing Precinct Stage 1 – Splash Park & Playground
Contract No.: 0280-4201-0005**

That Council:

- a) Receive and note the contents of the report and relevant attachments; and
- b) Awards the construction contract to Swimplex to the maximum value of \$3,001,000 (ex. GST) subject to a successful funding application and availability of sufficient budget; and
- c) Delegates authority to the CEO to enter into negotiations regarding any and all matters associated with executing the Contract for the Burketown Health & Wellbeing Precinct to the maximum budget value of \$4,552,000 (ex. GST)

Moved: Cr Murray

Seconded: Cr Yanner

Carried 240424.13 5/0

11. Chief Executive Officer Reports

11.01 Status Report

Resolution Number – 221025.08 – Burke Shire Council Economic Development Strategy

That:

- 1) Council notes the contents of the report;
- 2) Endorses the Burke Shire EDS Project Plan timeframes, and community consultation process; and
- 3) Endorses the commencement of the development of the Burke Shire ED

Status

Community consultation has occurred in Burketown and Gregory. Economic Development Strategy currently being developed. Ongoing.

Resolution Number – 221209.05 – Burketown Speed Limit Reduction

That the speed limit be reduced from 60 to 30 km per hour when the Beames and Musgrave St Upgrade and Cycleway project is constructed:

1. On Beames St between Sloman St and Marshall Lane, and
2. On Musgrave St between Burke St and Beames St

Status

Matter will be resolved when the Beames and Musgrave Street Upgrade and Cycleway design is finalized. Discussion with DTMR had confirmed that a posted 30 km per hour speed limit is not required. Ongoing.

Resolution Number – 221209.06 – Illegal Dumping Regulatory Controls - Delegated Authority to Chief Executive Officer

It is recommended that pursuant to section 263 (1) (b) of the Waste Reduction and Recycling Act 2011, Council resolves to delegate the exercise of all powers contained in the Waste Reduction and Recycling Act 2011 to the Chief Executive Officer. These powers must be exercised subject to any limitation contained in the Instrument of Delegation.

Status

Has happened.

Matter Closed.

Resolution Number – 230823.16 – 2023 - 2024 Donations and Community Grants Requests Report

THAT the Council receives and adopts the following:

1. That Council notes the contents of this report;
2. That Council approves the received Donations/Community Grants requests for the 2023/24 financial year in the following schedule; and
3. That Council approves the Donations/Community Grants requests not yet received but pending financial year as outline in the following schedule.

Schedule of Recommended Donations 2023-2024

Group / Organisation	Event Details Date	Cash Donation / Community Grant Request Received	In-Kind Donation/ Community Grant Request Received	Total of Cash Donations/ Community Grants + In-Kind Donations Requested and others normally budgeted for 2023/2024	In-Kind Donation/ Community Grant Request Particulars
North West Canoe Club	Gregory Canoe Race (Saddles & Paddles) Sunday 6 th May 2024	Nil	\$2500.00 (Estimate only)	\$2,500.00	3 Skip Bins for 1 week – serviced 1 x Portaloos – serviced 1 day only.
Gregory Sporting Assoc.	Gregory Camp draft & Children's Horse Sports 22nd & 23rd June 2024	\$3,000.00	\$2,000.00	\$5,000.00	Printing of program (5 x A3 approx. \$13) Use of rotary hoe prior to the event to prepare arena (council does not have rotary hoe) Rubbish Collection (approx. \$200)

QCWA Gregory Branch	Horse Sports & Family Fun Day DTBA - September 2023	\$2,500.00	\$300.00	\$2,800.00	Erect the street banners to advertise the event Rubbish Collection however this can be completed on normal rubbish day as generally not that much	\$2,800.00
Mt Isa School of the Air	Magazine page sponsorship Burke Shire standard annual contribution	\$150.00	Nil	\$150.00	Nil	\$150.00
Mt Isa School of the Air	Annual Camp at Gregory Showgrounds	Nil	\$200.00	\$200.00	Donation request not received 23/24 however donation based on previous years Rubbish Collection	\$200.00
Sundry Donations – Burke Shire Council	Donations requests to be approved at Council discretion – funerals, event support etc.	Nil	\$5,000.00	\$5,000.00	Nil	\$5,000.00 (pending request from community group or by way of decision to distribute from Council)
Royal Flying Doctors	Contribution decided by Council previous years	\$5,000.00	Nil	\$5,000.00	Nil	\$5,000.00

Burketown Barramundi Fish Org	World Barramundi Fishing Championships Easter Weekend	\$5,000.00	Nil	\$5,000.00	Donation request not received 23/24 however indication that there will be an event in 2024. Donation determined based on previous years.	\$5,000.00 (Pending application to be received)
Gregory Jockey Club	Gregory Races	\$6,000.00	\$2,500.00	\$8,500.00	Donations request not received 23/24 however donation determined based on previous years. Printing of Race Booklets and programs (Booklets - 10 pages & 100 copies approx. \$2100.00) Printing of Programs (5 x A3 approx. \$13) Slashing of the Grounds – to be maintained by Council.	\$8,500.00
Burketown Kindergarten	Annual	Nil	\$300.00	\$300.00	Donation request not received	\$300.00 (Pending

					23/24 however donation determined based on previous years. Provision of printing throughout the year.	application to be received)
Burketown Rodeo & Sporting Association	Burketown Rodeo/Races DTBA	\$5,000.00	Nil	\$5,000.00	Donation request not received 23/24 however indication that there will be an event in 2024. Donation determined based on previous years.	\$5,000.00 (Pending application to be received)
TOTAL		\$26,650.00	\$12,800.00	\$39,450.00		\$39,450.00

Status

Progressing during financial year and actioned as resolved. Will closed after 30th June.

Resolution Number – 231208.06 – Addition of Doomadgee West Rd as the western primary access (from Northern Territory side) to Doomadgee

1. That Council endorse the addition of Doomadgee West Rd as the primary access from the western (Northern Territory) side to Doomadgee township.
2. That Council endorse that there be further investigation into options of that road becoming state controlled.

Status

Continues to be investigated

Resolution Number – 240129.14 – Closed Session Report – Sale of Council Property to Ergon - Lot 55 on SP280661 Wills Developmental Rd Burketown

1. That Council note the contents of the report; and:
2. Council accepts the sale price of \$55,000 excluding GST for the sale of Lot 55 SP280661, Wills Development Road, Burketown to Ergon Energy Corporation Limited.
3. That the CEO be delegated to sign the Contract of sale.
4. That the proceeds of \$55,000, excluding GST, be constrained for the installation of Solar Panels on the Council Depot Roof. This project to be progressed by the CEO, Director of Engineering and the Economic Development Manager and then reported back to Council.

Status

Draft contract in place.

Resolution Number – 240307.08 – Adoption of Revised Strategic ICT Management Framework

THAT Council adopts the Strategic ICT Management Framework and associated following plans for the Burke Shire Council:

- ICT Strategic Management Framework
 - BSC Cyber Incident Response Policy 2023-2024
 - BSC Data Breach Response Policy 2023-2024
 - BSC Ongoing Fleet Replacement (ICT) Plan 2023-2024
 - BSC Three-year ICT Strategic Plan 2023-2024-2025
 - BSC ICT Backup and Restoration Policy 2023-2024

Status

Implemented.

Matter Closed.

Resolution Number – 240307.09 – Review of Delegations - Council to Chief Executive Officer

That Council adopts the updated 'Delegations Register – Council to Chief Executive Officer' attached to this report at Attachment 1.

Status

Actioned.

Matter Closed.

Resolution Number – 240328.02 – Election of Deputy Mayor

That Council:

1. Call for nominations for a Deputy Mayor; and
2. Upon receiving nominations and counting votes, appoints Councillor Clarke as the Deputy Mayor.

Status

Cr Clarke elected as Deputy Mayor.

Matter Closed.

Resolution Number – 240328.03 – General Meeting Schedule

That in accordance with Section 256 of the Local Government Regulation 2012, it is recommended that Council resolves that General Meetings will be held on the following dates in the Council Boardroom in the Nijinda Durlga, Burketown. The meetings are scheduled to commence at 9.00am.

Wednesday	24 April
Thursday	23 May
Thursday	27 June
Thursday	25 July
Thursday	22 August
Thursday	26 September
Thursday	24 October
Thursday	21 November
Thursday	12 December

Status

Implemented.

Matter Closed.

1. OFFICER'S RECOMMENDATION

That the status report be received and noted as at 31 March 2024.

11.01 Status Report

That the status report be received and noted as at 31 March 2024.

Moved: Cr Camp

Seconded: Cr Poole

Carried 240424.14 5/0

11.02 Chief Executive Officer Report

DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; CEO
PREPARED BY:	Dan McKinlay; CEO
DATE REPORT PREPARED:	19 April 2024
LINK TO COUNCIL PLAN/S:	Goal – Good Governance 1. Council develops implements and maintains an effective and compliant governance framework (governance, finance, risk).

1. PURPOSE

To summarise the key actions and updates within the office of the CEO for the month of March 2024.

2. UPDATES

Chief Executive Officer

Records management continues to be a focus with planning for destruction runs in line with legislation.

Renewal of Memorandum of Understanding's for Gregory Downs Jockey Club has commenced. Review of Licence Agreement between Burke Shire Council and Gangalidda and Garawa Services Pty Ltd is well advanced re Visitor Information Centre.

The Housing Strategy implementation is progressing. Five houses now sold to staff plus one house sold in Gregory. 'Final four' are being progressed. I anticipate that all nine properties will be sold by 30 June 2024.

Various meetings as follows:

- EMT meetings
- LDMG meetings
- Burke Shire Council - Energy Project Governance Committee
- LGW Audit review
- Northern Queensland Situational Briefings [SEC=OFFICIAL]
- Council meeting
- Burke Shire Council Application for Wetland-Southern Gulf
- Joint Consultative Committee meeting
- DTATSIPCA & Burke Shire Council - Meeting to discuss the Community Recovery & Resilience Officer
- Statutory Post election meeting.

