

BURKE SHIRE COUNCIL



AGENDA & BUSINESS PAPERS

***Ordinary General Meeting
15 April 2009***



Burke Shire Council

AGENDA
Ordinary General Meeting
15 April 2009

AGENDA

01. Opening of Meeting
02. Record of Attendance
03. Opening Prayer & Condolences No advices of any deaths at time of agenda preparation.
04. Consideration of Applications for Leave of Absence No requests received at time of agenda preparation
05. Confirmation of Minutes of previous Meeting(s) Minutes of the Ordinary Meeting of the 18 th of March 2009.
06. Mayoral Minute and Report
07. Councillor Reports
08. Consideration of Notice(s) of Motion and/or Petitions None received at time of agenda preparation.
09. Chief Executive Officer Reports <i>“Governance, Development, Environmental Services”</i> 09.01. <u>Standing Business Papers for Information</u> 09.01.01 General Matters 09.01.02 Status Report 09.02. <u>Business Papers for Council Consideration and Decision</u> 09.02.01 Update of Delegations 09.02.02 Gulf Area Com. Social Dev Trust – Local Stakeholder Reference Group 09.02.03 LGAQ – Advice of Study Tour to United States and Canada 09.02.04 Crime and Misconduct Commission – Regional Visits 09.02.05 Primary Industries and Fisheries – Community Jobs Plan 09.02.06 Gulf Savannah Development – offer of Small Business Advisory Services 09.02.07 Policy on replacement of water filters 09.02.08 Removal of Cattle from Town Common 09.02.09 Northern Alliance for roads associated with Indigenous Communities 09.02.10 Gregory Park - naming 09.02.11 Appointment of Acting Chief Executive Officer



Burke Shire Council

AGENDA

Ordinary General Meeting

15 April 2009

10. Works Manager Reports

“Engineering Services, Refuse Management, Sewerage and Water Utilities.”

10.01. Standing Business Papers for Information

10.01.01 Roadworks Program, Town Maintenance, Water Supply, Sewerage and Waste Management Updates

10.01.02 Status Report

10.02. Business Papers for Council Consideration and Decision

10.02.01 Roads Alliance Board – Participation in Netrisk assessment and asset data collection

10.02.02 R2R Program July 2009 to June 2014

11. Manager Corporate Services Reports

“Finance, Administration and Community and Cultural Development”

11.01. Standing Business Papers for Information

11.01.01 Monthly Financial Report

11.01.02 Status Report

11.02. Business Papers for Council Consideration and Decision

11.02.01 RADF Funding – Council Project – Photographic book of Burke Shire

11.02.02 North & West Queensland Primary Health Care – Request for assistance

11.02.03 2008/2009 Budget Review

11.02.04 Country & Regional Living Expo

11.02.05 Schools First Workshop

11.02.06 Control of Council Bank Accounts

12. Consideration of Advisory Committee Recommendations

“RADF”

None at time of agenda preparation

13. Closed Session Reports

13.01

14. New Business of an Urgent Nature Admitted by Council.

15. Closure of Meeting

Deputations and Presentations scheduled for Meeting:

None at time of Agenda Preparation

Interview of Candidate(s) for position of CEO to be scheduled during the meeting day.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

01. OPENING OF MEETING

02. RECORD OF ATTENDANCE

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

Staff: Fred de Waard, Acting Chief Executive Officer
Don McEvoy, Acting Works Manager
Zoe Belz, Manager Corporate Services
Cheryl Portch - Administration Officer (Minutes)

03. OPENING PRAYER AND CONDOLANCES

04. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE

None received at time of agenda preparation

05. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

Minutes of the Ordinary General Meeting held on the 18th of March, 2009 have been previously circulated to Councillors.



MIN090318
Unconfirmed Minutes

Recommendation:

That the Minutes of the Ordinary General Meeting held on the 18th of March 2009 as presented be confirmed by Council.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

06. MAYORAL MINUTE AND REPORT

Verbal Report to be provided to Meeting

07. COUNCILLOR REPORTS

Verbal Reports to be provided to Meeting

08. CONSIDERATION OF NOTICE(S) OF MOTION AND/OR PETITIONS

None received at time of agenda preparation



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09. CHIEF EXECUTIVE OFFICER REPORTS

Recommendation:

That

- A) the Chief Executive Officers Standing Business Papers for information as presented in pages ___ to ___ of the Business papers be received by Council and noted; and**
- B) the Chief Executive Officers Business Papers for Council Consideration and Decision as presented in pages ___ to ___ of the Business papers be received for consideration.**

09. Chief Executive Officer Reports

“Governance, Development, Environmental Services”

09.01. Standing Business Papers for Information

09.01.01 General Matters

09.01.02 Status Report

09.02. Business Papers for Council Consideration and Decision

09.02.01 Update of Delegations and appointments of authorised persons

09.02.02 Gulf Area Com. Social Dev Trust – Local Stakeholder Reference Group

09.02.03 LGAQ – Advice of Study Tour to United States and Canada

09.02.04 Crime and Misconduct Commission – Regional Visits

09.02.05 Primary Industries and Fisheries – Community Jobs Plan

09.02.06 Gulf Savannah Development – offer of Small Business Advisory Services

09.02.07 Policy on replacement of water filters

09.02.08 Removal of Cattle from Town Common

09.02.09 Northern Alliance for roads associated with Indigenous Communities

09.02.10 Gregory Park - naming

09.02.11 Appointment of Acting Chief Executive Officer



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.01.01 CEO Monthly Report

File: NA	Date: 09/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with an update on Governance, Development and Environmental Management Matters as at 9th April 2009

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.1 Governance Matters:

3.1.1 Staffing Levels Status

Current staff and their status appears to be as follows:

	# of Established positions	Position Reference	# Employed	# of Vacancies	Comments
	ft – full time, ft-t – Full time trainee, pt – part time/casual, sec – secondment, tem – temporary, ses – seasonal temporary, vac – vacant, contract				
CEO	1 ft		1 tem	1 ft	EA position to be established – to be deployed from FINANCE
FINANCE	6 ft 1ft-t 2 pt 1 ses		6 ft 2 pt	1 ses 1 ft-t	One Customer Service Officer internal secondment being trialled. One Officer to be redeployed to EA Position
WORKS	25 ft 1 contract 2 ses		21 ft 1 contract 2 ses	4 ft	Works Coordinator seconded to Works Manager position. Works Manager Position being advertised. 1 Contract Team engaged by tender when works permit.
Total by type	32 ft 1 ft-t 1 contract 2 pt 3 ses		27 ft 1 contract 2 pt 2 ses 1 tem	5 ft 1 ft-t 1 ses	
TOTAL	39		33	7	



Burke Shire Council

Business Papers Ordinary General Meeting 15 April 2009

3.1.2 Staff attendances at Conferences and Training

- Zoe Betz – PCs User Group – Coolangatta – 27th April to 1st May

3.1.3 Events Calender

April 2009	
15	Council Meeting
19	School Holidays end
20-21	Kalkadoon Native Title Hearings – Mt Isa
24	Southern Gulf Catchment Roadshow- Gregory Downs
24	LGAQ Infrastructure Symposium - Brisbane
25	Anzac Day Ceremony - Burketown
28-29	AQIS
29	Presentation of Gulf Flood Recovery Package to State Ministers - Brisbane
29/30	Northern Alliance for roads associated with indigenous communities Meeting – Mt Isa
30	Elected Member Update (LGAQ) Normanton
May 2009	
2-4	Gregory Downs Jockey Club Races & Gregory Downs Canoe Race
4	Labor Day
4	Gregory Downs Bull Spectacular
6-8	North Queensland Local Government Association Conference - Hughenden
20	Council Meeting
June 2009	
8	Queens Birthday
17	Council Meeting
20-21	Gregory Campdraft and Horse Sports
21-24	Australian Local Government Association National General Assembly - Canberra
27	School Holidays Commence
July 2009	
12	School Holidays end
15	Council Meeting
29-31	Australian Local Government Women's Association (Qld) Conference - Toowoomba
August 2009	
19	Council Meeting
24-27	LGAQ Annual Conference - Brisbane



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

29	Arts & Craft Show
September 2009	
8-12	Gregory Mini School
16	Council Meeting
19	School Holidays Commence
20	Gregory CWA Horse Sports
October 2009	
4	School Holidays End
21	Council Meeting
November 2009	
3	Melbourne Cup (Show Holiday in Burke Shire)
18	Council Meeting
December 2009	
5	School Holidays Commence
16	Council Meeting
25	Christmas Day
28	Boxing Day

3.1.4 Policy Development and Review

I have concentrated this months work on the redevelopment of Council's delegations register (See Business Paper 09-02-01) as this has priority as I was unable to find a delegations register as required under the Local Government Act 1993.

Such a register is absolutely crucial for the day to day operations of Council as it governs what is or is not able to be done by (or delegated by) the Chief Executive Officer without prior Council approval.

