

BURKE SHIRE COUNCIL



Minutes of Ordinary Meeting

held on

October 13 2009

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01. OPENING OF MEETING

The Chair declared the Meeting open at 9.50am.

02. PRESENT

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

Leanne Mash - Chief Executive Officer
Jenny Williams - Executive Assistant

03. PRAYER

Cr Murray led Council in Prayer.

04. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE

Cr Tracy Forshaw is unable to attend the November 2009 Ordinary General meeting of Council.

Moved: Cr Murray
Seconded: Cr Olive

That the leave of absence for Cr Tracy Forshaw for the November 2009 Ordinary General meeting be approved.

Carried 01.091013

05. CONFIRMATION OF MINUTES OF PREVIOUS MEETING(S)

General Meeting September 16 2009

Moved: Cr Olive
Seconded: Cr Camp

That the Minutes of the General Meeting of Council held on September 16 2009 as presented be confirmed by Council.

Carried 02.091013

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06. CONDOLENCES

Council noted the passing of Alan Marshall and expressed their condolences.

08. COUNCILLOR REPORTS

Verbal Reports to be provided to Meeting

Adjournment

Cr Clarke adjourned the Meeting for a morning tea break from 10:10am to 11.15am.

07. MAYORAL MINUTE AND REPORT

Verbal Report to be provided to Meeting

07.01 GSD Meeting

FILE: REG/02

<p>Moved: Cr Forshaw Seconded: Cr Camp</p> <p>Council to write to the Chair and CEO of GSD requesting an agenda item for the December 2009 meeting with regards delegation and representation at meetings and associated protocols.</p> <p>Carried 03.091013</p>
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09. CONSIDERATION OF NOTICE(S) OF MOTION AND/OR PETITIONS

10. CHIEF EXECUTIVE OFFICERS REPORTS

<p>Moved: Cr Forshaw Seconded: Cr Olive</p> <p>That</p> <p>A) the Chief Executive Officer's Standing Business Papers for Information as presented in Reports 10.01.01 to 10.01.05 of the Business Papers be received by Council and noted; and</p> <p>B) the Chief Executive Officer's Business Papers for Council Consideration and Decision as presented in Reports 10.02.01 to 10.02.09 of the Business Papers be received for consideration.</p> <p>Carried 04.091013</p>

Telstra Service Provision - Gregory

FILE: TEL/13

Moved: Cr Forshaw
Seconded: Cr Murray

That Council write to Telstra highlighting the lack of engagement from Senior Officers regarding requests from community groups relating to phone services for Gregory. Further that Telstra is requested to provide Council with an update regarding their current plans for service provision at Gregory.

Carried 05.091013

Optus Service Provision

FILE: TEL/17

Moved: Cr Murray
Seconded: Cr Olive

That Council write to Optus requesting an update with regards their current plans for service provision at Burketown.

Carried 06.091013

Adjournment

Cr Clarke adjourned the Meeting for a lunch break from 12:44pm to 1:00pm.

Attendance

Upon resumption all present at the time of adjournment were in attendance except Jenny Williams.

Attendance

Jenny Williams re-entered the meeting at 1.25pm.

10.02.01 Upcoming Meetings

FILE: COU/11

A summary of meeting and conference opportunities

Moved: Cr Forshaw
Seconded: Cr Camp

1. That Council sends its apologies for the TTNQ AGM
2. That all Councillors and executive staff attend the LGMA New Act Training on 28 October 2009

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3. That Council sends Cr Forshaw to attend the MITEZ AGM.
4. That all Councillors and the CEO attend the GSD meeting on December 1 2009.
5. That all Councillors attend the North Queensland Local Government Association (NQLGA) Bi-Annual Conference – November 4 to 6 2009.
6. That Council send Cr Clarke to attend the Sustainable Resource communities partnership local leadership group November 26 2009.

