



BURKE SHIRE COUNCIL

ORDINARY MEETING MINUTES

20 August 2008

Minutes of the Ordinary Meeting of the Burke Shire Council held in the Shire Chambers, Burketown, Wednesday 20 August 2008.

Present:- Cr Annie Clarke (Mayor), Cr Ernie Camp (Deputy Mayor), Cr Tonya Murray, Cr Tracy Forshaw, Cr Bill Olive, Mr Dean Kneebone (Acting Chief Executive Officer), Jessica Gray (Minutes Clerk)

The meeting opened at 9:19am.

1.0 PRAYER

Cr Forshaw led Council in Prayer.

2.0 LEAVE OF ABSENCE/CONDOLENCES

*Condolences were expressed to Mrs. Johnny on the recent death of a family member.
Condolences were expressed for the recent death of Ken Coleman.*

3.0 MAYOR'S REPORT

Cr Clarke provided a verbal report. Items raised included:- Spoke with Barry Riddiford, Department of Communities, about Bidunggu people. There is no police presence in Gregory, break ins are frequent, unsafe driving with passengers riding in the back of utes in Gregory. Bidunggu residents wanting employment. Went to Burketown Kindergarten meeting with Crèche & Kindergarten association regarding accommodation and council employee living there. Informed Kindy they need to put proposal and solution together to council. Went to Mount Isa Rodeo as a guest along with Acting CEO. Spoke with Les Hopkins from Queensland Police.

4.0 COUNCILLORS' REPORTS

Cr Camp:- Meeting with Senator Ian McDonald regarding lack of infrastructure, wild rivers policy.

Cr Olive:- Drove to NT Border, a couple of patches require gravel on certain sections.

Cr Forshaw:- Planted trees with Acting CEO for national tree day, applied for position of rural health advisor to the minister of QLD health.

Cr Murray: - Spent most of last month in North West Arnhem Land with CLC rangers for the Garma festival. Looked at an automatic coffee machine for tourist information centre. Getting ready for camp draft that's next week. Was nominated to sit on Yippippi Gulf Health board, is looking in to it before accepting position. Brought info in from Local Government Environment Conference in Cairns. Interested in the Waste management plan in NT. Clearing away old car bodies by crushing them and turning them into scrap steel.

16.0 IN COMMITTEE MATTERS

Moved: Cr Camp
That Council move into Committee.
CARRIED 01.080820

Seconded: Cr Olive

Council moved into Committee at 10:15 am

Minutes Confirmed 23 September 2008: Mayor _____

Moved: Cr Murray That Council move out of Committee. CARRIED 02.080820	Seconded: Cr Forshaw
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Council moved out of Committee at 11:45am

5.0 CONFIRMATION OF MINUTES

5.1 Ordinary Council meeting of 16 July 2008

Moved: Cr Olive That the minutes of the Ordinary Council meeting of 16 July 2008 be confirmed. CARRIED 03.080716	Seconded: Cr Forshaw
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5.2 Special Council meeting of 31 July 2008

Moved: Cr Murray That the minutes of the Special Council meeting of 31 July 2008 be confirmed. CARRIED 04.080731	Seconded: Cr Camp
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5.3 Matters arising from the minutes

No action sheet was done for August meeting.

Mr John Perry from Mead Consulting entered the meeting at 11:46am

6.0 DEPUTATIONS

Mr John Perry from Mead Consulting spoke to council regarding the review of Burke Shire Councils Local laws.

There is a requirement to revise local laws under the Queensland Local Government Act.

The new revamp is down to 6 local laws

Mr John Perry left the meeting at 12:59pm and was invited to lunch with the councillors.

Council adjourned for lunch at 1:00 pm

Council reajourned at 1:49pm

7.0 ITEMS DEFERRED FROM PREVIOUS MEETINGS

No report provided.

8.0 BUILDING REPORT

8.1 Council Building Works

BUI03

Attached is a status report on Council related building work being undertaken.

Minutes Confirmed 23 September 2008: Mayor _____

Noted by Council.

Works Manager to organise a Gas hot water system for Gregory Camp and replace stove at caretakers cottage with a new gas model and the solar panels are to be shifted around at the cottage to maintain maximum efficiency.

9.0 DEVELOPMENT REPORT

9.1 Development Applications

DAP01

No new applications received in this period.

Council Policy

To resolve offences by explanation/assistance rather than by prosecution.

Legal Implications

Development work without a permit is an offence under the *Integrated Planning Act 1997*.

Recommendation

Noted by Council.

