



**Minutes of the Ordinary Meeting of the Quilpie Shire Council
Held in the Quilpie Shire Council Boardroom on
Tuesday 8th November 2011
Commencing at 8.40 am**



Present

Cr PD Edwards (Mayor), Cr DP Murray (Deputy Mayor), Cr JC Hewson, Cr RJ Nowland, Cr C Paulsen

Dave Burges (Chief Executive Officer)
Lisa Hamlyn (Deputy Chief Executive Officer)
Monica James (Community Services Manager)

Closed Session

Resolution No: (01-11-11)

**Moved by Cr Edwards
Seconded by Cr Murray**

That Council enters into closed session under s72 of the Local Government (Operations) Regulation 2010 at 8.42am to discuss Staff Matters.

Carried

Attendance

The Deputy Chief Executive Officer and Community Services Manager left the meeting at 8.42am.

The Deputy Chief Executive Officer and Community Services Manager entered the meeting at 9.45am.

Ordinary Meeting (Continued)

Resolution No: (02-11-11)

**Moved by Cr Hewson
Seconded by Cr Paulsen**

That Council moved out of Closed Session and resumed the Ordinary Meeting at 9.45 am.

Carried

2.0 Receiving / Confirmation of Minutes

Resolution No: (03-11-11)

Moved by Cr Murray

Seconded by Cr Hewson

That the Minutes of the Ordinary Meeting of Council held on Tuesday 11th October 2011 are taken as read and confirmed with the following amendments:

- Page 6 - Cyclone and Flood Warning Subsidies.
The amount of \$100,000 be amended to \$900,000 for the funding application submitted by SWNRM for the four South Western Shires.
- Page 9 - Roadworks
Cr Paulsen enquired if the Engineer had inspected Trinidad Road at Thylungra.

Carried

Delegated Officer: Deputy Chief Executive Officer

Business arising from Previous Meeting

Stock Route Management Bill 2011

The Chief Executive Officer advised Council that subsequent to the Stock Route Management Bill 2011 being discussed at the October Council Meeting, Quilpie and Bulloo Shire Councils have compiled a joint submission and have been invited to make representation to the Commission hearing on Friday 18th November in Longreach. Attendance at the hearing is to be confirmed.

DAMP (Drug and Alcohol Management Program)

The Chief Executive Officer advised that he had been in contact with Santos in regard to initial DAMP testing of staff. An agreement has been confirmed with Medvet Laboratories to undertake the initial testing process. Testing will commence when Medvet Laboratories are next in the area.

Emergency Landing Strips

The Chief Executive Officer advised Council that the issue of emergency landing strips on roads within the shire was discussed during a meeting with Kim Murphy, District Director South West, Transport and Main Roads. The matter will be considered by Transport and Main Roads.

Tracking Devices in Plant and Machinery

Cr Murray enquired as to the progress regarding installation of tracking devices within Council owned and contractors' plant and machinery. The Chief Executive Officer informed Council that the Works Manager is progressing this matter.

Flood Damage

The Chief Executive Officer advised Council that he will be meeting with Main Roads representatives later this month to discuss how Flood Damage contracts on state controlled roads can be successfully implemented.

Cr Edwards advised Council that he received a telephone call from the Mayor of Blackall Tambo Shire to discuss the possibility of a joint project to complete Flood Damage works on Adavale / Blackall Road. The two relevant Transport and Main Roads regional offices are discussing the co-ordination of this project.

Australian Local Government Association

The Chief Executive Officer advised Council that the submission to the Australian Local Government Association regarding Council's views on the issue of Constitutional Recognition of Local Government has been completed and submitted.

Woodchipper / Mulcher

The Chief Executive Officer advised Council that following discussions with the Community Services Manager and Parks and Gardens Supervisor, the purchase of a Woodchipper / Mulcher has been deferred for consideration in the 2012/2013 budget.

3.0 Mayoral Notes

Meetings Attended

12 th October	Met with Professor Manning re tax reform
13 th October	LDMG Meeting – Inspector Mick Dowie and others
14 th October	Remembrance Day Meeting
20/21/22 October	Travelled to and from Brisbane, met with Fuel companies and DG's regarding depots
21 st October	Attended Showcase Excellence Awards Dinner - Quilpie State School GAME Program
27 th October	Meeting with R Volz regarding fire danger inspection in Quilpie
3 rd November	Skytrans User Group Meeting RAD AGM and General Meeting
4 th November	Interviews for Wild Dog Trapper
5 th November	Golf Club Presentation Evening
6/7 th November	Bishop Bill Morris farewell and opening new classroom at St Finbarr's

Several meetings were held with officers from the Qld Audit Office and Technology 1 throughout the month.

