

# BURKE SHIRE COUNCIL



*AGENDA and  
BUSINESS PAPERS  
Ordinary General Meeting  
16 September 2009*



# **Burke Shire Council**

## **AGENDA** **Ordinary General Meeting** **16 September 2009**

### **AGENDA**

01. OPENING OF MEETING

02. RECORD OF ATTENDANCE

03. PRAYER

04. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE

None received at time of agenda preparation.

05. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Meeting 19 August 2009

06. CONDOLENCES

None received at time of agenda preparation

07. MAYORAL MINUTE AND REPORT

08. COUNCILLOR REPORTS

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

None at time of Agenda Preparation

10. CHIEF EXECUTIVE OFFICER REPORTS

10.01 Standing Business Papers for Information

10.01.01 Chief Executive Officer Monthly Report

10.01.02 Chief Executive Officer Status Report

10.02 Business Papers for Council Consideration and Decision

10.02.01 Upcoming Meetings

10.02.02 Southern Gulf Catchment

10.02.03 Burketown Nursing Scholarship

10.02.04 Draft Queensland Coastal Management Plan

11. DIRECTOR OF ENGINEERING SERVICES REPORTS

11.01 Standing Business Papers for Information

11.01.01 Director Engineering Services Works Program Update Report



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## **AGENDA** **Ordinary General Meeting** **16 September 2009**

- 11.01.02 Director Engineering Services Status Report
- 11.02 Business Papers for Council Consideration and Decision
- 11.02.01 TIDS Allocations - Doomadgee Road East and Category F Funds for 2009/2010 Projects
- 11.02.02 Council Housing – Insurance Claim
- 11.02.03 Water Quality Report Update September 2009
- 11.02.04 Main Roads RMPC 2009-2010 Contract Negotiations Complete

### **12. DIRECTOR FINANCE AND COMMUNITY SERVICES REPORTS**

- 12.01 Standing Business Papers for Information
- 12.01.01 Monthly Financial Report
- 12.01.02 Director of Finance and Community Services Status Report
- 12.02 Business Papers for Council Consideration and Decision
- 12.02.01 Westpac Security Token
- 12.02.02 LGMA Wish Flight
- 12.02.03 P McEvoy – Request for refund of Aquatic facilities fees
- 12.02.04 The brolga project – work experience placements
- 12.02.05 Mount Isa School of the Air – Request for sponsorship
- 12.02.06 Gregory Downs School P and C Trivia Night
- 12.02.07 Trust Fund Investigation
- 12.02.08 Arts and Craft Show – distribution of auction proceeds

### **13. CONSIDERATION OF COMMITTEE RECOMMENDATIONS**

None

### **14. CLOSED SESSION REPORTS**

- 14.01 Complaint Regarding Council Carrying Out Plumbing Works

### **15. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL**

### **16. CLOSURE OF MEETING**

### **17. DEPUTATIONS AND PRESENTATIONS SCHEDULED FOR MEETING**

None



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## 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
Officers	Leanne Mash, Chief Executive Officer Jenny Williams, Executive Assistant

## 03. PRAYER

## 04. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE

None received at time of agenda preparation

## 05. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

General Meeting 19<sup>th</sup> August 2009

### **Recommendation**

That the Minutes of the General Meeting of Council held on 19<sup>th</sup> August 2009 as presented be confirmed by Council



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## **06. CONDOLANCES**

None received at time of agenda preparation

## **07. MAYORAL MINUTE AND REPORT**

Verbal Report to be provided to Meeting

## **08. COUNCILLOR REPORTS**

Verbal Reports to be provided to Meeting

## **09. CONSIDERATION OF NOTICE(S) OF MOTION & PETITIONS**

### **09.01 Notices of Motion**

None received at time of agenda preparation

### **09.02 Petitions**

None received at time of agenda preparation



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## **10. CHIEF EXECUTIVE OFFICER REPORTS**

### **Recommendation**

That

- A) the Chief Executive Officers Standing Business Papers for Information as presented in Reports 10.01.01 to 10.01.02 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 Reports 10.02.01 to 10.02.04 of the Business Papers be received for consideration.

### **10. Chief Executive Officer Reports**

10.01. Standing Business Papers for Information

10.01.01 CEO Monthly Report

10.01.02 CEO Status Report

10.02. Business Papers for Council Consideration and Decision

10.02.01 Upcoming Meetings

10.02.02 Southern Gulf Catchment

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10.02.04 Draft Queensland Coastal Management Plan



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10.01.01 CEO Monthly Report

File: COU/11	Date: 09 September 2009
CEO Reports	Author: Leanne E Mash
Attachments: None	

## 1. EXECUTIVE SUMMARY

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

## 2. FOR COUNCIL INFORMATION

## 3. FULL REPORT

### Staff Matters

#### Staffing Status

- Fred de Waard finished with Council as planned on 28 August 2009.
- Russell Cunningham Ranger/Workplace Health and Safety Officer is currently on leave.
- Dennis Kerr has returned from leave as at September 2 2009.
- Phil Seeley remains as Special Projects Office to assist Dennis with the preparation of specifications for, get quotations and program the myriad of smaller projects in the Works Program.
- The appointed works overseer Kevin Ramsey has not taken up the position as planned. Dennis is in negotiations with the second choice applicant.
- There are two pending workers compensation claims awaiting assessment by Workers Compensation
- EHO contractor is commencing a one week appointment on Monday 7 September
- Currently sourcing a temporary Rating/Creditors/Debtors officer to fill the position until a permanent appointment is made and to cover annual leave absences.

#### Staff attendances at Conferences and Training

- Russell Cunningham attended the second phase of his workplace health and safety officer training.

#### Enterprise Bargaining

Over the next few weeks I will be reviewing the lapsed Enterprise Bargaining Agreement and the process initiated by the previous Acting CEO. Once done I will move forward with this process.



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## Events Calender

September 2009	
13-16	Lead lighting and Copper Foil – RADF (Gregory Hall)
14	GSD – Gulf Transport Open Forum – Normanton GSD – Management Committee Meeting – Mayor, Cr Murray and CEO attending
16	<b>Council Meeting</b>
16	Seniors Week Function – Mayor and councillors attending
19	School Holidays Commence
20	Gregory CWA horse sports and family fun day
25,26 and 27	Burketown Campdraft and Horse Sports
26	Burketown gymkhana
26	Southern Gulf Catchment AGM
28	<b>Agenda closes for October Council meeting</b>
28 to 2 Oct	Vocational Care
31	Submission close – Proposed name change of township “Gregory Down” to “Gregory”
October 2009	
4	School Holidays End
6-8	LGMA Conference – Gold Coast – CEO
8	EMQ pre-season workshop – Mayor and Director of Engineering Services attending
11 and 12	Burketown Rural Fire Brigade – Vehicle familiarisation training
13	<b>Council Meeting</b>
13,14 and 15	SES – Road accident rescue course – Burketown emergency shed
14	GSD – Gulf Future Visions Workshop
16	Financial Management and Sustainability Workshops 2009 – Cairns – Mayor, Cr Camp and Cr Forshaw attending
17	HACC trash and treasure
21-22	Economic Development Conference – Townsville – Mayor and Cr Murray attending
25	Queensland Governor arrives – Adels Grove – Mayor to welcome
26	Councillor Lunch with the Queensland Governor and The Gumbummunda (Albert River) Bridge Opening
30	Applications close - gulf area community social development trust
31	Trivia Night – Gregory Downs Station Social Club
November 2009	
3	Melbourne Cup (Show Holiday in Burke Shire)
18	<b>Council Meeting</b>
December 2009	
12	School Holidays Commence
16	<b>Council Meeting</b>
18-4 January	Council Closure for Christmas



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25	Christmas Day
28	Boxing Day
January 2010	
4	Council Office Re-opens
11	Council Depot Re-opens
20	Council Meeting
26	Australia Day

### Policy Development and Review

None due for review at this time.

### Grants Status

#### Applications to be lodged

NDRA Flood Damage – 2009 Flood Event	Shire Roads Damage	Amount to be determined, working on information on hand we expect this to be approximately \$4m.	Flood Damage Estimates yet to be finalised. DES is working on this submission. Data collection was lacking – only around 50% collected. Estimated completion date is November 2009.  Discussions regarding this submission have been held with the Department and DES has established a decent rapport. .
NDRA Flood Damage – 2009 Flood Event	Main Roads Flood Damage	Amount to be determined, expected to be about \$1.25m.	Flood Damage Estimates yet to be completed, expected to be done by the end of September for presentation to Main Roads.
NDRA Flood Damage – 2009 Flood Event	Emergency Flood Relief Work		Claim to be made from EMQ

#### Applications Lodged

Remote Aerodrome Safety Program (RASP)	Fencing replacement – Burketown	Grant Sought \$57,525 Total Project \$115,050	Unsuccessful. Queensland Transport's inspector/assessor will be here with for the annual Technical inspection during September and DES plans to discuss this project with him.
Minor Tourism Infrastructure Grant in partnership with the Savannah Way and Doomadgee Council	Interpretive and Directional Signage	Grant Sought TBC Total Project TBC	Awaiting advice as to result.



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## Current approved projects awaiting commencement

R2R	Road Works	Annual Grant \$272,950	Total Program announced \$1,364,749 over 5 years - Council has resolved to apply these funds annually to reseal of roads previously upgraded. The reseal program/activities are currently being put together
TIDS	<p>Gregory/Lawn Hill Road 23/LGSC/001</p> <ol style="list-style-type: none"> <li>1. Survey Planning and Design Immediately West of the Century Mine Road turnoff (\$39,000)</li> <li>2. Immediately West of Big Archie Creek Upgrade Pavement to Sealed Standard (\$750,000)</li> <li>3. Invert Upgrade at Little Archie Creek to have a concrete overlay (\$147,500)</li> <li>4. 1km section fronting Adel's Grove Tourist facility (\$247,500)</li> </ol>	TOTAL \$1 184 000	Planning of the projects and resources is currently being organised. The sealing on these projects is anticipated to be done in conjunction with the reseal program above.
TIDS	Doomadgee East Road 23/LGSF/011	<b>TOTAL \$200,000</b> Prior Years TIDs \$200,000	This work is planned for the next three months. An Agenda item recommending the location will be presented prior to works commencing.
TIDS	Doomadgee Road East 23/LGSF/013	<b>TOTAL \$400,000</b> 2009/10 TIDS \$200,000 Prior Years TIDs \$200,000	To be worked with the above job.



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## Current projects underway

Regional Airport Development Scheme (RADS)	Reseal Burketown Runway and extend apron	\$170,000 Grant \$200,000 Council	This one was paid in July no further claims are to be made.
Regional and Local Community Infrastructure Program (RLCIP)	Albert River Park Improvements	Grant Allocated \$100,000	Funding approved. Works Underway

## Projects completed awaiting final acquittal/payment

Smaller Communities Assistance Program (SCAP)	Gregory Water Upgrade		Completed Final Claim Lodged 16/06/2003 <b>\$100,000.00 unpaid</b> – awaiting lodgement of SAMP/TMP. State Government advises that this funding has now been withdrawn. This is being disputed by Council.
Smaller Communities Assistance Program (SCAP)	Burketown Sewerage Treatment Plant Upgrade	Grant Allocated \$358,109 Council \$18,891	Completed Final Claim Lodged 26/06/2007 <b>\$27,662.90 unpaid</b> – awaiting lodgement of SAMP/TMP State Government advises that this funding has now been withdrawn. This is being disputed by Council.
Smaller Communities Assistance Program (SCAP)	Burketown Water Upgrade		Completed Final Claim Lodged 26/06/2007 <b>\$107,150.00 unpaid</b> – awaiting lodgement of SAMP/TMP State Government advises that this funding has now been withdrawn. This is being disputed by Council.

## Complaints Status Reports

Council is required to register and handle complaints in accord with an established Complaints Policy. Officers require training in this policy and associated procedure.

The Complaints Register is active and three complaints are currently registered. Two date from May 2009 and one as of September 2009. The September complaint originates from July 2009. I am expecting all three complaints to be closed by the end of September 2009.

Review of the Complaints Register will be a standing agenda item on the weekly Executive Management Meetings (CEO, DES and DFCS).



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Each Council meeting an update and information will be provided here regarding the status of complaints.

## **Complaint One**

*Alerting Council to a Pipe Culvert washout on Riversleigh to Adels Grove road at Loui Creek, a 3 Barrel set of pipes that have become exposed due to water flowing across the top of pipes (currently about 200 mm of water flowing across above the top of the pipe)*

Response: Repairs have been executed. This is the culvert at Loui Creek will be address under the TIDS program. A letter of acknowledgement is yet to be sent.

## **Complaint Two**

*Request for Tree to be loped or removed, claims the tree is hazardous/ dangerous and that there is a fair amount of long grass growing near the tree and surrounding area.*

Response: This has been inspected and is not a Council issue. The house and land belong to others and is rented by complainant. Verbal advice has been given to this affect.

## **Complaint Three**

*Dissatisfaction with private works carried out by Council.*

In discussion with complainant.

