

BULLOO SHIRE COUNCIL

MINUTES

Of the Ordinary Meeting of Council held at the Council Chambers, Thargomindah on the 20th July 2009 commencing at 1:04pm.

PRESENT: Councillors: J.C. Ferguson (Mayor)
D.P. Clifford
R.J. Ferguson
A.D. Crawford
Officers: Michael Hayward (Chief Executive Officer)
Peggy Ferguson (Secretary)

1.0 APOLOGIES

Resolution No. 86 -07-09

Moved Cr Clifford seconded Cr Crawford

THAT the apology from Cr Cobb be accepted and that leave of absence from the meeting be granted.

Carried

2.0 OBITUARIES

NIL

3.0 RECEIVING OF MINUTES

Resolution No. 87-07-09

Moved Cr RJ Ferguson seconded Cr Clifford

THAT the Minutes of the Ordinary Meeting of Council held 15th June 2009, as supplied to all Councillors, be received.

Carried

4.0 CONFIRMATION OF MINUTES

Resolution No. 88-07-09

Moved Cr RJ Ferguson seconded Mayor Cr JC Ferguson

THAT the Minutes of the Ordinary Meeting of Council held 15th June 2009, as supplied to all Councillors, be confirmed.

Carried

5.0 BUSINESS ARISING FROM THE PREVIOUS MINUTES

5.1 Historical Printing Works Building

The Chief Executive Officer advised that Barry Dolan – Building Certifier - Brandon & Associates, has inspected the Historical Works Building. Mr Dolan advised that it is his professional opinion that the building is structurally unsound and recommended that Council engage a structural engineer to inspect the building prior to undertaking the removal and / or any remedial work on this building.

5.2 LGAQ 113th Annual Conference 24th – 27th August 2009

Council was advised that registrations have been made for Mayor Cr JC Ferguson and Chief Executive Officer to attend the conference as a delegates.

5.3 Child Care Facility

The Chief Executive Officer advised that Skaines, Reeves, Jones (SRJ) are finalising the report detailing full costings associated with the provision of a child care facility. The Chief Executive Officer further advised that the Manager of Community Services is preparing a survey for circulation in the community.

This survey will be distributed when the costings from the final SRJ report are received.

6.0 TENDERS AND QUOTATIONS

NIL

7.0 RECEPTION AND CONSIDERATION OF OFFICER'S REPORT

Resolution No. 89-07-09

Moved Cr RJ Ferguson seconded Cr Crawford

THAT the Officer's Reports be received.

Carried

7.1 CHIEF EXECUTIVE OFFICER'S REPORT

7.1.1 Wild Rivers Forum

Mayor Cr JC Ferguson tabled an invitation from RAPAD for Council to attend a Wild Rivers forum to be held in Longreach on 24th July 2009. The purpose of the forum is to:-

- Seek common ground on opportunities and issues / concerns
 - Raise opportunities and issues / concerns surrounding the wild rivers codes currently being developed
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- Develop any actions on common ground where possible
- Identify areas where negotiation may be possible in order to achieve agreed outcomes.

Resolved No. 90-07-09

1. THAT RAPAD be advised that no Councillors are available to attend the Wild Rivers Forum in Longreach on 24th July 2009; and further
2. THAT RAPAD be requested to update Council on any further developments with regards to the south west-channel country rivers being included in the Wild Rivers program.

7.1.2 SWQLGA Annual Meeting

The Annual Meeting of the South West Queensland Local Government Association will be held in Cunnamulla on Monday 27th July 2009.

Each Council is invited to send 2 delegates and any number of observers to the meeting. A dinner has been organised for the Monday evening.

To enable registrations to be completed, Councillors were contacted prior to the Ordinary Meeting held on 20th July 2009 to determine their availability to attend this conference.

Registrations have been made for Mayor Cr JC Ferguson and Cr Crawford to attend as delegates and Chief Executive Officer to attend as an observer.

Noted

7.1.3 Hungerford Medical Centre

Council has been advised that the application for Federal Government funding for the new Hungerford Medical Centre has been granted. \$303,050 (GST incl) has been made available from the National Rural and Remote Health Infrastructure Program for the construction and fit-out of the new centre.

The Chief Medical Officer, RFDS, Broken Hill has been contacted and invited to comment on any specific or special requirements relative to the design of the new facility.

