



*Unconfirmed Minutes  
Burke Shire Council Ordinary General Meeting  
Wednesday 21 July 2010  
9.30am Council Chamber*

**INDEX**

01. Opening of Meeting ..... 3

02. Present ..... 3

03. Prayer ..... 3

14 Closed session reports ..... 3

14 Closed session reports ..... 4

05. Confirmation of Minutes of Previous Meeting(s) ..... 5

    05.01 General Meeting 16 June 2010 ..... 5

06. Condolences ..... 5

08. Councillor Reports ..... 5

10. Chief Executive Officers Reports ..... 6

    10.02.01 Upcoming Meetings ..... 6

    10.02.02 Queensland Week Funding ..... 6

    10.02.03 Tidy Yard Competition 2010 ..... 7

    10.02.04 Membership of Mount Isa Chamber of Commerce ..... 7

    10.02.05 Regional and Local Community Infrastructure Program ..... 7

    10.02.06 Memorandum of Understanding – Burke Shire Barramundi Grow-out Facility ..... 8

    10.02.07 Corporate Plan 2010-2014 ..... 8



11. Finance Manager Reports .....	9
11.02.01 Proposed Budget for 2010-2011 .....	9
11.02.02 Debtors Write Off .....	10
11.02.03 Fees and Charges .....	10
11.02.04 Aged Debtors and Rates.....	10
11.02.05 Purchase Community Housing.....	11
11.02.06 Membership .....	11
12. Director Engineering Services Reports .....	12
12.02.01 Doomadgee East Road TIDS Projects 2010-2011 Allocation and Recommendation of Project Locations .....	12
12.02.02 Gregory Lawn Hill Road TIDS Projects 2010-2011 Allocation and Recommendation of Project Locations .....	12
12.02.03 Quotations Reclaimer Operations for Stabilisation of Flood Damage Pavement Failures .....	13
12.02.04 Roadtek and Reclaimer Operations for Stabilisation of Flood Damage Pavement Failures .....	13
12.02.05 Total Management Plan Water and Sewerage (TMP) July 2010.....	14
12.02.06 Quotation for second Coat Hot Bitumen Seal of Reclaimed Pavement for Stabilised Flood Damage Pavement Failures.....	14
12.02.08 Truganini Road Bitumen Extension.....	15
12.02.09 Bitumen Resealing report and recommendation .....	15
07. Mayoral Minute and Report.....	16
14 Closed session reports .....	16
14.01 Bridge Name.....	17
14.02 Acting CEO.....	17
14.04 Organisational Structure .....	18
16. Closure of Meeting .....	18

## 01. Opening of Meeting

The Chair declared the Meeting open at 9.35

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## 02. Present

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

Leanne Mash, Chief Executive Officer  
Jenny Williams, Executive Assistant

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## 03. Prayer

Cr Camp led Council in Prayer.

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## 14 Closed session reports

Moved           Cr Murray  
Seconded       Cr Forshaw

That Council move into closed session to discuss Confidential Items as stated in the *Local Government (Operations) Regulation 2010*, Chapter 5 Administration, Part 2 Local government meetings and committees, under *Sections 72 (1) (a) and (f)*.

Carried 01.100721

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## Attendance

Ms Jenny Williams; Executive Assistant, left the meeting at 9.36am.

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## Move into Open Session

Moved           Cr Murray  
Seconded       Cr Camp

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

Carried 02.100721

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### Attendance

Ms Jenny Williams; Executive Assistant, entered the meeting at.10.30am.

### Adjournment

Meeting adjourned for Morning Tea from 10.31am to 11.04am.

Upon resumption, all were present as at the time of adjournment.

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### 14 Closed session reports

Moved           Cr Murray  
Seconded       Cr Camp

That Council move into closed session to discuss Confidential Items as stated in the *Local Government (Operations) Regulation 2010*, Chapter 5 Administration, Part 2 Local government meetings and committees, under *Sections 72 (1) (a) and (f)*.