## **Development Matters**

No change from the August 2009 report.

## **Health Matters**

Food Licensing /Flammable and Combustible Liquids Licences/ Environmentally Relevant Activity Licences

George Hapgood, EHO, has been engaged through LO-GO to undertake the renewal inspections for the above in the week commencing 7<sup>th</sup> September. Public notification of such has been made in the September October Newsletter.

## **Dog Registration**

An article was written for the September October Newsletter with regards some confusion over registration fees and the term 'regulated dog'. It is hoped this will clarify for the community what is inferred by the term, that being a dog that has been deemed a menace or dangerous by Council or is an identified breed under the Customs Act 1956.



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## **Use of Reportable Delegations**

No reportable delegations have occurred since the last meeting.

## **Tourism Matters – Economic Development**

Tourism Matters involving the Visitor Information centre will now appear in the report by the Director of Finance and Community Services.

Regional Tourism matters aligning with the economic development portfolio will continue to appear in this report

## **Pest Management Matters**

The following properties participated in Council's first coordinated 1080 baiting program for 2009. All properties were baited for Pigs using 4 ml of 36mg/l of 1080 per kilogram of meat.

### **Baiting Station – Burketown**

Armraynald	- 690 Kilogram meat = 1380 Pig baits
Escott/ Punjuab	- 550 Kilogram meat = 1100 Pig baits

### **Baiting – Gregory**

Gregory Downs	- 500 Kilogram meat = 1000 Pig baits
Yeldham	- 60 Kilogram meat = 120 Pig baits
Yeldham	- 1 Tub Doggone manufactured baits
Mellish park	- 1 Tub Doggone manufactured baits
Nardoo	- 2 Farm packs manufactured baits

### **Hells Gate**

Bowthorn	- 390 Kilogram meat = 780 Pig baits
Cliffdale	- 110 Kilogram meat = 220 Pig baits

A total of 2300 Kilogram of meat for pig baits was injected during this campaign. Overall a reasonable response.

Armraynald and Gregory Downs distributed their baits by aircraft. Some properties purchased manufactured baits due to their being busy with mustering. On conferring with property managers/owners general consensus is to next bait should be set for late October 2009.

## **Emergency Service Matters**

Council has taken up the offer of EMQ to assist with the preparation of a new Disaster Management Plan. This will be a good opportunity for the membership and functioning of the Local Disaster Management Committee to be examined and clarified.



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## **Regional Development Matters**

None to report.

## **Work Place Health and Safety Matters**

None to report.



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10.01.02 CEO Status Report

File: COU/11

Date: 8 September 2009

CEO Reports

Author: Leanne E Mash

Attachments:

## 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

August 19 2009

<p>1. Minor Tourism Infrastructure Grants</p>	<p>That Council utilise Savannah Way Ltd to lodge and application for the following projects in order of priority:</p> <p>A Making safe the old Albert River Bridge for pedestrian/recreational use traffic (drop down railings etc) and the provision of solar lighting for the area</p> <p>B Update interpretive signage</p> <p>C Caravan dump spots – Adels Grove/Lawn Hill</p> <p>D Directional Signage – Tourist ventures</p> <p>10. 090819</p>	<p>Grant submitted, applied to items B and D. Savannah Way informed Council that A and C were not applicable under grant criteria.</p> <p>Await outcome from grant source, will be reported on in future CEO status reports – grants section.</p> <p style="text-align: right;">CLOSED</p>
<p>2. Councillor Expense Policy</p>	<p>That, in accord with Section 250AS of the Local Government Act 1993, Council adopt the Revised Councillor Expenses Reimbursement Policy as set out in pages 12 to 16 of the Minutes of Council meeting held on 17<sup>th</sup> June 2009;</p> <p>That, in accord with Section 236B of the Local Government Act 1993, Council authorise the</p>	<p>Notice issued on September 8 2009.</p>



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	<p>payment of reasonable expenses incurred and the provision of facilities to its councillors according to the adopted Councillor Expenses Reimbursement Policy;</p> <p>That, in accord with Section 250AT of the Local Government Act 1993, the Chief Executive Officer issue a public notice regarding Council's approval of the Councillor Expenses Reimbursement Policy.</p>	
	05. 090819	CLOSED
3. Request for Property Rating Categories	<p>That the writer be advised that Council is seeking legal advice as to what property rating data information it may legally release to persons other than the property owner (or their agent) with respect to the request made and Council will be in a position to respond once such legal advice is available.</p>	Phone and email conversation had with the writer. Will progress once second legal opinion is available.
	06. 090819	
4. Ergon Energy – Use of part of land adjoining Power Station - Burketown	<p>That Council advise Ergon Energy that, given the essential nature of power supply to the area, Council supports their request to utilise part of the land described as Lot 19 on CP B13620 for fuel storage and ancillary storage for the adjoining power station subject to:</p> <p>a) Ergon Energy obtaining the appropriate Development approvals (MCU, ERA, BA, Reconfiguring a lot etc) and securing appropriate tenure (Freehold) of the land for Council to allow this to proceed;</p> <p>b) Council obtaining Ministerial Approval to dispense with the tendering requirements for the lease or licensing of this part of the land or, in the absence of such approval, tendering out the lease or licence of that part of the land for the purpose sought once appropriate tenure is obtained for the land;</p> <p>c) an appropriate negotiated lease or licence agreement being entered into between Council and Ergon Energy for the part of the site required by Ergon Energy.</p>	Phone conversation and email confirmation sent 03/09/09. The matter is now with Ergon to meet the three requirements as set by Council. Council assisting with information where applicable, eg aerial photographs and historic data.
	08.090819	CLOSED
5. Federal Government Rural Infrastructure Program	<p>That Council support the stance adopted by West Wimmera Shire Council and write a letter of support on this stance to the relevant Minister pointing out also that it is the smaller</p>	Letter sent.



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	<p>remote local governments, such as Burke Shire, which are often in need of grants for basic infrastructure such as roads for community access, power for communities etc that are taken for granted in the more developed areas of the larger local government areas.</p> <p>09.090819</p>	CLOSED
6. Insurance – Swimming Pool	<p>That Council have cost estimates obtained for its consideration for the preparation of a detailed and documented risk assessment undertaken of the current method of operation of Council's swimming pool in Burketown.</p> <p>11.090819</p>	<p>Initial internal risk assessment undertaken by Council's own officer. CEO and DES to review and proceed as per this resolution.</p> <p>ACTION UNDERWAY</p>
7. Woodslake Restoration Project	<p>That Council ask the CLCAC to advise on the status of the establishment of a joint steering committee and the general status of the project reminding them that Council's offer of assistance was conditional on these matters.</p> <p>12.090819</p>	<p>Meeting to be requested.</p>
8. Delegated Authority to change date for bridge opening	<p>That the Mayor and CEO have delegated authority to change the date of the Gumbummunda (Albert River) Bridge Opening.</p> <p>19.090715</p>	<p>Date established as October 26 2006.</p> <p>CLOSED</p>
9. Update on CMC Matters	<p>Part B: Determine with respect to the purchase of helicopter services instigated by the Mayor, Cr Annie Clarke earlier in 2009 and the complaints lodged with Council regarding this matter that despite:</p> <ul style="list-style-type: none"> <li>a. the minor cost of this matter to Council;</li> <li>b. the urgency of getting to Burketown for the meeting with the Tim Mulherin; Minister for Department of Primary Industries, Betty Kiernan MP; State Member for Mount Isa, John Cotter; Agforce President and Elliot Dunn; Area Director Mount Isa (Emergency Management Queensland).</li> </ul> <p>Council is of the view that, in accord with Section 250S(3), the complaint on this matter is considered proven and Council is of the view that a minor breach of the Code has occurred however Council has decided</p>	<p>Letter written to the CMC advising them of Council's position.</p>



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	<p>under Section 250S(5) to take no further action on this matter as:</p> <p>c. there is no evidence of the then CEO informing the Mayor of the requirements of Council's purchasing policy;</p> <p>d. There is no evidence of any personal benefit attaching to this minor breach; and</p> <p>e. All Councillors (including the Mayor) have since been briefed on the requirements of the new Purchasing Policy adopted by Council and Council considers it unlikely that there would be any repeat breaches of this type.</p> <p>23.090715</p>	<p>CLOSED</p>
<p>July 15 2009</p>		
<p>10. Preparation of a Priority Infrastructure Plan for Council</p>	<p>That</p> <p>A) Council decline the offer from BNC Planning for the preparation of a Priority Infrastructure Plan for Council (PIP);</p> <p>B) Council write to the Department of Infrastructure and Planning seeking their assistance with the preparation of the PIP; and</p> <p>C) Council make submissions through the relevant Minister seeking an extension of time for town planning reviews after 8 years for low growth remote rural local governments given the extensive costs that are involved in such reviews for little discernable return to the community OR an undertaking that the review process for low growth area would be appropriately set to minimise the costs to Council for such a review.</p> <p>07. 090715</p>	<p>Email to BNC Planning on parts A</p> <p style="text-align: right;">Part A CLOSED</p> <p>Email to Department on Part B</p> <p style="text-align: right;">Part B CLOSED</p> <p>Letter to be written on Part C</p>
<p>11. LGAQ establishment of a "fighting fund"</p>	<p>That Council express its concern that the establishment of a fighting fund, as announced by the President of the LGAQ on the 5<sup>th</sup> of June 2009, has not been referred to the member local governments of the LGAQ for consideration.</p> <p>08. 090715</p>	<p>Letter to be written</p>
<p>12. Camping at Gregory</p>	<p>1) That the writer be advised</p>	<p>Letter written.</p>



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River	<p>a) That Council is deeply concerned that there appears to be a person harassing tourists to the region seeking to stay at Gregory;</p> <p>b) That Council has no officers instructing tourists to move from the Gregory River;</p> <p>c) That any person purporting to have authority to move tourists from such area should be asked to produce their identification and cite their authority to issue instructions and, if they are unable to do so, the matter should be referred to the Local Police for their attention;</p> <p>d) That, while Council's preference is that campers do not camp in the river bed (As indicated in the signage in the area), Council has no intention of undertaking any enforcement actions at this time and Council currently has no powers to do so; and</p> <p>e) Council's preference is that campers stay in approved Camping areas however there are no such approved camping areas in Gregory at this time because:</p> <p style="padding-left: 20px;">a) Council is unable to obtain appropriate tenure over its preferred camping area; and</p> <p style="padding-left: 20px;">b) No business in the town has obtained any town planning approval at this time to run a caravan park or camping area.</p> <p>2) That the Queensland Police be asked to investigate the matter of a person:</p> <p style="padding-left: 20px;">a) seeking to act with an unidentified authority to move people on in the township of Gregory; and</p> <p style="padding-left: 20px;">b) Relocating Council rubbish bins without approval of Council.</p> <p>09. 090715</p>	<p>25/08/09  Police have been advised.</p> <p style="text-align: right;">CLOSED</p>
13. Camping Local Law Review	<p>That the Chief Executive Officer be instructed to include a Caravan Park and Camping Local Law in the next review of Local Laws</p> <p>10. 090715</p>	Noted
14. Place Names Act 1994	<p>That Council seek community input into a proposal to rename the township of "Gregory Downs" to the township of "Gregory".</p> <p>11. 090715</p>	<p>Public notice issued to the usual notice boards and was included in the September October Newsletter. Resulting comments to be brought back to the October Council meeting for consideration.</p>
15. Holidays Act 1983	<p>That Council seek to have a special holiday</p>	<p>Application has been made,</p>



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	<p>gazetted in the Shire for Melbourne Cup Day 2010 in accord with past practice.</p> <p>12. 090715</p>	<p>awaiting response.</p>
<p>16. Valuation of Land Act 1994</p>	<p>That Council advise the Department that Council is of the view that:</p> <p>a) as it has been some four years since the last valuation of Shire properties; and</p> <p>b) Council is of the view that the last valuation undertaken incorporated some serious flaws a valuation should be undertaken effective in July 2010 provided Council receives details of the proposed valuation promptly and well before June 2010.</p> <p>AND</p> <p>That the Department be advised that its request for Council's advice appeared to be substantially delayed in the mail (11 days) thus delaying Council's ability to respond to their request by the 13<sup>th</sup> of July.</p> <p>13. 090715</p>	<p>Letter written.</p> <p style="text-align: right;">CLOSED</p>
<p>17. State Budget Impacts on Council</p>	<p>That Council seek urgent assurances from the State Government that the outstanding subsidies payable on the Gregory Water Supply Upgrade, Burketown Water Supply Upgrade and the Burketown Sewerage Upgrade amounting to \$234,813 will be paid on the submittal of an approved Total Management Plan by Council.</p> <p>15. 090715</p>	<p>Submission to be made. Department has been advised by email that Council will be disputing this decision.</p> <p>Letter written to the Department – awaiting response.</p>
<p>18. Expression of Interest in Land</p>	<p>That the writers be advised that Council is not anticipating selling the lot at this time as it may be required for Council purposes however, if the lot is to be sold by Council in the future, it will be sold by a public auction or tender process and Council is not able to give preference to people who may have lodged an expression of interest in the land.</p> <p>16. 090715</p>	<p>Letter to be written. Verbal advice provided.</p>
<p>19. Application for Placement of Signs on Council Road Reserve</p>	<p>That the application for the placement of the sign be approved subject to the following conditions:-</p> <p>a) The location of the placement of the sign being agreed to by Council's Director</p>	<p>Letter to be written</p>