Noted

7.1.4 Pope's Waterhole - Hungerford

Council has previously considered concerns raised by the residents of Hungerford regarding access to "Pope's Waterhole which is located on the stock route adjacent to the Paroo River near the township of Hungerford.

It is understood that the proprietors of “Ningaling” Station have a Permit to Occupy over that part of the stock route adjacent to the waterhole. A condition of the Permit is that the holder must not restrict access to the stock route.

The Deputy Mayor, Cr Clifford and the Chief Executive Officer, together with officers from the Department of Natural Resources (Charleville) inspected the site on Wednesday 8th July 2009.

The inspection identified that a fence line has been cleared and several fence posts had been installed. The proposed fence line is not considered to pose any problems with regard to access to the waterhole as the Permit to Occupy also requires the holder to install a gate in the fence so as not to restrict access to the stock route.

Noted

7.1.5 Innamincka Road – Extension of Funding Arrangements

At the June 2009 Ordinary meeting, Council resolved to write to Hon Anthony Albanese, Minister for Infrastructure, Transport, Regional Development and Local Government and request an extension until June 2011 to acquit the Auslink funds allocated to the Innamincka Road Project.

Prior to writing to the Minister, discussions were held with senior officers from the Department to advise them of Council’s position in order to hopefully fast track the Minister’s response.

The CEO, Works Manager and Finance Manager held a telephone conference with senior Department officials on Wednesday 1 July 2006 and as a result of these discussions it appears that it is unlikely that the Department would not be recommending any extension of time.

Despite this advice, correspondence has been forwarded to the Minister seeking an extension in line with Council’s resolution.

Noted

7.1.6 Policy Development Workshop

Council had intended to hold a Policy Development Workshop and Review on Monday 20 July 2009 prior to the commencement of the July Ordinary Meeting of Council. Unfortunately the Local Government Association facilitator, Ms Natalie Kent, is unavailable for that date and the workshop has now been postponed until Monday 17 August 2009.

Noted

7.1.7 Matters Raised by Elected Members

Disposal of flammable and combustible items: Mayor Cr JC Ferguson enquired on the process of disposing of flammable and combustible items at the Thargomindah Refuse Tip.

7.2 WORKS MANAGER'S REPORT

7.2.1 Matters Raised by Elected Members

Hungerford Water Supply: Cr Clifford expressed concerns regarding the age and condition of the current water supply system at Hungerford and requested that investigations into an alternative water supply (e.g. artesian bore) be carried out.

Prevention of Introduction of Carp in the Bulloo River: Cr Clifford requested that all water carriers working in the Hungerford area be instructed to ensure that any water taken from the Paroo River must not be disposed of in a manner that will allow the introduction of carp into the Bulloo River.

7.3 MANAGER OF FINANCIAL SERVICES REPORT

7.3.1 Accounts

Resolution No. 91-07-09

Moved Cr RJ Ferguson seconded Cr Crawford

THAT direct debits and vouchers for the month of June 2009 numbered 30668 - 30710 totalling \$2,265,714.71 be received.

Carried

7.3.2 Interest Rate Comparison

As requested by Council at the Ordinary Meeting held 15th June 2009, a comparison of interest rates offered by Queensland Treasury Corporation as opposed to other financial institutions has been carried out was provided to Council.

All rates are based on deposits of \$100,000 to \$1,000,000. (\$1m is guaranteed by the Australian Government until 11 October 2011).

Noted

7.3.3 Bulloo Shire Reserves with No Trustees

The Department of Environment & Resource Management is currently reviewing all reserves within the Bulloo Shire Local Government area that do not have a registered trustee. Three Customs Reserves at Oontoo have been identified as not having a registered trustee.

The Department has identified that Bulloo Shire may be the most suitable trustee for these reserves. The Department is also seeking advice on whether Council is currently undertaking the maintenance and management of any of the parcels of land listed in the table below and if Council will accept trusteeship of these parcels.

Lot No.	Plan	Title	Purpose	Area
3	G25093	49007744	Customs	243 ha
32	03271	49006535	Customs	1.012 ha
4	03271	49007764	Customs	4.047 ha

Resolution No. 92-07-09

Moved Cr Clifford seconded Mayor Cr JC Ferguson

1. THAT the Department of Environment & Resource Management be advised that Council is not currently undertaking the maintenance and management of the reserves identified in the table below.
2. THAT, pursuant to Section 44 of the Land Act 1994, Council accept the appointment of Trustee of the reserves identified in the table below.

