



# Flinders Shire Council

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## FLINDERS SHIRE COUNCIL MINUTES 17 NOVEMBER 2011 AT 10.00 AM COUNCIL BOARDROOM

### SUBJECT

#### 1. OPENING BUSINESS

- 1.1 Present
- 1.2 Apologies
- 1.3 Confirmation of Minutes
- 1.4 Obligations of Councillors
  - 1.4.1 Material Personal Interest (MPI) Section 172  
Local Government Act 2009
  - 1.4.2 Conflict of Interest (COI) Section 173  
Local Government Act 2009
  - 1.4.3 Closed Meeting Discussion Items - Section 72  
Local Government (Operations) Regulation 2010
- 1.5 Petitions
- 1.6 Condolences

#### 2 REPORTS

- 2.1 CHIEF EXECUTIVE OFFICER
  - 2.1.1 New Shire Office Complex
  - 2.1.2 Industrial Estate Land
  - 2.1.3 Amendment - Council Policy – University Scholarship
  - 2.1.4 Scalp Bounty (Wild Dogs)
  - 2.1.5 Local Government Association of Queensland Limited  
Amendments to Constitution of the LGAQ
  - 2.1.6 AGFORCE Queensland Industrial Union of Employees
- 2.2 DIRECTOR CORPORATE SERVICES
  - 2.2.1 Financial Statements to the 31 October 2011
  - 2.2.2 Fees and Charges 2011-2012
  - 2.2.3 Community Plan 2011 – 2021 "Our Future"
  - 2.2.4 Annual Report 2010-2011

**FLINDERS SHIRE COUNCIL  
MINUTES  
17 NOVEMBER 2011 AT 10.00 AM  
COUNCIL BOARDROOM**

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- 2.2.5 Regional Arts Development Fund
- 2.2.6 Write-off Council Records
- 2.2.7 Hughenden Memorial Swimming Pool
- 2.2.8 Natural Disaster Resilience Program  
Installation of Flood Warning System on the Porcupine  
Gorge Tributary
- 2.2.9 Natural Disaster Resilience Program  
Purchase of a Trailer Mounted Electronic Notice Board

**2.3 DIRECTOR OF ENGINEERING**

- 2.3.1 Planning and Development
- 2.3.2 Grading Contract 2011-2014
- 2.3.3 Flinders River Bridge

**2.4 CRIER NOTES**

**2.5 COUNCILLOR REPORTS**

**2.6 PROPOSED MEETING CALENDAR AND CLOSURE**

# FLINDERS SHIRE COUNCIL MINUTES 17 NOVEMBER 2011

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## 1. OPENING BUSINESS

*The Mayor opened the meeting with the Council Prayer at 10.10 am.*

*Lord,  
Please guide and direct us,  
In that the decisions to be made,  
Will be for the benefit,  
Of our whole community.*

*Amen*

*Jessica Corney and Dylan Heit, 2012 School Captains from the Hughenden State School entered the meeting at 10.10 am.*

### 1.1 PRESENT

Mayor	Cr Brendan V. McNamara
Deputy Mayor	Cr Gregory J. Jones
Councillor	Cr Clarence N. Haydon
Councillor	Cr Sean M. O'Neill
Councillor	Cr Katherine M Egan

#### **Staff**

Stephen McCartney	Chief Executive Officer
Leanne Rogers	Director Corporate Services
Stephen Turner	Director Engineering
Fran Marendy	Executive Support Officer

### 1.2 APOLOGIES

*Nil*

### 1.3 CONFIRMATION OF MINUTES

*Moved Cr S.M. O'Neill*

*Seconded Cr G.J. Jones*

*That the Minutes of the Ordinary Meeting of Council held on Thursday, 20 October 2011 be taken as read and signed as correct.*

*Carried*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

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#### 1.4 OBLIGATIONS OF COUNCILLORS

##### 1.4.1 Material Personal Interest (MPI) Section 172 Local Government Act 2009

Involves the ability for you or an associate to *gain a material benefit or suffer a material loss as a result of a decision that is made*. It includes interests that arise from personal or family relationships. These interests must be disclosed prior to the item to be discussed and you must leave the room. A record will be recorded at the item and in the MPI Register.

##### 1.4.2 Conflict of Interest (COI) Section 173 Local Government Act 2009

Exists whenever there is a *disparity between your personal interest and the public interest*. E.g. member of a sporting club, family interests or other emotional ties. These interests must be disclosed prior to the item to be discussed. A record will be recorded at the item and in the COI Register. The Councillor will then decide whether to stay or leave the meeting.

##### 1.4.3 Closed Meeting Discussion Items

Items to be considered in Closed Session will be listed and marked accordingly.

This section of the Agenda is for those items deemed necessary for discussion in a meeting Closed to the Public in accordance with Local Government (Operations) Regulation 2010 – Chapter 5 Administration – Part 2 Local Government meetings and committees –

- (1) A local government or committee may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to close the meeting to discuss –
  - a. the appointment, dismissal or discipline of employees; or
  - b. industrial matters affecting employees; or
  - c. the Local Government Budget; or
  - d. rating concessions; or
  - e. contracts proposed to be made by it; or
  - f. starting or defending legal proceedings involving it; or
  - g. any action to be taken by the Local Government under the Planning Act, including deciding applications made to it under that Act; 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.
- (2) However, a Local Government or Committee cannot resolve that a meeting be closed to the public if any person is to take part in the meeting by teleconferencing.

