



**Bulloo**  
Shire

# **MINUTES**

**Ordinary Council Meeting**

**23 April 2024**

**MINUTES OF BULLOO SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE COUNCIL CHAMBERS, 68 DOWLING STREET THARGOMINDAH QUEENSLAND 4492  
ON TUESDAY, 23 APRIL 2024 AT 9:00AM**

**PRESENT:** Cr John Ferguson (Mayor), Cr Glyn Dare (Deputy Mayor), Cr Stewart Morton, Cr Maurice Parker, Cr Russell Ferguson.

**IN ATTENDANCE:** Ms Tiffany Dare (Acting CEO), Ms Donna Hobbs (Rural and Town Services Manager), Mrs Tamie Warner (Community, Culture & Places), George Inocentes, (Engineer), Ms Debra Souvlis (Minute Taker). Mr Daniel Gray (Kullilli Elder).

**1 OPENING OF MEETING**

The Mayor welcomed all Councillors and guests and declared the meeting open at 9:00am.

**2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

The Bulloo Shire Council acknowledges the traditional owners of the land on which the meeting is being held, and pay respects to their elders, past and present.

**3 ATTENDANCE INCLUDING APOLOGIES**

Nil

**Attendance:**

Mr Daniel Gray left the meeting at 9:05am.

**4 CONDOLENCES**

Council observed one minutes silence for Laurie Beetson.

**5 DECLARATION OF MATERIAL PERSONAL INTEREST/CONFLICT OF INTEREST**

- Pursuant to section 172 of the Local Government Act 2009, a councillor who has a material personal interest in an issue to be considered at a meeting of the local government, or any of its committees
  - (a) must disclose the interest to the meeting; and
  - (b) must not be present at or take part in the meeting while the issue is being considered or voted on.
- A councillor who is barred from a meeting under subsection (1) must not be in the chamber where the meeting is being conducted, including any area set apart for the public.

Councillors	COI	Meeting Item
Cr John Ferguson	Lease for Coffee on Dowling	14.8
Cr Russell Ferguson	T2023-2024-124 Thargomindah Airport and Parks and Garden Contractor	14.16
Cr John Ferguson	T2023-2024-124 Thargomindah Airport and Parks and Garden Contractor	14.16
Cr Glyn Dare	T2023-2024-124 Thargomindah Airport and Parks and Garden Contractor	14.16

## **6 CONFIRMATION OF MINUTES**

### **6.1 MINUTES OF COUNCIL MEETING - 20 FEBRUARY 2024**

#### **RESOLUTION 2024/49**

Moved: Cr Glyn Dare

Seconded: Cr Stewart Morton

That the Minutes of the Council Meeting held on Tuesday 20 February 2024 be received and the recommendations therein be adopted.

**CARRIED**

### **6.2 MINUTES OF SPECIAL COUNCIL MEETING - 8 APRIL 2024**

#### **RESOLUTION 2024/49**

Moved: Cr Stewart Morton

Seconded: Cr Glyn Dare

That the Minutes of the Special Council Meeting held on Monday 8 April 2024 be received and the recommendations therein be adopted.

**CARRIED**

## **7 BUSINESS ARISING FROM PREVIOUS MEETING**

Nil

## **8 RECEPTION OF PETITIONS**

Nil

**9 NOTICE OF MOTION**

Nil

**10 RESCISSION MOTIONS**

Nil

**11 MAYORAL REPORTS**

Nil

**12 CHIEF EXECUTIVE OFFICER'S REPORTS****12.1 CHIEF EXECUTIVE OFFICERS REPORT****RESOLUTION 2024/50**

Moved: Cr Russell Ferguson

Seconded: Cr Stewart Morton

That Council receive and note the Chief Executive Officer's report for the month of February & March 2024.

**CARRIED****13 COMMITTEE AUTHORITY MEETING MINUTES & BUSINESS ARISING**

Nil

**14 GENERAL BUSINESS & MATTERS FOR NOTING REPORTS****14.1 LOCAL GOVERNMENT REMUNERATION TRIBUNAL****RESOLUTION 2024/51**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council adopt the remuneration rates as decided by the Local Government Remuneration Tribunal from 1 July 2024.

Category	Remuneration	
Category A1	Mayor	\$119,393.00
	Deputy Mayor	\$ 68,880.00
	Councillors	\$ 59,695.00

**CARRIED****Attendance:**

George Inocentes (Engineer) left the meeting 9:25am.

**14.2 ENGINEER EMPLOYEE CONTRACT****RESOLUTION 2024/52**

Moved: Cr Russell Ferguson

Seconded: Cr Maurice Parker

That Council increase the Acting Chief Executive Officers Financial Delegation to \$250,000 for negotiation of Engineering Employee Contract.

