



QUILPIE SHIRE COUNCIL

Minutes

Ordinary Meeting of Council

13 May 2014 commencing at 10:00am

Quilpie Shire Council Boardroom

50 Brolga Street Quilpie

1 OPENING OF MEETING

The Mayor declared the meeting open at 10:00am

2 PRESENT

Cr Stuart Mackenzie

Cr Jenny Hewson

Cr Stewart Sargent

Cr Tony Lilburne

Cr Milan Milosevic

Dave Burges (Chief Executive Officer)

Jocelyn Hall (Executive Assistant)

3 APOLOGIES

4 CONDOLENCES

Condolences have been sent to the family of the late John Veters, Colin Johns and Tom Lees.

5 RECEIVING AND CONFIRMATION OF MINUTES

5.1 (04/14) – Ordinary Meeting of QSC held Tuesday, 8 April 2014 at 9:20am

Minutes of the Ordinary Meeting of Quilpie Shire Council held in the Council Boardroom, 50 Brolga Street Quilpie on Tuesday, 8 April 2014.

Resolution No: (01-05-14)

Moved by: Cr Sargent

Seconded by: Cr Hewson

That the minutes of the Ordinary Meeting of Quilpie Shire Council held on Tuesday, 8 April 2014 are taken as read and confirmed as an accurate record of proceedings.

5/0

6 MAYORAL REPORT

The Mayor provided a verbal report of the various workshops, meetings and conferences attended since the last Council meeting in April. Below is the summary of the function attended in the capacity of the Mayor.

The Mayor alongside all councillors attended the interviews for the new pool lease. Carolynn and Derek Taylor - TaylorSwim was successful in this application and will commence on 1 August for an initial three year contract. Carolynn and Derek are well qualified to take on the role.

On the 25 April 2014, all councillors celebrated ANZAC Day with the community at the annual ANZAC Day ceremony. This year Quilpie welcomed the ANZAC Rumlbers Bike Group. This group of returned soldiers travel to remote locations each year for ANZAC day in which they fundraise for local community groups. This year, the group raised \$2,410 to the Friends in Isolation. Council extended their thanks and appreciation to the ANZAC Rumlbers group as well as to Monica James and Janet Foley for their organisation on such a successful event.

The Mayor represented Quilpie Shire at the official unveiling ceremony of the diprotodon sculpture at Eulo. The bronze statue is one of the best of its kind in Australia.

Councillor Mackenzie participated in the Budget workshop on 29 April. This workshop was an opportunity to review the current budget and prepare the proposed 2014/15 budget.

The South West Regional Economic Development (SWRED) and South West Local Government Association (SWLGA) meetings were held in Charleville on 1 May which Cr Mackenzie took part in. It was noted that the State Government will contribute \$200,000 towards various regional projects. The SWRED group tabled the idea of employing a person to manage the SWRED projects with projects being targeted at further developing the Natural Sciences Loop project. Guest speaker Howard Hobbs MP outlined the Interim Farm Household Allowance as well as the illegal trading uncovered by the newly introduced bikies laws. As an ongoing issue, the future of the rail industry was revisited and it was noted that approximately eight companies have expressed interest in contracting for the Queensland rail freight task currently undertaken by Aurizon. At the SWLGA meeting the committee discussed the proposal to compile a regional internal audit committee comprised of Councillors and an experienced external auditor. This point was also discussed at the Finance and Future Leaders Summit.

On Tuesday 6 May, an Outback Queensland Tourism Association (OQTA) meeting was held in Brisbane. It was noted that the Outback Queensland Education Tour Subsidy is available for Queensland school students to visit Outback Queensland to learn about the history and heritage of our State. At present Central West is the only division that has accessed this subsidy. OQTA will promote this project further to both the North and South West in the upcoming years to encourage participation. The South West has highlighted the Natural Sciences Loop as a project that could be tied into such subsidies.

Cr Mackenzie and Cr Sargent attended the Finance and Civic Leaders Summit on the 7 / 8 May which featured guest speakers from both state and local governments as well as Queensland Treasury Corporation.

On Saturday 10 May Cr Mackenzie attended the Quilpie Diggers race day.

