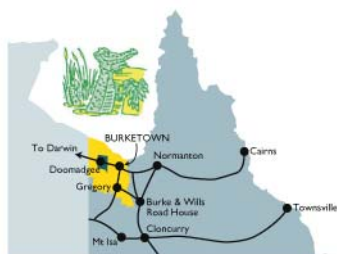




*Confirmed Minutes  
Burke Shire Council Ordinary General Meeting  
Wednesday 18 August 2010  
9.30am Council Chamber*

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## 01. Opening of Meeting

The Chair declared the Meeting open at 9.34am.

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## 02. Present

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

Rob Noble, Acting Chief Executive Officer  
Jenny Williams, Executive Assistant

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## 03. Prayer

Cr Annie Clarke led Council in Prayer.

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

05.01 General Meeting Wednesday 21 July 2010

FILE: COU/11

Moved: Cr Forshaw  
Seconded: Cr Camp

That the Minutes of the General Meeting of Council held on Wednesday 21 July 2010 as presented be confirmed by Council.

Carried 01.100818

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## 07. Mayoral Minute and Report

As presented at the meeting.

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## Attendance

Cr Bill Olive entered the meeting at 9.45am.

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## 08. Councillor Reports

As presented at the meeting.

### Cr Tracy Forshaw

#### Community Planning and Internal Audit Functions

Mt Isa 27<sup>th</sup> July 2010

#### Internal Audits

- Another State Government regulation. No specific rules on what we have to audit – just that you do. You can have an audit schedule over a few years. E.g. Start off with Engineering, Purchasing rules, and outside works. Next year might be debtors/credit roll, payroll.
- Nil funding from state. Council should become more efficient – so this will save \$\$\$ for Council. Audit should become cost neutral, i.e. money saved from new reforms should cover cost of audit.
- Council can have an internal auditor or get in consultants. Burke would be too small and not practical to have a fulltime auditor.
- Consultant Costs – Hourly Rate \$125 to \$200 per hour
- Council size of Burke approx ten days per year min. Between \$15,000 to \$40,000 per year. Goondiwindi/Balane Council costs between \$20k - \$50k per year.
- I can see the benefits, but I don't believe in our size council it will be cost neutral. You couldn't have an internal auditor as it is a lonely job.
- Sharing a Consultant auditor between Council such as the GSD council would be good. This way an auditor would come in and spend X weeks with each Council – this would save travel time. Also even though each Shire is different – there would be many things that are in common.
- My worry was about the "Big Brother" syndrome – having a person "spying" on what is happening. They explain that it has to be explained clearly to all employees what the internal auditor job is so we have the workforce being co-operative.

#### Community Planning

- Lots of fluff and not enough answers for me.
- I would have preferred a list of example questions that we should be asking our community and not the vague answers they gave. I have already heard similar stuff in Brisbane and in Cairns – I wanted more examples.

I met Jim Evans, Department of Infrastructure and Planning (DIP) Mt Isa.

Selina Evans DIP Townsville also said she was trying to reach me re being a Councilor Liaison person so she could pass on information, or see what information Councilors want/need. She said she got on to Tonya and gave her info re Conflict of Interest. I said I would be interested in a workshop in Burketown when we get our permanent CEO started. Areas I'm interested in are meeting procedures, conflict of interest. Selina has emailed the slide shows presentations – if you didn't receive it, please let me know and I will forward my copy.

## 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 10.01.03 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 10.02.08 of the Business Papers be received for consideration.

Carried 02.100818

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### 10.02 Appointment Acting Chief Executive Officer

FILE: STA/11.70

Moved            Cr Clarke  
Seconded       Cr Camp

That Robin Douglas Noble be appointment as Acting Chief Executive Officer for the period from 17 August 2010 up to 15 October 2010 under the provisions of S 195 of the Local Government Act 2009.

Carried 03.100818

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### Adjournment

Meeting adjourned for morning tea from 10.33am to 11.04am.  
Upon resumption all present at the time of adjournment

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### 10.02.01 Upcoming Meetings

A summary of meeting and conference opportunities

FILE: COU/05

Moved            Cr Forshaw  
Seconded       Cr Murray

That Council endorse all Councillors to attend the Gulf Savannah Development Forum – Normanton – September 27 and 28 2010.

