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Confirmed Minutes
Burke Shire Council Ordinary General Meeting
Wednesday 17th August 2011
9.00am Council Chamber

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01. Opening of Meeting

The Chair declared the Meeting open at 9.15am.

02. Present

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

Telephone Cr Annie Clarke, Mayor

Ministerial approval for Cr Clarke to vote via teleconference on Agenda items in open session. Under section 72 (2) of the Regulation, which relates to ‘Closed Meetings’, a Council cannot resolve to hold a meeting that is closed to the public if a Councillor is taking part in the meeting by teleconferencing as per letter dated 16 August 2011 from DLGP.

Gary Letts, Chief Executive Officer
Jenny Williams, Executive Assistant

03. Prayer

Cr Olive led Council in Prayer.

04. Consideration of applications for leave of absence

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

Moved: Cr Camp
Seconded: Cr Murray

Carried 01.110817 5/0

05. Confirmation of Minutes of Previous Meeting(s)

05.01 General Meeting 20th July 2011

That the Minutes of the General Meeting of Council held on Wednesday 20th July 2011 as presented be confirmed by Council.

Moved: Cr Forshaw
Seconded: Cr Murray

Carried 02.110817 5/0

FILE: BCS/G/CM/Minutes

06. Condolences

Council noted the passing of Frank Potter and expressed their condolences to the Family and expressed their condolences to the Family of Jason Dick for the passing of their son.

07. Mayoral Minute and Report

That the verbal report provided by Councillor Clarke be noted by Council.

Moved: Cr Murray
Seconded: Cr Olive

Carried 03.110817 5/0

07.01 Attend Rally in Canberra

That Council delegates Cr Annie Clarke, Mayor to attend convoy of no confidence rally in Canberra on Sunday 21st August 2011.

Moved: Cr Murray
Seconded: Cr Forshaw

Carried 04.110817 5/0 FILE: BCS/G/Councillors/UM

07.02 Council Housing and Land

That Council have a workshop on Tuesday 20th September 2011 to discuss Housing and Land Sales in the Shire.

Moved: Cr Olive
Seconded: Cr Forshaw

Carried 05.110817 5/0 FILE: BCS/CP/SH/NH and BCS/CP/VLS

08. Councillor Reports

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

Moved: Cr Camp
Seconded: Cr Murray

Carried 06.110817 5/0

08.01 Digital TV

That Council approach Local Member for Mount Isa; Betty Kiernan, GSD, MITEZ and Independent, Bob Katter to continue to highlight the disparity in relation to the position of these services and to allow council to retransmit digital TV to our Community.

Moved: Cr Camp
Seconded: Cr Forshaw

Carried 07.110817 5/0 FILE: BCS/T/TTF/U

08.02 Solar Electricity Rebates

That Council seek assistance from Bob Katter (Member for Kennedy, Independent) office to organise a delegation to Martin Ferguson AM MP (Federal Member for Batman, Minister for Resources and Energy, Minister for Tourism) and Senator Bob Brown (Senator for Tasmania, Leader of the Australian Greens) to discuss rebates for Solar Electricity in remote areas not connected to grid power.

Moved: Cr Olive
Seconded: Cr Forshaw

Carried 08.110817 5/0 FILE: BCS/Energy/C

Note - Copy of correspondence to be mailed to MITEZ and GSD.

08.03 Solar Electricity Rebates

That Council seek the support from MITEZ, GSD, Agforce and Property Rights Australia to adopt as a policy rebates for Solar Electricity in remote areas not connected to grid power.

Moved: Cr Olive
Seconded: Cr Clarke

Carried 09.110817 5/0 FILE: BCS/Energy/C

Note - Copy of Cr Olive report to be attached to above letter.

Attendance

Cr Murray left the meeting at 10.33am.

09. Consideration of Notice(s) of Motion and Petitions

- 09.01 Notices of Motion
- 09.02 Petitions

That Council notes that no Notices(s) of Motion and Petitions were received.

Moved: Cr Forshaw
Seconded: Cr Camp

Carried 10.110817 4/0

10. Chief Executive Officers Reports

10.01.01 Chief Executive Officer Monthly Update Report

That Council notes the contents of the Chief Executive Officers August 2011 Monthly Update Report.

Moved Cr Clarke
Seconded Cr Olive

Carried 11.110817 4/0 FILE NO:BCS/G/CM/R/CEO

Attendance

Cr Murray entered the meeting at 10.57am.

10.01.02 Burke Shire Council Driveway/Crossover Policy

That Council adopts the Burke Shire Council Driveway/Crossover Policy.

