

# BURKE SHIRE COUNCIL



Minutes of Ordinary Meeting

held on

November 26 2009

**CONFIRMED**

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**01. OPENING OF MEETING**

The Chair declared the Meeting open at 9.30am.

**02. PRESENT**

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

Leanne Mash - Chief Executive Officer  
Jenny Williams - Executive Assistant

Appologies

Cr Tonya Murray

**03. PRAYER**

Cr Camp led Council in Prayer.

**04. CONSIDERATION OF APPLICATIONS FOR LEAVE OF ABSENCE**

Cr Tonya Booth is unable to attend the November 25 2009 Ordinary General meeting of Council.

Moved: Cr Forshaw  
Seconded: Cr Camp

That the leave of absence for Cr Tonya Murray for the November 25 2009 Ordinary General meeting be approved.

Carried 01.091125

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

General Meeting October 13 2009

Moved: Cr Olive  
Seconded: Cr Forshaw

That the Minutes of the General Meeting of Council held on October 13 2009 as presented be confirmed by Council.

Carried 02.091125

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## 06. CONDOLENCES

Council noted the passing of Les Forshaw and expressed their condolences.

## 07. MAYORAL MINUTE AND REPORT

Verbal Reports to be provided to Meeting

07.01 North Queensland LGAQ 2010 Meeting

FILE: LGA/01

### Agenda Item for February 2010

Discussion of a resolution regarding carbon credits to be taken to the North Queensland LGAQ May 2010 Meeting

## Adjournment

Cr Clarke adjourned the Meeting for morning tea break from 9.56am to 10.00am.  
Upon resumption all present at the time of adjournment

## 17. DEPUTATIONS AND PRESENTATIONS SCHEDULED FOR MEETING

17.1 Stock Route Review Presentation – 10.00am to 11.23am

## Adjournment

Cr Clarke adjourned the meeting for a break from 11.25am to 11.31am.  
Upon resumption all present at the time of adjournment

## 08. COUNCILLOR REPORTS

Verbal Reports to be provided to Meeting

### October Fires in the far North West of the Shire

Cr Bill Olive would like to thank the following people for their help with the fire control last month (in no particular order).

Charters Towers Fire Warden	Tony Stroud (Rural Fire Brigade)	
Phil Haggerty	Leanne Mash	Dennis Kerr
Benny Kumsing	Trevor Marshall	CLCAC Rangers
Kyle Yanner	Billy Jackson	Mike Johnston
Col Baker	Michael Behrendt	
Burke Shire Office and Depot Staff	anyone else who helped, very appreciative	

We wish you all a Merry Christmas and a Happy New Year

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

### 10. CHIEF EXECUTIVE OFFICERS REPORTS

Moved: Cr Forshaw  
Seconded: Cr Olive

That

A) the Chief Executive Officer's 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 Officer's Business Papers for Council Consideration and Decision as presented in Reports 10.02.01 to 10.02.06 of the Business Papers be received for consideration.

Carried 03.091125

#### 10.02.01 Upcoming Meetings

FILE: COU/01

A summary of meeting and conference opportunities.

Moved: Cr Forshaw  
Seconded: Cr Camp

That Council endorse the Mayor, Councillor Annie Clarke to attend the Sustainable Resource Communities Partnership Local Leadership Group (North West Mineral Province) meeting.

Carried 04.091125

#### 10.02.03 Barramundi Grow Out Facility

FILE: FIS/09

The Barramundi Grow Out Facility is inadequately funded for the 2009/10 year.

A budget of \$10 000 is specified. Based on previous operations it is estimated that a figure of between \$25 000 - \$30 000 is realistic for six months of operation. This facility is a highly labour intensive activity.

Moved: Cr Clarke  
Seconded: Cr Forshaw

That Council investigate further options for the sustainable operation of the Burketown Barramundi Grow Out Facility and report such findings back to Council Meeting prior to the next breeding season.

Carried 05.091125

### Attendance

Cr Clarke left the meeting at 12.50pm; Cr Camp resumed the position of Chair.