**CARRIED****Adjournment:**

*Council adjourned for Morning Tea at 9:45am.*

**Resumed:**

*Council resumed the meeting at 10:05am.*

**14.3 ADMIN & FINANCE REPORT****RESOLUTION 2024/53**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council receive and note the Administration & Finance Services Report for February & March 2024.

**CARRIED****Attendance:**

Cr Stewart Morton re-entered the meeting 10:33am.

**14.4 OPERATIONAL PLAN 2023-2024 PROGRESS REPORT - 31 MARCH 2023 (Q3)****RESOLUTION 2024/54**

Moved: Cr Russell Ferguson

Seconded: Cr Glyn Dare

That Council receive and note the January to March 2024 quarterly report for the Operational Plan 2023-2024 in accordance with s174 of the *Local Government Regulation 2012*.

**CARRIED****14.5 ECONOMIC DEVELOPMENT STRATEGY 2024-2028****RESOLUTION 2024/55**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council adopt the Economic Development Strategy 2024-2029, as presented.

**CARRIED****14.6 CLEANING CONTRACT 2022 - OPTION FOR 12MTH EXTENSION****RESOLUTION 2024/56**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council agree to extend the Cleaning of Bulloo Shire Council Facilities to Rise &amp; Shine General Cleaning under the existing terms and conditions until 20 June 2025.

**CARRIED****14.7 2WEB PROMOTIONAL PACKAGE****RESOLUTION 2024/57**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council accept the 2024 tourism radio package for \$6,500.00 (excluding GST) with 2WEB Outback Radio.

**CARRIED****Attendance:**

Tamie Warner the meeting at 10:57pm.

**CONFLICT OF INTEREST – 14.8**

I, Councillor John Ferguson, inform the meeting that I have a declared conflict of interest as a result of 'Coffee On Dowling'. My relationship with Explorers Rest is: My Daughter owns Explorers Rest. Their interest in this matter is: Explorers Rest may be impacted by Coffee on Dowling operations. As a result of my conflict of interest, I will now leave the meeting room while the matter is considered and voted on.

Cr John Ferguson left the meeting at 10:57am.

**14.8 EXPRESSION OF INTEREST TO LEASE COFFEE ON DOWLING****RESOLUTION 2024/58**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council negotiate with Elizabeth Heinemann for a three year lease for \$50.00 per week plus power at cost.

**CARRIED**

**Attendance:**

Mayor John Ferguson and Tamie Warner returned to the meeting 11:10am.

**14.9 REQUEST FOR SPACE FOR OP SHOP****RESOLUTION 2024/59**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council

- a) Contact Shirley Girdler regarding the existing Op Shop on Dowling Street.
- b) Review the the Council Shed on Stafford Street to determine suitability for an Op Shop.

**CARRIED**

**14.10 WET AREA AT COMMUNITY CENTRE****RESOLUTION 2024/60**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council

- a) approve the Wet Area at the Roger Fraser Community Centre for Thargomindah Sporting Club for 6 months between 5:00pm – 8:00pm on Thursday Only; and
- b) present a report to the May Ordinary Meeting to Rescind Resolution 2015-03-158.

**CARRIED**

**14.11 HOUSING SUPPORT PROGRAM - STREAM 2 GRANT APPLICATION****RESOLUTION 2024/61**

Moved: Cr Stewart Morton

Seconded: Cr Glyn Dare

That Council endorse further planning of potential housing service infrastructure packages to build sound and adequate applications to apply under the Housing Support Program – Stream 2.

**CARRIED**

**14.12 APPLICATION FOR TACKLING REGIONAL ADVERSITY THROUGH CONNECTED COMMUNITIES - CHANNEL COUNTRY CHALLENGE****RESOLUTION 2024/62**

Moved: Cr Stewart Morton

Seconded: Cr Glyn Dare

That Council receive the report and acknowledge the withdrawal of the TRACC application by Channel Country Challenge.

**CARRIED**

**Attendance:**

Leanne Smith, Accountant, entered the meeting 11:15am.

**14.13 FINANCIAL PERFORMANCE REPORT - FEBRUARY 2024****RESOLUTION 2024/63**

Moved: Cr Russell Ferguson

Seconded: Cr Maurice Parker

That Council adopt the Financial Performance Report for period ending 29<sup>th</sup> February 2024 in accordance with Section 204 of the *Local Government Regulations 2012*.

**CARRIED**

**14.14 FINANCIAL PERFORMANCE REPORT****RESOLUTION 2024/64**

Moved: Cr Stewart Morton

Seconded: Cr Glyn Dare

That Council adopt the Financial Performance Report for period ending 31st March 2024 in



accordance with Section 204 of the *Local Government Regulations 2012*.