Wild Dog Trapper Position

The Chief Executive Officer reported to Council that the Wild Dog Trapper interviews were held on Friday 4th November 2011. Four applicants were shortlisted and the interview panel consisted of Crs Edwards and Murray, the Chief Executive Officer and Cr Clifford – Bulloo Shire Council. The interviewees had varying levels of experience in different areas of wild dog control and trapping. The successful applicant was Russell Ferguson of Thargomindah.

Wild Dog Trapping workshops conducted by Tony Townsend and funded by SWNRM are currently being held throughout the South West. The workshop being held in Quilpie is on the 10/11/12 November. Registration for these workshops to date is very low to date with no interest being shown for the Quilpie workshop despite advertising and mass emails being distributed throughout the Shire.

Extension of Lease – Lowes Petroleum

The Mayor reported to Council that he met with representatives from Exxon Mobil, Department of Environment and Resource Management, Lowes Petroleum and Vaughan Johnson- Member for Gregory, in Brisbane during the month to discuss the closure of the Mobil depot, scheduled to occur on 15 November. Following discussion, closure of the depot has been delayed for two months and possibly longer to allow time for alternative arrangements to be investigated and organised. Negotiations are continuing and Ken Bichel, Exxon Mobil has requested confirmation of a back-up plan for a temporary depot until such time as Quilpie can obtain more industrial blocks.

Quilpie Golf Club

The Mayor tabled a certificate presented by the Quilpie Golf Club at their end of year break-up in appreciation of Council's support and sponsorship throughout the season.

Overgrown Yards

Complaints have been received by Councillors regarding overgrown allotments / house blocks in Quilpie. The major concerns are that the properties look unsightly and could be harbouring vermin such as snakes etc. Council requested that an inspection of properties is undertaken and notices sent to the land owners for prompt attention.

Noted

Delegated Officer: Building and Environmental Planning Officer

4.0 Works Reports

4.1 Works Manager Status Report

Shire Flood Damage

The Chief Executive Officer advised Council that George Bourne & Associates are currently compiling a project package for the restoration of floodways.

Driveway Access to Residential Lots

Following an enquiry from a resident regarding installation of driveways to residential lots, Council confirmed that one driveway constructed to Council's standard will be provided by Council per allotment. Council may install additional driveways to allotments upon request at the owners cost.

Received and Noted

4.2 Plant Report

Plant No 67

Cr Edwards requested that the workshop investigates and repairs the clutch problem on plant no 67 to enable the machine to conduct required works at Bulloo Park.

Plant No 220

Cr Murray enquired if Moore's had been contacted regarding the reported cracks in the body and chassis of the side tipper.

Received and Noted

Adjournment

The Meeting adjourned for Morning Tea at 11.00am and resumed at 11.20am.

4.3 Plumber's Report

Received and Noted

5.0 Tenders & Quotations**5.1 Chipu Street Subdivision Sewerage Tender (Closed 12.00pm Friday 28 October 2011)**

Council considered the tenders received for the construction of the Chipu Street subdivision infrastructure, including the supply and installation of 976 metres of gravity sewer pipeline, 400 metres of sewer raising main and a sewerage pump station.

The Chief Executive Officer and Works Manager will investigate further options regarding the Chipu Street sewerage infrastructure and present recommendations and costs to Council at the December meeting. Further, the Works Manager considers engaging a contractor with appropriate plant to do some test holes to establish the condition of the earth at the subdivision.

Deferred**5.2 Satellite Phone Upgrades**

Cr Hewson declared a Material Personal Interest in this matter and left the Meeting at 11.47am

Resolution No: (04-11-11)

Moved by Cr Paulsen

Seconded by Cr Nowland

That Council purchases four (4) new satellite telephones from State and Territory Communications for a cost of \$10,964.48 and replaces the existing aerials as required.

Carried

Attendance

Cr Hewson returned to the Meeting at 11.57am.

6.0 Executive Office Reports

6.1 Chief Executive Officer's Status Report

Airport Security Classification

Resolution No: (05-11-11)

Council resolved that the Chief Executive Officer writes to the Department of Transport and Infrastructure advising that Council accepts the indicative Airport Security Classification 6 for Quilpie Airport.

Resolved

Delegated Officer: Chief Executive Officer

6.2 Pre-Employment Drug Testing Policy

Resolution No: (06-11-11)

Moved by Cr Hewson

Seconded by Cr Nowland

That Council adopts the Pre-Employment Drug Testing Policy.

