



Burdekin Shire Council

CORRESPONDENCE FOR INFORMATION

1. 1570703 * 461

Australian Local Government Association

Request for Notice of Motion – National General Assembly 2020 – Submissions Close
27 March 2020

2. 1570704 * 925

Bureau of Meteorology

Letter of Thanks and Appreciation – Contributing to Nation's Weather Observations Record
– Bureau of Meteorology

3. 1571084 * 146

Volunteer Marine Rescue Burdekin Inc.

Invitation – VMR Burdekin Christmas Party – VMR Burdekin Squad Building 17 January
2020

4. 1571199 * 449

Local Government Association of Queensland

LGAQ Circular – Human Rights Act 2019 – A Guide for Local Government – 10 December
2019

5. 1572237 * 693

Office of the Director-General – Department of Transport and Main Roads

Responding to Email Dated 31 October 2019 – Road Issues with the Burdekin Shire –
Department of Transport and Main Roads

6. 1573956 * 454

Northern Alliance of Councils Inc. (NAOC)

2020 Northern Alliance of Councils Conference – 12 to 14 August 2020 – Charters Towers





AUSTRALIAN
LOCAL GOVERNMENT
ASSOCIATION

BURDEKIN SHIRE COUNCIL	
File ID No.	461
11 DEC 2019	
Document No.	
Retention Period	

4 December 2019

Burdekin Shire Council
PO Box 974
AYR QLD 4807

VIEW	MMOR CEO	AGENDA	
		DATE	
		APPLIC #	
NOTED		PROP #	
TENDER		LAND #	
ACTION			
DEADLINE		CLASS	

Dear Mayor, Councillors and CEO (please distribute accordingly)

The Australian Local Government Association (ALGA) is now calling for Notices of Motions for National General Assembly 2020 (NGA).

The NGA provides a platform for Local Government to address national issues and advocate to the federal government on critical issues facing our sector.

The theme for the 2020 NGA is '*Working Together for our Communities*'. This theme acknowledges the need to come together and with other partners, including the Federal Government, to deliver for our communities.

ALGA received significant feedback on the motions process and topics from the 2018 and 2019 NGA. In response to the feedback received, ALGA has prepared a discussion paper that explores data that identifies critical areas local government needs to consider now and into the future.

To inform the submission of motions, please read the discussion paper (included with this letter) and ensure motions meet the identified criteria.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. be relevant to the work of local government nationally;
2. be consistent with the themes of the NGA;
3. complement or build on the policy objectives of your state and territory local government association;
4. be from a council which is a financial member of their state or territory local government association;
5. propose a clear action and outcome; and
6. not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

All motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and endorsement of your council. Motions should be lodged online at alga.asn.au no later than 11:59pm on Friday 27 March 2020.

Any administrative inquiries can be directed to ALGA by calling [REDACTED]

Adrian Beresford-Wyllie
ALGA CEO



Australian Government
Bureau of Meteorology

Bureau of Meteorology
GPO Box 1289
MELBOURNE VIC 3001

October 7, 2019

Dear Observer

BURDEKIN SHIRE COUNCIL	
File ID No.	925
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On behalf of the Bureau, I would like to thank you once again for your contribution to the nation's weather observations record.

Your ongoing contribution from your unique corner of the country, along with your fellow volunteers Australia wide, provides both your local community and the whole nation with detailed information of our unfolding weather.

Your accurate and timely recording and lodgment of weather observations helps us to better understand our weather and climate; builds Australia's long-term climate record; assists flood forecasting and modelling; and helps anyone making weather-dependent decisions in agriculture or other industries.

As a crucial part of our network of volunteer, cooperative, rainfall and river-height observers, you also play a vital role in helping us enhance our ability to issue warnings and forecasts, and to support our emergency services partners manage hazards and extreme-weather events.

This year the Bureau of Meteorology continued a program to upgrade every automatic weather station and weather balloon station across Australia and our Antarctic territories. The first of the new balloon launchers have been deployed in Queensland, with another 22 to be deployed over the next 3 years.