Carried 07.091013

10.02.02 Draft Queensland Coastal Management Report

FILE: ENV/09

As per the September meeting the Draft Queensland Coastal Management Plan documentation was provided to Councillors Clarke, Camp and Murray for review.

Moved: Cr Camp
Seconded: Cr Murray

That Council respond to the draft Queensland Coastal Management plan expressing concern regarding blanket statements that will impact on the future economic and social wellbeing of the shire.

Carried 08.091013

10.02.03 Name Change for Gregory Downs to Gregory

FILE: GRE/04

At a previous Council meeting a decision was made to call for Public Submissions on the proposed name change of Gregory Downs to Gregory.

Submissions were called for by September 30 2009. No such submissions have been received by this office.

Moved: Cr Clarke
Seconded: Cr Forshaw

That Council write to the Department of Environment and Natural Resource Management requesting that under the Q150 Celebrations Program and after due opportunity for and consideration of comments from residents that Burke Shire Council request that the township of Gregory Downs be renamed as Gregory.

Carried 09.091013

10.02.04 Local Government Arts and Culture Reference Group

FILE: ART/03

Arts Queensland is establishing a Local Government Arts and Culture Reference Group (LGACRG) and would like to invite interested senior council officers and Councillors to apply for membership. Expressions of interest close on Friday 16 October.

Moved: Cr Forshaw
Seconded: Cr Murray

That Council thank Arts Queensland for the opportunity to nominate for the Local Government Arts and Culture Reference Group, but at this point regretfully decline given existing substantial commitments. Council would express an interest in nominating a representative sometime in the future and looks forward to seeing the outcomes from the reference group.

Carried 10.091013

10.02.05 Department of Communities

FILE: PRO/02

The Department of Communities would like to ascertain if Burke Shire Council will provide 'in principle' support for the transfer of the trusteeship of ten (10) lots of building reserve land in Burketown from the Department to Council.

Moved: Cr Olive
Seconded: Cr Murray

That Council communicate with the Department of Communities and express its 'in principle' support for the transfer of the trusteeship from the Department to Council of the ten identified building reserve lots of land.

Carried 11.091013

10.02.06 Burke Shire Energy Conservation Project

FILE: ENE/02

The Office of Clean Energy would like to ascertain if Burke Shire Council is still keen to progress with the Burke Shire Energy Conservation Pilot Project. This project was due to roll out in 2008, but due to extenuating circumstances was never acted upon.

Moved: Cr Forshaw
Seconded: Cr Camp

That Council communicate with the Office of Clean Energy and express it's willingness to re-commit to the Burke Shire Energy Conservation Project subject to the confirmation of the support required being limited to the following components and at no cost to Council

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1. Nomination of an existing Council officer to be trained as an energy auditor in addition to the existing duties of that officer, that is as a role complimentary to the officer's current role.
2. Publicise the project to the community, encouraging participation by households and businesses.
3. The identification of suitable individuals to be suggested as possible trainee energy auditors.
4. Comment on the selection and appointment of a suitable contractor to oversee the development and implementation of the Project.

Carried 12.091013

Declaration of material personal interest and attendance

Cr Murray declared a material personal interest at 4:45pm.

10.02.07 Recreational Activity Facilities for Children

FILE: SPO/01

Council has received a petition from a number of Burketown residents requesting consideration be given to extra recreational activity facilities for children to use in Burketown.

The petition has no contact address for a response from Council to be directed to.

Moved: Cr Forshaw
Seconded: Cr Murray

1. That Council seek to establish who the point of contact is for this matter and communicate with that person once an identity can be established. If and when an identity can be established that Council communicate, once again, its willingness to partner with established community groups to see these kinds of developments come to fruition.
2. Further that when communicating with this individual Council advise that a hitting wall is provided for in the 2009 –10 budget.
3. That Council extend an invitation to Shire community groups to make representation to Council at the February planning meeting.