Carried

Delegated Officer: Chief Executive Officer

6.3 Local Law Making Process

Local Law and Subordinate Local Law Making Process

Resolution No: (07-11-11)

Moved By Cr Paulsen

Seconded by Cr Hewson

For the purposes of section 29(1) of the Local Government Act 2009, the local government resolves to adopt a process for making each local law of Council as detailed below. The process—

- (a) *applies to the making of—*
 - (i) *each local law that is an adopted model local law; and*
 - (ii) *each local law that is a subordinate local law; and*
 - (iii) *each other local law; but*
- (b) *does not apply to a local law that is an interim local law.*

Making a local law that is an adopted model local law

The process (model local law making process) stated in this resolution must be used to make a local law that is an adopted model local law.

- Step 1 — *By resolution, propose to adopt the model local law.*
- Step 2 — *If the model local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.*
- Step 3 — *By resolution—*
- (a) *adopt the model local law; and*
 - (b) *if there is an existing local law about the matter that is inconsistent with what is adopted—amend or repeal the existing local law so that there is no inconsistency.*
- Step 4 — *Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (3) inclusive of the Local Government Act 2009.*
- Step 5 — *As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.*
- Step 6 — *Within 7 days after the notice is published in the gazette, give the Minister—*
- (a) *a copy of the notice; and*
 - (b) *a certified copy of the local law; and*
 - (c) *if the local law contains 1 or more anti-competitive provisions—*
 - (i) *advice of each anti-competitive provision; and*
 - (ii) *the reasons for their inclusion.*
- Step 7 — *Update the local government's register of its local laws.*

Making an “other” local law

The process (other local law making process) stated in this resolution must be used to make a local law (a proposed local law) other than—

- (a) *a model local law; or*
- (b) *an interim local law; or*
- (c) *a subordinate local law.*

- Step 1 — *By resolution, propose to make the proposed local law.*
- Step 2 — *Consult with relevant government entities about the overall State interest in the proposed local law.*
- Step 3 — *Consult with the public about the proposed local law for at least 21 days (the consultation period) by—*
- (a) *publishing a notice (a consultation notice) about the proposed local law at least once in a newspaper circulating generally in the local government's area; and*
 - (b) *displaying the consultation notice in a conspicuous place at the local*

government's public office from the first day of the consultation period until the end of the last day of the consultation period; and

- (c) making a copy of the proposed local law available for inspection at the local government's public office during the consultation period; and*
- (d) making copies of the proposed local law available for purchase at the local government's public office during the consultation period.*

The consultation notice must state the following—

- (a) the name of the proposed local law; and*
- (b) the purpose and general effect of the proposed local law; and*
- (c) the length of the consultation period and the first and last days of the period; and*
- (d) that written submissions by any person supporting or objecting to the proposed local law may be made and given to the local government on or before the last day of the consultation period stating—*
 - (i) the grounds of the submission; and*
 - (ii) the facts and circumstances relied on in support of the grounds.*

If the local government decides, by resolution, that the proposed local law only amends an existing local law to make an insubstantial change, the local government may proceed to step 6 without satisfying step 3 or step 5.

Step 4 — If the proposed local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 3, and this step 4, may be undertaken contemporaneously.

Step 5 — Accept and consider every submission properly made to the local government.

A submission is properly made to the local government if it —

- (a) is the written submission of any person about the proposed local law; and*
- (b) states—*
 - (i) the grounds of the submission; and*
 - (ii) the facts and circumstances relied on in support of the grounds; and*
- (c) is given to the local government on or before the last day of the consultation period.*

Step 6 By resolution, decide whether to—

- (a) proceed with the making of the proposed local law as advertised; or*
- (b) proceed with the making of the proposed local law with amendments; or*
- (c) not proceed with the making of the proposed local law.*

If the local government resolves to proceed with the making of the proposed local law with amendments, and the amendments are substantial, the local government may

again —

- (a) consult with the public at step 3; and
- (b) accept and consider every submission properly made to the local government at step 5.

For the avoidance of doubt, if an amendment changes an anti-competitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anti-competitive provisions for the amended anti-competitive provision.

Step 7 Give the Minister the following —

- (a) a copy of the proposed local law; and
- (b) a drafting certificate for the proposed local law; and
- (c) information required by the Minister or under a regulation.

Step 8 Subject to section 29A (4) of the Local Government Act 2009, proceed further in making the proposed local law.

Step 9 By resolution, decide whether to—

- (a) make the proposed local law as advertised; or
- (b) make the proposed local law with amendments; or
- (c) not proceed with the making of the proposed local law.

If the local government resolves to proceed with the making of the proposed local law with amendments, and the amendments are substantial, the local government may again —

- (a) consult with the public at step 3; and
- (b) accept and consider every submission properly made to the local government at step 5.

For the avoidance of doubt, if an amendment changes an anti-competitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anti-competitive provisions for the amended anti-competitive provision.

Step 10 — Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (3) inclusive of the Local Government Act 2009.