10.0 HEALTH REPORT

10.1 Burketown Home and Community Care (HACC) Program Report

FAM06

Since our last report we have continued our Centrebased day care activities at the old church, which is held every Tuesday, Wednesday and Thursday mornings from 10.00am to 12.00pm.

We have also met Matt Bowen and Jacob Lillyman, two of the North Queensland Cowboys rugby league players when they visited Burketown State School.

Also I had Leoni Lippitt, the HACC Service Development Officer visit and do a review.

Financial Implications

Expenditure YTD 31 July 2008 is \$1,877 of the total 2008/09 budget allocation of \$65,945.

Recommendation

Noted by Council.

12.0 TOURISM, RECREATION & CULTURE REPORT

12.1 Ranger's Report

RAN01

Attached is the Ranger's report as of 15 August 2008.

Noted by Council.

Require a Pool safety fence around dump ezy point when concrete slab has been put down.

Minutes Confirmed 23 September 2008: Mayor _____

12.2 Information Centre/Museum Operation

TOU02.01

Reporting Officer: Chief Executive Officer

Report

Attached for Council's information is Frank Thomas' report as at 11 August 2008 on the Centre's operation.

Recommendation

Noted by Council

13.0 ADMINISTRATION REPORT

13.1 Constitutional Recognition for Local Government

CNS/01

Reporting Officer: Chief Executive Officer

Report

ALGA President Mr Paul Bell AM message regarding having local governments recognised in the constitution. Councils need to think about constitutional recognition, what form that recognition may take and process by which it might be achieved.

Council Policy

As discussed in the report.

Financial Implications

n/a

Recommendation

Noted by Council

For appointed CEO to decide if this item should go to a public forum or Councillors input.

13.2 Estimates Committee

AUD16

Reporting Officer: Chief Executive Officer

Report

Proof of discussions with Minister Pitt in parliament

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation***Noted by Council***13.3 Native Title Updates

NAT/01

Reporting Officer: Chief Executive OfficerReport

Local government template Indigenous Land Use Agreement (ILUA). Addressing Native Title before an agreement, involves two areas of implications for local governments being Native Title Claims and Native Title Compliance. Attached is a summary of Native Title Claims for Burke Shire Council

Council PolicyLegal Implications

All legal advice via Councils solicitor

Recommendation***Noted by Council***13.4 Council support for the Burketown Campdraft

COO/01

Reporting Officer: Chief Executive OfficerReport

Seeking in kind support for 2008 Campdraft for Councils water truck, rotary hoe and tractor along with rubbish removal and cleaning of amenities.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation***Noted by Council****Removal of Rubbish from the area prior to Campdraft activity.*

13.5 Expenses Reimbursement Policy

COU/01

Reporting Officer: Chief Executive Officer

Report

Minister Pitt advises that the Expenses Reimbursement Policy Guidelines have been rescinded and the guidelines will be replaced with a simple set of principles. These principles will allow council to develop its own Expenses Reimbursement Policy in accordance with the circumstances of its community.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council.

Chief Executive Officer to arrange and book a time for Cr Clarke and Cr Forshaw to attend.

13.6 Annual Valuation Effective 30 June 2009

RAT/07

Reporting Officer: Chief Executive Officer

Report

Department of Natural Resources and Water are seeking Councils opinion on whether an annual valuation should be undertaken to be effective in 2009. Council records indicate that the last valuation for the shire was done in the 2002 year.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Moved: Cr Camp That Council requests a valuation be undertaken to be effective by 30 June 2009 for the Burke Shire Council. CARRIED 05.080820	Seconded: Cr Murray
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13.7 DDMG Meeting Date/Status Reports/Training Needs Courses

RAT/07

Reporting Officer: Chief Executive OfficerReport

Superintendent Les Hopkins, Mt Isa District advising next meeting date for District Disaster Management Group Meeting is set for Wednesday 26 November 2008. At the last meeting held on 9th July 2008 only one Local Government was represented.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation***Noted by Council***

CEO to request DDMG reviews other possible venues including Burke Shire Council. CEO and the Mayor to attend the next meeting

13.8 2008 NRW Conference

COU/01

Reporting Officer: Chief Executive OfficerReport

NRW Conference in Townsville 4th Sep 2008. Councilors Clarke and Forshaw are attending the LGA Conference in Cairns in early September and have indicated that they wish to attend the NRW conference.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

Within budget figures for 08/09 year.

Minutes Confirmed 23 September 2008: Mayor _____

Recommendation

Moved: Cr Murray	Seconded: Cr Olive
That Councillor's Clarks and Forshaw attend the NRW conference on 4th September 2008.	
CARRIED 06.080820	

13.9 2006/2007 Identified Surplus HACC

FAM/06

Reporting Officer: Chief Executive OfficerReport

2006/2007 Base Operating Funding surplus of \$49,911.40.