Cr Clarke returned to the meeting at 12.58pm and resumed the position of Chair.

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10.02.05 GSD Items

FILE: REG/02

The next GSD meeting is scheduled for December 1 2009. It is to be hosted in Burketown.

Moved: Cr Forshaw  
Seconded: Cr Camp

1. That council endorse GSD in relation to the Canberra/Brisbane delegation to pursue the matters of base infrastructure with a focus on roads and power.

And

2. With regards in region office presence Council is able to make available a desk and support facilities for GSD staff to use on an ad hoc basis. Council is not supportive of GSD purchasing real estate in the region to establish a permanent office.

Carried 06.091125

**Adjournment**

Cr Clarke adjourned the meeting for a lunch from 1.00pm to 1.35pm.  
Upon resumption all present at the time of adjournment.

10.02.06 December Meeting

FILE: COU/05

With the November meeting being held a week later than usual and the Council Christmas closure taking affect from 5.00pm December 18 2009, it is suggested that the December 16 2009 meeting be replaced with a telephone conference to discuss current matters while any resolutions be deferred to the January meeting.

Moved: Cr Camp  
Seconded: Cr Olive

That Council suspend the December 16 2009 Council Meeting and replace the meeting with a telephone conference on that same date.

Carried 07.091125

**12. DIRECTOR FINANCE & COMMUNITY SERVICES REPORTS**

Moved: Cr Forshaw  
Seconded: Cr Olive

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 12.02.03 of the Business Papers be received for consideration.

Carried 08.091125

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**CONFIRMED**

**Attendance**

Ms Zoe Belz, Director of Finance and Community Services, entered the meeting at 1:40pm

12.02.01 Annual Report for year ended 30 June 2009

FILE: REP/02.12

Presenting the Annual Report for the year ended 30 June 2009 for adoption.

Moved: Cr Camp  
Seconded: Cr Olive

That the Annual Report for the year ended 30 June 2009 be adopted

Carried 09.091125

12.02.02 Proposed Council Meeting dates for 2010

FILE: COU/05

Presenting a listing of proposed dates for the Council meetings in 2010.

Moved: Cr Forshaw  
Seconded: Cr Olive

That the dates for the Council meetings for 2010 be adopted as follows:

January Wednesday 20  
February Wednesday 17  
March Wednesday 17  
April Wednesday 21  
May Wednesday 19  
June Wednesday 16  
July Wednesday 21  
August Wednesday 18  
September Wednesday 15  
October Wednesday 20  
November Wednesday 17  
December Wednesday 15

Carried 10.091125

12.02.03 DERM Annual Valuations for 30/06/2010

FILE: RAT/02

The Department of Environment and Resource Management (DERM) have advised that they will not be undertaking a valuation of land in Burke Shire for the year ending 30 June 2010.

Moved: Cr Forshaw  
Seconded: Cr Olive

That Council correspond with DERM and ask for a firm commitment as to the timeframe for the valuation of land in Burke Shire.

Carried 11.091125

**CONFIRMED**

12.02.04 Sponsorship Request – Burketown State School

FILE: SCH/01

Burketown State School has requested that Council sponsor a book prize at the School's end of year graduation celebrations on Thursday 26 November.

Moved: Cr Clarke  
Seconded: Cr Olive

That Council does not sponsor a book prize as Council has provided in-kind support to the value of \$120 for this event.

Additionally

Council approaches the Burketown State School to award the annual J McCalman bursary at the School's end of year celebrations from 2010 onwards.

Carried 12.091125

**14. CLOSED SESSION REPORTS**

Moved: Cr Clarke  
Seconded: Cr Forshaw

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

Carried 13.091125

**Attendance**

Ms Jenny Williams, Minutes Clerk, left the meeting at 2.26pm.

Ms Zoe Belz, Director Finance and Community Services, left the meeting at 3.10pm

Ms Leanne Mash, Chief Executive Officer, left the meeting at 3.20pm.