3.1.5 Grants Status

Current applications lodged awaiting response

Local Adaptation Pathway Program Grant (LAPPG)	North West Climate Change Alliance	Grant Sought \$140,000 In Kind \$35,000	Lodged 23/02/2009
Regional and Local Community Infrastructure Program (RLCIP)	Albert River Park Improvements	Grant Allocated \$100,000	Resubmitted 6/3/2009 Agreement signed 8/4/2009 Mailed 14/04/2009



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

Current approved projects awaiting commencement

R2R	Road Works	Annual Grant \$272,950	Total Program announced \$1,364,749 over 5 years
-----	------------	---------------------------	--

Current projects underway

North West Community Benefits Scheme (NWCBS)	a) Burke Shire Heritage Focal Point (hot baths and boardwalk)	a) Grant of \$294,000 (\$ for \$)	\$147,000 claimed November 2000. No funds expended to date. Full amount of \$147,000 to be refunded as will not be able to do this work by 30/06/2009. 2008/09 budget shows expected expenditure of \$175,000 (\$46,500 reserve funded)
	b) Gregory Downs	b) Grant of \$192,000 (\$ for \$)	\$96,000 claimed in 2000 and \$121,208 spent in 2001/2002 out of a required expenditure of \$384,000 for the construction of the Caretakers cottage at Gregory Balance of \$35,396 to be refunded. 2008/09 budget shows expected expenditure of \$250,000 (\$39,000 reserve funded)

Projects completed awaiting final acquittal/payment

Smaller Communities Assistance Program (SCAP)	Gregory Water Upgrade		Completed Final Claim Lodged 16/06/2003 \$100,000.00 unpaid – awaiting lodgement of SAMP/TMP
Smaller Communities Assistance Program (SCAP)	Burketown Sewerage Treatment Plant Upgrade	Grant Allocated \$358,109.00 Council \$18,891.00	Completed Final Claim Lodged 26/06/2007 \$27,662.90 unpaid – awaiting lodgement of SAMP/TMP
Smaller Communities Assistance Program (SCAP)	Burketown Water Upgrade		Completed Final Claim Lodged 26/06/2007 \$107,150.00 unpaid – awaiting lodgement of SAMP/TMP



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

NDRA	Flood Damage Restoration 2007/2008		Completed Final Claim Lodged 05/02/2009 \$670,048.00 unpaid
NDRA – Main Roads	Flood Damage Restoration Main Roads Jan/Feb 2007		Final Claim Lodged 15/01/2009 \$1,326,147.85 Unpaid at this time
TIDS	Albert River Bridge		Final Claim Lodged 26/11/2008 \$825,000 Unpaid at this time
Federal Regional Airports Security Program (RASP)	Security Lighting – Burketown Airport		Final Claim Lodged 08/01/2009 \$54,782.20 Unpaid at this time
TIDS	Doomadgee East	\$	
TIDS	Doomadgee West	\$	

3.1.6 Complaints Status Reports

Council is required to register and to deal with complaints in accord with an established Complaints Policy.

A summary report of complaints received in the prior month and their status is yet to be compiled.

3.2 Development Matters:

The current status of Development Applications lodged with Council is under development. The attached file provides the known details for 2008 and 2009 development applications lodged. I am not satisfied that this is a complete list at this time.



2008 Development Application Registers



2009 Development Application Registers.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

3.3 Health and Environmental Service Matters:

A current status report of health and environment licensing applications (Food, Mobile Vending, ERA's etc) and their status is being developed.

Licences Issued since last Meeting

Food Licence

Debra Harris Mobile Food Van



Deborah Harris Food
Van U-74990 2008-09

F.M.A. de Waard
Acting Chief Executive Officer



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.01.02 CEO Status Report

File:	Date: 09/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with the status of actions previously sought by Council for action

2. FOR COUNCIL INFORMATION

3. FULL REPORT

The status of matters previously resolved is as follows:

18-03-2009		
1. Corporate Planning - Architectural Practice Academy	That the Chief Executive Officer prepare a report on the possible use of the Academy of Architects for the preparation of a Corporate Plan for Council consideration. 02. 090318	Report to be prepared by CEO Email has been sent to the academy seeking a more detailed proposal from them.
2. Regional Organisations of Councils	That the Chief Executive Officer prepare a report on appropriate Regional Organisations of Councils for Council to consider joining. 03. 090318	Report to be prepared by CEO
3. Land Availability – Burketown Hospital Reserve	That the Chief Executive Officer write to the Minister for Health regarding the possible purchase of surplus land from the existing hospital reserve at the Burketown. 04. 090318	Letter written CLOSED
4. Burketown Kindergarten – request for assistance with housing for Kindergarten Director	That Burketown Kindergarten be advised that Council is of the view that the Kindergarten Committee should:- a) proceed with advertising the position of Kindergarten Director on the basis that they offer the accommodation currently within their control (the flat that is part of the kindergarten); b) Advise the existing occupant of the flat at the Kindergarten (which may be required for the Kindergarten Director), by way of notice to quit, that the flat may be required for accommodation for a director (as was its original intent); and c) encourage the existing occupant to place their name down on waiting lists with Council and other housing groups and the Department of Community Housing. 06. 090318	Email response sent CLOSED



Burke Shire Council

Business Papers Ordinary General Meeting 15 April 2009

<p>5. GSD - Invite to join Steering Committee – Gulf Future Visions Workshop</p>	<p>That Council endorse the Mayor's membership of the Steering Committee for the Gulf Future Visions Workshops as a Council activity noting that Council is not expected to incur any costs as this Steering Committee will be meeting by teleconference with the costs of the teleconference being borne by Gulf Savannah Development (GSD).</p> <p>10. 090318</p>	<p>Email sent.</p> <p style="text-align: right;">CLOSED</p>
<p>6. NGRMG – Coordination of Gulf Flood Recovery Proposal</p>	<p>That Council endorse the preparation of a regional flood recovery package for consideration by State and Commonwealth Governments and commend the Northern Gulf Resource Management Group for its offer of assistance at no cost and its professional and pro-active stance in this matter.</p> <p>11. 090318</p>	<p>Email sent Meeting to present plan to State Ministers is proposed in Brisbane on the 29th of April – All regional Mayors are to attend. Cr Clark was already to be in Brisbane at that time on other Council business</p> <p style="text-align: right;">CLOSED</p>
<p>7. Burketown State School Rugby League Carnival</p>	<p>That</p> <p>a) Council provide the assistance sought on the proviso that Council's assistance with the event is acknowledged at the event and in any publicity for the event; and</p> <p>b) All costs of assistance provided by Council (staff time, plant hire, facility hire waived etc) for the event beyond normal facilities maintenance be costed to a separate costing number so that costs of the assistance provided are recorded.</p> <p>15. 090318</p>	<p>Email response provided.</p> <p>Staff instructed to record costs appropriately.</p> <p style="text-align: right;">CLOSED</p>
<p>8. Council application for Permit to Occupy over Lot 17 on USL 221</p>	<p>That the Department of Natural Resources be advised that Council concurs with their advice that the application be changed to an application for obtaining the land as a Reserve for Community and Recreation Purposes in lieu of a Permit to Occupy for the same purpose.</p> <p>17. 090318</p>	<p>Letter Sent</p> <p style="text-align: right;">CLOSED</p>
<p>9. Gregory Health Clinic.</p>	<p>That Council write to Queensland Health seeking their urgent advices on that Departments plans for the replacement and ongoing maintenance of the Gregory Health Clinic building.</p> <p>20. 090318</p>	<p>Letter Sent</p> <p style="text-align: right;">CLOSED</p>



Burke Shire Council

Business Papers Ordinary General Meeting 15 April 2009

<p>16. Self Help Television</p>	<p>That Council support the provision of individual household satellite dishes and decoders in lieu of the current community self help retransmission system in the roll out of digital television in remote areas provided that the encoders provided allow for multiple televisions in households and the viewing of different channels on different televisions in the household concurrently as is currently available via the community self help broadcasting system.</p> <p>34. 090318</p>	<p>Letters Sent</p> <p style="text-align: right;">CLOSED</p>
<p>17. NAIDOC Week</p>	<p>That Council not participate in the NAIDOC Week School Initiatives Colouring Competition.</p> <p>35. 090318</p>	<p>Email Sent.</p> <p style="text-align: right;">CLOSED</p>
<p>18. Apology to Des Ryan and Oliver Pring</p>	<p>That Council</p> <p>a) note the retraction of the statements in the report to Council in the December 2008 purporting to advise Council of budget overruns in overtime and sick leave as being attributable to payments to Oliver Pring and Des Ryan;</p> <p>b) Place on public record that such reports were grossly and manifestly inaccurate and misleading; and</p> <p>c) apologise unreservedly to Oliver Pring and Des Ryan for any offence that may have been caused by the publication of this inaccurate information in Council's meeting minutes of that December meeting.</p> <p>38. 090318</p>	<p>Letter Sent</p> <p style="text-align: right;">CLOSED</p>
<p>19. Position of Works Manager/ Director of Engineering</p>	<p>That Council not proceed with the filling of the position of Works Manager at this time and readvertise the position as a Director of Engineering with a revised package.</p> <p>39. 090318</p>	<p>LGAQ engaged and position being advertised.</p> <p style="text-align: right;">CLOSED</p>
<p>20. Chief Executive Officer Replacement – Delegation to Mayor</p>	<p>That Council delegate its power to shortlist applicants for the position of Chief Executive Officer currently being advertised to the Mayor on the proviso that the Mayor prepare the shortlist after consultation with all the other Councillors by teleconference.</p> <p>40. 090318</p>	<p>Consultation undertaken and delegation exercised.</p> <p style="text-align: right;">CLOSED</p>



