



**MINUTES OF THE ORDINARY MEETING
OF THE BOULIA SHIRE COUNCIL
HELD ON Friday 28 July 2023
COMMENCING AT 9:00 am**

1 Meeting Opening with the Acknowledgement of Traditional Owners

Please note:

In some instances, due to unforeseen circumstances, the sequence of the Ordinary Meeting of Council on the meeting day may vary from the order of the agenda issued. The corresponding meeting minutes will follow the outline of the originally issued agenda, however the resolution numbers noted will be in accordance with the actual sequence of the meeting on the day.

The Mayor opened the meeting at 9 am.

The Mayor acknowledged the traditional carers of the land on which Council meets, the 'Pitta Pitta' people, and paid Council's respects to the elders past and present.

The Mayor also acknowledged past and present service personnel.

It has been noted that the Mayor has reminded all Councillors in regards to registration of interests and declaration of contact with or engagement of lobbyists.

2 Present

Councillors: Councillor Eric (Rick) Britton
Councillor Sam Beauchamp
Councillor Tim Edgar
Councillor Jack Neilson
Councillor Jan Norton

Officers: Ms Lynn Moore (Chief Executive Officer)
Mrs Kaylene Sloman (Director of Corporate & Financial Services)
Mr Gerard Joubert (Acting Director of Works and Operations)
Mrs Nicole Tonkies (Relief Executive Assistant)

3 Apologies / Leave of Absence

There were no apologies or leaves of absence for this meeting.

4 Declaration of Interests

Councillor Britton declared a Declarable Conflict of Interest in the report 11.2.8 CWA – Pensioner Cottage: Review of MOU in accordance with the *Local Government Act*

2009 section 150EQ(4)(a) and (b), due to his wife being the President of the Boulia QCWA Branch. In accordance with section 150EM of the Local Government Act 2009, Councillor Britton was able to stay in the meeting while this matter was discussed and voted on.

5 Mayoral Minutes

There were no Mayoral Minutes to be noted at this meeting.

6 Notice of Motion

There were no notices of motions to be noted at this meeting.

7 Request to Address Council in a Public Forum

There were no requests to address the Council.

8 Petitions

There were no petitions presented to Council.

9 Deputations

There were no deputations to Council.

10 Confirmation of Minutes from Previous Meetings

Moved: Cr Norton

Seconded: Cr Neilson

That the minutes of the Ordinary Meeting held on 23rd June 2023 be accepted.

Resolution No.: 2023/7.1

Carried

11 Reports

11.1 Works and Operations

TITLE:	Director of Works and Operations June 2023 Report	DOC REF: 11.1.1
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PURPOSE:

To inform Council of the current utilisation and activities of the Works and Operations Department in line with all works and operations being undertaken for June 2023.

Moved: Cr Neilson

Seconded: Cr Britton

That Council receive the Director of Works and Operations June 2023 Report for information.

Resolution No.: 2023/7.2

Carried

TITLE:	Engineering Service Report June 2023	DOC REF: 11.1.2
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PURPOSE:

To inform Council on the progress of various projects by George Bourne & Associates on behalf of Council through an information update.

Moved: Cr Britton

Seconded: Cr Beauchamp

That the Engineering Services Report – Newsbrief for June 2023 be noted.

Resolution No.: 2023/7.3

Carried

TITLE:	Foreman Roads, Utilities and Services Report for June 2023	DOC REF: 11.1.3
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PURPOSE:

To inform Council of the current utilisation and activities of the Town Department during the month of June 2023.

Moved: Cr Beauchamp

Seconded: Cr Edgar

That Council receive the Foreman Roads, Utilities and Services June 2023 Report for information.

Resolution No.: 2023/7.4

Carried

TITLE:	Foreman Road Maintenance and Construction Report June 2023	DOC REF: 11.1.4
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PURPOSE:

To inform Council of the current utilisation and activities of the Works Department in line with the Council works program for June 2023.

Moved: Cr Britton

Seconded: Cr Norton

That Council receive the Foreman Roads, Construction and Maintenance June 2023 Report for information.

Resolution No.: 2023/7.5

Carried

TITLE:	QRA Flood Damage Works Department June 2023	DOC REF: 11.1.5
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PURPOSE:

To inform Council of the current utilisation and activities of the Flood Damage Program for June 2023.

Moved: Cr Neilson

Seconded: Cr Britton

That the QRA Flood Damage Works Department June 2023 Report be received for information.

