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# Ordinary Meeting of Council

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## MINUTES

Tuesday 15 August 2023

Quilpie Shire Council Boardroom  
50 Broilga Street, Quilpie



**MINUTES OF QUILPIE SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE QUILPIE SHIRE COUNCIL BOARDROOM, 50 BROLGA STREET, QUILPIE  
ON TUESDAY, 15 AUGUST 2023 AT 09:30AM**

## **1 OPENING OF MEETING**

The Mayor declared the meeting open at 9.15 am

## **2 ATTENDANCE**

Cr Stuart Mackenzie (Mayor), Cr Jenny Hewson (Deputy Mayor), Cr Lyn Barnes, Cr Bruce Paulsen, Cr Roger Volz

**In Attendance:** Mr Justin Hancock (Chief Executive Officer), Ms Lisa Hamlyn (Director Corporate and Community Services), Mr Peter See (Director Engineering Services), Janelle Menzies (Secretariat)

## **3 APOLOGIES**

## **4 CONDOLENCES**

Alex Jacobs and Dorothy Hudson

## **5 DECLARATIONS OF INTEREST**

Chapter 5B of the Local Government Act 2009 (the Act) requires Councillors to declare a Prescribed or Declarable Conflict of Interest. The Declaration is to be made in writing to the Chief Executive Officer, before the Ordinary Meeting of Council.

Cr Mackenzie declared a prescribed interest in items 14.10.

## **6 RECEIVING AND CONFIRMATION OF MINUTES**

### **6.1 ORDINARY MEETING OF QUILPIE SHIRE COUNCIL HELD ON TUESDAY 18 JULY 2023**

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#### **RESOLUTION NO: (QSC137-08-23)**

Moved: Cr Lyn Barnes

Seconded: Cr Bruce Paulsen

That the Minutes of the Council Meeting held on 18 July 2023 be received and the recommendations therein be adopted.

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**6.2 SPECIAL MEETING OF QUILPIE SHIRE COUNCIL HELD ON FRIDAY 21 JULY 2023**

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**RESOLUTION NO: (QSC138-08-23)**

Moved: Cr Jenny Hewson

Seconded: Cr Roger Volz

That the Minutes of the Special Council Meeting held on 21 July 2023 be received and the recommendations therein be adopted.

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**6.3 SPECIAL MEETING OF QUILPIE SHIRE COUNCIL HELD ON MONDAY 7 AUGUST 2023**

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**RESOLUTION NO: (QSC139-08-23)**

Moved: Cr Bruce Paulsen

Seconded: Cr Lyn Barnes

That the Minutes of the Special Council Meeting held on 7 August 2023 be received and the recommendations therein be adopted.

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**7 ITEMS ARISING FROM PREVIOUS MEETINGS**

Nil

**8 MAYORAL REPORT**

- 21/07/23 - Special Meeting of Council (Quilpie)
- 25-27/07/23 - LGAQ Bush Councils Conference (Goondiwindi)
- 28/07/23 - RDA Conference (Toowoomba)
- 01/08/23 - Council Workshop (Quilpie)
- 07/08/23 - Special Meeting (zoom)
- 08/08/23 - Briefing Meeting State Development REFF (zoom)
- 10/08/23 - DG and Deputy DG of DES Meeting (Quilpie)
- 11/08/23 - REFF Steering Advisory Committee Meeting (zoom)
- 14/08/23 - CAN Meeting (zoom)

**9 COUNCILLOR PORTFOLIO REPORTS**

Details	Date of Meeting	Location	Mackenzie	Hewson	Paulsen	Volz	Barnes
Special Meeting of Council	21-Jul-23	Quilpie	1	1	1	1	1
Combined School Sport	21-Jul-23	Quilpie	1				1
Annual General Meeting QCWA (Chaired)	22-Jul-23	Quilpie		1			
LGAQ Bush Councils Conference	25-27-Jul-23	Goondiwindi	1	1		1	1
RDA Conference	28-Jul-23	Toowoomba	1				
Council Workshop	01-Aug-23	Quilpie	1	1	1	1	1
Special Meeting	21-Jul-23	Zoom	1	1	1	1	1
Briefing Meeting State Development REFF	08-Aug-23	Zoom	1				
RADF Meeting	09-Aug-23	Quilpie		1		1	
DG and Deputy DG of DES Meeting	10-Aug-23	Quilpie	1	1	1	1	1
REFF Steering Advisory Committee Meeting	11-Aug-23	Zoom	1				
CAN Meeting	14-Aug-23	Zoom	1	1			

**10 OPERATIONAL STATUS REPORTS****10.1 ENGINEERING SERVICES STATUS REPORTS****10.1.1 MONTHLY STATUS REPORT FOR ENGINEERING SERVICES JULY 2023****EXECUTIVE SUMMARY**

This report is about works carried out by Engineering Services during July 2023.