Carried 03.100721

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### Attendance

Ms Jenny Williams; Executive Assistant, left the meeting at.11.05am.

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### Attendance

Cr Annie Clarke; Mayor left the meeting at 11.30am. Councillor Ernie Camp, Deputy Mayor chaired the meeting.

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### Move into Open Session

Moved           Cr Murray  
Seconded       Cr Forshaw

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

Carried 04.100721

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### Attendance

Ms Jenny Williams; Executive Assistant, entered the meeting at.11.31am.

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## 05. Confirmation of Minutes of Previous Meeting(s)

05.01 General Meeting 16 June 2010

FILE: COU/11

Moved: Cr Forshaw  
Seconded: Cr Murray

That the Minutes of the General Meeting of Council held on 16 June 2010 as presented be confirmed by Council.

Carried 05.100721

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## 06. Condolences

Council noted the passing of Elizabeth Orcher, Kathleen Shadforth, Jimmy Glendinning expressed their condolences to the Family.

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## 08. Councillor Reports

### Cr Tracy Forshaw

I would like to wish Leanne, Colin, Jake and Riley all the best in their new home. Leanne will be sadly missed as our CEO as the improvements Leanne brought to Burke Shire will be with us in years to come.

I have to field of a lot of questions of “Why is Le leaving, things are happening?”.

What a BALL!!! Congratulations to the Ball Committee as well as all the Outside Crew whom made our old hall look GLAMOUROUS. When we walked through the doors on Saturday night we thought we had stepped into another world.

The work done outside the hall including the paving and grass has really tidied up the area. Good job to the blokes and gals who learnt new skills that we can show off their work.

The only sad note being that some of our local shire residents were scared off by bullies and didn't end up attending the ball.

I attended the Native Title Consent Determinations Hearing QUD84/04 and AUD/66/05 Gangalidda and Garawa People v State of Queensland in Burketown on Wednesday 23 June.

Bitumen, bitumen and more bitumen, isn't it lovely to see the black tar go down. There is new bitumen in front of the public toilets at Gregory as well as in front of the Gregory Hotel, which has reduced the dust considerable in Gregory Township. Our CEO, Leanne and Engineer, Dennis, keep pushing the right button and we are getting more funding, so the hopefully we will have bitumen all the way to Burketown sooner rather than later.

The new wheelies bins for Gregory have been distributed. Some residents are happy with progress, but I think in the end it all adds value to our properties and Shire.

I am off to Community Planning next week in Mt Isa with Annie, Leanne, Debbie and Jenny.

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## 10. Chief Executive Officers Reports

Moved           Cr Camp  
Seconded       Cr Murray

That

The Chief Executive Officer's Standing Business Papers for Information as presented in Report 10.01.01 to 10.01.07 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 10.02.07 of the Business Papers be received for consideration.

Carried 06.100721

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### Attendance

Cr Annie Clarke; Mayor returned to the meeting at 11.47 am.

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### 10.02.01 Upcoming Meetings

A summary of meeting and conference opportunities

FILE: COU/03

Moved           Cr Camp  
Seconded       Cr Murray

1. That Council endorse Councillors Clarke and Forshaw to attend the LGAQ People and Places 114<sup>th</sup> Annual Conference.
2. That Council do not send a delegate to the ALGWA State Conference 2010.

Carried 07.100721

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### 10.02.02 Queensland Week Funding

Department of Premier and Cabinet is offering sponsorship to organisations and community groups to host their own Queensland Week event between Saturday 4 and Monday 13 June 2011.

FILE: EVE/25

Moved           Cr Camp  
Seconded       Cr Forshaw

That Council applies for funding to celebrate Queensland Week 2011 with a multi cultural street party event.

Carried 08.100721

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### 10.02.03 Tidy Yard Competition 2010

In August 2009 council introduced a Tidy Yard competition instead of entering the Tidy Town Competition. Direction is now sought for the proposed Tidy Yard competition for 2010

FILE: EVE/22

Moved           Cr Forshaw  
Seconded       Cr Murray

That Council endorse a Tidy Yard 2010 competition to be run along the same format as the 2009 Tidy Yards Competition, to be judged in October 2010 by a panel of not less than four, nor more than six judges.