The Bureau has been working closely with State Governments to deploy the latest in Weather Radar technology across the country. This includes upgrades to Radars in the coastal regions of Western Australia, as well as a new radar being built in the Wimmera region of Victoria. In addition, planning is well underway for new Radars in Western NSW, throughout Queensland and Northern Territory.

These investments will secure our weather observing systems, improve forecast products and secure climate records for future Australians.

Once again, I thank you for your invaluable contributions to the Bureau for the benefit of all Australians.

Yours sincerely

Lionel Marshall
Manager, National Observing Operations
Observing Systems and Operations | Data and Digital Group
Bureau of Meteorology

VIEW	CLIENT	AGENDA	C.I. 4
TECH		DATE	21/1/20
		APPLIC #	
NOTED		PROP #	
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ACTION			
DEADLINE		CLASS	



AT YEAR 2020

ALL ENTRIES IN MILLIMETRES TO ONE DECIMAL PLACE

Day of the week shown in the left hand column for each month

DATE	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	DATE
1	W	Sat	S	W	F	M	W	Sat	Tu	Th	S	Tu	1
2	Th	S	M	Th	Sat	Tu	Th	S	W	F	M	W	2
3	F	M	Tu	F	S	W	F	M	Th	Sat	Tu	Th	3
4	Sat	Tu	W	Sat	M	Th	Sat	Tu	F	S	W	F	4
5	S	W	Th	S	Tu	F	S	W	Sat	M	Th	Sat	5
6	M	Th	F	M	W	Sat	M	Th	S	Tu	F	S	6
7	Tu	F	Sat	Tu	Th	S	Tu	F	M	W	Sat	M	7
8	W	Sat	S	W	F	M	W	Sat	Tu	Th	S	Tu	8
9	Th	S	M	Th	Sat	Tu	Th	S	W	F	M	W	9
10	F	M	Tu	F	S	W	F	M	Th	Sat	Tu	Th	10
11	Sat	Tu	W	Sat	M	Th	Sat	Tu	F	S	W	F	11
12	S	W	Th	S	Tu	F	S	W	Sat	M	Th	Sat	12
13	M	Th	F	M	W	Sat	M	Th	S	Tu	F	S	13
14	Tu	F	Sat	Tu	Th	S	Tu	F	M	W	Sat	M	14
15	W	Sat	S	W	F	M	W	Sat	Tu	Th	S	Tu	15
16	Th	S	M	Th	Sat	Tu	Th	S	W	F	M	W	16
17	F	M	Tu	F	S	W	F	M	Th	Sat	Tu	Th	17
18	Sat	Tu	W	Sat	M	Th	Sat	Tu	F	S	W	F	18
19	S	W	Th	S	Tu	F	S	W	Sat	M	Th	Sat	19
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21	Tu	F	Sat	Tu	Th	S	Tu	F	M	W	Sat	M	21
22	W	Sat	S	W	F	M	W	Sat	Tu	Th	S	Tu	22
23	Th	S	M	Th	Sat	Tu	Th	S	W	F	M	W	23
24	F	M	Tu	F	S	W	F	M	Th	Sat	Tu	Th	24
25	Sat	Tu	W	Sat	M	Th	Sat	Tu	F	S	W	F	25
26	S	W	Th	S	Tu	F	S	W	Sat	M	Th	Sat	26
27	M	Th	F	M	W	Sat	M	Th	S	Tu	F	S	27
28	Tu	F	Sat	Tu	Th	S	Tu	F	M	W	Sat	M	28
29	W	Sat	S	W	F	M	W	Sat	Tu	Th	S	Tu	29
30	Th		M	Th	Sat	Tu	Th	S	W	F	M	W	30
31	F		Tu		S		F	M		Sat		Th	31
Totals													
Number of Days													
	Since 1st Jan.	2 months	3 months	4 months	5 months	6 months	7 months	8 months	9 months	10 months	11 months	Year	
Totals													
Average All Years	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC	Year
	Since 1st Jan.	2 months	3 months	4 months	5 months	6 months	7 months	8 months	9 months	10 months	11 months	Year	
Total Number of Days													

Observers with display facilities are requested to exhibit this sheet in a conspicuous position.