The preceding month has been eventful and it is visioned that the upcoming month will continue to be full of activity as we approach and finalise the budget for 2014/15.

7 TENDERS & QUOTATIONS

7.1 Tender T29 13-14 – Ambathella Road

Tenders have been called for flood damage restoration works on Ambathella Road under the 2012 NDRRA program.

The tenders were requested from relevant companies included on Council’s “Civil Works Approved Contractor List”. The Approved Contractor List was established in accordance with the Local Government Act 2009 and the Local Government Regulation 2012.

The tender from Trimroads was accepted by the CEO on Saturday 26 April 2014 to allow the works to proceed as soon as possible.

Resolution No: (02-05-14)

Moved by: Cr Hewson

Seconded by: Cr Sargent

That Council ratify the actions of the CEO in awarding Tender T29 13-14 for Flood Damage on Ambathella Road to Trimroads for \$229,907.10 inc GST.

5/0

8 ENGINEERING SERVICES

8.1 No Reports

9 COMMUNITY SERVICES

9.1 (04/14) – Macquarie Regional Radio

With the current broadcasting agreement finished with Macquarie Regional Radio and a new proposal discussed at the April Council Meeting, (for \$14,480 per annum). Macquarie Regional Radio has now come back with a revised agreement/proposal.

30 x 30 second commercials per month

Plus another 10 x 30 bonus commercials per month

Plus \$50 per month production fee per month

Plus \$60 GST per month

This will be for the seven months discussed and the final price including everything will be \$4,970.00 + GST

This will not change a lot except of course less frequency on air and for a shorter period.

Resolution No: (03-05-14)

Moved by: Cr Sargent

Seconded by: Cr Lilburne

That Council not accept the revised proposal from Macquarie Regional Radio for \$4,970 + GST for the 7 month period allowing 30 x 30 second commercials per month plus a further 10 x 30 bonus commercials per month, \$50 production fee per month and GST.

5/0

9.2 (04/14) – RADF Round 4 Applications

MATERIAL PERSONAL INTEREST DECLARED

Cr Mackenzie declared a Material Personal Interest in this matter (*as defined in section 172 of the Local Government Act 2009*), due to being the Chairman of the Outback Gondwana Foundation. Cr Mackenzie dealt with this Material Personal Interest by leaving the meeting room and taking no part in the debate or discussion on the matter

Cr Mackenzie left the meeting at 10:17am

Cr Hewson, Deputy Mayor took the chairpersons position and continued the Meeting.

The RADF Committee met on Thursday 4 May, 2014 to consider funding 4 applications that were received for Round 4 Funding. \$10,000 was available for consideration of applications as refunds of \$7,489.30 had been received from the Quilpie Cultural Society and it is not prudent to have any large of amounts of money to be carried over to the next year.

The applications received for Round 4 funding are:

The Quilpie & District Show Society applied for \$2,500 RADF for a workshop and performances of “The Kazoos” at the Quilpie & District Show.

Quilpie Shire Lantern Making Workshop for \$2000

St. Finbarr’s P & F have applied for \$1,420 to bring a Drama Coach to Quilpie to hold workshops. Distance Education students are also included in these workshops.

Outback Gondwana Foundation applied for \$6,500 to assist in the costs of engaging a professional to oversee and assist staff with the production of a book.

The Committee discussed and recommended to Council the following applications:

Quilpie & District Show -	\$2,500
Quilpie Shire -	\$2,000
St. Finbarr’s P & F -	\$1,420
Total:	\$5,920

As only \$4,080 was left available it was decided due to limited funds and two other previous funding applications throughout the financial year to recommend to partially fund this application from Outback Gondwana Foundation.

Resolution No: (04-05-14)

Moved by: Cr Sargent

Seconded by: Cr Lilburne

That Council ratify the recommendations of the Quilpie RADF Committee from the meeting held on 1 May 2014, in relation to the Round 4 funding and grant the following applications:

- *Quilpie & District Show workshop and performance \$2,500,*
- *Quilpie Shire Lantern making workshops \$2,000,
St. Finbarr's P & F Drama coach and workshops \$1,420.*
- *The Committee further recommend partially funding the Outback Gondwana Foundation application \$4,080 due to limited funding.*

4/0

9.3 (04/14) – Community Grant

On 30 October, 2013 an application for a Community Grant was received from Eromanga State School P & C Association. This application was for \$2,000 to assist with costs for a swimming camp being held in Eromanga.