Lot No.	Plan	Title	Purpose	Area
3	G25093	49007744	Customs	243 ha
32	03271	49006535	Customs	1.012 ha
4	03271	49007764	Customs	4.047 ha

Carried

7.3.4 Matters Raised by Elected Members

Electricity Supply at Noccundra: Cr Crawford queried the status of the electrical work that is to be carried out at Noccundra prior to the 30th September 2009.

7.4 MANAGER OF CORPORATE SERVICES REPORT

7.4.1 Planning Application for a Material Change of Use – Diane Montgomerie

A development application was lodged by Ms Diane Montgomerie for a Material Change of Use for “Rural Activities” – “Intensive Animal Industry” – “Kennel” (breeding and keeping 6 adult dogs and 4 litters per year) on land at Dowling Street, Thargomindah.

Council’s town planners, Campbell Higginson Town Planners, have assessed the application and recommended that the application be approved subject to conditions.

Resolution No. 93-07-09

Moved Cr Crawford seconded Cr RJ Ferguson

THAT the development application from Ms Montgomerie be approved, subject to the following conditions:-

Assessment Manager's Conditions

Development Approval – Material Change of Use for “Rural Activities” – “Intensive Animal Industry” – “Kennel” (breeding and keeping 6 adults dogs & 4 litters per year)

1. Approval is granted for the purpose of “Rural Activities” – “Intensive Animal Industry” – “Kennel” for the breeding and keeping of 6 adults dogs and 4 litters per year.
2. The development shall be generally in accordance with supporting information supplied by the applicant with the development application including the plans:
 - (a) ‘Site Plan 1’, drawing number 441_BUL41_01;
 - (b) ‘Site Plan 2’, drawing number 441_BUL41_02; and
 - (c) ‘Site Plan 3’, drawing number 441_BUL41_03.
3. The use shall be limited to the area identified in red as “extent of approval area” on ‘Site Plan 3’, drawing number 441_BUL41_03.
4. The existing vehicle crossover to Dowling Street shall be retained, and shall be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.3 or in accordance with other appropriate engineering standards to the satisfaction of Council.
5. One (1) car parking space shall be provided on-site, as shown as the carport on the ‘Site Plan 3’, drawing number 441_BUL41_03.
6. All internal driveways and areas where vehicles regularly manoeuvre and park shall be sealed or be of other suitable material to ensure all-weather operation, and shall be designed and constructed in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access, Section 2.2(1)(b) or in accordance with other appropriate engineering standards to the satisfaction of Council.
7. The subject site shall be connected to Council’s reticulated water supply system in accordance with Schedule 1, Division 3: Standards for Water Supply, Section 3.1 or in accordance with other appropriate engineering standards to the satisfaction of Council.
8. The subject site shall be connected to Council’s reticulated sewerage system in accordance with Schedule 1, Division 4: Standards for Sewerage, Section 4.1 or to other relevant engineering and environmental standards to the satisfaction of Council.
9. The subject site shall be adequately drained and all stormwater shall be discharged in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1 or to other relevant engineering standards to the satisfaction of Council.
10. The subject site shall be connected to the reticulated electricity supply system in accordance with relevant engineering standards.
11. A 1.8 m high screen - acoustic fence shall be erected along:
 - part of the western site boundary where adjoining the Night Yard;
 - part of the Dowling Street frontage where adjoining the Day Yard; and
 - part of the eastern site boundary where adjoining the Day Yard.
12. Lighting of the site, including security lighting shall be such that the lighting intensity does not exceed 8 lux at a distance of 1.5 metres from the site at any property boundary. All lighting shall be directed and/or shielded so as to ensure that no glare directly affects residential properties.

13. Any filling or excavation, including that necessitated to meet the conditions of this approval, shall be undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1 or to other relevant engineering standards to the satisfaction of Council.
14. Best practice soil erosion control techniques shall be used at the location of all works to be completed on the subject site in accordance with Schedule 1, Division 1: Standards for Construction Activities, Section 1.1 or to other relevant engineering standards to the satisfaction of Council, and shall remain in place for the duration of construction.
15. No construction shall take place until the appropriate erosion control and silt collection measures are in place as required by Condition 14 (above). Such erosion control and silt collection measures shall remain on-site throughout the construction period.
16. The cost of carrying out works and providing services to the site, as required by conditions of approval shall be at the expense of the applicant.
17. Kennel construction should be designed such that the materials used in construction will attenuate any noise.