Step 11 — As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.

Step 12 — Within 7 days after the notice is published in the gazette, give the Minister—

- (a) a copy of the notice; and
- (b) a certified copy of the local law; and
- (c) if the local law contains 1 or more anti-competitive provisions—

- Step 13—
- (i) advice of each anti-competitive provision; and
 - (ii) the reasons for their inclusion.
- Update the local government's register of its local laws.

Making a subordinate local law

The process (subordinate local law making process) stated in this resolution must be used to make a subordinate local law (a proposed subordinate local law).

The local government may start the process for making a subordinate local law even though the process for making the local law (including a model local law) on which the subordinate local law is to be based (the proposed authorising law) has not finished.

The local government may use steps 1 to 5 of the subordinate local law making process (other than actually making the subordinate local law) before the proposed authorising law is made if—

- (a) in making the proposed authorising law, the local government has to satisfy—
 - (i) the model local law making process; or
 - (ii) the other local law making process; and
- (b) if the proposed authorising law is made under the other local law making process— the notice about the subordinate local law under step 2 of the subordinate local law making process is published no earlier than the notice about the proposed authorising law under step 3 of the other local law making process is published.

For the avoidance of doubt, a subordinate local law made by the local government using the process detailed in this resolution may provide for the local government to, from time to time, by resolution, reference or incorporate information.

For example, under the Local Government (Operations) Regulation 2010—

- (a) the identification guidelines for the identification of anti-competitive provisions are a document made by the department and available for inspection on the department's website; and
- (b) the public interest test guidelines are a document made by the department and available for inspection on the department's website.

Step 1 — By resolution, propose to make the proposed subordinate local law.

Step 2 — Consult with the public about the proposed subordinate local law for at least 21 days (the consultation period) by—

- (a) publishing a notice (also a consultation notice) about the proposed subordinate local law at least once in a newspaper circulating generally in the local government's area; and
- (b) displaying the consultation notice in a conspicuous place in the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
- (c) making a copy of the proposed subordinate local law available for inspection at the local government's public office during the consultation period; and
- (d) making copies of the proposed subordinate local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following—

- (a) *the name of the proposed subordinate local law; and*
- (b) *the name of—*
 - (i) *the local law allowing the proposed subordinate local law to be made; or*
 - (ii) *if the local government has started the process for making a subordinate local law even though the process for making the proposed authorising law on which the subordinate local law is to be based has not finished — the proposed authorising law; and*
- (c) *the purpose and general effect of the proposed subordinate local law; and*
- (d) *the length of the consultation period and the first and last days of the period; and*
- (e) *that written submissions by any person supporting or objecting to the proposed subordinate local law may be made and given to the local government on or before the last day of the consultation period stating—*
 - (i) *the grounds of the submission; and*
 - (ii) *the facts and circumstances relied on in support of the grounds.*

If the local government decides, by resolution, that the proposed subordinate local law only amends an existing subordinate local law to make an insubstantial change, and the amendment does not affect an anti-competitive provision, the local government may proceed to step 5 without satisfying any of step 2 to step 4 inclusive.

Step 3 — If the proposed subordinate local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 2, and this step 3, may be undertaken contemporaneously.

Step 4 — Accept and consider every submission properly made to the local government.

A submission is properly made to the local government if it—

- (a) *is the written submission of any person about the proposed subordinate local law; and*
- (b) *states—*
 - (i) *the grounds of the submission; and*
 - (ii) *the facts and circumstances relied on in support of the grounds; and*
- (c) *is given to the local government on or before the last day of the consultation period.*

Step 5 — By resolution, decide whether to—

- (a) *make the proposed subordinate local law as advertised; or*
- (b) *make the proposed subordinate local law with amendments; or*
- (c) *not proceed with the making of the proposed subordinate local law.*

If the local government resolves to proceed with the making of the proposed subordinate local law with amendments, and the amendments are substantial, the

local government may again —

- (a) *consult with the public at step 2; and*
- (b) *accept and consider every submission properly made to the local government at step 4.*

For the avoidance of doubt, if an amendment changes an anti-competitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anti-competitive provisions for the amended anti-competitive provision.

