



Confirmed Minutes
Burke Shire Council Special Meeting
Thursday 25 June 2020
9.00am Council Chambers

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01. Opening of Meeting

The Chair declared the meeting open at 9:05am

02. Record of Attendance

Cr Ernie Camp; Mayor – Chair
Cr Tonya Murray; Deputy Mayor
Cr John Clarke
Cr John Yanner

Dan McKinlay; Acting Chief Executive Officer
Philip Keirle; Executive Manager Strategic Projects
Graham O’Byrne; Acting Executive Manager of Engineering
Shannon Moren; Administration and Community Services Coordinator (Minutes)
Shaun Jorgensen; Senior Accountant

On Leave Cr Rosita Wade (Apologies)
Clare Keenan; Chief Executive Officer

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:

- **Philip Keirle, Executive Manager Strategic Projects (EMSP)**
- **Graham O’Byrne; Acting Executive Manager of Engineering**
- **Shaun Jorgensen; Senior Accountant**

Moved: Cr Camp
Seconded: Cr Murray

Carried 200625.01 5/0

03. Executive Management Reports

03.01 Councillor Code of Conduct Policy Review

DEPARTMENT:	Governance
RESPONSIBLE OFFICER:	Clare Keenan; CEO
PREPARED BY:	Dan McKinlay; Deputy CEO
DATE REPORT PREPARED:	23 June2020
LINK TO COUNCIL PLAN/S:	Governance Strategy 4

1. PURPOSE

To review Council's Councillor Code of Conduct Policy.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Under section 150D of The Local Government Act 2009 the Minister for Local Government must make a Code of Conduct stating the standards of behaviour for councillors in the performance of their responsibilities as Councillors in Queensland.

The Code of conduct makes all councillors aware of their obligations around the three Rs – responsibilities, respect and reputation. The codes aim is to set a standard of ethical behaviour in public office and improve public confidence in elected officials.

The three Rs ensure that:

- councillors carry out responsibilities conscientiously and in the best interests of the Council and the community
- councillors treat people in a reasonable, just, respectful and non-discriminatory way
- Councillors' conduct does not reflect adversely on the reputation of the Council.

The code of conduct for councillors is backed by tougher penalties for those who breach the code. This includes corrupt conduct, misconduct, inappropriate conduct and unsuitable meeting conduct.

All councillors must declare that they will abide by the code of conduct when they are elected and the code applies to all councils.

Complaints about councillor conduct

Inappropriate conduct and misconduct

Inappropriate conduct is defined in section 150K of the Local Government Act 2009.

Misconduct

Misconduct is defined in section 150L of the Local Government Act 2009. The Office of the Independent Assessor (OIA) will assess and investigate complaints about inappropriate conduct or misconduct by councillors.

The OIA can choose to either:

- investigate the complaint and make a decision

- if the conduct is appropriate, refer the complaint back to the CEO of Council for investigation
- if misconduct, refer the complaint to the Councillor Conduct Tribunal for investigation and a decision.

Where complaints about inappropriate conduct are investigated by the CEO, the decision about the complaint will be made by Council at an ordinary Council meeting.

Corrupt conduct

Corrupt conduct is defined in section 15 of the Crime and Corruption Act 2001.

If Council, the OIA or the Councillor Conduct Tribunal receive a complaint that involves corrupt conduct, it is referred to the Crime and Corruption Commission (CCC) for investigation.

3. PROPOSAL

That Council adopt the attached Councillor Code of Conduct for Councillors developed by the Queensland Department of Local Government.

4. FINANCIAL & RESOURCE IMPLICATIONS

Nil

5. POLICY & LEGAL IMPLICATIONS

Corporate Plan- Governance Point 4 states that Conduct of Councillors and council staff is ethical and lawful.

Under section 150D of The Local Government Act 2009 the Minister for Local Government must make a Code of Conduct.

6. CRITICAL DATES & IMPLICATIONS

This Policy was last reviewed in 2017.

7. CONSULTATION

CEO

8. CONCLUSION

The conduct of Councillors of Burke Shire Council is bound by standards that ensure they act in the best interests of the public and the communities they serve.

9. OFFICER'S RECOMMENDATION

That Council resolve to adopt the attached Code of Conduct for Councillors developed by the Queensland Department of local Government.

03.01 Councillor Code of Conduct Policy Review

That Council resolve to adopt the attached Code of Conduct for Councillors developed by the Queensland Department of local Government.