#### 1.5 PETITIONS

*Nil*

**FLINDERS SHIRE COUNCIL  
MINUTES  
17 NOVEMBER 2011**

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**1.6 CONDOLENCES**

*Condolences were sent to Marilyn and Alan Caldwell whose mother and mother-in-law passed away early November 2011.*

*As the Director of Engineering, Stephen Turner was required to attend a meeting elsewhere, it was agreed that the meeting attend to his report prior to commencement of the Chief Executive Officer's report.*

# FLINDERS SHIRE COUNCIL MINUTES 17 NOVEMBER 2011

## 2. REPORTS

### 2.1 CHIEF EXECUTIVE OFFICER

*Moved Cr S.M. O'Neill*

*Seconded Cr G.J. Jones*

*That the Chief Executive Officer's report as presented for consideration be received.*

*Carried*

#### 2.1.1 NEW SHIRE OFFICE COMPLEX

The part closure of Hardwicke Street has been completed, site fencing erected, builders amenities have started landing on site and earth works due to commence the week of Council. Greg Patterson the Site Foreman will reside in town for the duration of the project. Steel frame work will arrive in the first week of December and they will commence erection shortly after. The project is on track for completion at the end of October 2012.

As part of building major community facilities, a time capsule is often buried in an appropriate site to be opened in a set number of years, such as 50 years time. The capsule can contain all variety of historical and current information as well as long term plans on what we think our area will look like. It would usually include a message from the Mayor, schools in the region and other community groups and organisations. It is not envisaged that the capsule would be any larger than a cubic metre.

**Recommendation** - *That Council instruct the architect to make provision for a time capsule in the facility and commence gathering relevant information and messages to be included in the capsule.*

*Moved Cr C.N. Haydon*

*Seconded Cr K.M. Egan*

*That Council instruct the architect to make provision for a time capsule in the facility and commence gathering relevant information and messages to be included in the capsule.*

*Carried*

#### 2.1.2 INDUSTRIAL ESTATE LAND

Council has appointed Peter Mills from Newforce Livestock Pty Ltd as the auctioneers for the sale of six Lots in Lammermoor Street and one Lot in Seymour Street. The auction is to be held at the Diggers Entertainment Centre at 11.00 am on Thursday, 24 November 2011. The Lots will be sold with the Council commitment (contract conditions) to provide access to power (three phase), water, sewerage, sealed road frontage and to construct one access to the site boundary. The six Lots in Lammermoor Street will be sold without those services currently in place. The one Lot in Lammermoor Street currently has the sealed road frontage, access to water and sewerage and power to be provided.

The Lot sizes are –

- Lammermoor Street - Lots 22 – 23 approximately 1,907m<sup>2</sup> with frontages of 37m;
- Lammermoor Street - Lots 25 - 27 approximately 1,841m<sup>2</sup> with frontages of 37m. Lot 27 is a corner Lot providing future dual access from Seymour Street; and
- Seymour Street - Lot 28 approximately 17,410m<sup>2</sup> with a frontage of 132m.

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

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It is recommended that Council set aside the area directly west of the current Council Depot facility for future expansion of the Depot. This area will then provide access from the future developed Seymour Street and avoid the Depot becoming land locked and unable to be expanded. This area can be subdivided out and consolidated with Council's exiting Depot land title.

**Recommendation** - *That Council set aside the Industrial freehold land immediately to the west of the current Depot site through to Seymour Street and amalgamate it with the current Depot land title.*

*Moved Cr G.J. Jones*

*Seconded Cr C.N. Haydon*

*That Council set aside the Industrial freehold land immediately to the west of the current Depot site through to Seymour Street and amalgamate it with the current Depot land title.*

*Carried*

# FLINDERS SHIRE COUNCIL MINUTES 17 NOVEMBER 2011

## 2.1.3 COUNCIL POLICY – UNIVERSITY SCHOLARSHIP



**POLICY TITLE:** UNIVERSITY SCHOLARSHIP

**DATE OF ADOPTION:** 19 OCTOBER 2005

**DATE REVIEWED:** 17 NOVEMBER 2011 - VERSION: 2

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### 1. OBJECTIVE

To establish a system for awarding and monitoring an annual tertiary scholarship primarily in the fields of Environmental Health, Civil Engineering and Accounting.

### 2. SCOPE

Members of the Flinders Shire community.

### 3. ROLES AND RESPONSIBILITIES

#### Human Resources

Human Resources will be responsible for coordinating the advertising and selection process for the annual scholarship. Human Resources will also be responsible for coordinating the Scholarship Agreement and payment process and appointing the successful applicant to Casual employment for holiday periods.

#### Director/Manager

The Director of the Department will be primarily responsible for the student during their periods of employment.

#### Chief Executive Officer

The Chief Executive Officer will be responsible for making a recommendation to Council on the preferred applicant for the scholarship.

### 4. POLICY

On an annual basis, Council will provide a \$5,000 per annum Scholarship for the duration of the successful applicant's full-time studies towards a Bachelor degree in Environmental Health, Civil Engineering or Accounting (or another approved course). Council is targeting these particular courses as employees in these fields are in short supply throughout Local Government in Queensland and it is hoped that Council's Scholarship will assist in retaining qualified professionals in these fields, particularly in regional areas.

To be eligible for a Scholarship, the student needs to maintain their residency in the Flinders Shire through their parents/guardian. The student therefore may be attending boarding school outside the Shire when they apply for a Scholarship.

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

Council at its discretion may award more than one Scholarship in a single year, however Council is **not** obligated to provide a Scholarship every year, even where Council has called for and considered nominations for the Scholarship.

#### 5. PROCEDURE

##### 5.1.1 Nominations and Selection

Towards the end of the calendar year, Human Resources will commence advertising the Scholarship for enrolments taking place in the upcoming calendar year. The applicants will be asked to make a submission using the Scholarship Application Form, outlining why they are the best candidate for a scholarship, and providing information and results of their curricular and extra-curricular activities. The applicants must attach copies of their Year 11 transcripts to the Scholarship Application Form, as well as a Letter of Recommendation from a teacher, tutor or employer. They must also provide copies of their Year 12 transcripts and the confirmation of their university acceptance, as soon as possible.

The applicants must declare if they have already been awarded, or are being considered for, another tertiary scholarship or bursary. Priority will generally be given to applicants who are not already receiving another scholarship or bursary.

