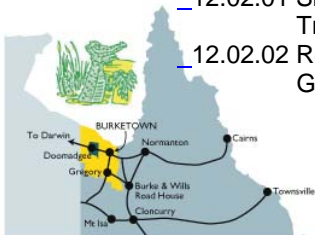




*Confirmed Minutes
Burke Shire Council Ordinary General Meeting
Wednesday March 17 2010
9.30am Council Chamber*

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01. Opening of Meeting

The Chair declared the Meeting open at 10.04am

02. Present

Cr Ernie Camp - Acting Mayor, Chair
Cr Tracy Forshaw – Acting Deputy Mayor
Cr Bill Olive
Cr Tonya Murray

Leanne Mash - Chief Executive Officer
Jenny Williams - Executive Assistant

03. Prayer

Cr Camp led Council in Prayer.

05. Confirmation of Minutes of Previous Meeting(s)

General Meeting March 2 and 3 2010

FILE: COU/11

Moved: Cr Forshaw
Seconded: Cr Olive

That the Minutes of the General Meeting of Council held on March 2 and 3 2010 as presented be confirmed by Council.

Carried 01.100317

06. Condolences

Council noted the passing of Laurance Page and expressed their condolences to the Marshall Family.

07. Mayoral Minute and Report

Verbal Reports to be provided to Meeting

Adjournment

Meeting adjourned for morning tea from 10.28am to 11.06am

Attendance

Upon resumption all present at the time of adjournment.

08. Councillor Reports

Verbal Reports to be provided to Meeting

10. Chief Executive Officers Reports

Moved Cr Olive
Seconded Cr Murray

That 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

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.

Carried 02.100317

Attendance

Teleconference - Mr Des Ryan from 11.30am to 12.21pm

Tomas Ortiz entered the meeting from 11.25am to 12.22pm

Adjournment

Meeting adjourned for lunch with the HACC clients from 12.28pm to 2.00pm

Attendance

Upon resumption all present at the time of adjournment.

Attendance

Tomas Ortiz entered the meeting at 2.02pm

11. Finance Services Reports

Moved Cr Forshaw
Seconded Cr Olive

That the Finance Services Officer's Standing Business Papers for Information as presented in Report 11.01.01 of the Business Papers be received by Council and noted; and

The Finance Services Officer's Business Papers for Council Consideration and Decision as presented in Reports 11.02.01 to 11.02.03 of the Business Papers be received for consideration.

Carried 03.100317

11.02.01 Rates Interest Write-off

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

FILE: RAT/01

Moved Cr Forshaw
Seconded Cr Murray

That Council endorse the interest write-off as presented.

Carried 04.100317

11.02.03 Rates Interest Write-off – number two

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

FILE: RAT/01

Moved Cr Camp
Seconded Cr Olive

That Council endorse the interest write-off as presented.

Carried 05.100317

Attendance

Tomas Ortiz left the meeting at 2.42pm

10.02.01 Upcoming Meetings

A summary of meeting and conference opportunities

FILE: COU/05

Moved Cr Forshaw
Seconded Cr Murray

1. That the Mayor, Deputy Mayor and CEO attend the LGAQ Civic Leaders Summit – April 28 to 30 2010, Sunshine Coast.
2. That all available Councillors and the CEO attend the North Queensland Local Government Association Conference – May 5 to 7 2010, Normanton.

Carried 06.100317

10.02.07 Northern Outback Development Forum

The Mayor of Richmond Shire, Councillor John Wharton has written to Council requesting financial support to the value of \$1500 (ex gst) for the hosting of a Northern Outback Development Forum.

The forum is being held in Normanton on May 5 2010. The forum is being convened in response to the Northern Australia Task Force Land and Water report and the perceived need for the north to have a stronger voice in response to the issues threatening future growth.

All Councils included in the North West Regional Road Groups network will be invited to participate.

FILE: COU/05

Moved Cr Murray
Seconded Cr Olive

That Council endorse sponsorship for the Northern Outback Development Forum to the value of \$1500.

Further that the Councillors attending the NQLGAQ Conference, and the CEO, also attend the Northern Outback Development Forum.