Carried 13.091013

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10.02.09 Review of State Wide Stock Route Network Management Regulation

FILE: STR/01

The Department of Environment and Resource Management (DERM) is seeking public feedback on a [stakeholder-led review](#) into the management and use of the stock route network (SRN) in Queensland.

The review is proposing a number of fee changes, which are outlined in the [RIS—Stock Route Network Management Regulation 2009](#). DERM consulted a panel of stock route users and managers on the proposed recommendations. Refer to the [fact sheet](#) for an overview of the proposed changes. Click here to view a [map of the declared stock routes](#) across Queensland.

Moved: Cr Olive
Seconded: Cr Camp

That council write to seek assurances from the Department of Environment Resource Management that no stock routes are to be closed under the proposed RIS State Wide Stock Route Network Management Regulation 2009.

Further that Council seeks clarification as to which stock routes within Burke Shire are to be designated active and inactive. And further Council enquires as to what consultation is to be undertaken to determine the status of the individual routes as active or inactive.

Carried 14.091013

Attendance

Cr Clarke left the Meeting at 3.15pm; Cr Camp resumed the position of Chair.

Cr Clarke returned to the meeting at 3.17pm and resumed the position of Chair.

Adjournment

Cr Clarke adjourned the Meeting for afternoon tea break from 3:30pm to 3:40pm.

Upon resumption all present at the time of adjournment

Attendance

Mr Dennis Kerr, Director Engineering Services, attended the Meeting at 3.40pm.

11. DIRECTOR ENGINEERING SERVICES REPORTS

Moved: Cr Camp
Seconded: Cr Murray

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.

Carried 15.091013

Attendance

Ms Zoe Belz, Director of Finance and Community Services, attended the Meeting from 3:55pm to 4:10pm.

11.02.01 Expenditure Commencement on 2009 NDRRA (Natural Disaster Relief and Recovery Arrangements) for 2009 Flood Damage Event TC (Tropical Cyclone) Charlotte

FILE: FLO/15

There are several roads within the Shire that will qualify for NDRRA Flood Damage the submission for the first phase of the event is now complete and submitted to the Departments of Main Roads and Local Government for consideration by Emergency Management Qld (EMQ) and totalling approximately \$8million.

Moved: Cr Olive
Seconded: Cr Murray

That Council endorse the commencement of prioritised NDRAA relief rehabilitation works for the 2009 Flooding Event as soon as resources are available and that claims be prepared in parallel with the works so reimbursement is guaranteed as soon as submission approvals are granted.

Carried 16.091013

11.02.02 Contractor Assessments Recommendations of Appointments for 2009-2010
TIDS Delegation to CEO

FILE: ROA/83.10

There is a large amount of TIDS allocation requiring the assistance of contractors to execute the approved works in the timeframes for funding provider's acquittals. To this end Council officers have produced specifications for the specific project allocations and have called for quotations from know suppliers with in the Burke Shire and external to the Shire.

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These quotations have a closure date of October 20 2009. Bearing this in mind and the need to mobilise up to three contractors on separate TIDS projects it would be paramount to get preliminary approval delegated to the CEO to approve commencement of the prioritised contractors and then submit the recommendations to Council's November meeting for endorsement.

Moved: Cr Camp
Seconded: Cr Murray

That Council delegate powers to the CEO to approve commencement of appropriately prioritised contractors to commence construction of approved TIDS projects within the Burke Shire and submit the recommendations to Council at its November 2009 meeting for endorsement.

Carried 17.091013

11.02.03 Two (2) 4WD Fleet Vehicles Assessment Recommendations for Purchase

FILE: TEN/01.09.02

Following the adoption of the current year's budget quotations were called for two medium size 4WD Wagons. To this end Council received two conforming quotations and one late non conforming quote.

The following list is a summary of the conforming quotations -

1. Black Toyota's \$ 138,491.82
2. Pacific Toyota's \$ 124,844.74

Black Toyota has two current models in stock and could be delivered in 30 days, where Pacific have sold out of current models and have two new model vehicles after Toyota's release of the vehicles on November 16 2009.