The Chief Executive Officer, Director and/or Human Resources will review the applications. Where appropriate, the short-listed applicants will be interviewed prior to selecting a preferred applicant. A preferred applicant will generally be selected by identifying the applicant who has demonstrated the greatest scholastic dedication and achievement, and who has demonstrated an interest in and dedication to the field of study. However, at its discretion Council may also consider other factors such as the applicants' community involvement, and their personal and financial circumstances, when awarding a Scholarship.

The Chief Executive Officer will make a recommendation on the preferred applicant to Council for consideration.

##### 5.1.2 Scholarship Agreement

The successful applicant will be issued with a Scholarship Agreement to sign prior to Council providing any scholarship payments. The Agreement will contain, but is not limited to, the following terms and conditions (as well as those terms and conditions outlined in Clause 5.1.3 and 5.1.4):

- The funds of the Scholarship can be used in any way that the student deems fit to help them in completing their studies.
- The Scholarship Agreement does not cover any units that are **not** required for the student's completion of the Bachelor course, apart from the requisite number of elective units.
- The student will not be bonded to work for Council at the successful completion of the course.
- On the successful completion of the course, Council may offer the student a maximum term appointment or a permanent position as suits operational requirements at the time.
- The student must advise Council immediately if they wish to change the status of their study (e.g. changing from full-time to part-time study). Council is not obligated to provide Scholarship funds if the status of the student's study changes.
- The student must advise Council immediately if they wish to change the studies/units/major undertaken in their course (e.g. from Civil Engineering to Electrical Engineering). Council is not obligated to provide Scholarship funds if the student changes their major, or if the student undertakes more units than is necessary to obtain the stipulated Bachelor degree.
- The student will need to maintain their residency in the Shire through their parents/guardian. The student must advise Council immediately if there are changes to their residency status.
- Either the student or Council may give written notice at any time to cancel the Scholarship Agreement. A minimum of four (4) weeks' written notice is required. Council is not obligated to provide payment for any units being undertaken at the date of termination of the Agreement, and which are later satisfactorily completed.

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

- By signing a Scholarship Agreement, the student will agree for Council to obtain and publish general information about the student and their Scholarship. The information will generally be regarding the allocation of the Scholarship, the progress of the student's studies including the attainment of awards, and the work experience undertaken by the student with Council. The information may be displayed in internal and external publications, such as newsletters and media articles. The student's end-of-semester results will not be published.

#### 5.1.3 Payment of the Scholarship

The total **annual scholarship amount (\$5,000)** will be divided over the two (2) university semesters of the year. Accordingly, the student will be entitled to \$2,500 at the end of each semester of full-time study for the duration of their course, provided that each unit of the semester is successfully completed.

In the event that the student does not successfully complete (i.e. pass) all units each semester, a pro-rata amount only will be paid. For instance, if the student passes three (3) of four (4) units then 75% of the \$2,500 for the semester will be paid by Council.

In the event that, in a later semester, the student passes a unit that they previously failed; or the student passes a unit that they took as an alternative to a unit that they previously failed; then the student will be paid for that unit, as long as the total Scholarship amount of \$5,000 per annum is not exceeded.

If the student does not undertake four (4) units of study in a single semester, then they will be entitled to a pro-rata amount only. For instance, if the student undertakes three (3) units in a semester, then 75% of the \$2,500 for the semester will be paid by Council.

In order to claim payment, the student will need to submit a copy of their semester results to the Human Resources section of Council. These results **must** come directly from the University (e.g. a formal transcript of the results; an email to Council sent directly from the University email account). Email results forwarded by the employee are not acceptable.

#### 5.1.4 Work Experience with Council

Council will offer paid work experience (i.e. Casual employment) to the student during University holiday breaks for the duration of the course, as meets Council's operational requirements. The terms and conditions of the Casual employment will be outlined in a Letter of Offer and Employment Contract to the student. The student may be required to undergo a pre-employment medical (including a drug and alcohol test), and a criminal history check prior to commencing employment with Council.

Prior to the student's holiday break they are to contact the relevant Director to discuss their availability and Council's requirements.

Should Council or the student terminate the Scholarship Agreement, the employment with Council will be terminated.

## 6. ASSOCIATED POLICIES / FORMS

- Scholarship Application Form.
- Scholarship Agreement (letter format)

## 7. IMPLEMENTATION

This Policy will be made available to all corporate staff on Council's intranet site/network, and to all outdoor staff at the Depot and via their Supervisor/Overseer. Council reserves the right to vary, replace or terminate this Policy from time to time.

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

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#### 8. APPROVAL

Council Meeting – 17 November 2011.

**Recommendation** – *That the Council Policy – University Scholarship as presented for consideration be adopted by Council.*

*Moved Cr S.M. O'Neill*

*Seconded Cr C.N. Haydon*

*That the Council Policy - University Scholarship as presented for consideration be adopted by Council.*

*Carried*

#### 2.1.4 SCALP BOUNTY

A grazier from Charters Towers Regional Council that borders Flinders Shire participates in our baiting campaign. They are charged a Wild Dog Levy every year based on the special rate which is about \$398.40. This amount covers the labour involved for the Rural Lands Officer to roll the meat and the planes hire to fly the meat out (if required) for two baitings a year. The levy also allows the option of the grazier bringing meat to town for the Rural Lands Officer to roll at any time of the year.

The grazier has asked if it is possible to claim Flinders Shire Council's Wild Dog Scalp Bounty which is currently \$40 a scalp. Charters Towers Regional Council does not offer a Scalp Bounty and believe it is not something they will introduce later on.