- Police interviews
- Internal Grants meeting
- CAG meeting
- Meeting re: budget reviews
- Discussions re: workforce plan
- Meeting re: liquidity review
- GSD board meeting
- Various flood issues

Financial Services and Information Technology

Major focus in March 2024 for Financial Services was as follows:

- Council still in progress of facilitating Liquidity Review by the Department of Local Government and KPMG Brisbane
- Working to finalise the final component of the LGM 2023 Flood insurance claim; \$250k pending, to be paid to council once signed off
- Finalised interim external audit dates with the QAO
- Completed internal audit 1 for ICT and Cyber Risk Controls Review
- Engaged Assetval for 2023-2024 financial statement asset valuation (indexation) and issued valuation instructions
- Tip restoration valuation for 2023/2024 completed
- Rates reminder notices issued
- Initial rates modelling calculations completed ahead of the annual budget
- Review of fees and charges carried out for 2024/2025

Major focus in March 2024 for Technology Services was as follows:

- Completed internal audit 1 – ICT Governance review;
- Following up on TDRI submission - Burke and Telstra grant submission for the TDRI grant funding program for Network and telephony resiliency was submitted on time – this will include the following elements:
 - Starlink installation with Starlink Business to the Admin office with a view to use this to provide public wifi
 - MS Teams Deployment Costs, including onsite to Burketown
 - Estimated project cost of \$143k – seeking exception from dept for 100% external funding with no cost impost to council
 - Estimated monthly billing saving of \$852 or \$10.2k per year
 - We received an update that we had made it into a short list for consideration and we are still pending a result from Department to be advised

- A 100mbit link has been confirmed for the Burke Admin office and will be installed for mid-April
- A project is currently underway to fully overhaul, and update Reflect and Arc GIS software with MARS portal and up to date Northlane drawings layers and roads condition data
- Costed and engaged implementation of MDM (Mobile Device Management) Softwares (Intune) – \$6,100 to deploy and to map all mobile assets and allow for service desk remote access for troubleshoot; this is current in progress with RMT
- Applied for two major grant projects via the NEMA grant pending approvals
 - Aqura Telstra Wifi Hubs – Gregory township
 - Attentis Smart AI Weather and Environmental Monitoring Stations

People and Culture

EBA related

- A Productive meeting was held in March.
- The next JCC meeting is scheduled for 15 May.
- EBA negotiations to commence in July.

Policies

- Inclement Weather Procedure developed

Positions advertised:

- Water Operator
- Community Development and Administration Officer

New employees

- Cheryl Portch

Terminations

- Jenny Harders

Training and Professional Development

- Cert III Plumbing Tafe Block
- Chainsaw training
- High Risk: Forklift
- Elevated Work Platform
- Plant operator: Backhoe
- Plant operator: Excavator
- Plant operator: Front end loader
- Plant operator: Grader
- Plant operator: Skid steer
- HR Law Masterclass

- Safe Cycling Infrastructure for Streets & Roads
- Women in Local Government conference

Other

- Community Gym
 - These numbers are a guide as I believe there are a number of users who do not sign in.
 - Usage has hit record numbers:
 - 2024: Jan 132; Feb 128; Mar 142 (*a record*)
 - Prior year: Jan 63; Feb: 94; Mar 21
 - Our regular users have also increased
 - Jan – Mar 2024: 23 regular / 12 infrequent
 - Oct – Dec 2023: 18 regular / 11 infrequent
 - July – Sep 2023: 18 regular / 32 infrequent
- Move it Burke: Our next event will take place in May
- Organisational Chart. Amended chart is attached. Key changes are :
 - Community activities have moved from Shannon Moren to Kim Chan
 - Natasha Williamson (WH&S Officer) now reporting to Chris Wilson

Economic and Community Development

Grants

- Several Grants currently being drafted for submission
 - Regional Precincts and Partnerships Program Stream Two: Precinct Delivery – Health and Wellbeing Precinct Stage 1 & 2
 - Regional precincts and partnerships Program Stream one: precinct development and planning: Industrial Land Precinct
 - Play our way program – tennis courts
- Recently Submitted Awaiting Outcomes
 - Active Women Grants Program – submitted \$25k
 - SES Gregory – Grant for office building submitted. \$80k
 - SES Burketown – Grant for SES mobile Starlink for vehicle submitted \$3k
 - Remote Airport Upgrade Grant – Shade Structure for Emergency Vehicles at Gregory Airport - ~\$23k in funding sourced (50% co-contribution)
 - Growing Regions Fun – Burketown Splash Park Stage One of the Burketown Health and Wellbeing Precinct. Approx \$3.5 million dollar project (10% co-funded by Council). Detailed application submitted
 - Building Bush Tourism – Burketown Wharf Project
 - Tackling Regional Adversity through Connected Communities 2024 – 25 \$66k

- Senior's Day Grant - \$2k
- Regional Networker Grant \$2k for small business event
- Grant currently being worked on:
 - Move it NQ – Gregory sports program – Successful \$7k. Funding has been extended due to flooding. Met with Taren – program approved.
 - SES Support Grant – Gregory SES Power shed. Original underground system to be installed from Council Depot. Awaiting revised quote.
 - Gambling Community Benefit Fund – acquitted.
 - Successful for the Strengthening Rural Communities Grants for a community garden. \$25k. Currently working on variation. Aiming for project completed by June 30.
- Council Website now updated with community grants. To be updated monthly – ongoing.
- Grant review assistance provided to Mougibi Housing for a Gambling Community Benefit Fund Application.

Small Business

- Drafting a business investment prospectus document to entice people to come to the shire and start a business – ongoing. Awaiting industrial land to be finalised.
- Drafting of business event incentive scheme.
- Small Business workshop day scheduled for the 20th of May:
 - Department of State Development – Capability statement workshop and tendering tips workshop
 - Department of Employment, Small Business and Training – one on one mentoring
 - Regional Business HQ – digital workshops

Gulf Savannah Development

- Ongoing project management assistance for the Port of Karumba Project

Tourism

- Next year's tri-fold brochures have been mailed to surround locations. Z-cards have been printed and we are waiting for them to arrive in the mail to be distributed to local businesses and the information centre.
- Signage audit underway. Due to apply for funding for signage ongoing.
 - Currently looking at putting in a new welcome to Burketown Sign at the airport and Hell's Gate Roadhouse – prioritised. Working with state development to see if the digital files may be available
- New tourism website and new look business directory. Currently live. Seeking businesses feedback before promotion.
- Tourism banners being scope for signs in Burketown and Gregory – draft design being sent to Burketown.
- Tourism Data (Provided by the Visitor Information Centre) - None recorded for March
- Tourism Business Visit planning in underway.

Economic Development

- Draft Economic Development Strategy finalised. Draft Completed. To be presented to new council.

Wet Season

- Temporary housing - Cyclone rated dongas have now been deployed. Three were severely damaged in the last flood. Dongas being sold directly to those that have them on their property.
- Involved in resupply and other flood related activities.

Events

Upcoming Council Events:

- ANZAC Day – Burketown. Two representatives for the army 51 Battalion will be in attendance.

Upcoming Community Events:

- Gregory Saddles and Paddles Races – May Day long weekend
- Mougibi Fishing Competition – May Day long weekend

Draft Events Calendar to be reviewed at the Council Briefing Session Tuesday 23rd April.

Donations

- Public notice for the 2024 – 2025 donations request released. Applications due 29th April.
- RFDS donation has been processed. To be officially present at the May Council Meeting.
- Gregory Saddles and Paddles and Mougibi Housing (Mougibi Fishing Competition) donation requests currently being processed.

Community and Communications

Building, Facilities & Maintenance

- Ruswin Locksmiths attended Burketown and Gregory week commencing 15th April to inspect and service locks on Council properties and rekey houses (excluding executive homes and seniors units). Structural Engineer has been engaged, CT Management Group, to conduct building inspections, provide a detailed assessment of each property including a list of recommended repairs/maintenance observations including risk rating. This will enable Council to better manage our assets and budget going forward. Site visit to be confirmed however inspection and condition assessment to be completed by 30 June 2024. General Maintenance of all Council Properties is ongoing. RFQ's will be released in the coming weeks for pest control services and guttering clearing and repairs.
- House 15, Bowen Street Burketown – Painters are currently completing works on the property and floor later is expected to be onsite by the end of April/start of May.
- Vacant properties – House 16 Lot 4 Marshall Lane, House 18 Lot 154 Musgrave Street, Unit 7 Lot 172 Musgrave St (currently being used by the temp water operator)
- Housing Inspections – First round of housing inspections will commence at the start of June. Going forward, inspections of properties will be completed every 6 months with the exception of the seniors complex which will be done quarterly given that it is a shared space.

- Cemetery Upgrade (Burketown & Gregory) – We are currently looking at an overhaul of our cemeteries in Burketown and Gregory. The project includes upgrades of fencing and also introduction of software to manage each cemetery. We have received a proposal from a supplier called Chronicle. Chronicle is used in approximately 200 cemeteries across Australia including Richmond and Cloncurry. The software provides a GPS-guided walk to grave, customizable data management, feature stories and online historical walk tour, create online memorials, is accessible to the public and enables online plot sales.
- Burketown and Gregory Multipurpose Courts – We are currently putting together a grant application to remove and replace the Burketown and Gregory Multipurpose Courts through the ‘Play Our Way Program’. This is a Federal Grant of up to \$2 million.
- Local Laws - Overgrown Allotments

It has been identified that there are many overgrown allotments within the Burketown and Gregory Communities. Public notification will be released to encourage property owners to clean their properties. Following on from this, inspections will be completed in Burketown & Gregory from 24th – 28th June and notices issued to owners who have not maintained their properties.

