



Bulloo
Shire

MINUTES

Ordinary Council Meeting

20 February 2025

**MINUTES OF BULLOO SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 68 DOWLING STREET THARGOMINDAH QUEENSLAND 4492
ON THURSDAY, 20 FEBRUARY 2025 AT 9:00 AM**

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

IN ATTENDANCE: Tiffany Dare (Chief Executive Officer), Zoe Forge (Minute Taker)

1 OPENING OF MEETING

The Mayor welcomed all Councillors and guests and declared the meeting open at 9:01am.

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

4 CONDOLENCES

Nil

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 Glyn Dare	Management Agreement – Explorer’s Caravan Park – Addendum	14.1
Cr Russell Ferguson	Management Agreement – Explorer’s Caravan Park – Addendum	14.1
Cr John Ferguson	Material Change of Use – Service Station (12-202425)	15.2

6 CONFIRMATION OF MINUTES

6.1 MINUTES OF COUNCIL MEETING - 23 JANUARY 2025

RESOLUTION 2025/15

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That the Minutes of the Council Meeting held on Thursday 23 January 2025 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

11.1 MAYORS REPORT

RESOLUTION 2025/16

Moved: Cr Glyn Dare

Seconded: Cr Maurice Parker

That Council receive and note the Mayors Report for the month of January 2025.

CARRIED

12 CHIEF EXECUTIVE OFFICER'S REPORTS**12.1 CHIEF EXECUTIVE OFFICERS REPORT****RESOLUTION 2025/17**

Moved: Cr Maurice Parker

Seconded: Cr Stewart Morton

That Council receive and note the Chief Executive Officer's report for the month of January 2025.

CARRIED

13 COMMITTEE AUTHORITY MEETING MINUTES & BUSINESS ARISING

Nil

14 GENERAL BUSINESS & MATTERS FOR NOTING REPORTS**CONFLICT OF INTEREST – 14.1**

I, Councillor Glyn Dare, inform the meeting that I have a Prescribed Conflict of Interest as a result of Item 14.1 'Management Agreement – Explorer's Caravan Park – Addendum' as I am the Manager of the Explorer's Caravan Park. As a result of my conflict of interest, I will now leave the meeting room while the matter is considered and voted on.

Cr Dare left the meeting as 9:22am.

CONFLICT OF INTEREST – 14.1

I, Councillor Russell Ferguson, inform the meeting that I have a Prescribed Conflict of Interest as a result of Item 14.1 'Management Agreement – Explorer's Caravan Park – Addendum' as I am related to the Manager of the Explorer's Caravan Park. As a result of my conflict of interest, I will now leave the meeting room while the matter is considered and voted on.

Cr Ferguson left the meeting as 9:22am.

14.1 MANAGEMENT AGREEMENT - EXPLORER'S CARAVAN PARK - ADDENDUM**RESOLUTION 2025/18**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council adopt the addendum to the Management Agreement – Explorer's Caravan Park, as presented.

CARRIED

Attendance

Cr Glyn Dare and Cr Russell Ferguson returned to the meeting at 9:26am.

14.2 SALE OF COUNCIL RENTAL HOUSES**RESOLUTION 2025/19**

Moved: Cr Maurice Parker

Seconded: Cr Russell Ferguson

That Council

- a) resolves not to sell any rental houses for the next two years;
- b) agrees to reassess this decision in the 2026/2027 financial year; and
- c) offer the relocated three bedroom house on Sams Street for public tender once services are connected and the fence installed.

CARRIED

14.3 THARGOMINDAH PONY CLUB - REQUEST TO WAIVE FEES**RESOLUTION 2025/20**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council approve the request from Thargomindah Pony Club and waive plant hire fees for the Council water truck for five hours to perform maintenance work at the Thargomindah Rodeo Grounds.

CARRIED

Attendance

Kate Humphris, Admin & Finance Manager, attended the meeting at 9:36am.

14.4 ADMIN & FINANCE REPORT**RESOLUTION 2025/21**

Moved: Cr Russell Ferguson

Seconded: Cr Glyn Dare

That Council receive and note the Administration & Finance Services Report for January 2025.

CARRIED

14.5 FINANCIAL PERFORMANCE REPORT**RESOLUTION 2025/22**

Moved: Cr Russell Ferguson

Seconded: Cr Glyn Dare

That Council adopt the Financial Performance Report for period ending 31st January 2025 in accordance with Section 204 of the *Local Government Regulations 2012*.