**Recommendation:** *That a limit of ten scalps be placed on the property for claiming through Flinders Shire Council.*

*Moved Cr S.M. O'Neill*

*Seconded Cr C.N. Haydon*

*That a limit of ten scalps be placed on the property for claiming through Flinders Shire Council.*

*Carried*

#### 2.1.5 LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND – AMENDMENTS TO THE CONSTITUTION OF THE LGAQ

In accordance with rule 4.1 of the LGAQ's Constitution the following decisions of the LGAQ Board on 27 October 2011, all members of the holding for a Special General Meeting of LGAQ Limited to be convened on Wednesday 7 December 2011 at LGAQ House, Evelyn Street, Newstead.

In accordance with rule 4.14 of the LGAQ's Constitution the Chief Executive Officer has determined that this special general meeting be convened by postal voting.

As a consequence, all voting papers must be received by the Chief Executive Officer by not later than 5.00 pm on 7 December 2011.

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

The business of the Special General Meeting is as follows –

#### **MOTION 1**

##### **Purpose**

To acknowledge the change of name of the “Dalby Regional Council” to “Western Downs Regional Council” and the “Roma Regional Council” to “Maranoa Regional Council”.

**Recommendation** - That rule 5.3 of the Constitution of the LGAQ, Schedule of Districts be amended as follows –

Delete “Dalby” and replace it with “Western Downs” and delete “Roma” and replace it with “Maranoa”.

Moved Cr S.M. O'Neill

Seconded Cr C.N. Haydon

That rule 5.3 of the Constitution of the LGAQ, Schedule of Districts be amended as follows –

To delete “Dalby” and replace it with “Western Downs” and delete “Roma” and replace it with “Maranoa”.

Carried

#### **MOTION 2**

##### **Purpose**

Create an additional district by the name of “Whitsunday”, move Mackay, Isaac and Whitsunday Regional Councils from the Central Queensland District to this newly created District and allow this District to have its own member of the policy executive.

**Recommendation** - That rule 5.3 of the Constitution of the LGAQ, Schedule of Districts be amended as follows –

- a. Delete “Mackay”, “Isaac” and “Whitsunday” from District No 6 (Central Queensland);
- b. Immediately thereafter insert a new line in the Schedule as follows –

DISTRICT No 7 (Whitsunday)	Mackay, Isaac, Whitsunday
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Moved Cr C.N. Haydon

Seconded Cr K.M. Egan

That rule 5.3 of the Constitution of the LGAQ, Schedule of Districts be amended as follows –

- a. Delete “Mackay”, “Isaac” and “Whitsunday” from District No 6 (Central Queensland);
- b. Immediately thereafter insert a new line in the Schedule as follows –

DISTRICT No 7 (Whitsunday)	Mackay, Isaac, Whitsunday
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Carried

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

#### **MOTION 3**

##### ***Purpose***

Allow the Aboriginal and Island Councils District to have two members on the policy executive and have those policy executive members determined by a first past the post poll.

**Recommendation** – *That amendments be made to the Constitution of the LGAQ as follows –*

1. In rule 5.3(3), immediately after sub-paragraph (b), insert the following sub-paragraph –
  - a. “(c) In the case of District No 11 (Aboriginal and Island Councils), by two Members elected by the Members of the District;”
2. In rule 5.3(3), renumber sub-paragraph “(c)” as sub-paragraph “(d)”.
3. In rule 5.4(1), after sub-paragraph (c), insert the following new sub-paragraph –

“(d) for District No 11, the persons elected in accordance with the following provisions :

  - I. The Members of this district must elect two Executive Representatives;
  - II. The voting must be by a system of first past the post voting;
  - III. The provisions of rule 5.4(1)(b) apply with respect to all elections for Executive Representatives for District No 11 but with all necessary adaptations.”

*Moved Cr C.N. Haydon*

*Seconded Cr G.J. Jones*

1. *In rule 5.3(3), immediately after sub-paragraph (b), insert the following sub-paragraph –*

*“(c) In the case of District No 11 (Aboriginal and Island Councils), by two Members elected by the Members of the District;”*
2. *In rule 5.3(3), renumber sub-paragraph “(c)” as sub-paragraph “(d)”.*
3. *In rule 5.4(1), after sub-paragraph (c), insert the following new sub-paragraph –*

*“(d) for District No 11, the persons elected in accordance with the following provisions :*

  - i. The Members of this district must elect two Executive Representatives;*
  - ii. The voting must be by a system of first past the post voting;*
  - iii. The provisions of rule 5.4(1)(b) apply with respect to all elections for Executive Representatives for District No 11 but with all necessary adaptations.”*

*Carried*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

#### **MOTION 4**

##### **Purpose**

To enable the Board to formulate Corporate Governance Charters to further define the roles and responsibilities of members of the Board and Policy Executive.

**Recommendation** – *That amendments be made to the Constitution of the LGAQ as follows –*

1. *In rule 1.2, Definitions, insert after the definition of "Board", the following additional definition :*

*"Board Corporate Governance Charter – A document that identifies the roles, responsibilities and expectations that the Organisation has for the Board and its Directors, in addition to the matters identified in Part 6 of this Constitution."*

2. *In rule 1.2, definitions, insert after the definition of "Policy Executive", the following additional definition"*

*"Policy Executive Corporate Governance Charter – A document that identifies the roles, responsibilities and expectations that the Organisation has for the Policy Executive and its individual members, in addition to the matters identified in Part 5 of this Constitution".*

3. *In rule 5.1, insert an additional sub-paragraph after sub-paragraph (2) as follows –*

*"(3) The Board may, from time to time, adopt a Policy Executive Corporate Governance Charter which must be complied with by the Policy Executive and its individual members."*

4. *In rule 6.8, insert an additional sub-paragraph after sub-paragraph(16) as follows –*

*"(17) The Board may, from time to time, adopt a Board Corporate Governance Charter which must be complied with by the Board and its Directors."*

Moved Cr S.M. O'Neill

Seconded Cr G.J. Jones

**Recommendation** – *That amendments be made to the Constitution of the LGAQ as follows –*

1. *In rule 1.2, Definitions, insert after the definition of "Board", the following additional definition :*

