



Confirmed Minutes
Burke Shire Council Ordinary General Meeting
Wednesday 18th January 2012
9.00am Council Chamber

INDEX

01.	Opening of Meeting.....	3
02.	Present	3
03.	Prayer	3
04.	Consideration of applications for leave of absence	3
05.	Confirmation of Minutes of Previous Meeting(s)	3
05.01	General Meeting 14 th December 2011	3
06.	Condolences	3
09.	Consideration of Notice(s) of Motion and Petitions	4
09.01	Notices of Motion	4
09.02	Petitions.....	4
10.	Chief Executive Officers Reports	4
10.01.01	Chief Executive Officer Monthly Update Report	4
10.01.02	Review of Housing Policy.....	4
10.01.03	Enterprise Bargaining Management Group	5
10.01.04	Adoption of Operational Plan	5
11.	Corporate and Community Services Reports.....	5
11.01.01	Corporate and Community Services Monthly Update Report.....	5
11.01.02	Sale of Rates Arrears.....	6
11.01.03	Long-term Community Plan	6
11.01.04	Amended Budget	6
11.02.01	Home and Community Care Monthly Update Report	6
11.02.02	Cemeteries Project Report.....	7
11.02.03	Burke Shire Council Burketown Security Airstrip Fencing Project.....	7
11.02.04	Community Officer Monthly Council Report.....	7



12.	Works and Services Reports	7
	12.01.01 Works and Services Monthly Update Report.....	7
	12.02.02 Rangers Monthly Status Report.....	8
	12.02.03 Workplace Health and Safety Officers Monthly Status Report	8
13.	Consideration of committee recommendations	8
14.	Late Item Reports	9
	14.01 Late Item - Ergon Energy MCU Application	9
	14.02 Local Laws	10
08.	Councillor Reports.....	11
07.	Mayoral Minute and Report.....	11
	07.01 Project Officer.....	11
	07.02 Mayoral Minute and Report.....	12
16.	New business of an urgent nature admitted by Council	12
	16.01 Land Sale	12
	16.02 Tenders 11/28 to 11/31	12
	16.03 Objection to Remuneration Tribunal	13
	16.04 Solar Energy and Cultural Heritage	13
	16.05 Rebate – Littering in Communities	13
15.	Closed session reports	13
17.	Deputations and presentation scheduled for meeting.....	14
18.	Closure of Meeting	14

01. Opening of Meeting

The Chair declared the Meeting open at 9.10am.

02. Present

Cr Annie Clarke, Mayor - Chair
Cr Ernie Camp, Deputy Mayor
Cr Tracy Forshaw (telephone)
Cr Tonya Murray (as indicated)
Cr Bill Olive

John Page, Acting Chief Executive Officer
Deborah Glyde, Acting Corporate & Community Services Manager
Trevor Connors, Acting Works Manager
Jenny Williams, Executive Assistant
Madison Marshall, Trainee

03. Prayer

Cr Camp led Council in Prayer.

04. Consideration of applications for leave of absence

That Council notes that no consideration of applications for leave of absence were received.

Moved: Cr Olive
Seconded: Cr Camp

Carried 01.120118 3/0

05. Confirmation of Minutes of Previous Meeting(s)

05.01 General Meeting 14th December 2011

That the Minutes of the General Meeting of Council held on 14th December 2011 as presented be confirmed by Council.

Moved: Cr Camp
Seconded: Cr Olive

Carried 02.120118 3/0

FILE: BCS/G/CM/Minutes

Attendance

Cr Murray entered the meeting at 9.11am.

06. Condolences

Council expressed their condolences to the Clarke Family at Almora and the Jacob family at Bidunggu.

09. Consideration of Notice(s) of Motion and Petitions

09.01 Notices of Motion

09.02 Petitions

That Council notes that no Notices(s) of Motion and Petitions were received.

Moved: Cr Camp
Seconded: Cr Murray

Carried 03.120118 4/0

10. Chief Executive Officers Reports

10.01.01 Chief Executive Officer Monthly Update Report

1. That council notes the contents of the Acting Chief Executive Officer January 2012 Monthly Update Report.
2. That council becomes a member of the Mount Isa Chamber of Commerce for 12 months and nominates the Mayor as council's delegate.
3. That Council endorses the submission of the Airport Fencing funding application for security fencing.