That Council do not send a delegate to the Local Government Community Development Conference in October 2010

Carried 04.100818

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#### 10.02.02 Burke Shire Council Community Christmas Event

Council is moving towards planning for the Burke Shire Community Christmas Event for 2010. Last year there were two events staged, one by Council and the other by the Burketown School. Direction is now sort from Council regarding the format for the 2010 event.

FILE: EVE/25

Moved            Cr Olive  
Seconded       Cr Murray

That Council deliver a 2010 Christmas Event that provides a Christmas experience for the Shire as a whole.

Carried 05.100818

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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 and left the meeting at 11.33am.

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#### 10.02.03 Council Donations to Community Organisations for 2010/11 Budget

Request for Donation Support forms were sent out to all Burke Shire Community Organisations from Council. Following are the responses received from Community Organisations for Councils decision for allocation at the August 2010 Ordinary Meeting.

FILE: DON/01

Moved            Cr Forshaw  
Seconded       Cr Olive

That Council provide in-kind support from Council's Donations budget allocation to Burketown Rodeo and Sporting Association for \$1650 being for value of machinery hire, rubbish collection, mowing and slashing etc; and

That Council defer consideration of the remaining requests until the September Council meeting pending receipt of further clarification.

Carried 06.100818

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#### Attendance

Cr Tonya Murray entered the meeting at 11.35am.

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#### 10.02.04 Arts and Craft Show 2011

Council should now begin planning for the Burke Shire Council Arts and Craft Show. It is recommended that Council choose to establish a Burke Shire Council Arts and Craft Show Advisory Group to work with a Council Officer to progress arrangements for the 2011 event.

FILE: EVE/22

Moved            Cr Forshaw  
Seconded       Cr Murray

That Council call for expressions of interest to participate on the Burke Shire Council Arts and Craft Show Advisory Group. Further, that once nominations are received the CEO may call a meeting of the group and brief the members on their role and discuss Council's intent with regards the Burke Shire Council Arts and Craft Show. The group to be chaired by Mayor; Annie Clarke.

Carried 07.100818

#### 10.02.05 Tidy Yard Competition 2010

At July 21 2010 meeting Council endorsed 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.

Council is now asked to consider the addition of a new category for the 2010 competition, being a 'Best Patio/ Small Garden' category. This is being suggested to encourage additional participation by those residents who don't have a yard or perhaps the ability/resources to maintain a yard.

FILE: EVE/22

Moved            Cr Clarke  
Seconded       Cr Murray

That Council endorse an additional category in the Tidy Yard 2010 competition being 'Best Patio/ Small Garden'.

Carried 08.100818

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#### 10.02.07 Order of the Outback Community Ball Report

The Order of the Outback Community Ball is a bi annual event last held on third July 2010.

FILE: EVE/19

Moved            Cr Camp  
Seconded       Cr Olive

That Council endorse the Order of the Outback Community Ball 2012 to be held on Saturday June 30 2012.

Carried 09.100818

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#### 10.02.08 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.

Public notice of the new Plan has been given and the Plan has been available for perusal at the Burke Shire Council Office, Burketown. There were no public submissions received.

FILE: COR/04

Moved            Cr Forshaw  
Seconded       Cr Murray

Council endorse the Corporate Plan 2010-2014 as presented.

Carried 10.100818

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#### Adjournment

Meeting adjourned for lunch for seniors' week from 11.55am to 1.56pm.

Upon resumption, all present at the time of adjournment.

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#### Attendance

Debbie Glyde; Finance Manager, entered the meeting at 1.57pm.

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## 11. Finance Manager Reports

Moved            Cr Camp  
Seconded       Cr Olive

That

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 11.02.08 of the Business Papers be received for consideration.

Carried 11.100818

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### 11.02.01 New Signatory to Council's Bank Authority

Approval required to add Mr Rob Noble as a signatory to Council's bank authorities and signing approval for accounts payments.