Resolution No.: 2023/7.6

Carried

TITLE:	Rural Lands Protection Officer June 2023 Report	DOC REF: 11.1.6
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PURPOSE:

To advise Council of current activities by the Rural Lands Protection Officer (RLPO) relating to weed management, pest control, animal management and stock routes.

Moved: Cr Neilson

Seconded: Cr Britton

That the Rural Lands Protection Officer's June 2023 Report be received for information

Resolution No.: 2023/7.7

Carried

TITLE:	Linda Downs Link Road Realignment Proposal	DOC REF: 11.1.7
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PURPOSE:

To advise Council of relevant activities undertaken through the office of the CEO.

Moved: Cr Beauchamp

Seconded: Cr Neilson

That the Linda Downs Link Road is not realigned to suit the current graded track provided by Roxborough Downs.

That planning commences on a more resilient alignment on the Linda Downs Link Road in the vicinity of the Georgina River crossing and the Roxborough Downs homestead which will be suitable for a potential future QRA Betterment submission.

Resolution No.: 2023/7.8

Carried

Mr Joubert left the meeting at 10.14 am.

Councillor Britton left the meeting at 10.15 am.
Councillor Britton returned to the meeting at 10.18 am.

Ms Moore and Mrs Sloman left the meeting at 10.25 am.

11.2 Office of the Chief Executive

TITLE:	Chief Executives Report June 2023	DOC REF: 11.2.1
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PURPOSE:

To advise Council of relevant activities undertaken through the office of the CEO.

Moved: Cr Neilson **Seconded: Cr Norton**

That the CEO for June 2023 report be received for information.

Resolution No.: 2023/7.14 **Carried**

TITLE:	WHS Report for June 2023	DOC REF: 11.2.2
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PURPOSE:

To inform Council of progressions and or issues of concerning regarding WH&S. Ongoing monitoring with projects to ensure correct and completed WHS paperwork is submitted and identify potential hazards and any documentation requirement shortfalls with evidentiary documents held in Magiq and Pulse. Adopt various alerts/updates into regular toolbox talks and training.

Moved: Cr Neilson **Seconded: Cr Norton**

That the Workplace Health and Safety for June 2023 report be received for information.

Resolution No.: 2023/7.9 **Carried**

TITLE:	154 - Working from Home Policy	DOC REF: 11.2.3
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PURPOSE:

Regular review of council policies and documents ensure that council maintains an up-to-date guide for staff to refer to in the day-to-day management of council. This report deals with minor changes to an existing document which does not have any material effect on the intent of the document.

Moved: Cr Neilson **Seconded: Cr Britton**

That the Working from Home Policy as presented, be adopted.

Resolution No.: 2023/7.10 **Carried**

TITLE:	147 - Boulia Sports and Aquatic Centre Members Policy	DOC REF: 11.2.4
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Moved: Cr Britton **Seconded: Cr Beauchamp**

That policy 147 - Boulia Sports and Aquatic Centre Members Policy as presented, be adopted.

Resolution No.: 2023/7.11**Carried**

Ms Moore and Mrs Sloman returned to the meeting at 11 am.

TITLE:	LGAQ - Annual Conference 2023 - motion submission - Renewal of Quarry Sales Permits	DOC REF: 11.2.5
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PURPOSE:

To seek council support for the submission of a motion to the LGAQ conference in October requesting action for the current interpretation by DAF on Sales permits affecting over 100 council gravel pits within Boulia and 1069 statewide.

Moved: Cr Neilson**Seconded: Cr Britton**

1. That the council support the submission to LGAQ Conference in October 2023 for the review into the Renewal of Quarry Sales Permits.
2. That council call upon urgent State Government action to resolve the unrealistic requirements for Indigenous Land Use Agreements (ILUAs) prior to granting a quarry sales permit.

Resolution No.: 2023/7.15**Carried**

TITLE:	Development Application for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots): DA2023/01	DOC REF: 11.2.6
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REPORT BY:	CEO (Lynn Moore) Chief Executive Officer	DATE: 1/08/2023
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CORPORATE PLAN REFERENCE:

Key Priority 3: Economic Development - A sustainable local economy

3.1 : Facilitate employment and investment opportunities

3.1.1 : Encourage a diverse supply of housing affordability and choices

RISK MANAGEMENT:

The risk associated with the recommendations of the report have been assessed as Insignificant (Consequence) and Rare (Likelihood) giving an overall assessment as **Low L-1**.

PURPOSE:

For Council to determine a response for the development application seeking a Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) on land at Goodwood Road, Boulia formally described as Lot 1 on SP118535 and Lot 5 on SP111278 (Boulia Shire Council Development Application reference DA2023/01).