A letter was received on 29 April, 2014 and distributed to Councillors regarding a variation for the purpose of the Community Grant as the total swim camp costs had come in less than expected. The variation is to utilise this funding for accommodation and excursion costs associated with the Eromanga State School Camp to the Sunshine Coast in June this year. The Association is requesting Council permission for a variation of this grant.

Resolution No: (05-05-14)

Moved by: Cr Sargent

Seconded by: Cr Milosevic

That Council agrees to the variation of the Quilpie Shire Community Grant to enable the Eromanga State School P & C Association to use unspent monies to assist with accommodation and excursion costs associated with the Eromanga State School Camp being held in June, 2014.

4/0

ATTENDANCE

Cr Mackenzie returned to the meeting at 10:30am

BREAK

The meeting broke for morning tea at 10:30am and resumed at 10:45am

10 CORPORATE SERVICES

10.1 No Report

11 FINANCE REPORTS

ATTENDANCE

The Finance Manager, Barry Bonthuys entered the meeting at 10:46m

11.1 (04/14) – Finance Report for Period Ending 30 April 2014

The Finance report was presented to council for the period ending 30 April 2014.

Resolution No: (06-05-14)

Moved by: Cr Milosevic

Seconded by: Cr Hewson

That Council receives the Finance Report for the period ending 30 April 2014.

5/0

11.2 (01/13) – Rent Arrears

Charlotte Gorringer was renting unit 2/60 Pegler Street from 2009 to 2012 and owes the Council \$5,390 for rent. She vacated the unit on the 18 March 2012 and all attempts by Council to recover the arrears were unsuccessful. One of the problems with the debtor is that she moves a lot and is very difficult to trace. The account has been handed over to a debt collection firm who located her in Longreach. Charlotte Gorringer entered into an arrangement to pay the arrears in \$100 weekly instalments but failed to honour the agreement. Commercial Credit is now recommending that legal action be started against the debtor to recover the arrears.

Legal action will result in additional costs to Council and it is unlikely that the debt will be fully recovered through legal action as the debtor is a single mother with a child with very little in ways of income and assets.

Resolution No: (07-05-14)

Moved by: Cr Lilburne

Seconded by: Cr Milosevic

That Council agrees to write off \$5,390 for outstanding rent incurred by Charlotte Gorringer.

5/0

ATTENDANCE

The Finance Manager, Barry Bonthuys left the meeting at 11:23am

12 EXECUTIVE SERVICES

12.1 (04/14) – Operational Plan Quarterly Review

Council adopts an Operational Plan each year prior to adopting the budget. The Operation Plan should be reviewed on a quarterly basis to monitor progress.

The 3rd review of the 2013/14 Operational Plan has been undertaken and has been submitted for review.

Resolution No: (08-05-14)

Moved by: Cr Milosevic

Seconded by: Cr Sargent

That the 2013-14 Operational Plan be reviewed for the third quarter and noted.

5/0

12.2 (04/14) – Eromanga Mobile Phone Coverage Project

The funding application for the Eromanga mobile phone coverage project under the Royalties for the Regions program has been successful. The overarching funding agreement for any R4R projects has been finalised and now the individual sub-agreements are being prepared for execution.

The agreement for this project provides for a 20% up-front payment by the state government, being \$80,000. The agreement with Telstra is for a 50% upfront payment, being \$400,000. Telstra have been requested to reduce the up-front payment to \$320,000 however no response has been received at the time of writing this report.

If Telstra do not agree to the reduction in the upfront payment, Council will have to either:

- provide the balance of the required payment whilst invoices are issued to the 2 resource sector companies contributing to the project. Both companies have indicated they would fund their contributions in 2014/15. OR
- defer the payment to Telstra until the resource sector companies have been invoiced and paid their contribution. This would likely be August 2014.