Moved: Cr Murray

Seconded: Cr Yanner

Carried 200625.02 5/0

03.02 2019-2020 Amended budget to 30 June 2020

DEPARTMENT:	Deputy Chief Executive Officer
RESPONSIBLE OFFICER:	Dan Mckinlay: Deputy CEO
PREPARED BY:	Dan McKinlay; Deputy CEO
DATE REPORT PREPARED:	24 June 2020
LINK TO COUNCIL PLAN/S:	Corporate Plan 2019-24, Operational Plan.

1. PURPOSE

To present Council's amended budget estimated to 30 June 2020. The Budget outlines the financial and resource implications of Council's projected capital and operational expenditure in 2019-2020 in accordance with the Local Government Regulation 2012. This report also presents the revised Long Term Financial Forecast.

In accordance with the Local Government Regulation 2012 Section 169, attached to this report is the

- Revised 2019/20 Budgeted Statement of Income and Expenditure (Operating Statement), including revised Long Term Forecast.
- Revised 2019/20 Statement of Financial Position,
- Revised 2019/20 Statement of Cash Flows,
- Revised 2019/20 Statement of Changes in Equity.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

Council adopted the budget for the 2019-20 financial year on the 24th of July 2019. Council's actual year to date revenue and expenditure is reviewed on a monthly basis, significant variances between year to date financial performance and budget estimates are investigated and reported.

Section 170 (3) of the Local Government Regulation 2012 provides that a Local Government may by resolution amend the budget for the financial year at anytime before the end of the financial year. Year to date financial performance has been assessed against original budget estimates and the original budget has been amended accordingly.

3. PROPOSAL

That Council acknowledges and endorses revised changes to the 2019/20 Budget and Long Term Financial forecast estimated to 30 June 2020.

Key Budget amendments are detailed within the document.

4. FINANCIAL & RESOURCE IMPLICATIONS

This recommendation requires changes to the current year budget as well as the projected Long Term Forecast.

5. POLICY & LEGAL IMPLICATIONS CRITICAL DATES & IMPLICATIONS

Compliance with the Local Government Act 2009 and Local Government Regulation 2012 Section 160 and 170 of the Local Government Regulation 2012

6. CONSULTATION

Finance Team, Executive Managers.

7. CONCLUSION

The various budget amendments are estimated to 30 June 2020.

8. OFFICER'S RECOMMENDATION

That Council:

- (a) Resolves, pursuant to section 205 of the Local Government Regulation 2012, that the statement of the financial operations and financial position of the Council in respect of the previous financial year ("the Statement of Estimated Financial Position") be received and its contents noted.
- (b) Adopt, pursuant to sections 160 and 170 of the Local Government Regulation 2012 Council's Amended Budget for the 2019/2020 estimated to 30 June financial year, incorporating:
 - a. The statements of financial position;
 - b. The statements of cash flow;
 - c. The statements of income and expenditure;
 - d. The statements of changes in equity;
 - e. The long-term financial forecast;
 - f. The relevant measures of financial sustainability; and
 - g. The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget, as tabled.

03.02 2019-2020 Amended budget to 30 June 2020

That Council:

- (a) Resolves, pursuant to section 205 of the Local Government Regulation 2012, that the statement of the financial operations and financial position of the Council in respect of the previous financial year (“the Statement of Estimated Financial Position”) be received and its contents noted.**
- (b) Adopt, pursuant to sections 160 and 170 of the Local Government Regulation 2012 Council's Amended Budget for the 2019/2020 estimated to 30 June financial year, incorporating:**
 - a. The statements of financial position;**
 - b. The statements of cash flow;**
 - c. The statements of income and expenditure;**
 - d. The statements of changes in equity;**
 - e. The long-term financial forecast;**
 - f. The relevant measures of financial sustainability; and**
 - g. The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget, as tabled.**

Moved: Cr Yanner

Seconded: Cr Camp

Carried 200625.03 5/0

03.03 2020-2021 Fees and Charges-Special Meeting

DEPARTMENT:	Finance
RESPONSIBLE OFFICER:	Dan McKinlay; Deputy CEO
PREPARED BY:	Dan McKinlay; Deputy CEO
DATE REPORT PREPARED:	24 June 2020
LINK TO COUNCIL PLAN/S:	Corporate Plan 2019-2024 Operational Plan

1. PURPOSE

The proposed Fees and Charges for 2020/2021 are provided in the attached schedule.