**CARRIED**

**Attendance:**

Leanne Smith left the meeting 12:35pm.

**Adjournment:**

*Council adjourned for Lunch at 12:35pm.*

**Resumed:**

*Council resumed the meeting at 1:08pm.*

**14.15 BUDGET PROCESS TIMETABLE PARAMETERS 2023-24**

**RESOLUTION 2024/65**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council endorse the Budget Parameters and Timetable 2024-25.

**CARRIED**

**CONFLICT OF INTEREST – 14.16**

I, Councillor Russell Ferguson, inform the meeting that I have a prescribed conflict of interest as a result of 'T2023-2024-124 Thargomindah Airport and Parks and Garden Contractor'. My relationship is "my daughter in-law has submitted a tender". As a result of my conflict of interest, I will now leave the meeting room while the matter is considered and voted on.

Cr Russell Ferguson left the meeting at 1:15pm

**CONFLICT OF INTEREST – 14.16**

I, Councillor Glyn Dare, inform the meeting that I have a declared conflict of interest as a result of Item 14.16 'T2023-2024-124 Thargomindah Airport and Parks and Garden Contractor' as the relationship to the tenderer being my spouses sisters daughter in-law.

Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because this personal interest is not of sufficient significance that it will lead to making a decision on the matter that is contrary to the public interest. Therefore, I wish to remain in the meeting and ask the eligible Councillors to decide if I may participate despite my declarable conflict of interest.

**REMAIN IN THE MEETING**

**RESOLUTION 2024/66**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

I move that it is in the public interest that Glyn Dare participates and votes on Item 14.16 because this personal interest is not of sufficient significance that it will lead to making a decision on the matter that is contrary to the public interest, and therefore a reasonable person would trust that the final decision is made in the public interest.

**CARRIED**

#### **CONFLICT OF INTEREST – 14.16**

I, Councillor John Ferguson, inform the meeting that I have a declared conflict of interest as a result of Item 14.16 'T2023-2024-124 Thargomindah Airport and Parks and Garden Contractor' as the relationship to the tenderer being my brothers daughter in-law.

Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because this personal interest is not of sufficient significance that it will lead to making a decision on the matter that is contrary to the public interest. Therefore, I wish to remain in the meeting and ask the eligible Councillors to decide if I may participate despite my declarable conflict of interest.

#### **REMAIN IN THE MEETING**

#### **RESOLUTION 2024/67**

Moved: Cr Maurice Parker

Seconded: Cr Stewart Morton

I move that it is in the public interest that John Ferguson participates and votes on Item 14.16 because this personal interest is not of sufficient significance that it will lead to making a decision on the matter that is contrary to the public interest, and therefore a reasonable person would trust that the final decision is made in the public interest.

#### **14.16 T2023-2024-124 THARGOMINDAH AIRPORT AND PARKS AND GARDEN CONTRACTOR**

#### **RESOLUTION 2024/68**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council accept the rates specified in the tender from Tenderer 1 for T2023-2024-124 Thargomindah Airport and Parks and Gardens Services contract.

- Tenderer to submit timesheet with invoice for afterhours and weekend callouts for payment up to 6hrs. Scheduled weekend hours of operation (i.e. Sunday REX Plain) falls under Airport Refuelling.

**CARRIED**

**Attendance**

Cr Russell Ferguson re-entered the meeting at 1:44pm

**14.17 T2023-2024-123 WATER CART HIRE (RRUP)****RESOLUTION 2024/69**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council accepts the tender for T2023-2024-123 Water Cart Hire (RRUP) from

- Tenderer 1 for the supply of one (1) truck at \$198/hr; and
- Tenderer 2 for the supply of two (2) trucks at \$209/hr per truck.

**CARRIED**

**14.18 T2023-2024-122 BULLOO DOWNS CULVERT REPLACEMENT - 16 MILE BILLABONG (R2R)****RESOLUTION 2024/70**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council accept the tender received from Tenderer 1 for \$307,521.50 including GST.

**CARRIED**

**14.19 RURAL & TOWN SERVICES DEPARTMENT REPORT****RESOLUTION 2024/71**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council receive and note the Rural Services Department Report for February and March 2024.

**CARRIED**

**14.20 WILD DOG BARRIER FENCE CALCULATION METHODOLOGY REVIEW****RESOLUTION 2024/72**

Moved: Cr Maurice Parker

Seconded: Cr Russell Ferguson

That Council receive and note correspondence from the Department of Agriculture and LGAQ in

relation to the ongoing operation of the Wild Dog Barrier Fence.

