



*Confirmed Minutes
Burke Shire Council Ordinary General Meeting
Wednesday 16 June 2010
9.30am Council Chamber*

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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
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 Olive will be on leave from 21 to 26 June 2010.

05. Confirmation of Minutes of Previous Meeting(s)

05.01 General Meeting 19 May 2010

FILE: COU/11

Moved: Cr Forshaw
Seconded: Cr Olive

That the Minutes of the General Meeting of Council held on 19 May 2010 as presented be confirmed by Council.

Carried 01.100616

06. Condolences

Council noted the passing of Joseph Clarke Junior and expressed their condolences to the Family.

07. Mayoral Minute and Report

Insert Mayoral Report

08. Councillor Reports

Cr Ernie Camp – Deputy Mayor

Following last Council meeting I attended the GSD meeting in Burketown and the energy forum whilst still Acting Mayor.

GSD meeting – I was interim chair for this as the current chair had resigned.

- We discussed our meeting in Canberra/Brisbane and taking forward issues raised there to contacts made on the trip.
- Desley Boyle attended.
- Government reps and others attended to discuss proposed marine park – called for greater consultation with those on ground, longer period of consultation and time to put in a submission, representation on Marine park committee by a local rep – issues raised at Northern Development Forum.
- See GSD minutes circulated for further details

Energy forum

- Attended by locals, government depts., and commercial interests. Whilst a little disappointing as not all who had indicated attendance did turn up, some with valid reasons and some not so, it still gave momentum to the energy issues.
- See forum points put together by Rob (GSD) to take forward for a good list of what was covered.

Have since attended another GSD meeting via teleconference – 10 June

- Le also in attendance via phone.
- Appointed new chair – Fred Pascoe Mayor Carpentaria Shire. Appointment until AGM.
- Discussed adding in position of Deputy Chair to constitution at AGM
- Discussed group spokespersons – I was offered Energy but as it is Annie's passion I nominated her (in absentia) as spokesman which was accepted. Lack of power, Burke Shire and Annie is a profile that people are familiar with. Fred Pascoe – roads, housing. Warren Devlin – small business.
- Discussed need to have tele-hookup with GSD, MITEZ, John Wharton, interested councillors to take forward Northern Development forum issues.
- Ratified chair to approve Rob's contract with the 6 months leave request included

I would like to thank those in the office who supported and assisted me during my time as Acting Mayor. It was a very busy time – so much for the Wet being a quiet time – with the major flooding event, a trip with GSD to Canberra and Brisbane, LGAQ training, Civic Leader Summit, Northern Development forum and NQLGA conference, GSD meetings and several community functions. Your help and willingness to share your knowledge and advice enabled me to complete the job as best as I could.

Thank you also to the community for your support and your phone calls with queries, questions and information. I appreciated your confidence in me to do the job in the Mayor's absence.

I would like to thank Annie for her faith and confidence in my ability which meant that she was able to have a break. . It was also reassuring to know that Annie's advice and support was only a phone call away if needed.

Thanks also to my fellow Councillors for their faith and confidence in me. I would like to end my report by welcoming Annie back from her well earned break and wish her well for the remainder of the term.

Cr Tracy Forshaw

I was privileged to be able to be Principal for a Day at both Burketown and Gregory Schools. I was able to meet the students and present them with water-bottles for their good efforts. I also presented the teachers and teacher aides with cookbooks and china mugs for their wonderful contribution towards education.

At the Gulf Savannah Development meeting in Burketown we had the chance to quiz the Department of Environment (Federal Government) about the proposed Marine Park in the Gulf, and make it very clear that there hasn't been enough "consultation" with local people.

We also got the chance to speak with Local Government Minister, Desley Boyle about all the new reforms coming into place on July 1st. Minister Boyle advised us that State Government doesn't have any spare money and it is going to be very hard for local Councils for the next few years.

The Energy Forum in Burketown was very informative, and it was credit to GSD for their efforts in getting some of the State Government Department Head to turn up, and hopefully we are a step closer to be able to "Powering the Gulf".

