

****DRAFT** Minutes of the Ordinary Meeting of the Diamantina Shire Council
held in the Boardroom of the Administration Centre, Bedourie
on Friday, December 14, 2012 commencing at 8.13am.**

1. ATTENDANCE

Councillors Geoff Morton (Mayor), Garth Tully (Deputy Mayor), Don Rayment and Jody Barr with Chief Executive Officer, Scott Mason and Executive Assistant, Miss Seven Ryan.

2. APOLOGIES

Minute No. 2012.12.14-OM-01

Moved by Cr Tully and Seconded by Cr Barr

That the apology be accepted for Cr Cramer.

Carried 3/0.

3. CONFIRMATION OF MINUTES

3.1 Ordinary Meeting – November 19, 2012

Minute No. 2012.12.14-OM-02

Moved by Cr Tully and Seconded by Cr Barr

That the Minutes of the Ordinary Meeting of Diamantina Shire Council held November 19, 2012 be confirmed.

Carried 3/0.

3.2 Special Meeting – November 29, 2012

Minute No. 2012.12.14-OM-03

Moved by Cr Tully and Seconded by Cr Barr

That the Minutes of the Special Meeting of Diamantina Shire Council held November 29, 2012 be confirmed.

Carried 3/0.

4. NOTICE OF MOTION

Nil.

5. MOTION TO RECEIVE ALL REPORTS

Minute No. 2012.12.14-OM-04

Moved by Cr Morton and Seconded by Cr Tully

That all Officers Reports be received.

Carried 3/0.

6. REPORTS

6.1 Operational Plan

Nil.

6.2. Finance Manager (presented by Miss Dominique Wells, Finance Officer)

1. Revenue and Expenditure Report for period ending November 30, 2012
2. Trust Fund Report for period ending November 30, 2012
3. Our Cash Position as at November 30, 2012

6.3 Works Manager Report (presented by Mr Trevor Stewart)

Attendance

8.37am Mr Stuart Bourne, Contract Engineer, George Bourne and Associates attended the Meeting via teleconference.

1. Gantt Charts

Attendance

8.37am Council adjourned the Meeting.

2. Workshop Manager Report

Attendance

9.24am Council resumed the Meeting.

9.24am Cr Rayment was in attendance when Meeting resumed.

3. Diamantina Approved Contractor List 2012-2013

Cr Barr declared a real material interest in this matter (as defined in section 172(2) of the Local Government Act 2009) due to being a prospective tenderer and as a former employee of another tenderer and dealt with it by excluding himself from the meeting room.

Attendance

9.46am Cr Barr left the Meeting.

Minute No. 2012.12.14-OM-05

Moved by Cr Morton and Seconded by Cr Tully

That Diamantina Shire Council adopt the approved contractor list for calendar year 2013 as presented.

Carried 3/0.

Attendance

10.02am Cr Barr returned to the Meeting.

6.4 Engineer Report (presented by Mr Stuart Bourne, George Bourne and Associates via teleconference)

1. Corrosion Protective Coating Birdsville Bore

Minute No. 2012.12.14-OM-06

Moved by Cr Tully and Seconded by Cr Rayment

That Diamantina Shire Council award the contract to Queensland Painters and Maintenance Services (QPMS) for the total amount of \$237,600 to provide protective coatings to the Birdsville bore, ground and elevated reservoirs on this basis. QPMS proposed paint systems are suitable, the contractor is experienced, the service interruptions are minimal and they are the only tenderer to provide the actual warranty documents to be used (5 year period). Further, that the capital works budget be amended at the February Budget Review for the scheduled works.

Carried 4/0.

Attendance

10.18am Council adjourned the Meeting for Morning Tea.

10.34am Council resumed the Meeting.