CARRIED

14.6 BUDGET PROCESS TIMETABLE PARAMETERS 2025-26**RESOLUTION 2025/23**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council endorse the Budget Parameters and Timetable 2025-2026, as presented.

CARRIED

14.7 T2024-2025-107A SUPPLY AND DELIVERY OF 1X NEW TRUCK GVM 11 TON TIP TRAY**RESOLUTION 2025/24**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council

- a) accept the tender submission from Black Truck & Ag for the Isuzu FSR 120-260 AT R62 with the Palfinger 5-ton Crane for \$329,163.36 including GST; and
- b) amend the 2024/25 budget accordingly.

CARRIED

Adjournment

Council adjourned for morning tea at 10:10am.

Council recommenced the meeting at 10.29am.

14.8 SHEPHERD SERVICES PTY LTD - QRA FLOOD DAMAGE - PROJECT MANAGEMENT**RESOLUTION 2025/25**

Moved: Cr Glyn Dare

Seconded: Cr Russell Ferguson

That Council approve the engagement of Shepherd Services under Local Buy contract LB279 for the provision of resources to manage the delivery of flood damage projects for submissions BSC.47, BSC.48 and BSC.50 up to a total cost of \$682,110 GST exclusive.

CARRIED

14.9 DISASTER READY FUND ROUND 3**RESOLUTION 2025/26**

Moved: Cr Stewart Morton

Seconded: Cr Glyn Dare

That Council approve the submission of the following applications under the Disaster Ready Fund Round 3 program with the required co-contributions:

- i. Warri Gate Road Flood Resilience – Stage 2 – \$6M including \$1M Council co-contribution.
- ii. Warri Gate Road Flood Resilience – Stage 2 – \$12M including \$2M Council co-contribution.
- iii. Thargomindah Sewerage Treatment Plant - \$8M including \$800K Council co-contribution.

CARRIED

14.10 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE - PHASE 3**RESOLUTION 2025/27**

Moved: Cr Maurice Parker

Seconded: Cr Stewart Morton

That Council

- a) Approve lodging of a variation under Works for Queensland Round 5 to include a new project, the Hungerford Medical Centre Backup Generator, with a budget of \$36,180.00 (excluding GST), funded from the current underspend.
- b) Approve the allocation of funds from Council reserves for the following projects:
 - Shire Community Events Portable Toilets: \$11,286 (excluding GST)
 - Thargomindah Golf Course Landscape Rejuvenations: \$100,623 (excluding GST)
- c) Amend the budget to reflect these changes accordingly.

CARRIED

14.11 FEES AND CHARGES 2024/25 AMENDMENT - HOUSING RENTAL**RESOLUTION 2025/28**

Moved: Cr Maurice Parker

Seconded: Cr Stewart Morton

That Council amend fees for Council Housing Rental in the Fees and Charges 2024/2025 in accordance with Chapter 4 Part 2 Sec 97 of the Local Government Act 2009.

Thargomindah	
1 Bedroom Cabin	120.00
1 Bedroom Flat	126.40
2 Bedroom House	179.00
3 Bedroom House	194.90
4 Bedroom House	209.00
Independent Living Units – 1 Bedroom	147.50
Independent Living Units – 2 Bedroom	168.50
Hungerford	
H'ford 2 Bedroom Duplex (Brick)	121.10

* Fees to apply from 24th February 2025 for all new housing tenants and from 1st July 2025 for all existing tenants.

CARRIED

Attendance

Kate Humphris, Admin & Finance Manager, left the meeting at 11:07am.

Tamie Warner, Community, Culture & Places Manager, attended the meeting at 11:08am.

14.12 COMMUNITY, CULTURE & PLACES REPORT**RESOLUTION 2025/29**

Moved: Cr Maurice Parker

Seconded: Cr Glyn Dare

That Council receive and note the Community, Culture & Places report for the month of January 2025.

CARRIED

Attendance

Tamie Warner left attended the meeting at 11:38am.

14.13 RURAL & TOWN SERVICES DEPARTMENT REPORT**RESOLUTION 2025/30**

Moved: Cr Stewart Morton

Seconded: Cr Maurice Parker

That Council receive and note the Rural Services Department Report for January 2025.

CARRIED

Attendance

Kim Norris, Roads Manager, attended the meeting at 11.44am.