Cr Bill Olive and Cr Tonya Murray provided Verbal Reports at the Meeting.

Adjournment

Meeting adjourned for Morning Tea from 10.41am to 11.03am.

10. Chief Executive Officers Reports

Moved Cr Murray
Seconded Cr Olive

That

The Chief Executive Officer's Standing Business Papers for Information as presented in Report 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 10.02.14 of the Business Papers be received for consideration.

Carried 02.100616

14 Closed session reports

Moved Cr Murray
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 03.100616

Attendance

Ms Jenny Williams; Executive Assistant, left the meeting at 11.29am.

Ms Debbie Glyde; Finance Manager and Mr Dennis Kerr; Director Engineering Services entered the meeting at 11.29am.

17 Deputations and presentation scheduled for meeting

17.1 Mineral Mines Group – General Manager – Mr Karl Spaleck

Attendance

Mr Karl Spaleck; General Manager MMG and Ms Jillian D'urso; Communications Advisor MMG, presented/attended the meeting from 11.29am to 12.19pm.

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 04.100616

Attendance

Ms Jenny Williams, Minutes Clerk, entered the meeting at 12.19 pm

Adjournment

Meeting adjourned for Lunch from 12.30pm to 1.07pm.

Upon resumption all were present at the time of adjournment except Councillor Bill Olive, Ms Debbie Glyde and Mr Dennis Kerr.

Attendance

Councillor Bill Olive entered the meeting at 1.18pm.

10. Chief Executive Officers Reports

10.02.01 Upcoming Meetings

A summary of meeting and conference opportunities.

FILE: COU/05

Moved Cr Murray
Seconded Cr Olive

That available Councillors and appropriate officers attend the Community Planning and Internal Audit Forum on Tuesday 27 July 2010 in Mount Isa.

Further

That Councillor Tonya Murray attends the Gulf Catchments Fish Stocking Workshop held on Saturday 19 June in Mount Isa.

Carried 05.100616

10.02.02 Donation – Request for Change – Burketown School

At the March Ordinary Meeting Council resolved to assist the Burketown School with support to the value of \$3000 to host a Rugby League Carnival in April 2010. Due to weather and other issues the planned April event did not occur.

The school is now requesting that the allocated funding now be redirected to attendance of the Croydon Touch Football carnival to be held June 16 – 19 2010.

FILE: DON/01

Moved Cr Forshaw
Seconded Cr Camp

Council endorse the use of the \$3000 cash donation for the Burketown State School to now be used for the 2010 Croydon Touch Football carnival.

Carried 06.100616

10.02.03 Request for Support – Savannah Sporting Team

Council received a request for support from a newly formed sporting group in the Gulf region called Savannah Sporting Team Inc. Although their long term plan is to promote all sports in the Gulf at the moment they are requesting support to start up an Amateur Boxing Club in Burketown.

FILE: DON/01

Moved Cr Clarke
Seconded Cr Camp

That at this point in time due to limited funds Council decline to support Savannah Sporting Team Inc. Further that as part of the Long Term Community Plan process Council seeks to better understand the recreational aspirations of Shire residents and can then, if appropriate support is forth coming revisit this proposal.

Carried 07.100616

10.02.04 Request for Support – North Queensland Helicopter Rescue Service

The North Queensland Helicopter Service has written asking for a donation of \$15 000 per year from the Burke Shire Council to assist with its continued operation and upgrade to a larger helicopter.

FILE: EME/01

Moved Cr Forshaw
Seconded Cr Olive

That the request for a donation from the North Queensland Helicopter Service be considered with all other donation requests once the 2010-11 budget is resolved;

And further that Council communicates this to the North Queensland Helicopter Service, in so far as it will be considered proportionally with all other requests and obligations;

In addition Council will offer assistance to North Queensland Helicopter Service in pursuit of funding from the State and Federal Government.