**Move into Open Session**

Moved: Cr Forshaw  
Seconded: Cr Olive

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

Carried 14.091125

**Attendance**

Ms Jenny Williams, Minutes Clerk, entered the meeting at 3:40pm.

Ms Leanne Mash, Chief Executive Officer, entered the meeting at 3.40pm.

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**CONFIRMED**

14.01 Staff Matters

FILE: CJC/01

Presenting a confidential report on matters raised by Council's auditors as part of the audit for the year ended 30 June 2009

Moved: Cr Clarke

Seconded: Cr Forshaw

That all information and reports relating to item 14.1 be provided to the CMC for further investigation

Carried 15.091125

14.03 Performance Management

FILE: STA/11.79

As per the contract of employment for the CEO, section 6, Performance Review there is a requirement for the employee and Council to enter into a performance agreement action plan.

This process may be delegated to a Committee of Council, in which case the employee shall be entitled to nominate one of the committee members.

Moved: Cr Clarke

Seconded: Cr Camp

That all available Councillors at the time comprise the Performance Review Committee in relation to the annual review of the performance of the CEO and negotiation of the performance management action plan.

Carried 16.091125

**Attendance**

Mr Dennis Kerr, Director Engineering Services, entered the meeting at 3.40pm.

Ms Zoe Belz, Director Finance and Community Services, entered the meeting at 3.41pm.

Cr Clarke left the meeting at 3.41pm; Cr Camp resumed the position of Chair.

Cr Clarke returned to the meeting at 3.51pm and resumed the position of Chair.

**11. DIRECTOR ENGINEERING SERVICES REPORTS**

Moved: Cr Forshaw

Seconded: Cr Camp

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 17.091125

**CONFIRMED**

11.02.01 Lawn Hill Station request to Install Four Grids

FILE: ROA/07

Lawn Hill Station wishes to subdivide Elizabeth Paddock with four fences and four grids for improved grazing and stock management this paddock has the Doomadgee to Lawn Hill Road (Alternative Savannah Way) connection pass through it, and to this end request Council to allow the installation of four grids on this road for stock management and transport convenience.

Moved: Cr Forshaw  
Seconded: Cr Olive

That Council permit Lawn Hill Station to install four grids on Doomadgee Lawn Hill Road (Alternative Savannah Way) at Elizabeth paddock with in Lawn Hill Station and that the four Grids construction specifications and installation standards must be to the satisfaction of Councils Director Engineering Services.

Carried 18.091125

**Declaration of material personal interest and attendance**

Cr Forshaw declared a material personal interest at 4:00pm and left the meeting.

11.02.02 Exception to Tender

FILE: FLO/15

Expenditure of NDRRA for the 2009 flood damage event TC Charlotte has commenced.

The projects that fall into this category are:

1. Gregory Lawn Hill Road Flood Damage Rehabilitation works
2. Wills Development Road Rehabilitation works
3. Floraville Road Flood Damage Rehabilitation Works
4. Doomadgee Roads East and West Flood Damage Rehabilitation Works
5. Morella Road Flood Damage Rehabilitation Works

The sixth project, while related to flood mitigation is part of the capital works program.

6. Burketown Waste Facility Flood Mitigation Works

Moved: Cr Camp  
Seconded: Cr Olive

That Council endorse the urgent engagement of appropriate resources for these works.

Further, this is done under section 486, part 1a) of the Local Government Act 1993, meaning that there is only one supplier reasonably available to Council, in the timeframes under which this work must be completed.

That Council delegate the execution of expenditure associated with these six projects to the Chief Executive Officer with appropriate assessment of sole invitee quotations/tenders being made.

Carried 19.091125

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**CONFIRMED**

## Attendance

Cr Tracy Forshaw entered the meeting at 4.05pm

### 10.02.02 Asset Management Policy

FILE: ASS/07

The Commonwealth have set a target for all infrastructure asset classes managed by Councils to be covered by asset management plans by 2010. Councils are required to complete core plans by 2010.

