

**Minutes of the Ordinary Meeting of the Diamantina Shire Council**  
**held in the Town Hall, Birdsville**  
**on Monday, November 18, 2013 commencing at 9.04am.**

**1. ATTENDANCE**

Councillors Geoff Morton (Mayor), Garth Tully (Deputy Mayor), Steve Cramer, Don Rayment and Jody Barr with Chief Executive Officer, Leon Love.

**2. APOLOGIES**

Nil.

**3. CONFIRMATION OF MINUTES**

3.1 Ordinary Meeting – October 28, 2013

**Minute No. 2013.11.18-OM-01**

**Moved by Cr Tully and Seconded by Cr Barr**

**That the Minutes of the Ordinary Meeting of Diamantina Shire Council held October 28, 2013 be confirmed with the following amendment to the Executive Summary for Item LA(ii) Retrospective Approval for Birdsville Race Club Capital Expenditure:**

- **Delete \$2000 and replace with '\$20,000**

**Carried 5/0.**

**DECLARATIONS OF INTEREST**

A(ii) Bedourie Bikekhana Street Closure – November 29, 2013

*Cr Barr declared he may have a perceived conflict of interest in this matter, as per section 173 of the Local Government Act 2009, due to being an executive member of the Bedourie Bikekhana, the club directly affected by this proposed report.*

*Cr Barr determined that this personal interest is not of sufficient significance that it would lead to making a decision on this matter that is contrary to the public interest. Cr Barr honestly believed that he would best perform his responsibility of serving the overall public interest of the whole of Council's area by participating in the discussion and voting on the matter.*

*Cr Rayment declared he may have a perceived conflict of interest in this matter, as per section 173 of the Local Government Act 2009, due to being related to an executive member of the Bedourie Bikekhana, the club directly affected by this proposed report.*

*Cr Rayment determined that this personal interest is not of sufficient significance that it would lead to making a decision on this matter that is contrary to the public interest. Cr Rayment honestly believed that he would best perform his responsibility of serving the overall public interest of the whole of Council's area by participating in the discussion and voting on the matter.*

**4. MOTION TO RECEIVE ALL REPORTS**

**Minute No. 2013.11.18-OM-02**

**Resolved**

**That all Officers Reports be received.**

**Carried 5/0.**

**INFORMATION REPORTS**

I(i) Trust Fund Report for period ending October 31, 2013

I(ii) Our Cash Position as at October 31, 2013

I(iii) Our Revenue and Expenditure as at October 31, 2013



I(iv) Bedourie Aerodrome Inspections report

I(v) Birdsville Aerodrome Inspections report

**Attendance**

9.10am Council closed its Meeting to the Public.

**Minute No. 2013.11.18-OM-03**

**Moved by Cr Tully and Seconded by Cr Morton**

**That Diamantina Shire Council in accordance with section 275 (1) (e) and (h) close its meeting to the public to discuss the confidential item Fibre Optics, Telstra letter of offer for the joint fibre optics project with Barcoo Shire.**

**Carried 5/0.**

**Minute No. 2013.11.18-OM-04**

**Moved by Cr Tully and Seconded by Cr Morton**

**That Diamantina Shire Council open its meeting to the public.**

**Carried 5/0.**

**Attendance**

9.42am Council reopened its Meeting to the Public.

**I(vii) CONFIDENTIAL ITEM: Fibre Optics, Telstra Letter of Offer (presented by Chief Executive Officer, Leon Love)**

**Executive Summary**

There has been significant advancement of the Joint Fibre Optic Project in the past month and this report is designed to update Councillors on progress from the last Council meeting and for Council to reaffirm its commitment to the project based on revised project costs.

**Minute No. 2013.11.18-OM-05**

**Moved by Cr Morton and Seconded by Cr Tully**

**That Council recommits its allocation of \$2.4M towards the Joint Optic Fibre Project and authorises the Chief Executive Officer and Mayor continue to pursue funding options through the State and Federal Government which minimise Council's contribution.**

**Carried 5/0.**

**A(i) Birdsville Footpath Design and Construction Layout (presented by Works Manager, Mr Trevor Stewart)**

**Executive Summary**

Seeking approval for an alternative layout design for footpaths in Birdsville in between property boundaries and the kerb rather than constructing the footpath against the kerb which is impacted by the existence of significant infrastructure including fire hydrants, street lighting poles and trees.

