



*Unconfirmed Minutes
Burke Shire Council Ordinary General Meeting
Wednesday 15th June 2011
9.00am Council Chambers*

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01. Opening of Meeting

The Chair declared the Meeting open at 9.10am.

02. Present

Members Cr Annie Clarke, Mayor - Chair
 Cr Ernie Camp, Deputy Mayor
 Cr Tracy Forshaw
 Cr Tonya Murray
 Cr Bill Olive

Officers Gary Letts, Chief Executive Officer
 Jenny Williams, Executive Assistant, Minutes Clerk
 Darren Foster, Projects Officer

Chief Executive Officer advised Council that Cr Murray will be absent for the morning and that Councillor Murray be granted leave of absence for part of the Council meeting.

03. Prayer

Cr Olive led Council in Prayer.

04. Consideration of applications for leave of absence

No applications received

05. Confirmation of Minutes of Previous Meeting(s)

05.01 General Meeting Wednesday 18th May 2011

Moved: Cr Olive
Seconded: Cr Camp

That the Minutes of the General Meeting of Council held on Wednesday 18th May 2011 as presented be confirmed by Council.

Carried 01.110615 4/0

File:BCS/G/CM/Minutes

06. Condolences

Council noted the passing of Joe Clarke and Pat Carrington, expressed their condolences to the Family.

Adjournment

That Council adjourn the proceedings of standing orders at 9.14am for a Teleconference.

Moved: Cr Camp
Seconded: Cr Forshaw

Carried 02.110615 4/0

Phone Link

That Council note a phone link with Deanna Cartledge from Gilkerson Legal was established at 9.15am to update Council on Native Title matters.

Attendance

Deanna Cartledge left the meeting at 9.37am.

16 Deputations and presentation scheduled for meeting

16.01 Gilkerson Legal

That Council note the update presented by Deanna Cartledge of Gilkerson Legal with respect to Native Title matters.

Moved: Cr Forshaw
Seconded: Cr Olive

Carried 03.110615 4/0

File: BCS/NT/QUD84

Resume Proceedings

That Council resume proceedings of standing orders at 9.39am.

Moved: Cr Forshaw
Seconded: Cr Camp

Carried 04.110615 4/0

08. Councillor Reports

08.01 Gregory Community Oval Opening

That Council delegates Cr Forshaw to attend the opening of the Gregory community oval on Monday 20th June 2011 at 10.30am.

Moved: Cr Camp
Seconded: Cr Olive

Carried 05.110615 4/0

File: BCS/PAR/GCO

Attendance

Cr Olive left the meeting at 9.56am.

08.02 Councillor Reports

That the verbal reports provided by Councillors Forshaw, Olive and Camp be noted by Council

Moved Cr Camp
Seconded Cr Forshaw

Carried 06.110515 4/0

File: BCS/G/CM/R/C

07. Mayoral Minute and Report

07.01 Mayoral Minute and Report

That the verbal reports provided by Councillors Clarke be noted by Council

Moved Cr Clarke
Seconded Cr Forshaw

Carried 07.110515 4/0

File: BCS/G/CM/R/C

Attendance

Cr Olive returned to the meeting at 9.58am.

Adjournment

That Council adjourn the proceedings of standing orders at 9.59am to undertake discussions with the Chief Executive Officer.

Moved: Cr Olive
Seconded: Cr Forshaw

Carried 08.110515 4/0

14 Closed session reports

That Council move into closed session at 10.00am to discuss confidential items as stated in the *Local Government (Operations) Regulation 2010* in Chapter 5 Administration, Part 2 Local government meetings and committees, under *Section 72 (1) (h)*.

Moved Cr Forshaw
Seconded Cr Olive

Carried 09.110515 4/0

Attendance

Darren Foster, Projects Officer and Ms Jenny Williams, Executive Assistant, left the meeting at 10.01am.

Attendance

Darren Foster; Projects Officer entered the meeting at 11.05am.

Attendance

Cr Annie Clarke left the meeting from 12.15pm to 12.18pm.

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 12.30pm.