- Vet Visit

We will be engaging Gulf Veterinary Services to hold a clinic in Burketown and possibly Gregory (pending availability) before the end of June, dates to be confirmed. We are proposing that Council covers the desexing fees as previously done however all other services are to be paid by the owners. In order to access the service, you must have your pet registered with Council.

- Food Licensing

An RFQ is currently being put together to engage an Environmental Health Officer to perform Food Business Inspections in the month of June. This will also include provision of reports to Council and any follow up inspections that are required.

Corporate Services and Governance

- ECQ Local Government Elections related tasks carried out.
- Disaster Management – various resupplies for stations and businesses
- Library exchange was received. Some new stock now in the library.
- Met with CorpMem to discuss proposal to come to site and assist with clearing the archive room.

4. OFFICER’S RECOMMENDATION

That

1. The contents of the Chief Executive Officer’s Report for March 2024 be noted and received.
2. The amended Organisational Chart be approved.

11.02 Chief Executive Officer Report

That

1. The contents of the Chief Executive Officer's Report for March 2024 be noted and received.
2. The amended Organisational Chart be approved.
3. The CEO be delegated to negotiate the purchase of donga's from Johns Lyng Group.

Moved: Cr Poole

Seconded: Cr Yanner

Carried 240424.15 5/0

11.03 Finance Monthly Update Report

DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Shaun Jorgensen; Finance and Technology Manager
DATE REPORT PREPARED:	11 April 2024
LINK TO COUNCIL PLAN/S:	Operational Plan 2023-24 Council Budget 2023-24

1. PURPOSE

This report has been constructed to provide a snapshot of the progress of council's operations (financial) against budget targets at 30 June 2024 as adopted by the council budget. The below report will focus on providing information to key decision makers in regards to key metrics, trends and actuals for the month ended March 2024.

2. SUMMARY

Council's cash holdings were down by \$103.91k by the end of March 2024.






Overall council is slightly under budget by 3.78% with many areas of cost phasing now having caught up with the pro-rata estimated budget targets to 30 June 2024.

The following report will cover off on the following key areas (in order) of the list

- i. Overall Operating Summary (Actual v Budget)
- ii. Statement of Cash Flows
- iii. Statement of Income and Expenditure
- iv. Organisational Services Performance
- v. Statement of Financial Position
- vi. Rating Arrears Summary
- vii. Exercise of Delegations
- viii. Officer's Recommendations

3. OVERALL OPERATING SUMMARY (Actual v Budget)

The below summary shows a brief snapshot of how council is tracking in the current year against the budget for the year as adopted by council for the 30 June 2024.

Overall Financial Performance	Note Ref	Year To Date Actual	Annual Budget (Target)	YTD Progress %
Operating Revenue	(1)	15,554,005	26,868,295	 58%
Operating Expenses	(2)	21,630,704	30,371,230	 71%
Operating Result (Profit/Loss)	-	6,076,699	3,502,935	 173%
Capital Revenue	(3)	3,033,347	18,305,100	 17%
Net Result	-	3,043,352	14,802,165	 -21%

Assets & Liabilities		Year To Date Actual	Annual Budget (Target)
Cash & Cash Equivalents	(4)	53,444,696	14,017,661
Other Current Assets	(5) -	1,454,821	1,402,000
<u>Non Current Assets</u>	(6)	168,557,746	180,489,175
Total Assets		220,547,621	195,908,836
Liabilities (Current)	(7)	47,095,376	3,540,000
Liabilities (<u>Non Current</u>)	(8)	1,062,258	1,483,120
Total Liabilities		48,157,634	5,023,120
Net Community Assets		172,389,987	190,885,716

Sustainability Outlook

Financial Sustainability Ratios and Measures of Sustainability	Target	Current Month YTD	Prior Month
¹ Operating Surplus Ratio (%)	Between 0% and 10%	-39%	-39%
² Working Capital Ratio	Greater than 1:1	1.1	1.1
³ Net Financial Liabilities Ratio	Less than 60%	-31%	-35%

1

Notes:

- (1) **Operating Revenues** - Major movement for the month consists of further DRFA revenues have been recognised during the month as well for works completed to date.
- (2) **Operating Expenses** - Noted that costs are under budget by 3.78%. In relation to employee benefits costs against the budget, we have currently expended \$3.844mil against a budget of \$6.379mil for the year; this is an actual spend of 60.26% year to date.
- (3) **Capital Revenue** - Minimal movement noted month on month.
- (4,5,6,7,8) - Accounts relate to balance sheet movements, all of which will move in correlation to

¹ Definitions

1 The working capital ratio: measures council's ability to offset short term obligations with current assets.

2 The net financial liabilities ratio: measures council's ability to increase borrowings where necessary.

3 The operating surplus ratio: measures council's ability to cover operational costs through operational revenues.

4. STATEMENT OF CASH FLOWS

The below statement shows a comparison between the cashflow of March 2023 in the previous year v March 2024 actuals v the budgeted estimated cashflow for 30 June 2024.

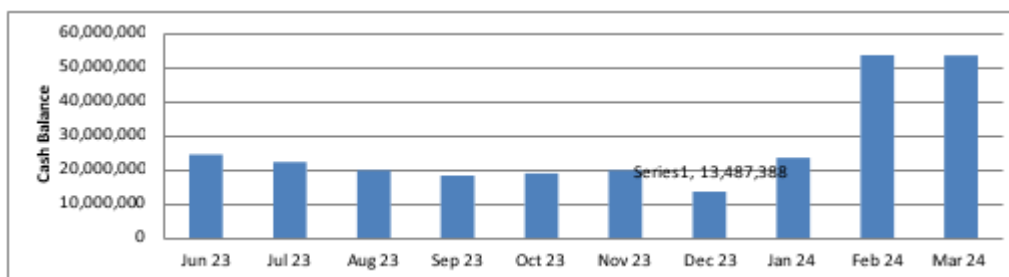
For the month ended 31 March 2024

	Note Ref	31 March 2023 \$	31 March 2024 \$	2023-24 Annual Budget \$	YTD Progress %
Cash flows from operating activities:					
Receipts from customers	(1)	4,194,230	8,149,442	5,442,008	150%
Payments to suppliers and employees	(2)	(11,150,343)	(19,457,598)	(33,138,922)	59%
		(6,956,113)	(11,308,157)	(27,696,916)	41%
Rental Income	(3)	168,482	163,462	218,000	75%
Interest Received	(4)	228,078	827,677	879,000	94%
Operating Grants and Contributions	(5)	8,301,089	44,571,156	20,565,000	217%
Finance Costs		0	0	-	0%
Net cash inflow (outflow) from operating activities		1,739,514	34,254,138	21,662,000	158%
Cash flows from investing activities:					
Payments for Property, Plant and Equipment	(6)	(3,606,252)	(8,374,475)	(23,213,100)	36%
Net movement on loans and advances		-	-	-	0%
Proceeds from Sale of Property, Plant and Equipment		(174,135)	0	100,000	0%
Capital Grants and Subsidies	(7)	2,156,140	3,104,456	18,205,100	17%
Net cash inflow (outflow) from investing activities		(1,624,248)	(5,270,020)	(4,908,000)	107%
Cash flows from financing activities:					
Proceeds from Borrowings		-	-	500,000	0%
Repayment of Borrowings		-	-	-	0%
Net cash inflow (outflow) from financing activities		-	-	-	0%
Net increase (decrease) in cash held	(8)	115,266	28,984,119	(10,442,916)	-278%
Cash at beginning of reporting period		10,146,891	24,460,577	24,460,577	100%
Cash at end of reporting period	(8)	10,262,157	53,444,696	14,017,660	381%

Cash and Cash Equivalents Summary

Cash & Cash Equivalents	Effective Interest Rate	YTD Interest Earnings	Cash Balance
QTC Cash Fund	5.04%	827,677	52,572,134
Westpac General Fund - Trust	-	-	872,278
Cash Floats	-	-	283
Total			53,444,696

Cash and Cash Equivalents Movement Comparison Chart



Cash and Cash Equivalents – Restricted Cash (IAS 7)

Total Cash on hand	53,444,696	%
Restricted Cash - DRFA Operating Grants	44,872,820	83.96%
Restricted Cash - Non-DRFA Operating Grants	90,979	0.17%
Restricted Cash - Capital Grants	874,176	1.64%
Unrestricted Cash	7,606,720	14.23%

Notes to the Statement of Cashflows:

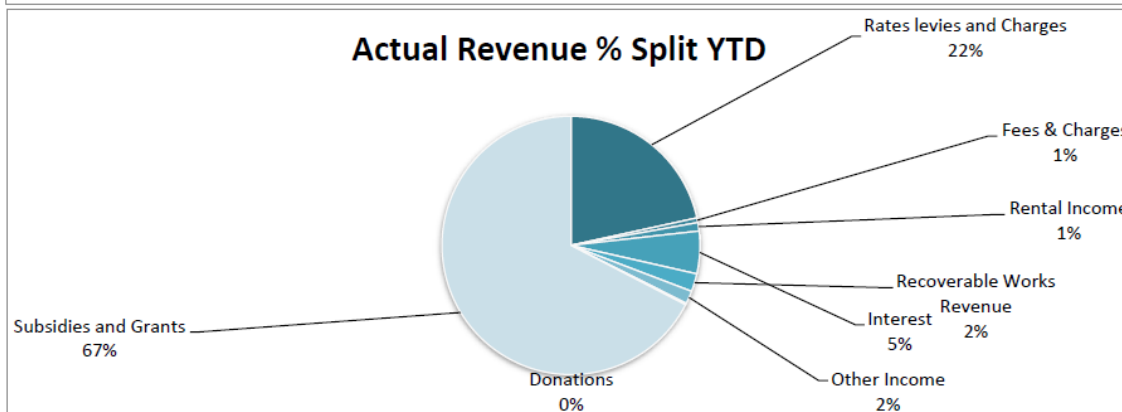
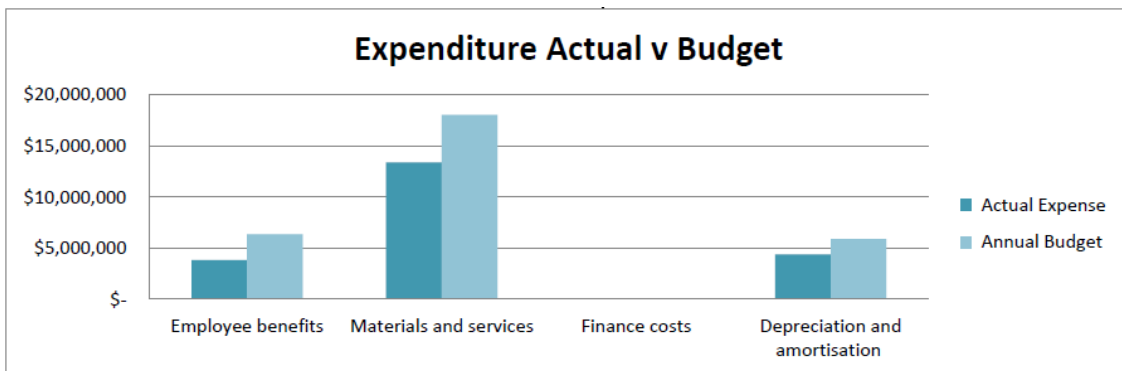
- (1) **Receipts from customers** - Noted balance is on track with budget however is distorted by mapped movements in GST accruals due to the receipt of major DRFA 2022/2023 grant funding during February 2024.
- (2) **Payments to suppliers and employees** - On track with budget; please note that this amount includes accruals amounts to be recognised to 30 June 2023; as a result, some amounts in the cashflow will carry through to 30 June 2024 as a distortion due to timing. This amount also shows that council is within expectation of council's cash spend for the end of March 2024.
- (3) **Rental Income** - Rental income is on track with budget.
- (4) **Interest Received** - Interest has increased significantly comparably year on year due to the significant change in the RBA cash rate having an impact on the effective interest rate provided by the QTC (5.02%). This is up from 4.97% in February 2024. The budget as it stands does not account for the major uplift in cash; at this stage council management expects interest to further exceed past expectations with the majority of council cash holdings being seated in the QTC investment account resulting in a predicted not yet budget amended operational surplus of funds.
- (5) **Operating Grants and Contributions** - Major movement for the month consists of 2022/2023 DRFA flood event funding from the QRA to the approximate sum of \$28.48mil.
- (6) **Payments for Property, Plant and Equipment** - The current spent indicate total capital works progress year to year for the end of March 2024. Noted that the spend to date is showing significant improvement year on year and represents Engineering pursuing the budgeted target as set by council for capital works.
- (7) **Capital Grants and Subsidies** - Noted capital revenue has decrease month on month due to the reconciliation and recognition of amounts against accrued revenues/contract assets carried forwards from the previous financial year.
- (8) **Net Cash Movement** - Council's cash holdings were down by \$103.91k by the end of March 2024.

5. STATEMENT OF INCOME AND EXPENDITURE

The below statement shows a comparison between the income and expense statement of March 2023 in the previous year v March 2024 actuals v the budgeted income and expenditure for 30 June 2024.

For the month ended 31 March 2024

	Note Ref	31 March 2023	31 March 2024	2023-24 Annual Budget	YTD Progress %
		\$	\$	\$	
Recurrent Revenue					
Rates levies and Charges		3,288,829	3,356,144	3,365,000	100%
Fees & Charges	(1)	94,664	91,311	147,400	62%
Rental Income	(2)	168,482	163,462	218,000	75%
Interest	(3)	226,076	827,677	879,000	94%
Recoverable Works Revenue	(4)	569,396	351,200	1,139,895	31%
Other Income	(5)	21,983	250,174	549,000	46%
Donations	(12)	-	31,143	5,000	623%
Developer Contributions		-	-	-	0%
Subsidies and Grants	(6)	3,352,975	10,482,894	20,565,000	51%
Total Recurrent Revenue		7,722,404	15,554,005	26,868,295	58%
Capital Revenue					
Sale of non-current assets	(13)	-	-	100,000	0%
Contributions		-	-	-	0%
Subsidies and Grants	(7)	2,156,140	3,033,347	18,205,100	17%
Total Capital Revenue		2,156,140	3,033,347	18,305,100	17%
TOTAL INCOME		9,878,544	18,587,352	45,173,395	41%
Recurrent Expenses					
Employee benefits	(8)	3,460,912	3,844,600	6,379,591	60%
Materials and services	(9)	5,634,321	13,385,771	18,063,639	74%
Finance costs	(10)	11,582	20,667	18,000	115%
Depreciation and amortisation	(11)	3,992,766	4,379,666	5,910,000	74%
TOTAL RECURRENT EXPENSES		13,099,581	21,630,704	30,371,230	71%
NET RESULT		3,221,037	3,043,352	14,802,165	-21%



Notes to the Statement of Income and Expenditure:

- (1) **Fees & Charges** - This amount is on track with budget.
- (2) **Rental Income** - Rental income is on track against budget.
- (3) **Interest** - Interest has increased significantly comparably year on year due to the significant change in the RBA cash rate having an impact on the effective interest rate provided by the QTC (5.02%). This is up from 4.97% in February 2024. The budget as it stands does not account for the major uplift in cash; at this stage council management expects interest to further exceed past expectations with the majority of council cash holdings being seated in the QTC investment account resulting in a predicted not yet budget amended operational surplus of funds.
- (4) **Recoverable Works Revenue** - RMPC works are still progressing with further billings expected to be carried out up to 30 June 2024.
- (5) **Other Income** - 50% of the estimated flood claim insurance reimbursement funds have been received with a further \$250k pending finalisation for April 2024 with LGM.
- (6) **Subsidies and Grants (operating)** - Major movement for the month consists of 2022/2023 DRFA flood event funding from the QRA to the approximate sum of \$28.48mil.
- (7) **Subsidies and Grants (capital)** - Minimal movement noted for the month.
- (8) **Employee benefits** - In relation to employee benefits costs against the budget, we have currently expended \$3.844mil against a budget of \$6.379mil for the year; this is an actual spend of 60.26% year to date.
- (9) **Materials and services** - Refer to the cost disaggregation in the operating statement. Currently on track with budget overall.
- (10) **Finance costs** - Are scalable higher because bank interest significantly increased above expectation. The total increase in cost is immaterial when compared to the scalable increase in interest revenue received for the year.
- (11) **Depreciation and amortisation** - Is in line with the expected depreciation spend by 31 March 2024.
- (12) **Donations Revenue** - This is made up of revenue received from the regional flood donations fund to cover the cost of issuing gift cards to post flood effected community members.
- (13) **Sale of non-current assets** - Nil movements noted at this stage. Accounting adjustments for the sale of land and property will be reflected in the April 2024 report to council.

6. BURKE SHIRE COUNCIL FINANCIAL PERFORMANCE

The below report shows the expenditure split between the various organisational departments of council.

It is expected that movements should be no more than 8.33% month on month (100% divided by 12 months).
 Benchmark for March 2024 74.97%

% YTD Actual expense v Annual Budget
 ■ YTD actual v budget is on track
 ■ YTD actual v budget is unfavourable (1%-5% movement larger than expected)
 ■ YTD actual v budget requires review (>5% movement larger than expected)

Organisational Services					
	\$1 March 2023	\$1 March 2024	2023-24 Annual Budget	YTD Progress %	Comments
Recurrent Expenses					
Corporate Governance Costs	606,992	661,249	955,800	69.18%	On track with budget.
Administration Costs	2,629,518	2,647,102	3,863,950	68.51%	On track with budget.
Recoverable Works Expenses	596,985	534,714	1,024,000	52.22%	On track with budget.
Engineering Services	3,935,982	10,330,373	14,059,100	73.43%	On track with budget. Cost phasing has caught up and is slowing down as predicted in earlier reports.
Utility Services Costs	641,504	694,123	1,040,500	66.71%	On track with budget.
Net Plant Operating Costs	- 346,129	716,690	785,000	91.30%	Partly there has been a drastic increase due to a significant increase in plant usage in works year on year which has exceeded our expectation in the budget. We will continue to monitor this budget.
Planning and Environmental Expenses	65,156	63,435	374,500	16.94%	On track with budget.
Community Services Costs	995,225	3,016,065	3,900,380	77.33%	Slightly above budget, this will be due to potential items still pending claim for flood response costs received in the 2023/2024 financial year.
Finance Costs	11,582	20,667	18,000	114.82%	Distorted due to percentage approach to reporting. Value is low and has increased due to significant increases to council QTC interest returns for 2023/2024.
Depreciation	3,992,766	4,379,666	5,910,000	74.11%	On track with budget.
Other Expenses	-	-	-	0.00%	On track with budget.
TOTAL RECURRENT EXPENSES	15,099,681	21,810,704	30,371,230	71.22%	On track with budget.
Capitalised Wages	-	135,335	247,000	55%	Notable improvement when compared with the previous year capitalised wage levels. It is expected this balance will continue to perform moving further into the year.