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	<p>Engineering Services having regard to Council's maintenance requirements on its roads and traffic safety issues;</p> <p>b) Compliance with the following conditions:</p> <p>a) Location – Lateral Placement – The sign s sign and the edge of the bitumen road of at least 9 metres;</p> <p>b) Location - The sign should not be placed on a curve;</p> <p>c) Indemnity - The applicant will need to indemnify, and keep indemnified, Council against all actions, proceedings, claims, demands, costs, losses, damages and expenses that may be brought against Council which arise as a result of the installation of the sign including any trimming /clearing of vegetation undertaken to install the sign;</p> <p>d) Insurance – The applicant will be required to provide Council with evidence of public liability insurance of not less than \$10M for the sign including confirmation that Council is listed on the policy as a co- insured with respect to such sign. The applicant will need to ensure that such insurance cover is maintained whilst the sign remains installed on the road;</p> <p>e) The applicant will need to acknowledge the right of Council to direct the removal of the sign at any time and applicant will need to acknowledge and accept the responsibility for the costs of such removal by Council in the event that the applicant does not enact the removal within 30 days of being requested to do so by Council.</p> <p>17. 090715</p>	
<p>20. Roads Local Law &amp; Advertising Signs Local Law</p>	<p>That the Chief Executive Officer be instructed to include a Roads Local Law an Advertising Local Law in the next review of Local Laws.</p> <p>18. 090715</p>	<p>Noted</p>
<p>21.SES Matters</p>	<p>That Council</p> <p>a) participate in the regional approach for the preparation of a Gulf Catchments Disaster</p>	<p>Email sent regarding item (b)</p> <p>Item (b) CLOSED</p>



# Burke Shire Council

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	<p>Management Mitigation Plan;  b) Formally nominate the following people to the positions indicated:  a) David Marshall – Local Controller, Burke Shire  b) Ian Forshaw – Deputy Local Controller, Burke Shire  c) Accept the offer from Emergency Management Queensland Mt Isa Office for the rewrite of Council’s Local Disaster Management Plan.</p> <p>20. 090715</p>	
<p>22. Enquiry into Chronic Diseases</p>	<p>That Council advise the inquiry that Council believes it is positively contributing to the mitigation of chronic disease in its community through the installation and ongoing maintenance of community support infrastructure such as parks, gardens, swimming pools, sporting facilities and the like however Council is of the view that the State Government has a responsibility to maintain adequate funding to organisations such as the Gulf Sports and Recreation Association, Home and Community Care and Regional Arts and Development to ensure the continuation of these vital programs in the region as it is these types of programs which actively engage the members of the community to utilise the existing underutilised facilities provided by Council rather than funding programs to install newer and more facilities.</p> <p>21. 090715</p>	<p>Letter to be written</p>
<p>23. Community Infrastructure Funding – Additional \$220M</p>	<p>That Council allocate the expected \$30,000 guaranteed component of this funding towards the upgrade of the Burketown Tennis Courts lighting and review the funding guidelines for the competitive bid part of this grant scheme once the details are released with a view to having a professional bid prepared for submission by Council.</p> <p>22. 090715</p>	<p>The allocations have been announced on the website only, Burke Shire is listed as \$30 000.</p> <p>Council is awaiting formal notification of the allocation.</p> <p>All councils will be informed when Guidelines are available and the opening date for applications has been determined. Scheduled for late 2009.</p>
<p>June 17 2009</p>		



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<p>24. Local Government Disaster Management Conference</p>	<p>That Council write to the Local Government Association of Queensland suggesting that the next Local Government Disaster Management Conference be held in the Gulf region given the extent of flooding that occurred in the region earlier this year.</p> <p>02. 090617</p>	<p>Letter written</p> <p style="text-align: right;">CLOSED</p>
<p>25. Ministerial Visits to Region</p>	<p>That Council write to the Member for Mt Isa, Betty Kiernan, advising that Council has noticed that a number of State Ministers have been attending the region recently without prior notification to Councils and seeking the Member for Mt Isa's advice as to how Council's can be notified of such visits in advance to facilitate access to such Ministers by Councils whilst the Ministers are in the region.</p> <p>03. 090617</p>	<p>Letter written</p> <p style="text-align: right;">CLOSED</p>
<p>26. Country Race Course Meetings</p>	<p>That Council seek advice from the relevant Minister as to whether there are any legislative or administrative impediments with regard to children under 18 years of age attending Country Race Course Meetings</p> <p>06. 090617</p>	<p>Letter written</p> <p style="text-align: right;">CLOSED</p>
<p>27. Corporate Plan</p>	<p>That the Chief Executive Officer report back to Council on options for Council to update its Corporate Plan in conjunction with the preparation of the new Community Plan that is to be required under the new Local Government Act that is to take effect later this year</p> <p>09. 090617</p>	
<p>28. Membership of Regional Bodies</p>	<p>That Council</p> <p>a) rejoin Gulf Savannah Development for the 2009/2010 year and review its ongoing membership in May 2010;</p> <p>b) maintain its membership of the North West Regional Roads Group; and</p> <p>c) seek an associate (non-corridor) membership of MITEZ for Council for 2009/2010</p> <p>14. 090617</p>	<p>Membership of GSD obtained</p> <p>Membership of NWRRG maintained</p> <p style="text-align: center;">Items (a) and (b) CLOSED</p> <p>MITEZ membership application made</p>
<p>April 15 2009</p>		



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<p>29. Wild Rivers Designation</p>	<p>That a discussion paper on Wild Rivers designation and possible Council responses, taking note of local community concerns, be prepared for Councils consideration</p> <p>03. 090415</p>	<p>CEO to have report prepared for Council consideration.</p>
<p>March 18 2009</p>		
<p>30. Fencing Near Albert River Bridge</p>	<p>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.</p> <p>22. 090318</p>	<p>Letter of offer to be prepared to proposed lessee by CEO.</p> <p>CEO needs to ascertain status of proposed lease with DNR and Solicitor before writing to Lessee.</p>
<p>31. Enterprise Bargaining Process</p>	<p>That the Chief Executive Officer negotiate with and engage the LGAQ to commence and facilitate an enterprise bargaining process between Council and its employees.</p> <p>42. 090318</p>	<p>CEO to engage LGAQ</p> <p>LGAQ engagement held over pending election of EB Team by staff and possible commencement of new CEO.</p>
<p>February 24 and 25 2009</p>		
<p>32. Commercial Land</p>	<p>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.</p> <p>10.090224</p>	<p>Letter sent.</p> <p>Report to be prepared by CEO</p>
<p>33. Land availability</p>	<p>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.</p>	<p>Letter sent.</p> <p>Report to be prepared by CEO</p>



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	12.090224	
34. 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  Approach has been made to Council by relevant department- formal written proposal has been sought.
December 18 2008		
35. 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  Local Law adopted by Council at April Meeting.  Budget to allow for funding for Town Common roundup.
36. Industrial Land	CEO to identify industrial area at Gregory and Burketown and report back to Council at next meeting with a proposal to acquire available land.  8.081218	Report to be prepared by CEO
37. 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 and 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.
28. 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

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## 10.02.01 Upcoming Meetings

File: COU/11

Date: 11/09/2009

CEO Reports

Author: Leanne E Mash

Attachments:

### 1. EXECUTIVE SUMMARY

A summary of meeting and conference opportunities.

### 2. FOR COUNCIL DISCUSSION / DECISION

#### Recommendation

That Council attend the following:

Southern Gulf Catchment AGM - Saturday 26 September 2009 9.00am to 4.30pm Hughenden – Cr Tonya Murray as Council's nominated representative.

### 3. FULL REPORT

#### Background

Southern Gulf Catchment AGM

- Saturday 26 September 2009 9.00am to 4.30pm
- Hughenden
- Expenses : Two nights accommodation – Friday and Saturday  
Meals excluding Saturday lunch  
Travel costs 730kms (nine hour drive)

SEGRA 2009 Sustainable Economic Growth for Regional Australia

- 27 to 29 October
- Kalgoorlie – Boulder Western Australia

While SEGRA is seen as a useful learning and networking experience it is suggested that on this occasion the location is cost prohibitive and Council will not attend. It is also noted that the Mayor and Cr Murray are already scheduled to attend the North Queensland Economic Development Conference, Townsville, October 21-22 2009.

#### Statutory Environment

Councillor Expenses Reimbursement Policy, Local Government Act 1993.



# ***Burke Shire Council***

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## **Policy Implications**

None

## **Financial Implications**

See details for each event.

## **Strategic Implications**

Regional cooperation

## **Officers Comment**



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10.02.02 Southern Gulf Catchments

File: LAN/06

Date: 09/09/2009

CEO Reports

Author: Leanne E Mash

Attachments:

## 1. EXECUTIVE SUMMARY

A letter from the Chair of the Southern Gulf Catchments has been received seeking clarification from Council regarding nominated representation.

At the July 2009 meeting resolution 04.090715 stated *that Southern Gulf Catchments be advised that Cr Tonya Murray will be Council's representative on the organisation in lieu of the Mayor, Cr Annie Clarke.*

Confusion has arisen between this role, being Council's nominated representative and the role of Director, Local Government Sector on the Board of the Southern Gulf Catchments.

The Director role is held by Cr Annie Clark and is not a position open to nomination by Council. It is an appointment made under Southern Gulf Catchments Constitution, through an expression of interest process.



090902 Southern  
Gulf Catchments

## 2. FOR COUNCIL DECISION

### Recommendation

That Southern Gulf Catchments be advised that Cr Tonya Murray is Burke Shire Council's nominated Council representative as resolved at the July 2009 meeting, while Cr Annie Clarke will continue in her role as Director, Local Government Sector on the Board of Southern Gulf Catchments.

## 3. FULL REPORT

### Background

Burke Shire Council is a member of Southern Gulf Catchments. As such Council is able to nominate a representative to attend meetings and hold voting rights at AGMs and other meetings such as Extraordinary Meetings.



# ***Burke Shire Council***

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The Board of Southern Gulf Catchments have a Constitutional arrangement where by Directors are appointed based on nominated sector interests. This is done through an expression of interest process.

In 2008 Cr Annie Clarke responded to the call for expressions of interest for the role of Director, Local Government Sector. She was then duly appointed to the role for a term of two years.

At the July 2009 meeting resolution 04.090715 stated *that Southern Gulf Catchments be advised that Cr Tonya Murray will be Council's representative on the organisation in lieu of the Mayor, Cr Annie Clarke.* This was in relation to the Council nominated representative and not the Director role.

It is acceptable to South Gulf Catchments for Council to nominate Cr Tonya Murray as the Council representative, with Cr Annie Clarke remains in the Director's role.

### **Statutory Environment**

Not applicable

### **Policy Implications**

None

### **Financial Implications**

Attendance of meetings – travel, meals and accommodation.

### **Strategic Implications**

Regional cooperation

### **Officers Comment**

This was a case of simple confusion between the two roles. This report seeks to clearly establish the separation between the roles and clarify the roles that Cr Murray and Cr Clarke are appointed to.



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10.02.03 Burketown Nursing Scholarship

File: HEA/15	Date: 09/09/2009
CEO Reports	Author: Leanne E Mash
Attachments:	

## 1. EXECUTIVE SUMMARY

Mayor, Cr Annie Clarke has been in communication with Dr Dennis Pashen with regards the establishment of a Burketown Remote Area Nursing Scholarship. What follows is an extract from his email to Cr Clarke.

*I have spoken to my staff here and they are keen to set up a Burketown Remote Area Nursing Scholarship to encourage final year nursing students with an interest in remote area nursing to have a student elective in Burketown for 2 weeks. Helen Dries, our Senior Lecturer in Nursing, thinks she may already have suitable candidates locally and can canvass interest in the various nursing schools in Townsville and Cairns if they aren't suitable.*

*I thought that we could put together a process for your approval which would include:*

- 1. Call for applications via a one page expression of interest and intent.*
- 2. Interview of suitable candidates which could be face to face or via videoconferencing.*
- 3. Formation of an interview panel with someone from your Council (such as yourself), a practicing Remote Area Nurse and an Indigenous staff and community member.*

*What do you think about such a proposal?*

*Regards*

*Dennis*

*Dr. Dennis Pashen*

*President, Australian College of Rural and Remote Medicine.*

*Associate Professor, Director*

## 2. FOR COUNCIL DISCUSSION / DECISION

### Recommendation

That Council instruct the CEO to further investigate the proposed scholarship concept and report back to Council with regards implications for Council.

## 3. FULL REPORT

### Background



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Cr Annie Clarke will speak to this matter and give all Councillors a full briefing. Here are some details as sent in the email to all Councillors dated August 27 2009.