Carried 08.100616

10.02.05 Old Times No Guts No Glory Donation to Burketown Library

Henry James Clarke, previously of Armraynald Station has written and published a book called Old Times – No Guts No Glory and donated a copy to the Burketown Library.

FILE: LIB/01

Moved Cr Murray
Seconded Cr Olive

That Council thank Mr Clarke for his generosity and accept the book *Old Times – No Guts No Glory* into the Burketown Library collection.

Carried 09.100616

10.02.06 LGAQ Annual Conference 2010 – Call for Motions

The deadline for receipt of LGAQ Annual Conference 2010 motions is Friday 18 June 2010.

FILE: COU/11

Moved Cr Olive
Seconded Cr Murray

That Council submit the following resolution to the LGAQ Annual conference 2010 as motion for consideration;

That calotrope be declared a weed of national significance.

Carried 10.100616

Declaration Conflict of Interest

Cr Tonya Murray declared a conflict of interest, as her sister has been nominated for a Bursary and; Cr Annie Clarke declared a conflict of interest, as her son has been nominated for a Bursary.

10.02.07 BHP Billiton North Queensland Development Bursaries

Nominations are now being sought for the 2010 BHP Billiton North Queensland Development Bursaries. The closing date is June 25 2010. Last year Council successfully nominated Jordan Marshall and Mathew Douglas

FILE: SPO/09

Moved Cr Forshaw
Seconded Cr Camp

That Council nominates the following young athletes for recognition under the BHP Billiton North Queensland Development Bursaries scheme;

- Gordon Arnold
- Hayley Booth
- Jack Clarke
- Madison Marshall

Carried 11.100616

10.02.08 Inquiry into Growing Queensland's Renewable Energy Electricity Sector

An email was received on May 25 2010 from Rob Hansen, Research Director from the Environment and Resources Committee regarding an Inquiry into Growing Queensland's Renewable Energy Electricity Sector.

FILE: ENE/02

Moved Cr Clarke
Seconded Cr Murray

That Council endorse a regional approach and use Gulf Savannah Development as the vehicle for this submission process.

Further that Council write to the Environment and Resources Committee regarding the unusually short period of time (27 working days) given to respond to the Inquiry into Growing Queensland's Renewable Energy Electricity Sector.

Carried 12.100616

10.02.09 Premier's Awards for Queensland Seniors – Call for Nominations

The Premier's Awards for Queensland Seniors recognise the contribution of volunteers over 60 years of age. Nominations are now open for the 2010 awards. Nominations close on Friday 25 June 2010.

FILE: EVE/05

Moved Cr Forshaw
Seconded Cr Camp

That Council nominate Kevin Malone, Pam deJoux and Robert Marshall for the Premiers Award for Queensland Seniors.

Carried 13.100616

Attendance

Ms Leanne Mash; Chief Executive Officer left the meeting from 2.00pm to 2.02pm.
Mayor Annie Clarke left the meeting from 2.08pm to 2.10pm.

10.02.10 Policing at Gregory

Given recent and past events at Gregory there is a belief that Council should revisit the issue of lack of police stationed at Gregory.

FILE: POL/01

Moved Cr Forshaw
Seconded Cr Olive

That Council writes to the Queensland Police Commissioner requesting the reestablishment of a permanent Police presence at Gregory as a matter for urgent consideration given recent and past events and previous undertaking given by the current Police Commissioner in 2006.

Further that Council write to Betty Kiernan MP requesting the matter be raised with the Queensland Police Service.

Carried 14.100616

Declaration Conflict of Interest

Cr Tonya Murray declared a conflict of interest, as she is a committee member of the Burketown Barramundi Fishing Organisation.

10.02.11 Donation – Burketown Barramundi Fishing Club

At the March Ordinary Meeting Council resolved to donate \$5000 to the Burketown Barramundi Fishing Club 2010 Easter Event. Due to weather conditions the event was cancelled.