Noted

**10.2 CORPORATE AND COMMUNITY SERVICES STATUS REPORTS****10.2.1 PEST AND LIVESTOCK MANAGEMENT COORDINATOR STATUS REPORT****EXECUTIVE SUMMARY**

This report provides information and updates to Council on various activities and programs that are facilitated within the Pest and Livestock Management Coordinator's portfolio.

Noted

**10.2.2 CORPORATE AND COMMUNITY SERVICES STATUS REPORT****EXECUTIVE SUMMARY**

This report provides information and updates to Council on various activities and programs that are facilitated within the Director Corporate and Community Services portfolio.

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Noted

**10.3 FINANCE SERVICES STATUS REPORTS**

Nil

**10.4 GOVERNANCE SERVICES STATUS REPORTS****10.4.1 TOURISM AND ECONOMIC DEVELOPMENT STATUS REPORT****EXECUTIVE SUMMARY**

The purpose of this report is to update Council on Tourism and Economic Development activities during July 2023.

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Noted

**10.4.2 CHIEF EXECUTIVE OFFICER - MONTHLY STATUS REPORT****EXECUTIVE SUMMARY**

This report provides information and updates to Council on various activities and programs that are facilitated within the Chief Executive Officer's portfolio.

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Noted

**11 ENGINEERING SERVICES**

Nil

## 12 CORPORATE AND COMMUNITY SERVICES

### 12.1 COMMUNITY ASSISTANCE PROGRAM APPLICATION - QUILPIE MOTORCYCLIST ASSOCIATION

#### EXECUTIVE SUMMARY

The purpose of this report is for Council to consider an application received from the Quilpie Motorcyclist Association for financial and in-kind assistance for the 2023 Quilpie Motorbike Gymkhana and Enduro.

The Quilpie Motorcyclist Association have requested a direct cash contribution of **\$2,500** and in-kind support with the waiving of hire fees for the use of:

- 15 Wheelie Bins
- 18m2 Skip Bin
- 3 x pop up tents
- 100 Chairs
- Large Generator and leads etc.
- 10 Tables
- 1 x 8 bay Bain Marie

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#### RESOLUTION NO: (QSC140-08-23)

Moved: Cr Bruce Paulsen

Seconded: Cr Jenny Hewson

1. That Council approves the application from the Quilpie Motorcyclist Association for \$2,500 direct cash contribution and in-kind support for the use of:

15 Wheelie Bins  
18m2 Skip Bin  
3 x pop up tents  
100 Chairs  
Large Generator and leads etc.  
10 Tables  
1 x 8 bay Bain Marie

5/0

**12.2 COMMUNITY ASSISTANCE PROGRAM - COMMUNITY YOGA SESSIONS****EXECUTIVE SUMMARY**

Annabel Tully has submitted a Community Assistance Program Application requesting the waiving of hire fees for the Supper Room to hold weekly Community Yoga Sessions on Thursdays from 5.30pm – 6.30pm ongoing for 12 months. Alternative arrangements for another day can be made if the Supper Room is required for another event.

**RESOLUTION NO: (QSC141-08-23)**

Moved: Cr Jenny Hewson

Seconded: Cr Lyn Barnes

That Council approves the request to waiver hire fees for Community Yoga Sessions at the Quilpie Shire Hall Supper Room on Thursdays 5.30pm – 6.30pm on an ongoing basis for a period of 12 months. Council retains the option to negotiate arrangements for an alternative day for Yoga Sessions if the Supper Room is required for another event. Notification must be given to Council if at any time this service is no longer required.