**CARRIED**

#### **14.21 COMMUNITY, CULTURE & PLACES REPORT**

##### **RESOLUTION 2024/73**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council receive and note the Community, Culture & Places report for the months of February & March 2024

**CARRIED**

##### **Attendance:**

George Inocentes (Engineer) entered the meeting at **2:42pm**.

Kim Norris (Roads Manager) entered the meeting at **2:42pm**.

#### **14.22 OPERATIONAL SERVICES REPORT**

##### **RESOLUTION 2024/74**

Moved: Cr Glyn Dare

Seconded: Cr Stewart Morton

That Council receive and note the Operational Report for February / March 2024.

**CARRIED**

##### **Attendance:**

George Inocentes (Engineer) left the meeting at **3:30pm**.

Kim Norris (Roads Manager) left the meeting at **3:30pm**.

#### **15 LATE ITEMS**

##### **15.1 ELECTION OF THE LOCAL GOVERNMENT ASSOCIATION OF QUEENSLAND (LGAQ) POLICY EXECUTIVE DISTRICT REPRESENTATIVES 2024-2028**

##### **RESOLUTION 2024/75**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council nominate Councillor Samantha O'Toole from Balonne Shire Council to District No. 5 of

the LGAQ Policy Executive.

**CARRIED**

## **16 CONFIDENTIAL MATTERS**

### **RESOLUTION 2024/76**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

### **CLOSURE OF MEETING**

### **RECOMMENDATION**

THAT pursuant to Section 275 (1) of the *Local Government Regulation 2012*, the meeting be closed to the public at 3:37pm to discuss the confidential matters listed below:

#### **16.1 Native Title Claim QUD851-2018 and QUD133-2021 - Consent Determination**

This matter is considered to be confidential pursuant to Section 254J(3)(1) (e) of the *Local Government Regulation 2012* 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.

#### **To be discussed:**

to consider the resolution of Federal Court proceedings in which Council is a respondent party.

#### **16.2 Chief Executive Officer Position**

This matter is considered to be confidential pursuant to Section 254J(3)(1) (a) of the *Local Government Regulation 2012* as it deals with the appointment, discipline or dismissal of the chief executive officer.

#### **To be discussed:**

to discuss the appointment of an Acting CEO.

**CARRIED**

### **Attendance:**

Debra Souvlis left the meeting at 3:45pm.

### **RESOLUTION 2024/77**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council moves out of Closed Meeting into Open Meeting at 4:05pm.

**CARRIED**

**16.1 NATIVE TITLE CLAIM QUD851-2018 AND QUD133-2021 - CONSENT DETERMINATION****RESOLUTION 2024/78**

Moved: Cr Russell Ferguson

Seconded: Cr Maurice Parker

That Council

1. That Council consent to a determination of native title of the Wongkumara People Claim (Part A) (QUD851/2018) substantially in the same terms as the draft consent determination order considered by Council, with such amendments as may be required or necessary to enable the consent determination to be made by the Federal Court.
2. That Council consent to a determination of native title of the Wongkumara People Claim (Part B) (QUD851/2018) and the Yandruwandha Yawarrawarrka People Claim (QUD133/2021) substantially in the same terms as the draft consent determination order considered by Council, with such amendments as may be required or necessary to enable the consent determination to be made by the Federal Court.
3. That Council delegate to the Chief Executive Officer the power to negotiate and agree to such changes to the draft consent determinations referred to in paragraphs 1 and 2 of this resolution, as required to enable the Federal Court to make the consent determination, and to delegate to the Chief Executive Officer the power to authorise Council's legal representative to execute section 87A Agreements and consent determination orders on behalf of Council in respect of the Wongkumara People Claim (Part A) (QUD851/2018) and Wongkumara People Claim (Part B) (QUD851/2018) and the Yandruwandha Yawarrawarrka People Claim (QUD133/2021).

**CARRIED**

**16.2 CHIEF EXECUTIVE OFFICER POSITION****RESOLUTION 2024/79**

Moved: Cr Stewart Morton

Seconded: Cr Glyn Dare

That pursuant to section 195 of the *Local Government Act 2009*,

- a) Council advertise the Chief Executive Officer position internally to commence from 1 June 2024 for a 3-year term; and
- b) Appoint Donna Hobbs as Acting Chief Executive Officer until the Chief Executive Officer is appointed.

**CARRIED**

**17        NEXT MEETING**

The next Ordinary Meeting of Council will be Monday 20<sup>th</sup> May 2024.

**18        CLOSURE**

The Meeting closed at 4:09pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 May 2024.

.....  
CHAIRPERSON