HACC funding was underspent in the 06/07 year. As per attached letter the amount of \$49,911.40 has been returned to Disability Services last month. An advertisement has been done for a HACC leader to oversee the HACC operations. This person will be responsible for acquittals, funding applications, ensuring HACC programmes are carried out and supervision of the two HACC ladies. It is envisaged that this position will have a person appointed within the next fortnight.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

Need to correctly spend funding each year and not return money

Recommendation*Noted by Council*

Moved: Cr Olive	Seconded: Cr Murray
That Council move into Committee.	
CARRIED 07.080820	

Council moved into Committee at 2:51pm

Moved: Cr Forshaw	Seconded: Cr Murray
That Council move out of Committee.	
CARRIED 08.080820	

*Council moved out of Committee at 3:39pm*13.10 Housing Waiting List

COH/04

Reporting Officer: Chief Executive OfficerReport

Minutes Confirmed 23 September 2008: Mayor _____

Copy of monthly housing waiting list

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council

13.11 Application for accommodation N & G Gowby

COH/08

Reporting Officer: Chief Executive Officer

Report

Norman & Glenda Gowby seeking accommodation in Burketown pensioner units. Currently the new pensioner units are awaiting curtains to be installed. This should be completed by 22nd August.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

<p>Moved: Cr Forshaw That Council defer any housing allocation until policy workshop is completed in 2 months time. CARRIED 09.080820</p>	<p>Seconded: Cr Murray</p>
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13.12 Lease of Lot 145 Gregory Street Burketown

RAT/02.069/10000

Reporting Officer: Chief Executive Officer

Report

Jenny Williams and Greg Portch Burketown Nursery

Minutes Confirmed 23 September 2008: Mayor _____

MIN080820 Confirmed

Seeking Council's approval to lease Lot 145 B1364 adjoining there property where they operate Burketown Nursery with the option to purchase at a later date.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council

CEO to contact L A Evans regarding drawing up of lease and letter sent to Williams and Portch with lease for signature when completed.

The Major Projects Coordinator, Don McEvoy entered the Chambers at 3:55pm and provided a printed and verbal report on the Albert River Bridge.

The Major Projects Coordinator, Don McEvoy exited the Chambers at 4:42pm

MPC and A/CEO to discuss the water treatment plant issues at Gregory.

13.13 Gangalidda & Garrawa People V State of Queensland

NAT/29 & 30

Reporting Officer: Chief Executive Officer

Report

Requesting information as to whether or not Council desires to make fresh application in respect to assistance in respect to these two Native Title claims, or whether Council will accept a bill from LA Evans in due course based on the retainer scale. See attachment.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council

CEO to get further information from LA Evans Solicitors

13.14 Office of Director General

ELE/10

Reporting Officer: Chief Executive OfficerReport

ECQ Election costs 2008 year

Department of Local Government Sport and Recreation have invoiced Burke Shire Council for the Local Government Reform – 2008 ECQ Election costs

Council Policy

n/a

Legal Implications

n/a

Financial Implications

Budget election fees

Recommendation**Moved: Cr Camp****Seconded: Cr Clarke****That Council is not prepared to pay for election cost given the debacles experience during the local government elections in March 2008. Example no booth allocation, postal votes not received on time, postal votes not received at all, people had changed their address on the electoral roll in the prescribed time but were not allowed to vote as this information had not been placed in the updated electoral roll.****CARRIED 10.080820**13.15 Old Treasury Office of Liquor, Gaming and Racing

LIC/07

Reporting Officer: Chief Executive OfficerReport

Seeking councils approval for placement of signs at the boat ramp, advising of Alcohol restrictions in the Gulf of Carpentaria, Morning Island region

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Moved: Cr Forshaw **Seconded: Cr Murray**
Approval is given for placement of sign at the boat ramp. It is requested that a map with GPS coordinates be provided on the designated alcohol sign.
CARRIED 11.080820

13.16 Gulf Regional development Plan Minutes 22 July 2008

REG/07

Reporting Officer: Chief Executive Officer

Report

Seeking councils approval for placement of signs at the boat ramp, advising of Alcohol restrictions in the Gulf of Carpentaria, Morning Island region

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council

15.0 CORRESPONDENCE REPORT

15.1 Inward Correspondence – August 2008

n/a

Reporting Officer: Chief Executive Officer

Report

The attached schedule lists items of inward correspondence that have not been addressed elsewhere. Councillors are requested to review this list and note any items they wish to peruse.