Moved Cr Forshaw
Seconded Cr Olive

Carried 12.110817 5/0 FILE NO: BCS/PAP/Policy

Adjournment

That Council adjourn the proceedings of standing orders at 11.05am for Morning Tea.

Resume Proceedings

That Council resume proceedings of standing orders at 11.21pm.
Cr Annie Clarke continuing the meeting via telephone

10.01.03 Upcoming Meetings

That Council endorses the attendance by Cr Annie Clarke to attend the Mount Isa Chamber of Commerce meeting in Mount Isa on the 16th September 2011.

Moved Cr Forshaw
Seconded Cr Olive

Carried 13.110817 5/0 FILE NO: BCS/G/Councillors/UM

10.02.01 Proposed change of date for Seniors Week event

That Council move Seniors Week event Day from 25th August to the 12th September 2011 and that Cr Annie Clarke be delegated to liaise with the Community Officer and HACC Coordinator for planning meetings.

Moved Cr Camp
Seconded Cr Murray

Carried 14.110817 5/0 FILE NO: BCS/CR/E/SW

10.02.02 Home and Community Care Monthly Update Report

That Council notes the contents of the Home and Community Care Team Leader Officers August 2011 Monthly Update Report.

Moved Cr Forshaw
Seconded Cr Olive

Carried 15.110817 5/0 FILE NO: BCS/CommS/HACC/CR

10.02.03 Regional Partnership Officer Report

That Council notes the contents of the Regional Partnership Officers August 2011 Monthly Update Report; and

That Council seeks a more comprehensive report on projects highlighted as dot points in August Council meeting report to be workshop prior to September Council meeting to assist in setting directions in the RPO role.

Moved Cr Clarke
Seconded Cr Olive

Carried 16.110817 5/0

FILE NO: BCS/G/CM/R/RPO

08. Councillor Reports

08.04 Resolution to LGAQ Conference - Solar

That Council resolves to send the following motion to the LGAQ Annual Conference:-

- That the LGAQ lobby the Federal and State Government to maintain a permanent fixed rebate of 50% on the provision and maintenance of renewable solar energy for remote areas and properties not connected to reticulated power.

Moved: Cr Olive
Seconded: Cr Clarke

Carried 17.110817 5/0

FILE NO: BCS/Energy/C

Attendance

Deborah Glyde; Finance Manager entered the meeting at 12.00pm.

11. Finance Manager Reports

11.01.01 Finance Manager Monthly Update Report

That Council notes the contents of the Finance Manager August 2011 Monthly Update Report.

Moved Cr Camp
Seconded Cr Forshaw

Carried 18.110817 5/0

FILE NO: BCS/G/CM/R/FM

11.01.02 National Competition Policy

Council adopts Version one of the National Competition Policy for 2011-12 financial years.

Moved Cr Forshaw
Seconded Cr Murray

Carried 19.110817 5/0

FILE NO: BCS/P&P/Policies

11.01.03 Councillors Expenses Reimbursement Policy

Council adopts Version two of the Councillor Expenses Reimbursement Policy as per section 45 of the Local Government (Operations) Regulations 2010.

Moved Cr Forshaw
Seconded Cr Camp

Carried 20.110817 5/0 FILE NO: BCS/PAP/Policy

11.01.04 Depreciation Report

That Council notes the contents of the Depreciation Report as presented.

Moved Cr Murray
Seconded Cr Forshaw

Carried 21.110817 5/0 FILE NO: BCS/FM/Budget/2011

11.01.05 Revenue Statement

That in accordance with Section 106 of the Local Government (Finance, Plans and Reporting) Regulation 2010, Council adopts the Revenue Statement for 2011-12 financial years as presented.

Moved Cr Forshaw
Seconded Cr Camp

Carried 22.110817 5/0 FILE NO: BCS/P&P/Policy

11.01.06 Budget Adoption – Section 15

That in accordance with Section 15 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* the Burke Shire Council adopts the general rates categories for the year ending 30th June 2012 as presented.

Moved Cr Clarke
Seconded Cr Camp

Carried 23.110817 5/0 FILE NO: BCS/FM/B/2011-12

11.01.06 Budget Adoption – Section 33 Cleansing Charges

That in accordance with Section 33 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* the Burke Shire Council cleansing charges for the 2011-12 year are made and will be levied for the purposes of providing for the removal of refuse from all occupied premises (domestic and commercial). The cleansing unit charge shall be \$18.59 for the year ending 30th June 2012.