*"Board Corporate Governance Charter – A document that identifies the roles, responsibilities and expectations that the Organisation has for the Board and its Directors, in addition to the matters identified in Part 6 of this Constitution."*

2. *In rule 1.2, definitions, insert after the definition of "Policy Executive", the following additional definition"*

*"Policy Executive Corporate Governance Charter – A document that identifies the roles, responsibilities and expectations that the Organisation has for the Policy Executive and its individual members, in addition to the matters identified in Part 5 of this Constitution".*

3. *In rule 5.1, insert an additional sub-paragraph after sub-paragraph (2) as follows –*

*"(3) The Board may, from time to time, adopt a Policy Executive Corporate Governance Charter which must be complied with by the Policy Executive and its individual members."*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

4. In rule 6.8, insert an additional sub-paragraph after sub-paragraph(16) as follows –

*“(17) The Board may, from time to time, adopt a Board Corporate Governance Charter which must be complied with by the Board and its Directors.”*

*Carried*

#### **MOTION 5**

##### **Purpose**

To authorise the Chief Executive Officer to give effect to minor/consequential amendments necessitated by the passing of Motion 2 and/or Motion 3.

That consequential amendments be made to the Constitution of the LGAQ, if Motion 2 or 3 (or both) of the Special general meeting are passed as follows –

##### Consequential Amendments – in the event that Motions 2 and 3 are passed

1. Renumber District Numbers 7, 8, 9, 10 and 11 as District Numbers 8, 9, 10, 11 and 12, respectively.
2. In rule 5.3(1) delete “11” and replace with “12”.
3. In rule 5.3(2) delete “11” and replace with “12”.
4. In rule 5.3(3), in the newly created sub-paragraph (c), delete “11” and replace with “12”.
5. In rule 5.4(1), in the newly created sub-paragraph (d), delete “11” whenever it appears and replace it with “12”.
6. In rule 5.4(1), renumber sub-paragraph (d), (e), (f), (g) and (h) as sub-paragraphs (e), (f), (g), (h), and (i), respectively.
7. In re-numbered rule 5.4(1)(h), delete “5.4(1)(h)” and replace with “5.4(1)(i)”.
8. In rule 5.1(1)(a) delete “13” and replace with “15”.

##### Consequential amendments – in the event that Motion 2 fails, but Motion 3 is passed

1. In rule 5.4(1), renumber sub-paragraphs (d), (e), (f), (g) and (h) as sub-paragraphs (e), (f), (g), (h) and (i) respectively.
2. In re-numbered rule 5.4(1)(h), delete “5.4(1)(h)” and replace with “5.4(1)(i)”.
3. In rule 5.1(1)(a) delete “13” and replace with “14”.

##### Consequential amendments – in the event that Motion 2 is passed but Motion 3 fails

1. Renumber District Numbers 7, 8, 9, 10 and 11 as District Numbers 8, 9, 10, 11 and 12, respectively;
2. In rule 5.3(1) delete “11” and replace with “12”; and
3. In rule 5.3(2) delete “11” and replace with “12”.
4. In rule 5.1(1)(a) delete “13” and replace with “14”.

*Moved Cr C.N. Haydon*

*Seconded G.J. Jones*

*That consequential amendments be made to the Constitution of the LGAQ, if Motion 2 or 3 (or both) of the Special general meeting are passed as follows –*

##### Consequential Amendments – in the event that Motions 2 and 3 are passed

1. Renumber District Numbers 7, 8, 9, 10 and 11 as District Numbers 8, 9, 10, 11 and 12, respectively.
2. In rule 5.3(1) delete “11” and replace with “12”.
3. In rule 5.3(2) delete “11” and replace with “12”.

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

4. In rule 5.3(3), in the newly created sub-paragraph (c), delete "11" and replace with "12".
5. In rule 5.4(1), in the newly created sub-paragraph (d), delete "11" whenever it appears and replace it with "12".
6. In rule 5.4(1), renumber sub-paragraph (d), (e), (f), (g) and (h) as sub-paragraphs (e), (f), (g), (h), and (i), respectively.
7. In re-numbered rule 5.4(1)(h), delete "5.4(1)(h)" and replace with "5.4(1)(i)".
8. In rule 5.1(1)(a) delete "13" and replace with "15".

#### Consequential amendments – in the event that Motion 2 fails, but Motion 3 is passed

1. In rule 5.4(1), renumber sub-paragraphs (d), (e), (f), (g) and (h) as sub-paragraphs (e), (f), (g), (h) and (i) respectively.
2. In re-numbered rule 5.4(1)(h), delete "5.4(1)(h)" and replace with "5.4(1)(i)".
3. In rule 5.1(1)(a) delete "13" and replace with "14".

#### Consequential amendments – in the event that Motion 2 is passed but Motion 3 fails

1. Renumber District Numbers 7, 8, 9, 10 and 11 as District Numbers 8, 9, 10, 11 and 12, respectively;
2. In rule 5.3(1) delete "11" and replace with "12"; and
3. In rule 5.3(2) delete "11" and replace with "12".
4. In rule 5.1(1)(a) delete "13" and replace with "14".

*Carried*

#### **2.1.6 AGFORCE QUEENSLAND INDUSTRIAL UNION OF EMPLOYERS**

Council was represented at the recent leasehold rent meeting held on 4 October 2011; the meeting was coordinated to inform and communicate concerns associated with rising rural leasehold rents, the impending removal of the cap on rural rents and work that AGFORCE is conducting to determine whether a more appropriate methodology exists for the calculation of rural leasehold rents.