*..... I ran into Dr. Dennis Pashen at the Mount Isa airport recently. This is in relation to the John Flynn medical scholarship scheme that we tried unsuccessfully to give sponsorship support to. Dennis has come up with an idea so that Burke can be involved in remote area placements of medical people. I have spoken to Di at the hospital and she is very much in support. Rural and remote health are wanting to develop a concept where instead of having the establishment costs of a building to house these visiting medical trainees they were thinking of a mobile home vehicle that would be able to park at a small ablutions block in each town secure within the hospital grounds. If Council would like to support this happening we would need to consider this at the next meeting.*



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10.02.04 Draft Queensland Coastal Management Plan

File: ENV/09	Date: 11/09/2009
CEO Reports	Author: Leanne E Mash
Attachments:	

## 1. EXECUTIVE SUMMARY

The Department of Environment and Resource Management have released the Draft Queensland Coastal Management Plan for public consultation.

The plan and supporting information can be viewed online at [www.derm.qld.gov.au/coastalplan](http://www.derm.qld.gov.au/coastalplan)

Council has been invited to make a submission by close of business October 31 2009.

## 2. FOR COUNCIL DISCUSSION / DECISION

### Recommendation

That the Mayor, Cr Annie Clarke and Crs Murray and Camp review the Draft Queensland Coastal Plan and report back to the October 2009 Council Meeting with regards the need for a submission and if needed, suggested required content.

## 3. FULL REPORT

### Background

The Department of Environment and Resource Management have released the Draft Queensland Coastal Management Plan for public consultation. As requested Council have displayed the plan in public view in the Council administration foyer.

The plan and supporting information can be viewed online at [www.derm.qld.gov.au/coastalplan](http://www.derm.qld.gov.au/coastalplan)

Council has been invited to make a submission by close of business October 31 2009. To facilitate this process it is suggested that Councillors with current specific land management and catchment management representational roles review the material and bring a suggested way forward back to the October 2009 meeting.

### Statutory Environment

Compliance with the direction of the Department of Environment and Resource Management.



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## **Policy Implications**

None

## **Financial Implications**

None

## **Strategic Implications**

To be determined.

## **Officers Comment**

I have made this recommendation based on my own lack of local and regional area knowledge. Given the timeframe involved I am unable to come up to speed on this subject matter within the period allocated for public consultation. Further, I believe this report may have long term strategic and economic implications for the Shire and the Region and is therefore something Councillors should actively participate in.



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## 11. DIRECTOR ENGINEERING SERVICES REPORTS

### **Recommendation**

That

- A) the Director Engineering Services Standing Business Papers for Information as presented in Reports 11.01.01 to 11.01.02 of the Business Papers be received by Council and noted; and
- B) the Director Engineering Services Business Papers for Council Consideration and Decision as presented in Reports 11.02.01 to 11.02.04 of the Business Papers be received for consideration.

11	Director Engineering Services Reports
11.01	Standing Business Papers for Information
11.01.01	Director Engineering Services Works Program Update Report
11.01.02	Director Engineering Services Status Report
11.02	Business Papers for Council Consideration and Decision
11.02.01	TIDS Allocations - Doomadgee Road East and Category F Funds for 2009/2010 Projects
11.02.02	Council Housing – Insurance Claim
11.02.03	Water Quality Report Update September 2009
11.02.04	Main Roads RMPC 2009-2010 Contract Negotiations Complete



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11.01.01 Director Engineering Services Works Program Update Report

File:

Date: 16/09/2009

Author: Director of Engineering Services

Attachments:

## **1. EXECUTIVE SUMMARY**

Providing a detailed report follows it contains specific details of all sections of Engineering Works & Services.

## **2. FOR COUNCIL INFORMATION**

## **3. FULL REPORT**

Council's Engineering section is operating to capacity, Graders are working on Maintenance M/R's RMPC on WDR 78A, having approximately 20 kms to complete of Heavy Grading

Preparation is under way for the TIDS programmed works on Gregory-Lawn Hill road following the WDR 78A activities.

New Albert River Bridge Guardrail has been completed, and the proposed Recreational Park portable amenities are progress with fabrication activities.

TIDS Category F projects have been assessed and a recommendation is attached to the agenda items.

Town Water Supplies are operating to the required quality required for drinking water. Consumption has eased with Burketown using approximately 50,000 per less than last month. The Nicholson Weir at Escott is still over topping at about 20 mm deep.

Gregory Supply is unchanged however current relieving care taker is reporting that the system is operating with minimal issues.



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Aerodromes are operating satisfactorily with no issues to report.

Other Town Services at both Gregory and Burketown are operating at satisfactory levels, and Town Streets Parks and Gardens seem to be holding at acceptable standards for this time of year some well watered grass areas are needing extra care with mowing. Some Parks watering systems are being systematically revised and upgraded to best utilise water usage. These activities are showing dividends with positive results and considerable water savings.

## **Town Services – Parks - Reserves – Waste Services (Household & Business Waste & Garbage Tips)**

### **Burketown**

Park/Picnic Area Old Albert River Bridge – Fabrication of the amenities is continuing.

Tumbled River Rock is about to be placed in the Morning Glory Park Water Feature once resources finish painting house # 5 (Overseer's)

All other Town Services are running normally (Mowing, Parks & Garden watering, Waste collections)

### **Gregory**

Gregory Caretaker is on leave at this stage indefinitely, temporary staff are covering at this stage and is finding it quite comfortable to cover what is required.

Council's Landcruiser Ute Plant # 491 Gregory Caretakers vehicle has been causing issues with the body hoist's electronic tipping gear. Workshop is investigating the problems.

Water Plant Report is in the Utilities section of this report

## **Town & Shire Utilities (Water, Sewerage, & Aerodromes)**

### **Burketown Utilities**



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Water level at the Weir is running over the wall approximately 20 mm deep

Water Usage currently is approximately 750 kilo litres ( $\frac{3}{4}$  Mega litre) per day)

Aerodrome Operations are currently running normally, Burketown has an influx of Gliders visiting for the Morning Glory experiences

## **Gregory Utilities**

Town Water Supplies are operating with minimal issues.

Trial Generator installation is being actioned to assess power loss in cabling to the raw water pumps at the river intake.

## **Projects & Road Works**

### **Shire Roads**

Flood Damage Submission data collection and processing is expected to be nearing completion by end of September.

TIDS construction planning is progressing for Gregory Lawn Hill Road and Doomadgee Road East.

### **Main Roads**

RMPC & WDR 79A Heavy Grading and Gravel and Soil blending is currently being performed on various sections

Monthly Backlog and Forward list of Works for August RMPC is being prepared and Measure-Ups of Works completed for Claim 2-09/10 is being collected

### **Workshop & Fleet (Vehicles, Machinery and Plant)**

All plant is operating to required levels of service.



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## **Engineering Activities**

External supervision has improved with the Director of Engineering Services having improved access to Works staff

Flood Damage Submissions are moving along with the assistance of the Temporary Overseer

RMPC Contract documents have been formally signed and returned to Main Roads

RMPC Management Plans are being forwarded to Main Roads for certification, one document has been returned for some amendments and are continuing to be implemented

TMP/SAMP (Total Management Plan / Strategic Asset Management Plan) - CSA (Customer Service Agreement) – DMP (Drought Management Plan) for Water and Sewerage. First cut of the DMP is due this week and will require some input of some local figures, it will be recommended that the TMP follow on from the DMP finalisation the TMP is expected to take approximately 2 months to complete.

11.01.02 Director Engineering Services Status Report

File: COU/11

Date: 16/09/2009

Author: Director of Engineering Services

Attachments:

### **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



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July 15 2009		
1. Contract Claim – Gregory Water Treatment Plant	That a report be prepared for Council's consideration on the claims made before any further payments are made on this contract.  47. 090715	*DES will generate a report as to the origins and validity of the claims including liaison with the Project Manager from G & MA Lemura Pty Ltd to seek a satisfactory resolve and outcome for Council. This information gathering is expected to be finalised for a report to the November meeting, following the project managers visit to Burke Shire in October. *(Sept 09) unchanged.
June 17 2009		
2. RMPC Contract Negotiations 2009-2010	That Council delegate the authority to negotiate and enter into annual Road Maintenance Performance Contract with the Department of Main Roads to the Chief Executive Officer subject to the following provisions:  a) The Chief Executive Officer is to consult with the Director Engineering Services and Director Finance and Community Services prior to entering into such contracts; and b) The Council is to be advised of any contracts entered into at the next general meeting after any such contract is signed.  19. 090617	A revised schedule of rates has been submitted to Main Roads and a contract is currently being drafted by Main Roads The Contract has now been signed and returned to Main Roads  * (Sept 2009) Council advised of new contract being finalised by way of Sept 09 agenda item.  CLOSED



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<p>3. Bitumen Tenders – Airstrip and Albert River Approaches</p>	<p>That Council accept CEC's tender of \$280,889.00 (plus GST) for the utilisation of CEC's Bitumen Spray Sealing Services to seal the approaches to the New Albert River Bridge, Aerodrome Hard Stand Area Extension, along with Resealing the existing Runway, Taxiway and existing Hard Stand area and that Council note that tenders for this work was obtained from a number of suppliers as a matter of emergency (Dispensing with full tendering requirements) to allow the works to be undertaken before 30th June 2009 to preserve grant entitlements.</p> <p>33. 090527</p>	<p>Primer Seals were spray during the last week of June and the Seal to the hardstand extension and Runway reseal is programmed for Tuesday 14<sup>th</sup> July to 16<sup>th</sup> July 09 Line marking is expected to be completed in September there is a small section of reseal at the Terminal to be completed this will not compromise the current works in anyway. The funding allocation has been paid to Council.</p> <p>* (Sept 2009) Bitumen Program on these 2 jobs now partially completed a small section at refuel terminal at aerodrome yet to be completed with a roads &amp; streets reseal program.</p>
<p>May 27 2009</p>		
<p>4. Gregory/Lawn Hill Road – Proposed Haulage of Gravel along this Road</p>	<p>That Council enter into discussions with Ozminerals Century Mine to draft a formalised Level of Service specification and documented agreement for the Specific section of Gregory to Lawn Hill Road that Ozminerals Century Mine utilises.</p> <p>19. 090527</p>	<p>Letter has been sent to Oz Minerals conveying Councils requirement for further discussions regarding the drafting of an agreed Level of Service agreement.</p> <p>July 09- no further action to date.</p> <p>* It seems that once Council took a stand on the level of service standard being revised and obligations of stakeholders the issue has gone.</p> <p>*(Sept 2009) Unchanged.</p>
<p>5. Burketown Wastewater Treatment Plan</p>	<p>That consideration by way of investigations into the needs for further maintenance to the WWTP (Waste Water Treatment Plant) Infrastructure be undertaken as a matter of urgency with cost estimates provided for consideration in the 2009-2010 budget deliberations.</p> <p>That minor recommended electrical maintenance be actioned and training for</p>	<p>Assessment, estimates and priority of needs are being finalised for budget consideration.</p> <p>July 09- a budget bid according to the technical report received will be presented for deliberations</p> <p>* Once a budget is adopted</p>



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	<p>operators at the WWTP be provided for in the coming 2009-2010 budget considerations.</p> <p>20. 090527</p>	<p>repairs will be actioned.</p> <p>*(Sept 2009) A repair program will now be constructed according to budgetary constraints.</p>
<p>6. Fatigue Management Regulations</p>	<p>That Council endorse the continuance with the Alliance of Gulf Councils by means of LGAQ who are making a combined submission for an exemption to the requirements of the Fatigue Management Regulations to effect a more realistic process for Council Works operations drivers as opposed to long haul driver fatigue management.</p> <p>21. 090527</p>	<p>A letter is being drafted to LGAQ expressing that Council be assured of it's inclusion in any outcomes from negotiations with QT on Fatigue Management exemptions.</p> <p>July 09- a proposal was submitted to LGAQ in conjunction with 3 other Gulf region Councils for exemptions according to the processes and procedures currently being maintained, Burke Shires submission was successful with some minor conditions, LGAQ will advise in due course.</p> <p>* (Sept 2009)          Geographically Isolated Councils have an opportunity to be allocated "Advanced Fatigue Management" status this would allow greater flexibility with operation timeframes.</p>
<p>7. Oz -Minerals Proposal for Upgrading Sections of Gregory-Lawn Hill Road</p>	<p>That Council respond to Oz-Minerals Superintendent of Site Services stating that Council has considered the Oz-Minerals proposal for provision of a Mine contractor to assist with maintenance and upgrade works on specific sections of the Gregory-Lawn Hill Road and, pending further investigations into the allocation of funds for this project, they be advised that Council is unable to concur with Oz-Minerals proposal.</p> <p>22. 090527</p>	<p>Please note this Item has been addressed in the correspondence in item 1 immediately above.</p> <p>July 09- See Item 1 immediately above.</p> <p style="text-align: right;">CLOSED</p>
<p>8. NDRA Preliminary Flood Damage Assessment</p>	<p>That Council respond to the NWQRRG Chair advising that Council has the NDRA Flood Damage submissions well advanced and thanking the Chair for LG Infrastructure's offer</p>	<p>A letter has been drafted the Chair of NWQRRG acknowledging LGIS's availability for Flood Damage submission</p>