Step 6 — *Let the public know that the subordinate local law has been made, by publishing a notice of the making of the subordinate local law in accordance with the requirements of section 29B(1) to (3) inclusive of the Local Government Act 2009.*

Step 7 — *As soon as practicable after the notice is published in the gazette, ensure that a copy of the subordinate local law may be inspected and purchased at the local government's public office.*

Step 8 — *Within 7 days after the notice is published in the gazette, give the Minister—*

- (a) *a copy of the notice; and*
- (b) *a certified copy of the subordinate local law; and*
- (c) *if the subordinate local law contains 1 or more anti-competitive provisions—*
 - (i) *advice of each anti-competitive provision; and*
 - (ii) *the reasons for their inclusion.*

Step 9 — *Update the local government's register of its local laws.*

Carried

Delegated Officer: Chief Executive Officer

6.4 Local Laws

Resolution No: (08-11-11)

Moved by Cr Paulsen
Seconded by Cr Hewson

That Council resolve to—

- (a) *propose to adopt each model local law listed in schedule 1; and*
- (b) *propose to make each proposed local law listed in schedule 2; and*
- (c) *propose to make each proposed subordinate local law listed in schedule 3.*

SCHEDULE 1

1. *Model Local Law No. 2 (Animal Management) 2010 to be known as Local Law No. 2 (Animal Management) 2011;*

2. *Model Local Law No. 3 (Community and Environmental Management) 2010 to be known as Local Law No. 3 (Community and Environmental Management) 2011;*

SCHEDULE 2

1. *Local Law (Repealing) Local Law (No. 1) 2011;*
2. *Local Law No. 1 (Administration) 2011;*
3. *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;*
4. *Local Law No. 5 (Aerodromes) 2011.*

SCHEDULE 3

1. *Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011;*
2. *Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011;*
3. *Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011;*
4. *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011;*
5. *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011;*
6. *Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011;*
7. *Subordinate Local Law No. 1.7 (Operation of Cane Railways) 2011;*
8. *Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011;*
9. *Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2011;*
10. *Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2011;*
11. *Subordinate Local Law No. 1.11 (Operation of Shared Facility Accommodation) 2011;*
12. *Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011;*
13. *Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011;*
14. *Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011;*
15. *Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2011;*
16. *Subordinate Local Law No. 1.16 (Depasturage of Animals on a Town Reserve) 2011;*
17. *Subordinate Local Law No. 2 (Animal Management) 2011;*
18. *Subordinate Local Law No. 3 (Community and Environmental Management) 2011;*
19. *Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011;*

Attendance:

The Chief Executive Officer left the meeting at 12.50pm .

Adjournment:

The Meeting adjourned for lunch at 1.00pm and resumed at 2.10pm.

6.4 Local Laws (continued)

With the following amendments:

Schedule 1**Prohibition on keeping animals**

- | | | |
|-------|--------------------------------|--|
| 1 (c) | Dogs | Any of the following breeds anywhere in the local government area: American pit Bull terrier or pit bull terrier; bull mastiff, bull terrier, bull arab, dogo Argentino; fila Brasileiro; Japanese tosa; Perro de Presa Canario or Presa Canario or Crossbreed of dogs listed |
| 3 | Horses | The keeping of three (3) or more horses on any land is absolutely prohibited except In stables for which a development application under the town planning scheme of the local government has been approved or in stables that existed prior to the implementation of a planning scheme. |
| 5 | Sheep | More than 1 sheep on premises in a designated town area |
| 7 | Peacock ,
Ostrich Or
Emu | A bird to which this part applies on an allotment in a designated town area. |

Schedule 5**Minimum standards for keeping particular animals**

- | | | |
|---|--|---|
| 2 | Horses and
Other
Domesticated
Animals of a

similar size
and sheep
and
other
animals of a
similar size | <p>Each owner of, and responsible person for, an animal specified in column 1, item 2 which is kept on premises must ensure that any enclosure in which the animal is kept is not located within a radius of 10m of—</p> <p>a) a residence on adjoining premises; or</p> <p>b) a place used for the manufacture, preparation or storage of food intended for human consumption other than a domestic kitchen used solely for domestic purposes by the owner or responsible person for the animal; or</p> <p>c) a place used for the storage of food (other than food kept in hermetically sealed packages).</p> |
|---|--|---|

Schedule 6 Prohibition of animals in public places

2 Bi-centennial Park, Brolga St, Quilpie All animals

Carried**Delegated Officer: Chief Executive Officer****6.5 Dangerous Dog - Request to Reduce Fee**Resolution No: (09-11-11)**Moved by Cr Murray****Seconded by Cr Nowland**

That Council reduce the annual fee for the declared dog at 35 Winchu Street, Quilpie to \$10.00.

Carried**Delegated Officer: Chief Executive Officer****6.6 Operational Plan Quarterly Review****Noted****6.7 Acquisition of Native Title Rights for Land Development**Resolution No: (10-11-11)**Moved by Cr Edwards****Seconded by Cr Nowland**

1. *That Council proceeds to compulsorily acquire any and all native title rights and interests over land described as Lot 56 on SP106862 for the purpose of alienating the land in fee simple by the State of Queensland to Quilpie Shire Council pursuant to the Land Act, 1994 for land development [RESIDENTIAL] purposes and Council now serve a Notice of Intention to Acquire Native Title Rights and Interests in order to commence the compulsory acquisition process.*

That Council proceeds to compulsorily acquire any and all native title rights and interests over land described as Lot 1 on SP234981 for the purpose of alienating the land in fee simple by the State of Queensland to Quilpie Shire Council pursuant to the Land Act, 1994 for land development [RESIDENTIAL] purposes and Council now serve a Notice of Intention to Acquire Native Title Rights and Interests in order to commence the compulsory acquisition process.