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**12.3 COMMUNITY ASSISTANCE PROGRAM APPLICATION - QUILPIE & DISTRICT SHOW & RODEO****EXECUTIVE SUMMARY**

The Quilpie & District Show & Rodeo Committee have submitted a Community Assistance Program Application requesting a direct cash contribution of \$10,000 for their 2023 Annual Show event. The funding would be used to assist with the costs associated with travel/accommodation for entertainment, amusement ride companies, and Queensland Ambulance.

The 2022 show was cancelled due to weather. Several entertainment providers did not refund or even partly refund the money paid due to the late cancellation.

2023 Expenses

Fun Time Amusements	\$19,200
Arcade Games	\$8,800
'Gee' d Up' Band	\$10,388.60
QLD Ambulance	\$1,310.00
<b>TOTAL</b>	<b><u>\$39,698.60</u></b>

**RESOLUTION NO: (QSC142-08-23)**

Moved: Cr Bruce Paulsen

Seconded: Cr Lyn Barnes

1. That Council notes the Community Assistance Grant Application received from the Quilpie & District Show and Rodeo Committee and approves a direct cash contribution of \$5,000 to assist with costs associated with travel, accommodation, entertainment, amusement rides and Queensland Ambulance for the 2023 annual Show.

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**12.4 2023 24 RADF APPLICATIONS****EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider the RADF 2023 24 Round 1 Applications for approval.

**RESOLUTION NO: (QSC143-08-23)**

Moved: Cr Roger Volz

Seconded: Cr Lyn Barnes

1. That Council approve the following 2023/24 RADF Round 1 applications:.

<b>Organisation</b>	<b>Project</b>	<b>Amount</b>
Quilpie & District Show & Rodeo	Various entertainment - 2023 Show	\$7,772.00
	<ul style="list-style-type: none"> <li>• Helly Hoops</li> <li>• Gee 'd Up</li> </ul>	
Quilpie Cultural Society	Various workshops	\$14,673.00
	<ul style="list-style-type: none"> <li>• Fran Bulmer - Quilting</li> <li>• Dean Timms – Furniture restoration</li> <li>• Annie Weiden – Silversmithing 1</li> <li>• Annie Weiden – Silversmithing 2</li> <li>• Maxine Thompson – Pastel painting</li> <li>• Jan Lawnikanis - Artist</li> </ul>	
Quilpie Shire Council WTC		\$8,805.00
	<ul style="list-style-type: none"> <li>• The Cubby – Childrens Show</li> <li>• Shake and Stir – Childrens Show</li> <li>• Funny Mummies – Comedy/Cabaret</li> <li>• Babushka Regifted Comedy/Cabaret –</li> </ul>	
	<b>TOTAL</b>	\$31,250

5/0

**13 FINANCE**

Nil



## 14 GOVERNANCE

### 14.1 DEVELOPMENT APPLICATION - CASTLES

#### EXECUTIVE SUMMARY

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#### RESOLUTION NO: (QSC144-08-23)

Moved: Cr Bruce Paulsen

Seconded: Cr Lyn Barnes

1. Receive this report; and
2. Council issue a decision notice to the applicant approving the Development Application for a Material Change of Use to establish "Warehouse" (Cold Storage (Wild Game)) on land situated at Diamantina Development Road, Quilpie, formally described as Lot 5 on SP273738, subject to the following conditions:

#### **General Advice**

- I. The relevant planning scheme for this development is the *Quilpie Shire Planning Scheme*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to this planning scheme.
- II. In the Planning Scheme:  
  
*Warehouse means "Premises used for the storage and distribution of goods, whether or not in a building, including self-storage facilities or storage yards.  
The use may include sale of goods by wholesale where ancillary to storage.  
The use does not include retail sales from the premises or industrial uses."*
- III. All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- IV. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved works are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.
- V. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans to the relevant authorities for the approved use.
- VI. In completing an assessment of the proposed development, council has relied on the information submitted in support of the development application as true and

correct. any change to the approved plans and documents may require a new or changed development approval. it is recommended that the applicant contact council for advice in the event of any potential change in circumstances.

### **Development Conditions**

#### **Use**

1. The approved development is a Material Change of Use – “Warehouse” (Cold Storage (Wild Game)) as defined in the Planning Scheme and as shown on the approved plans.
2. A development permit for building works must be obtained prior to commencing construction of the use.