At end of year retain this sheet with rain register. The rain should be entered on the day it is measured.

PLEASE RETAIN THIS FORM AT YOUR STATION FOR REFERENCE.

From: Marine Rescue Burdekin
Sent: Thu, 12 Dec 2019 14:04:12 +1000
To: Email Registration
Subject: Invitation to VMR Burdekin Christmas Party

INVITATION

Lyn McLaughlin and partner

You are invited to attend

VOLUNTEER MARINE RESCUE BURDEKIN CHRISTMAS PARTY

We would be delighted if you could be one of our
guests at the party

at

VMR BURDEKIN SQUAD BUILDING,
AYR DALBEG ROAD, Ayr

ON

FRIDAY 17TH JANUARY, 2020

6.00 p.m.

Please RSVP to



or Phone Chantelle on



Circular

HUMAN RIGHTS ACT 2019 – A GUIDE FOR LOCAL GOVERNMENT

For Information

Release Date: Tuesday, 10 December 2019

Authorised by: Greg Hallam PSM Chief Executive Officer

Overview

The remaining provisions of the *Human Rights Act 2019* ("the Act") will commence on **1 January 2020**^[1].

The main objects of the Act are:-

- a. to protect and promote human rights; and
- b. to help build a culture in the Queensland public sector that respects and promotes human rights; and
- c. to help promote a dialogue about the nature, meaning and scope of human rights^[2].

Relevantly, so far as local government is concerned, this is achieved by requiring public entities to act and make decisions in a way compatible with human rights^[3].

A local government, a councillor of a local government and a local government employee are all included in the definition of a "public entity" under the Act^[4]. Accordingly, it is not just a local government as a body corporate that has obligations under the Act. Those same obligations extend to a local government's councillors and its employees.

A decision will be "compatible with human rights" so long as it:-

- a. does not limit a human right; or
- b. limits a human right only to the extent that is reasonable and demonstrably justified in a free and democratic society based on human dignity, equality and freedom^[5].

What are "human rights"?

Under the Act, human rights apply to all individuals and only to individuals^[6].

The Act protects a broad spectrum of human rights which can be broadly described as a right to:-

- a. recognition and equality before the law;
- b. life;
- c. protection from torture and cruel, inhuman or degrading treatment;
- d. freedom from forced work;
- e. freedom of movement;
- f. freedom of thought, conscience, religion and belief;
- g. freedom of expression;
- h. peaceful assembly and freedom of association;
- i. take part in public life;
- j. own property;
- k. privacy and maintenance of one's reputation;
- l. families and children being protected;
- m. enjoy one's culture, religion and language;
- n. the protection of Aboriginal and Torres Strait Islander peoples' identity, culture, language, kinship ties, relationship with the land, territories, waters, coastal seas and other resources with which they have a connection;
- o. liberty and security of person;
- p. humane treatment when deprived of liberty;
- q. a fair and public hearing in criminal and civil proceedings;
- r. various rights in criminal proceedings;
- s. not be tried or punished more than once for an offence;
- t. not be subject to retrospective criminal laws;
- u. education; and
- v. health services.^[7]

FOR OFFICIAL USE ONLY

Many of these rights are unlikely to be affected by the sorts of decisions ordinarily made by a local government, its councillors and its employees. However, some of these rights, including those referred to in paragraphs (a), (e), (g), (h), (j) (k), (m), (n), (s) and (t) (above) could be relevant to some of the decisions ordinarily made.

Obligations on public entities

Under the Act, section 58(1), it is unlawful for a public entity:-

- a. to act or make a decision in a way that is not compatible with human rights; or
- b. in making a decision, to fail to give proper consideration to a human right relevant to the decision.

To give proper consideration to human rights, the Act requires a public entity to:-

- a. identify the human rights that may be affected by the decision; and
- b. consider whether the decision would be compatible with human rights.[\[8\]](#)

What is the consequence of a failure to comply with the obligations upon public entities?