Burke Shire Council

Business Papers Ordinary General Meeting 15 April 2009

24/25-02-2009		
21. Commercial Land	That the writer be advised that land is not currently available and the Acting Chief Executive Officer investigate and report back to Council on how Council can accelerate the release of land under Native Title. 10.090224	Letter sent. Report to be prepared by CEO
22. Land availability	That the Acting Chief Executive Officer prepare a report on the land available for disposal in Burketown and Gregory and the writer be advised that Council is unable to sell the block to him at this time. 12.090224	Letter sent. Report to be prepared by CEO
23. Energy Audit for future funding opportunities	That the Acting Chief Executive Officer provide Council with an update of the status of this matter at a later meeting. 21.090224	Report to be prepared by CEO
18/12/2008		
1. Cattle on Town Common - Burketown	That the Chief Executive Officer take necessary legal action to effect the removal of cattle from town common as soon as possible. 7.081218	Report to be prepared by CEO Presented to April meeting
2. Industrial Land	CEO to identify industrial area at Gregory & Burketown and report back to Council at next meeting with a proposal to acquire available land. 8.081218	Report to be prepared by CEO
3. Unallocated State Land	The DNR&W recently made a commitment to Burke Shire Council to undertake an evaluation of all unallocated State Land in Burketown & Gregory Downs to identify lots suitable for residential development. Resolved that an investigation be made into the State owned lands and a report be brought back to Council.	Report to be prepared by CEO Land has been identified by DNR but is awaiting assessment by Works Manager with respect to suitability for residential development and provision of services.
4. Ingenro Meeting	Meeting with Ingenro to be scheduled around 15 January 2009 and Cr Murray and CEO to attend. January Ordinary Meeting is set for 15 January 2009.	Have contacted Ingenro in March who are now to reschedule visit in April/May to coincide with Council meeting. CEO to Follow Up



Burke Shire Council

Business Papers Ordinary General Meeting 15 April 2009

5. Future Planning for Burke Shire	Academy of Architects consultant to talk to Council.	Report to be prepared by CEO Replaced by Item 1 – 18/03/2009 Res 02. 090318 CLOSED
01/12/2008		
1. Agforce Workshops	That Council contact Agforce asking that they hold a workshop to assist interested parties in the development of submissions to the Gulf Resources Operation Plans. 01.081201	Unable to ascertain status at this time
25/11/2008		
1. Albert River Bridge Project	Resolved that the final payment for the New Albert River Bridge be withheld until the agreement/contract with Nelmac Pty Ltd is signed by all parties.	Contract Signed. Final claim made and paid. CLOSED
21/10/2008		
1. Ingenero 2010 Solar Challenge.	A limited number of Councils are invited to participate in the Ingenero 2010 Solar Challenge which commences with the Ingenero 2010 feasibility Assessment. This assessment will allow Council to engage Ingenero at no cost to visit Council site/s to determine a suitable renewable energy solar solution. That Council participates in the Solar challenge. 10.081021	Replaced by Item 4 – 18/12/2008 Has been responded to. CLOSED



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.01 Delegations to Chief Executive Officer and appointments of Authorised Persons

File:	Date: 10/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

A review of delegations has been carried out with a view to ensuring that Council has in place the correct delegations that reflect the way Council has been operating whilst also ensuring that there is an appropriate level of delegation by Council to the Chief Executive Officer to allow Council business to flow smoothly whilst ensuring adequate controls and accountability are in place.

Some 38 delegations are proposed. These are based on

- a) advice as to what can be delegated by Council;
- b) an analysis of these delegable powers;
- c) advices from King and Company provided to local government generally through the LGAQ; and
- d) an analysis of delegated powers provided to Chief Executive Officers in similar sized local governments.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That

1. all existing delegations to the Chief Executive Officer be revoked AND in lieu thereof, in accordance with the provisions of Section 472 of the Local Government Act 1993, Council delegate the powers set out in Column 2 of Schedule 1 (Proposed Delegations to the Chief Executive Officer) to the Chief Executive Officer with such powers being delegated subject to the conditions as set out in Column 4 of Schedule 1 (Proposed Delegations to the Chief Executive Officer as set out in Delegations DEL-BSC-01 to DEL-BSC-038);
2. the Chief Executive Officer be appointed, in accord with Section 14 of Burke Shire Council Local Law No. 1 (Administration), as an authorised person for all Council Local Laws including:
 - a. Burke Shire Council Local Law No. 1 (Administration)
 - b. Burke Shire Council Local Law No. 4 (Libraries)
 - c. Burke Shire Council Local Law No. 6 (Temporary Homes)
3. the Chief Executive Officer be appointed, in accord with Section 1084 of the Local Government Act 1993, as an authorised person under Part 5 (Enforcement of Local Government Acts) of the Local Government Act 1993; and



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

4. the Chief Executive Officer be appointed, in accord with the Instrument of Delegation provided to Council by the Queensland Governments Environmental Protection Agency dated 7th February 2008, as an authorised person pursuant to section 445(1)(c) of the Environmental Protection Act 1994.

3. FULL REPORT

3.1 Background:



Proposed
Delegations to CEO.p

The attached Schedule 1 (Proposed Delegations to Chief Executive Officer) of proposed delegations numbered DEL-BSC-001 to DEL-BSC038 covers delegations of powers to the Chief Executive Officer under the following Acts:-

Proposed Delegation DEL- BSC-	Relevant Act
01	Burke Shire Council Local Law No. 1 (Administration)
02	Local Government Act 1993
03	Local Government Act 1993
04	Local Government Act 1993
05	Local Government Act 1993
06	Local Government Act 1993
07	Local Government Act 1993
08	Local Government Act 1993
09	Local Government Act 1993
10	Local Government Act 1993
11	Local Government Act 1993
12	Local Government Act 1993
13	Local Government Act 1993
14	Local Government Act 1993
15	Local Government Act 1993
16	Local Government Act 1993
17	Liquor Act 1992 and Local Government Act 1993
18	Statutory Bodies Financial Arrangements Act 1982
19	Local Government Act 1993
20	Local Government Act 1993
21	Land Protection (Pest and Stock Route Management) Act 2002
22	Liquor Act 1992
23	Transport Operations (Road Use Management) Act 1995
24	Local Government Act 1993



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

25	Building Act 1975
26	Environmental Protection Act 1994
27	Environmental Protection (Waste Management) Regulation 2000
28	Food Act 2006
29	Health (Drugs and Poisons) Regulation 1996
30	Integrated Planning Act 1997
31	Land Act 1994
32	Land Protection (Pest and Stock Route Management) Act 2002
33	Local Government Act 1993
34	Standard Plumbing and Drainage Regulation 2000
35	Plumbing and Drainage Act 2002
36	Public Health Act 2005
37	Public Records Act 2002
38	Local Government Act 1993

Relevant conditions have been applied to each delegation as appropriate.

In a number of cases the delegations being provided will allow the Chief Executive Officer to sub-delegate these powers to appropriately qualified Council officers to facilitate the timely delivery of Council services and timely responses to applications made of Council.

Also recommended is the appointment of the Chief Executive Officer as an authorised Officer under the Local Government Act 1993, under Council's local laws and under the delegation made to Council by the Environmental Protection Agency in February 2008.

Statutory Environment:

Under the Local Government Act section 472 Council may delegate its powers to the Mayor, Standing Committees, Chairman of Standing Committees or the Chief Executive Officer. Council has no standing committees or Chairman of Standing Committees.

Policy Implications: None

Financial Implications: None

Strategic Implications: None

Consulted With:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.02 Gulf Area Community Social Development Trust – Local Stakeholder Reference Group

File: PAS/10	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

The Department of Infrastructure and Planning is seeking a Council representative on the Gulf Area Community Development Trust Local Stakeholder Reference Group which provides advice to Queensland Community Foundation on which projects submitted to the Trust should be funded.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council nominate Cr _____ as its representative on the Gulf Area Community Development Trust Local Stakeholder Reference Group.

3. FULL REPORT

3.1 Background:

Mr Barry Riddiford from the Department of Infrastructure and Planning has advised as follows:

“I am currently working with the Department of Infrastructure and Planning with my main work focusing on the Century mine Agreement. One of the initiatives I am currently working on is the Gulf Area Community Social Development Trust.

The Gulf Area Community Social Development Trust originated from the Gulf Communities Agreement. The Gulf Area Community Social Development Trust has been established by the Queensland Government. The Trust is a sub-fund of the Queensland Community Foundation (QCF). The Queensland Government approved \$5.7475M to be invested in perpetuity with the QCF.

The purpose of the Gulf Area Community Social Development Trust is to generate a permanent income source to fund social projects that promote the interests and welfare of residents of the Gulf Area Community by supporting initiatives that encourage educational, health, cultural and social development.

The QCF is a perpetual charitable trust established by Deed of Trust on 4 February 1997 under which the Public Trustee of Queensland (Public Trustee) as Trustee of the QCF is responsible for decision making for the QCF. This decision making responsibility applies to all QCF sub-funds including the Gulf Area Community Social Development Trust.



Burke Shire Council

Business Papers **Ordinary General Meeting** **15 April 2009**

Interest gained on this investment will be made available to be used for social impact projects happening in the shires of Doomadgee, Mornington Island, Burke and Carpentaria. The remaining interest will be reinvested in the Trust.

The Department of Infrastructure and Planning (DIP) is assisting the administration of the Gulf Area Community Social Development Trust by the QCF by providing organisational support on behalf of the Queensland Government.

Monies will be distributed via project submission processes. Applications are called for in June. Closing dates for applications will be the end of August. Disbursements will be arranged to successful applicants as soon as possible following approval of the grant by the QCF.