# Burke Shire Council

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Update	<p>of services and further advise that future submissions may require the services offered.</p> <p>23. 090527</p>	<p>compilation.</p> <p>July 09- Council's submission is progressing competing against priorities, some finer details of matching photos and double ups have delayed finalising the submission preparation, a report on quantities and status will be available for Council.</p> <p>*Temporary Overseer is now pushing this activity along.</p> <p>*(Sept 2009) Submission for State Controlled Roads has been submitted.</p>
9. RMPC Contract Outstanding Management Plans & Associated Documents	<p>That Council receive this report and note that the RMPC contract documents required will be treated as urgent and delivered to Main Roads as soon as completed and that Main Roads will be kept informed of the documents preparation and development.</p> <p>25. 090527</p>	<p>Management Plan Draft Documents has been supplied by consultant and following some editing will be submitted to Main Roads for consideration.</p> <p>July 09- DES will be pushing to complete this documentation for the 09-10 contract implementations.</p> <p>* Documents are now being fed to Main Roads for auditing and certification, 1 document has been returned for amendment.</p> <p>*(Sept 2009) Contract Negotiations and Documentation is now completed with Management Plans being actioned.</p>
10. CASA (Civil Aviation Safety Authority) and Aerodrome Drug and Alcohol Management Plan	<p>That Council receive this report along with an assurance that the Acting Works Manager will follow through to getting the appropriate DAMP (Drug &amp; Alcohol Management Plan) drafted to satisfy Councils obligations to CASA (Civil Aviation Safety Authority) and in due course present the proposed Plan to Council with a recommendation for consideration and possible Council endorsement.</p>	<p>A Draft DAMP has been composed and some minor editing is being carried out with a view to submission within 2 weeks.</p> <p>July 09- The document is now complete and a registration application is now to be submitted to CASA.</p>



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	26. 090527	* Registration: The document of the DAMP has been forwarded to CASA  CLOSED
April 15 2009		
11. Policy on Replacement of Water Filters	3. any filters installed in Council facilities by removed forthwith as their use is not warranted given that Council delivers a palatable and potable water supply to its communities.  11. 090415	Filters to be removed from all Council facilities at which filters are installed (Depot, Office, Hall, HACC/Church building etc).  DES will follow this activity up and advise of current standing of the activity.  July 09- DES has directed Water Utilities Manager that these Filter Units are to be removed.  <ul style="list-style-type: none"> <li>DES has directed Councils wish on the removal or otherwise of these units.</li> </ul> <p style="text-align: right;">CLOSED</p>
12. Gregory Park - Naming	That Council name Gregory Park as "Elvee's Park"  14. 090415	Name sign for the park to be obtained and installed. A sign has been ordered the "Elvee's Park".  July 09- no further information is available this month. A location for erection at the Park is also needed .  * DES will liaise with appropriate Community stakeholders & Council Representatives to determine the structure of the Sign.
13. Roads Alliance Board – Participation in Net Risk Assessment and asset data collection	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 \$22,220 (Subject to confirmation once contracts are let by the Roads Alliance).	Letter to be written to Road Alliance and form completed for lodgement.  A report is contained in the RRG Technical Committee meeting report from Thursday 12 <sup>th</sup> June



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	17. 090415	<p>09.</p> <p>July 09- no further information is available this month.</p> <p>* This activity has been fairly silent from the group until a Technical Coordinator is engaged.</p> <p style="text-align: right;">CLOSED</p>
14. Roads to Recovery (R2R) Program July 2009 to June 2014	<p>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:</p> <ol style="list-style-type: none"> <li>a. Road sections on Local Roads of Regional Significance;</li> <li>b. Other Council sealed roads (including urban roads).</li> </ol>	<p>Roads to be resealed in 2009/2010 to be identified for budget meeting and inclusion and consideration, and accordingly works programming from any positive deliberations. Report to be prepared by DES for Budget Meeting.</p> <p>July 09- Finance Section has indicated that the R2R funds have placed as a bid towards reseals, an up to date resealing program will be drafted and presented to Council as a priority.</p> <p>*A Reseal program is being structured and programmed along with tenders for supply of Bitumen and stone chip. Once finalised a recommendation will be present to Council for consideration.</p> <p>* (Sept 2009) Unchanged.</p>
March 18 2009		
15. Gregory Hall	<p>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.</p>	<p>Report to be prepared by A/WM for Budget Meeting.</p> <p>Estimates for Upgrades are being sought.</p> <p>July 09- A budget estimate will be presented.</p>



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	21. 090318	* Budget estimates have been included in the Budget preparation for Councils consideration.  CLOSED
16. 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.  Needs analysis and cost estimates being undertaken for information and consideration.  July 09- discussions only to date.  *When the upgrade of office and shed areas are engaged the grow facility access can be addressed then, this would be the most efficient way to improve access.  *(Sept 2009) Unchanged
17. 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.  26. 090318	Report to be prepared by A/WM for Budget Meeting.  DES is gathering options and estimates for consideration.  July 09- No further information is available this month.  *A costing and Plan will be sourced for Councils consideration.  *(Sept 2009) DES is sourcing Pool Entry Rails along with alternatives for Entry access to the facility.
February 24 and 25 2009		
18. Waste Disposal in Burketown and Gregory	That the Acting Chief Executive Officer prepare a report with further options and costings for Council's consideration.	Report to be prepared by A/WM.  Information and options including innovative alternatives have been sought by DES and a



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	15.090224	<p>report is being drafted with components for Council consideration and prioritisation.</p> <p>July 09- DES has made inspections of these facilities and has had to prioritise other activities currently however a comprehensive report will be drafted.</p> <p>* Councils DES has source a shredding mulching proposal for Councils long term waste solution, a detailed report will be included in the Works &amp; Services report.</p> <p>*(Sept 2009) Unchanged, further details will be available for the October meeting.</p>
December 18 2008		
19. Burketown Tip	Resolved that the Chief Executive Officer contact LAWMAC regarding advice on the relocation of the Burketown tip.	<p>Report to be prepared by A/WM</p> <p>DES has requested information regarding available options of locations and methodology of waste handling.</p> <p>July 09- A comprehensive report will be drafted.</p> <p>* The Shredding / Mulching proposal that the DES has sourced in used in some other shires particularly Island communities and is extremely successful, it is mobile, reasonably simple, and produces reusable compost. Contamination and leachate issues are non existent, as is site issues as being fully transportable can be sifted to were the mulch can be utilised.</p> <p>*(Sept 2009) See Sept item above.</p>



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<p>20. Gregory Tip</p>	<p>Resolved that the Acting Works Manager arrange for wire netting to be placed around the Gregory tip to assist with tidiness.</p>	<p>Report to be prepared by A/WM</p> <p>Materials have been ordered and programming works has been discussed with works supervisors.</p> <p>July 09- This activity is being actioned .</p> <p>* Netting in place and being monitored for improvements that may be needed.</p> <p style="text-align: right;">CLOSED</p>
<p>21.Road Maintenance Zinifex</p>	<p>Meeting to be arranged in early 2009 with Kath Logan regarding road maintenance.</p>	<p>Meeting held – awaiting advice from Zinifex</p> <p>A/WM to Follow Up</p> <p>DES requires clarification of the activity.</p> <p>July 09- no further to report this month.</p> <p>* The road is being maintained with a reasonable surface however dust is a major problem for traffic.</p> <p>*(Sept 2009) Unchanged</p>
<p>October 21 2008</p>		
<p>22.Handball Courts Burketown</p>	<p>The CEO investigate the provision of handball courts in Burketown</p>	<p>Report to be prepared by A/WM for Budget Meeting</p> <p>DES will provide some ball park estimates for Budget consideration.</p> <p>July 09- an estimate will be provided for budget consideration.</p> <p>* Costs are being sourced however it will only be an</p>



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		<p>approximate for the meeting</p> <p>*(Sept 2009) Unchanged</p>
<p>23.Boating Infrastructure Capital and Maintenance Program</p>	<p>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.</p> <p>07.081021</p>	<p>A/WM to action and prepare a report for Budget Meeting of Council</p> <p>DES will prepare an estimate of cost for Councils consideration, along any funding avenues available for the near future.</p> <p>July 09- QT Boating Infrastructure has indicated funding is available as a follow on from current projects that have been constructed, Council will be notified when these opportunities arise.</p> <p>* Further dialogue with QT will be followed up on to make QT aware Council would be keen to see further funding allocations.</p> <p>*(Sept 2009) Unchanged</p>
<p>24.Pedestrian access to old Albert River Bridge</p>	<p>Council refers pedestrian access across the middle section of the old Albert River Bridge to Major Projects Manager, Don McEvoy for a report</p>	<p>Report to be prepared by A/WM</p> <p>Further clarity of this activity is required by DES?</p> <p>July 09- no further information this month.</p> <p>* Councils Park up grade at the Old Albert Bridge site has a bid in it to upgrade the Old Bridge as a safe fishing facility.</p> <p>*(Sept 2009) If Council is comfortable with the Old Bridge Safer Access Rails this activity can be closed.</p>
<p>October 15 2008</p>		



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<p>25. Open day Barra Facility</p>	<p>Council requested the following items be actioned: An open day once Barra Facility is completed.</p>	<p>Report to be prepared by A/WM regarding public access issues.</p> <p>July 09- no further information to report this month.</p> <p>* Once the new sheds are finished at the WTP and the general area is landscaped of unfinished construction with the access upgrade to the grow out facility completed an open day could be organised, in it's current environment it is not socially appealing.</p> <p>*(Sept 2009) Unchanged</p>
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# Burke Shire Council

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11.02.01 TIDS Allocations - Doomadgee Road East and Category F Funds for 2009/2010 Projects

File: ROA/19.10

Date: 16/09/2009

Author: Director of Engineering Services

## 1. EXECUTIVE SUMMARY

A component of the Main Roads TIDS Funds is the category F Allocations which are fully funded and allocated specifically to Aboriginal Community Access Roads, unlike other categories of TIDS funds having to be match by Council this allocation is fully funded by Main Roads. The link below indicates the current status and proposed works program for all categories of TIDS funding and the elements of any Council matching funds needed.



Microsoft Office  
Excel Worksheet

There is a section of the Doomadgee Road East that lends itself to this purpose for which these funds have been designed, and approximately 5kms could be upgraded to Bitumen surface utilising these funds in conjunction with Flood Damage Funds.

Flood Damage Funds once approved can be used to bring the road back to it's original pavement standard and any improvements or upgrade can be then done from Councils own funding or other desirable funding such as TIDS or R2R

There are 2 sections of the road that qualify for this type of rehabilitation and upgrade, in the DES view they both have equal validity hence it would be Councils call as to which section to upgrade, it should be noted that all sections will qualify for the Flood Damage rehabilitation works.

## 2. FOR COUNCIL DECISION

### Recommendation

That Council provide a direction as to which section of the Doomadgee Road East that it prefers to have upgraded with the \$600,000 Category F TIDS Funds for 2009-2010 from the two sections (a. or b.) in this recommendation:

- a. 5.0 kms in various short lengths from the Gregory River Crossing west to Little Oakey crossing, or



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- b. 5.0 km section starting at 51 kms from the Doomadgee-Gregory-Burketown intersection and finishing at 56 kms from the said intersection.

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### **3. FULL REPORT**

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#### **Background**

Both these sections of road have major maintenance issues and each wet season would deteriorate to qualifying for Flood Damage submittals. This upgrade on top of the Flood Damage would have long term benefits, allowing valuable resources to be prioritised on other needy infrastructure.

#### **Statutory Environment**

The proposed rehabilitation and upgrade would have several positive outcomes on safety and liability possible, also complies with the guidelines for Flood Damage and TIDS funding under this Category F allocations.

#### **Policy Implications**

Could only have positive outcomes for Councils policies as Service Provider.

#### **Financial Implications**

Fully Funded by Main Roads so no negative impacts on Councils Fiscal Status, and would have positive outcomes regarding future maintenance and resource savings; ie gravel is becoming a finite resource.

#### **Strategic Implications**

Both the locations recommended would show to have tactical benefits supporting Councils strategic vision.

#### **Officers Comment**

The sections of Doomadgee Road East that are not sealed has a total length of approximately 18kms, to have 5kms upgraded would have quite an impact on the overall unsealed portion without any direct impost on Council finances and bearing in mind this particular road (Doomadgee Road East) is the only road in the Shire that qualifies for Category F TIDS.

#### **Consulted With**

Council Officers with Local knowledge have been consulted.



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11.02.02 Council Housing – Insurance Claim

File: SHI/12	Date: 09/09/2009
CEO Reports	Author: Leanne E Mash
Attachments:	

## 1. EXECUTIVE SUMMARY

House number 4, Gregory Street was extensively damaged by fire in early 2009. An insurance claim was submitted by Council to our insurers.