#### **Compliance inspection**

3. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted within these conditions.
4. Prior to the commencement of use, the applicant shall contact Council and arrange a development compliance inspection.

#### **Approved & Amended plans and documents**

5. All works and operations are to be carried out generally in accordance with the approved plans listed in the following table. Where the approved plans conflict with the Assessment Manager’s conditions, the Assessment Manager’s conditions shall take precedence.

<b>Plan/Document Number</b>	<b>Plan/Document Name</b>	<b>Date</b>
Plan 01	Site Plan – Proposed Roo Box	n.d.
Plan 02	Aerial Site Plan – Proposed Roo Box	n.d.
-	Elevations – Clint Castles	-

#### **Development works**

6. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
7. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners’ requirements and specifications and to the satisfaction of the asset owners’ representative(s).
8. All works on or near roadways shall be adequately signed in accordance with the “Manual for Uniform Traffic Control Devices – Part 3, Works on Roads”.

#### **Applicable Standards**

9. All works must comply with:
- a) the development approval conditions;
  - b) any relevant Acceptable Solutions of the applicable codes of the planning scheme for the area;
  - c) Council's standard designs for such work where such designs exist;
  - d) any relevant Australian Standard that applies to that type of work.

Despite the requirements of paragraphs a-d above, Council may agree in writing to an alternative specification. This alternative specification prevails over those specified in paragraphs a-d in the event of any inconsistency.

The developer must also ensure that any works do not conflict with any requirements imposed by any concurrence lawful requirements outside those stated above.

### **Stormwater drainage**

10. Stormwater drainage is to be provided in accordance with:
- a) Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013;
  - b) Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987; and
11. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed. The developer shall ensure that in all cases, discharge of stormwater runoff from the development drains freely to the legal point/s of discharge for the development.
12. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed.
13. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

### **Avoiding nuisance**

14. No nuisance is to be caused to adjoining properties and occupiers by the way of noise smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time.
15. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.
16. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties or roadways.

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17. Dust emanating as result of activities carried out onsite (both during construction and post construction) must be continually monitored and suppressed in order to prevent any dust drifting onto road networks and nearby properties and sensitive land uses.
  18. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
  19. Unless otherwise approved in writing by the Council, approved hours of construction are restricted to Monday – Saturday 6.30am to 6.30pm – noise permitted. Work or business which causes audible noise must not be conducted from or on the subject land outside the above times or on Sundays or Public Holidays.
  20. Noise emissions from the development shall not cause environmental harm of nuisance to adjoining properties or “Sensitive Land Uses” in accordance with the Environmental Protection (Noise) Policy 2008.
  21. Air emissions from the development shall not cause environmental harm of nuisance to adjoining properties or “Sensitive Land Uses” in accordance with the Environmental Protection (Air) Policy 2008.

#### **Refuse storage**

22. Adequate refuse storage areas and facilities must be provided on the site to service the approved development.
23. At all times while the use continues, waste containers shall be provided on the site and maintained in a clean and tidy state and emptied, and the waste removed from the site on a regular basis. All waste containers are to be located in a convenient and unobtrusive position and shielded from the view of users of the premises, travelling public and neighbours, and accessible by the vehicles used by Council, its agents and/or others.
24. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.

#### **Access and manoeuvring**

25. Site access from the edge of the existing bitumen from Anzac Drive to the property boundary, shall be constructed to a sealed industrial standard to the satisfaction of and at no cost to Council.
26. The landowner is responsible for the construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards. Should any damage be caused at the approved access locations, it is the landowner’s responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner’s expense.
27. No access is permitted to Diamantina Development Road.
28. All vehicles accessing the development site must be able to enter and leave in forward

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direction. Reversing out of the development site is not permitted. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.

29. Car parking and manoeuvring areas are to be designed in accordance with:
- a) AS2890.1 – Parking Facilities;
  - b) Austroads AP-34/95 - Design Vehicles and Turning Path Templates; and
  - c) The 'Access to Premises Standard' (Vol 1 of the National Construction Code).

#### **Earthworks and Construction**

30. During construction, erosion controls and silt collection measures are to be put in place to protect environmental values and mitigate potential impacts to adjoining properties and roadways.