Moved: Cr Forshaw
Seconded: Cr Olive

Carried 09.110515 4/0

Resume Proceedings

That Council resume proceedings of standing orders at 12.31pm.

Moved: Cr Camp
Seconded: Cr Olive

Carried 10.110615 4/0

Adjournment

That Council adjourn the proceedings of standing orders at 12.36pm for Lunch.

Moved: Cr Forshaw
Seconded: Cr Olive

Carried 11.110615 4/0

Resume Proceedings

That Council resume proceedings of standing orders at 1.41pm.
Jenny Williams; Executive Assistant entered the meeting at 1.41pm.

Moved: Cr Olive
Seconded: Cr Forshaw

Carried 12.110615

Attendance

Dennis Kerr, Director of Engineering entered the meeting at 1.42pm.

12. Director Engineering Services Reports

12.01.01 Director Engineering Services Works and Services Program Update

That Council note the contents of the Director Engineering Services June 2011 Works and Services Program Update report.

Moved Cr Olive
Seconded Cr Camp

Carried 13.110615 4/0

File: BCS/G/CM/R/DES

12.02 Federal Energy Policy and Solar Pilot Program

That subject to availability, Council organise and attend a delegation to the Federal Minister for Energy, Mr Martin Ferguson to discuss a change in the federal energy policy to allow for the integration of infrastructure to centralise the power supply at Gregory under the ORER rules and to discuss a pilot program on solar power for the Shire and;

That Council approaches Mr Warren Christensen of Power Safe Solar about availability to attend with the Council for technical support.

Moved Cr Olive
Seconded Cr Forshaw

Carried 14.110615 4/0

File: BCS/Energy/SP/Solar

12.03 Tender 4x4 Extra Cab Tray Back Ute and Medium to Large 4WD Wagon

That Council discuss with successful tenderers of the tender 11-03 4x4Extra Cab Tray Back Ute and 11-02 Medium to Large 4WD Wagon;

1. As the specified delivery time has expired are they able to supply and when; and
2. If no options are available then Council to retender for both vehicles immediately

Moved Cr Olive
Seconded Cr Forshaw

Carried 15.110615 4/0

File: BCS/TAQ/2011/Pending

Attendance

Cr Tonya Murray entered the meeting at 2.52pm.

Attendance

Gary Letts, Chief Executive Officer left the meeting from 2.55pm to 2.56pm.

12.01.02 Director Engineering Services Status Report

That Council note the contents of the Director Engineering Services June 2011 Status report.

Moved Cr Camp
Seconded Cr Murray

Carried 16.110615 5/0

File: BCS/G/CM/R/DES

Attendance

Cr Olive left the meeting from 3.07pm to 3.09pm.

Attendance

Darren Foster; Projects Officer left the meeting at 3.12pm.

15 New business of an urgent nature admitted by Council

That Council admits the new business of an urgent nature items 08.01 and 08.02.

Moved Cr Forshaw
Seconded Cr Olive

Carried 17.110615 5/0

08.01 Gregory Landcare and Installation of Dump Ezy Waste Facility

That Council endorses the inkind assistance to provide access to the Dump Ezy Waste Facility at Lawn Hill.

Moved Cr Murray
Seconded Cr Forshaw

Carried 18.110615 5/0

File: BCS/SAD/GS/CDP

Attendance

Darren Foster; Projects Officer entered the meeting at 3.25pm.

Attendance

Deborah Glyde; Finance Manager entered the meeting at 3.30pm.

Pam de Joux; HACC team leader entered the meeting at 3.32pm

Attendance

Darren Foster; Projects Officer left the meeting from 3.39pm to 3.41pm.

08.02 Assistance with Relocation of Refurbished Container

That Council defers this item to the July 2011 meeting.

Moved Cr Clarke
Seconded Cr Murray

Carried 19.110615 5/0

File:BCS/CommS/ACS

Attendance

Deborah Glyde; Finance Manager and Pam de Joux; HACC Team Leader left the meeting at 3.43pm.

Declaration: Material Personal Interest

Cr Forshaw declared a material personal interest as a potential tenderer to the project and left the meeting at 3.51pm.