FILE: DON/01

Moved Cr Olive
Seconded Cr Camp

That given the fact that the Burketown Barramundi Fishing Competition 2010 did not occur, due to weather conditions, that the donation amount to the Burketown Fishing Club for 2010 be revised to \$1000.

Carried 15.100616

Declaration Conflict of Interest

Cr Tonya Murray declared a conflict of interest, as she is a committee member of the Burketown Barramundi Fishing Organisation.

10.02.12 Barramundi Fingling Growout Facility

Earlier in 2009 Council resolved to investigate a way to better manage the Burketown Barramundi Fingling Growout Facility.

To this end discussions have been held with Councillors, the Director of Engineering Services and a representative from the Burketown Fishing Club.

The development of a Memorandum of Understanding that would facilitate a trial period of having the facility managed by a volunteer committee is now being recommended.

FILE: FIS/09

Moved Cr Olive
Seconded Cr Camp

That Council work to develop a Memorandum of Understanding with the Burketown Fishing Club with regards the operation of the barramundi growout facility for the 2010-11 year. That such a document is bought back to a subsequent Council meeting for endorsement.

Carried 16.100616

10.02.14 Operational Plan

As per section 508 of the Local Government Act 1993 Council must prepare and by resolution adopt an operational plan for the financial year.

FILE: COR/04

Moved Cr Forshaw
Seconded Cr Murray

That the Operation Plan 2010-11 be adopted as presented.

Carried 17.100616

14 Closed session reports

Moved Cr Camp
Seconded Cr Olive

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

Carried 18.100616

Attendance

Ms Jenny Williams, Executive Assistant, left the meeting at 2.42pm.

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 19.100616

14.01 Council's Participation in Native Title Claims Resolution

- A. The purpose of this report is to:
- a. Update Council on its participation in addressing native title claims affecting Council's area.
 - b. Seek Council's endorsement to commence native title negotiations with the Gangalidda Garawa People and the Waanyi People.
 - c. Seek Council's endorsement of a claims resolution indigenous land use agreement (ILUA) which has been reached in-principle between the applicable local government negotiation team and the representatives for the representatives for Kalkadoon People.
- B. The report initially provides a brief background to the negotiation approach that Council has taken in reaching the aforementioned in-principle native title agreements and an overview of the current status of native title claims and agreements affecting Burke Shire Council.
- C. The report then provides details of the two claims resolution ILUAs that Council is being asked to endorse.

FILE: NAT/29, NAT/30

Moved Cr Camp
Seconded Cr Olive

That

1. Having reviewed a draft Indigenous Land Use Agreement ("ILUA") between the registered native title claimants for Native Title Determination Application QUD579/2005 (Kalkadoon People #4) and Boulia Shire Council, Cloncurry Shire Council, Burke Shire Council, McKinlay Shire Council and Burke Shire Council, a copy of which was tabled at Council's ordinary meeting on June 16 2010, Council authorises the Mayor and Chief Executive Officer to sign the ILUA on Council's behalf."
2. Council authorise the Mayor to endorse on its behalf any incidental changes made to the Kalkadoon People ILUA prior to execution.
3. Council authorise the the Mayor and CEO to commence native title negotiations with the Gangalidda Garawa People and the Waanyi People and sign a *Memorandum of Understanding* on Council's behalf as it relates to the mediation of these claims in terms similar to the the memorandum with the Kalkadoon People.

Carried 20.100616

Attendance

Ms Jenny Williams, Minutes Clerk, entered the meeting at 3.05pm.

Mr Michael Taylor and Mr Rodney Maier; Teck Australia Pty Ltd, entered the meeting from 3.05pm to 3.35pm.

17. Deputations and presentation scheduled for meeting

17.2 Teck Australia Pty Ltd – Senior Geologist – Michael Taylor and Rodney Maier

Adjournment

Meeting adjourned for Afternoon Tea from 3.36pm to 3.50pm.
Upon resumption, all were present at the time of adjournment.

Attendance

Ms Debbie Glyde, Finance Manager entered the meeting at 3.50pm.