7. STATEMENT OF FINANCIAL POSITION

For the month ended 31 March 2024

	31 March 2024	2023-24 Annual Budget
	\$	\$
Current Assets		
Cash and cash equivalents	53,444,696	14,017,661
Trade and other receivables	1,524,228	1,000,000
Inventories	370,982	300,000
Other financial assets	-	102,000
Non-current assets classified as held for sale	-	-
Total current assets	51,989,875	15,419,661
Non-current Assets		
Receivables	-	-
Property, plant and equipment	282,537,148	275,933,637
Accumulated Depreciation	-	95,444,462
Intangible assets	-	-
Total non-current assets	168,557,746	180,489,175
TOTAL ASSETS	220,547,621	195,908,836
Current Liabilities		
Trade and other payables	46,908,633	3,400,000
Borrowings	-	-
Provisions	186,743	140,000
Other	-	-
Total current liabilities	47,095,376	3,540,000
Non-current Liabilities		
Trade and other payables	83,115	83,120
Interest bearing liabilities	-	-
Provisions	979,143	900,000
Other	-	500,000
Total non-current liabilities	1,062,258	1,483,120
TOTAL LIABILITIES	48,157,634	5,023,120
NET COMMUNITY ASSETS	172,389,987	190,885,716
Community Equity		
Shire capital	39,529,889	57,734,989
Asset revaluation reserve	103,541,131	103,316,184
Retained surplus/(deficiency)	29,318,965	29,834,543
Other reserves	-	-
TOTAL COMMUNITY EQUITY	172,389,987	190,885,716

8. RATING ARREARS SUMMARY

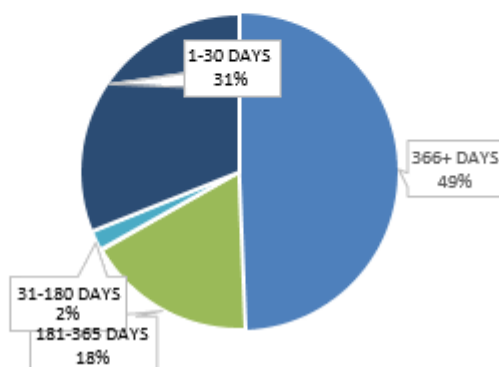
The below report shows the outstanding aged rating arrears as at 31 March 2024.

Rating Type	366+ DAYS \$	181-365 DAYS \$	31-180 DAYS \$	1-30 DAYS \$	Total \$
GENERAL	80,972	43,333	3,954	94,857	223,116
SEWERAGE	3,270	6,708	360	27,339	37,677
GARBAGE	2,741	5,419	278	15,680	24,118
WATER	93,243	34,989	4,109	52,701	185,042
WATER CONSUMPTION	123,001	17,692	4,413	1,370	146,477
STATE GOVT EMERGENCY	4,069	2,380	206	6,029	12,683
LEGAL FEES	6,376	-	-	-	6,376
Total	313,672	110,522	13,320	197,976	635,489

Total Rating Arrears	635,489.48
Total Seeking Debt Collection (\$)	80,000
Total Seeking Debt Collection (%)	Pursuing Debt Collection as discussed with council on 13% during January 2024.
Total Pending Further Review (\$) (Advice Obtained)	268,477
Total Pending Further Review (%) (Advice Obtained)	Pursuing Debt Collection as discussed with council on during January 2024. 42%

Total Rate Arrears in debt recovery phase (\$)	348,476.56
Total Rate Arrears in debt recovery phase (%)	55%
Total Rates Arrears not int debt recovery (\$)	287,012.92

Total Aged Rating Arrears



9. EXERCISE OF DELEGATIONS

Clause 9 of Council’s Rate Debt Recovery Policy determines how debtors can enter into a plan to pay their outstanding debts (rates and charges and other receivables) to Council. Clause 11 delegate’s authority to negotiate payment plans to the CEO. The following delegations were exercised.

Debt Write off (Amount written off)	Payment arrangement and repayment term	Authorising officer (CEO)
Nil	Nil	Nil

Debt Write off requested > \$1,000
Nil

10. OFFICER’S RECOMMENDATION

That the financial report for the 31 March 2024 be received and noted.

11.03 Finance Monthly Update Report

That the financial report for the 31 March 2024 be received and noted.

Moved: Cr Poole

Seconded: Cr Yanner

Carried 240424.16 5/0

Adjournment

That Council adjourned the meeting 12.28pm to 1.06pm for lunch.

11.04 Consultation - Annual Valuation Effective 30 June 2025

DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Dan McKinlay; Chief Executive Officer
DATE REPORT PREPARED:	19 April 2024
LINK TO COUNCIL PLAN/S:	Corporate Plan. Good Governance- Council is committed to financial, asset, environmental and community sustainability and secures these ends through efficient and effective decision-making processes. This, in turn, promotes community confidence, employee pride and stakeholder satisfaction with the organisation.

1. PURPOSE

The purpose of this report is to seek Council's direction whether to request the Queensland Valuer-General undertake a valuation of land within the region effective from 30 June 2025.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The Valuer-General wrote to the Chief Executive Officer on the 15 April 2024 seeking a response as to whether a valuation of land within the region should be undertaken to be effective from 30 June 2025. The last valuation conducted was effective 2022/2023 Financial year. This resulted in major increases in the valuations pertaining to Rural properties. As a result, rates capping was instigated.

3. PROPOSAL

The Department of Resources is responsible for the valuation of rateable land and provides the values to Council as the basis for the general rates levied each year. As values change over time, the Valuer-General is required to review the valuations on an annual basis and as part of this process Council's opinion is sought as to whether a revaluation should be undertaken.

Significant time delays between valuations can impact the change in property valuations which in turn can lead to substantial changes in rates levied on individual properties without rates capping applied. Large and unpredictable changes in rates levied are obviously undesirable and regular valuations help decrease the probability of this happening.

It is recommended that Council request the Valuer-General not to undertake a valuation effective for the 2024-2025 financial year. Following the consideration of Council's response and the other factors detailed in law, the Valuer-General will notify Council whether a revaluation will be conducted or not.

4. FINANCIAL & RESOURCE IMPLICATIONS

The budgeted cost of valuations in 2023-24 is \$8,000. Council must pay the amount whether a valuation is conducted or not.

If the valuation is undertaken, the new values will be included within the rates modelling for the 2025/2026 budget.

5. RISK

Risk Type	What could happen	Possible Consequences
Financial	Valuation fluctuations can impact individual rates.	Significant rate fluctuations.

6. POLICY & LEGAL IMPLICATIONS

Instrument	Reference	Details
Local Government Regulation 2012.	Section 72-What is the value of land.	The value, of land for a financial year, is its value under the Land Valuation Act when a liability for payment of rates or charges for the land arises for the financial year.
The Land Valuation Act 2010	Section 74- Rateable value of land	<p>(1) A local government must calculate the rates for land by using the rateable value of the land.</p> <p>Requires the Valuer-General to undertake an annual statutory valuation of all rateable land in Queensland except in unusual circumstances or after consideration of:</p> <ul style="list-style-type: none"> a market survey report of the Local Government Area which review sales of land since the last valuation: and the probable impact of the sales on the value of land since the last valuation; and the results of consultation with the local government for the area, and appropriate local and industry groups.

7. CRITICAL DATES & IMPLICATIONS

The Valuer-General requested a response by Friday 24 May 2024. If the valuation is undertaken, the new values will be supplied by March 2025 and included within the rates modelling for the 2025-2026 budget.

8. CONSULTATION

Councillors

Finance and Technology Management

9. CONCLUSION

Nil

10. OFFICER’S RECOMMENDATION

THAT Council request the Queensland Valuer-General not to undertake a valuation of land within the Burke Shire Council to take effect on 30 June 2025.

11.04 Consultation - Annual Valuation Effective 30 June 2025

THAT Council request the Queensland Valuer-General to undertake a valuation of land within the Burke Shire Council to take effect on 30 June 2025.

Moved: Cr Camp

Seconded: Cr Yanner

Carried 240424.17 5/0

11.05 Reconfiguring a Lot – Boundary Realignment - Lot 73 SP258882 and Lot 77 B1364

DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; CEO
PREPARED BY:	Liz Taylor; Consultant Town Planner
DATE REPORT PREPARED:	13 March 2024
LINK TO COUNCIL PLAN/S:	Planning Scheme

1. INTRODUCTION

APPLICANT:	Burke Shire Council PO Box 90 BURKETOWN QLD 4830
APPLICATION:	Reconfiguring a Lot – Boundary Realignment
ADDRESS:	Corner of Burke Street and Sloman Street, Burketown
REAL PROPERTY DESCRIPTION:	Lot 73 SP258882 and Lot 77 B1364
ZONE:	Township Zone
APPENDICES:	Appendix 1 - Proposal Plan of Reconfiguration

In March 2024, an Application for Reconfiguration (RAL) – Boundary Realignment was lodged on behalf of Council, with Council. The Application is Code Assessable against the Planning Scheme.

The Application is reported to Council and recommended for approval, subject to conditions.

2. SITE AND LOCALITY

The site is comprised of two (2) lots located in the central part of Burketown. The immediate area is developed with the Council Chambers, Visitors Centre, Community Hall, Playground and Sports Courts.

Council engaged consultants GHD to prepare a Master Plan for the area, to be known as the Burketown Health and Wellbeing Precinct, which will be developed in stages.

Stage 1 of the development is the development of a small Recreation and Entertainment Sub Precinct, to comprise:

- New playground (removal of old playground, but retention of shade structure);
- Water park,
- Swimming pool;
- Admin/ablution facilities/gym facilities; all with equitable access.

To facilitate the development and to contain all the recreation and entertainment facilities on one lot a boundary realignment is proposed between Lot 77 B1364 and Lot 73 SP258882.

The site is zoned Township, with no Precinct designation, refer extract of Zoning Plan below.



3. PROPOSED DEVELOPMENT

Lot 77 B1364 has an area of 1,012m² and Lot 73 SP258882 has an area of 7,082m².

It is proposed to reconfigure the common boundary between the two lots to create the following lots:

- Proposed Lot 1, with an area of approximately 2,840m² and a frontage of 50.305metres to Sloman Street and frontage of 56.45metres to Burke Street; and
- Proposed Lot 2, with an area of approximately 5,257m² and a frontage of 104.515 metres to Sloman Street.