FILE: ACC/01

Moved            Cr Murray  
Seconded       Cr Forshaw

That Council add Mr Rob Noble as a signatory to Council's bank authorities and signing approval for accounts payments.

Carried 12.100818

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### 11.02.03 Procurement Policy

As part of the Local Government requirements, Councils must prepare a procurement policy each financial year under s.106 of the Finance, Plans and Reporting Regulation 2010.

FILE: PCY/01

Moved            Cr Forshaw  
Seconded       Cr Murray

That Council adopts the Burke Shire Council Procurement Policy.

Carried 13.100818

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## Attendance

Debbie Glyde; Finance Manager, left the meeting from 2.10pm to 2.11pm.

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### 11.02.04 Community Organisation Grants Policy

As part of the Local Government requirements, Councils must prepare a Community Organisation Grants Policy under s.137 of the Finance, Plans and Reporting Regulation 2010.

FILE: PCY/01

Moved            Cr Forshaw  
Seconded       Cr Murray

That Council adopts the Burke Shire Council Community Organisation Grants Policy.

Carried 14.100818

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#### 11.02.05 Advertising Policy

As part of the Local Government requirements, Councils must prepare a policy about the local government's spending on advertising under s.141 of the Finance, Plans and Reporting Regulation 2010.

FILE: PCY/01

Moved            Cr Camp  
Seconded       Cr Olive

That Council adopts the Burke Shire Council Advertising Policy.

Carried 15.100818

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#### 11.02.06 Entertainment and Hospitality Policy

As part of the Local Government requirements, Councils must prepare and adopt a policy about spending on entertainment or hospitality (an Entertainment and Hospitality Policy under s.140 of the Finance, Plans and Reporting Regulation 2010).

FILE: PCY/01

Moved            Cr Camp  
Seconded       Cr Olive

That Council adopts the Burke Shire Council Entertainment and Hospitality Policy.

Carried 16.100818

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#### Declaration Material Personal Interest

Mayor Annie Clarke declared a material personal interest and left the meeting at 2.19pm.  
Cr Ernie Camp resumed the position of Chair in the Mayor's absence.

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#### 11.02.07 WILG

Women In Local Government (WILG) professional development bursary 2010 is now accepting application until Thursday 2 September 2010.

FILE: STA/05

Moved            Cr Olive  
Seconded       Cr Forshaw

That Council endorses an application for the bursary for the Mayor to undertake a Company Directors course.

Should the application be successful then Council will fund 50% of the additional costs associated with completion of the course.

Carried 17.100818

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#### Attendance

Mayor Annie Clarke entered the meeting at 2.26pm and resumed the Chair.

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## 11.02.08 Unaudited Financial Statements

The Unaudited Financial Statements are to be received by Council.

FILE: File: AUD/19

Moved            Cr Forshaw  
Seconded       Cr Camp

That Council receives the Unaudited Financial Statements for 2009-10.

Carried 18.100818

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## Attendance

Debbie Glyde; Finance Manager left the meeting at 2.38pm.

Dennis Kerr; Director of Engineering Services entered the meeting at 2.40pm.

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## 12. Director Engineering Services Reports

Moved            Cr Olive  
Seconded       Cr Murray

That

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.

The Director Engineering Services Business Papers for Council Consideration and Decision as presented in Reports 12.02.01 to 12.02.04 of the Business Papers be received for consideration.

Carried 19.100818

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### 12.02.01 Revised third Motor Grader Dispersal versus Retention of Machine

Following an extensive plant operator training program over the past six to twelve months this element of the workforce has some very sound qualified operators now, and with continued high exposure to on the ground operational procedures and mentoring, particularly with the amount of work now being available to all the graders at all levels of skills.

Where it was previously considered that utilisation and lack of operators didn't warrant a third Grader it is now evident and strongly recommended that Council reconsider the dispersal of the third Grader. There is a separate report / agenda item with a utilisation analysis attached for Council consideration.

FILE: PLA/01

Moved            Cr Camp  
Seconded       Cr Olive

That Council endorse the retention of the third Grader given the current volume of works, the high utilisation of existing graders and the likelihood of employing local people as grader operators.