Carried 07.100317

14. Closed Session Reports

Moved Cr Olive
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 08.100317

Attendance

Ms Jenny Williams, Executive Assistant, left the meeting at 3.09pm

Move into Open Session

Moved Cr Camp
Seconded Cr Murray

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

Carried 09.100317

Attendance

Ms Jenny Williams, Executive Assistant, entered the meeting at 3.59pm

14.01 Termination Payment 2008-09

FILE: STA/02

Moved Cr Camp
Seconded Cr Olive

That Council seek legal opinion on the matter raised. Further that once such opinion is obtained the CEO take the necessary action on the matter raised in the report.

Carried 10.100317

17. Deputations and Presentations Scheduled for Meeting

17.1 – Housing Development – as presented by Mr Dave Turner

Attendance

Mr Dave Turner enter the meeting at 4.00pm
Dennis Kerr, Director Engineering Services entered the meeting at 4.11pm

Attendance

Mr Dave Turner left the meeting at 4.30pm

Adjournment

Meeting adjourned for inspections on Council housing renovations from 4.30pm to 5.17pm.

Attendance

Upon resumption all present at the time of adjournment.

12. Director Engineering Services Reports

Moved Cr Camp
Seconded Cr Olive

That the Director Engineering Services Standing Business Papers for Information as presented in Reports 12.01.01 to 12.01.03 of the Business Papers be received by Council and noted; and

The Director of Engineering Services Business Papers for Council consideration and Decision be presented in Report 12.02.01 to 12.02.02 the Business Papers be received for consideration.

Carried 11.100317

12.02.01 Smiths Transport Pty Ltd Request for Approval to Operate AAB Tri Drive Quad Road Train on Gregory Lawn Hill Road to access Century Mine Road

Smiths Transport Pty Ltd have operated AAB Tri Drive Quad Road Train to and from Century Mine along the Gregory Lawn Hill and onto Wills Development Road (WDR 78A) for the past 4 years under the approvals allowed by Council to IES Resources and now wish to operate from proposed permissions approvals directly to Smith's Transport Pty Ltd.

This is a normal request in these circumstances with no increase of current impacts as currently experienced.

Providing the current conditions imposed on IES Resources are met by the proponents and any conditions that DTMR may impose on the WDR 78A that the same conditions apply to the Gregory Lawn Hill Road component, notwithstanding those conditions it is recommended that approvals be considered by Council

FILE: ROA/08

Further discusson deferred until future meeting.

12.02.02 Roy Girle and Co Request for Approval to Operate AAB Tri Drive Quad Road Train on Gregory Lawn Hill Road to access Century Mine Road

Roy Girle and Co have operated AAB Tri Drive Quad Road Train to and from Century Mine along the Gregory Lawn Hill and onto Wills Development Road (WDR 78A) for the past 4 years under the approvals allowed by Council to IES Resources and now wish to operate from proposed permissions approvals directly to Roy Girle and Co.

This is a normal request in these circumstances with no increase of current impacts as currently experienced.

Providing the current conditions imposed on IES Resources are met by the proponents and any conditions that DTMR may impose on the WDR 78A that the same conditions apply to the Gregory Lawn Hill Road component, notwithstanding those conditions it is recommended that approvals be considered by Council.

FILE: ROA/08

Further discusson deferred until future meeting.

10.02.10 Purchasing Policy Review

The Purchasing Policy has been reviewed in light of a loophole that would allow individuals to tender for contracts for which they or their business had no real knowledge or expertise.

FILE: ACC/01, PUR/01

Moved Cr Olive
Seconded Cr Murray

That Council adopt the Purchasing Policy as presented to the meeting.

Carried 12.100317

Declaration Conflict of Interest

Cr Tracy Forshaw declared a conflict of interest in the following item – member of Gregory Downs Landcare Group

10.02.09 Gregory Downs Arboretum

The Gregory Downs Landcare Group have written to Council with a proposal to create a Arboretum on the front of the Gregory Cemetery Reserve

FILE: CEM/02

Moved Cr Murray
Seconded Cr Camp

That Council defer a decision on the Gregory Downs Arboretum proposal and include the concept as part of the long term community planning consultation, planned for the later part of 2010.

Carried 13.100317

10.02.05 Gangalidda Garawa Native Title Claims – Part B

After recent negotiations Council has been able to consent to a determination of native title in Part A of the Gangalidda Garawa native title claims. This was done by Council's legal representative under a previously resolved direction.