**Minute No. 2013.10.28-OM-06**

**Moved by Cr Morton and Seconded by Cr Rayment**

**That Diamantina Shire Council endorse the amended footpath layout and median design as presented with an estimate of cost to be presented to the December meeting of Council for each stage of the project including all landscaping for final approval.**

**Carried 5/0.**


**Attendance**

10.03am

Council adjourned the Meeting for Morning Tea.

10.32am

Council resumed the Meeting.



**A(ii) Bedourie Bikekhana Street Closure – November 29, 2013 (presented by Works Manager, Mr Trevor Stewart)**

Executive Summary

The Bedourie Bikekhana is one of the significant events in the Diamantina Shire. To make this event successful, Bedourie Bikekhana Club seeks permission to close a part of Herbert Street Bedourie from the southern side of the Royal Hotel property access (6 Herbert Street) to the intersection of Nappa Street, Bedourie.

**Minute No. 2013.10.28-OM-07**

**Moved by Cr Morton and Seconded by Cr Tully**

**That Diamantina Shire Council pursuant to Section 69(2)(c) of the Local Government Act 2009, approve the temporary closure of Herbert Street, Bedourie (from the southern side of the Royal Hotel property access (6 Herbert Street) to the intersection of Nappa Street) from 5pm Friday, November 29, 2013 until Midnight for the purpose of live entertainment to be held in conjunction with the Bedourie Bikekhana and that the road area be left in a clean and tidy state following the event.**

**Carried 5/0.**

**Cr Barr and Cr Rayment voted in the affirmative.**

**Gazettal of the AA Line (Big Red to NT border) through Simpson Desert National Park**

Resolved that the Chief Executive Officer negotiate the opening of a 100m wide road reserve along the alignment of the QAA Line (Big Red to NT Border) with Queensland National Parks and complete any administrative actions to enable this to proceed in conjunction with the opening of a gazetted road from Ethabuka to the QAA Line.

DEPUTATION: Brian Mooney, Project Officer, Diamantina Shire Council

Mr Mooney advised he had been successful in being re-elected to the Outback Queensland Tourism Association Board for the next two years.

**A(iii) First Quarter 2013/2014 Budget Review (presented by Corporate Services Manager, Mr Terry Morris)**

Executive Summary

The purpose of this review is to assess and make any required amendments to Diamantina Shire Council's adopted budget for the 2013/2014 financial year. This review sees a net revision of \$1,354,679 to Council's budgeted position. Quarterly budget reviews are a normal part of DSC's governance regime. Please refer to the attachments for proposed amendments to the 2013/2014 Budget as a result of this review.

**Minute No. 2013.10.28-OM-08**

**Moved by Cr Tully and Seconded by Cr Rayment**

**That Diamantina Shire Council adopts the amended budget 2013/14 incorporating the proposed changes as presented.**

**Carried 5/0.**



**A(iv) Diamantina Shire Council Fatigue Management Policy (presented by Corporate Services Manager, Mr Terry Morris)**

Executive Summary

Diamantina Shire Council is a remote Council situated in South West Queensland with a number of work sites separated by vast distances. The Shire is characterised by periods of hot, dry weather which can have debilitating effects on employees, contractors and visitors, particularly outdoor workers and plant operators. A Fatigue Management Policy to help safe guard the health and wellbeing of its employees, contractors and visitors.

**Minute No. 2013.10.28-OM-09**

**Moved by Cr Tully and Seconded by Cr Rayment**

**That Council delegate the Chief Executive Officer the authority to review and approve the Fatigue Management Policy as it is considered operational.**

**Carried 5/0.**

**A(v) Council Meeting Dates for 2014 (presented by Corporate Services Manager, Mr Terry Morris)**

Executive Summary

It is proposed to hold the Ordinary Meetings on the following dates and times during 2014. The dates represent the third Monday of every month with the exception of the December meeting which is proposed for break up Friday, December 19, 2014.