Moved Cr Olive
Seconded Cr Murray

Carried 04.120118 4/0

FILE NO:BCS/G/CM/R/CEO

10.01.02 Review of Housing Policy

1. That Council adopts the revised Council Housing Policy as presented with the following rentals applying from 1st July, 2012;

ACCOMMODATION	RENTAL	APPLICABLE 01.07.2012
Three bedroom house – Self contained	\$225.00	\$240.00
Three bedroom house – Fully furnished	\$180.00	\$190.00
Three bedroom house – Unfurnished	\$165.00	\$175.00
Two bedroom house - Self contained		\$190.00
Two bedroom house - Fully furnished		\$175.00
Two bedroom house - Unfurnished		\$160.00
One/Two bedroom unit – Self Contained		\$175.00
One/Two bedroom unit – Fully furnished	\$140/\$150	\$165.00
One/Two bedroom unit – Unfurnished	\$130/\$140	\$140.00
Share House – 3 bedrooms – per room/night – Self Contained		\$100.00

2. Subject to the following amendments:
 - a) That council charge a bond of four weeks with the CEO delegated authority to approve a reasonable payment scheme for the bond;

- b) The CEO be delegated the authority to vary the terms as it relates to the allocation housing where there is a definite need due to hardship subject to a background check being carried out including with liaison with Councillors.

Moved Cr Olive
Seconded Cr Camp

Carried 05.120118 4/0

FILE NO: BCS/PAP/P

10.01.03 Enterprise Bargaining Management Group

That Council appoint Mayor, Deputy Mayor and the Acting CEO as the Management Group within the Enterprise Bargaining Group.

Moved Cr Murray
Seconded Cr Olive

Carried 06.120118 4/0

FILE NO: BCS/P/EC/EBA

Attendance

Cr Clarke left the meeting at 10.02am. Cr Camp assumed chair.

10.01.04 Adoption of Operational Plan

That Council adopts its 2011-2012 Operational Plan.

Moved Cr Olive
Seconded Cr Murray

Carried 07.120118 3/0

FILE NO: BCS/CM/Plan/OP

Attendance

Cr Clarke entered the meeting at 10.04am and resumed chair.

11. Corporate and Community Services Reports

11.01.01 Corporate and Community Services Monthly Update Report

That Council notes the contents of the Acting Corporate and Community Services January 2012 Monthly Update Report.

Moved Cr Murray
Seconded Cr Camp

Carried 08.120118 4/0

FILE NO: BCS/G/CM/R/CCSM

11.01.02 Sale of Rates Arrears

Council by resolution proceed to sell the two properties for rates arrears being L65-66/RP743009:PAR BAINES and L39RP743008:PAR BAINES; and Collection House is responsible for the process.

Moved Cr Clarke
Seconded Cr Murray

Carried 09.120118 4/0

FILE NO: BCS/FM/R/DR

11.01.03 Long-term Community Plan

Council endorses the flying minute for the adoption of the Long-term Community Plan that was a State legislative requirement and Council appreciates the input from the community of Burke Shire.

Moved Cr Camp
Seconded Cr Olive

Carried 10.120118 4/0

FILE NO: BCS/CR/P/CP

Adjournment

That Council adjourn the proceedings of standing orders at 10.26am for Morning Tea.

Resume Proceedings

That Council resume proceedings of standing orders at 10.41am.

11.01.04 Amended Budget

Council adopts the amended budget for 2011-12 as presented.

Moved Cr Clarke
Seconded Cr Olive

Carried 11.120118 4/0

FILE NO: BCS/FM/B/11-12

11.02.01 Home and Community Care Monthly Update Report

That Council notes the contents of the Home and Community Care Team Leader January 2012 Monthly Update Report.

Moved Cr Murray
Seconded Cr Camp

Carried 12.120118 4/0

FILE NO: BCS/CommS/HACC/CR

11.02.02 Cemeteries Project Report

That Council notes the contents of the Cemeteries Project Report update.

Moved Cr Murray
Seconded Cr Camp

Carried 13.120118 4/0

FILE NO: BCS/ED/BSCGSRUP

11.02.03 Burke Shire Council Burketown Security Airstrip Fencing Project

That Council notes the contents on the Burketown Security Airstrip Fencing Project.