Carried 09.100721

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### 10.02.04 Membership of Mount Isa Chamber of Commerce

At a previous meeting, a discussion was had regarding Council becoming a member of the Mount Isa Chamber of Commerce.

FILE: COG/01

Moved           Cr Camp  
Seconded       Cr Forshaw

Council resolves to write to Mount Isa Chamber of commerce seeking engagement with them with respect to the formation of a Burke Shire Chamber.

Carried 10.100721

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### 10.02.05 Regional and Local Community Infrastructure Program

Round Three of the Regional and Local Community Infrastructure Program is now open. Applications must be submitted by 30 July 2010 5.00pm. The amount available to Council is \$30,000.

FILE: GRA/04

Moved           Cr Camp  
Seconded       Cr Murray

Council resolves to apply for funds under round three of the Regional and Local Community Infrastructure Program to refurbish the Gregory tennis courts.

Carried 11.100721

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### Adjournment

Meeting adjourned for Lunch from 12.45pm to 2.23pm.

Upon resumption all were present at the time of adjournment.

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### Declaration Conflict of Interest

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

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#### 10.02.06 Memorandum of Understanding – Burke Shire Barramundi Grow-out Facility

At a previous Council meeting it was discussed that Council would develop a Memorandum of Understanding (MOU) between Burke Shire Council (BSC) and the Burketown Barramundi Fishing Organisation Inc. (BBFO) regarding the day to day operation of the Burke Shire Barramundi Grow-out Facility (the Facility).

The Draft MOU is attached for consideration of Council.

FILE: FIS/09

Moved           Cr Forshaw  
Seconded       Cr Camp

Council endorses the a Memorandum of Understanding as presented between Burke Shire Council and the Burketown Barramundi Fishing Organisation Inc. regarding the day to day operation of the Burke Shire Barramundi Grow-out Facility.

Carried 12.100721

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#### 10.02.07 Corporate Plan 2010-2014

Under the Local Government (Finance, Plans and Reporting) Regulation 2010 a local government must preparation a five year corporate plan for adoption. The draft Corporate Plan 2010-2015 is attached for Council's consideration.

FILE: COR/04

Moved           Cr Camp  
Seconded       Cr Murray

Council endorses the draft Corporate Plan and make such available for the required public consultation phase before formal adoption.

Carried 13.100721

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#### Attendance

Ms Debbie Glyde; Finance Manager entered the meeting at 2.37pm.

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## 11. Finance Manager Reports

Moved           Cr Murray  
Seconded       Cr Forshaw

The Finance Manager Standing Business Papers for Information as presented in Report 11.01.01 to 11.01.02 of the Business Papers be received by Council and noted; and

The Finance Manager Business Papers for Council Consideration and Decision as presented in Reports 11.02.01 to 11.02.06 of the Business Papers be received for consideration.

Carried 14.100721

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### 11.02.01 Proposed Budget for 2010-2011

The attached 2010/11 budget document and associated reports are provided for Council's consideration and adoption.

FILE: BUD/16

Moved           Cr Clarke  
Seconded       Cr Forshaw

1. That the Revenue Statement as included in the report be adopted for 2010/11;
2. That the community service obligation, cross subsidy and dividend policies as included in the report be adopted for 2010/11;
3. That the 2010/11 budget as presented be adopted;
4. That the rates and charges incorporated in the 2010/11 budget document *Schedule of Rates and Charges 2010/11* as presented be levied;
5. That a 25% capping of increases in the general rates be applied only to Differential Rate Category 2 for 2010/11;
6. That the payment of the rates and charges fall due within 30 days after date of issue of the rate notice;
7. That a discount of 15% is to apply for payments received by the due date of 30 days after the issue date of the rate notice;
8. That an interest rate of 11% is to apply to all overdue current rates and charges as at 1 July 2010 and that this is backdated to the due date of the payment of the rates and charges.