The claim amount has been specified as \$146 888.

Rather than repair House 4 it is recommended that the funds be used to remedy maintenance issues associated with Houses 2 and 3 located in Sloman Street, Burketown. That remaining funds are then used to rectify maintenance issues associated with the caretaker's residence located in Gregory.

That House 4 be put up for tender in 'as is' condition.

## 2. FOR COUNCIL DECISION

### Recommendation

- a) That Council seek a cash payment from our insurers for the claim associated with House 4 Gregory Street.
- b) Further that such funds be allocated to the repair and fit-out of Houses 2 and 3 located in Sloman Street. After such work is completed the balance of funds are to be used to rectify maintenance issues associated with the caretaker's residence at Gregory.
- c) That House 4 be offered for tender in 'as is' condition.

## 3. FULL REPORT

### Background

In early January 2009 Council House 4, located in Gregory Street was damaged by fire. While the obvious damage is centred around the laundry and hall there is fire and smoke related damage in most rooms of the house. There is also evidence of non fire related damage and maintenance issues such as broken windows, ripped fly screening, a non functional kitchen and worn floor coverings. House 4 is in an unliveable condition.



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Council's insurers have assessed the damage and placed a figure of \$146 888.00 on the claim.

Currently Council has four houses, including House 4 that are inhabitable due to maintenance and repair issues. The houses are:

- House 1 – next to Council – provided for in the 09-10 budget
- House 2 – Sloman Street – approximate repair and refit figure of \$60 000
- House 3 – Sloman Street – based on estimates from House 2 a figure of \$50 000 for repair and refit is expected
- House 4 – Gregory Street – fire damaged

Council's ability to attract and retain quality supervisor level, senior staff and/or technical skilled staff is influenced by it's inability to provide modern, comfortable housing.

To this end it is suggested that the insurance funds would be better utilised for works on Houses 2 and 3 to bring them back up to an acceptable standard.

The caretakers house at Gregory has some structural issues (floor sag predominately) and some outstanding maintenance issues that Council may take the opportunity to address while it is vacant.

## **Statutory Environment**

## **Policy Implications**

None

## **Financial Implications**

Budget Revision – inclusive of this funding allocated as detailed in this report. Use of these funds to bring the three nominated houses up to an acceptable standard means that no additional pressure is being placed on operational funds for this purpose from the 2009-10 year budget.

## **Strategic Implications**

Increased ability to attract and retain the necessary officers for the efficient and effective long term management of Council



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**Officers Comment**

**Consulted With**

DFCS and DES



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## 11.02.03 Water Quality Report Update September 2009

File: WAT/01

Date: 16/09/2009

Author: Director of Engineering Services

### 1. EXECUTIVE SUMMARY

As previously reported the raw water supplies indicate elevated particles of Calcium and Magnesium and are possibly in the form of bicarbonate, this being the case the white powder is almost certainly chalk (calcium carbonate) or magnesium carbonate (also harmless). If we reduce the PH down towards 7.0 it will reduce the scaling of pipes and hot water systems and the like.

But when the water is evaporated like on nursery plants and lawns we will still get the white powder, to reduce these white powder levels is relatively expensive with the likes of reverse osmosis type processes and really not warranted for the whole water supply.

There are other alternatives to Aluminium powder (ESP) for reducing the turbidity such as Aluminium chlorhydrate (AHC) liquid. The powder our plant uses likes water at a PH of 6.5 where the liquid is ok with higher levels such as our current raw water however the Alum doser we have would probably not be able to be screwed down enough to use the liquid Aluminium as it is inserted at much lower doses.

If the need or opportunity was to be dictated then the liquid could be trailed to see if our plants dosing pumps could be screwed/regulated down enough to handle the chemical.

### 2. FOR COUNCIL INFORMATION

From the extensive sample testing carried out there is no indication of any nasties in the raw water eg metals that come from exposed metal-bearing rock etc.

As explained previously the white powder is harmless and the sample testing of water from the reticulated town supply indicates the water complies with the states drinking water guidelines.



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## **3. FULL REPORT**

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### **Background**

Local history on the limestone concentration of the Burketown Water Supply indicates that the System has this same struggle after every wet season with a similar issue. The hypothesis is that during the wet season there is a less concentration of the natural occurring minerals due to the dilution from extra water coming from run off and water tables running higher.

As the dry back of wet season runoff takes place and the water tables lower the concentration of natural minerals in the raw water supply continues to rise causing a continual spike until the next wet season commences and the dilution takes place and cycle starts all over again.

### **Statutory Environment**

All environmental requirements are being satisfied with the raw water supply.

### **Policy Implications**

Doesn't really have any impacts on policies.

### **Financial Implications**

Certainly has an impact on Councils costs to supply potable water not only chemical cost but time factor for officers addressing the needs as some of the plants (WTP) equipment was not designed to cope with spikes in natural limestone of this magnitude.

### **Strategic Implications**

Doesn't really have any implications strategically.

### **Officers Comment**

Council Officers have been exceptionally committed to maintaining the plants operations in quite trying circumstances with these mineral spikes as the automated gear is not designed to inject/dose the raw water with the high quantities of Chemical need to keep PH levels with in the recommended limits there has to be regular resets take place as when the plant may not achieve the desired level of PH in a 300 minute cycle is will shut down the dosing as it thinks something has gone wrong and may be over dosing. This requires a manual reset and it all starts over again. There is currently a larger Chlorine dosing pump being fitted which will assist to maintain a consistent supply of chemical dosing.

Wide Bay Waters Senior Engineers in Brisbane has been extremely helpful with providing technical advise and mentoring and technical support with this investigation.



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## 11.02.04 Main Roads RMPC 2009-2010 Contract Negotiations Complete

File: ROA/19.10	Date: 16/09/2009
	Author: Director of Engineering Services

### 1. EXECUTIVE SUMMARY

Main Roads and Council enter into a negotiated contract annually for the maintenance of the Wills Development Road WDR 78A from the Leichhardt River Bridge South East of Gregory to Burketown and the Gregory - Camooweal Road to the boundary with Mt Isa City Council some 41 kms west of Gregory.

Council directed through resolution that the Contract document was to be presented to Council for perusal on finalisation.

All rates have been increased by approximately 10% except for Heavy Grading which has been increased by 47% due to a major short fall in recovering actual costs.

### 2. FOR COUNCIL INFORMATION

The excel Worksheet in the attachments gives a complete overview of RMPC rates and expenditure along with estimated monthly recoveries.

### 3. FULL REPORT

See the embedded excel worksheet for a full detailed report on the Main Roads RMPC Contract for 2009-2010.



Microsoft Office  
Excel Worksheet

### Background

Main Roads have a formal maintenance program for State controlled road infrastructure and in the case of WDR 78A and Camooweal Road 6801 the contract is let to sole invitee which in this case is Burke Shire Council.



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## **Statutory Environment**

Council as custodian of this particular part of the State controlled road network must ensure all intervention levels are monitored and all safety aspects are controlled as the custodianship has all the statutory requirements of several legislative acts.

## **Policy Implications**

Councils policies as a Local Government Service Provider is maintained in the custodial roll with the RMPC Contract.

## **Financial Implications**

Council Officers have a major roll in monitoring and managing the financial effectiveness of this Main Roads Contract in achieving productivity and value for money to the principal and the Council as the custodian.

## **Strategic Implications**

Council be strategically placed is best suited to carry out the custodial roll of maintaining this road network. The income generated from these contracts help to provide a viable workforce environment

## **Officers Comment**

Future RMPC Contracts need considerably higher allocations of funding to maintain the road network at satisfactory service levels. Further pressure needs to be exercised with Main Roads to allocate extra funding to these particular roads.



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## 12. DIRECTOR FINANCE AND COMMUNITY SERVICES REPORTS

### **Recommendation**

That

- A) the Director Finance and Community Services Standing Business Papers for Information as presented in Reports 12.01.01 to 12.01.02 of the Business Papers be received by Council and noted; and
- B) the Director Finance and Community Services Business Papers for Council Consideration and Decision as presented in reports 12.02.01 to 12.02.08 of the Business Papers be received for consideration.

12	Director Finance and Community Services Reports
12.01	Standing Business Papers for Information
12.01.01	Monthly Financial Report
12.01.02	Status Report
12.02	Business Papers for Council Consideration and Decision
12.02.01	Westpac Security Token
12.02.02	LGMA Wish Flight
12.02.03	P McEvoy – Request for refund of Aquatic Facility Fees
12.02.04	The Brolga Project – Work Experience Placements
12.02.05	Mount Isa School of the Air – Request for Sponsorship
12.02.06	Gregory Downs School P and C Trivia Night
12.02.07	Trust Fund Investigation
12.02.08	Arts and Craft Show distribution of auction proceeds



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12.01.01 Monthly Financial Report

File: ACC/01

Date: 08/09/09

DFCS Reports

Author: Zoe Belz

Attachments:

## 1. EXECUTIVE SUMMARY

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

## 2. FOR COUNCIL INFORMATION

## 3. FULL REPORT

### Background

Reports are provided in the attachments below .



Revenue &  
Expenditure - 31 Aug



Cash and  
Investments - 31 Aug



Capital Expenditure -  
31 August 2009.pdf



Debtors & Rates  
Owing - 31 August 2009

Accruals and opening balances are yet to be finalised for 2008/09, therefore there may be a slight variance between the figures contained above and the actual amounts. No items of plant have been purchased to date. There are no major variances or anomalies to report at this stage.

Items of note

- Regional Bodies Memberships – the majority of these memberships eg Gulf Savannah Development, Southern Gulf Catchments, have been paid.
- Computer/EDP Services- A group licence for Office 2007 has been purchased for use on all Council computers and Councillor laptops.

### Statutory Environment

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

### Policy Implications

NA



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## **Financial Implications**

NA

## **Strategic Implications**

NA

## **Officers Comment**



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12.01.02 Director of Finance and Community Services Reports

File: COU/11	Date: 08/09/2009
DFCS Reports	Author: Zoe Belz
Attachments:	

## 1. EXECUTIVE SUMMARY

Providing Council with the status of actions previously sought by Council for action along with an update on Tourism, HACC and Community Events matters as at 8 September 2009.

## 2. FOR COUNCIL INFORMATION

## 3. FULL REPORT

The status of matters previously resolved is as follows

August 19 2009		
1. Membership of Savannah Way Ltd	That Council take out a Gold Member membership of Savannah Way Ltd at a cost of \$990 per annum.  14.090819	Application submitted  <b>CLOSED</b>
2. Letter of Appreciation to the volunteers at information centre	Letter of Appreciation to the volunteers at information centre  03.090819	Letters to be written
July 15 2009		
3. Albert River Bridge Opening Ceremony	That Council hold a "PICNIC ON THE BRIDGE" twilight opening on the evening of the 15th of October and invite the Premier and the Governor General to make a joint opening;  And  That Council seek to have the bridge jointly named as the "Gumbummunda (Albert River) Bridge" for unveiling at the opening.  27. 090715	Date moved to Monday 26th October to allow the Qld Governor to open the bridge.  Amended invitations to be sent.
4. Use of Council Bus by Schools	That Council allow Schools within the Burke Shire to hire the Council bus as follows:	Letter to be written



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	<p>* reasonable usage (Within 1,100km of the Shire and maximum of 7 days at a time) for local School students only is provided at no charge;</p> <p>* fuel is to be paid for by the school (the bus is full upon collection and is to be returned that way);</p> <p>* the bus is to be returned clean to Councils satisfaction (i.e. the same condition that it was when collected); and</p> <p>* any damage incurred is to be paid for.</p> <p>AND</p> <p>Council resolve that a bond is payable by Schools for the hire of the Council bus.</p> <p>30. 090715</p>	
5. Request for in-kind contribution – Mount Isa School of the Air	<p>That the hall hire fee be waived for the Mount Isa School of the Air for Wednesday, 7<sup>th</sup> October, 2009.</p> <p>31. 090715</p>	<p>Letter sent</p> <p style="text-align: right;">CLOSED</p>
6. Membership QPLA	<p>That Council do not be a member of the Queensland Public Library Association.</p> <p>37. 090715</p>	<p>Letter to be written</p>
7. Barcaldine Regional Council – 2009 Angel Flight Fundraising function	<p>That Council decline offer to participate in the 2009 Angel Flight Fundraising function.</p> <p>38. 090715</p>	<p>Letter to be written</p>
8. Bank Account Signatures - Update	<p>That the approved signatories on Council's Bank Accounts with Westpac be any two of the following:</p> <p>Councillors Chief Executive Officer Director Finance &amp; Community Services Director Engineering Services</p> <p>39. 090715</p>	<p>Letter sent to Westpac</p> <p style="text-align: right;">CLOSED</p>
9. RADF Community Committee Recommendations	<p>1) That Council investigate the opportunity of liaising with other Councils to bring a live show into the community;</p> <p>2) That Council to write letter to Kylie Camp thanking her for her services with RADF over the years and reiterating that she is welcome to rejoin the Committee at her discretion;</p> <p>3) That Council endorse the 'Leadlighting Workshop' application and that, subject to approval, Council write a letter to the presidents of Gregory Race Club, CWA, &amp; Gregory Sporting Club for use of the Gregory Hall free of charge for the purpose of using the Hall for the leadlighting workshop and</p>	<p>CHE to investigate and report back to Council</p> <p>Letter to be written</p> <p>Done</p>





# Burke Shire Council

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organisations	43. 090527	
9. Request for assistance – GSRA – Vacation Care	That GSRA be advised that Council is supportive of the program and can provide in-kind assistance to the Vacation Care Program run by GSRA ...  47. 090527	Letter to be written
April 15 2009		
1. RADF Funding – Council Project – Photographic book of Burke Shire	That Council roll over the \$6,000 Arts Queensland RADF Contribution to the 2009/2010 financial year; AND That alternative proposals for use of the funding be investigated and reported back to Council as part of the 2009/2010 budget process.  20. 090415	Budget modified  DFCS to prepare a report to Council.
March 18 2009		
2. EFTPOS Facilities at Administration Centre	That Council install an EFTPOS facility at the Administration Centre.  29. 090318	EFTPOS terminal installed and in use.  CLOSED
December 01 2008		
1. Fuel Services	That Council invite tenders for the supply of fuel services in early 2009  05.081201	Report to be prepared by MCS
October 15 2008		
1. Account Dispute	That Council delegate the CEO to negotiate with Mr. John Bishop about the outstanding invoice.  06.081015	Report to be prepared by MCS
2. Reward Packs	Council requested the following items be actioned:  An Environmental Reward Pack be produced.  A Junior Ranger shirt be provided for the children.	CHE to prepare further report for Council.