Moved: Cr Forshaw
Seconded: Cr Olive

That Council purchase 2 (two) Toyota Prado (2009-10 new model) GLX as per quotation \$124,844.74 combined value from Pacific Toyota of Cairns with an escalation allowance at actual cost for the new model released on November 16 2009. It is understood Council has priority to the first two vehicles of this model available from Pacific Toyota following that release.

Carried 18.091013

Attendance

Cr Clarke left the Meeting at 4.20pm; Cr Camp resumed the position of Chair.

Cr Clarke returned to the meeting at 4.25pm and resumed the position of Chair.

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11.02.04 Drought Management Plan (DMP) Endorsement Subject to Amendments Required

FILE: WAT/41

A Drought Management Plan is a legislative requirement; this document is approximately two years overdue hence some urgency on finalising this plan. The plan does have some fairly demanding requirements regarding water usage and restrictions however it has been designed that there is provision for adequate allowances of water to keep a desirable green look about the towns with some management and logistical maneuvers.

Moved: Cr Olive

Seconded: Cr Forshaw

That Council endorse the DMP acknowledging that as a revisable document ongoing monitoring and changes may be required from time to time.

Carried 19.091013

Attendance

Leanne Mash, Chief Executive Officer, left the meeting from 4.34pm to 4.35pm.

Beames Brook Bridge

File: BRI/05

Moved: Cr Clarke

Seconded: Cr Murray

That Council write to main road with regards to the restoration works planned to be undertaken immediately at Beames Brook Bridge and express Councils extreme disappointment that no contingency plan has been made to allow access for vehicles over 25 tonne to continue during the planned two month restoration works.

Further, that Council emphasis the economic and social impact this will cause for the communities of the Burketown, Gregory and Doomadgee, during the crucial dry season. Also the added expense and imposition this will bring to service providers such as long haul transporters and the likely outcome that they will pass these costs onto consumers.

That council recommend installation of a Bailey bridge for the duration of the restoration works.

That a copy of this correspondence be sent to Doomadgee Shire Council and affected private businesses.

Carried 20.091013

Attendance

Mr Dennis Kerr, Director of Engineering Services, left the Meeting at 5.04pm

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Adjournment

Cr Clarke adjourned the Meeting for a break from 5:04pm to 5.06pm.

Attendance

Ms Zoe Belz, Director of Finance and Community Services, attended the Meeting at 5.06pm

12. DIRECTOR FINANCE & COMMUNITY SERVICES REPORTS

Moved: Cr Olive
Seconded: Cr Camp

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 12.02.05 of the Business Papers be received for consideration.

Carried 21.091013

Attendance

Cr Clarke left the Meeting at 4.30pm; Cr Camp resumed the position of Chair.

Cr Clarke returned to the meeting at 4.32pm and resumed the position of Chair.

12.02.01 Audited Financial Statements 2008/2009

FILE: AUD/18

Presenting the Audited Financial Statements for the year ended 30 June 2009 for adoption.

Moved: Cr Olive
Seconded: Cr Camp

That the Audited Financial Statements for the year ended 30 June 2009 be adopted;

and

The Refuse Infrastructure Reserve be created with the purpose of funding capital improvements to the refuse infrastructure within the Shire;

and

The final audit results from WHK-TCM Smith Audit Partnership for the year ended 30 June 2009 be noted

Carried 22.091013

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12.02.02 Rates Interest Write-off

FILE: RAT/01

Rates interest written-off as part of the 2009/10 annual rates levy.

Assessment No	Amount	Reason	Authority
00230-10000-000	\$ 8.01	Interest levied after pmt of rates	DEL-BSC-008 - Interest <\$10
00411-10000-000	\$ 6.42	Interest incorrectly levied after pmt of rates	Administrative Error - interest raised incorrectly
00397-00000-000	\$ 14.26	Interest levied after pmt of rates	Requires Council endorsement

Moved: Cr Forshaw
 Seconded: Cr Murray

That Council endorse the interest write-off as presented.