They seek endorsement from Council of a draft communiqué –

The meeting attendees discussed –

- The significant impacts that rising rural rents are starting to and will continue to have on rural landholders and rural and regional communities, especially if the Queensland Government removes the cap on leasehold rentals in 2017;
- The growing divide between returns and rent payable per hectare for rural lease. The current basis for rural rent calculations, unimproved land value, has tracked substantially away from income for rural enterprises since the property bubble in the early 2000's. The meeting expressed a desire to move back to a rental basis which is in line with income generated on these properties;
- The disparity that exists amongst rural lessees due to rent freezes; cap and historically lengthy intervals between Local Government area revaluations;
- The fact that government's increasing regulation and lack of strategic vision for agriculture has impacted upon lessees ability to generate profits from leasehold land – something that has not been recognised in rural rent methodologies; and
- The unique nature of rural leases that require lessees to provide land management outcomes for themselves; the State and the community whilst also operating a sustainable and profitable grazing enterprise.

*Cr G.J. Jones left the meeting at 10.53 am and re-entered at 11.05 am.*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

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*Moved Cr C.N. Haydon*

*Seconded Cr G.J. Jones*

- *The significant impacts that rising rural rents are starting to and will continue to have on rural landholders and rural and regional communities, especially if the Queensland Government removes the cap on leasehold rentals in 2017;*
- *The growing divide between returns and rent payable per hectare for rural lease. The current basis for rural rent calculations, unimproved land value, has tracked substantially away from income for rural enterprises since the property bubble in the early 2000's. The meeting expressed a desire to move back to a rental basis which is in line with income generated on these properties;*
- *The disparity that exists amongst rural lessees due to rent freezes; cap and historically lengthy intervals between local government area revaluations;*
- *The fact that government's increasing regulation and lack of strategic vision for agriculture has impacted upon lessees ability to generate profits from leasehold land – something that has not been recognised in rural rent methodologies; and*
- *The unique nature of rural leases that require lessees to provide land management outcomes for themselves; the State and the community whilst also operating a sustainable and profitable grazing enterprise.*

*Carried*

*At this point, the Mayor asked the students if they had anything they wished to discuss. Dylan replied that they would bring any matters to the next meeting of Council.*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

## 2.2 DIRECTOR CORPORATE SERVICES

*Moved Cr G.J. Jones*

*Seconded Cr K.M. Egan*

*That the Director of Corporate Services' report as presented be received.*

*Carried*

### 2.2.1 FINANCIAL STATEMENTS TO THE 31 OCTOBER 2011

The Financial Statements to the 31 October 2011 were be presented to the meeting in accordance with Section 152, of the Local Government (Finance, Plans and Reporting) Regulation 2010.

**Recommendation** – *That the Financial Statements to the 31 October 2011 be accepted by Council in accordance with section 152 of the Local Government (Finance, Plans and Reporting) Regulation 2010.*

*Moved Cr S.M. O'Neill*

*Seconded Cr G.J. Jones*

*That the Financial Statements to the 31 October 2011 be accepted by Council in accordance with section 152 of the Local Government (Finance, Plans and Reporting) Regulation 2010.*

*Carried*

### 2.2.2 FEES AND CHARGES 2011-2012

Following on from the Engeny Flood Mapping Study, Council now has the information to be able to provide flood level information on properties. This can be done as part of a Rates Search when purchasing a property. The flood level information will be for information and recommendation only to the property owner. Enforcement of building to these flood levels will not commence until the Planning Scheme has been amended in 2012.

**Recommendation** – *That Council adopt a fee for providing flood level information of \$35 per request.*

*Moved Cr K.M. Egan*

*Seconded Cr G.J. Jones*

*That the fee for providing Flood level information of \$35 per property be adopted and inserted into Council's Schedule of Fees and Charges.*

*Carried*

### 2.2.3 COMMUNITY PLAN 2011-2021 – 'OUR FUTURE'

Following the community surveys and consultation the Draft Community Plan has been out for public comment. No feedback was received. The Community Plan is therefore presented for adoption.

**Recommendation** – *That Council adopt the Community Plan 2011-2021 – 'Our Future'.*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

Moved Cr K.M. Egan

Seconded Cr C.N. Haydon

*That the Community Plan 2011-2021 - 'Our Future' be adopted.*

*Carried*

*Dylan Heit and Jessica Corney, School Captains 2012 left the meeting at 11.21 am.*

#### 2.2.4 ANNUAL REPORT 2010-2011

In accordance with the Local Government Act 2009 the Annual Report for 2010-2011 is required to be adopted by 30 November 2011. Council is waiting on the final Audit Certificate to include in the report.

**Recommendation** – *That the Annual Report 2011-2012 be referred to a Special Meeting of Council to be held at the end of November 2011.*

Moved Cr C.N. Haydon

Seconded Cr K.M. Egan

*That a Special Meeting be held at 1.30 pm on 29 November 2011 to adopt the Annual Report, the Asset Management Plan and other matters the Chief Executive Officer includes on the Agenda.*

*Carried*

#### 2.2.5 REGIONAL ARTS DEVELOPMENT FUND

Applications were called for the first round in 2011-2012 financial year. Applications received and approved by the committee are listed below.

Project	Funding Received	Total Project Cost
Flinders Poppy Arts Craft and Resource Centre		
• Leathercraft Workshop	\$5,207.00	\$ 8,567.00
• Dichroic Glass / Jewellery Workshop	\$4,160.00	\$ 6,910.00
• Creative Sewing Workshop	\$6,480.00	\$12,680.00
• Leadlighting Workshop	\$3,597.50	\$ 5,002.50
Sherilee Honnery		
• Attending International Millinery Forum	\$2,000.00	\$ 3,079.00

**Recommendation** – *That Council ratify these allocations within the RADF.*

Moved Cr G.J. Jones

Seconded Cr K.M. Egan

*That Council ratify these allocations within the RADF.*

*Carried*

*Cr G.J. Jones left the meeting at 11.28 am.*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

#### 2.2.6 WRITE OFF IN COUNCIL RECORDS

Council is asked to write off the following –

NAR 10134  
\$33.50  
Client deceased

NAR 10162  
\$287.10  
Lost Library Books – address unknown

**Recommendation** – *That Council write off the amount of \$320.60 in Council's records.*

*Moved Cr C.N. Haydon*

*Seconded Cr K.M. Egan*

*That Council write off the amount of \$320.60 in Council's records.*

*Carried*

#### 2.2.7 HUGHENDEN MEMORIAL SWIMMING POOL

The Hughenden Amateur Swimming Club ask Council if they are willing to administer a trust account to hold funds raised to go toward the swimming pool upgrade.