Council proceeds to compulsorily acquire any and all native title rights and interests over land described as Lot 2 on SP234981 for the purpose of alienating the land in fee simple by the State of Queensland to Quilpie Shire Council pursuant to the Land Act, 1994 for land development [INDUSTRIAL] purposes and Council now serve a Notice of Intention to Acquire Native Title Rights and Interests in order to commence the compulsory acquisition process.

2. *Council proceeds to compulsorily acquire any and all native title rights and interests over land described as Lot 3 on SP234981 for the purpose of alienating the land in fee simple by the State of Queensland to Quilpie Shire Council pursuant to the Land Act, 1994 for land development [RESIDENTIAL and INDUSTRIAL] purposes and Council now serve a Notice of Intention to Acquire Native Title Rights and Interests in order to commence the compulsory acquisition process."*

That Council delegates authority to the Chief Executive Officer to attend, on Council's behalf, any objection meeting to be held in relation to the proposed native title compulsory acquisition over land described as Lot 56 on SP106862 and Lots 1,2 and 3 on SP234981.

Carried

Delegated Officer: Chief Executive Officer

6.8 Workplace Health and Safety Officer's Report

Received

6.9 Rural Lands Officer Report

Received

6.10 Building and Environmental Planning Officer's Report

6.10.1 Building Fees & Charges

Council requested more information to be available at the December Meeting in regard to the recommended Building Fees & Charges for Certificate of Classification and Form 19 – Part A, B & C.

Delegated Officer: Chief Executive Officer

6.10.2 Application for Renewal of Special Lease 10/52586 over Lot 10 on Crown Plan WLA813313

Application for Renewal of Special Lease 10/52584 over Lot 411 on BG813212

Resolution No: (11-11-11)

Moved by Cr Murray

Seconded by Cr Paulsen

That the Department be advised that Council has no objection to the renewal of Special Lease 10/52586 over Lot 10 on Crown Plan WLA813313 and Special Lease over Lot 411 on BG813212.

Carried

Delegated Officer: Chief Executive Officer

6.10.3 Application for Conversion to Freehold of Lot 28 and Lot 29 on NK13 (Titles Ref: 17777032)

Resolution No: (12-11-11)

Moved by Cr Hewson

Seconded by Cr Nowland

That the Department is advised that Council has no objection to the conversion of Lot 28 and Lot 29 on NK13 to Freehold.

Carried

Delegated Officer: Chief Executive Officer

6.10.4 Application for Conversion to Freehold of Lot 18 on NK25 and Lot 9 on NK78 (Titles Ref 177652456)

Resolution No: (13-11-11)

Moved by Cr Murray

Seconded by Cr Paulsen

That the Department is advised that Council has no objection to the conversion of Lot 18 on NK25 and Lot 9 on NK78 to Freehold.

Carried

Delegated Officer: Chief Executive Officer

6.11 Works Manager's Contract Renewal

Resolution No: (14-11-11)

Moved by Cr Paulsen

Seconded by Cr Hewson

That Council offer to renew the Contract of Employment with the Works and that a draft updated Contract of Employment be prepared by the Chief Executive Officer.

Carried

7.0 Corporate Services Reports**7.1 Deputy Chief Executive Officer's Report****Computer Hardware**

Resolution No: (15-11-11)

Moved by Cr Murray

Seconded by Cr Paulsen

That Council accepts the quotation received from Shire Networks to upgrade the server environment for One Council and Dataworks to a virtual environment for \$48,714.42 (gst inc.) plus travel and accommodation.

Carried

Delegated Officer: Deputy Chief Executive Officer

Service Support Agreement

Resolution No: (16-11-11)

Moved by Cr Nowland
Seconded by Cr Hewson

That Council enters into a Service Support Agreement with Shire Networks and authorises payment of the first three months support, being \$7500.00 (gst exc.)

Carried

Delegated Officer: Deputy Chief Executive Officer

Rates

Rate Assessment No: 00144-00000-000

Resolution No: (17-11-11)

Moved by Cr Murray
Seconded by Cr Nowland

That Council takes further action for recovery of Rates for Assessment No: 00144-00000-000.

Carried

Delegated Officer: Deputy Chief Executive Officer

Housing

Cr Nowland declared a Material Personal Interest in the matter and left the meeting at 4.34pm.