**Minute No. 2013.10.28-OM-10**

**Moved by Cr Cramer and Seconded by Cr Barr**

**That Diamantina Shire Council advertise the following dates and commencing times for Council's Ordinary Meetings for 2014 in accordance with Section 257 of Local Government Regulation 2012:-**

January 20 – 8am	February 17 – 8am	March 17 – 8am	April 14 – 9am
May 19 – 9am	June 16 – 9am	July 21 – 9am	August 18 – 9am
September 15 – 9am	October 20 – 8am	November 17 – 8am	December 19 – 8am

**Carried 5/0.**

**A(vi) Office Shutdown for 2013 (presented by Corporate Services Manager, Mr Terry Morris)**

Executive Summary

Consideration is to be given to the closedown of the Council Office during the Christmas and New Year Period.

**Minute No. 2013.10.28-OM-11**

**Moved by Cr Morton and Seconded by Cr Barr**

**That Council approve the shutdown of the Bedourie Administration Centre, Bedourie VIC and the Birdsville Wirrarri Centre from close of business, Friday, December 20, 2013 and reopen for business on Monday, January 6, 2014.**

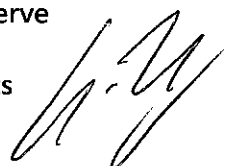
**Carried 5/0.**

**A(xii) Acquisition of Land for Bronco Branding Yard and Associated and Related Purposes (presented by Mr Colin Higginson, Campbell Higginson Town Planning)**

Executive Summary

The bronco branding yards and associated facilities in Birdsville have been constructed and the activities conducted unlawfully on State land. This exposes the Council, the State and the event organisers to liability should accidents or similar mishaps occur.

It is necessary for Council to excise the area out of the town common to create a Recreation Reserve with Council as Trustee in respect of the land on which the bronco branding and associated and related events are conducted and to ensure all necessary approvals are obtained for those events and activities.



The subject land is outlined in red on the figure below:



**Minute No. 2013.10.28-OM-12**

**Moved by Cr Morton and Seconded by Cr Tully**

**That Council authorise the Chief Executive Officer to undertake all required actions to:**

- (a) excise an area of land (described as part of Lot 18 SP226890 and identified within the red line on the attached map) from the Town Common for a Sport and Recreation Reserve, with Council as Trustee;**
- (b) develop a Trustee Lease for the use of this site for further consideration by Council;**
- (c) obtain all necessary development approvals pursuant to the Diamantina Shire Planning Scheme; and**
- (d) include the land in the Open Space and Recreation Zone of the Diamantina Shire Planning Scheme.**

**Carried 5/0.**

**A(xiii) Amendments to Planning Scheme (presented by Mr Colin Higginson, Campbell Higginson Town Planning)**

**Executive Summary**

Consequential amendments to the current Diamantina Shire Planning Scheme are required to reflect recent development approvals, for example, Council's residential subdivision in Bedourie. Other amendments are also required to reflect changes to Council's policy intentions, for example, inclusion of land in the Commercial Zone in Bedourie and Birdsville.

**Minute No. 2013.11.18-OM-13**

**Moved by Cr Barr and Seconded by Cr Cramer**

**That Council amend the Diamantina Shire Planning Scheme as detailed in the report submitted to Council by CHTP on 3 July 2013, and also to include land described as part of Lot 18 Special Plan 226890 to be acquired by Council as Reserve for Recreation Purposes (bronco branding and associated activities) in the Open Space and Recreation Zone, in accordance with Statutory Guideline 02/12 – Making and Amending Local Planning Instruments.**

**Carried 5/0.**

A handwritten signature in black ink, appearing to be "C. Barr".

**A(xiv) Consideration of Stock Route Water Facility Agreement – Peter and Carol Britton (presented by Chief Executive Officer, Leon Love)**

Executive Summary

An application for a stock route water facility has been lodged by Peter and Carol Britton, with Department of Natural Resources to access the Mayne Stock Route Water Facility.