Note: This approval in no way removes the duty of care responsibility of the applicant under the *Aboriginal Cultural Heritage Act 2003*. Pursuant to Section 23(1) of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the “cultural heritage duty of care”).

Carried

7.4.2 Quotation for Installation of Kitchens

Following inspections conducted by Mr Tony Oliver and housing officers, quotations were invited for the supply and installation of 5 kitchens into Council accommodation units– 4 to be installed in housing and one to be installed in a donga at the Caravan Park

Quotations were invited from the following organisations:

- BM Gentle Builder (Thargomindah)
- Cutting Edge Shopfitting (Noosa); and
- FJ & TJ Jaeger (Charleville)

Council discussed the quotations received and noted that tenderers had been issued with a floor plan of the kitchen layout only and that no technical and / or design specifications had been provided.

Council further discussed the matter and agreed that all tenderers needed to be provided with design specifications to ensure that the quotations received reflected Council’s requirements (e.g. existing stoves to be replaced with separate cooktop and wall ovens with gas / electric combinations).

Resolution No. 94-07-09

Moved Mayor Cr JC Ferguson seconded Cr Clifford

1. THAT Council recall quotations for the supply and installation of kitchens in five Council residences.
2. THAT a full specification be prepared and supplied to tenderers.
3. THAT specifications include provision for:-
 - Removal and disposal of old kitchens
 - Disconnection and reconnection of electrical, plumbing, gas and other relevant trade services
 - Replacement of existing stoves with a separate gas cooktop and electric oven
4. THAT tenderers will be required to provide approximate commencement and completion dates for the project.

Carried

7.4.3 Matters Raised by Elected Members

NIL

7.5 MANAGER OF COMMUNITY SERVICES REPORT

7.5.1 Explorers Caravan Park Management Agreement

The Chief Executive Officer advised Council that, further to the recent review carried out on the current management agreement, the Caravan Park Managers have indicated that they would prefer to stay on Management contract arrangement as opposed to an employment arrangement.

The Chief Executive Officer was requested to instruct King & Co. to draft a Management Contract for the management of the Explorers Caravan Park.

7.5.2 Matters Raised by Elected Members

NIL

ADOPTION OF OFFICER'S REPORT

Resolution No. 95-07-09

Moved Cr RJ Ferguson seconded Cr Clifford

THAT the Officer's Reports be received and those matters contained therein not covered by resolution be noted.

Carried

8.0 RECEPTION AND CONSIDERATION OF CORRESPONDENCE

NIL

9.0 PRESENTATION OF PETITIONS OR MEMORIALS

NIL

10.0 CONSIDERATION AND RECEPTION OF NOTICES OF MOTION

NIL

Adjournment

Council adjourned for afternoon tea at 3:25pm and resumed at 3:40pm

11.0 GENERAL BUSINESS

Attendance

Council's Human Resource Management Consultant, Mrs Judith Himstedt, attended the meeting at 3:40pm.

11.1 Closure of Meeting

The Chief Executive Officer advised Council that Enterprise Bargaining negotiations had commenced on 14th & 15th July 2009. The Chief Executive Officer recommended that Council close the meeting to allow discussion on the log of claims received from Unions on behalf of employees, the outcomes of negotiations to date and to consider Council's response.

Resolution No. 96-07-09

Moved Mayor Cr JC Ferguson seconded Cr RJ Ferguson

THAT the meeting be closed to the public in accordance with Section 463(1) (b) of the Local Government Act 1993 to discuss industrial matters affecting employees.

Carried

The meeting was declared closed to the public at 3:42pm.

Attendance

Peggy Ferguson left the meeting at 3:42pm.

Resolution No. 97-07-09

Moved Cr Clifford seconded Cr Crawford

THAT the meeting be reopened to the public.

Carried

The meeting was reopened to the public at 4:40pm.

Whilst in closed session, Council discussed matters relating to Enterprise Bargaining negotiations.

Attendance

Peggy Ferguson returned to the meeting at 4:44pm.

12.0 NEXT MEETING

Resolution No. 98-07-09

Moved Mayor Cr JC Ferguson seconded Mayor Cr Clifford

THAT the next Ordinary Meeting of Council be held on Monday 17th August 2009 commencing at 1:00pm.

Carried

12.1 Closure of Meeting

There being no further business the meeting was declared closed at 4:45pm.

Confirmed / /2009

Mayor