#### **Provision of services**

31. The development must be provided with an adequate supply of water in accordance with the applicable standards and policies.
32. Connect the development to an on-site effluent disposal system, in accordance with Schedule 1, Division 4: Standards for Sewerage Supply, Section 4.2; Standards for On-site Sewerage, AS1547 and the Queensland Plumbing and Waste Water Code. Make provision for adequate on-site disposal areas as required.
33. The development must be connected to an adequate electricity supply system in accordance with the relevant building standards, requirements and specifications (as relevant).
34. If the premises is connected to a telecommunications service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).
35. All services installation connections to the respective networks, must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council's standard designs for such work where such design exist, (iv) any relevant Australian Standard that applies to that type of work and (v) any alternative specifications that Council has agreed to in writing and which the development must ensure do not conflict with any requirements imposed by any applicable laws and standards.

#### **Advertising signage**

36. Any advertising signage associated with the approved use must be fully contained within the development site boundaries and must not encroach on adjoining properties or roads.
37. Any free standing advertising signage or structure constructed on the subject site shall be designed by an RPEQ (Structural) Engineer and certification provided for both design and construction.

#### **No cost to Council**

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38. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes toe costs of any services and infrastructure required in connection with the establishment of the development.

#### **Latest versions**

39. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the time the first operational works or compliance approval is lodged with the assessment manager or approval agency for those types of works to be performed or approved, unless a regulation or law requires otherwise.

#### **Application documentation**

40. It is the developer's responsibility to ensure all entities associated with this Development Approval have a legible copy of the Decision Notice and the Approved Plans and Approved Documents bearing 'Council Approval'.

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## **14.2 DRUG AND ALCOHOL POLICY - MICRO BUSINESS**

### **EXECUTIVE SUMMARY**

Council is presented with the Drug and Alcohol Management Plan for Micro-Business developed to meet the requirements of Civil Aviation Safety Regulations 1998 (CASR) Part 99B. Quilpie Shire Council has a duty to provide a safe workplace for all employees. The health and welfare of all staff is the prime consideration in developing this plan with the aim to reinforce Quilpie Shire Council's commitment to safety, by ensuring that all employees understand what their individual responsibilities are when it comes to alcohol and other drugs use in the workplace.

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### **RESOLUTION NO: (QSC145-08-23)**

Moved: Cr Jenny Hewson  
Seconded: Cr Bruce Paulsen

That council adopt the Drug and Alcohol Management Plan for Micro-Business as presented.

5/0

**14.3 2023 CHRISTMAS SHUTDOWN PERIOD****EXECUTIVE SUMMARY**

The report will present options to Council to consider in relation to the shutdown period for the Council workforce over the Christmas / New Year period. The report will also present to Council options for the Council Christmas Party.

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**RESOLUTION NO: (QSC146-08-23)**

Moved: Cr Jenny Hewson

Seconded: Cr Roger Volz

1. That all departments of Council (excluding Tourism and limited critical services) shutdown for the Christmas / New Year period as of close of business on Friday 22 December 2023, with normal operations to recommence on Monday 08 January 2024;
2. That the Quilpie Visitor Information Centre and Museum shutdown for the Christmas / New Year period as of close of business on Saturday 23 December 2023, and commence operating for limited hours from 9am to 1pm daily for the period Tuesday 02 January 2024 to Sunday 07 January 2024 with normal operations to recommence on Monday 08 January 2024; and
3. That the Council Staff Christmas Party be held at the Quilpie Club on Friday 08 December 2023.

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**14.4 REQUEST FROM ADAVALE SPORT & RECREATION ASSOCIATION TO BUILD A SHADE STRUCTURE****EXECUTIVE SUMMARY**

Approval is sought to install a Shade Structure at the Adavale Sport & Recreation Grounds

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**RESOLUTION NO: (QSC147-08-23)**

Moved: Cr Bruce Paulsen

Seconded: Cr Lyn Barnes

That Council resolves to approve the installation of a Shade Structure at the Adavale Sport & Recreation Grounds which is located on Council Owned Land.

5/0

## 14.5 ANIMAL REGISTRATION INSPECTION PROGRAM

### EXECUTIVE SUMMARY

The Animal Management (Cats and Dogs) Act 2008 requires that all dogs in Queensland are registered once they are more than 12 weeks old. Exceptions to this include where the dog is being kept by a pound or shelter or if the dog is-

- (a) a government entity dog; or
- (b) a working dog (as defined in the Act); or
- (c) another class of dog prescribed under a regulation.