# ***Burke Shire Council***

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### **Tourism**

The Visitor Information Centre (VIC) is closed for the season following the early departure of the VIC Officer, Frank Thomas. We will be seeking volunteers to open the VIC during the September school holidays during peak times.

Visitor numbers for the month of August were 632 compared with 807 for August 2008. Total visitor numbers for the year to date are 2320 compared with 2696 for 2008. The tourist season started later this year and visitor numbers have already declined drastically due to the warmer weather.

### **HACC**

The number of HACC clients for the year ending 30 June 2009 was:

- Centre-based day-care – 12
- Social support – 2

Funding has been secured for the same client numbers for 2009/2010. Burke Shire HACC enjoys tremendous support from its funding body, the Dept of Communities and the HACC team leader, Pam de Joux has cultivated an excellent working relationship with the various stakeholders.

The HACC clients have been involved in the following events over the last few months:

- Burketown's Biggest BBQ / Inverell Group Visit
- Burke Shire Arts and Craft Show – some of the HACC clients knitted a rug that was purchased at auction by Sue Clarke, Almora Station.
- Camooweal Drovers Camp 50 year Reunion – 8 clients attended the reunion along with volunteers Pam de Joux, Col Baker and Nathan Sullivan (Pam's nephew). George Watson, Almora Station, was inducted into the Drovers Hall of Fame at the event. The trip was organised by Pam de Joux and was funded by fundraising proceeds and a donation from Cr Camp. The Council bus was provided free of charge.

### **Council Events Wrap-up**

#### Inaugural Tidy Yards Competition – Judging held 16 to 20 August 2009

The number of entries in each section were:

- Rural – 5
- Urban – 11 (Gregory 4, Burketown 7)



## ***Burke Shire Council***

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- Non-Residential – 5 (Gregory 1, Burketown 4)

Judges for the competition were:

- Zoe Belz
- Michael Behrendt
- Janet Creighton
- Burnett Hollingsworth
- Di Dillon
- Jenny Williams

Winners were announced at the Arts and Craft Show on 29 August 2009. The winner of each section received \$300 and the runner-up received \$150. Winners were -

<b>Section</b>	<b>Winner</b>	<b>Runner-up</b>
Rural	Planet Downs	Wernadinga Main House
Urban	Brett and Debbie Harris	Frank and Linda Potter
Non-Residential	Savannah Lodge	Gregory Educational Facility

A final budget wrap-up will be provided at the next Council meeting.

#### Burke Shire Arts and Craft Show – Saturday 29 August 2009

There were more entries in the cooking & horticulture section but less in some other sections. Comparison of previous years is as follows:

2009 – 585 entries from 121 people

2008 – 500 entries from 99 people

2007 – 500 entries from 115 people

2006 – 728 entries from 124 people

The auction held during the “wine & cheese” presentation raised \$1,424.70 (GST Inclusive). Please refer to report 11.02.08 for distribution of proceeds. Previous auctions have raised:



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2008 - \$1,126.00

2007 - \$2,318.35

2006 - \$1,040.00

The People's Choice Award went to Di Dillon for a sewn christening gown & bonnet. This year's People's Choice Award was a photo frame made by Frank Potter out of local timbers. 63 people voted, 36 different items were voted for and the winner won on 6 votes. Completed voting forms were down from last year giving a good indication that numbers through the door were down.

A final budget wrap-up will be provided at the next Council meeting.



# Burke Shire Council

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12.02.01 Westpac Security Token

File: BAN/02

Date: 09/09/09

DFCS Reports

Author: Zoe Belz

Attachments:

## 1. EXECUTIVE SUMMARY

Requesting a Councillor to be the holder of a Westpac Security Token.

## 2. FOR COUNCIL DECISION

### Recommendation

That Cr \_\_\_\_\_ be issued with a Westpac Secure Token.

## 3. FULL REPORT

### Background

Current bank account signatories as per Resolution 39.090715 current bank account signatories are:

- Councillors
- Chief Executive Officer
- Director Engineering Services
- Director Finance and Community Services

Current holders of Westpac Security Tokens are the CEO, DES and DFCS. The tokens are used to process electronic funds transfers using Westpac Business Online Banking. The executive management team is requesting that one Councillor be assigned a token as a backup in the event of two out of three token holders being out of the office and unreachable at the same time. The nominated Councillor should be easily contactable and have ready access to the internet.

### Statutory Environment

None

### Policy Implications



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None

**Financial Implications**

None

**Strategic Implications**

None

**Officers Comment**

**Consulted With**

CEO



# Burke Shire Council

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12.02.02 LGMA Wish Flight

File EVE/01	Date 09/09/09
DFCS Reports	Author Zoe Belz
Attachments	

## 1. EXECUTIVE SUMMARY

Nick Clarke, an LGMA Board Member is undertaking a fundraising flight on behalf of Make-a-Wish Foundation which will be visiting 37 Councils. LGMA is asking for support for the flight.

## 2. FOR COUNCIL DECISION

### Recommendation

That Council does not participate in the LGMA Wish Flight.

## 3. FULL REPORT

### Background

The letter of request is below.



Wish Flight.pdf

The flight was scheduled for 7-22 September 2009. Burke Shire Council is not part of the itinerary. It is recommended that Council does not participate in this event.

### Statutory Environment

None

### Policy Implications

None

### Financial Implications

None

### Strategic Implications



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None

**Officers Comment**

**Consulted With**



# Burke Shire Council

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12.02.03 P McEvoy – Request for Refund of Aquatic Facility Fees

File: SPO/06	Date: 25/08/09
DFCS Reports	Author: Zoe Belz
Attachments:	

## 1. EXECUTIVE SUMMARY

Pat McEvoy is requesting a refund of aquatic facility fees due to the temporary closure of the swimming pool.

## 2. FOR COUNCIL DECISION

### Recommendation

That Council approve the refund of Aquatic Facility Fees of \$35.00 for Mrs P McEvoy.

## 3. FULL REPORT

### Background

The letter of request is below.



Pool Refund.pdf

As per resolution 25.090617, all pool card expiry dates are to be extended by three months due to the temporary closure of the aquatic facility. Mrs McEvoy purchased a three month pass to the pool on 16 April 2009 which expired on 16 July 2009. The expiry date has been extended to 16 October 2009.

### Statutory Environment

None

### Policy Implications

None

### Financial Implications

None

### Strategic Implications



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None

## **Officers Comment**

The writer has since relocated from Burketown and will not be able to enjoy the key access to the aquatic facility that has recently been implemented. In this instance it is recommended that the card fee be refunded.

## **Consulted With**



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12.02.04 The Brolga Project – Work Experience Placements

File: STA/01	Date: 25/08/09
DFCS Reports	Author: Zoe Belz
Attachments:	

## 1. EXECUTIVE SUMMARY

The Brolga Project is a service matching university students with employers for work experience placements.

## 2. FOR COUNCIL DECISION

### Recommendation

That Council not participate in the Brolga Project.

## 3. FULL REPORT

### Background

Council has been approached to participate in the Brolga Project. The Brolga Project is run by a private company that facilitates placement of university students for work experience within rural and remote areas of Australia. The cost to Council includes:

- Administration fee of \$200 plus GST per placement of work experience students
- Travel and accommodation for student
- Award wages for student placements longer than 4 weeks

Sponsorships are also available and receive varying levels of service and recognition from the Brolga Project. The levels are:

1. Communication Sponsorship (\$3,000 upfront)
2. Silver Sponsorship (\$12,000 over 12 months)
3. Major Sponsorship (\$72,000 over 18 months)

The level of sponsorship determines the type of recruitment strategy implemented by the Brolga Project and the saturation levels.



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## **Statutory Environment**

None

## **Policy Implications**

None

## **Financial Implications**

There is no current budget allocation.

## **Strategic Implications**

None

## **Officers Comment**

This is essentially a recruitment service for work experience students.

## **Consulted With**



# Burke Shire Council

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12.02.05 Mount Isa School of the Air – Request for Sponsorship

File: SCH/03	Date: 25/08/09
DFCS Reports	Author: Zoe Belz
Attachments:	

## 1. EXECUTIVE SUMMARY

Mount Isa School of the Air is seeking sponsorship for its annual school magazine Gumbuya.

## 2. FOR COUNCIL DECISION

### Recommendation

That Council sponsor one colour page in the Mount Isa School of the Air annual school magazine for the cost of \$75.00.

## 3. FULL REPORT

### Background

The letter received from Mount Isa SOTA is below.



SOTA.pdf

Sponsorship contributes to the cost of printing the magazine each year. Sponsorship levels are as follows:

1. Black and white - \$50 per sponsored page
2. Colour - \$75 per sponsored page

### Statutory Environment

None

### Policy Implications

None

### Financial Implications

Miscellaneous donations are allowed for in the donations budget



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## **Strategic Implications**

None

## **Officers Comment**

Mount Isa SOTA is a local school and as such it is recommended that Council sponsor a colour page for \$75.

## **Consulted With**



# Burke Shire Council

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12.02.06 Gregory Downs School P&C Trivia Night

File: SCH/07	Date: 25/08/09
DFCS Reports	Author: Zoe Belz
Attachments:	

## 1. EXECUTIVE SUMMARY

Gregory Downs School P&C is seeking donations towards its annual Trivia Night.

## 2. FOR COUNCIL DECISION

### Recommendation

That Council donate \$75.00 to the Gregory Downs School P&C towards its Trivia Night to be held on 31 October 2009.

## 3. FULL REPORT

### Background

The letter received from Gregory Downs School P&C is below.



Gregory Educational  
Facility.pdf

### Statutory Environment

None

### Policy Implications

None

### Financial Implications

Miscellaneous donations are allowed for in the donations budget

### Strategic Implications

None



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## **Officers Comment**

Gregory Downs Educational Facility is a local school and as such it is recommended that Council donate \$75 towards the Trivia Night.

## **Consulted With**



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12.02.07 Trust Fund Investigation

File: TRU/01	Date: 26/08/2009
DFCS Reports	Author: Zoe Belz / Fred de Waard
Attachments:	

## 1. EXECUTIVE SUMMARY

Making comment on a number of items in Council's Trust Fund.

## 2. FOR COUNCIL DECISION

### Recommendation

That

- a) It be noted that Unclaimed Sale of Land Proceeds amounting to \$17,958.01 have been forwarded to the Public Trustee;
- b) The request to transfer the Senior Citizens Fund Raising amount of \$793.30 to HACC funding be approved;
- c) It be noted that the Burketown Flood Relief fund of \$41,279.19 is now part of the Burke Shire Emergency Trust Fund;
- d) The Trustees of the Burke Shire Emergency Trust Fund be requested to transfer the balance of the trust funds held to Burke Shire Council for the provision of appropriate resources to provide emergency assistance to people affected by emergency situations and natural disasters (such as floods) within the Shire of Burke or any other area as determined by the Burke Shire Council and be advised that, once approval to have the funds transferred to Burke Shire is given by a majority of Trustees Council will:
  - a. Transfer the funds from the Trust Fund to General Revenue
  - b. Establish a Recurrent Reserve for Emergency Services Purposes
  - c. Investigate the appropriate use of this reserve given the level of NDRA disaster assistance available including the possible use of parts of the reserve to fund the purchase of an emergency services "Troop Carrier" style vehicle with trailer to assist in vehicle rescue and the transfer of SES and Rural Fires volunteers and the provision of equipment for Emergency Services in the Shire generally.