14.14 OPERATIONAL SERVICES REPORT**RESOLUTION 2025/31**

Moved: Cr Glyn Dare

Seconded: Cr Maurice Parker

That Council receive and note the Operational Services Report for January 2025.

CARRIED

14.15 PROPOSED NEW WATER BORE ON WARRI GATE ROAD**RESOLUTION 2025/32**

Moved: Cr Stewart Morton

Seconded: Cr Russell Ferguson

That Council endorse the application to the Queensland Reconstruction Authority (QRA) for the installation of a water bore on Warri Gate Road, with a budget of up to \$800,000.

CARRIED

Attendance

Kim Norris left the meeting at 12:17pm.

Adjournment

Council adjourned for lunch at 12:19pm.

Council recommenced the meeting at 12:42pm.

15 LATE ITEMS**15.1 SWQWSA DRAFT INFRASTRUCTURE STRATEGY REPORT****MOTION**

Moved: Cr Maurice Parker

Seconded: Cr Russell Ferguson

That Council endorse the SWQWSA Infrastructure Strategy - Asset Criticality Assessment , subject to any changes being minor in nature, and requests that the final figures be reviewed and updated based on the current pricing received by the SWQROC Councils for a new Sewerage Treatment Plan (STP).

CONFLICT OF INTEREST – 15.2

I, Councillor John Ferguson, inform the meeting that I have a declarable conflict of interest as a result of Item 15.2 'Material Change of Use – Service Station (12-202425)'. My relationship is "my son in law and daughter own a service station in Thargomindah".

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.

CONFLICT OF INTEREST - REMAIN IN MEETING**RESOLUTION 2025/33**

Moved: Cr Maurice Parker

Seconded: Cr Stewart Morton

I move that it is in the public interest that Cr John Ferguson participates and votes on Item 15.2 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

15.2 MATERIAL CHANGE OF USE - SERVICE STATION (12-202425)**RESOLUTION 2025/34**

Moved: Cr Glyn Dare

Seconded: Cr Maurice Parker

That Council approve the Material change of use for a "Service Station" at 88 Stafford Street, being more accurately described as Lot 14 on RP903791 subject to relevant, reasonable, and enforceable conditions.

Use

1. The approved development is a Material Change of Use – “Service Station” 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 Plans and Document

5. All works and operations are to be carried out generally in accordance with the approved plans listed in the following table. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

Plan/Document Number	Plan/Document Name	Date
1	12-202425 MCU for Service Station - Approved Plans	31/01/2025

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 civil and related work shall be designed and supervised by Registered Professional Engineers of Queensland (RPEQ-Civil) who are competent in the construction of the works. RPEQ certification is to be provided to Council for all works involving Council infrastructure that are authorised by this development approval and any related approval. This must include a Design Certificate with application/s for Operational work and a Construction Supervision Certificate at completion of the approved works and/or prior to Council's acceptance of any works on- maintenance.

Applicable Standards

9. All works must comply with:
 - a. this development approval;
 - 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-e in the event of any inconsistency.

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

Avoiding Nuisance

10. No unreasonable 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 during or after the establishment of the approved development.
11. Air (odour and dust) and noise emissions from the development shall not cause environmental nuisance or exceed the relevant quality objectives listed in the Environmental Protection Policy 2019, as measured at any sensitive or commercial place.
12. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
13. 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.
14. Dust emanating as a result of operations carried out onsite must be continually monitored and suppressed in order to prevent any dust drifting onto road networks, nearby properties and sensitive land uses.
15. 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.

Operating Hours

16. The facility is permitted to operate up to 24 hours per day, seven days per week.

Stormwater and Drainage

17. 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.
18. 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.
19. 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.
20. All contaminated stormwater shall pass through an approved oil/water separator prior to discharge to the sewer network. Wastes (contaminates and solids) separated from the separator are to be collected and disposed of at a licensed facility. A hydrocarbon sensor must be installed with a shut off valve at the stormwater filter outlet.
21. Only rainwater from uncontaminated areas is to drain directly into the stormwater drainage system. The activity must not be conducted in a manner that may or will cause the contamination of surface stormwater runoff.
22. Ensure fuel spillage is not released or allowed to enter into stormwater infrastructure, roadside gutters or other waters outside the property.