There is now some work that needs to be undertaken in relation to Part B of these claims. Council must identify and respond with documentation regarding areas of interest to Council as found within the Part B land and waters as shown on the attached map by March 30 2010.

There will be other opportunities to add and or clarify Council's position with regards Part B land and waters.

FILE: NAT/30

Moved Cr Forshaw
Seconded Cr Olive

That the following interests of Council be noted in relation to the Gangalidda Garawa Native Title Claims – Part B:

- The Burke Shire Council Water Treatment Plant
- Raw water intake reserve,
- Nicholson River pump station and its associated reserves
- The Burketown Airport and its associated reserves

- The township of Burketown, inclusion of reserves and infrastructure within the township boundaries
- The town common
- Road Reserves
- Gravel Pits
- Sports Reserve – Rodeo grounds and Phillip Yanner Memorial Oval
- Cemetary Reserve
- Waste refuse Reserve
- Wharf
- Boiling Downs Works
- Bore
- Landsborough Tree Site
- Nicholson River Weir
- Gin Arm Weir
- Western side of the Albert River from the Aiport to the wharf – camping and fishing
- L111/PC30 Reserve/67 Par Burke – Camping Reserve
- Reserve – pound
- Water Points

And other areas that come to light through further investigation as determined by the CEO.

Carried 14.100317

10.02.02 Regional Arts Development Fund Bidding for 2010 – 2011 Budget

The Regional Arts Development Fund (RADF) bid is an annual application for funding from Council to Arts Queensland for funds to support the local RADF Program.

Bidding is submitted in March for allocation for the next financial year.

FILE: RAD/16

Moved Cr Camp
Seconded Cr Forshaw

That Council bid for \$5500 in the Arts Queensland RADF 2010-2011 Annual Bidding Round.

Carried 15.100317

10.02.03 Local Government Week 2010

LGAQ has decided to withdraw from LG Week for this and forthcoming years. As such there is now no official LG Week.

Council may consider the value of past LG Weeks as a community engagement activity, particularly as it relates to school children in the Shire. As such Council may determine that there is value in continuing with a LG Week like activity without being part of a larger state wide week of activities.

FILE: EVE/13

Moved Cr Olive
Seconded Cr Murray

That Council continues with the theme of a LG Week event that engages with the primary school aged children of the Shire.

Future that in 2010 a visioning exercise for the children is the designated theme.

Carried 16.100317

10.02.04 Anzac Day Report

As there is no RSL in Burketown, Council has taken on the role of providing ANZAC Day commemorations for Burke Shire It is envisaged that the 2010 Anzac Day Commemoration will follow the format established in previous years.

FILE: ANZ/01

Moved Cr Murray
Seconded Cr Forshaw

That Council endorse the Anzac Day 2010 concept as presented in the report.

Carried 17.100317

10.02.06 Low Carbon Diet Community Funding Program

Towards the end of 2009 Council made application to the Queensland Government's Low Carbon Diet Community Funding Program for funds to conduct a community based initiative to reduce Queensland's carbon footprint.

FILE: GRA/25

Moved Cr Camp
Seconded Cr Murray

That Council accept the funding of \$9690.00 (ex gst) to conduct the project 'Be Switched On and Switch Off'.

Carried 18.100317

10.02.08 Workshop – Royalties for Regional Queensland

The Western Downs Regional Council is facilitating a workshop to develop a Royalties for Regions Queensland Framework, based on the Western Australia model.

It is being held in Brisbane on May 6 2010.

FILE: COU/05

Moved Cr Camp
Seconded Cr Olive

That the Mayor attend the Royalties for Regions Queensland Framework workshop in Brisbane on May 6 2010.

Carried 19.100317

10.02.11 The Regional Arts Development Fund (RADF) - Special Project

Council has \$12000 (RADF funding of \$6000 and a matching \$6000 from Council funds) to be spent on a special project of cultural significance. The RADF committee have discussed a sculpture being commissioned for the Morning Glory Park.

FILE: RAD/01

Moved Cr Murray
Seconded Cr Forshaw

That Council engage Peter Wilcocks to develop a sculpture concept plan for installation at the Morning Glory Park Water Feature, for Councils further consideration.

Carried 20.100317

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 8.00pm.

I hereby certify that these pages numbered 1 to 12 - constitute the confirmed minutes of the Meeting of Burke Shire Council held on Wednesday 17 March 2010.

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ACTING MAYOR