Moved Cr Clarke
Seconded Cr Olive

Carried 24.110817 5/0 FILE NO: BCS/FM/B/2011-12

11.01.06 Budget Adoption – Section 56

That in accordance with Section 56 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* a maximum of 20% of general rates and utility charges may be granted to eligible pensioners which conform to the criterion set by the State Government Pensioner Rate Subsidy Scheme. This amount is in addition to the remission granted by the aforementioned scheme.

Moved Cr Clarke
Seconded Cr Olive

Carried 29.110817 5/0

FILE NO: BCS/FM/B/2011-12

11.01.06 Budget Adoption – Section 100

That in accordance with Section 100 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* the Operating Fund for the year ending 30th June 2012 and forecasts for the years ended 30th June 2013 to 30th June 2014 and Income and Expenditure, Cash Flow, Financial Position and Changes in Equity Statements as presented be hereby adopted.

Moved Cr Clarke
Seconded Cr Forshaw

Carried 30.110817 5/0

FILE NO: BCS/FM/B/2011-12

Adjournment

That Council adjourn the proceedings of standing orders at 12.46pm for Lunch.

Resume Proceedings

That Council resume proceedings of standing orders at 1.30pm.
Cr Annie Clarke continuing the meeting via telephone.
On resumption, all Councillors present except Cr Tonya Murray.

Attendance

Deborah Prosperus; Regional Partnership Officer entered the meeting at 1.31pm.

Attendance – Deputations and presentation scheduled for meeting

That Council note a phone link with Tracy Holt was established at 1.31pm to address Council regarding the Community Consultation Facilitation.

Attendance

Cr Murray entered the meeting at 1.34pm.

Attendance

Cr Annie Clarke and Tracy Holt left the meeting at 2.03pm.

Attendance

Deborah Prosperus; Regional Partnership Officer left the meeting at 2.10pm.

Attendance

Cr Annie Clarke entered the meeting via telephone at 2.12pm.

Attendance

Deborah Glyde; Finance Manager entered the meeting at 2.14pm.

15 New business of an urgent nature admitted by Council

15.01 Plant Purchasing

That council direct the CEO to advise the FM and DES that no plant purchase to occur before the budget review with the exception of the HACCC vehicle and previous pre-approved plant.

Any urgent budgeted plant purchases to go to the next council meeting for approval.

Moved: Cr Clarke
Seconded: Cr Forshaw

Carried 31.110817 5/0 FILE NO: BCS/PES/Plant

16. Deputations and presentation scheduled for meeting

16.01 Community Plan Update

That Council notes the discussions held with Tracy Holt in regards to the upcoming Community consultation process.

Moved: Cr Camp
Seconded: Cr Murray

Carried 32.110817 5/0 FILE NO: BCS/Plan/CP

11. Finance Manager Reports

11.02.01 Payroll HR Monthly Update Report

That Council notes the contents of the Payroll and HR Officers August 2011 Monthly Update Report.

Moved Cr Forshaw
Seconded Cr Olive

Carried 33.110817 5/0 FILE NO: BCS/G/CM/R/FM

Attendance

Deborah Glyde; Finance Manager left the meeting at 2.29pm.

12. Director Engineering Services Reports

12.01.01 Director of Engineering Services Monthly Update Report

That Council notes the contents of the Director of Engineering Services August 2011 Monthly Update Report.

Moved Cr Olive
Seconded Cr Murray

Carried 33.110817 5/0

FILE NO: BCS/G/CM/R/DES

Attendance

Dennis Kerr; Director Engineering Services entered the meeting at 2.31pm.

Declaration: Material Personal Interest

Cr Forshaw declared a material personal interest in report 12.01.02 and left the meeting at 2.48pm.

12.01.02 Gregory Lawn Hill Road Flood Damage and TIDS Select Fill & Gravel Resheeting Project

That Council endorses the expenditure as per DES report to Forshaw Contracting in fortnightly installments for materials supplied and or delivered to the Gregory Lawn Hill road project Century Mine turn off to Big Archie Creek as the successful tenderer.

Moved Cr Olive
Seconded Cr Camp

Carried 34.110817 4/0

FILE NO: BCS/Roads/TIDS/2011

Attendance

Cr Forshaw entered the meeting at 2.55pm.

12.01.03 Expression of Interest (EOI) Solar Burketown and Gregory

That Council requests tender submissions from the 9 respondents to the Expression of Interest called in May 2011 for supply of Solar Electricity to the Council's Gregory depot and employee house facilities.