Moved Cr Murray
Seconded Cr Olive

Carried 14.120118 4/0

FILE NO: BCS/GAS/A

Attendance

Stephanie Wade; CO entered the meeting at 11.09am.

Attendance

John Page; A/CEO left the meeting from 11.17am to 11.30am.

11.02.04 Community Officer Monthly Council Report

1. That Council notes the contents of the Community Officers January Monthly Update Report.

Moved Cr Camp
Seconded Cr Olive

Carried 15.120118 4/0

FILE NO: BCS/G/CM/R/CO

Note - Cr Murray will assist the Community Officer with preparations for Australia Day celebrations.

Attendance

Stephanie Wade; CO left the meeting at 11.40am.

12. Works and Services Reports

12.01.01 Works and Services Monthly Update Report

1. That council notes the contents of the Works and Services January Update report.
2. The hours for the operation of the Aquatic Facility be 6.00am to 8.00pm.

Moved Cr Clarke
Seconded Cr Murray

Carried 16.120118 4/0

FILE NO: BCS\G/CM/R/WM and BCS/CP/SB/BAC

Adjournment

That Council adjourn the proceedings of standing orders at 12.37pm for Lunch.

Resume Proceedings

That Council resume proceedings of standing orders at 1.33pm, all were present except Cr Murray.

Attendance

Pam deJoux; HACC coordinator entered the meeting at 1.33pm.

Cr Murray entered the meeting at 1.34pm.

Pam deJoux left the meeting at 1.42pm.

Russell Cunningham entered the meeting at 1.43pm.

12.02.02 Rangers Monthly Status Report

That council:-

- a) Notes the contents of the Ranger Officers January 2012 Update report.
- b) Approach MMG through Cr Murray to donate 2000 litres contaminated fuel to be used in the control of weeds in the Gregory Landcare area.
- c) Agrees to partner Gregory Landcare and contribute an amount of \$4000 to the Gregory Landcare for the control of weeds

Moved Cr Murray
Seconded Cr Olive

Carried 17.120118 4/0 FILE NO: BCS/G/CM/R/RWHSO and BCS/ED/A/GRLG

12.02.03 Workplace Health and Safety Officers Monthly Status Report

That council notes the contents of the Workplace Health and Safety Officer January 2012 Update report.

Moved Cr Camp
Seconded Cr Murray

Carried 18.120118 4/0 FILE NO: BCS/G/CM/R/RWHSO

Attendance

Russell Cunningham; R/WHSO left the meeting at 2.19pm.

13. Consideration of committee recommendations

That Council notes that no consideration of committee recommendations were received.

Moved: Cr Murray
Seconded: Cr Clarke

Carried 19.120118

Attendance

Cr Clarke left the meeting at 2.21pm. Cr Camp assumed chair.

14. Late Item Reports

14.01 Late Item - Ergon Energy MCU Application

That Council issue a Development Permit for the Material Change of Use for – Community or Recreation Use (Fuel Storage Facility - staged development) and a Development Permit for an Environmentally Relevant Activity (8) Chemical Storage on land described as part of Reserve 44, being Lot A on SP 242981 within Lot 19 on B13620. Development is to be undertaken generally in accordance with Plan No: 1018698 – 01 Revision DA, prepared by Ergon Energy Corporation Ltd, subject to the following conditions:

MCU - Fuel Storage Facility

1. The two (2) existing, redundant water storage tanks are to be demolished and removed from the site, prior to commencement of development on the site. A Demolition Application is required to be lodged and approved by Council prior to any demolition work occurring on site.
2. The two fuel storage tanks are required to be setback a minimum of 8.7 metres from Anthony Street and 4.4 metres from the eastern side boundary.
3. The maximum height of the fuel storage tanks is 4.6 metres.
4. The existing 2.1 metre high chain mesh boundary fence is to be retained to ensure public safety.
5. The existing vehicular access to the site is to be retained and upgraded, if required, to provide a concrete crossover and apron between the bitumen seal and the site boundary, in accordance with the construction standards specified by the Council.
6. Car parking is to be provided on site for maintenance vehicles to be contained wholly within the site.
7. In the development of the site, including any re-profiling of the natural ground level, any stormwater is to be directed to a lawful point of discharge, being the adjacent road reserves.
8. The operation and management of the facility is to be undertaken in accordance with the following, at all times :
 - An Environmental Management Plan lodged with the application; and
 - An Environmental Risk Register; and
 - An Environmental Management Manual.
- 9 To protect the dwelling house located on adjoining land to the east of the site, Ergon Energy will provide written advice prepared by a suitably qualified professional to the Chief Executive Officer. The advice will detail the measures proposed to protect the adjoining dwelling house from any potential harm associated with the operation of the two fuel storage tanks on the site. As the development is to be staged the measures proposed to protect the adjoining dwelling house can also be staged, if required. The commencement of Stage 1 of the project cannot occur until the Chief Executive Officer has endorsed the protection measures outlined for (both stages of) the development.

