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Confirmed Minutes Burke Shire Council Special Meeting Monday 26 February 2018 6.00pm Council Chambers

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01. Opening of Meeting

The Chair declared the meeting opened at 6.16pm.

02. Record of Attendance

**Cr Ernie Camp; Mayor – Chair – via teleconference
Cr Paul Poole; Deputy Mayor – via teleconference
Cr John Clarke
Cr John Yanner
Cr Tonya Murray**

**Sharon Daishe; Chief Executive Officer
Nils Hay; Deputy CEO
Simbarashe Chimpaka; Executive Manager Finance
Madison Marshall; Executive Assistant (Minutes)**

**Absent Mark Poynter; Executive Manager Works and Infrastructure
Philip Keirle; Executive Manager Strategic Projects**

02.01 LGR 2012 Section 276 – Attendance by teleconferencing

That Council, in accordance with section 276 of the Local Government Regulation 2012, allows the following person/s to take part in the meeting by teleconferencing:

- **Mayor Ernie Camp**
- **Deputy Mayor Paul Poole**

Moved: Cr Yanner

Seconded: Cr Clarke

Carried 180226.01 5/0

03. Closed Session Reports

That Council move into closed session to discuss confidential items as stated in the *Local Government Regulation 2012* in Chapter 8 Administration, Part 2 Local government meetings and committees, under *Sections 275 (1) (c, e and h)*.

(c) the local government's budget; or

(e) contracts proposed to be made by it; or

(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Council moved into closed session at 6.18pm

Moved: Cr Camp

Seconded: Cr Murray

Carried 180226.02 5/0

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 7.54pm.

Moved: Cr Camp

Seconded: Cr Murray

Carried 180226.03 5/0

03.01 Closed Session - Shared Services and Regional Office

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012 in Chapter 8 Administration, Part 2 Local government meetings and committees, under Sections 275 (1)(c, e and h) and that the document remain confidential unless council decides otherwise by resolution; and
 - (c) The local government's budget;
 - (e) Contracts proposed to be made by it;
 - (h) Any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or Other business for which public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.
2. That Council note the contents of the report; and

PART A: Cairns Office (pursuant to previous decision 180125.15)

3. Pursuant to decision 180125.15 (Cairns office) Council resolves to establish an office in Cairns based on the following principles and instructions:
 - a. The purpose of the office in the first instance will be to locate the executive finance manager and staff servicing the finance section of Burke Shire Council and any shared services arrangements now or in the future; and
 - b. Council authorises and requests the chief executive officer or nominee to make the necessary arrangements to establish the office in Cairns including but not limited to entering into a lease agreement and procuring furnishings, fittings and equipment; and
 - c. That Council allocates \$75,000 from reserves for the purposes of establishing the office in Cairns; and
 - d. That Council resolves to amend the 2017-18 budget in accordance with Section 170 (3) of the Local Government Regulation 2012 to reflect income and expenditure expected to be received/incurred relating to Shared Services and establishment of an office in Cairns.

PART B: Shared Services – confidentiality agreement

4. That Council will seek to enter into a Deed, as per the attached draft prepared by Preston Law, with Doomadgee Aboriginal Shire Council in order to protect the confidentiality of information disclosed in the negotiating and delivering of shared services as per previous decision 180125.14; and
 - a. That Council will seek approval from Doomadgee Aboriginal Shire Council for both parties to use the attached joint draft 'Obligations of Confidentiality' letter, as prepared by Preston Law, to require external parties to abide by the confidentiality obligations in the Deed.

Moved: Cr Camp

Seconded: Cr Poole

NOT Carried 2/3

Cr Camp moved the recommendation en bloc. The motion was seconded and NOT carried when put to the vote. Cr Murray subsequently moved that PART B of the motion be put to Council for a separate vote. PART B was then seconded and carried 4/0.

Attendance

Cr Poole left the meeting at 8.02pm.

03.01 Closed Session - PART B: Shared Services – confidentiality agreement

PART B: Shared Services – confidentiality agreement

- 1. That the report/attachment be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012 in Chapter 8 Administration, Part 2 Local government meetings and committees, under Sections 275 (1)(c, e and h) and that the document remain confidential unless council decides otherwise by resolution; and**
 - (c) The local government's budget;**
 - (e) Contracts proposed to be made by it;**
 - (h) Any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or Other business for which public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.**
- 2. That Council note the contents of the report; and**
- 3. That Council will seek to enter into a Deed, as per the attached draft prepared by Preston Law, with Doomadgee Aboriginal Shire Council in order to protect the confidentiality of information disclosed in the negotiating and delivering of shared services as per previous decision 180125.14; and**
 - b. That Council will seek approval from Doomadgee Aboriginal Shire Council for both parties to use the attached joint draft 'Obligations of Confidentiality' letter, as prepared by Preston Law, to require external parties to abide by the confidentiality obligations in the Deed.**

Moved: Cr Murray

Seconded: Cr Yanner

Carried 180226.04 4/0

Attendance

Cr Poole phoned into the meeting at 8.05pm.

Cr Murray further moved that PART A be brought back to Council for consideration at the March Ordinary meeting. Part A was then, seconded and carried 4/1.

03.01 Closed Session - PART A: Cairns Office (pursuant to previous decision 180125.15)

PART A: Cairns Office (pursuant to previous decision 180125.15)

1. That the report/attachment be deemed a confidential document and be treated as such in accordance with Local Government Regulation 2012 in Chapter 8 Administration, Part 2 Local government meetings and committees, under Sections 275 (1)(c, e and h) and that the document remain confidential unless council decides otherwise by resolution; and
 - (c) The local government's budget;
 - (e) Contracts proposed to be made by it;
 - (h) Any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or Other business for which public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.
2. That Council note the contents of the report; and
3. That PART A: Cairns Office (pursuant to previous decision 180125.15) of the motion that was NOT carried be brought back to Council for consideration at the March Ordinary meeting.

Moved: Cr Murray

Seconded: Cr Clarke

Carried 180226.05 4/1

Attendance

Cr Poole left the meeting at 8.19pm.

04. Closure of meeting

The Chair declared the meeting closed at 8.20pm.

I hereby certify that these pages numbered 1 to 6 – constitute the Confirmed minutes of the Special Council Meeting of Burke Shire Council held on Monday 26 February 2018.

Mayor Cr Ernie Camp