Resolution No: (09-05-14)

Moved by: Cr Hewson

Seconded by: Cr Lilburne

That Council make a provision of \$320,000 in the 2013/14 budget for the advance payment to Telstra for the Eromanga mobile phone project.

5/0

12.3 (04/14) – Changes to the Penalty Unit Value

The Queensland Government recently amended the *Penalties and Sentences Act 1992* to introduce a legislative mechanism to allow, if the government decides, for an annual increase to the penalty unit

value applicable to most State laws, the local laws of most local governments and the Penalty Infringement Notices (PINS) under these laws.

Using this mechanism, the value of the penalty unit will increase from \$110.00 to \$113.85 effective from 1 July 2014 and will only apply to offences committed on or after this date.

Resolution No: (10-05-14)

Moved by: Cr Sargent

Seconded by: Cr Lilburne

That Council contact the Department with a request to have the local law penalty unit align with the Penalties and Sentences Regulation 2005.

5/0

12.4 (04/14) – Universal Housing Design - Request for Support

By letter dated 14 March 2014 (received by email Saturday 26 April 2014), the Queensland Action for Universal Housing Design is requesting Council's support for regulation for minimum access requirements in the Building Code of Australia for all new and extensively modified housing.

The QAUHD provided a supporting report on this matter and this, together with the covering letter, was forwarded to Councillors on Monday 28 April 2014.

Neither the letter nor the report provide much information on the desired changes to the Building Code however they would almost certainly want to mandate minimum requirements for accessibility into and within the building.

Resolution No: (11-05-14)

Moved by: Cr Sargent

Seconded by: Cr Hewson

That Council not agree to the request from the Queensland Action for Universal Housing Design to support regulation for minimum access requirements in the Building Code of Australia for all new and extensively modified housing.

5/0

General Discussion

ATTENDANCE

The Corporate Services Manager, Lisa Hamlyn entered the meeting at 11:44pm

Housing

Gyrca Gardens

- Future Residents
- Pest Control

General

- Council housing arrangements

ATTENDANCE

The Corporate Services Manager, Lisa Hamlyn left the meeting at 12:16pm

BREAK

The meeting broke for lunch at 12:17pm and resumed at 1:02pm

13 CONSIDERATION OF LATE ITEMS

13.1 (05/14) – Late Report – Disposal of Surplus Shed

By email of 5 May 2014, Roger Volz is requesting Council to donate an old shed to the Quilpie Fire Station.

Enquiries have been made with relevant staff and there appears to be particular use for the shed from Council's point of view.

Resolution No: (12-05-14)

Moved by: Cr Hewson

Seconded by: Cr Sargent

That Council donate the shed to the Queensland Fire and Emergency Services Quilpie Station subject to the shed being adequately erected and not unsightly to the public.

5/0

13.2 (05/14) – Late Report – Agistment of Cattle on Dillon's Well Reserve

By letter of 8 May 2014, Jack and William Tully are requesting approval to agist cattle on a temporary basis on Dillon's Well Reserve.

Resolution No: (13-05-14)

Moved by: Cr Hewson

Seconded by: Cr Lilburne

That Council approves Jack and William Tully to agist cattle on Dillon's Well Reserve for an initial period of three (3) months, commencing on the date the stock are put on the Reserve, with a possible extension of the agistment period if required, subject to the condition of the land.

5/0

13.3 (05/14) – Late Report – Negotiated Decision Notice for 21 Lot Industrial Subdivision, New Road and Easements

A Development Application – Reconfiguration of a Lot - 1 Lot into 21 Lot Industrial Subdivision, New Road and Easements, was approved with conditions by Council at the April 2014 Ordinary Meeting of Council. It has now been confirmed that Council will stage the development to defer unnecessary capital expenditure. As such the Decision Notice must be amended and the correct way to achieve this is for Council to approve a Negotiated Decision Notice in accordance with s361 of the *Sustainable Planning Act 2009*.

Condition 25 of the approval states:

“All works necessitated by the conditions of approval for fencing of easements and lot boundaries, roads (including street lighting), vehicle crossovers, water supply main extensions (including fire hydrants), water supply connections, stormwater drainage, earthworks and reticulation of electricity as shall be completed prior to the submission to Council of the Plan of Survey required by Condition 26.”