By accepting and approving the recommendation in this report, Council is providing the necessary power to officers to undertake the approved inspection program.

The program will be advertised to commence on 1 October 2023 and will remain active, in accordance with the Act, for a period of not more than six (6) months.

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### RESOLUTION NO: (QSC148-08-23)

Moved: Cr Bruce Paulsen

Seconded: Cr Jenny Hewson

That Council approves a selective Approved Inspection Program in the Quilpie and Eromanga townships to be carried out from 1 October 2023, for a period of not more than six months from that date, to ensure compliance with registration requirements of the Animal Management (Cats and Dogs) Act 2008.

5/0

## 14.6 REQUEST FROM MULGA MATES FOR STAFF HOUSING

### EXECUTIVE SUMMARY

Council has received a request to supply staff housing to the Mulga Mates Early Learning Centre for the current Director/Early Childhood Teacher vacancy.

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### RESOLUTION NO: (QSC149-08-23)

Moved: Cr Roger Volz

Seconded: Cr Lyn Barnes

That Council endorse the flying minute issued on 27 July 2023 to approve the allocation of one Council Housing Property for the vacant Director/Early Childhood Teacher vacancy at Mulga Mates Early Learning Centre.

5/0



**14.7 LEASE TO QUILPIE SPORT & REC INC****EXECUTIVE SUMMARY**

Council has been negotiating the terms on new property lease on Lease A, Lot 3 Brolga Street, Quilpie to the Quilpie Sport and Recreation Inc.

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**RESOLUTION NO: (QSC150-08-23)**

Moved: Cr Bruce Paulsen

Seconded: Cr Lyn Barnes

1. That Council resolve to:
  - (a) Enter into a lease to the Quilpie Sport & Recreation on Lease A, Lot 3 Brolga Street, Quilpie; and
  - (b) Delegate power to the Chief Executive Officer, pursuant to Section 257 of the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with or in relation to this lease agreement.

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**14.8 TENANCY LEASE RENEWAL FOR ERGON ENERGY CORPORATE LIMITED****EXECUTIVE SUMMARY**

This report is to consider the renewal of the leases of Council houses located at 74 Pegler Street, Quilpie and 57 Galah Street, Quilpie

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**RESOLUTION NO: (QSC151-08-23)**

Moved: Cr Jenny Hewson

Seconded: Cr Bruce Paulsen

1. That the Council resolve:
  1. to enter into periodic Leases for the two residential properties in the town of Quilpie – 74 Pegler Street and 57 Galah Street, with Ergon Energy Corporation Limited, with an increase in rent as per the fees and charges; and
  2. to review housing stock and considering allocation of two (2) houses to Ergon Energy Corporation Limited; and
  3. Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to negotiate, finalise, and execute any and all matters associated with or in relation to this lease agreement.

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## 14.9 DEVELOPMENT APPLICATION - LETTER TO NEIGHBOUR

### EXECUTIVE SUMMARY

To inform Council that McWaters Pastoral have submitted a development application for Lot 14 on SP273738 DA 05-22 and have requested Council, as an adjoining property owner, if they have any objections to the proposed change of material use to Warehouse (Rural Storage) and Animal Keeping (Temporary Spelling Yards and Horse Stables).

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### RESOLUTION NO: (QSC152-08-23)

Moved: Cr Jenny Hewson

Seconded: Cr Bruce Paulsen

That Council resolve not to provide any submissions to the material change of use of Lot 14 on SP273738 DA05-22 for a Warehouse (Rural Storage) and Animal Keeping (Temporary Spelling Yards and Horse Stables).

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## 14.10 GROWING FUTURE TOURISM PROGRAM

Cr Stuart Mackenzie declared he has a prescribed conflict of interest (as defined by sections 150EG, 150EH and 150EI of the *Local Government Act 2009*) in matters regarding the Eromanga Natural History Museum (ENHM)

Cr Stuart Mackenzie is Director of ENHM . The ENHM stands to gain a financial benefit depending on the outcome of the matter.