Carried 20.100818

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## Declaration Material Personal Interest

Cr Tracy Forshaw declared a material personal interest and left the meeting at 3.38pm.

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### 12.02.02 Nicholson River Crossing Doomadgee Emergent Concrete Repairs

Nicholson River Crossing at Doomadgee has had some considerable damage caused during the wet season.

Some full width repairs are required this will need a professionally engineered design construction.

To ensure the work is completed before the wet season, there is insufficient time to call quotations. Two competent local contractors were contacted and only North Queensland Building Solutions was interested in the project.

The quoted cost is \$62,044 plus an allowance for contingencies, there will also be further Council on-costs and some minor other works to the crossing's Flood Damage restoration, Doomadgee East Road has a 2010 event submission for NDRRA in place for more than \$1.2m. including this crossing restoration.

FILE: CAU/07

Moved            Cr Camp  
Seconded       Cr Olive

That Council endorse the use of a local supplier, North Queensland Building Solutions to carry out the "Emergent Concreting Works" required to the Nicholson River Causeway on Doomadgee Road East at an estimated cost of \$65,000 plus Council oncosts and other minor associated works to a total project cost of \$100,000.

Carried 21.100818

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### Attendance

Cr Tracy Forshaw entered the meeting at 4.07pm.

### Declaration Material Personal Interest

Cr Tracy Forshaw declared a material personal interest and left the meeting at 4.09pm.

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### 12.02.03 Road Trains Access to Council Local Roads Letter of Support Request (Roy Girle & Co)

The letter of request from Roy Girle and Co requests for "Council's approval" to operate AAB Tri Drive Quad Road Train on Gregory Lawn Hill Road to access Century Mine road.

FILE: ROA/58

Moved            Cr Camp  
Seconded       Cr Murray

That Council provide a letter of support to Roy Girle and Co for the operation of AAB Tri Drive Quad Road Trains on the specific section of Gregory Lawn Hill Road from the junction with Wills Development Road (WDR 78A) to the Century Mine Road turnoff on Gregory Lawn Hill Road, furthermore any conditions imposed on the operator by DTMR pertaining to WDR78A that the same conditions will also apply to Council controlled roads, also additional conditions as and when Council determines will apply regarding maintenance due to road utilisation during the wet season.

Carried 22.100818

12.02.04 Road Trains Access to Council Local Roads Letter of Support Request  
(Smith's Transport Pty Ltd)

The letter of request from Smith's Transport Pty Ltd requests for " Council's approval" to operate AAB Tri Drive Quad Road Train on Gregory Lawn Hill Road to access Century Mine road.

Council may wish to authorise the Director Engineering Services to prepare an appropriate policy with conditions similar to a State Controlled road requirement for the operation of AAB Tri Drive Quad Road Trains on Council local roads.

FILE: ROA/58

Moved            Cr CAmP  
Seconded       Cr Murray

That Council provide a letter of support to Smith's Transport Pty Ltd for the operation of AAB Tri Drive Quad Road Trains on the specific section of Gregory Lawn Hill Road from the junction with Wills Development Road (WDR 78A) to the Century Mine Road turnoff on Gregory Lawn Hill Road, furthermore any conditions imposed on the operator by DTMR pertaining to WDR78A that the same conditions will also apply to Council controlled roads, also additional conditions as and when Council determines will apply regarding maintenance due to road utilisation during the wet season.

Carried 23.100818

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Attendance

Cr Tracy Forshaw entered the meeting at 4.16pm.

Mayor Annie Clarke left the meeting at 4.17pm; Cr Ernie Camp resumed the position of Chair.

Mayor Annie Clarke entered the meeting at 4.19pm and resumed the position of Chair.

---

Declaration Material Personal Interest

Cr Tracy Forshaw declared a material personal interest and left the meeting at 4.25pm.

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### 12.02.05 Purchase Ausroads Jetmaster Multi Purpose Road Maintenance Machine

Council dry hires a Jetmaster/Jetpatcher road maintenance machine annually to assist with restoration of all the Bitumen Pavement infrastructure in the Shire.