To allow the staging of the project this condition needs to be replaced.

Resolution No: (14-05-14)

Moved by: Cr Hewson

Seconded by: Cr Lilburne

That Council, in relation to the Development Approval to reconfigure land described as Lot 1 SP234981 from 1 lot into a 21 lot industrial subdivision, approve the request for a Negotiated Decision Notice and amend the Decision Notice by deleting condition 25 and replacing with a new condition 25 stating:

“Council may identify lot/s for sale. In respect of those identified lot/s and prior to their release for sale by Council, all works necessitated by the conditions of approval for roads (including street lighting), vehicle crossovers, water supply main extensions (including fire hydrants), water supply connections, stormwater drainage, earthworks and reticulation of electricity shall be completed.”

5/0

13.4 (05/14) – Late Report – Environmental Health Officer’s Report

Council has engaged the services of an Environmental Health Officer, Tony Goldsworthy, and his report compiled as a result of a recent visit to the Shire be tabled

Noted

13.5 (05/14) – Late Report – Tender T25 13-14 – Springfield Road

Tenders have been called for flood damage restoration works on Springfield Road under the 2012 NDRRA program.

The tenders were requested from relevant companies included on Council’s “Civil Works Approved Contractor List”. The Approved Contractor List was established in accordance with the Local Government Act 2009 and the Local Government Regulation 2012.

The tender from APV was accepted by the CEO on Thursday 8 May 2014 to allow the works to proceed as soon as possible.

Resolution No: (15-05-14)

Moved by: Cr Hewson

Seconded by: Cr Sargent

That Council ratify the actions of the CEO in awarding Tender T25 13-14 for Flood Damage on Springfield Road to APV for \$217,512.40 inc GST.

5/0

13.6 (05/14) – Late Report – Tender T20 13-14 – Napoleon Road

Tenders have been called for flood damage restoration works on Napoleon Road under the 2012 NDRRA program.

The tenders were requested from relevant companies included on Council's "Civil Works Approved Contractor List". The Approved Contractor List was established in accordance with the Local Government Act 2009 and the Local Government Regulation 2012.

Resolution No: (16-05-14)

Moved by: Cr Milosevic

Seconded by: Cr Hewson

That Council award tender T20 13-14 for Flood Damage on Napoleon Road to SC & KG Bowen for \$423,754.80 inc GST.

5/0

13.7 (05/14) – Late Report - Transfer of Sub Lease on Term Lease – 234641

Advice was received by email of an application to transfer the sub-lease over the existing term lease Council currently has over Lot 40 NK839916 101 hectares.

A sub lease of term lease 234647 was signed Mr Alf McKellar and Council on the 21 July 2011 for a term of 19 years, with the purpose of the use is for grazing purposes only.

Lot 40 NK 839916 has been used by the McKellar family since 1963.

Mr Ross McKellar has requested Council's general consent of the transfer as head lessee.

Resolution No: (17-05-14)

Moved by: Cr Milosevic

Seconded by: Cr Hewson

That Council approve:

- *the transfer the sub-lease of Lot 40 NK839916 from Alf McKeller to Ross McKeller; and*
- *the building of a shed on Lot 40 NK839916 with all costs occurred by the lessee*

5/0

13.8 (05/14) – Late Report – Kullilli Native Title Consent Determination

Resolution No: (18-05-14)

Moved by: Cr Hewson

Seconded by: Cr Sargent

That Council enters into closed session under s275 of the Local Government Regulation 2012 at 1:28pm to discuss the Kullilli Native Title Consent Determination.

5/0

Resolution No: (19-05-14)

Moved by: Cr Milosevic

Seconded by: Cr Sargent

That Council moves out of Closed Session and resumed the Ordinary Meeting at 1:39pm

5/0

By email of 6 May 2014, MacDonnells Law have provided a Report to Council in relation to the on-going Kullilli People native title issue.

The Kullilli People claim to hold native title over land and waters in and around Thargomindah. The claim covers land within the Bulloo and Quilpie Shire Council's local government area. Council is a respondent party to the claim and on 22 January 2013 resolved to enter into an Indigenous Land Use Agreement (ILUA) with the Kullilli People.