**Recommendation** – *That Council hold in reserve, monies raised to go towards the swimming pool upgrade.*

*Moved Cr S.M. O'Neill*

*Seconded Cr C.N. Haydon*

*That Council hold in reserve, monies raised to go towards the swimming pool upgrade.*

*Carried*

#### 2.2.8 NATURAL DISASTER RESILIENCE PROGRAM – ROUND THREE INSTALLATION OF FLOOD WARNING SYSTEM ON THE PORCUPINE CREEK TRIBUTARY

Advising that Council's application has been approved and advising that Combined Commonwealth and Queensland Government support up to a maximum of \$70,000 for Round Three (financial year 2011-2012) has been allocated to the project. Total funding allocation –

➤ Applicant and Partner contribution	Nil
➤ State Government contribution	\$35,000
➤ Commonwealth Government contribution	\$35,000

The system will be installed on the Porcupine Gorge Bridge on the Hann Highway.

**Recommendation** – *That Council accept the contribution, refer to the Budget Review 2012-2013 and arrange for the installation.*

*Cr G.J. Jones left the meeting at 11.35 am.*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

*Moved Cr C.N. Haydon*

*Seconded Cr K.M. Egan*

*That Council accept the contribution, refer to the Budget Review 2012-2013 and arrange for the installation.*

*Carried*

#### **2.2.9 NATURAL DISASTER RESILIENCE PROGRAM – ROUND THREE PURCHASE OF A TRAILER MOUNTED ELECTRONIC NOTICE BOARD**

Advising that Council's application has been approved and advising that Combined Commonwealth and Queensland Government support up to a maximum of \$26,600 for Round Three (financial year 2011-2012) has been allocated to the project. Total funding allocation –

- |  |          |
|--|----------|
| ➤ Applicant and Partner contribution   | \$13,400 |
| ➤ State Government contribution        | \$13,300 |
| ➤ Commonwealth Government contribution | \$13,300 |

**Recommendation** – *That Council accept the contribution and refer to the Budget Review 2012-2013 for funding.*

*Moved Cr K.M. Egan*

*Seconded Cr C.N. Haydon*

*That Council accept the contribution and refer to the Budget Review 2012-2013 for funding.*

*Carried*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

## 2.3 DIRECTOR OF ENGINEERING

### 2.3.1 PLANNING AND DEVELOPMENT

*Nil*

### 2.3.2 GENERAL REPORT

*Moved Cr G.J. Jones                      Seconded Cr C.N. Haydon*

*That the Director of Engineering's report as presented for consideration be received.*

*Carried*

#### 2.3.2.1 GRADING CONTRACT 2011 – 2014

Tenders for the Shire Maintenance Grading Contract closed on the 2 November 2011. The submissions were recorded and compared with the performance and capability criteria set out in the tender documents.

A condition of the Contract is that should a contractor fail to complete his contract within the stipulated time period, that contract, or any part thereof, may be awarded to an alternative contractor at the discretion of the Superintendent.

The schedule of tender submissions is attached; it is noted that there was no submission for the South-East sector.

***Recommendation:*** *That the following tenders be accepted by Council -*

- *For the Southern Sector, the tender of T.N. & K.L. Williams for the sum of \$138,457.00;*
- *For the North-West Sector, the tender of M.D. Hunter for the sum of \$137,062.50;*
- *For the South-West Sector (2), the tender of John Pattel for the sum of \$104,710.00;*
- *For the South-West Sector (1), the tender of John Pattel for the sum of \$130,800.00; and*
- *For the North-East Sector, the tender of S. & S. Reddie for the sum of \$97,076.00.*
- *The tender for the South-East sector be re-advertised.*

*Moved Cr G.J. Jones*

*Seconded Cr C.N. Haydon*

*That the following tenders be accepted by Council -*

- *For the Southern Sector, the tender of T.N. & K.L. Williams for the sum of \$138,457.00;*
- *For the North-West Sector, the tender of M.D. Hunter for the sum of \$137,062.50;*
- *For the South-West Sector (2), the tender of John Pattel for the sum of \$104,710.00;*
- *For the South-West Sector (1), the tender of John Pattel for the sum of \$130,800.00; and*
- *For the North-East Sector, the tender of S. & S. Reddie for the sum of \$97,076.00.*
- *The tender for the South-East sector be re-advertised.*

*Carried*

# FLINDERS SHIRE COUNCIL MINUTES 17 NOVEMBER 2011

## GRADING CONTRACT 2011-2014

Sector	TN&KL Williams	MD Hunter	S. & S Reddie	John Pattel
South - East				
Southern	\$138,457.00	\$188,057.00		
North - West		\$137,062.50	\$138,992.00	
South-West (2)			\$118,652.70	\$104,710.00
South - West (1)			\$150,022.33	\$130,800.00
North - East			\$97,076.00	
Capability	Two Cat 12H Graders	Cat 140G grader Fiat Allis FG95 grader 2 operators	If awarded a contract, will purchase a CAT 140 or 160 ready to commence in March 2012	2 John Deere Graders 14' Blades 2 Operators

### 2.3.2.2 TRAFFIC ISSUE FLINDERS RIVER BRIDGE

At a meeting held 15 November 2011 to discuss various safety issues within Hughenden Township particularly at the Kindergarten, a number of options were put forward regarding safety with parents dropping off their children at the Kindergarten in Gray Street.