It is unknown if any services cross the boundaries of the proposed new lots, so a general condition requiring a Services Easement will be included on any approval, and if required, must be provided.

Under State mapping the site shares a common boundary with a Place listed on the QLD Heritage Register, refer Plan below, showing hatched area. This is the site of the Burke Shire Visitor Centre.

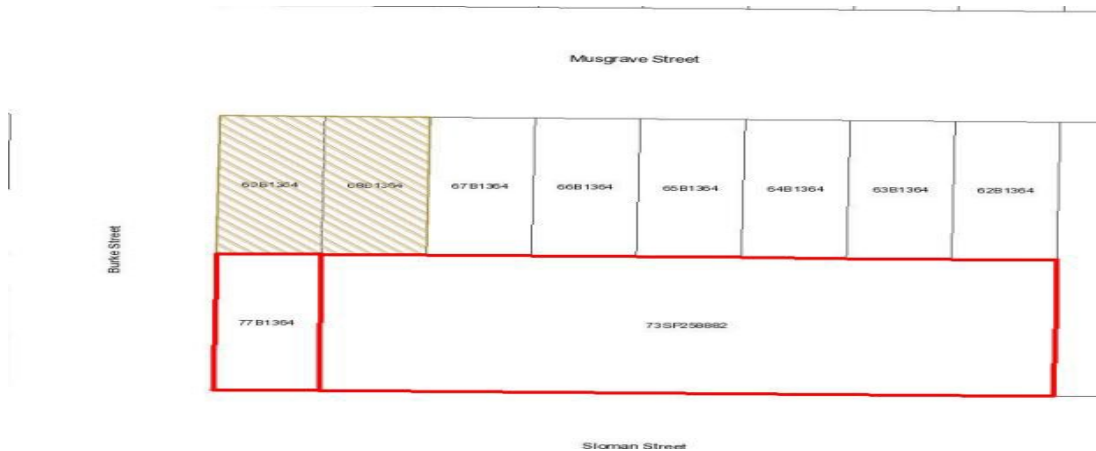
Referral to the State government is not required for this Application, which shares a common boundary with a Place listed on the QLD Heritage Register.

However, it is noted in the Master Plan, prepared by GHD, the Water Park Pump Station is sited very close to the common boundary with the Place listed on the QLD Heritage Register, this is not ideal.

While this may not trigger referral because a Material Change of Use (MCU) Application has been determined not to be required for the Water Park development, it would be prudent to re-site the Water Park Pump Station clear of the common boundary with the Place listed on the QLD Heritage Register, for visual amenity reasons, and place it behind the proposed Water Park.

The current boundary configuration of Lot 77 and lot 73 is shown below, followed by a Proposal Plan of Reconfiguration showing the proposed location of new common boundary.

CURRENT LOT CONFIGURATION



PROPOSAL PLAN OF RECONFIGURATION



4. TOWN PLANNING ASSESSMENT

The proposed development requires assessment against Burke Shire Planning Scheme 2020.

Burke Shire Planning Scheme

Under the Burke Shire Planning Scheme, the site is included in the Township Zone with no Precinct designation. The Application is Code Assessable against the relevant provisions of following Codes:

- Township Zone Code; and
- General Development Code; and

- Reconfiguring a Lot Code.

An assessment of the proposed development, against the Codes is outlined below.

TOWNSHIP ZONE CODE

Purpose Statement

The (relevant) purposes of the Township Zone Code are to:

- maintain the character and amenity of Burketown;
- provide for the continuation of existing infrastructure and community uses;
- ensure that development provides an appropriate level of infrastructure; and
- facilitate economic development in commercial and industrial precincts by
 - 1) promoting re-use of existing buildings in commercial areas; and
 - 2) providing for a wide range of industrial uses where they don't conflict with sensitive uses.

AND

Overall Outcomes

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

- a range of uses including residential, retail, business, education, industrial, community facilities, tourist facilities, recreation and open space are supported in the zone where they are located in the appropriate zone precinct (where appropriate) and do not impact on neighbouring uses;
- development is connected to and serviced by Council infrastructure where infrastructure exists;
- development is located in areas that are not prone to flooding and where bushfire hazard risk is low.

The lot configuration is proposed to facilitate the efficient provision of various elements of the Recreation and Entertainment Sub -Precinct of the Burketown Health and Wellbeing Precinct.

There is significant community benefit in the project, which is well placed to be connected to all urban services.

The proposed development complies with the Purpose Statement and Overall Outcomes sought for the Township Zone.

An assessment against the relevant Benchmarks of the Code, is provided below.

<u>6.2.1 TOWNSHIP ZONE CODE</u>	COMMENT
<u>Performance outcomes Acceptable outcomes</u>	
<u>For assessable development</u>	
<u>General</u>	
PO1	

<p><i>Development is consistent with the existing built form in terms of size, design, siting and physical characteristics. The appearance and siting of buildings, other structures, car parking areas or signage is compatible with the local streetscape character, the style and design of nearby buildings, and is respectful and sympathetic to any heritage place or item identified in Schedule 5 – Local heritage register or the SPP mapping – Environment, Cultural heritage.</i></p> <p><i>AO1 No Acceptable outcome provided.</i></p>	<p>The lot configuration proposed will ensure future development will facilitate compliance with PO1</p>
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GENERAL DEVELOPMENT CODE

Purpose Statement

The (relevant) Purposes of the General Development Code are to ensure that development in the Shire is located, designed and managed in a safe and efficient manner.

The Purpose of the code will be achieved through the following (relevant) overall outcomes:

- 1. Development has a safe and efficient site layout.*
- 2. Development does not detract from the Shire’s unique building design, is complementary to the scale of neighbouring uses, and contributes to the character of the street and the locality.(5) An appropriate level of servicing and infrastructure is provided to new development and is connected to Council infrastructure where available.*
- 3. (6) The site layout protects the amenity of the area including residential, industrial and commercial uses, allows sufficient areas for access, parking, manoeuvring and landscaping on the site and safe and efficient access and egress.*
- 4. (7) Assets of the Council are protected.*
- 5. (8) Any planned earthworks ensure that existing drainage regimes are maintained or improved.*

The lot configuration is proposed to facilitate the efficient provision of various elements of the Recreation and Entertainment Sub -Precinct of the Burketown Health and Wellbeing Precinct.

There is significant community benefit in the project, which is well placed to be connected to all urban services.

The proposed development complies with the Purpose Statement and Overall Outcomes sought for the General Development Code.

An assessment against the relevant Benchmarks of the Code, is provided below.

<p>Table 7.2.1.1 Assessment benchmarks—General development code</p> <p>Part 1</p> <p>Performance outcomes Acceptable outcomes</p> <p>For accepted development subject to requirements and assessable development</p> <p>PO16</p> <p>Stormwater is collected and discharged to ensure no impacts on adjoining landowners, Council or State infrastructure while also ensuring environmental values of waters in the Shire are maintained.</p> <p>AO16 In all zones, stormwater drainage is provided in accordance with:</p> <ul style="list-style-type: none"> • Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013; and • Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987. 	<p>Complies</p>
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RECONFIGURING A LOT CODE

Purpose Statement

The (relevant) Purpose of the reconfiguring a lot code is to:

- (1) Facilitate the creation of lots to a size and dimension of that allows the zones and precincts to achieve the intended use.*
- (2) Ensure that future lots are resilient from the impacts of flood and bushfire.*
- (3) Ensure that reconfiguring lots does not adversely impact on the cultural heritage or biodiversity values of an area or water quality.*
- (4) Ensure that reconfiguring lots does not adversely impact on the Shire's economy.*

The Purpose of the code will be achieved through the following (relevant) overall outcomes:

- (1) Reconfiguration of lots creates safe, functional and suitable lots that are consistent with the existing zone and precinct intent.*
- (2) Reconfiguration of lots ensures that development can provide adequate access and services for all new lots.*
- (3) Reconfiguration of lots does not lead to a loss of biodiversity and ecological connectivity.*
- (4) Reconfiguration ensures the environmental values and quality of Queensland waters are protected and enhanced.*
- (5) Development does not conflict with the ongoing efficient and safe use of the stock route network by travelling stock.*

The lot configuration is proposed to facilitate the efficient provision of various elements of the Recreation and Entertainment Sub -Precinct of the Burketown Health and Wellbeing Precinct.

There is significant community benefit in the project, which is well placed to be connected to all urban services.

The proposed development complies with the Purpose Statement and Overall Outcomes sought for the Reconfiguring a Lot Code.

5. REFERRAL AGENCIES

None

6. STATEMENT OF REASONS

The proposed development is recommended for approval as it is compliant, or can be conditioned to comply, with the relevant codes of the Burke Shire Planning Scheme:

- Town Zone Code – Residential Precinct; and
- General Development Code; and
- Reconfiguring a Lot Code.

The proposed development will facilitate a project of significant community benefit, which will also benefit tourists and travellers visiting the Shire and may generate further investment and economic development in the Shire.

7. CONCLUSION

The proposed reconfiguration is compliant with the relevant provisions of the Planning Scheme for land in the Township Zone and the new lots can be service with all urban services.

The proposed development is supported and recommended for approval, subject to reasonable and relevant conditions, outlined below.

8. OFFICER'S RECOMMENDATION

That the Council resolve:

1. That Council's Senior Engineering Manager reconsider the location of the proposed Water Park Pump Station to ensure no detrimental visual amenity impacts occur on the site listed on the QLD Heritage Register (Visitor Centre site). In this regard, re-siting the Pump Station behind the Water Park, and moved some distance from the heritage building, would resolve any visual amenity issues.
2. In accordance with the Planning Act 2016 as amended, the applicant be notified that the Application for a Development Permit for Reconfiguring a Lot – Boundary Realignment, on a site located on the corner of Burke Street and Sloman Street, Burketown, being Lot 77 B1364 and Lot 73 SP258882, is approved subject to the conditions detailed below.