The first step in doing this is the development and adoption of an asset management policy. That policy is now presented for endorsement of Council. The target date for adoption a draft policy, as set by the Department, is December 31 2009.

Moved: Cr Forshaw

Seconded: Cr Olive

That Council adopt the Asset and Services Management Policy as presented.

Carried 20.091125

### 10.02.04 Officer Housing

FILE: SHI/10, SHI/11, SHI/12,SHI/24

At the September 2009 meeting a position was resolved (09.090916) to seek a cash payment from Council's insurers for House number 4, Gregory Street, that was damaged by fire. The funds were then to be redirected to houses two and three in Sloman Street and the Gregory Caretakers house to rectify outstanding maintenance issues.

Since then Council have been in negotiation with our insurers. It has become apparent that the insurances will not make the full amount available to Council as a payout.

In light of this new information an alternate position is now presented for Council's consideration.

Moved: Cr Camp

Seconded: Cr Forshaw

1) That Council accept the proposed insurance position as initially presented by Suncorp to repair the Gregory Street house.

2) That Council reallocate the budget item \$300 000 from the establishment of an executive residence to the renovation of the Sloman Street houses two and three.

3) That Council address the Gregory Caretaker house maintenance issues with the balance of funds after the renovations of the two Sloman Street houses are complete.

Carried 21.091125

## Declaration of material personal interest and attendance

Cr Forshaw declared a material personal interest at 4:43pm and left the meeting.

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**CONFIRMED**

11.02.03 Road Construction Project – Wills Development Road 78A

FILE: ROA/11

This report describes the proposed upgrade of the Wills Development Road 78A, comprising consolidation of the existing formation and construction of a 100mm compacted thickness gravel pavement, these segments are located in a section of the road from Ch 459.990 (Ryans Camp) to Ch 468.140 (Mosquito Yards)

The project is intended to increase the Level of Service for road users and provide increased regional accessibility during the wet season. The project includes the benefit of reduced maintenance costs for road grading in the future.

Moved: Cr Camp  
Seconded: Cr Olive

That Council support the further representation and finalisation of the proposed submission to gravel sheet 8.15km of black soil section on WDR 78A Ch 459.990 (Ryans Camp) to Ch 468.140 (Mosquito Yards)

And

Councils Works staff to commence this project immediately DMR gives approval to commence gravel resheeting works prior to wet season road closures.

Carried 22.091125

**Attendance**

Cr Tracy Forshaw entered the meeting at 4.44pm

**Declaration of material personal interest and attendance**

Cr Forshaw declared a material personal interest at 4:46pm and left the meeting.

11.02.04 Road Construction Project – Gregory Lawn Hill TIDS

FILE: ROA/38

This report describes the proposed upgrade of a further 1km section of Gregory Lawn Hill Road from Ch 55.00 to Ch 56.00

Currently Council has construction activities taking place from Ch 50.3 to Ch 55.0 this works has been contracted to a local contractor to bring the pavement up to final trim standard ready for Councils works crew to seal, this is expected to be completed by mid December.

Moved: Cr Camp  
Seconded: Cr Olive

That Council accept the offer of \$100,000 reallocated TIDS funding from Mt Isa City Council to be matched equally by Burke Shire Council.

And

that the funds be utilised on the LRRS Gregory Lawn Hill Road to further extend the current project

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from Ch 55.00 to Ch 56.00 to a bitumen sealed pavement.

And

That an undertaking be given that in due course Burke Shire Council support Mt Isa City Council in a bid for similar funding when it indicates the capacity to utilise a similar amount of TIDS funds.

Carried 23.091125

**Attendance**

Cr Tracy Forshaw entered the meeting at 4.49pm.

**13. CONSIDERATION OF COMMITTEE RECOMMENDATIONS**

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

**16. CLOSURE OF MEETING**

The Chair declared the Meeting closed at 5.20pm.

I hereby certify that these pages numbered 1 to 14 constitute the confirmed minutes of the Meeting of Burke Shire Council held on Thursday November 26 2009.

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**MAYOR**

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**CONFIRMED**