**Minute No. 2013.11.18-OM-14**

**Moved by Cr Morton and Seconded by Cr Rayment**

**That Council approve the stock route water facility application made by Peter and Carol Britton for the use of the Mayne Pub Stock Route Water Facility subject to the following conditions:-**

- **water is supplied to the applicants land from the bore head via a separate buried pipeline constructed at the applicants expense;**
- **that the existing infrastructure on the site is not interfered with; and**
- **under no circumstances is fencing to be erected on the Mayne Pub Reserve.**

**Carried 5/0.**

**A(vii) My Diamantina Exhibition Extension Request (presented by Tourism and Community Manager, Mr Steven Baldwin)**

Executive Summary

The 'My Diamantina' photography exhibition opened on September 4, 2013 at the Wirrarri Visitor Centre and has been well received. The Regional Arts Development Fund Committee has requested that council allow the exhibition to be extended indefinitely.

**Minute No. 2013.11.18-OM-15**

**Moved by Cr Barr and Seconded by Cr Cramer**

**That Council allow the 'My Diamantina' photography exhibition to continue to be on display at the Wirrarri Visitor Centre for an indefinite period.**

**Carried 5/0.**

**A(viii) Big Red Run and Big Red Music Festival – Request for Council support (presented by Tourism and Community Manager, Mr Steven Baldwin)**

Executive Summary

The Big Red Run is a 250km, 6 day stage footrace challenge organised by the Born to Run Foundation which will be held in the Simpson Desert on the outskirts of Birdsville from July 2 – 7, 2014. They have now also incorporated a Big Red Music Festival being held on July 9 – 10, 2014 with a number of well know performers. In 2013 council provided in-kind support to the value of approximately \$5,000 and the Born to Run Foundation are requesting Council support in the amount of \$50,000 to cover operational costs.

**Minute No. 2013.11.18-OM-16**

**Moved by Cr Morton and Seconded by Cr Cramer**

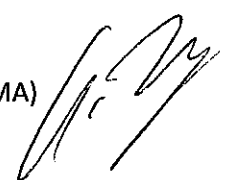
**That Council decline the opportunity to sponsor the Big Red Run and Big Red Music Festival through a cash contribution but is willing to again provide substantial in-kind assistance to both events and directs the Chief Executive Officer to provide a costed summary of all in kind support requested by the event organiser for final approval by Council.**

**Carried 5/0.**

**A(ix) TAB Radio – Update and Cost of Licencing (presented by Tourism and Community Manager, Mr Steven Baldwin)**

Executive Summary

In November council was contacted by the Australian Communications & Media Authority (ACMA) and asked why TAB radio was broadcasting without a license in both Bedourie and Birdsville.



Subsequent enquiries revealed that the service had been broadcasting since 1998. Council has shut down both transmitters until such time as a decision is made on whether to apply for a license.

**Minute No. 2013.11.18-OM-17**

**Moved by Cr Morton and Seconded by Cr Rayment**

**That Council not apply to licence TAB radio in Bedourie and Birdsville and that the retransmission equipment be permanently decommissioned by N-com on their next visit.**

**Carried 5/0.**

**A(x) Birdsville Caravan Park – Power Savvy Program (presented by Tourism and Community Manager, Mr Steven Baldwin)**

**Executive Summary**

Ergon Energy conducted an energy audit of the Birdsville Caravan Park in March 2013 and made a series of recommendations that will deliver a more efficient service. They have offered a subsidy of \$20,000 for council to upgrade the assets.

**Minute No. 2013.11.18-OM-18**

**Moved by Cr Tully and Seconded by Cr Rayment**

**That Diamantina Shire Council decline the proposed offer from Ergon Energy and resolve not to take any action in relation to this matter.**

**Carried 5/0.**

**A(xi) Proposed Special Lease and Gazette Road – Deon’s and Vaughan Johnson Lookouts (presented by Chief Executive Officer, Leon Love)**

**Executive Summary**

Advice has been sought from McInnes Wilson Lawyers regarding the appropriation of liability over various tourist sites throughout the Shire. Generic legal agreements between Council and the landholders were not successful in the initial instance. Further information has been provided by Hoffmann Surveyors encouraging Council to pursue the option of a special lease and gazetted road access to both lookouts which would successfully mitigate risk for landholders and Council at the sites.