To assist with this process, we are establishing a Local Stakeholder Reference Group (see membership below) to provide advice to QCF on which projects should be funded.

Approval for the grant occurs when the Public Trustee, as Trustee of the QCF, accepts the recommendations provided by the Local Stakeholder Reference Group.

Membership of Local Stakeholder Reference Group is

Native Title Groups:

Waanyi(1) Mingginda(1) Gkuthaarn(1) Kutkatj(1)

Broader Community Representation

- 1 Council-nominated community representative from Mornington Shire(1), Doomadgee(1) Burke(1) & Carpentaria(1) shires
This does not mean they must be Indigenous or necessarily a current Councillor. The person needs to be able to represent the broad interests of the whole shire, and all constituents.

OZMinerals(1) 1 representative

Government(1) 1 representative

A QCF member will be present at all meetings as observer/advisor.

This means the group has **10 representatives**, with QCF and REU attending each meeting as support and advisory only.

This group will receive training at the end of April and will be required to meet at Century Mine approximately 3 times each year.

I email to invite you to nominate a representative from your shire to participate in the Reference Group.”

3.2 Statutory Environment: Council is not required to provide a representative however, if Council does nominate a Councillor as a representative then the Councillor Expenses Reimbursement Policy would apply with respect to costs of attendance at the meeting by the Councillor.

3.3 Policy Implications: None



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

3.4 Financial Implications: Cost of attendance at meetings of the Stakeholder Reference Group at Century Mines 3 times per year.

3.5 Strategic Implications: None

3.6 Officers Comment:

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.03 LGAQ – Advice of Study Tour to United States and Canada

File: CON/01	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

The Local Government Association of Queensland has provided an invitation to attend the Local Government “Innovation and Efficiency in Service Delivery” Study Tour to the United States and Canada from 30 June 2009 to 11 July 2009.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council not participate in this tour.

3. FULL REPORT

3.1 Background:

Numbers able to participate in the tour are limited to 20 delegates and the LGAQ must have nominations by 5 May 2009.

The tour will expose participants to the following:

- Innovative practices in Water, Waste, Traffic/Road Management and Emergency/Disaster Management
- Technology based customer service
- Single number city-wide service (311)
- Shared services – both front and back of house
- Mobile and online service delivery
- Driving efficiency through business change
- Council wide Business Transformation Programs.

Local Governments to be visited are:

- New York
- Philadelphia
- Toronto
- Ottawa

3.2 Statutory Environment: Council is not required to provide a representative however, if Council does nominate a Councillor as a representative then the Councillor Expenses Reimbursement Policy would apply with respect to costs of participation in the study tour.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

3.3 Policy Implications: None

3.4 Financial Implications: Costs are \$7,150 plus return airfare to New York (\$2,000 to \$4,500 – Qantas) plus return airfare to Brisbane (- up to \$1,000) and other incidentals. Estimated cost of up to \$15,000.

3.5 Strategic Implications: None

3.6 Officers Comment:

Given the costs involved and the large size urban local governments that are the focus of the tour I am unable to recommend attendance by Council representatives.

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.04 CMC – Regional Visits

File: CJC/01	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

The Crime and Misconduct Commission is conducting regional visits and will be holding free seminars focusing on dealing with and preventing official misconduct.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That interested Councillors and Senior Council Officers be encouraged to attend the Doomadgee session.

3. FULL REPORT

3.1 Background:

As part of its ongoing role in monitoring and education misconduct in public authorities the CMC conducts regional visits.

It has advised that its next regional visits in the area will be held at Mt Isa on the 12th of May from 9am to 4pm and at Doomadgee on the 14th of May from 9am to 4pm.

3.2 Statutory Environment: If Councillors are to attend and claim expenses under the Councillor Reimbursement Policy Council approval to attend must be provided.

3.3 Policy Implications: None

3.4 Financial Implications: No registration costs involved. Reimbursement of mileage would apply where a Council vehicle was not provided for attendance. Doomadgee would not require accommodation costs.

3.5 Strategic Implications: None

3.6 Officers Comment:

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.05 Primary Industries and Fisheries – Community Jobs Plan

File: EME/01	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Primary Industries and fisheries under the Department of Employment, Economic Development and Innovation is seeking to aid the recovery of Shires from the January/February major flooding by negotiating a project to hire 12 teams of 4 workers under the Community Jobs Plan to undertake fencing and debris restoration work on affected primary producer properties in the gulf and Hinchinbrook areas. They are seeking Council assistance with the hiring of those workers on a temporary short term basis (15 weeks) to undertake duties on properties identified in the Shire.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council remain positively involved with this project to determine possible ways that it can be utilised within the Shire area as part of the overall Gulf Flood Recovery Package.

3. FULL REPORT

3.1 Background:

The initial intention of the project was to assign teams to each of the Shires to work on boundary and riparian fencing as well as associated debris clearing and restoration work.

3.2 Statutory Environment: None

3.3 Policy Implications: None

3.4 Financial Implications: If Council agrees to participate it would need to resources the staff time to coordinate the employment of the staff and handle the payroll and local part of the project administration

3.5 Strategic Implications: None

3.6 Officers Comment:

Whilst well intentioned the project has significant drawbacks in that Council does not have spare surplus supervisory capacity or administrative capacity to hire and coordinate such teams nor does it have the relevant resources (Vehicles, equipment, accommodation) for the establishment of such teams within the timeframe envisaged.



Burke Shire Council

***Business Papers
Ordinary General Meeting
15 April 2009***

Little is known at this time about the extent of such works required to be undertaken of properties in the Shire and whether or not a team of four people for 15 weeks would be effective.

Regardless of this it is difficult to simply dismiss this initiative.

Cr Clarke participated in a hastily convened teleconference on this matter and will provide a verbal report to the meeting.

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.06 Gulf Savannah Development – Offer of Small Business Advisory Services

File: REG/02	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Gulf Savannah Development has offered the extension of its Small Business Advisory Services into Burke Shire for the 2009 year for a fee of \$3,000.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council accept the offer from Gulf Savannah Development to extend the Small Business Advisory Services into Burke Shire for the 2009 calendar year at a cost of \$3,000.

3. FULL REPORT

3.1 Background:

Gulf Savannah Development and the Tablelands Futures Corporation successfully applied to the Federal Government to employ a Small Business Officer this year.

The service, utilising the services of Sue Fairley who was the Small Business Field Officer under FNQACC, has commenced. Sue Fairley will be backed by a specialist panel of advisors. The services is a free service to small businesses for the first few hours of consultation after which a small fee applies.

It includes the following:

Mentoring, Business Planning Advice/ Small business diagnostics, Basic Marketing Plans, Advice on Loans/Banking products, Legal and Accounting advice, Leasing guidance and advice on government regulation and compliance.

3.2 Statutory Environment: None

3.3 Policy Implications: None

3.4 Financial Implications: \$3,000

3.5 Strategic Implications: None

3.6 Officers Comment:



Burke Shire Council

***Business Papers
Ordinary General Meeting
15 April 2009***

Given the low cost of providing this service to small businesses in the area for 2009 and the recent extensive flooding in the area that will have an impact on some small businesses it would seem timely to be able to provide this service to small businesses in the area.

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.07 Policy on Replacement of Water Filters

File: WAT/01	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Council, at the end of the upgrade of the Burketown and Gregory water supplies, accepted the offer of some 100 free water filters for distribution. These have been distributed amongst the two townships. A clear policy on the ongoing maintenance needs to be set by Council.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That

a) the community be advised that

- a. Council does not provide water filters as part of its provision of potable water to the community;**
- b. The maintenance of the water filters that have been distributed by Council remains the responsibility of the person to whom the filter was provided;**
- c. Such filters, if not maintained, will result in non potable water being supplied through the filter over time; and**
- d. Council's water supply reticulation system delivers potable water that does not require filtration prior to consumption.**

AND

b) Tenants of Council houses where filters have been fitted be advised that

- a. Council does not provide filters to Council houses;**
- b. The maintenance of any such filters will be the responsibility of the tenant – If the tenant does not wish to use the filter they may disconnect it; and**
- c. The comments with respect to these filters for the general community should be noted by tenants.**

AND

c) Any filters installed in Council facilities be removed forthwith as their use is not warranted given that Council delivers a palatable and potable water supply to its communities.

3. FULL REPORT

3.1 Background:

When 100 water filters were provided to Council for distribution no clear policy was considered by Council on the ongoing maintenance and or supply of these filters.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

3.2 Statutory Environment: None

3.3 Policy Implications: Policy proposed is embedded within the recommendation

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment:

The provision of water filters to water consumers in the townships of Burketown and Gregory by way of the 100 filters provided by the water upgrade contractor has resulted in about 78 filters being distributed in Burketown and 22 in Gregory. A number of Council facilities have had such filters installed as well as a number of Council houses (not all).

The provision of such filters to households was done without consideration of the longer term effects of such filters if they are not maintained and the mixed messages that are provided to the community when Council has provided an upgraded potable water supply to the communities.

In addition the fitting of such filters to a number of Council facilities has added an extra requirement that such filters be checked and replaced in accord with the manufacturers recommendations (usually a minimum of annually).

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.08 Removal of Cattle from Common

File: RES/01	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Council has previously resolved to commence action to remove the cattle from the Common surrounding Burketown.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That

A) the Council hereby resolve to propose to adopt Model Local Law No. 5 (Impounding of Animals) 2000. The local law so adopted will be referred to as Local Law No. 2 (Impounding of Animals) 2009 of the Council's Local Laws.