Resolution No: (18-11-11)

Moved by Cr Paulsen
Seconded by Cr Murray

That Council accepts the quotation received from Litchfield Constructions for \$295,000.00 (gst exc.) to construct a 4 bedroom house in accordance with Council specification outlined in the previously advertised Expression of Interest, noting a possible 2-5% increase in material costs after 60 days.

Carried

Delegated Officer: Deputy Chief Executive Officer

Attendance

Cr Nowland returned to the Meeting at 4.38pm.

Rates Discount

Resolution No: (19-11-11)

Council considered correspondence received in relation to discount on Rates Assessment No 00849-00000-000.0 and resolved not allow discount on this assessment.

Resolved

Delegated Officer: Deputy Chief Executive Officer

Adjournment

The Meeting adjourned for Afternoon Tea at 4.50pm and resumed at 5.08pm

8.0 Community Services Reports

8.1 Manager of Community Services Report

Obituaries

Resolution No: (20-11-11)

Council resolved to forward its condolences to the relatives of the late Pam Lyons, William Groves and Henry Harkin and Farrin Vettters.

Resolved

Delegated Officer: Community Services Manager

Remote Aerodrome Upgrade Grants

Council decided not to pursue funding through the Remote Aerodrome Upgrade Grants at this financial year, however the Solar Lighting / upgrade of Toompine Airstrip is to be considered in the 2012/2013 budget considerations, should a funding opportunity be available.

Noted

Attendance

Carolyn Landsberg entered the Meeting at 5.12pm.

Carolyn Landsberg addressed Council regarding grave concerns that she and Andrew have with the future of the railway yards, business and their home, following receipt of correspondence advising that they must vacate their residence by mid December as QR National were offering the house for sale by removal because Council will not provide an access road to the property.

Cr Edwards advised Carolyn that he would pursue the matter, commencing with contact with Mr Vaughan Johnson, Member for Gregory and the Premier's Department.

Attendance

Cr Edwards thanked Carolyn for attending the Council meeting and advising Council of the current situation. Carolyn left the Meeting at 5.28pm.

Community Plan (continued)

The Community Services Manager advised Council that a draft Community Plan document was distributed throughout the Shire for public comment and two responses were received. The Chief Executive Officer requested that Councillors provide feedback to the Community Services Manager by Thursday 19th November to enable the Chief Executive Officer and Community Services Manager to meet with Cath Robson to review and make amendments to the plan. The Plan will be presented to Council again at the December Meeting for adoption. The Community Engagement Plan will also be presented to Council for consideration at the December Meeting.

Noted**Delegated Officer: Community Services Manager / Chief Executive Officer**

Community Recovery Package

The Community Services Manager advised Council that she is working with the Community Services Manager, Bulloo Shire Council to develop an A5 Preparedness Brochure Project for flood and fire which is planned to be launched during a family fun day to be held at Toompine.

Noted

Quilpie Cultural Society

Resolution No: (21-11-11)

Council resolved not to proceed with the installation of extra carpet / vinyl in the small bedroom at the Quilpie Cultural Society.

Resolved**Delegated Officer: Community Services Manager**

General Business

Cr Paulsen requested that investigations be undertaken to determine if radio station Triple J can establish in Quilpie.

Noted**Delegated Officer: Community Services Manager/Deputy Chief Executive Officer**

Eromanga Swimming Pool

A request has been received from Eromanga residents for the opening hours of the pool to be increased beyond the current one hour per day, including opening on weekends.

The Community Services manager advised that a Bronze Medallion qualification is required by person /s in Eromanga for this to occur. Council endorsed the Community Services Managers advice regarding this matter.

Regional Development Australia.

The Community Services Manager advised Council that the Regional Development Australia Funding Program is a two stage process. Expressions of interest will be shortlisted for the application process. The new conditions imposed on applications will deter people from submitting applications.

Stuart MacKenzie spoke to Cr Edwards regarding Council pursuing an application under RDA on behalf of the Outback Gondwana Foundation. Stuart Mackenzie will meet with the Mayor and Community Services Manager on Thursday to discuss the matter further. If a decision is required prior to the December meeting, Councillors will be contacted.

If decision has to be made prior to meeting, Councillors will be contacted.

RADF

The Community Services Manager advised Council that the RADF Annual General Meeting was held and Annabelle Tully is the new Chair of the Committee. Cheryl Kaye is the RADF Liaison Officer.

Round 2 Funding

An application was received from the Cultural Society Public Art Committee for \$14,150.00 to install the "sheep project". The RADF Committee recommended that Council ratifies the application received from the Cultural Society Public Art Committee.