Carried 15.100721

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#### 11.02.02 Debtors Write Off

Outstanding debtor to be written off as bad debt.

- a) Mr John Bishop - August 2007. After consultation with the CEO and the working documents to support this invoice, we are of the opinion that it is insufficient to pursue this invoice for payment from Mr Bishop.
- b) Macair Airlines Pty Ltd have been in liquidation since 30 January 2009. The liquidators have advised Avdata that due to insufficient funds no dividend will be paid to unsecured creditors. McAir also owe council monies for transporting passengers from Doomagee to Burketown. These invoices relate to 1<sup>st</sup> October and 17<sup>th</sup> October 2008

File: AIR/17, RAT/02.063/20000

Moved            Cr Forshaw  
Seconded       Cr Camp

Council approves the write off \$15,583.70 as a bad debt for Mr. John Bishop and \$1,650 for Macair Airlines.

Council also approves that Avdata write off \$9,165.49 debt owed to them on Council's behalf for landing fees.

Carried 16.100721

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#### 11.02.03 Fees and Charges

Annual Fees and Charges for 2010- 2011 are required to be adopted by Councils yearly. There was an error in the Hall Hire Fees for Private Functions. The amount adopted was \$210.00 and should have read \$120.00.

File: BUD/16

Moved            Cr Camp  
Seconded       Cr Murray

That Council adopted the attached amended fees and charges for 2010-2011 as per Local Government Act 2009, Part 2 s97.

Carried 17.100721

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#### 11.02.04 Aged Debtors and Rates

Direction required from Council.

Council currently has aged debtors 60 and 90+ days which have been outstanding. Rates are outstanding for properties over three (3) years and are able to be sold to recoup unpaid rates.

File: DEB/01, RAT/02

Moved            Cr Clarke  
Seconded       Cr Forshaw

That Council endorses the following action for all accounts receivable (not including rates and charges or fines) that are 90+ days overdue and have received the first and the final letters of demand, being :

That such accounts receivable shall be sent for further collection action to an established debt collection agency.

Carried 18.100721

#### 11.02.05 Purchase Community Housing

Direction Required from Council

Council has the opportunity to purchase three Burketown community houses and three Burketown community units from the Department. Valuation has been redone and are shown below.

File: COH/01, SHI/02

Moved            Cr Clarke  
Seconded       Cr Forshaw

That Council continue to pursue the acquisition of the properties at Lot 40 Burke Street, Lot 84 and 85 Musgrave Street, and the three single bedroom units on the corner of Musgrave and Burke Streets.

Carried 19.100721

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#### 11.02.06 Membership

Direction sought from Council

- a) An invoice from Gulf Savannah Development for our 2010-2011 voting membership has been received by Council.
- b) An invoice from Tourism Tropical North Queensland for the 2010-11 membership subscription.

A direction from Council with regards these memberships is requested.

File: REG/02, TOU/10

Moved            Cr Camp  
Seconded       Cr Forshaw

That Council continue its membership of Gulf Savannah Development for 2010-2011.

That Council discontinue its membership of Tourism Tropical North Queensland in favour of pursuing other opportunities.

Carried 20.100721

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#### Attendance

Ms Debbie Glyde; Finance Manager left the meeting at 3.14pm.

#### Adjournment

Meeting adjourned for afternoon tea from 3.14pm to 3.22pm.  
Upon resumption, all were present as at the time of adjournment.

#### Attendance

Mr Dennis Kerr; Director of Engineering Services entered the meeting at 3.22pm.

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## 12. Director Engineering Services Reports

Moved            Cr Camp  
Seconded       Cr Forshaw

The Director Engineering Services Standing Business Papers for Information as presented in Reports 12.01.01 to 12.01.04 of the Business Papers be received by Council and noted.