B) ,as the proposed local law does not contain any anticompetitive provisions, the Council hereby resolve to adopt Model Local Law No. 5 (Impounding of Animals) 2000. The local law so adopted will be referred to as Local Law No. 2 (Impounding of Animals) 2009 of the Council's Local Laws.

C) the Chief Executive Officer be appointed as an Authorised Person under Part 4 of Local Law No. 2 (Impounding of Animals) 2009;

D) the Chief Executive Officer be delegated Council's power to appoint Authorised Persons under Clause 10 of Part 4 of Local Law No. 2 (Impounding of Animals) 2009;

E) the Chief Executive Officer Incorporate an appropriate schedule of Prescribed Impounding Fees under Local Law No. 2 (Impounding of Animals) 2009 for Council's consideration in the next review of Council's Regulatory Fees and Charges for Council's consideration;

AND

F) the Chief Executive Officer be delegated Council's power to establish an animal pound under Clause 4 of Part 2 of Local Law No. 2 (Impounding of Animals) 2009.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

3. FULL REPORT

3.1 Background:

Council Resolved in December 2008 as follows:

That the Chief Executive Officer take necessary legal action to effect the removal of cattle from town common as soon as possible.

7.081218

Council has had advices from its legal representatives that Council could:

- a) take action against owners of cattle found on the common for trespass by way of referral to the Police (however Mr Evans does not believe that the Police would act on this in view of the previous history on this matter); or
- b) create a pound, impound and sell cattle (Requires Council to have a local law empowering Council to do so – Council has no such local law);

3.2 Statutory Environment: None

3.3 Policy Implications: None

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment:

The advices from Mr LA Evans seem to indicate that there is little that Council can do in the absence of a local law allowing Council to establish a pound and impound animals found on Council land without a relevant permit.

Rather than commence dubious legal action to rectify the situation that appears to exist it would seem more appropriate that Council implement an Impounding Local Law to allow it to set in place appropriate mechanisms that will allow Council action this matter more efficiently.

There is a model local law available for this purpose. The amended Model (With Council's name and numbering inserted is attached below.



02_Impounding of
Animals_2009.pdf

There is also a review underway by the Queensland Government (which is being held up by the proposed implementation of the new Local Government Act 1993) which is proposing new sets of model local laws.



Burke Shire Council

Business Papers *Ordinary General Meeting* *15 April 2009*

Council may implement the existing Model Impounding Local Law following by the following steps:

856A Step 1—propose a law

Before making a model local law, a local government must, by resolution, propose to adopt the model local law.

857 Step 2—make a law

- (1) A local government makes a model local law if, by resolution, it—
 - (a) adopts a model local law about a matter; and
 - (b) if there is an existing local law about the matter that is inconsistent with what is adopted—amends or repeals the existing local law so that there is no inconsistency.
- (2) The local government's chief executive officer must certify the required number of copies of the local law to be the local law as made by the local government.

858 Step 3—give public notice of law

- (1) A notice of the making of the model local law must be published in the gazette stating the following—
 - (a) the name of the local government making the local law;
 - (b) the name of the local law;
 - (c) the date of the local government's resolution making the local law;
 - (d) the name of any existing local law amended or repealed by the new local law;
 - (e) if a public interest test report under division 5 has identified an anti-competitive provision in the model local law and the provision is changed—the fact of the anti-competitive provision and the extent of change.
- (2) The notice also may state the following—
 - (a) that the local law is a model local law proposed by the Minister as suitable for adoption by local governments;
 - (b) the purposes and general effect of the local law;
 - (c) that a certified copy of the local law is open to inspection at the local government's public office and at the department's State office;
 - (d) that a copy of the certified copy of the local law may be purchased at the local government's public office.
- (3) If the local law is not notified within 1 year of the date of the local government's resolution making the local law (or a longer period decided by the Minister), the process stated in this division must be used again before the local law is notified in the gazette.
- (4) On the day of notification (or as soon as practicable after the day), the local government must give the Minister—
 - (a) a copy of the notice; and
 - (b) the required number of certified copies of the local law; and
 - (c) advice of any anti-competitive provisions included in the local law and reasons for their inclusion.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

The Checklist is as follows:

Step 1

- Council resolution proposing to adopt a model local law.

Included in Recommendation – Part A

- Review proposed model local law to identify any possible anti-competitive provisions.

No Anticompetitive Provisions exist in this Model Local Law.

If the proposed model local law contains any possible anti-competitive provisions:

- prepare and adopt a public interest test plan;
 conduct a public interest test;
 prepare a public interest test report and present to council;
 council resolution to adopt, amend or reject the public interest test report's recommendations; and
 ensure copies of the public interest test report are available for inspection and purchase.

Step 2

- Council resolution to make the proposed model local law and, if necessary, amend or repeal any relevant existing local law.

Included in Recommendation – Part B

- Certify four copies of the local law.

Step 3

- Publish a notice in the gazette.
 Forward to the Minister:
 a copy of the notice;
 two certified copies of the local law; and
 advice (i.e. specific section numbers and the date of the public interest test resolution) of any anti-competitive provisions included in the local law and reasons for their inclusion.

Once the Local Law is in force **Council can then set the “prescribed impounding fees”** as referred to under Clause 8(1) of the Local Law. A schedule of such fees can be prepared for Council's consideration at a future meeting but normally include (Dependant on the size of the animal and costs of impounding) the following components:

- a) Capture Fee (Where animal has had to be captured by Council officers or Council has had to pay other parties for the capture of the animal);
- b) Transport to pound fee (Costs of transporting the animal to Council's Pound);
- c) Sustenance Fee (Daily Charge for feeding and watering including Pound Maintenance Charges); and
- d) Sale Costs (Where Council has commenced proceedings to sell the animal);
- e) Release Fee (Costs for Council to arrange for the release of the animal from Council's Pound).

These fees need to be appropriate with respect to the costs incurred by Council and should not be nominal. For Example – if Council needs to engage a mustering crew to muster its common to impound cattle on the common the costs of such a muster are normally attributed to the animals impounded (A cost of \$2,000 with 10 animals impounded would equate to a Capture and Transport fee of \$200 per animal).



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

The next step is to establish a pound. This would require some budgetary consideration with respect to costs however Council can establish a temporary pound using portable yards on its common. It is better that this simply be delegated to the Chief Executive Officer.

The final step is for a subordinate Local Law to be prepared setting out the following **if required** by Council:

- (a) the times the animal pound will be open for the reception and release of animals and the times for the sale of animals from the pound; or
- (b) the office where the register of impounded animals will be kept; or
- (c) the period within which an animal may be reclaimed and returned to its keeper before the local government may sell or otherwise dispose of the animal; or
- (d) the classes of animal which may be sold by private arrangement, disposed of or destroyed without being offered for sale by public auction; or
- (e) the exclusion of animals of a particular species from the application of this local law; or
- (f) other matters about which this local law specifically provides for the making of subordinate local laws.

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.09 Northern Alliance for Roads associated with Indigenous Communities

File: REG/42	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

The Department of Main Roads has invited Council to nominate a representative to attend the Northern Alliance forum in Mt Isa on the 29th and 30th of April 2009 with other local governments to allow Council to be informed and involved in the delivery of future projects that may be funded through the Infrastructure Australia process.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council nominate Cr _____ to attend this meeting as Council's representative.

OR

That the Department of Main Roads be advised that Council is unable to attend the forum at this time due to other commitments however Council would appreciate being provided with any relevant presentations made at the forum for Council's information.

3. FULL REPORT

3.1 Background:

This gathering used to be called the Kununarru forum consisting of representatives from Queensland, Western Australia and the Northern Territory.

Burke Shire is invited as Council's area contains access roads to Indigenous communities.

3.2 Statutory Environment: If a Councillor is nominated to attend the Council Expenses Reimbursement Policy applies. Participation in the forum is not a statutory requirement.

3.3 Policy Implications: None

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment:

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.10 Gregory Park - Naming

File: PAG/04	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Cr Forshaw has queried whether Council is going to put out a competition or obtain suggestions as to the naming of Gregory park or simply go with "Elvee's Park".

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council name Gregory Park as _____

OR

Council seek community suggestions as to the naming of the Council park at Gregory for Council consideration.

3. FULL REPORT

3.1 Background:

Council has recently carried out development of a park at Gregory. At this time no name exists for the park.

3.2 Statutory Environment: None

3.3 Policy Implications: None

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment:

3.7 Consulted With: NA



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

09.02.11 Appointment of Acting Chief Executive Officer

File: STA/01	Date: 13/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

With the current engagement of Mr Fred de Waard as Acting Chief Executive Officer, Mr de Waard absents himself from the Shire on leave without pay for a week at a time after each 5 weeks of work. Travel days to and from Burketown are counted as work days under his contract with Council. During such absences Council is required to appoint an Acting Chief Executive Officer.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That, in the absence of the Acting Chief Executive Officer – Mr Fred de Waard, during his week off after each five weeks of engagement, Ms Zoe Belz be appointed the Acting Chief Executive during such absences; and

That the Acting Chief Executive Officer, Mr Fred de Waard, be authorised to negotiate a salary increment for Ms Zoe Belz for such times that she is the Acting Chief Executive Officer.