Waste Management

23. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

24. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

Refuse storage

25. Adequate refuse storage areas and facilities must be provided on the site to service the approved development.

Car Parking

26. Car Parking on this site is to be provided to comply with the following provisioning rates:
- 1 space per 50 m² of gross floor area
27. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

Access and manoeuvring

28. All access and egress points must be:
- Located more than 6m from the Stafford Street and Easton Drive intersection; and
 - clear of all gully pits, street lights, power poles and other infrastructure located within the road reserve with a minimum separation distance of 1 metre.
29. All vehicles entering and exiting the development site must be able to enter and leave in forward 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.
30. All damage to Council road infrastructure resulting from the development shall be repaired by Council at the developer's expense. The developer shall reimburse the Council for all associated costs, and the Council shall provide a detailed cost breakdown prior to commencing repairs.
31. 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).

Directional Signage

32. Signage shall be installed internal to the site at strategic locations that clearly demonstrate the direction that vehicles are to travel through the site.
33. Signage shall be installed in proximity of the site access points clearly advising the required entry and exit points for vehicle manoeuvres associated with the use.

Earthwork and Construction

34. 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.

Landscaping and fencing

35. Landscaping on site must be provided such that it enhances the visual appeal of the development and soften the appearance of the built form.
36. All landscaping works are to be completed prior to the commencement of the approved use.
37. All site landscaping is to be maintained throughout the duration of the approved use. Any dead and/or unhealthy plants are to be promptly removed and replaced.
38. Landscaping must not interfere with sight lines at access driveways for vehicle traffic.

Emergency Events

39. A Flood Management Plan shall be prepared prior to the commencement of the use having regard

to the site characteristics and management procedures in the event of flood. All staff must be made aware of the Flood Management Plan, its content, and the procedures that need to be followed in the case of a major flood event.

40. All reasonable efforts should be made to advise visitor/s/customers in advance of premises closures that are required due to inclement weather events.

Advertising signage

41. 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.
42. 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

43. 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 the costs of any services and infrastructure required in connection with the establishment of the development.

Latest versions

44. 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 commencement of the development works, unless a regulation or law requires otherwise.

Application Documentation

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

General Advice

- i. The relevant planning scheme for this development is the *Bulloo Shire Planning Scheme 2019*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to this Planning Scheme.
- ii. Relevant Period

Variation Approval

- (2) *A variation approval for development lapses to the extent the development is not completed within-*
 - (d) *if a development condition required the development to be completed within a stated period or periods - the stated period or periods; or*
 - (e) *if paragraph (a) does not apply - the period or periods the applicant nominated in the development application; or*
 - (f) *otherwise - 5 years after the approval starts to have effect.*

Development Permit

- (a) *for any part of the development approval relating to a material change of use - if the first change of use does not happen within -*
 - (iii) *the period stated for that part of the approval; or*
 - (iv) *if no period is stated - 6 years after the approval starts to have effect;*
- 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.

Further Advice To Applicant

- 1. No work shall be commenced on works which will ultimately revert to Council or on adjacent roads or drainage schemes until Council has been advised in writing, of the name of the responsible contractor and that the contractor has received from Council a notice of appointment of principal contractor under the provisions of the *Workplace Health and Safety Act*.
- 2. All works shall be carried out in accordance with the *Workplace Health & Safety Act 1989*.
- 3. It is the owner's and occupants responsibility under the *Environmental Protection Act 1994* to advise the Chief Executive administering the *Environmental Protection Act 1994* of any notifiable activity conducted on the site or contamination or suspected contamination which may cause a hazard to human health or the environment within 30 days of becoming aware of the operation of a notifiable activity on the site or of any contamination or suspected contamination. The Chief Executive, pursuant to the Act, is empowered to require that the development complies with the provisions of the Act, including the preparation of site investigation reports and if necessary the remediation of the site at the owners expense.
- 4. This approval takes effect in accordance with the timeframes of the *Planning Act 2016*.
- 5. The currency period for this approval is in accordance with the *Planning Act 2016*.

CARRIED

Council amended the resolution to include a specific condition in access and manoeuvring, addressing the potential damage caused by heavy vehicles accessing the development site. This amendment ensures that the developer is accountable for any harm caused to Council-owned roads and infrastructure due to the movement of heavy vehicles in and out of the site.

16 CONFIDENTIAL MATTERS

Nil

17 NEXT MEETING

The next Ordinary Council Meeting will be held on 20 March 2025.

18 CLOSURE

The Meeting closed at 1:30pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 March 2025.

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CHAIRPERSON