Moved: Cr Britton**Seconded: Cr Neilson****RECOMMENDATION A**

That in relation to the application for a Development Permit for Reconfiguring a Lot – Boundary Realignment (2 lots into 2 lots), made by M Boyd, on Lot 1 SP118535 and Lot 5 SP111278, located on Goodwood Road, Boulia, Council resolves to Approve the application subject to the following conditions:

1. ADMINISTRATION

1. The Developer and their employee, agent, contractor, or invitee is responsible for ensuring compliance with the conditions of this development approval.

2. Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
3. All conditions, works, or requirements of this development approval must be undertaken and completed:
 1. to Council’s satisfaction;
 2. at no cost to Council; and
 3. prior to the issue of the Survey Plan Approval Certificate, unless otherwise stated.
4. Infrastructure requirements of this development approval must be contributed to the relevant authorities, where applicable, at no cost to Council, prior to the issue of the Survey Plan Approval Certificate, unless otherwise stated.
5. All works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards, unless otherwise stated.
6. All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland.

2. APPROVED PLANS AND DOCUMENTS

1. The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by any condition of this development approval:

Drawing/report title	Prepared by	Date	Reference number	Revision
Plan of Lots 1 & 5	Brazier Motti Pty Ltd	09/06/2023	SP340682	-

2. Where there is any conflict between the conditions of this development approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.
3. Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for approval by Council prior to the issue of the Survey Plan Approval Certificate.

3. WATER WORKS

1. All water works must be designed and constructed in accordance with the Capricorn Municipal Development Guidelines, Water Supply (Safety and Reliability) Act 2008 and Plumbing and Drainage Act 2002.
2. All lots within the development must be connected to Council’s water network.

4. ELECTRICITY

1. Electricity services must be provided to each lot in accordance with the standards and requirements of the relevant service provider.
2. A certificate of electricity supply from the relevant service provider must be provided to Council, prior to the issue of the Survey Plan approval Certificate.

5. SITE WORKS

1. Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to surrounding land or infrastructure.

6. ASSET MANAGEMENT

1. Any alteration necessary to electricity, telephone, water mains, sewerage, mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.
2. Any damage to existing stormwater, water supply and sewerage infrastructure, kerb and channel, pathway or roadway, that occurs while any works are being carried out in association with this development approval must be repaired at full cost of the developer. This includes the reinstatement of any existing traffic signs or pavement markings that may have been removed or damaged.

ADVISORY NOTES

NOTE 1. Aboriginal Cultural Heritage

It is advised that under section 23 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”). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs website: www.datsip.qld.gov.au.

NOTE 2. General Environmental Duty

General environmental duty under the Environmental Protection Act 1994 prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 4. Capricorn Municipal Development Guidelines

The Capricorn Municipal Development Guidelines can be accessed on the following website: www.cmdq.com.au

RECOMMENDATION B

That in relation to the application for a Development Permit for Reconfiguring a Lot – Boundary Realignment (2 lots into 2 lots), made by M Boyd, on Lot 1 SP118535 and Lot 5 SP111278, located on Goodwood Road, Boulia, Council resolves not to issue an Infrastructure Charges Notice as discussed above.

ACTION: CEO to advise Gideon Granade once development application is approved so he can prepare the decision notice to the clients.

Resolution No.: 2023/7.13

Carried

TITLE:	Annual Re-Valuation 2023-2024	DOC REF: 11.2.7
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PURPOSE:

To respond by the 14th July 2023 the request for an annual valuation to be completed by the Valuer General. In line with the requirements of the Act, they seek our local government’s opinion on whether a valuation of our local government should be undertaken to be effective on 30 June 2024.

Moved: Cr Britton

Seconded: Cr Beauchamp

That a letter of response be returned to advise the Valuer General of council's recommendation regarding valuation for the 2023-2024 period to be effective 30th June 2024.

Resolution No.: 2023/7.16 **Carried**

Councillor Britton declared a Declarable Conflict of Interest in the report 11.2.8 CWA – Pensioner Cottage: Review of MOU in accordance with the *Local Government Act 2009* section 150EQ(4)(a) and (b), due to his wife being the President of the Boulia QCWA Branch. In accordance with section 150EM of the *Local Government Act 2009*, Councillor Britton was able to stay in the meeting while this matter was discussed and voted on.

TITLE:	CWA – Pensioner Cottage: Review of MOU	DOC REF: 11.2.8	
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PURPOSE:

To consider the request to extend the Memorandum of Understanding (MOU) for the Country Women's Association (CWA) to continue the use of the Pensioner Cottage.