And that once these funds have been transferred the trust can be "wound up".



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- e) It be noted that the balance of monies from airflight ticket sales will be transferred to General Funds for airport improvements as allowed by the State Government; and
  
- f) Council
  - a. top up the J. McCalman trust amount so that it holds a balance of \$2,000 (i.e. transfer \$51.11 to the Trust)
  
  - b. Continue an annual disbursement of \$200 until the trust is fully utilised.

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### **3. FULL REPORT**

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#### **Background**

As at the 30<sup>th</sup> June 2009 Council has the following items in its Trust Fund that need consideration:

- 1. Unclaimed Sale of Land Proceeds \$,958.01 (Received 2005/2006)
- 2. Senior Citizens Fund Raising \$93.30 (Pre 1<sup>st</sup> July 2005)
- 3. Burketown Flood Relief \$41,279.19 (Initial \$ Plus interest earnings)
- 4. Emergency Trust Fund \$46,648.18 (Council contributions plus interest)
- 5. Skytrans Ticket Sales \$ 930.00
- 6. J McCalman Trust \$ 1,948.89 (Annual Bursary – last disbursement \$200 in February 2009)

#### **Statutory Environment**

Local Government Act 1993 Section 516, Public Trust Act 1978  
Under the Local Government Act 1993



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## 516 Trust fund

- (1) A local government must credit to its trust fund—
  - (a) an amount paid to the local government—
    - (i) by way of deposit; or
    - (ii) in trust for a person; and
  - (b) an amount required by an Act to be paid to the trust fund.
- (2) An amount credited to the trust fund must be applied—
  - (a) in payment to or for the person entitled to the amount according to law; or
  - (b) as required by the Act under which the amount was paid to the trust fund.
- (3) An amount credited to the trust fund may, with the Minister's earlier agreement, be transferred to the operating fund if the purpose for which the amount was credited has ceased to exist.
- (4) A local government must keep a separate account for its trust fund.

### KING & Company Commentary

The major use of a Council's trust fund is to hold moneys which do not really "belong" to the Council because they are held for some specific purpose in which other parties have an interest, or are required to be held in the trust fund by virtue of a specific statutory provision. The latter situation is covered by s 516(1)(b).

The other major use is to hold preliminary deposits and tender deposits in connection with proposed contracts and, where there is no agent involved, deposits under contracts for the sale of land by the Council. The term "*deposit*" in s 516(1)(a)(i) is considered to be used in a general sense which covers all these types of matter.

Councils also have a general power under s 112 of the *Trusts Act 1973* to act as trustee of a public trust and, where a Council receives any money in that capacity, it must also be held in the trust fund.

Subsection (2) substantially reflects the general law position that trust funds may be used only for the trust purpose.

Subsection (3) is probably subject to the general law of trusts. For example, if Council was acting as trustee of a local trust to provide scholarships or bursaries for students in the area, and the trust appeared to have outlived its usefulness, it is suggested that the Council would be required to dispose of any surplus funds in accordance with the trust deed (if any) or to seek an order of the Court under s105 of the *Trusts Act 1973* to enable the money to be given to some other body to be used for a generally similar purpose. It is suggested that subsection (3) does not affect obligations to deal with trust money arising under the general law of trusts, but applies more to situations where money has been paid into the



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trust fund pursuant to a statutory obligation and where the relevant statutory purpose no longer needs to be fulfilled or is no longer capable of being fulfilled.

It appears that (4) requires that a separate bank account be kept for the trust fund. That is the interpretation supported by the Explanatory Notes to this section and the Standard. In any event, trustees have a general law duty not to mix trust property with their own property and it would be prudent for Councils to maintain their trust fund in a separate bank account even if that were not a statutory obligation.

LGF Standard: ss 22 - 25 deal with the trust fund. The principle of operation of the trust fund is that trust fund money is kept separate from the local government's own money. In understanding the operation of the trust fund it is best to regard the whole of the trust fund as though it were a separate entity from the local government.

The trust fund will contain cash and investments held on behalf of beneficiaries. The amount due to each beneficiary is treated as a liability of the trust fund. The liabilities of the trust fund will always equal the assets, and a reconciliation must be made monthly.

In some circumstances money paid into the trust fund is an asset of the local government. This applies to developer contributions. There is an obligation on the local government to carry out certain works but this is not a liability of the local government in the usual accounting sense. The amount of such money in the trust fund is a liability in the trust fund to the local government and an asset in the local government's financial statements.

The trust account bank account must not be overdrawn.

If an amount which is not required to be in the trust fund is put into the trust account it should be taken out of the trust fund as soon as practicable. This also applies to amounts which are properly put into the trust fund and are no longer required to be kept there (eg. forfeited deposits.) This is in line with the aim of not mixing the local government's own money with the trust fund money.

If money is paid into the operating fund account which should be in the trust fund it must be transferred as soon as practical and within 5 working days of when it is identified. This may arise if all cheques are banked, as a matter of course, into the operating fund without identifying their purpose.

Interest on trust fund moneys which belongs to the local government should be transferred to the operating fund account as soon as possible. Where trust moneys are held for a particular individual or purpose external to the Council's own operations, interest accruing on that money technically belongs to the trust beneficiary and not to Council (unless the relevant trust arrangement or contract provides otherwise).



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Under the Public Trustee Act 1978 S.102(1)

All unclaimed moneys, other than unclaimed superannuation benefits, which have not been paid by an accountable person to the owner thereof within 1 year after they have been or should have been entered in the register kept by the accountable person under section 100 shall be paid by such person to the public trustee.

### Policy Implications

None

### Financial Implications

See details for each function

### Strategic Implications

None

### Officers Comment

1. Unclaimed Sale of Land Proceeds \$17,958.01

	Name(s)	Last known address	Property Sold	Amount
1	Randall Westropp Carey & Bronywn Carey	Bowen Street Burketown Qld	Lots 107 and 108 on CP B1361	\$1,154.33
2	Geoffrey Alan Schmidt & Tania Lea Schmidt	8 Buckley Avenue Mount Isa Qld	Lot 184 on CP B1364	\$7,837.89
3	Shane Henry West	1017 New Cleveland Road Gundale Qld	Lot 6 on CP B13610	\$8,965.79
				\$17,958.01

Note that these monies were obtained by Council in the 2005/2006 financial year. Under the Public Trustee Act 1978 such monies, as unclaimed monies, are required to be paid to the Public Trustee within "...1 year after they have been or should have been entered in the register kept by the accountable person...".

Payment of the above amounts to the Public Trustee will be undertaken immediately



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### 2. Senior Citizens Fund Raising \$793.30

Correspondence from E Portch (on behalf of the persons who originally raised this money) received May 2009 sought to have these funds moved to funding HACC activities in the Shire.

Transfer of these monies to HACC Fundraising Proceeds is recommended

### 3. Burketown Flood Relief \$41,279.19

Funds raised by the public for the use of the Burketown Flood Relief Committee (no longer active). These funds were transferred to the Emergency Trust Fund in March 2008 by direction of the then Chief Executive Officer (Craig Turnour) to the Commonwealth Bank.

These funds have been transferred into the Burke Shire Emergency Trust Fund so they are not now separate funds.

An internal transfer to reflect this transfer and finalise this amount will be carried out.

### 4. Burke Shire Emergency Trust Fund - \$46,648.18 plus \$41,279.19 from (3) above \$87,927.37

A trust deed was prepared for this and signed in 2003. This deed pre-empted the provision of a charitable taxation status allowing donations to this trust to be tax deductible.

Subsequent advice from Mr LA Evans are that Council could not get tax exempt status for such a fund.

Technically the fund now holds the funds placed in it by Council (\$46,648.18) plus the balance of the Burketown Flood Relief which is currently \$41,279.19 (This has had trust interest added to it each year).

Trustees are:

Cr Annie Clarke; Craig Turnour; Cr William Olive; Cr Ernie Camp; Joy Arnold; Anthony McGrady; and Lawrence Evans.

Burke Shire Council may replace any trustee who leaves the area or leaves Mount Isa or who is otherwise unable to carry out the duties of Trustees.



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The Chief Executive Officer may expend funds from the Trust in the event of “emergency expenditure” otherwise the approval of a majority of the trustees (4 off) is required.

The winding up of the trust requires all such funds to be disbursed to some other institution or institutions having similar objects to the trust and which is a fund, authority or institution approved by the “Australian Tax Office as a fund under Fact Sheet 54”. Note – no such fact sheet exists anymore.

The purpose of the Trust is “the provision of appropriate resources to provide emergency assistance to people affected by emergency situations and natural disasters (such as floods) within the Shire of Burke or any other area as determined by the Trustees”.

Whilst Council may determine to keep these funds in the Trust questions are raised as to the need for this Trust given that Council could not achieve a tax deductible status for this.

The suggested course of action with respect to this trust are as follows:

- a) Council suggest to the Trustees that the balance of the trust funds held be transferred to Burke Shire Council for the provision of appropriate resources to provide emergency assistance to people affected by emergency situations and natural disasters (such as floods) within the Shire of Burke or any other area as determined by the Burke Shire Council.
- b) Once approval to have the funds have been transferred to Burke Shire is given by a majority of Trustees Council
  - a. Transfer the funds from the Trust Fund to General Revenue
  - b. Establish a Recurrent Reserve for Emergency Services Purposes
  - c. Investigate the appropriate use of this reserve given the level of NDRA disaster assistance available including the possible use of parts of the reserve to fund the purchase of an emergency services “Troop Carrier” style vehicle with trailer to assist in vehicle rescue and the transfer of SES and Rural Fires volunteers and the provision of equipment for Emergency Services in the Shire generally.
- c) Once funds have been transferred the trust can be “wound up”.

## 5. Skytrans Ticket Sales \$930.00

This amount refers to ticket sales by Council for the emergency flights arranged by the State Government after the withdrawal of MacAir services on flights that were originally scheduled by MacAir.

Council advised the State Government that these funds (along with other funds obtained at the time for ticket sales which were credited direct to the General Fund) would be utilised on airport improvements in March 2009.

These funds can be transferred to General Revenue.



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### 6. J McCalman Trust \$1,948.89

The trust was created from a \$2,000 bequeath from the Will of John Francis McCalman (a distant relative of Robert O'Hara Burke). The Will prescribes that the sum is provided to the Burke Shire Council for its use and benefit absolutely and the wish that the said sum be invested and the annual income thereof be awarded as an annual bursary to the Dux of the Burke State School. Annual income from the trust in the past was \$200.00. This is a 10% return on investment that has been funded by general revenue as the trust fund does not earn interest. 10% is an unrealistic interest rate in the current economic climate. The last disbursement of \$200 was in February 2009.

It is recommended that Council could continue to draw down the trust until the amount in the Trust Fund is nil and then either discontinue the award or continue the award of a \$200 amount from the operating fund. The trust would be fully utilised by 2020.

It is recommended that Council

- a) top up this trust amount so that it holds a balance of \$2,000 (i.e. transfer \$51.11 to the Trust)
- b) Continue an annual disbursement of \$200 until the trust is fully utilised.



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12.02.08 Arts and Craft Show – Distribution of Auction Proceeds

File: EVE/20	Date: 09/09/09
DFCS Reports	Author: Zoe Belz
Attachments:	

## 1. EXECUTIVE SUMMARY

Endorsement of the allocation of proceeds from the auction at the 2009 Arts and Craft Show.

## 2. FOR COUNCIL DECISION

### Recommendation

That the allocation of auction proceeds be endorsed as follows:

- The Royal Flying Doctors Service – 60%
- The Burke Shire Christmas Tree – 40%

## 3. FULL REPORT

### Background

The proceeds from the auction of donated goods have previously been distributed in the following manner:

- 2006 – RFDS (50%) and Mount Isa School of the Air P&C (50%)
- 2007 – Council (100%)
- 2008 – RFDS (45%), Burketown Police Christmas Tree (33%), Council (23%)

The distribution of funds announced at the 2009 Show was:

- RFDS (60%)
- Burke Shire Christmas Tree (40%)

It is proposed that Council take a lead role in co-ordinating a Shire-wide Christmas event incorporating the schools, kindergarten and the Gregory Playgroup, church, police and other community groups and that the allocation of proceeds from the arts and craft contribute to



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funding this event. If Council agrees in principle, a more detailed report will be prepared for the October 2009 Meeting.

## **Statutory Environment**

None

## **Policy Implications**

None

## **Financial Implications**

None

## **Strategic Implications**

None

## **Officers Comment**

## **Consulted With**

CEO



# ***Burke Shire Council***

***Business Papers  
Ordinary General Meeting  
16 September 2009***

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## **13. CONSIDERATION OF COMMITTEE RECOMMENDATIONS**

None at time of agenda preparation

## **14. CLOSED SESSION REPORTS**

14.01 Complaint Regarding Council Carrying Out Plumbing Works

## **15. NEW BUSINESS OF AN 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:-

## **16. CLOSURE OF MEETING**

The next Ordinary Meeting of Burke Shire Council is October 13 2009.