The Kullilli People are seeking the Council's, and other respondent parties', consent to Federal Court orders that will formally recognise that the Kullilli People hold native title in the claim area (consent determination).

The Court has listed the claim for consent determination hearing on 2 July 2014 in Thargomindah. The determination will not take effect until Council's ILUA is registered.

The purpose of the report from MacDonnells Law is to seek Council's resolution to consent to the determination.

Resolution No: (20-05-14)

Moved by: Cr Sargent

Seconded by: Cr Milosevic

1. That Council consent to a determination of native title in the Kullilli People Claim (QUD80/2009) substantially in the terms of the draft consent determination considered by Council with such amendments as may be required to enable the consent determination to be made by the Federal Court.
2. That Council delegate to the Chief Executive Officer the power to negotiate and agree to such changes to the draft consent determination referred to in paragraph 1 of this resolution, as are required to enable the Federal Court to make the consent determination.

5/0

14 GENERAL BUSINESS

14.1 Dog Fence

Cr Lilburne tabled a proposal to assist in controlling the wild dog problem in Quilpie Shire. One option that was tabled was for dog fencing to be constructed around the perimeter of the shire nopt covered by the existing barrier fence. It was identified that the current cost of wild dog control measures is approximately \$500,000 per year.

It was suggested that this issue be presented to the next Wild Dog Committee and SWRED meeting. It was also decided that Council would invite Craig Alison from SWNRM to the June Council meeting to further discuss this matter.

14.2 Request for Council to restore the headstone of Late Mr Jim Corones

Council agreed to support the restoration of the headstone of the late Mr Jim Corones.

14.3 Late Mr Alf Johnson Memorial

Council requested the Community Services Manager work with the family of the late Mr Alf Johnson to erect a memorial at the site of his ashes at the Eromanga Cemetery.

14.4 Financial Management Training for Councillors

Council agreed to proceed with the Financial Skills for Councillor Program offered by Preferred Training Networks. It was suggested to work with neighbouring shires to minimise the cost to undertake this training.

14.5 Power line for new subdivision

Ergon Energy has requested advice from Council in relation to possibly relocating the existing HV SWER power lines through the proposed rural residential subdivision. Council expressed a preference for the existing power lines to remain in their current location.

14.6 Grids on Quilpie – Adavale (Red Road)

Council requested staff clean out the grids on the Quilpie Adavale (Red) Road.

14.7 Sharon Roberts Water Connection in Eromanga

Council has been informed that both Sharon Robert's residents have access at the boundary to Councils' water supply. It was noted that the owners would have to engage a plumber privately to have this water connected internally. A letter will be written to the owner outlining the water situation.

14.8 OGF Land at Eromanga

Council reviewed the Eromanga Community Grant funds

MATERIAL PERSONAL INTEREST DECLARED

Cr Mackenzie declared a Material Personal Interest in this matter (*as defined in section 172 of the Local Government Act 2009*), due to being the Chairman of the Outback Gondwana Foundation. Cr Mackenzie dealt with this Material Personal Interest by leaving the meeting room and taking no part in the debate or discussion on the matter

Cr Mackenzie left the meeting at 2:45pm

Cr Hewson, Deputy Mayor took the chairpersons position and continued the Meeting.

Resolution No: (21-05-14)

Moved by: Cr Sargent

Seconded by: Cr Milosevic

That Council agree to dedicate the surplus funds from the Eromanga Community Development Program to the construction of a stock proof fence around the Eromanga Natural History Museum / Evacuation Centre site

4/0

ATTENDANCE

Cr Mackenzie returned to the meeting at 2:50pm

15 MEETING DATES

The next meeting of Quilpie Shire Council will take place on Tuesday, 10 June 2014 in the Quilpie Shire Council Boardroom, commencing at 9:30am.

The Mayor declared the meeting closed at 2:52pm

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting held on the Tuesday, 13 May 2014.

Submitted to the Ordinary Meeting of Council held on the Tuesday, 10 June 2014.

Cr Stuart Mackenzie

Mayor of Quilpie Shire Council

Date