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

1. The development shall be undertaken substantially in accordance with the submitted Proposal Plan of Reconfiguration, except as modified by this approval and specifically:

- a. If any existing reticulated services will traverse one lot to service the other lot, as a result of the boundary realignment, an Easement is required to be provided to benefit the lot which relies on the service lines from the adjoining lot;

OR

The services are to be relocated so that each lot is clear of services that provide a connection for an adjoining lot.

Specific modifications to the Proposal Plan of Reconfiguration and the preparation of supporting Easement documentation, if required, must be actioned prior to Council endorsing the final Plan of Survey, for lodgement and registration with the State government, to the satisfaction of the Chief Executive Officer or delegate.

2. Any future building work on the new lots shall be carried out generally in accordance with any relevant Council requirements and State legislation and to the satisfaction of the Chief Executive Officer or delegate.
3. If unactioned, this development approval lapses six (6) years after the day that the development approval takes effect, unless extended under the Planning Act 2016.
4. Each lot is to be independently connected to the reticulated sewerage system, water service, electricity and telecommunications infrastructure and all separate connections must be in place, prior to Council endorsing the final Plan of Survey for lodgement and registration with the State government, to the satisfaction of the Chief Executive Officer or delegate.
5. Should any of the Council's assets be damaged during the construction of any new infrastructure or associated works the cost of the reinstatement of all such assets shall be met by the applicant/proponent, to the satisfaction of the Chief Executive Officer or delegate.
6. Council endorsement of the Plan of Survey relies on compliance with Conditions 1 to 5 outlined above, to the satisfaction of the Chief Executive Officer or delegate.

11.05 Reconfiguring a Lot – Boundary Realignment - Lot 73 SP258882 and Lot 77 B1364

That the Council resolve:

1. **That Council's Senior Engineering Manager reconsider the location of the proposed Water Park Pump Station to ensure no detrimental visual amenity impacts occur on the site listed on the QLD Heritage Register (Visitor Centre site). In this regard, re-siting the Pump Station behind the Water Park, and moved some distance from the heritage building, would resolve any visual amenity issues.**
2. **In accordance with the Planning Act 2016 as amended, the applicant be notified that the Application for a Development Permit for Reconfiguring a Lot – Boundary Realignment, on a site located on the corner of Burke Street and Sloman Street, Burketown, being Lot 77 B1364 and Lot 73 SP258882, is approved subject to the conditions detailed below.**
 - A. **ASSESSMENT MANAGER CONDITIONS (COUNCIL)**
 1. **The development shall be undertaken substantially in accordance with the submitted Proposal Plan of Reconfiguration, except as modified by this approval and specifically:**

- a. If any existing reticulated services will traverse one lot to service the other lot, as a result of the boundary realignment, an Easement is required to be provided to benefit the lot which relies on the service lines from the adjoining lot;

OR

The services are to be relocated so that each lot is clear of services that provide a connection for an adjoining lot.

Specific modifications to the Proposal Plan of Reconfiguration and the preparation of supporting Easement documentation, if required, must be actioned prior to Council endorsing the final Plan of Survey, for lodgement and registration with the State government, to the satisfaction of the Chief Executive Officer or delegate.

2. Any future building work on the new lots shall be carried out generally in accordance with any relevant Council requirements and State legislation and to the satisfaction of the Chief Executive Officer or delegate.
3. If unactioned, this development approval lapses six (6) years after the day that the development approval takes effect, unless extended under the Planning Act 2016.
4. Each lot is to be independently connected to the reticulated sewerage system, water service, electricity and telecommunications infrastructure and all separate connections must be in place, prior to Council endorsing the final Plan of Survey for lodgement and registration with the State government, to the satisfaction of the Chief Executive Officer or delegate.
5. Should any of the Council's assets be damaged during the construction of any new infrastructure or associated works the cost of the reinstatement of all such assets shall be met by the applicant/proponent, to the satisfaction of the Chief Executive Officer or delegate.
6. Council endorsement of the Plan of Survey relies on compliance with Conditions 1 to 5 outlined above, to the satisfaction of the Chief Executive Officer or delegate.

Moved: Cr Camp

Seconded: Cr Murray

Carried 240424.18 5/0

11.06 Standing Orders (Meetings)

DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Dan McKinlay; Chief Executive Officer
DATE REPORT PREPARED:	11 April 2024
LINK TO COUNCIL PLAN/S:	GOAL – GOOD GOVERNANCE Council is committed to financial, asset, environmental and community sustainability and secures these ends through efficient and effective decision-making processes. This, in turn, promotes community confidence, employee pride and stakeholder satisfaction with the organisation.

1. PURPOSE

The purpose of this report is for council to consider updating the Standing Orders and Meeting Procedures, reflecting the updated “Best practice” example standing orders for local government and standing committee meetings, as published by the Queensland Government and updated as at March 2024, following legislative amendments to the Local Government Act 2009.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

To assist local governments, the Department of Housing, Local Government, Planning and Public Works (DHLGPPW) provides best practice standing orders that local governments can choose to adopt to provide written rules for the orderly conduct of local government meetings. These best practice Standing Orders incorporate the meeting procedures that deal with matters during local government meetings that must be adhered to under the Local Government Act 2009 (LGA) including the DHLGPPW model meeting procedures and the meeting provisions in the Local Government Regulation 2012 (LGR). Local governments can revise their Standing Orders to incorporate the model meeting procedures or adopt the model meeting procedures. A key amendment were the changes from ‘inappropriate conduct’ to ‘conduct breach’ and the treatment of referrals and complaints through the Independent Assessor.

3. PROPOSAL

The proposal is to adopt the “best practice” standing orders” for local government and standing committee meetings.

4. FINANCIAL & RESOURCE IMPLICATIONS

Implementing this Policy will not require additional resources beyond those currently budgeted.

5. RISK

Risk Type	What could happen	Possible consequence
Communication	▪ Lack of communication	▪ Confusion within the community.

6. POLICY & LEGAL IMPLICATIONS

Instrument	Reference	Details
Local Government Act 2009.	Section (150D)	The Queensland Government have developed, approved and published a model best practice Standing Orders and meeting procedures to assist councils meet their legislative obligations.

7. CRITICAL DATES & IMPLICATIONS

The Standing Orders (Meetings) 2024 Procedures should be in place for the commencement of the new Council.

8. CONSULTATION

Mayor and Councillors

CEO

9. CONCLUSION

It is recommended that Council adopt the attached Standing Orders (Meetings) 2024. These replace the current meeting procedures.

10. OFFICER'S RECOMMENDATION

THAT Council adopt the attached Standing Orders (Meetings) 2024.

11.06 Standing Orders (Meetings)

THAT Council adopt the attached Standing Orders (Meetings) 2024.

Moved: Cr Poole

Seconded: Cr Yanner

Carried 240424.19 5/0

11.07 Reimbursement of Expenses and Provision of Facilities for Mayor and Councillors Policy

DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Dan McKinlay; Chief Executive Officer
DATE REPORT PREPARED:	19 April 2024
LINK TO COUNCIL PLAN/S:	GOAL – GOOD GOVERNANCE Council is committed to financial, asset, environmental and community sustainability and secures these ends through efficient and effective decision-making processes. This, in turn, promotes community confidence, employee pride and stakeholder satisfaction with the organisation

1. PURPOSE

To review Council's Reimbursement of Expenses and Provision of Facilities for Councillors Policy.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Section 249 of the Local Government Regulation 2012 legislates that the expenses reimbursement policy is a policy providing for:

- payment of reasonable expenses, incurred or to be incurred, by Councillors for discharging their duties and responsibilities as Councillors.
- provision of facilities to the Councillors for that purpose.

Sections 250 of the Local Government Regulation 2012 covers the requirement to adopt an expenses reimbursement policy or amendment.

A local government must adopt an expenses reimbursement policy.

A local government may, by resolution, amend its expense reimbursement policy at any time.

Section 251 of the Local Government Regulation 2012 has a requirement regarding notification, including the need to:

- (a) ensure a copy of the policy may be inspected and purchased by the public at the local government's public office; and
- (b) publish the policy on the local government's website.

3. PROPOSAL

Recommended changes to the policy are highlighted in the track changes version.

4. FINANCIAL & RESOURCE IMPLICATIONS

Provision will be made in the 2024/2025 Council budget for estimated Councillor Expenses.

5. RISK

It is always the aim of Council to ensure that all decisions are legal, ethical and impartial. Such principles are reflected in Section 4 of the Local Government Act 2009 (i.e., the “local government principles”) and section 12 of that Act (the responsibilities of Councillors)

6. POLICY & LEGAL IMPLICATIONS

Modification of existing Policy.

7. CRITICAL DATES & IMPLICATIONS

It is appropriate for council to review this policy as a new Council has been elected..

8. CONSULTATION

Councillors

Council management

9. CONCLUSION

Council’s Reimbursement off Expenses and Provision of Facilities for Councillors Policy is compliant with the Local Government Regulation 2012 and allocates sufficient resourcing for Councillors to discharge all responsibilities and provides sufficient clarity to Councillors and Council staff on expectations in relation to facilities and expenses.

10. OFFICER’S RECOMMENDATION

That Council adopt and implement the amended Burke Shire Council Reimbursement of Expenses and Provision of Facilities for Mayor and Councillors Policy as attached.

11.07 Reimbursement of Expenses and Provision of Facilities for Mayor and Councillors Policy

That Council adopt and implement the amended Burke Shire Council Reimbursement of Expenses and Provision of Facilities for Mayor and Councillors Policy as attached.

Moved: Cr Clarke

Seconded: Cr Yanner

Carried 240424.20 5/0

11.08 Councillors representation on Committees

DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay; Chief Executive Officer
PREPARED BY:	Dan McKinlay; Chief Executive Officer
DATE REPORT PREPARED:	19 April 2024
LINK TO COUNCIL PLAN/S:	Goal – Good Governance 1. Council develops implements and maintains an effective and compliant governance framework (governance, finance, risk).