Options put forward were –

- Flashing lights at the Kindergarten;
- Reduction in speed to 40kph from the intersection of Little Avenue and Gray Street to the intersection of Gray and Stansfield Streets either for 24 hours per day or nominated hours to suit the Kindergarten;
- Reduction in speed to 50kph from the intersection of Little Avenue and Gray Street to the Railway Crossing at Moran Street;
- Pavement marking at the Kindergarten with suitable warning signage;
- Call points for trucks;
- Pedestrian crossing in front of the Kindergarten;
- *Give Way* signage on the northern side of the bridge near the intersection of Little Avenue and Gray Streets; and
- Security fencing/barricading outside the Kindergarten; and
- Security fencing/barricading installed on the internal kerb along the Bridge.

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

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Also safety issues were raised with vehicles entering Uhr and Hardwick Streets from Gray Street as well as vehicles entering Gray Street from Comyn Street.

Suggestions put forward were –

- Prevent vehicles turning right into Uhr and Hardwicke Streets from Gray Street; left hand turn only from Comyn Street; and
- Removal of concrete barrier, shrubbery and power pole at the Uhr, Hardwicke, Gray and Comyn Streets intersection and reduction in length of centre parking to improve visibility.

*Moved Cr S.M. O'Neill*

*Seconded Cr G.J. Jones*

*That the following options be recommended to the Department of Transport and Main Roads for consideration and public consultation -*

- *Flashing lights at the Kindergarten at drop-off times;*
- *Reduction in speed to 50kph from the intersection of Little Avenue and Gray Street to the Railway Crossing at Moran Street;*
- *Security fencing/barricading installed on the internal kerb along the Bridge;*
- *Prevent vehicles turning right into Uhr and Hardwicke Street from Gray Street; left hand turn only from Comyn Street;*
- *Call points for trucks; and*
- *Pavement marking at the Kindergarten with suitable warning signage.*

*Carried*

*Stephen Turner, Director of Engineering retired the meeting at 10.32 am at the commencement of the Chief Executive Officer's reports.*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

#### 2.4 CRIER NOTES

Councillors write for the "Crier" and the months for their edition in 2011 are –

November 2011	Cr B.V. McNamara
January 2012	Cr S.M. O'Neill

NOTED

#### 2.5 COUNCILLOR REPORTS

##### 2.5.1 Cr B.V. McNamara Standing Committees

Local Government Association of Queensland Executive  
State and Federal Governments  
North Queensland Local Government Association Inc  
Greater Northern Queensland Development alliance (GNDDA)  
Australia's Dinosaur Trail

*Cr G.J. Jones entered the meeting at 11.47 am.*

*Cr B.V. McNamara advised he had attended the –*

- *meeting of the Historical Group held in Hughenden on 24 October 2011;*
- *Local Government of Queensland Limited Executive Board teleconference on the 29 October 2011;*
- *Department of Employment, Economic Development and Innovation (DEEDI) regarding weeds on 31 October 2011;*
- *Agricultural Invest Forum held in Townsville on 3 November 2011;*
- *North Queensland Local Government Association teleconference on 4 November 2011;*
- *Bio-Security Queensland Advisory Committee meeting held in Brisbane on the 8 November 2011;*
- *Australia's Dinosaur Trail meeting held in Richmond on the 9 November 2011;*
- *Hughenden State School Speech Night held 9 November 2011;*
- *AGFORCE meeting held on the 16 November 2011; and*
- *a meeting regarding the future of the Hughenden Swimming Pool on the 14 November 2011.*

NOTED

##### Cr G.J. Jones Standing Committees

Western Queensland Local Government Association Inc  
MITEZ  
Chamber of Commerce  
RADF

*Cr G.J. Jones advised he had attended the –*

- *Hughenden Chamber of Commerce meeting held on the 20 October 2011;*
- *Regional Development Australia meeting and Emergency Management Queensland training held in Townsville on the 23-26 October 2011;*
- *Copperstring Briefing held in Hughenden on the 27 October 2011;*
- *MeatEng Dinner held on Hughenden on the 8 November 2011;*
- *Hughenden Chamber of Commerce meeting held 14 November 2011;*

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

---

- *a meeting regarding the future of the Hughenden Swimming Pool on the 14 November 2011; and*
- *Community consultation approximately eight hours.*

NOTED

**Cr C.N. Haydon**

**Standing Committees**

Desert Uplands

Southern Gulf Catchments

*Cr C.N. Haydon advised he had attended no meetings this month.*

NOTED

**Cr K.M. Egan**

**Standing Committees**

Chamber of Commerce

Health Forum

*Cr K.M. Egan advised of her attendance –*

- *at a visit to the Winton Multi Purpose Health Centre (General Hospital) on the 24 October 2011;*
- *the Saleyards Advisory Group meeting held on the 14 November 2011; and*
- *a meeting regarding the future of the Hughenden Swimming Pool on the 14 November 2011.*

NOTED

**Cr S.M. O'Neill**

**Standing Committees**

North West Outback Queensland Tourism Authority Group

North Queensland Games Foundation

*Cr S.M. O'Neill advised he attended-*

- *the Hughenden State School Speech Night where he presented BHP Cannington Mines Sports Bursary to Jean Read; and*
- *Copperstring Briefing held on 16 November 2011.*

NOTED

# FLINDERS SHIRE COUNCIL

## MINUTES

### 17 NOVEMBER 2011

#### 2.6 CLOSURE

The next meeting of Council will be held at 10.00 am on Thursday 15 December 2011.

#### PROPOSED MEETING CALENDAR

DATE	MEETING VENUE	TOPIC
Wednesday, 7 December 2011 8.30 am	Refuse Tip	Official Opening
Thursday 15 December 2011 10.00 am	Boardroom	Ordinary Meeting
Friday 16 December 2011 6.30 pm	Diggers Entertainment Centre	Christmas Party

The meeting closed at 12.13 pm

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**Brendan McNamara**  
**Mayor**  
**Flinders Shire Council**