An act or a decision of a public entity is not invalid merely because it contravenes subsection 58(1) of the Act. Further, a person does not commit an offence against the Act or another Act merely because a person acts or makes a decision in contravention of subsection 58(1) of the Act.

However, where a person may seek any relief or remedy in relation to the act or decision of a public entity that was unlawful on a ground other than section 58 of the Act, the person may seek that remedy on the ground of unlawfulness arising under section 58, even if the person may not be successful in obtaining the relief or remedy arising under the other ground[\[9\]](#). This right does not give a person an entitlement to be awarded damages on the ground of unlawfulness arising under section 58[\[10\]](#).

Further, a person may make a complaint to the Queensland Human Rights Commission about an alleged contravention of section 58(1) of the Act by a public entity. However, such a complaint may only be made if the person has firstly made a complaint to the public entity about the alleged contravention. Where such a complaint is made to a local government, it has 45 business days in which to respond to the complaint.

Upon the making of a complaint to the Queensland Human Rights Commission, it has powers to require the provision of information or documents about the complaint, direct persons to participate in conciliation of a complaint and direct particular complaints to other entities having responsibility under legislation for the subject matter of the complaint[\[11\]](#).

Will the Act affect a local government's local laws?

Part 3, Divisions 1 and 2 of the Act which deal with the scrutiny of new legislation will not have application to a local government's local laws as a local law is not made by way of a Bill introduced in the legislative assembly, nor is it subordinate legislation.

A local law is however a statutory instrument[\[12\]](#). Accordingly, it falls within the definition of a "statutory provision" found in Schedule 1 of the Act.

Upon commencement of the remaining provisions of the Act, a local government's local laws must, to the extent possible that is consistent with its purpose, be interpreted in a way that is compatible with human rights[\[13\]](#). This obligation will apply to the interpretation all statutory provisions.

Additionally, if in a proceeding before a court or a tribunal a question arises in relation to the interpretation of a provision of a local law in accordance with the Act, the question may be referred to the Supreme Court by a party to the proceeding where the court or tribunal considers the question is appropriate to be decided by the Supreme Court[\[14\]](#). Thereafter, the Supreme Court may make a declaration of incompatibility regarding the provision[\[15\]](#).

The making of a declaration of incompatibility will not:-

- a. affect in any way the validity of the provision for which the declaration was made; or
- b. create in any person any legal right or give rise to any civil cause of action.[\[16\]](#)

What steps should local governments take to be ready for the commencement of the Act?

To be ready for the commencement of the Act, local governments should:-

- a. to the extent that it is appropriate to delegate powers given to a public entity under the Act— resolve to delegate the powers;
- b. review its complaints-handling processes to see whether they need to be updated to deal with the issue of compatibility with human rights and to incorporate mechanisms for responding to complaints lodged with local governments under the Act;
- c. review its policies and procedures to see whether they need to be updated to deal with the issue of compatibility with human rights;

- d. ensure that any internal decision making guidelines identify the need to give proper consideration to human rights and the making of decisions in a way that is not incompatible with human rights;
- e. ensure that templates for the making of recommendations about a decision and the recording of a decision include a statement about the consideration of human rights and the extent to which the decision is compatible with human rights;
- f. provide training to councillors and employees regarding what are human rights and the obligations applying to public entities under the Act;
- g. promote a culture of ensuring compliance with human rights in all actions and decision making by local government.

[1] Proclamation No. 2—*Human Rights Act 2019* (commencing remaining provisions)

[2] Section 3 of the *Human Rights Act 2019*.

[3] Section 4(b) of the *Human Rights Act 2019*.

[4] Section 9(d) of the *Human Rights Act 2019*.

[5] Sections 8 and 13 of the *Human Rights Act 2019*.

[6] Section 11 of the *Human Rights Act 2019*.

[7] Refer to Part 2 of the *Human Rights Act 2019* for the full text of each of these rights.

[8] Section 58(5) of the *Human Rights Act 2019*.

[9] Sections 59(1) and (2) of the *Human Rights Act 2019*.

[10] Section 59(3) of the *Human Rights Act 2019*.

[11] Part 4, Division 1 of the *Human Rights Act 2019*.