This machines work is fully allocated for the 6 months of dry season and if the machine was available for the balance of the year the emergency bitumen failures and damage could be maintained to a safe standard also.

The current machine Council has hired came to the Shire brand new and has now done 3 months work with a further month to go ( to 15<sup>th</sup> September) of the available hire period, then the Unit is booked with another Shire for seven weeks.

The current hire rate for the machine is \$2500 per week.

The unit is now considered second hand/used for the purpose of purchase or sale.

Attached are two quotes one for a new machine and one to purchase this current hired machine.

A new machine would cost \$363k including gst.

Manufacture and delivery of a new machine would be March 2011 provided no further orders are received.

To purchase the current unit that is here the quoted cost is \$329k including gst

Currently three months old and would be six months on available delivery in November.

If Council was to place a purchase order on the current unit it would be returned to Brisbane following the external seven weeks hire, then the truck component fully serviced by Isuzu and the Jetmaster unit by Ausroad and returned with full three year warranty, including full delivery, two day standard commissioning and training, and the normal various miscellaneous delivery items as per the quote.

FILE: PLA/01

Moved            Cr Camp  
Seconded       Cr Olive

That Council endorse the Recommendation that Council place an order for purchase on Ausroad for the current Jetmaster/Jetpatcher Road Maintenance Unit that was new when hired to Council in May 2010 and an agreement regarding servicing and delivery be arranged with a maximum timeframe purchase and delivery prior to the 30 November 2010.

Carried 24.100818

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#### Attendance

Cr Tracy Forshaw entered the meeting at 4.26pm.

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#### Attendance

Dennis Kerr; Director Engineering Services left the meeting at 4.38pm.

#### Adjournment

Meeting adjourned for afternoon tea from 4.38pm to 4.55pm.

Upon resumption, all present at the time of adjournment.

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## 14 Closed session reports

Moved Cr Murray  
Seconded Cr Olive

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 25.100818

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### Attendance

Ms Jenny Williams, Executive Assistant, left the meeting at 5.35pm.

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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 26.100818

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### Attendance

Ms Jenny Williams, Minutes Clerk, entered the meeting at 6.10pm.

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## 14.02 Proposed Determination of Native Title - Native Title Determination Applications QUD 6022 of 1999 (Waanyi Peoples)

FILE: NAT/25

Moved Cr Forshaw  
Seconded Cr Olive

That Council resolve subject to any further additions or alterations to the draft determination orders that may impact on local government interest:

- 1) Burke Shire Council approves, and is prepared to consent to the draft determination orders for QUD 6022 of 1999 (Waanyi Peoples).
- 2) Burke Shire Council authorises Gilkerson Legal to execute an agreement under section 87 of the Native Title Act 1993 confirming Council's consent to the draft determination orders.

Carried 27.100818

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14.05 Freeholding State Land at Gregory and Burketown - Compulsory Acquisition of Native Title

FILE: RES/03

Moved            Cr Olive  
Seconded       Cr Forshaw

*Motion 1:*

Council proposes to compulsorily acquire any and all native title rights and interests over Part of Lot 122 on PC12 for the purpose of alienating the land in fee simple by the State of Queensland to Burke Shire Council pursuant to the Land Act, 1994 for water treatment, sewerage treatment, sheds and fencing purposes as specified in a draft Notice of Intention to Compulsorily Acquire Native Title Rights and Interests tabled at Council's ordinary meeting on 18 August 2010 and Council authorises service of a Notice of Intention to Acquire Native Rights and Interests in order to commence the compulsory acquisition process.

*Motion 3:*

Council delegates authority to the Chief Executive Officer to attend, on Council's behalf, the objection meetings to be held in relation to the proposed native title compulsory acquisition initiated by way of the Notices of Intention to Compulsorily Acquire Native Title Rights and Interests considered in draft at Council's ordinary meeting on 18 August 2010

Carried 28.100818

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## 16. Closure of Meeting

The Chair declared the Meeting closed at 6.13pm.

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I hereby certify that these pages numbered 1 to 15 - constitute the confirmed minutes of the Meeting of Burke Shire Council held on Wednesday 18 August 2010.

.....  
**MAYOR**