3. FULL REPORT

3.1 Background:

Council's terms of engagement of Mr Fred de Waard as Acting Chief Executive Officer allows for one week off (unpaid) after each 5 weeks of engagement. During such week off Council is required to have an Acting Chief Executive Officer.

3.2 Statutory Environment: Council must have a Chief Executive Officer at all times.

3.3 Policy Implications: None

3.4 Financial Implications: None

3.5 Strategic Implications: None

3.6 Officers Comment:

3.7 Consulted With: NA



Burke Shire Council

***Business Papers
Ordinary General Meeting
15 April 2009***

10. WORKS MANAGER REPORTS

Recommendation:

That

- C) the Works Manager Standing Business Papers for information as presented in pages ___ to ___ of the Business papers be received by Council and noted; and**
- D) the Works Manager Business Papers for Council Consideration and Decision as presented in pages ___ to ___ of the Business papers be received for consideration.**

10. Works Manager Reports

“Engineering Services, Refuse Management, Sewerage and Water Utilities.”

To be Provided

10.01. Standing Business Papers for Information

10.01.01 Roadworks Program, Town Maintenance, Water Supply, Sewerage and Waste Management Updates

10.01.02 Status Report

10.02. Business Papers for Council Consideration and Decision

10.02.01 Roads Alliance Board – Participation in Netrisk assessment and asset data collection

10.02.02 R2R Program July 2009 to June 2014



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

10.01.01 Roadworks, Water, Sewerage, Refuse Program Updates

File:	Date: 11/03/2009
Works	Author: Doug Beaumont
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with an update of current and proposed works to be undertaken.

Due to leave and Easter Break timings no written report is available from the Acting Works Manager for this meeting.

A verbal report will be provided at the meeting.

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.1 Officers Comment:

RMPC

Roads Maintenance

Flood Damage

Capital Road Works

WATER – Burketown

WATER – Gregory

SEWERAGE – Burketown

REFUSE – Burketown and Gregory

AERODROMES – Burketown and Gregory

Parks, Gardens and Recreational Facilities

3.7 Consulted With:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

10.01.02 Works Manager Status Report

File:	Date: 09/04/2009
WM Reports	Author: Don McEvoy
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with the status of actions previously sought by Council for action

2. FOR COUNCIL INFORMATION

3. FULL REPORT

The status of matters previously resolved is as follows:

18-03-2009		
24. Gregory Hall	That cost estimates for upgrading the air-conditioning at the Gregory Hall on the Racecourse reserve be obtained for Council's consideration during its 2009/10 budget deliberations. 21. 090318	Report to be prepared by A/WM for Budget Meeting
25. Access to Grow Out Facility for Fish Restocking	That estimates of cost to provide a public access to the grow out facility for fish restocking be prepared for consideration in Council's 2009/10 budget. 23. 090318	Report to be prepared by A/WM for Budget Meeting
26. NQCCS – Request for Council to enter into a contract for Mtce Works of Serco facility at Burketown airport	That NQCCS be advised that Council is not prepared to enter into the agreements sought to be signed by them however Council is prepared to continue with the maintenance of the facility provided a) a clear list of work sought to be done is provided by them and b) NQCCS accepting that Burke Shire Council will charge for such works as they are carried out at current private works charging rates; and c) NQCCS undertake to pay accounts issued by Burke Shire Council for undertaking such works within 30 days of issue. 25. 090318	Letter to be prepared by A/WM
27. Swimming Pool entry rails – Burketown Pool Complex	That costs be obtained to allow for elderly /disabled access to the pools at the Burketown Pool Complex and such estimates be referred to Council at its 2009/10 budget deliberations. CARRIED 26. 090318	Report to be prepared by A/WM for Budget Meeting



Burke Shire Council

Business Papers Ordinary General Meeting 15 April 2009

24/25-02-2009		
28. Waste Disposal in Burketown and Gregory	That the Acting Chief Executive Officer prepare a report with further options and costings for Council's consideration. 15.090224	Report to be prepared by A/WM
18/12/2008		
6.	Resolved that the Chief Executive Officer contact LAWMAC regarding advice on the relocation of the Burketown tip.	Report to be prepared by A/WM
7.	Resolved that the Acting Works Manager arrange for wire netting to be placed around the Gregory tip to assist with tidiness.	Report to be prepared by A/WM
8.	Meeting to be arranged in early 2009 with Kath Logan regarding road maintenance.	Meeting held – awaiting advice from Zinifex A/WM to Follow Up
21/10/2008		
2.	The CEO investigate the provision of handball courts in Burketown	Report to be prepared by A/WM for Budget Meeting
3. Boating Infrastructure Capital and Maintenance Program	That Council apply for funding under the Boating Infrastructure and Maintenance program for a boat ramp with a small pontoon in the vicinity of the Albert River Bridge. 07.081021	A/WM to action and prepare a report for Budget Meeting of Council
4.	Council refers pedestrian access across the middle section of the old Albert River Bridge to Major Projects Manager, Don McEvoy for a report	Report to be prepared by A/WM
15/10/2008		
1. Inverell Accommodation Services	The Works Manager to identify projects that have had funds allocated that would be appropriate for the IAS to construct. Further that a letter of support be forwarded to the IAS in relation to their work	Report to be prepared by A/WM
2.	Council requested the following items be actioned: The pond in Morning Glory park receive regular maintenance. An open day once Barra Facility is completed.	A/WM to follow up with TWM. – Currently pump is not working – electrician to be engaged to check. Report to be prepared by A/WM regarding public access issues.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

10.02.01 Roads Alliance Board – Participation in Net Risk Assessment and asset data collection

File: ROA/71	Date: 10/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

The Roads Alliance Board has written to Council asking Council to provide advice as to its level of commitment proposed for participation in a state-wide contract for the collection of NetRisk and basic asset data across the Queensland road network. The offer exists for Council to opt out, include its local roads of regional significance and/or include additional Council roads. Council must respond to this offer by April 30th 2009.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council participate in the state-wide NetRisk and asset data collection project by nominating all Council roads that Council has designated as Local Roads of Regional Significance in the project at an estimated cost of \$22,441 (Subject to confirmation once contracts are let by the Roads Alliance).

OR

That Council participate in the state-wide NetRisk and asset data collection project by nominating all Council roads at an estimated cost of \$116,404 (Subject to confirmation once contracts are let by the Roads Alliance).

3. FULL REPORT

3.1 Background:

Statutory Environment: None

Policy Implications: None

Financial Implications:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

Strategic Implications: None

Officers Comments

Option 1 – Local Roads of Regional Significance Only

NetRisk and Asset Data Collection Arrangement Calculator

Length of Local Roads of Regional Significance (LRRS)	
Urban	0 km
Rural Road - Sealed	165.5 km
Rural Roads - Unsealed	172.4 km
Total	338.9 km
Length of other Local Government Roads (non-LRRS)	
<u>Minimum Common DataSet and Video</u>	
Urban	0 km
Rural Road - Sealed	0 km
Rural Roads - Unsealed	0 km
Total	0 km
NetRisk required for non-LRRS?	No
Costing Guide	
Overall Cost	\$ 67,323.24
TIDS Subsidy you will receive	\$ 44,882.16
Indicative LG Cost	\$ 22,441.08

LRRS		Sealed	Unsealed	Total
2805	Doomadgee East	52.00	15.10	67.10
2806	Doomadgee West	32.00	117.30	149.30
2807	Gregory Lawn Hill	10.30	40.00	50.30
2802	Floraville	72.20	0.00	72.20
		166.50	172.40	338.90



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

Option 2 – Local Roads of Regional Significance Only plus asset data collection on majority of Council roads

Length of Local Roads of Regional Significance (LRRS)	
Urban	0 km
Rural Road - Sealed	165.5 km
Rural Roads - Unsealed	172.4 km
Total	338.9 km
Length of other Local Government Roads (non-LRRS)	
<u>Minimum Common DataSet and Video</u>	
Urban	9.70 km
Rural Road - Sealed	1.00 km
Rural Roads - Unsealed	453.80 km
Total	464.5 km
NetRisk required for non-LRRS?	No
Costing Guide	
Overall Cost	\$ 145,910.64
TIDS Subsidy you will receive	\$ 44,882.16
Indicative LG Cost	\$ 101,028.48

LRRS	Sealed	Unsealed	Total
2805 Doomadgee East	52.00	15.10	67.10
2806 Doomadgee West	32.00	117.30	149.30
2807 Gregory Lawn Hill	10.30	40.00	50.30
2802 Floraville	72.20	0.00	72.20
	166.50	172.40	338.90
Other Council Roads	Sealed	Unsealed	Total
2803 Truganini	1.00	6.00	7.00
2804 Escott		12.00	12.00
2808 Lawn Hill Nat Park		25.00	25.00
2809 Bowthorn		72.00	72.00
2810 Lawn Hill Doomadgee		69.00	69.00
2812 Minor Shire Roads		49.00	49.00
2813 Town Streets	5.00	3.00	8.00
2814 Station Access Roads		115.00	115.00
2815 Airport Access	0.40		0.40
2816 Nugaburra Road		70.00	70.00
2817 Riversleigh		21.00	21.00
2818 Punjaub		14.00	14.00
2819 Burketown Tip		0.80	0.80
2820 Cemetery		0.80	0.80
2821 Morella		0.00	0.00
2822 Gregory Airstrip Access		0.50	0.50
	6.40	458.10	464.50
			803.40



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

Option 3 – Local Roads of Regional Significance Only plus NetRisk and asset data collection on majority of Council roads