Carried 23.091013

Rates Interest Write-off Delegation

File: RAT/01

Moved: Cr Forshaw
 Seconded: Cr Olive

That Council delegates to the CEO the authority to write off interest accumulated with regards to rates to the value of \$50 when the amount of the levy is paid in full. This delegation replaces DEL-BSC-008.

Carried 24.091013

12.02.03 Burke Shire Christmas Event

FILE: EVE/24

Providing information on the concept for the Christmas event for Burke Shire.

Moved: Cr Camp
 Seconded: Cr Olive

That Council delegate to the Chief Executive Officer final approval for the concept for the Burke Shire 2009 Christmas Event;

and

the 2009/10 budget be amended to include \$2,100 for the Event.

Carried 25.091013

12.02.04 Rate and Debt Recovery Policy

FILE: PCY/01

Presenting Rate and Debt Recovery Policy for Council's adoption.

Moved: Cr Forshaw
Seconded: Cr Murray

That the Rate and Debt Recovery Policy be adopted as presented.

Carried 26.091013

Attendance

Leanne Mash, Chief Executive Officer left the Meeting from 6:10pm to 6:11pm.

12.02.05 Early Payment of Financial Assistance Grant 2009/2010

FILE: GRA/01

The Department of Infrastructure distributed the first quarter payment for 2009/2010 in June 2009. The Queensland Audit Office has instructed that this funding must be included as revenue in the Financial Statements for the year ended 30 June 2009. This requirement has the potential to affect the budget for the current year ending 30 June 2010.

Moved: Cr Forshaw
Seconded: Cr Olive

That the budget for 2009/2010 be amended to exclude the early payment of the Financial Assistance Grant of \$554,421 from operating revenue;

and

\$554,421 of Council's contribution towards the TIDS projects for the Gregory-Lawn Hill Road be transferred from reserve funding instead of funding from the operating surplus.

Carried 27.091013

Attendance

Ms Zoe Belz, Director Finance and Community Services, left the chambers at 6:18pm.

Change of November 2009 meeting

FILE: COU/05

Moved: Cr Camp
Seconded: Cr Olive

That Council change the November Ordinary meeting from November 18 to November 25 2009 to facilitate attendance.

Carried 27.091013

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13. CONSIDERATION OF COMMITTEE RECOMMENDATIONS

14. CLOSED SESSION REPORTS

Moved: Cr Murray
Seconded: Cr Camp

That Council move into closed session to discuss Confidential Items under *Sections 463(a), (b) and (h) of the Local Government Act 1993.*

Carried 21.091013

ATTENDANCE

Ms Jenny Williams, Minutes Clerk, left the chambers at 6.20pm.

Move into Open Session

Moved: Cr Murray
Seconded: Cr Olive

That the Meeting resume in Open Session to consider recommendations arising out of the Closed Session.

Carried 22.091013

14.01 Regional Development

FILE: REG/02

Moved: Cr Forshaw
Seconded: Cr Olive

That Council communicate to GSD their inability to comment on the proposal, nor offer support until a business case is presented for consideration and is offered for endorsement by the Councils involved with the regional development group.

Carried 23.091013

15. NEW BUSINESS OF AN URGENT NATURE ADMITTED BY COUNCIL

16. CLOSURE OF MEETING

The Chair declared the Meeting closed at 7.15pm.

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17. DEPUTATIONS AND PRESENTATIONS SCHEDULED FOR MEETING

~~I hereby certify that these pages numbered 1 to 13 constitute the confirmed minutes of the Meeting of Burke Shire Council held on Wednesday October 13 2009.~~

These Minutes are yet to be confirmed.

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MAYOR

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