Cr Stuart Mackenzie advised that in accordance with legislative requirements he/she will leave the meeting while the matter is discussed.

At 11:27 am, Cr Stuart Mackenzie left the meeting. Cr Hewson assumed the Chair.

### EXECUTIVE SUMMARY

The purpose of this report is for Council to consider an application under the Growing Future Tourism (GFT) Program.

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### RESOLUTION NO: (QSC153-08-23)

Moved: Cr Lyn Barnes

Seconded: Cr Bruce Paulsen

That Council:

- 1) support an application for the Eromanga Natural History Museum – Stage 3 under the Growing Future Tourism Program; and
- 2) support that the total application value be up to the value of \$3 million (GST exclusive).

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At 11:30 am, Cr Stuart Mackenzie returned to the meeting and resumed the chair.

**15 CONFIDENTIAL ITEMS****MOVE INTO CLOSED SESSION**

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**RESOLUTION NO: (QSC154-08-23)**

Moved: Cr Roger Volz

Seconded: Cr Bruce Paulsen

That Council move into closed session at 11.32am.

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At 11.33am, Sharon Frank Manager Finance and Administration and Alisha Moody Rates Officer, entered the meeting.

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**RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2012:

**15.1 Recovery of Rate arrears - Term Lease**

This matter is considered to be confidential under Section 254J(3) - e and f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government and matters that may directly affect the health and safety of an individual or a group of individuals.

**15.2 Recovery of rate arrears - Sale of Land**

This matter is considered to be confidential under Section 254J(3) - e and f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government and matters that may directly affect the health and safety of an individual or a group of individuals.

**15.3 Update in relation to overdue rates and charges**

This matter is considered to be confidential under Section 254J(3) - e of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

**MOVE OUT OF CLOSED SESSION**

Moved: Cr Jenny Hewson

Seconded: Cr Lyn Barnes

That Council move out of closed session at 12:05pm.

5/0

## 15.1 RECOVERY OF RATE ARREARS - TERM LEASE

### EXECUTIVE SUMMARY

This report is presented to Council to consider Council's options to recover the overdue rates or charges levied on Lot 23 on CP NK12, State land over which Term Lease 0/221555 has been granted.

It is recommended that Council obtains further legal advice regarding whether to sue the ratepayers in the Magistrates Court seeking judgment for the amount of the overdue rates or charges. It is recommended that Council instructs its solicitors to obtain detailed searches of the real property register to determine if the ratepayers own unencumbered real property that Council could seek to execute any judgment against.

It is not recommended that Council resolves to sell the lease for overdue rates or charges under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* given the lease expires on 30 November 2024 and the upfront costs of Council completing any sale.

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### RESOLUTION NO: (QSC155-08-23)

Moved: Cr Roger Volz

Seconded: Cr Jenny Hewson

That Council resolves to obtain further legal advice regarding Assessment 00478-00000-000, (Lot 23 on CP NK12 – Term Lease 0/221555).

5/0

## 15.2 RECOVERY OF RATE ARREARS - SALE OF LAND

### EXECUTIVE SUMMARY

This report is presented to Council to:

- (a) consider whether to sell the land listed in the below Schedule for overdue rates or charges under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012*; and
- (b) consider whether to sell Lot 708 on CP Q6802 (Assessment 00225-00000-000) for overdue rates or charges under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* (sale notices for this land would need to be served by substituted service for one or more of the ratepayers).

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### RESOLUTION NO: (QSC156-08-23)

Moved: Cr Roger Volz

Seconded: Cr Jenny Hewson

That Council resolves to:

1.

- (a) sell the land listed in the below Schedule for overdue rates or charges pursuant to section 140(2) of the *Local Government Regulation 2012*; and
- (b) delegate to the Chief Executive Officer its power to:
  - i. give a Notice of Intention to Sell the land to all interested parties under section 140(3) of the *Local Government Regulation 2012*; and

- 
- ii. take all further steps required under sections 141, 142, 143, 144, 145 and 146 of the *Local Government Regulation 2012* to effect the sale of the land.

**SCHEDULE**

<b>Assessment number</b>	<b>Lot on plan description</b>
00059-00000-000	Lots 71 and 80 on CP A2456
00088-00000-000	Lot 603 on CP A2451
00267-10000-000	Lot 308 on CP Q6801

2.