The Director Engineering Services Business Papers for Council Consideration and Decision as presented in Reports 12.02.01 to 12.02.09 of the Business Papers be received for consideration.

Carried 21.100721

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### 12.02.01 Doomadgee East Road TIDS Projects 2010-2011 Allocation and Recommendation of Project Locations

2010-2011 Allocations are now confirmed for the proposed 2010-2010 year with \$400,000 (no matching funds required) to Doomadgee East Road. It is recommended this funding be directed to a section within the remaining 8 kms of unsealed section on this LRRS Road.

This particular funding is specific to Aboriginal Communities Access Roads and does not require matching funding.

There is 8kms of unsealed road remaining on the Doomadgee East road and it is recommended that approximately 3 to 4 kms of sealed pavement could be achieved from this funding.

File: ROA/04

Moved            Cr Camp  
Seconded       Cr Murray

That Council endorse the proposal to construct a segment (approx 3 kms length) to sealed standard of the remaining unsealed 8 km section on Doomadgee East Road.

Carried 22.100721

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### Declaration Material Personal Interest

Cr Forshaw declared a material personal interest and left the meeting at 4.08pm

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### 12.02.02 Gregory Lawn Hill Road TIDS Projects 2010-2011 Allocation and Recommendation of Project Locations

2010-2011 allocations are now confirmed for the proposed 2010-2010 year with \$484,000 (including matching) to Gregory Lawn Hill Road. It is recommended this funding be directed to concrete floodway's needed between the MMG Mine road turnoff and Big Archie creek.

From the 2009-2010 TIDS allocations to this road a survey and design was conducted and delivered identifying the need for 5 flood-ways within the proposed specific project.

File: ROA/38

Moved            Cr Clarke  
Seconded       Cr Murray

That Council endorse the proposal to construct "up to" five flood-ways on Gregory Lawn Hill Road between the MMG Mine Road Turnoff and Big Archie Creek from 2010-2011 TIDS allocations to Gregory Lawn Hill Road.

Carried 23.100721

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## Attendance

Cr Forshaw returned to the meeting at 4.13pm

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### 12.02.03 Quotations Reclaimer Operations for Stabilisation of Flood Damage Pavement Failures

During the last week of May 2010 the Special Projects Officer had requested four quotations for Pavement Stabilisation from four separate suppliers, for several areas of NDRRA Flood Damage projects and some small segments on State and Local Roads.

The small segments estimate area used for the quotation was an estimated 13,000m<sup>2</sup> and the larger areas an estimated 15,000m<sup>2</sup>.

The RMS's Pavement Reclaimer quotation was the preferred supplier against the two other suppliers for the small segments.

File: FLO/15.10/01

Moved            Cr Camp  
Seconded       Cr Murray

That Council endorse the utilisation of RMS Road Maintenance Solutions of Deeragun Qld small Pavement Stabilisation Full Service Crew to repair various pavement failures within the Shire at a cost of \$ 72.05 /m<sup>2</sup> with an estimated total value of \$ 936,604.20.

Carried 24.100721

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### 12.02.04 Roadtek and Reclaimer Operations for Stabilisation of Flood Damage Pavement Failures

This Report is in relation to pavement failure area that requires a large pavement reclaimer specialist machine to restore the large pavement segments of damage on state controlled and Shire local roads within the Shire.

Council Officers sought 4 quotations from suppliers however only one machine is suitable for this particular activity out of the 4 offers, as the machine needs capability to produce 5,000 m<sup>2</sup> plus per day a Roadtek machine with this capability is required.

File: FLO/15.10/01

Moved            Cr Forshaw  
Seconded       Cr Camp

That Council endorse the utilisation of Roadtek Pavement Reclaimer and Full Service Crew to stabilise selected large segments of damaged pavement as per quotation based on 15,000 m<sup>2</sup> at \$50.50 /m<sup>2</sup> with an approximate value of \$ 757,569.37.