1. PURPOSE

To review Councillors representation on Other Organisations and Associations Committees, Advisory Committees and Portfolio's, Audit Committee and Other.

2. BACKGROUND

Now that a new Council term is in place it is appropriate for Council to review its representations on various committees.

3. FINANCIAL & RESOURCE IMPLICATIONS

Covered by Council's budget and the Councillors Reimbursement of Expenses and Provision of Facilities for Councillors Policy.

4. POLICY & LEGAL IMPLICATIONS

The nature of an Advisory Committee (committee of councillors and others) is defined under sections 263-270 of the Local government Regulation 2012.

5. RISK

Appropriate Council representation.

6. CRITICAL DATES & IMPLICATIONS

It is appropriate for Councillors representatives to be finalised promptly after a newly elected Council is in place.

7. CONSULTATION

Mayor and Councillors

CEO

8. CONCLUSION

It is important that Councillors representation on the stated Committees, are reviewed promptly after a newly elected Council is in place.

There is an ability to add to the committees as required.

I have added a new committee called Burke Shire Council Major Projects Committee. I believe that it is very important to have this committee in place as we will have record spending over the four-year term of this Council, particularly in relation to flood damage recovery. I will present draft Terms of reference to the new Committee.

9. OFFICER'S RECOMMENDATION

That Council considers Council representation and delegates on the following other Organisations and Associations Committees:

Committee	Member(s) 2020-2024	Member(s) 2024-2028
Australia day Advisory Committee	Mayor E Camp Cr. J Clarke	Mayor E Camp Cr J Clarke Cr C Murray
Agforce	Mayor E Camp	Mayor E Camp Cr J Clarke
Gulf Rivers Landcare	Mayor E Camp	Mayor E Camp Cr J Clarke
Gulf Savannah Development	Mayor E Camp Cr T Murray	Mayor E Camp Cr P Poole
Joint consultative Committee	Mayor E Camp Cr R Wade	Mayor E Camp Cr C Murray
LGAQ Annual Conference	Mayor E Camp Cr T Murray	Mayor E Camp Cr J Clarke Cr P Poole Cr C Murray
NWQ Rural Roads and Transport Group	Mayor E Camp Cr Yanner	Mayor E Camp Cr J Yanner Cr C Murray
NWQ Regional Organisation of Councils	Mayor Cr T Murray	Mayor E Camp Cr J Clarke Cr J Yanner
Savannah Way Limited	Cr J Clarke Cr Murray	Cr P Poole Cr J Clarke
Southern Gulf Catchment (SGC)	Mayor E Camp Cr. T Murray Cr. J Clarke	Mayor E Camp Cr. J Clarke

That Council considers Council representation and delegates on the following Advisory Committees and Portfolios.

Committee	Member(s) 2020-2024	Member(s) 2024-2028
Biosecurity (Pest Management) Plan	Mayor E Camp Cr. T Murray Cr. J Clarke	Mayor E Camp Cr J Clarke
Burke Shire Development Committee	Mayor E Camp Cr. T Murray Cr. R Wade	Mayor E Camp and Councillors
Tourism and Events	Mayor E Camp Cr. J Clarke Cr. R Wade	Mayor E Camp Cr J Clarke Cr P Poole
Roads Infrastructure	Mayor E Camp Cr. J Yanner Cr. J Clarke	Mayor E Camp and Councillors
Infrastructure (non –road)	Mayor E Camp Cr. T Murray Cr. J Clarke	Mayor E Camp and Councillors

That Council considers Council representation on the Audit Committee.

Committee	Member(s) 2020-2024	Member(s) 2024-2028
Audit	Cr. T Murray Cr. R Wade	Cr P Poole Cr J Clarke

That Council considers Council representation on other Internal Committee.

Committee	Member(s) 2020-2024	Member(s) 2024-2028
Burke Shire Major Projects Committee	Nil	Mayor E Camp Councillors
Burketown ILUA	Nil	Mayor E Camp Cr P Poole Cr J Clarke
Gregory ILUA Committee	Mayor E Camp Councillor J Clarke	Mayor E Camp and Councillors

11.08 Councillors representation on Committees

That Council considers Council representation and delegates on the following other Organisations and Associations Committees:

Committee	Member(s) 2020-2024	Member(s) 2024-2028
Australia day Advisory Committee	Mayor E Camp Cr. J Clarke	Mayor E Camp Cr J Clarke Cr C Murray
Agforce	Mayor E Camp	Mayor E Camp Cr J Clarke
Gulf Rivers Landcare	Mayor E Camp	Mayor E Camp Cr J Clarke
Gulf Savannah Development	Mayor E Camp Cr T Murray	Mayor E Camp Cr P Poole
Joint consultative Committee	Mayor E Camp Cr R Wade	Mayor E Camp Cr C Murray
LGAQ Annual Conference	Mayor E Camp Cr T Murray	Mayor E Camp Cr J Clarke Cr P Poole Cr C Murray
NWQ Rural Roads and Transport Group	Mayor E Camp Cr Yanner	Mayor E Camp Cr J Yanner Cr C Murray
NWQ Regional Organisation of Councils	Mayor Cr T Murray	Mayor E Camp Cr J Clarke Cr J Yanner
Savannah Way Limited	Cr J Clarke Cr Murray	Cr P Poole Cr J Clarke
Southern Gulf Catchment (SGC)	Mayor E Camp Cr. T Murray Cr. J Clarke	Mayor E Camp Cr. J Clarke

That Council considers Council representation and delegates on the following Advisory Committees and Portfolios.

Committee	Member(s) 2020-2024	Member(s) 2024-2028
Biosecurity (Pest Management) Plan	Mayor E Camp Cr. T Murray Cr. J Clarke	Mayor E Camp Cr J Clarke
Burke Shire Development Committee	Mayor E Camp Cr. T Murray Cr. R Wade	Mayor E Camp and Councillors
Tourism and Events	Mayor E Camp Cr. J Clarke Cr. R Wade	Mayor E Camp Cr J Clarke Cr P Poole
Roads Infrastructure	Mayor E Camp Cr. J Yanner Cr. J Clarke	Mayor E Camp Councillors
Infrastructure (non –road)	Mayor E Camp Cr. T Murray Cr. J Clarke	Mayor E Camp and Councillors

That Council considers Council representation on the Audit Committee.

Committee	Member(s) 2020-2024	Member(s) 2024-2028
Audit	Cr. T Murray Cr. R Wade	Cr P Poole Cr J Clarke

That Council considers Council representation on other Internal Committee.

Committee	Member(s) 2020-2024	Member(s) 2024-2028
Burke Shire Major Projects Committee	Nil	Mayor E Camp Councillors
Burketown ILUA	Nil	Mayor E Camp Cr P Poole Cr J Clarke

Gregory ILUA Committee	Mayor E Camp Councillor J Clarke	Mayor E Camp Councillors	
Moved: Cr Camp			
Seconded: Cr Clarke			
Carried 240424.21 5/0			

Attendance

Cr Murray left the meeting from 1.56pm to 1.59pm.

12. Closed Session Reports

That Council will move into a closed session to discuss confidential items as defined in the Local Government Regulation 2012 in Chapter 8 Administration, Part 2 Local government meetings and committees, under Sections 254 J (3) (a).

- (a) the appointment, discipline, or dismissal of the chief executive officer.**

Attendance

The CEO and management team left the meeting at 2.00pm.

Council moved into closed session at 2.00pm.

Moved: Cr Camp

Seconded: Cr Yanner

Carried 240424.22 5/0

Attendance

The CEO and management team entered the meeting at 2.12pm.

Move into Open Session

That the meeting resume in open session to consider recommendations arising out of the closed session.

Council resumed open session at 2.24pm.

Moved: Cr Camp

Seconded: Cr Poole

Carried 240424.23 5/0

12.01 Closed Session - Chief Executive Officer - Contract Renewal

That

- 1. Council advises the Chief Executive Officer that it intends to offer him renewal of his contract for a further two years to the 31 May 2026.**
- 2. The Mayor and Deputy Mayor negotiate terms of a new two year contract with Dan McKinlay.**

Moved: Cr Murray

Seconded: Cr Yanner

Carried 240424.24 5/0

13. Mayoral Report

I attended the following:

- Mayoral Training offered by Dept Local Government in conjunction with the Australian Institute of Company Directors over two days in Brisbane
- Mayoral Forum hosted by LGAQ at Parliament House in Brisbane on the day after the above training
- Dinner with Jake Ellwood QRA CEO whilst in Brisbane
- North West Minerals Province Stakeholder Activity Committee Meeting in Mt Isa
- Council Briefing Day
- Meeting with Bob and Robbie Katter and advisors to discuss Australia Post/mail issues
- Meeting with Sen Susan McDonald and community members to discuss Australia Post/mail issues

GSD:

- Have had board and management committee meetings. Next board meeting will be 26 April

That Council notes the contents of the verbal report provided by Councillor Camp.

Moved: Cr Murray

Seconded: Cr Yanner

Carried 240424.25 5/0

14. Councillor Reports

That Council notes the contents of the verbal reports provided by Councillors Clarke, Murray, Poole and Yanner.

Moved: Cr Yanner

Seconded: Cr Clarke

Carried 240424.26 5/0

15. Late Business

That Council notes no late business was received.

16. Deputations and presentation scheduled for meeting

That Council notes no deputations or presentations were scheduled for the meeting.

17. Closure of meeting

The Chair declared the meeting close at 2.57pm.

I hereby certify that these pages numbered 1 to 86 – constitute
the Confirmed Ordinary minutes of the Council Meeting of Burke
Shire Council held on Wednesday 24 April 2024.

Mayor Cr Ernie Camp