- (a) sell Lot 708 on CP Q6802 (Assessment 00225-00000-000) for overdue rates or charges pursuant to section 140(2) of the *Local Government Regulation 2012*; and
- (b) delegate to the Chief Executive Officer its power to:
- i. give a Notice of Intention to Sell the land to all interested parties under section 140(3) of the *Local Government Regulation 2012*; and
  - ii. take all further steps required under sections 141, 142, 143, 144, 145 and 146 of the *Local Government Regulation 2012* to effect the sale of the land.

5/0

**15.3 UPDATE IN RELATION TO OVERDUE RATES AND CHARGES****EXECUTIVE SUMMARY**

This report is presented to Council to:

- (a) provide Council with an update in relation to the overdue rates or charges on Lot 34 on SP 242435 (Assessment 00882-00000-000) (Council is not presently entitled to sell this land); and
- (b) provide Council with an update in relation to the overdue rates or charges on Lot 5 on RP 99366 (Assessment 00179-00000-000) (Council is not presently entitled to sell this land).

**RESOLUTION NO: (QSC157-08-23)**

Moved: Cr Lyn Barnes

Seconded: Cr Roger Volz

That Council resolves to note the update in the report.

5/0

**16 LATE ITEMS****16.1 FINANCIAL SERVICES STATUS REPORT - JULY 2023****EXECUTIVE SUMMARY**

This report is to provide Council with an update on financial services for month ending 31 July 2023.

Noted

**16.2 FINANCIAL SERVICES REPORT MONTH ENDING 31 JULY 2023****EXECUTIVE SUMMARY**

The purpose of this report is to present the monthly financial report to Council in accordance with section 204 of the *Local Government Regulation 2012* for the period ended 31 July 2023.

**RESOLUTION NO: (QSC158-08-23)**

Moved: Cr Jenny Hewson

Seconded: Cr Bruce Paulsen

That Council receive the Monthly Finance Report for the period ending 31 July 2023.

5/0

At 12:26pm, Cr Jenny Hewson and Sharon Frank left the meeting.

Council Adjourned at 12:27pm for lunch

The meeting resumed at 12:58pm

**17 GENERAL BUSINESS**

Councillors were invited to raise any matters they wished to discuss. Matters raised included

**Cr Volz:**

- Concerns regarding the dust generated around the IOR site as the access is not sealed. This is also an issue at Lowes – Manager of Governance & Compliance to review Development Applications
- Concerns that Emergency Services Response (Auxiliary Firefighters) may not be able to attend all jobs in the coming months due to two members leaving town. There are currently 5 members and this will be reduced to three. Four members are required to attend a response. Rural Fire will be looking for community minded people to fill these paid positions.
- Well done to the TMR crew who did the grid presentation in Quilpie. No doubt that property owners had attended will promote it to their neighbours.
- Council should look into the Land Restoration Fund for Carbon Farming due to higher return on Australian Carbon Credit Units (ACCUS's)

Cr Volz will attend the Adavale Plan Crash Memorial at 10:00am on Sunday 27 August 2023. Cr Barnes will accompany him if she is available.

Cr Volz, Cr Hewson and CEO will attend the Western Queensland Alliance of Councils while Cr Mackenzie and Cr Barnes attend the Remote Australians Matter Conference at Charleville.

**Cr Paulsen**

- Concerns regarding speed entering Quilpie not working correctly. Director of Engineering Services advised replacement parts are to be installed this week. If this does not work, they will be removed and sent away.

**Cr Barnes**

- Cr Barnes will attend the Bush summit and has registered on-line to attend remotely

**Cr Mackenzie**

- Channel Country Ladies Day is looking for a host for the 2024. Quilpie to put in an EOI to hold the event.

**18 MEETING DATES**

The next Ordinary Meeting of Quilpie Shire Council will take place on Tuesday 19 September 2023 in the Quilpie Shire Council Boardroom, 50 Brolga Street, Quilpie commencing at 09:30.

There being no further business the Mayor declared the meeting closed at 1.32 pm.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting held on the Tuesday, 15 August 2023.

Submitted to the Ordinary Meeting of Council held on Tuesday, 19 September 2023.

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Cr Stuart Mackenzie

**Mayor of Quilpie Shire Council**

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Date