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

A review of fees and charges for 2020/2021 has been carried out by Executive Managers. In a number of cases the March 2020 CPI increase of 1.1 % has been applied over a number of the fees and charges.

Finance has completed an exercise to determine the full cost of undertaking an activity which has resulted in increases in fees and charges above CPI in a small number of cases. These have been highlighted in the comparison document forwarded to Council.

3. PROPOSAL

The intention of this report is to submit Council's reviewed Fees and Charges Schedule for the 2020/2021 financial year.

4. FINANCIAL & RESOURCE IMPLICATIONS

The fees and charges set by the attached schedule forms a part of Council's revenue raising requirements and provide the source of funding and/or contribution to a number of programs delivered by Council.

The fees and charges are set in conjunction with the Budget each year to ensure appropriate and responsible revenue raising.

5. POLICY & LEGAL IMPLICATIONS

Pursuant to section 97(1) of the Local Government Act 2009, Council may under a local law or a resolution, fix a cost recovery fee.

The fees and charges in the schedules can be amended at any time throughout the year in accordance with legislation.

6. CONSULTATION

Councillors and Executive Management Team.

7. CONCLUSION

The fees and charges for 2020/2021 are set under the provisions of the Local Government Act and are to be applied from the 1st July 2020. Council is required to make a resolution to adopt all such fees and charges.

8. OFFICER'S RECOMMENDATION

THAT Council resolves to adopt the attached Fees and Charges for 2020/2021. (Attachment 1, with amendment in regards to cemetery costs with an alternative \$3,000 charge)

03.03 2020-2021 Fees and Charges-Special Meeting

THAT Council resolves to adopt the attached Fees and Charges for 2020/2021. (Attachment 1, with amendment in regards to cemetery costs with an alternative \$3,000 charge)

Moved: Cr Clarke

Seconded: Cr Murray

Carried 200625.04 5/0

03.04 2020-2021 Revenue Policy

DEPARTMENT:	Deputy Chief Executive Officer
RESPONSIBLE OFFICER:	Dan McKinlay: Deputy CEO
PREPARED BY:	Dan McKinlay; Deputy CEO
DATE REPORT PREPARED:	24 June 2020
LINK TO COUNCIL PLAN/S:	Corporate Plan 2019-24, Operational Plan.

1. PURPOSE

Council is required under Section 169 of the Local Government Regulation 2012 to include a Revenue Policy in its annual budget.

This report recommends the adoption of the Revenue Policy as part of the 2020/2021 Budget

2. BACKGROUND & PREVIOUS COUNCIL CONSIDERATION

The Revenue Policy is a key statutory document of Council and is required to be adopted as part of the annual budget. The Revenue Policy is reviewed every year as part of the budget development process.

3. PROPOSAL

Section 193 (3) of the Local Government Regulation 2012 requires Council to review its Revenue Policy annually and in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year.

The purpose of the Revenue Policy is to set out the principles used by Burke Shire Council for:

- The levying of rates and charges.
- Granting concessions for rates and charges;
- Recovering overdue rates and charges;
- Cost recovery fees; and
- If the local government intends to grant concessions for rates and charges –the purpose of the concessions , and
- The extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development.

Council levies rates and charges to fund the provision of valuable services to our community. When adopting its annual budget Council will set rates and charges at a level that will provide for both current and future community requirements.

Council also provides concessions to pensioners to assist property owners to remain in their own homes, and concessions to non-profit community, sporting and cultural groups as they contribute to the health and well-being of the community and to the social cohesion of the region.

The Revenue Policy also sets out the principles that will apply in the management of and recovery of debt. These principles are as follows:

- Fairness and Equity-by ensuring the consistent application of lawful rating and charging principles without bias;
- Transparency by communicating the Council’s charging processes and each ratepayer’s responsibility under the rating system.
- Efficiency by having a rating regime that is cost effective to administer.
- Sustainability –to support the financial strategies for the delivery of infrastructure and services identified in Council’s short, medium and long term planning : and
- Flexibility within agreed parameters-by providing payment arrangements to assist ratepayers in meeting their rate commitments.

4. FINANCIAL & RESOURCE IMPLICATIONS

The adoption of the 2020/2021 Revenue Policy ensures that Council can rate in accordance with the proposed 2020/2021 Budget.

5. POLICY & LEGAL IMPLICATIONS CRITICAL DATES & IMPLICATIONS

The adoption of the Revenue Policy ensures Council’s compliance with the requirements of the Local Government Regulation 2012. Section 169 (2) (c) of the Local Government Regulation 2012 requires Council to include a Revenue Policy in its annual budget.