**Minute No. 2013.11.18-OM-19**

**Moved by Cr Barr and Seconded by Cr Rayment**

**That Council authorise the Chief Executive Officer to undertake all required actions to apply to the Department of Natural Resources and Mines to excise an area of land containing Deon’s Lookout and Vaughan Johnson lookout from the leasehold land for a Public amenities and scenic purposes reserve for which Council is to be Trustee, apply to open gazette road along the constructed access roads to both sites and cease the negotiation of road licences with leaseholder for these sites.**

**Carried 5/0.**

**Attendance**

1.01pm	Council adjourned the Meeting for Lunch.
1.45pm	Council resumed its Meeting.

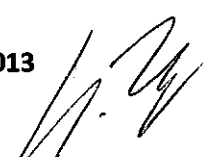
**LATE CORRESPONDENCE – Letter from Friends of the French Line**

Mr Kevin Murphy of Friends of the French Line is requesting Council re-consider its previous resolution to relocate the cairn to the Southern side of the Birdsville opposite to the Nissan Cairn and allow for the reinstatement of the cairn at its original position opposite the Birdsville Hotel.

**Minute No. 2013.11.18-OM-20**

**Moved by Cr Rayment and Seconded by Cr Cramer**

**That Diamantina Shire Council resolve to rescind the following resolution at its December 20, 2013 Ordinary Council Meeting:**



**Minute No. 2013.09.16-OM-07**

**Moved by Cr Morton and Seconded by Cr Rayment**

**That Diamantina Shire Council commit to restore the cairn and plaque commemorating the construction of the 'French Line' in time for the fiftieth anniversary visit by surviving members of the construction group. Further, that the cairn be constructed at the site nominated as being on the western entrance to town opposite to the Nissan cairn. Further, that any available councillors or senior staff that are available for the welcome to the Shire will attend.**

**Carried 5/0.**

**Carried 5/0.**

**Staff and Contract Christmas Gifts and Cards**

**Minute No. 2013.11.18-OM-21**

**Resolved**

**That Council amend its past practice of Christmas gifts as follows:-**

- **That full time permanent , part time and casual staff be provided with a gift to the value of \$100;**
- **Contractors including tradesman who work directly with Councils outside works crew and who have been regularly engaged from the Panel of Approved Contractors be provided with an annual diary embossed with 'With Compliments from' and the Diamantina Shire logo to the value of \$50;**
- **That Councillors not be presented with a gift;**
- **That Youth Council representatives be provided with a \$25 iTunes voucher; and**
- **That Council send e-seasons greeting card for 2013 with the Mayor, Chief Executive Officer and Managers being authorised to distribute e-cards to their relevant contacts.**

**Carried 5/0.**

**Community Housing Properties managed by Diamantina Shire Council**

**Minute No. 2013.11.18-OM-22**

**Resolved**

**That Council delegate the Chief Executive Officer authority to negotiate a suitable outcome in resolving 'hard to let' properties with the Department of Housing.**

**Carried 5/0.**

**COUNCILLOR IDEAS/ RECOMMENDATIONS**

Cr Rayment Requested that the Chief Executive Officer ensure that all areas of the Birdsville Town Common remain available to all community members to use and that town water is not available to the Little Rodeo Paddock.

Congratulations to Tourism Officers for their Familiarisation trip write-up in the Desert Yarns

Continuation of the Ute Muster in Bedourie

Cr Barr Tourism Awards – suggesting that Council should be represented by a Councillor at future Outback Qld Tourism Awards nights.

**Minute No.2013.11.18-OM-23**

**Resolved**

**That Council consider the Bedourie Ute Muster a Council event, that it be organised and run by Council staff and that a suitable budget be provided to ensure a successful event in association with the Bedourie Races in September, 2014.**

**Carried 5/0.**





There being no further business the Meeting closed at 3.05pm.

Minutes confirmed this Twentieth day of December, 2013.



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Cr Geoff Morton  
**MAYOR**