12. Director Engineering Services Reports

12.01.03 Edited Tender Specification for Preferred Suppliers

That Council delegates to the Chief Executive Officer to review the edited specification for tenders of preferred suppliers for the supply of goods and services and hire of plant and machinery tenderers specification to re advertise.

Moved Cr Clarke
Seconded Cr Camp

Carried 20.110615 4/0

File:BCS/T&Q/2011-11-07

Division – Cr Clarke, Cr Camp, Cr Olive and Cr Murray voted in favour of the recommendation.

12.04 Doomadgee West Road

That Chief Executive Officer be requested to investigate possible load limit restrictions that can be applied to the Doomadgee West road and report back to a future meeting of Council due to pavement obliteration from heavy vehicles immediately following the wet season.

Moved Cr Olive
Seconded Cr Camp

Carried 20.110615 5/0

File:BCS/Roads/RC/P/LL

Attendance

Dennis Kerr; Director of Engineering Services left the meeting at 4.12pm.

Adjournment

That Council adjourn the proceedings of standing orders at 4.13pm for afternoon tea.

11.02.01 Human Resources Monthly Update

That Council note the contents of the Human Resources June 2011 Monthly Update report.

Moved Cr Olive
Seconded Cr Murray

Carried 25.110615 5/0

File:BCS/G/CM/R/FM

Attendance

Deborah Glyde; Finance Manager left the meeting from 5.04pm to 5.07pm.

Attendance

Tom Ortiz; Temporary Projects entered the meeting at 5.20pm.

14.04 Emergency Fund Trust

That Council writes to the trustees to asking them to express interest in remaining a trustee of the Emergency Fund Trust and;

That the CEO report back to Council with the result.

Moved Cr Murray
Seconded Cr Forshaw

Carried 25.110615 5/0

File: BCS/FM/Trust

Attendance

Cr Camp left the meeting from 5.38pm to 5.43pm.

Attendance

Cr Murray left the meeting at 5.57pm.

11.01.02 Reallocation of Budget

That Council approve the reallocation of funds for budget item 1200-2100 from \$100,000 to \$61,000 and budget 5000-2220 be reallocated from a budget from \$8439 to \$47 439; and

That the Chief Executive Officer review the current revised budget and report to Council on the variation and the requirements of the revised budget and if necessary, a special meeting of Council be called to adopt the revised changes.

Moved Cr Olive
Seconded Cr Camp

Carried 26.110615 4/0

File: BCS/FM/Budget/2011

Attendance

Deborah Glyde; Finance Manager and Tomas Ortiz; Project Manager left the meeting at 6.05pm.

Attendance

Cr Bill Olive left the meeting from 6.09pm to 6.10pm.

14 Closed session reports

That Council move into closed session at 6.12pm to discuss confidential items as stated in the *Local Government (Operations) Regulation 2010* in Chapter 5 Administration, Part 2 Local government meetings and committees, under *Sections 72 (1) (a) (f) and (g)*.

Moved Cr Camp
Seconded Cr Olive

Carried 26.110615 4/0

Attendance

Ms Jenny Williams, Executive Assistant, left the meeting from 6.12pm to 6.18pm.

Attendance

Cr Murray entered the meeting from 6.33pm.

Attendance

Jenny Williams; Executive Assistant left the meeting from 6.42pm.

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 6.54pm.

Moved Cr Forshaw
Seconded Cr Olive

Carried 27.110615 5/0

14.01 In-Committee General Information

The Chief Executive Officer provided a further verbal update for the information for the members of Council.

14.02 Proposed lease - Burketown

That subject to Chief Executive Officer seeking advice with respect to the leasing of Council land, Council leases Lot 46 Musgrave Street Burketown to be approved subject to the following conditions:-

- ⇒ an initial lease period of five years with an option for a further period of five years to apply and the renewal of this to be reassessed at the expiration of this period;
- ⇒ an annual rent of \$550 (incl. GST), with the increase in rent tied to the CPI;
- ⇒ rates and outgoings to be the lessee's responsibility;
- ⇒ costs associated with the preparation of the lease to be met by the lessee;
- ⇒ all development must be approved in accordance with the relevant State Government legislation and Council requirements;
- ⇒ ownership of improvements reverts to Council at the end of the lease unless Council determines otherwise;
- ⇒ the lease is provided for the purposes of a storage and fruit/veg growing area however in the event that this development is not approved or does not proceed then the lease ceases; and the block is to be cleaned up at the end of the lease as determined by Council.