6. CONSULTATION

The implications of the 2020/2021 Revenue Policy will be incorporated into the detailed budget discussions with Council.

7. CONCLUSION

The 2020/2021 Revenue Policy is used in the formulation of Council’s 2020/2021 Revenue Statement and 2020/2021 Budget and must be included in the adoption of the annual budget each financial year.

Council’s annual budget must be consistent with its Revenue Policy.

8. OFFICER’S RECOMMENDATION

THAT Council resolves to adopt , pursuant to Section 193 of the Local Government Regulation 2012, the 2020/2021 Revenue Policy (Attachment 1) for inclusion in the 2020/2021 Budget.

03.04 2020-2021 Revenue Policy

THAT Council resolves to adopt , pursuant to Section 193 of the Local Government Regulation 2012, the 2020/2021 Revenue Policy (Attachment 1) for inclusion in the 2020/2021 Budget.

Moved: Cr Camp

Seconded: Cr Yanner

Carried 200625.05 5/0

03.05 Councillors representation on Other Organisations and Associations Committees, Advisory Committees and Portfolio's and Audit Committee.

DEPARTMENT:	Office of the Chief Executive Officer
RESPONSIBLE OFFICER:	Clare Keenan; Chief Executive Officer
PREPARED BY:	Dan McKinlay; Deputy Chief Executive Officer
DATE REPORT PREPARED:	24 June 2020
LINK TO COUNCIL PLAN/S:	Corporate Plan and Operational Plan.

1. PURPOSE

To review Councillors representation on Other Organisations and Associations Committees, Advisory Committees and Portfolio's and Audit Committee.

2. BACKGROUND

Now that a new Council is in place it is appropriate for Council to review its representations on various committees.

3. FINANCIAL & RESOURCE IMPLICATIONS

Covered by Council's budget and the Councillors Reimbursement of Expenses and Provision of Facilities for Councillors Policy.

4. POLICY & LEGAL IMPLICATIONS

The nature of an Advisory Committee (committee of councillors and others) is defined under sections 263-270 of the Local government Regulation 2012.

5. RISK

Appropriate Council representation.

6. CRITICAL DATES & IMPLICATIONS

It is appropriate for Councillors representatives to be finalised promptly after a newly elected Council is in place.

7. CONSULTATION

Mayor and Councillors
CEO

8. CONCLUSION

It is important that Councillors representation on Other Organisations and Associations Committees, Advisory Committees and Portfolio's and Audit Committee, are reviewed promptly after a newly elected Council is in place.

9. OFFICER'S RECOMMENDATION

That Council considers Council representation and delegates on the following other Organisations and Associations Committees:

Committee	Member(s) 2016-2020	Member(s) 2020-2024
Australia day Advisory Committee	Cr Clarke	Mayor E Camp Cr. J Clarke
Agforce	Mayor	Mayor E Camp
Gregory landcare	Mayor	Mayor E Camp
Gulf Savannah Development	Mayor Cr Poole	Mayor E Camp Cr. T Murray
Joint consultative Committee	Cr Poole	Mayor E Camp Cr. R Wade
LGAQ Annual Conference	Mayor Cr Poole	Mayor E Camp Cr. T Murray
North Queensland Alliance	Mayor Cr Murray	Mayor E Camp Cr. T Murray Cr. J Clarke
NWQ Rural Roads and Transport Group	Mayor Cr Yanner	Mayor E Camp Cr. J Yanner
NWQ Regional Organisation of Councils	Mayor Cr Poole	Mayor E Camp Cr. T Murray
Savannah Way Limited	Cr Clarke Cr Murray	Cr. J Clarke Cr. T Murray
Southern Gulf Catchment (SGC)	Cr Clarke Cr Murray	Mayor E Camp Cr. T Murray Cr. J Clarke
SIA Trust Fund	Cr Murray	Cr. T Murray

That Council considers Council representation and delegates on the following Advisory Committees and Portfolios.

Committee	Member(s) 2016-2020	Member(s) 2020-2024
Biosecurity (Pest Management) Plan	Mayor Cr Clarke Cr Murray	Mayor E Camp Cr. T Murray Cr. J Clarke
Burketown Development Committee	Mayor Cr Poole	Mayor E Camp Cr. T Murray Cr. R Wade
Tourism and Events	Cr Murray Cr Clarke	Mayor E Camp Cr. J Clarke Cr. R Wade
Roads Infrastructure	Cr Poole Cr Yanner	Mayor E Camp Cr. J Yanner Cr. J Clarke

Committee	Member(s) 2016-2020	Member(s) 2020-2024
Infrastructure (non –road)	Cr Poole Cr Murray Cr Clarke	Mayor E Camp Cr. T Murray Cr. J Clarke

That Council considers Council representation on the Audit Committee.