Carried 25.100721

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#### 12.02.05 Total Management Plan Water and Sewerage (TMP) July 2010

Council, and particularly a previous CEO, spent considerable effort trying to finalise a Total Management Plan (TMP) in 2006 and 2007, but it never reached a stage of completion satisfactory to DERM. Because much has changed since then, this TMP has been prepared by Wide Bay Water from the new information that is required to be addressed in this current document.

With an adopted and approved TMP Council's ability to obtain external funding for Water and Sewerage projects would be considerably enhanced. State government subsidies were suspended a year ago but the government has advised that they will accept applications for new projects on a needs-based subsidy scheme from 1 July 2011.

File: TMP/01

Moved            Cr Clarke  
Seconded       Cr Forshaw

That Council adopt the Total Management Plan for Water and Sewerage (TMP) as presented.

Carried 26.100721

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#### Declaration Material Personal Interest

Cr Forshaw declared a material personal interest and left the meeting at 4.41pm.

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#### 12.02.06 Quotation for second Coat Hot Bitumen Seal of Reclaimed Pavement for Stabilised Flood Damage Pavement Failures

With current Flood Damage Pavement failure restoration taking place there is a standard practice need for an application of a second Bitumen seal to areas of Doomadgee West Road Flood Damage.

RMS sealing crews are apply seals in the Shire and this being the case it is cost effective that the seals be executed by the current contractor this proposal will eliminate the establishment cost for the work if done by another contractor.

RMS has provided a quotation for approximately 48000m<sup>2</sup> \$174,548 which is consistent with the previous successful quotations for the same service \$3.64 /m<sup>2</sup>

File: FLO/15.10/01

Moved            Cr Camp  
Seconded       Cr Murray

That Council endorse the utilisation of RMS Road Maintenance Solutions of Deeragun Qld to apply approximately 48,000m<sup>2</sup> of one coat 10mm Bitumen Seal to specific sections of Doomadgee West Road as part of the Flood Damage Restoration activities. Estimated cost being \$174,548.00

Carried 27.100721

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#### Attendance

Cr Forshaw returned to the meeting at 4.43pm.

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## 12.02.08 Truganini Road Bitumen Extension

Truganini Road is a highly utilised road in Burke Shire.

With the new guidelines with "Flood Damage Restoration" some upgrading works can be achieved where it is historically damaged year after year and by some means this can be reduced by a one off expenditure that will reduce future maintenance expenditure.

The NDRRA restoration and an upgrade to bitumen seal standard combined costs would be approximately \$110K

File: ROA/47

Moved            Cr Clarke  
Seconded       Cr Forshaw

Council resolves to extend the Bitumen Seal on Truganini Road to seal standard for approximately 1.1 km combining approved NDRRA flood damage funds and some addition Council road maintenance funds to approximately \$110k to restore existing pavement to seal standard with an upgrade to Bitumen seal finish.

Carried 28.100721

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## Declaration Material Personal Interest

Cr Forshaw declared a material personal interest and left the meeting at 4.46pm.

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## 12.02.09 Bitumen Resealing report and recommendation

Currently Council has a 5 year Bitumen reseal program and during 2009 Council committed future R2R funding to resealing LRRS Bitumen Roads and other Roads and Streets as prioritised in the strategic resealing program.

Council's R2R funding currently has an annual allocation of \$272,950K paid in the 1<sup>st</sup> quarter of each financial year, hence Council's 09/10 and 10/11 allocations total \$545,900.

To make a worthwhile reseal program it is programmed to execute the 2 year allocation back to back from late June 2010 and into July 2010.

Quotations were requested and received for the specific locations as per the 5 year program (Floraville, Truganini, and Doomadgee East and West Roads).

Initial quotations for the program was approximately 204,000 m<sup>2</sup>, quotes were received from Cairns Earthmoving Contractors (CEC), Road Maintenance Solutions (RMS) and Fulton Hogan.

CEC and RMS quoted but were unable to supply in the time frame required and Fulton Hogan's quotation of \$414,000 was recommended through a fly minute and endorsed by Councilors unanimously. To satisfy the committed time for the 2009-10 program.