11. Finance Manager Reports

Moved Cr Forshaw
Seconded Cr Murray

The Finance Services Officer's Standing Business Papers for Information as presented in Report 11.01.01 to 11.01.03 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 11.02.05 of the Business Papers be received for consideration.

Carried 21.100616

Attendance

Councillor Tonya Murray left the meeting from 3.54pm to 3.55pm.

11.01.03 Information for Councillor's

Investment Portfolio

FILE:

Moved Cr Forshaw
Seconded Cr Camp

That Council resolves to invest three \$500, 00.00 amounts in institutions recognised under the APRA ADIs on 30 day terms over a period of three weeks.

Carried 22.100616

11.02.01 Rates Write Off

Rates levy and Interest write 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 that have been approved by the CEO under delegation DEL-BSC-008.

Carried 23.100616

Declaration Conflict of Interest

Cr Bill Olive declared a conflict of interest, as he is the owner of Cliffdale Station.

Attendance

Councillor Bill Olive left the meeting from 4.07pm to 4.09pm.

11.02.02 Debtors Write Off

Outstanding debtors are written off as bad debts.

FILE: RAT/01

Moved Cr Clarke
Seconded Cr Murray

That Council endorse the bad debts as presented that have been approved by the CEO under delegation DEL-BSC-011.

And Council approve the write off for the following bad debt.

Carried 24.100616

Attendance

Mr Des Ryan; Finance Consultant entered the meeting at 4.10pm.

11.02.03 Fees and Charges

Annual Fees and Charges for 2010- 2011 are required to be adopted by Councils yearly. There has not been any change made to this schedule since consultation with Councilors' at the budget meeting 19th May 2010.

FILE: RAT/01

Moved Cr Murray
Seconded Cr Camp

That Council adopted the attached fees and charges for 2010-2011 as per Local Government Act 1993, s1071E.

Carried 25.100616

Attendance

Mr Dennis Kerr; Director of Engineering Services entered the meeting at 4.14pm.

Councillor Tonya Murray, Councillor Bill Olive and Ms Leanne Mash; Chief Executive Officer left the meeting from 5.49pm to 5.51pm.

11.02.05 Proposed Budget for 2010-2011

The 2010/11 budget is a work in progress prepared in a collaborative manner, with the final budget to be presented to Council at the July 2010 meeting. The policies and statements which underpin the preparation of the 2010-2011 budget are presented to Council for review along with the resulting draft Revenue and Expenditure budget, and the draft Capital Expenditure budget.

FILE: BUD/16

Moved Cr Camp
Seconded Cr Olive

That

- a) Council resolves to cap the increase in General Rates and Charges for the 2010/11 rate levy to 25 % of the amount levied in the previous financial year for Differential Rate Category 2.
- b) That Council adopt the *Revenue Policy 2010-2011* as presented.

Carried 26.100616

11.02.04 Purchases over \$150,000

Purchases over the value of \$150,000 need to have Council approval. Supply and spray prime seal and cutter, traffic control are required for Doomadgee East Special Safety project. This product needs to be ordered as soon as possible to enable this project to continue on time.

FILE: RAT/01

Moved Cr Olive
Seconded Cr Murray

Council approves the purchase from RMS for the supply, spray and traffic control as per attached quote.

Carried 27.100616

Attendance

Ms Debbie Glyde; Finance Manager and Des Ryan; Finance Consultant left the meeting at 6.53pm.

Mayor Annie Clarke left the meeting from 6.53pm to 6.56pm.

12. Director Engineering Services Reports

Moved Cr Forshaw
Seconded Cr Murray

The Director Engineering 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.

Carried 28.100616

Attendance

Mr Dennis Kerr; Director Engineering Services left the meeting at 7.12pm.

16. Closure of Meeting

The Chair declared the Meeting closed at 7.18pm.

I hereby certify that these pages numbered 1 to 17 - constitute the confirmed minutes of the Meeting of Burke Shire Council held on Wednesday 16 June 2010.

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MAYOR