ERA 8 – Threshold 3(a) – (Chemical Storage)

- 10 In addition to conditions imposed by the Department of Environment and Resource Management, the operation and management of the facility is to be undertaken in accordance with the following, at all times:
- a. An Environmental Management Plan lodged with the application; and
 - b. An Environmental Risk Register; and
 - c. An Environmental Management Manual.
- 11 To protect the dwelling house located on adjoining land to the east of the site, Ergon Energy will provide written advice prepared by a suitably qualified professional to the Chief Executive Officer. The advice will detail the measures proposed to protect the adjoining dwelling house from any potential harm associated with the operation of the two fuel storage tanks on the site. As the development is to be staged the measures proposed to protect the adjoining dwelling house can also be staged, if required. The commencement of the Environmentally Relevant Activity (ERA 8) cannot occur until the Chief Executive Officer has endorsed the protection measures for (both stages of) the development.

Moved Cr Olive
Seconded Cr Murray

Carried 20.120118 3/0

FILE NO: BCS/CP/L/LEA01

Attendance

Cr Clarke entered the meeting at 2.23pm and resumed chair.

14.02 Local Laws

Model Local Laws

1. The Council hereby resolves to propose to adopt *Model Local Law No. 1 (Administration) 2010*. The local law so adopted will be referred to as *Local Law No. 1 (Administration) 2011* of Council's Local Laws.
2. That Council hereby resolves to propose to adopt *Model Local Law No 2 (Animal Management) 2010*. The local law so adopted will be referred to as *Local Law No. 2 (Animal Management) 2011* of Council's Local Laws.
3. That Council hereby resolves to propose to adopt *Model Local Law No. 3 (Community and Environmental Management) 2010*. The local law so adopted will be referred to as *Local Law No. 3 (Community and Environmental Management) 2011* of Council's Local Laws.
4. That Council hereby resolves to propose to adopt *Model Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2010*. The local law so adopted will be referred to as *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011* of Council's Local Laws.

Subordinate Local Laws

5. That Council hereby resolves to propose to make *Subordinate Local Law No. 1 (Administration) 2011*
6. That Council hereby resolves to propose to make *Subordinate Local Law No. 2 (Animal Management) 2011*.
7. That Council hereby resolves to propose to make *Subordinate Local Law No. 12*

(Caravan Parks) 2007.

8. That Council hereby resolves to propose to make *Subordinate Local Law No. 3 (Community and Environmental Management) 2011*
9. That Council hereby resolves to propose to make *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011*

Resolution required in respect to the PIT Plans

10. That Council delegate to the Chief Executive Officer the responsibility to draw up the Public Interest Test Plans required under Section 38 of the *Local Government Act 2009* in respect to making Local Laws and Subordinate Local Laws.

Moved Cr Camp
Seconded Cr Olive

Carried 21.120118 4/0

FILE NO: BCS/LAE/LLaw/D

08. Councillor Reports

That the verbal reports provided by Councillors Camp, Olive, Forshaw and Murray be noted by Council.

Moved: Cr Murray
Seconded: Cr Camp

Carried 22.120118 4/0

07. Mayoral Minute and Report

07.01 Project Officer

That council seeks the services of an external Project Officer for the development of various projects as identified during community consultation and existing projects previously approved by Council.

Moved Cr Camp
Seconded Cr Olive

Carried 23.120118 4/0

FILE NO: HR/C

Declaration: Material Personal Interest

Cr Clarke declared a material personal interest in discussion of claims in reimbursement of expenses and left the meeting at 2.47pm; Cr Camp assumed the chair.