Length of Local Roads of Regional Significance (LRRS)	
Urban	0 km
Rural Road - Sealed	166.5 km
Rurual Roads - Unsealed	172.4 km
Total	338.9 km
Length of other Local Government Roads (non-LRRS)	
<u>Minimum Common DataSet and Video</u>	
Urban	9.70 km
Rural Road - Sealed	1.00 km
Rurual Roads - Unsealed	453.80 km
Total	464.5 km
NetRisk required for non-LRRS?	Yes
Costing Guide	
Overall Cost	\$ 161,286.36
TIDS Subsidy you will receive	\$ 44,882.16
Indicative LG Cost	\$ 116,404.20

LRRS		Sealed	Unsealed	Total
2805	Doomadgee East	52.00	15.10	67.10
2806	Doomadgee West	32.00	117.30	149.30
2807	Gregory Lawn Hill	10.30	40.00	50.30
2802	Floraville	72.20	0.00	72.20
		166.50	172.40	338.90
Other Council Roads		Sealed	Unsealed	Total
2803	Truganini	1.00	6.00	7.00
2804	Escott		12.00	12.00
2808	Lawn Hill Nat Park		25.00	25.00
2809	Bowthorn		72.00	72.00
2810	Lawn Hill Doomadgee		69.00	69.00
2812	Minor Shire Roads		49.00	49.00
2813	Town Streets	5.00	3.00	8.00
2814	Station Access Roads		115.00	115.00
2815	Airport Access	0.40		0.40
2816	Nugaburra Road		70.00	70.00
2817	Riversleigh		21.00	21.00
2818	Punjaub		14.00	14.00
2819	Burketown Tip		0.80	0.80
2820	Cemetery		0.80	0.80
2821	Morella		0.00	0.00
2822	Gregory Airstrip Access		0.50	0.50
		6.40	458.10	464.50
				803.40

Consulted With:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

10.02.02 Roads to Recovery (R2R) Program July 2009 to June 2014

File: ROA/70	Date: 10/04/2009
CEO Reports	Author: Fred de Waard
Attachments: None	

1. EXECUTIVE SUMMARY

Advice has been received from the Minister for Infrastructure, Transport, Regional Development and Local Government that Council has been allocated \$1,364,749 under the Roads to Recovery Program from 1 July 2009 to 30 June 2014. These funds are available from 1 July 2009.

2. FOR COUNCIL DECISION

RECOMMENDATION:

That Council allocate its annual Roads to Recovery allocation under the new Roads to Recovery Program to the upgrading of its nominated Local Roads of Regional Significance and give priority in its annual works program for the prompt completion of the projects towards which this funding is allocated.

OR

That Council allocate its annual Roads to Recovery allocation under the new Roads to Recovery Program to commencing the resealing of roads within the Shire with priority to be allocated to:

- a) Road sections on Local Roads of Regional Significance;**
- b) Other Council sealed roads (including urban roads).**

3. FULL REPORT

3.1 Background:

Council's allocation under the previous 4 year R2R program which concludes on 30 June 2009 amounted to \$960,235 (\$240,234 per year). During the term of this program all Councils received a supplementary payment of one years allocation of \$240,234 making the total allocation in the four year period under the program of \$1,200,469 (Equivalent to \$300,118 per year)

The new program allocates a sum of \$1,364,749 over the next 5 year which equates to \$272,950 per annum.

Whilst the annual allocation is greater than the previous annual allocation (\$272,950 compared to \$240,234) it is in fact a reduction (From \$300,118 to \$272,950 per annum) in actual annual allocations.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

Statutory Environment: None

Policy Implications: None

Financial Implications: None – allocation of projected grant only.

Strategic Implications: Council has previously allocated the funds to roads improvements

Officers Comments:

Roads to Recovery funds are not tied to specific condition as to what roads works are to be undertaken with the funds. It is important that any work undertaken using the funds is significant and discreet so as to allow for such works to be signed as R2R funded works for the prescribed period (2 years) which is a requirement of the funding.

It would have been Council's normal strategy to keep allocating such funds to improvements of existing roads – particularly Local Roads of Regional Significance. The R2R program is now entering its third cycle (Original R2R funding commenced in about 2001/2002). Council may choose to continue with improvements (Doomadgee East for example has 15 km of seal yet to go).

Given that a significant number of projects in the lifecycle of the program to date will have concentrated on road system upgrades (i.e. sealing of roads) it is reasonable to assume that there is starting to present itself a resealing component of Council's works program (given that most road seal jobs require a reseal between 7 and 10 years after the initial seal).

I have seen no evidence of Council having a reseal program underway in recent budgets and it may be timely for Council to start to consider the allocation of the R2R funds towards the reseal program of its roads.

Consulted With: A/WM



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

11. MANAGER CORPORATE SERVICES REPORTS

Recommendation:

That

- E) the Manager Corporate Services Standing Business Papers for information as presented in pages ___ to ___ of the Business papers be received by Council and noted; and**
- F) the Manager Corporate Services Business Papers for Council Consideration and Decision as presented in pages ___ to ___ of the Business papers be received for consideration.**

11. Manager Corporate Services Reports

“Finance, Administration and Community and Cultural Development”

To be Provided

11.01. Standing Business Papers for Information

11.01.01 Monthly Financial Report

11.01.02 Status Report

11.02. Business Papers for Council Consideration and Decision

11.02.01 RADF Funding – Council Project – Photographic book of Burke Shire

11.02.02 North & West Queensland Primary Health Care – Request for assistance

11.02.03 2008/2009 Budget Review

11.02.04 Country & Regional Living Expo

11.02.05 Schools First Workshop

11.02.06 Control of Council Bank Accounts



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

11.01.01 Monthly Financial Report

File: ACC/01	Date: 13/04/09
MCS Reports	Author: Zoe Belz
Attachments:	

1. EXECUTIVE SUMMARY

The Financial Reports for the month ended 31 March 2009 are attached.

2. FOR COUNCIL INFORMATION

3. FULL REPORT

3.1 Background: Reports are provided in the attachments below: (Double click on icons to access)



3.2 Statutory Environment: Section 528 of Part 6, Chapter 7 of the *Local Government Act 1993* and the *Local Government Finance Standard 2005* apply.

3.3 Policy Implications: NA

3.4 Financial Implications: NA

3.5 Strategic Implications: NA

3.6 Officers Comment:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

11.01.02 MCS Status Report

File:	Date: 09/04/2009
MCS Reports	Author: Zoe Belz
Attachments: None	

1. EXECUTIVE SUMMARY

Providing Council with the status of actions previously sought by Council for action

2. FOR COUNCIL INFORMATION

3. FULL REPORT

The status of matters previously resolved is as follows:

18-03-2009		
29. Provision of Councillor Uniforms	That the Chief Executive Officer be asked to prepare a revised Councillor Expenses Reimbursement Policy for Council's consideration. 14. 090318	Report to be prepared by MCS
30. Fencing Near Albert River Bridge	That Council amend it 2008/2009 budget to make provision for expenditure of \$20,000 for the provision of two 4m x 2.1m grids and concrete bases delivered to site to facilitate the public access through any fence at the northern side of the Albert River Bridge and that these grids be provided to the lessee of the land on which the fence and grids is to be erected on the proviso that the lessee undertake to erect the fencing required to keep stock from the road and install the grids to Council's specifications at their own cost upon receipt of the grids. 22. 090318	Budget Amendment to be prepared by MCS
31. Blivett – Urgent Repairs	That Council a) note that the Chief Executive Officer has utilised Section 486(b) of the Local Government Act 1993 for the repair of the Blivett at Burketown; and b) modify the budget for the General Expenses for the operations and maintenance of the Burketown Sewerage Facility from \$45,000 to \$75,000. 27. 090318	MCS to modify Budget in upcoming budget review.



Burke Shire Council

Business Papers Ordinary General Meeting 15 April 2009

32. EFTPOS Facilities at Administration Centre	That Council install an EFTPOS facility at the Administration Centre. 29. 090318	MCS to implement
18/12/2008		
9. Investment Policy	Investigate the best return on Council investments.	Report to be prepared by MCS
01/12/2008		
2. Fuel Services	That Council invite tenders for the supply of fuel services in early 2009 05.081201	Report to be prepared by MCS
3. Aged Care Facility	That prior to considering the matter further, D & R Community Services be asked to advise of research and survey results to ascertain the need for the facility. 09.08.1201	No response provided to date MCS to Follow Up
15/10/2008		
3. Account Dispute	That Council delegate the CEO to negotiate with Mr. John Bishop about the outstanding invoice. CARRIED 06.081015	Report to be prepared by MCS
4. Reward Packs	Council requested the following items be actioned: An Environmental Reward Pack be produced. A Junior Ranger shirt be provided for the children.	MCS to follow up with Events Officer MCS to follow up with Events Officer



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

11.02.01 RADF Funding – Council Project – Photographic book of Burke Shire

File: RADF/15	Date: 16/03/2009
MCS Reports	Author: Zoe Belz
Attachments:	

1. EXECUTIVE SUMMARY

Council expressed an interest in producing a photographic book of Burke Shire similar to the one produced for Cloncurry and Mt Isa district titled “Cloncurry Trails”. Council received \$6,000 from RADF towards this publication which Council is required to match. Therefore Council must allocate a further \$28,000 from its existing budget if it wishes to move forward before 30 June 2009. Otherwise the RADF contribution can be rolled over to 2009/2010 to allow Council to include the project in the 2009/2010 budget through the appropriate budget process.