Please note that under the electronic records management systems the non-filed originals of the inward correspondence documents will be disposed of once the minutes of the meeting that they were advised to are confirmed.

Recommendation

Noted by Council

15.2 Outward Correspondence – June 2008

n/a

Reporting Officer: Chief Executive Officer

Report

The attached schedule lists items of outward correspondence that have not been addressed elsewhere. Councillors are requested to review this list and note any items they wish to peruse.

Please note that under the electronic records management system the non-filed originals of the outward correspondence documents will be disposed of once the minutes of the meeting that they were advised to are confirmed.

Recommendation

Noted by Council

17.0 LATE ITEMS REPORT

17.1 Appointment of Acting Chief Executive Officer

STA11.70

Reporting Officer: Chief Executive Officer

Council Policy

n/a

Legal Implications

Section 1134 of the *Local Government Act 1993* provides that:- “A local government may appoint a person to act as its chief executive officer during:-

- (a) any vacancy, or all vacancies, in the position; or
- (b) any period, or all periods, when the chief executive officer is absent from duty or can not, for another reason, perform the position’s duties.

Financial Implications

n/a

Recommendation

<p>Moved: Cr Forshaw Seconded: Cr Olive That council appoints Mr. Ray Geraghty as the Acting Chief Executive Officer until a fulltime Chief Executive Officer is appointed. CARRIED 12.080820</p>

17.2 Chief Executive Officers Position

STA11.70

Reporting Officer: Chief Executive Officer

Report

Council received 9 applications for the CEO position. Referee checks have been carried out. I would recommend that 2 applicants be flown to Burketown next week for interviews with Councillors. A verbal report will be given to council on applicants.

Council Policy

n/a

Legal Implications

Minutes Confirmed 23 September 2008: Mayor _____

n/a

Financial Implications

n/a

Recommendation

Noted by Council

17.3 Staffing levels

STA0.01

Reporting Officer: Chief Executive Officer

Report

I have been reviewing staffing levels and found that the office is under staffed. A full report with recommendations will be presented to Council for consideration next week.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council

17.4 RADS Grant Burketown Airport

AIR02

Reporting Officer: Chief Executive Officer

Report

Queensland Transport has advised that funding has been approved towards cost to seal the runway, apron and taxiway. Queensland Transport is funding \$113,333 excluding GST towards this project with total estimated cost of \$340,000. MOU to be signed and returned prior to 5th September 08

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council

17.5 Minister for Main Roads & Local Government

SGD11

Reporting Officer: Chief Executive Officer

Report

Minister Warren Pitt will be attending the LGAQ conference in Cairns. He will be available for deputations for a 15 minute period on Wednesday 3rd Sep 08 between 2 – 4 pm.. Register expression of interest closes on Friday 22nd August should the delegates wish to talk to the minister.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council

17.6 Keep Australia Beautiful Queensland

TID01

Reporting Officer: Chief Executive Officer

Report

A letter of congratulations and certificate to the Burke Shire Council for the Queensland Young Legends Award for this region.

Council Policy

n/a

Legal Implications

n/a

Financial Implications

n/a

Recommendation

Noted by Council

Minutes Confirmed 23 September 2008: Mayor _____

18.0 GENERAL BUSINESS

Cr Camp

- *- Grid at the end of the new Albert River Bridge*
- *audit on the water connections trough etc on the Burketown water supply line*
- *Finalisation of Fuel tank at airport – Nowlands – WM to report by next meeting*
- *CEO and Committee meeting organized by October to discuss the redevelopment of the Burketown Airport*
- *Phone connection at Gregory Hall*
- *Lyn Battle be commissioned to do an A4 leather cover for Attendance Book and guest book*

Cr Olive

- *BBQ for agribusiness meeting. Get DNR advice on any process required for property projects i.e. correct procedures and applications and what advice is offered and who to contact.*

Cr Clarke

- *Look at small business/Info centre for Gregory to include facsimile service/phone cards etc*
- *Academy of architects work to commence after appointment of new CEO*
- *Quotes for automatic Coffee machine for Tourist Information Centre*
- *Meeting with Frank Thomas to discuss future developments*
- *September meeting be on 3 October Friday 9am.*

Cr Murray

- *Council approach CLC re rangers working with Council and the Bidunggu people*
- *Cleaning up of area where /provide a socialisation area*
- *Update/progress of Indigenous Land Use Agreement, letter by next council meeting*

Cr Forshaw

- *Adels Grove Road sealing*
- *Updated signage required for Gregory Township directional and welcoming by end of September.*
- *Naming of the Park in Gregory, council to meet cost of signage, costs quotes to be completed by next council meeting*

There being no further business the Meeting closed at 6:08pm