Attendance

Cr Clarke entered the meeting at 2.51pm and resumed chair.

07.02 Mayoral Minute and Report

That the verbal report provided by Councillor Clarke be noted by Council.

Moved: Cr Clarke

Seconded: Cr Olive

Carried 24.120118 4/0

16. New business of an urgent nature admitted by Council

16.01 Land Sale

That Council sell by Public Tender the following parcels of Council land in Burketown and auction of parcels in Gregory for residential purposes that are surplus to Councils immediate use.

Burketown

Lot 80 B13610 Firefly Street

Lot 77 B13610 Firefly Street

Lot 1 B13610 Anthony Street

Lot 402 B1361 Bowen Street

Lot 204 B1361 Bowen Street

Gregory

Lot 63 RP 743009 Clarke Street

Lot 64 RP 743009 Clarke Street

Lot 51 RP 743009 Gleeson Avenue

Moved: Cr Camp

Seconded: Cr Murray

Carried 25.120118 4/0

FILE NO: BCS/CP/VLS

16.02 Tenders 11/28 to 11/31

That Council:

- (a) not accept any tender received for Tenders 11/28, 11/29, 11/30 and 11/31 as the tenders received are outside Council's Budget allocation for 2011/2012; and
- (b) authorise the Acting Chief Executive Officer to further investigate the provision of additional housing in Burketown and report to the February, 2012 Meeting of Council.

Moved: Cr Clarke

Seconded: Cr Olive

Carried 26.120118 4/0

FILE NO: BCS/TAQ/11-28, BCS/TAQ/11-29,
BCS/TAQ/11-30 and BCS/TAQ/11-31

16.03 Objection to Remuneration Tribunal

That Council write a letter of support to the ALGWA Qld Branch in their objection to the decision of the Remuneration Tribunal to decrease the remuneration for Category 1 Councillors.

Moved: Cr Camp
Seconded: Cr Murray

Carried 27.120118 4/0 FILE NO: BCS/G/Councillors/CA and BCS/GR/LRL/ALGWA

16.04 Solar Energy and Cultural Heritage

1. That Council seeks support from ALGWA QLD branch to lobby the Federal Government for Solar Energy provision for persons in rural and remote areas not connected to the national grid; and further

There should not be the major financial impediment experienced by persons living in remote areas in relation to the installation/expansion or maintenance of Solar Powered Systems and that a permanent fixed **Rebate of 50% to be implemented for this purpose.**

2. That Council lobby through the ALGWA Qld Branch for support to overcome the impediments created for Local Government by State Government and service providers operating outside the duty of care guidelines under Cultural Heritage Legislation.

Moved: Cr Olive
Seconded: Cr Clarke

Carried 28.120118 4/0 FILE NO: BCS/E/SP/S, BCS/NT/ACHA and BCS/GR/LRL/ALGWA

16.05 Rebate – Littering in Communities

That Council lobby through the ALGWA Qld Branch seeking support for the introduction of a 10c per container rebate system such as in South Australia and Northern Territory to overcome littering within our communities.

Moved: Cr Camp
Seconded: Cr Olive

Carried 29.120118 4/0 FILE NO: BCS/WasteM/R and BCS/GR/LRL/ALGWA

Attendance

Cr Forshaw left the meeting via telephone at 3.49pm.

15. Closed session reports

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, f, and h)*.

Council moved into closed session at 3.53pm.

Moved Cr Camp
Seconded Cr Murray

Carried 30.120118 4/0

Attendance

Madison Marshall; Trainee left the meeting at 3.53pm.

Move into Open Session

That the meeting resume in open session to consider recommendations arising out of the closed session.

Council resumed open session at 4.39pm.

Moved Cr Murray
Seconded Cr Olive

Carried 31.120118 4/0

17. Deputations and presentation scheduled for meeting

No deputations and presentations scheduled.

18. Closure of Meeting

The Chair declared the Meeting closed at 4.39pm.

I hereby certify that these pages numbered 1 to 14 - constitute the
Confirmed minutes of the Council Meeting of
Burke Shire Council held on
Wednesday 18th January 2012

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MAYOR