This leaves a remaining amount of \$131,900 of R2R for a further segment of resealing while contractors are in the area, this would complete the current reseal program and fully commit the funding allocation in a cost effective approach.

File: ROA/70

Moved            Cr Camp  
Seconded       Cr Murray

Council endorses the application of reseals to the strategic five year prioritised reseal program and that the 2009-10 and 2010-11 R2R funding be utilised back to back during June and July 2010 reseal program to a value of \$545,900. That Fulton Hogan be utilised to the value of \$414,000 and a further \$131,900 be utilised using RMS to complete the current funding allocations.

Carried 29.100721

Attendance

Cr Forshaw returned to the meeting at 4.55pm

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Attendance

Ms Leanne Mash; Chief Executive Officer left the meeting from 4.56pm to 4.57pm.

Mr Dennis Kerr; Director of Engineering Services left the meeting at 5.20pm.

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Attendance

Cr Tonya Murray left the meeting from 5.20pm to 5.21pm.

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Attendance

Ms Jenny Williams; Executive Assistant left the meeting from 5.30pm to 5.37pm.

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07. Mayoral Minute and Report

Insert Mayoral Report

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Attendance

Ms Jenny Williams; Executive Assistant left the meeting at 5.58pm.

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14 Closed session reports

Moved           Cr Forshaw  
Seconded       Cr Murray

That Council move into closed session to discuss Confidential Items as stated in the *Local Government (Operations) Regulation 2010*. in Chapter 5 Administration, Part 2 Local government meetings and committees, under *Sections 72 (1) (a) and (f)*

Carried 30.100721

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Declaration Material Personal Interest

At 6.30pm Cr Murray declared a material personal interest in a closed session item and left the room. Cr Murray returned at 6.40pm.

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Attendance

At 7.00pm the Mayor requested the CEO leave the room. The CEO was asked to return to the meeting at 7.20pm.

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Move into Open Session

Moved           Cr Camp  
Seconded       Cr Forshaw

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

Carried 31.100721

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#### 14.01 Bridge Name

Council has received complaints from the community that the spelling is wrong and the word is actually a rude word that women should not hear / see / say. Council is to clarify the spelling of the Albert River Bridge name.

Four documents were provided for consideration by Council, being :

1. The 2006 'Thuwathu Bujimulla Sea Country Plan' which shows the spelling for the Albert River to be Gumbummunda from the Gangalidda peoples.
2. The 1998 'Anthropologist Report concerning the Ganggalida People' by Dr David S Trigger which shows the spelling for the Albert River to be Gambumanda.
3. The 1998 paper 'Of Bows and Monkey Men' by John Dymock which shows the spelling for the Albert River to be Gambumanda from the Minkin peoples.
4. The 1977 Narrative from Alice Gilbert, translated by John Dymock, which shows the spelling for the Albert River to be Gumboomunda

FILE: BRI/08

Moved           Cr Camp  
Seconded       Cr Forshaw

After due consideration Council has resolved to confirm the name of the Albert River Bridge as the geographical location name being Gumbummunda, as per the current signage. This has been done in the knowledge that Aboriginal languages were not written and as such inconsistent spelling is an occurrence. This said Council means no offence to any individual person and is referencing the available information that is to hand at this point in time.

Carried 32.100721

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#### 14.02 Acting CEO

FILE: STA/11.79

Moved           Cr Murray  
Seconded       Cr Camp

That Council, through the Mayor undertake further negotiations with the preferred applicant and dependant on the result of these negotiations move forward with appointment an Acting CEO for the period commencing August 17 2010.

Carried 33.100721

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#### 14.04 Organisational Structure

Council reviewed the proposed organisational structure and adopted it as presented.

FILE: COR/01

Moved Cr Clarke  
Second Cr Murray

That Council adopt the Organisational Structure as presented.

Carried 34.100721

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#### 16. Closure of Meeting

The Chair declared the Meeting closed at 8.00pm.

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