[12] Section 7 of the *Statutory Instruments Act 1992*.

[13] Section 48(1) of the *Human Rights Act 2019*.

[14] Section 49 of the *Human Rights Act 2019*.

[15] Section 53 of the *Human Rights Act 2019*.

[16] Section 54 of the *Human Rights Act 2019*.

BURDEKIN SHIRE COUNCIL	
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19 DEC 2019	
Document No.	
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Office of the
Director-General

Department of
Transport and Main Roads

Our ref: DG37411

12 DEC 2019

Councillor Lyn McLaughlin
Mayor
Burdekin Shire Council
PO Box 974
AYR QLD 4807

Dear Councillor *Lyn* McLaughlin

Thank you for your email of 31 October 2019 about road issues within the Burdekin Shire.

I appreciate you taking the time to write to me following our discussion at the recent Local Government Association of Queensland's annual conference in Cairns. In relation to the matters you have raised, I can advise the following:

Intersection of Mount Inkerman Road and Bruce Highway

The Department of Transport and Main Roads (TMR) recognises that there has been an increase in traffic volumes on Mount Inkerman Road following recent upgrade works, and will continue to monitor this matter.

TMR completed a safety review of the Bruce Highway and Mount Inkerman Road intersection earlier this year. The safety review identified the intersection has sufficient sight distance and appropriate intersection warning signage. The review did identify some improvements, including the removal of redundant signage, which will be completed by the end of 2019. It also recommended slashing roadside vegetation regularly to ensure continued, safe intersection sight distance. TMR will carry out these works as part of its regular maintenance program.

At this stage, funding is currently not available in the *Queensland Transport and Roads Investment Program 2019–20 to 2022–23* (QTRIP) to construct protected left- and right-turn lanes at this intersection.

Intersection of Brown Road and Ayr–Dalbeg Road

A review of data shows that there is no crash history at this intersection and TMR is not aware of any specific safety or maintenance concerns. Accordingly, TMR does not intend to upgrade this location at this stage.

TMR would be supportive of Burdekin Shire Council (BSC) nominating this intersection for improvement works through the Transport Infrastructure Development Scheme (TIDS).

VIEW	<i>MAYOR</i>	AGENDA	
<i>CEO</i>	<i>DIPES</i>	DATE	
<i>TMR</i>		APPLIC #	
NOTED		PROP #	
TENDER		LAND #	
ACTION			
DEADLINE		CLASS	

1 William Street Brisbane
GPO Box 1549 Brisbane
Queensland 4001 Australia

Telephone +61 7 3066 7316
Website www.tmr.qld.gov.au
ABN 39 407 690 291

Intersection of Bower Street and Drysdale Street

I note that these are local government roads, and this intersection has a crash history, including a fatal crash in August 2018. I understand that BSC has submitted a Black Spot project nomination for potential works at this location. I am advised that following a review by TMR's Black Spot technical committee in October 2019, BSC's submission is progressing through the Australian Government's Black Spot funding nomination process. The Australian Government will announce successful Black Spot project nominations around May 2020.

If you require further information about the Black Spot funding program and project eligibility, I encourage you to contact Mr Michael Gillies, Manager, (Safer Roads), TMR, by telephone on [REDACTED] or email at [REDACTED]

While my availability to meet is fairly limited over the coming months, I will be pleased to visit the Burdekin Shire and meet with you to inspect these locations when I am next in the region.

Yours sincerely



Neil Scales
Director-General
Department of Transport and Main Roads

*P.S. I'll get there as soon as I
can!*

η

Date Claimer

Northern Alliance of Councils

12 - 14 August 2020

2020 CONFERENCE



Join us in Charters Towers for the Northern Alliance of Councils Annual Conference

Charters Towers is located at the crossroads of the Overlander's Way (Flinders Highway) and the Great Inland Way (Gregory Developmental Road) and just a short 90 minute drive inland from Townsville.

The area is a unique snapshot of the Queensland Outback. The authentic, laidback rural lifestyle that still tells the story of the heady gold rush days and the unsettling World War periods, all in a safe, friendly, country atmosphere.