Moved Cr Clarke
Seconded Cr Forshaw

Carried 35.110817 5/0

FILE NO: BCS/TAQ/2011/11-10, BCS/TAQ/2011/11-11,
BCS/TAQ/2011/11-12, BCS/TAQ/2011/11-13

16. Deputations and presentation scheduled for meeting

16.02 Introduction with Peter Whiting

That Council notes introduction and discussions held at 3.10pm with:-

Peter Whiting
Senior Advisor - Northern Region
Strategy and Governance - Regional Services
Department of Local Government and Planning
Queensland Government

Attendance

Dennis Kerr; Director of Engineering Services left the meeting at 3.27pm.

Cr Clarke would like it to be noted that she strongly objects to the condition under the Local Government act that refers to Section 72 (2) of the regulation - 'Closed Meetings', a Council cannot resolve to hold a meeting that is closed to the public if a Councillor is taking part in the meeting by teleconferencing.

And it is further noted that Councillor Annie Clarke did not want to risk the integrity of the Council by partaking in the closed session by phone.

Adjournment

That Council adjourn the proceedings of standing orders at 3.30pm for Afternoon Tea.

Resume Proceedings

That Council resume proceedings of standing orders at 3.52pm.
On resumption, all Councillors were present except Cr Annie Clarke.

13 Consideration of committee recommendations

That Council notes that no consideration of committee recommendations were received.

Moved: Cr Camp
Seconded: Cr Forshaw

Carried 36.110817 4/0

14 Closed session reports

That Council move into closed session 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, g and h)*.

Council moved into closed session at 3.53pm.

Moved Cr Olive
Seconded Cr Murray

Carried 37.110817 4/0

Attendance

Dennis Kerr; Director of Engineering Services entered the meeting at 4.15pm.

Attendance

Dennis Kerr; Director of Engineering Services left the meeting at 4.42pm.

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 5.07pm.

Moved Cr Camp
Seconded Cr Olive

Carried 38.110817 4/0

Attendance

Cr Bill Olive left the meeting at 4.42pm.

14.01 Conversion of Special Lease

That Council has no objections to the application to conversion of special lease 13/53009.

Moved Cr Forshaw
Seconded Cr Murray

Carried 39.110817 3/0

FILE NO: PF/00244-20000-000

14.02 Outstanding Invoice and Road Access

- (a) That Council notes the advice from DERM that part of Musgrave Street is still legally classed as an open road.
- (b) That Council withdraw the Invoice Number 7927 to dated 15/11/10 without prejudice.
- (c) That Council investigate ways to either recycle the water from the wash down bay or have the waste water diverted into the Councils sewage system for processing.
- (d) A Letter is sent to owner encouraging them to apply to council to have a Council approved driveway entrance/s constructed at Lot 22 on plan B1364.

Moved Cr Forshaw
Seconded Cr Camp

Carried 40.110817 3/0

FILE NO: PF/113-00000-000

14.03 Gregory House 9 Renovations (Lot 34 Murray Avenue) Project

That Council endorses the expenditure for renovations to Council House number 9 at 34 Murray Avenue Gregory as quoted by Robert Baker Builder, as the successful tenderer.

Moved Cr Murray
Seconded Cr Camp

Carried 41.110817 3/0

FILE NO: BCS/TAQ/2011/11-16

14.04 Building Application

That Council advise NQ Building Solutions to proceed to final construction drawings and certification and approval for the issue of a Building Permit to enable construction to proceed and;

That any advertising to be located on the awning must comply with the Advertising Devices Code in the Planning Scheme.

Moved Cr Forshaw
Seconded Cr Camp

Carried 42.110817 3/0

FILE NO: DA/2011

14.05 Deputy CEO/Director of Corporate Services

That Council delegates the Mayor and CEO in consultation with Council to develop a package for employment of a Deputy CEO/ Director of Corporate Services and appoint an interim Deputy CEO/ Director of Corporate Services.

Moved Cr Camp
Seconded Cr Murray

Carried 43.110817 3/0

FILE NO: BCS/Person/Recruit/PD

15 New business of an urgent nature admitted by Council

That no business of an urgent nature admitted by Council was received.

Moved: Cr Camp
Seconded: Cr Forshaw

Carried 44.110817 3/0

17. Closure of Meeting

The Chair declared the Meeting closed at 5.19pm.

I hereby certify that these pages numbered 1 to 16 - constitute the Confirmed minutes of the Council Meeting of Burke Shire Council held on Wednesday 17 August 2011.

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DEPUTY MAYOR