2. FOR COUNCIL DECISION

OFFICER RECOMMENDATION:

That Council roll over the \$6,000 Arts Queensland RADF Contribution to the 2009/2010

AND

Council request the Manager Corporate Services to investigate alternative proposals for use of the funding and report back to Council as part of the 2009/2010 budget process.

3. FULL REPORT

3.1 Background: Council directed the A&CDO to apply for RADF funding for production of this publication. The Cloncurry Trails publication was produced by Baker Photographics in Cloncurry and they have quoted approximately \$34,000 to produce 1500 copies of a publication for Burke Shire. Council needs to allocate a further \$28,000 from its existing budget to proceed with this project. Council would need to sell at least 1400 copies to recoup expenditure.

Arts Queensland has cautioned against the viability of producing a photographic publication for commercial sale. They have suggested producing an interpretive display for the information centre or replacing historical signage throughout the Shire as projects that would have a long-term benefit to the Shire.



Burke Shire Council

Business Papers Ordinary General Meeting 15 April 2009

3.2 Statutory Environment: Section 485 of the *Local Government Act 1993* requires a minimum of three quotations to be sought for purchases between \$15,000 and \$150,000.

3.3 Policy Implications: Council's Purchasing Policy (adopted 1999) requires three written quotations to be sought for purchases between \$10,001 and \$100,000.

3.4 Financial Implications: To be produced in 2008/09 using a RADF contribution, Council must reallocate \$28,000 in the current budget. Otherwise, Council could reapply for RADF funding in 2009/10 and investigate any other funding that may be available.

3.5 Strategic Implications: Aligns with objectives of Corporate and Operational plans in relation to Tourism Development.

3.6 Officers Comment: Given the short timeframe to the end of the 2008/09 financial year it would be prudent to roll-over the funding to the 2009/2010 financial year. This would allow Council to either source other quotations for the supply of the publication or investigate alternative projects.

3.7 Consulted With: Acting Chief Executive Officer, Administration and Community Development Officer, Arts Queensland.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

11.02.02 North & West Queensland Primary Health Care – Request for Assistance

File: HEA/13	Date: 13/04/2009
MCS Reports	Author: Zoe Belz
Attachments:	

1. EXECUTIVE SUMMARY

Council has received two separate requests for assistance from North & West Queensland Primary Health Care:

1. Health Screening Day 25 May 2009 – request for use of the Shire Hall without a bond or fee AND financial assistance towards the day (no specific sum requested)
2. Use of a Council Vehicle for the regular health clinics held in Burketown.

2. FOR COUNCIL DECISION

OFFICER RECOMMENDATION:

That Council waive the fee and bond for the use of the Shire Hall on 25 May 2009 by North & West Queensland Primary Health Care, provided that the hall is clean and tidy following the clinic

AND

Council does not contribute financially towards the clinic

AND

Council does not make available a Council vehicle for use by North & West Queensland Primary Health Care for regular clinics.

3. FULL REPORT

3.1 Background: Council received the following request via email.



Burke Shire Council.pdf
(Double click to open)

Council has previously provided the use of the Church Hall and Shire Hall for Health Screening Clinic and in Oct 2008 contributed \$100 towards a BBQ at the October clinic.



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

In March, members of NWQPHC attended the Council Administration Office and requested “to borrow the car” as the vehicle at the Burketown Health Clinic was currently unavailable for their use. I was informed by Council administration staff that this had been an informal ad hoc arrangement with previous CEOs and Acting CEOs. There was no vehicle available at the time and I requested that NWQPHC make an official request for Council’s consideration (attached below)



NWQPHC.pdf (double click to open)

3.2 Statutory Environment: None.

3.3 Policy Implications: Council has no policy in place for loaning vehicles to other organisations.

3.4 Financial Implications: Council has already contributed financially to this clinic in this financial year and has exceeded the total budget of \$10,000 for donations and assistance to community organisations by \$500, with several key events that Council sponsors yet to be held this financial year.

3.5 Strategic Implications: None

3.6 Officers Comment: Council would be advised to ask NWQPHC for an annual request for assistance so that any financial and in-kind assistance can be evaluated along with requests from all other community organisations and allowed for in the annual budget.

This health clinic is not a service of Council. There is the implication that Council should provide to the community that which Queensland Health and the Federal Government will not.

Additionally, Council is in the process of reviewing the use of Council vehicles and equipment for non-Council purposes and as such are ill-advised to enter into any arrangement to loan Council vehicles until this review is completed.

3.7 Consulted With:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

To be Provided

11.02.03 2008/2009 Budget Review



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

11.02.04 Country & Regional Living Expo

File: EVE/01	Date: 13/04/2009
MCS Reports	Author: Zoe Belz
Attachments:	

1. EXECUTIVE SUMMARY

The Country & Regional Living Expo (previously known as Country Week) will be held in Brisbane on 30,31 October and 1 November 2009, and is seeking registration from exhibitors.

2. FOR COUNCIL DECISION

OFFICER RECOMMENDATION:

That Council does not participate in the Country & Regional Living Expo for 2009.

3. FULL REPORT

3.1 Background: The inaugural Country Week Expo was held in Brisbane in 2008, promoting rural and regional communities across Australia. The expo will be held again in October/November in Brisbane and sites at the expo start from \$3,995. Council did not participate in the 2008 expo.



Country & Regional
Living Expo.pdf (double click to open)

3.2 Statutory Environment: None.

3.3 Policy Implications: None.

3.4 Financial Implications: A 30% deposit is required within 14 days of booking a site with the balance to be paid on 1 July 2009. There is no provision in the current budget for participating in this event. The additional costs of participating would be considerable, including Council officers' time in preparing for and attending the expo.

3.5 Strategic Implications: None

3.6 Officers Comment: Council does not have the current resources to participate in this event.

3.7 Consulted With:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

11.02.05 Schools First Workshop

File: GRA/04	Date: 13/04/2009
MCS Reports	Author: Zoe Belz
Attachments:	

1. EXECUTIVE SUMMARY

Schools First is a partnership between NAB, Australia Cares, Australian Council for Educational Research and Foundation for Young Australians which promotes school-community partnerships around Australia. Schools First will be conducting a workshop in Mt Isa on 18 May, 2009.

2. FOR COUNCIL DECISION

OFFICER RECOMMENDATION:

That Council does not participate in the Schools First workshop in Mt Isa on 18 May 2009.

3. FULL REPORT

3.1 Background: The Schools First Program commenced in March 2009. It is promoted as a way for the local community to engage with their schools and win awards for specific projects.



(double click to open)

Schools First.pdf

3.2 Statutory Environment: None.

3.3 Policy Implications: None.

3.4 Financial Implications: The three hour workshop is free, however there would be associated travel and accommodation costs.

3.5 Strategic Implications: None

3.6 Officers Comment: This is a new initiative to promote community involvement with local schools. There is minimal information in relation to the guidelines and the expectations of the program as well as the criteria for eligibility for award monies. This is an initiative that should be driven by the schools of the Burke Shire and Council involvement could be considered once the schools have determined whether they will be participating.

3.7 Consulted With:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

11.02.06 Control of Bank Accounts

File: BAN/01	Date: 13/04/2009
MCS Reports	Author: Zoe Belz
Attachments:	

1. EXECUTIVE SUMMARY

Westpac Bank has requested a copy of a Council Resolution each time the signatories to Council's bank accounts change. Given the future appointments required to Senior Management, it is prudent to name the positions as signatories rather than the officer. Also for the ease of administration, the CEO should be able to make day to day decisions in relation to the operation of Council's bank accounts.

2. FOR COUNCIL DECISION

OFFICER RECOMMENDATION:

That Council name the following positions as signatories for Council's Westpac Bank and Queensland Treasury Corporation Accounts:

**All Councillors
Chief Executive Officer
Manager Corporate Services
Director of Engineering**

AND

That Council delegate authority to the Chief Executive Officer to close, open and operate Council's bank accounts.

3. FULL REPORT

3.1 Background: Council is required to submit a new authority to Westpac and QTC each time a signatory is added or deleted. All current signatories must sign and a copy of the Council resolution must be provided to the bank. To assist with ease of administration, the above resolution will apply each time a signatory is added or deleted.

3.2 Statutory Environment: None

3.3 Policy Implications: None.

3.4 Financial Implications: None



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

3.5 Strategic Implications: None

3.6 Officers Comment: By adding all the Councillors and Senior Officers as signatories, there should usually be two signatories available, particularly in the wet season.

3.7 Consulted With:



Burke Shire Council

Business Papers
Ordinary General Meeting
15 April 2009

12. CONSIDERATION OF COMMITTEE RECOMMENDATIONS

None received at time of Agenda preparation.

13. CLOSED SESSION REPORTS

Recommendation

That Council move into closed session to discuss Confidential Items --- under Section(s) --- of the Local Government Act 1993

[NOTE: Closed Session Reports are confidential and are provided via a separate document. Council is unable to make decisions on Closed Session matters whilst the meeting is in Closed Session.]

Recommendation

That the Meeting resume in open session to consider any recommendations arising out of the Closed Session.

14. NEW BUSINESS OF AND URGENT NATURE ADMITTED BY COUNCIL

Recommendation (If Required)

That Council consider the following matters as they are considered to be of an urgent nature requiring immediate consideration by Council:-

15. CLOSURE OF MEETING