Committee	Member(s) 2016-2020	Member(s) 2020-2024
Audit	Cr Murray Cr Poole	Cr. T Murray Cr. R Wade

03.05 Councillors representation on Other Organisations and Associations Committees, Advisory Committees and Portfolio's and Audit Committee.

That Council considers Council representation and delegates on the following other Organisations and Associations Committees:

Committee	Member(s) 2016-2020	Member(s) 2020-2024
Australia day Advisory Committee	Cr Clarke	Mayor E Camp Cr. J Clarke
Agforce	Mayor	Mayor E Camp
Gregory landcare	Mayor	Mayor E Camp
Gulf Savannah Development	Mayor Cr Poole	Mayor E Camp Cr. T Murray
Joint consultative Committee	Cr Poole	Mayor E Camp Cr. R Wade
LGAQ Annual Conference	Mayor Cr Poole	Mayor E Camp Cr. T Murray
North Queensland Alliance	Mayor Cr Murray	Mayor E Camp Cr. T Murray Cr. J Clarke
NWQ Rural Roads and Transport Group	Mayor Cr Yanner	Mayor E Camp Cr. J Yanner
NWQ Regional Organisation of Councils	Mayor Cr Poole	Mayor E Camp Cr. T Murray
Savannah Way Limited	Cr Clarke Cr Murray	Cr. J Clarke Cr. T Murray
Southern Gulf Catchment (SGC)	Cr Clarke Cr Murray	Mayor E Camp Cr. T Murray Cr. J Clarke
SIA Trust Fund	Cr Murray	Cr. T Murray

Moved: Cr Murray

Seconded: Cr Yanner

Carried 200625.06 5/0

03.05 Councillors representation on Other Organisations and Associations Committees, Advisory Committees and Portfolio's and Audit Committee.

That Council considers Council representation and delegates on the following Advisory Committees and Portfolios.

Committee	Member(s) 2016-2020	Member(s) 2020-2024
Biosecurity (Pest Management) Plan	Mayor Cr Clarke Cr Murray	Mayor E Camp Cr. T Murray Cr. J Clarke
Burketown Development Committee	Mayor Cr Poole	Mayor E Camp Cr. T Murray Cr. R Wade
Tourism and Events	Cr Murray Cr Clarke	Mayor E Camp Cr. J Clarke Cr. R Wade
Roads Infrastructure	Cr Poole Cr Yanner	Mayor E Camp Cr. J Yanner Cr. J Clarke
Infrastructure (non –road)	Cr Poole Cr Murray Cr Clarke	Mayor E Camp Cr. T Murray Cr. J Clarke

Moved: Cr Camp

Seconded: Cr Yanner

Carried 200625.07 5/0

03.05 Councillors representation on Other Organisations and Associations Committees, Advisory Committees and Portfolio's and Audit Committee.

That Council considers Council representation on the Audit Committee.

Committee	Member(s) 2016-2020	Member(s) 2020-2024
Audit	Cr Murray Cr Poole	Cr. T Murray Cr. R Wade

Moved: Cr Clarke

Seconded: Cr Yanner

Carried 200625.08 5/0

04. 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) (a and h)*.

(a) the appointment, dismissal or discipline of employees;

(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 1.00pm.

Moved: Cr Murray

Seconded: Cr Yanner

Carried 200625.09 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 1.40pm

Moved: Cr Clarke

Seconded: Cr Murray

Carried 200625.10 5/0

04.01 Closed Session Report - Chief Executive Officer's Performance Appraisal

That

1) Council ratifies the Chief Executive Officer's Performance Appraisal as completed by the Mayor and Deputy Mayor.

2) Council approves GOV-POL-013 Chief Executive Officer's Performance Appraisal as attached.

Moved: Cr Murray

Seconded: Cr Camp

Carried 200625.11 5/0

05. Closure of meeting

The Chair declared the meeting closed at 2.15pm

I hereby certify that these pages numbered 1 to 17 – constitute
the Confirmed minutes of the Special Council Meeting of Burke
Shire Council held on Thursday 25 June 2020.

Mayor Cr Ernie Camp