Moved: Cr Norton **Seconded:** Cr Edgar

1. That the Council continue to support the good work done by the Country Women's Association by waiving the \$410 per month rental fee.
2. That Council endorse the Memorandum of Understanding between the Country Women's Association and Boulia Shire Council for a term of 3 years and advise the Country Women's Association President, Mrs Ann Britton.

Resolution No.: 2023/7.17 **Carried**

TITLE:	Action List Update June 2023	DOC REF: 11.2.9	
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PURPOSE:

To present to Council an updated Action List.

Moved: Cr Britton **Seconded:** Cr Neilson

That Council receive the Action List update for June 2023 for information.

Resolution No.: 2023/7.12 **Carried**

11.3 Corporate Services

TITLE:	Director of Corporate & Financial Services June 2023 Report	DOC REF: 11.3.1	
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PURPOSE:

To advise Council of the activities of the Director of Corporate and Financial Services.

Moved: Cr Neilson **Seconded:** Cr Norton

That the Director of Corporate & Financial Services June 2023 report be received for information purposes.

Resolution No.: 2023/7.18**Carried**

TITLE:	Financial Report for June 2023	DOC REF: 11.3.2
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PURPOSE:Financial Summary as at 30th June 2023**Moved: Cr Britton****Seconded: Cr Beauchamp**

That the Finance Report for June 2023 Report be received for information. Note: The CBA and QTC rate should have been 4.15%.

Resolution No.: 2023/7.19**Carried**

TITLE:	Fees and Charges 2023/24 Amendment	DOC REF: 11.3.3
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PURPOSE:

To amend and update Council's register of cost-recovery fees for the financial year, 2023/2024, in accordance with the Local Government Act s97 and s98.

Moved: Cr Britton**Seconded: Cr Neilson**

That in accordance with section 97 of the Local Government Act 2009, the 2023/2024 Fees and Charges amendments:

Page No.	Description	What needs to change	Change made
4	Stock Route - Land Protection		
4	Small Stock (Sheep, Goats, etc)	Fee change for 5 head	\$2.12/5 head/week
4	Large Stock (Horses, Cattle, etc)	Fee change	\$2.97/head/week
4	Stock Route – Travel Permit		
4	Large Stock – each kilometre & each 20 head or part thereof	Fee and description change for each km / day and each 20 head or part thereof	\$1.06 day/20 head
4	Small Stock - each kilometre & each 140 head or part thereof	Fee and description change for each km / day and each 140 head or part thereof	\$1.06 day/140 head

be hereby adopted by Bouliā Shire Council.

Resolution No.: 2023/7.20**Carried**

TITLE:	Policy 128 Public Interest Disclosure Policy and Procedure	DOC REF: 11.3.4
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PURPOSE:

To review and update Council's policies in accordance with the adopted procedure to ensure that policies made by Council are compliant with legislation and are reviewed in a timely manner.

Moved: Cr Britton**Seconded: Cr Neilson**

1. That Policy 128 Public Interest Disclosure Policy and Procedure be endorsed as presented
2. That the Policy 128 Public Interest Disclosure Policy and Procedure be updated on the Councillor Hub

Resolution No.: 2023/7.21

Carried

11.4 Community Services

TITLE:	Community Services Report June 2023	DOC REF: 11.4.1
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PURPOSE:

To provide Council with an update of the activities associated with Councils' community development activities.

Moved: Cr Britton

Seconded: Cr Edgar

That the Community Services June 2023 report be received for information.

Resolution No.: 2023/7.22

Carried

TITLE:	Min Min Encounter & Boulia Heritage Centre Report – June 2023	DOC REF: 11.4.2
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PURPOSE:

To report on the day-to-day operations of the Min Min Encounter and to promote tourism in the Shire and surrounding region.

Moved: Cr Norton

Seconded: Cr Edgar

That the Min Min Encounter & Boulia Heritage Centre Report June 2023 be received for information.

Resolution No.: 2023/7.23

Carried

Moved: Cr Neilson

Seconded: Cr Edgar

That the minutes of the 2023/2024 Budget Meeting held on 23rd June 2023 be accepted.

Resolution No.: 2023/7.24

Carried

Mrs Sloman left the meeting at 12 noon.

12 Late Reports

There were no late reports presented to Council.

13 Closed Session

There were no Closed Session Reports presented to Council.

14 General Business

There was no general business to be noted at this meeting.

15 Meeting Closure

The Mayor closed the meeting at 12.05 pm.

16 Confirmed

Minutes confirmed: 18th August 2023
Resolution No.: 2023/8.1