Resolution No: (22-11-11)

Moved by Cr Paulsen
Seconded by Cr Hewson

That Council accepts the recommendation of the RADF Committee and ratifies the application received from the Cultural Society Public Art Committee for \$14,150.00 to commence the 'sheep project'.

Carried

Delegated Officer: Community Services Manager

8.2	Sport & Recreation Co-Ordinator's Report	Received
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8.3	Tourism Officer's Report	Received
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8.4	Library Officer's Report	Received
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8.5	Swimming Pool Manager's Report	
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Resolution No: (23-11-11)

Moved by Cr Nowland
Seconded by Cr Murray

That Council approves the request from the Swimming Pool Manager to close the Quilpie Swimming Pool at COB Friday 23 December 2011.

Carried

Delegated Officer: Community Services Manager

8.6 Health Promotions Officer's Report

Received

9.0 Financial Reports

9.1 Cash Management Report

9.2 Financial Management Report

9.3 Aged Debtors Report

9.4 Aged Creditors Report

9.5 Cheque Payment List

9.6 Capital Progress Report

9.7 Statement of Revenue & Expenditure

Register of Cheques Issued for the periods ending 31 October 2011

Resolution No: (24-11-11)

Moved by Cr Murray

Seconded by Cr Hewson

That the reports of the Administration and Finance sections of Council are received and the Statement of Receipts and Expenditure as presented is received and adopted; that payment of accounts totalling \$1,674,627.34 as listed are confirmed and;

That the following expenditure of Corporate Credit Cards for the month of October 2011 is accepted:

CEO Credit Card Payments			Mayor Credit Card Payments		
Dept of Main Roads	Traffic Management Level 4 Course - Mike Castles	385.00	Mantra Phoenician	Accommodation LGAQ Conference	204.00
			B3 Accelerate	Site subscription for website	79.00
			Our Community Pty Ltd	Subscription to grants package	497.00
			Charleville Motel	Accommodation & meals	123.00
			Queensland Government	Vehicle Inspection	78.80

			Mantra Phoenician	Accommodation LGAQ Conference	530.40
			Mantra Phoenician	Accommodation LGAQ Conference	530.40
			Mantra Phoenician	Accommodation LGAQ Conference	530.40
NAB	Card Fee	9.00	NAB	Card Fee	9.00
		394.00			2,582.00

Carried

10.0 Reception and Consideration of Correspondence (including listed correspondence) Nil

11.0 Consideration and Reception of Notices of Motion Nil

12.0 General Business

12.1 The Chief Executive Officer tabled a letter of thanks received from the RFDS (Royal Flying Doctor Service) for the recent donation of \$233.70 which was collected at the Visitor Information Centre.

12.2 Proposed new dangerous dog offence

Queensland Government announced its intention to review the sufficiency of the existing Queensland laws in relation to dog owner who fail to prevent their dog from causing serious injury or death to a person. As a consequence of that review a proposed new offence of dangerous management of a dog has been created for inclusion in the Criminal Code.

Resolution No: (25-11-11)

Council resolved to support the creation of the proposed new offence which will transfer responsibility for investigation and commencement of proceedings for serious dog attacks from Local Government to the Queensland Police Service.

Resolved

Delegated Officer: Chief Executive Officer

12.3 Department Transport and Main Roads – Regional Airport Development Scheme

The Chief Executive Officer tabled correspondence received from the Department of Transport and Main Roads regarding the Regional Airport Development Scheme.

12.4 LGAQ – Postal Vote, Rearrangement of LGAQ Electoral Districts

Resolution No: (26-11-11)

Moved by Cr Hewson

Seconded by Cr Nowland

That Quilpie Shire Council supports motions numbered 1 – 5 via return of postal ballot pursuant to Rule 4.14 of the Local Government Association of Queensland Ltd Constitution as outlined in correspondence received from LGAQ .

Carried

- 12.5** Cr Murray enquired regarding a letter from Council to the Quilpie Diggers Race Club regarding the loss of the deposit paid for hire of Bulloo Park. The Chief Executive Officer and Community Services Manager explained that under normal circumstances the hirer would be given the opportunity to remedy the issues prior to any action being taken. However, another hiring customer had booked and required access to the facility and Council had to go in and clean it.
- 12.6** Cr Edwards enquired if the Works Manager had received any further interest from staff regarding contractor arrangements on Council machinery.
- 12.7** Cr Paulsen advised that she would not be in attendance at the January Council Meeting.

13.0 Fixing Dates for next Ordinary Meeting

Next Meeting

The next Ordinary Meeting of Council will be held on Tuesday 13th December 2011 in the Quilpie Shire Council Boardroom, commencing at 8.30am.

Closure of Meeting

There being no further business, the meeting was declared closed at 7.12pm.