Moved Cr Camp
Seconded Cr Forshaw

Carried 28.110615 5/0

File: PF/144-10000-000

14.03 Compliance Update

That Chief Executive Officer be requested to verify the Crime and Misconduct Commission compliance update with respect to schedule one and in relation to schedule two that Council take no further action.

Moved Cr Clarke
Seconded Cr Olive

Carried 29.110615 5/0

File:BCS/GR/I/CMC

14.05 Native Title Update

That Council discuss further with Gilkerson Legal on the drafting of a local government agreement with the Carpentaria Land Council Aboriginal Corporation.

Moved Cr Forshaw
Seconded Cr Olive

Carried 30.110615 5/0

File: BCS/NT/QUD84

Attendance

Jenny Williams; Executive Assistant entered the meeting at 7.07pm.

09 Consideration of Notice(s) of Motion and Petitions

09.01 Notices of Motion

None received

09.02 Petitions

None received

10. Chief Executive Officers Reports

10.01.01 CEO Monthly Report

That Council note the contents of the Chief Executive Officers June 2011 Monthly Report.

Moved Cr Camp
Seconded Cr Forshaw

Carried 31.110615 5/0

File: BCS/G/CM/A/R/CEO

10.01.01 CEO Status Report

That Council note the contents of the Chief Executive Officers June 2011 Status Report.

Moved Cr Olive
Seconded Cr Murray

Carried 32.110615 5/0

File: BCS/G/CM/A/R/CEO

10.01.03 General Information

That Council note the contents of the Chief Executive Officers June 2011 General Information Report.

Moved Cr Olive
Seconded Cr Camp

Carried 33.110615 5/0

File: BCS/G/CM/R/CEO

That Councillor Bill Olive be nominated as Councils representative to attend the MITEZ meeting on the 26th July in Hughenden.

Moved Cr Camp
Seconded Cr Forshaw

Carried 34.110615 5/0

File: BCS/E/A/MITEZ

10.02.01 Upcoming Meetings

1. That Council endorse the attendance by Cr Clarke and Cr Forshaw to attend the LGAQ - 115th LGAQ Annual Conference in the Gold Coast – 3 to 6 October 2011.

Moved Cr Camp
Seconded Cr Murray

Carried 35.110615 5/0

File: BCS/G/Conf/2011

10.01.05 MMG Century Mine Meeting

That Council note the contents of the Chief Executive Officers report and that Councillors be requested to provide any report items for discussion with MMG to the Chief Executive Officer at their earliest convenience.

Moved Cr Murray
Seconded Cr Olive

Carried 36.110615 5/0

File: BCS/G/CM

Declaration: Conflict of Interest

Cr Murray declared a conflict of interest, as she is a member of the Burketown Barramundi Fishing Organisation and left the meeting at 7.37pm.

10.01.06 Burketown Barramundi Growout Facility MOU and Restocking Options

That Council endorse an revised Memorandum of Understanding with the BBFO for a further 12 Months; and

That Council investigate the options further for the growout facilities.

Moved Cr Forshaw
Seconded Cr Olive

Carried 37.110615 4/0

File: BCS/CS/FRF/FRF

Attendance

Cr Tonya Murray entered the meeting at 7.39pm.

10.01.07 MITEZ Membership 2011/12

That council approve MITEZ Local Government Shire/Council Non-Corridor membership of \$5500.00, and, that Councillor Annie Clarke; Mayor be nominated as the council representative at MITEZ meetings for 2011/12.

Moved Cr Olive
Seconded Cr Murray

Carried 38.110615 5/0

File: BCS/ED/Assoc/MITEZ