6.5 Tourism and Community Manager Report (presented by Mr Steven Baldwin, Tourism and Community Manager)

1. Birdsville Bore Baths Project

Minute No. 2012.12.14-OM-07

Resolved

That Diamantina Shire Council direct its Tourism and Community Manager to provide a report proposing a suitable parcel of land for the proposed development of the Birdsville Bore Baths project.

2. CONFIDENTIAL - Australia Day Awards Nominations (Presented by Ms Kim Wildman, Events Coordinator)

Diamantina Shire Australia Day Citizen of the Year Award

The Chief Executive Officer, Mr Scott Mason declared a real conflict of interest in this matter due to being nominated for the Diamantina Shire Australia Day Citizen of the Year Award for 2011 and 2012 and dealt with it by excluding himself from the meeting room.

Attendance

10.56am The Chief Executive Officer left the Meeting.

Minute No. 2012.12.14-OM-08

Resolved

That Diamantina Shire Council award the Diamantina Shire Australia Day Citizen of the Year Award to Mr Scott Mason.

Attendance

11.05am The Chief Executive Officer returned to the Meeting.

Diamantina Shire Australia Day Young Citizen of the Year Award

Cr Rayment declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to being employed by a nominated candidate's family for the Young Citizen of the Year award and propose to deal with it by excluding himself from the meeting room, taking no part in the debate or decision of the matter. However this action would have resulted in the required quorum for the meeting not being formed. In accordance with Section 173 (5)(b), Cr Rayment remained in the meeting, participated in the debate and voted on the matter.

Cr Barr declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to being related to one of the nominated persons for the Young Citizen of the Year Award 2013, and proposed to deal with it by excluding himself from the meeting room, taking no part in the debate or decision of the matter. However this action would have resulted in the required quorum for the meeting not being formed. In accordance with Section 173 (5)(b), Cr Barr remained in the meeting, participated in the debate and voted on the matter.

Minute No. 2012.12.14-OM-09

Resolved

That Diamantina Shire Council award the Diamantina Shire Australia Day Young Citizen of the Year Award to Ms Jenna Brook.

Cr Barr and Cr Rayment voted in the affirmative for Ms Jenna Brook to be awarded the Young Citizen of Year Award.

Diamantina Shire Australia Day Community Event of the Year Award

Cr Barr declared a real conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to being on the committee of one of the nominated events for the Diamantina Shire Australia Day Community Event of the Year Award and dealt with it by excluding himself from the meeting room, taking no part in the debate or decision of the matter.

Attendance

11.14am Cr Barr left the Meeting.

Cr Rayment declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to being employed by nominated candidate's family for the Young Citizen of the Year award and dealt with it by excluding himself from the meeting room, taking no part in the debate or decision of the matter. However this action would have resulted in the required quorum for the meeting not being formed. In accordance with Section 173 (5)(b), Cr Rayment remained in the meeting, participated in the debate and voted on the matter.

Minute No. 2012.12.14-OM-10

Moved by Cr Tully and Seconded by Cr Morton

That Diamantina Shire Council award a joint award for the Diamantina Shire Australia Day Community Event of the Year Award to the Bedourie Bikekhana and Dress the Desert in Pink.

Carried 3/0.

Cr Rayment voted in the affirmative for Bedourie Bikekhana and Dress the Desert in Pink to be jointly awarded the Diamantina Shire Australia Day Community Event of the Year Award.

Attendance

11.16am Cr Barr returned to the Meeting.

Diamantina Shire Australia Day Junior Sportsman of the Year Award

Minute No. 2012.12.14-OM-11

Moved by Cr Barr and Seconded by Cr Rayment

That Diamantina Shire Council award the Diamantina Shire Australia Day Junior Sportsman of the Year Award to Mr Sam Mason.

Carried 4/0.

Diamantina Shire Australia Day Senior Sportsman of the Year Award

Minute No. 2012.12.14-OM-12

Resolved

That Diamantina Shire Council award the Diamantina Shire Australia Day Senior Sportsman of the Year Award to Mr James Smith.

Diamantina Shire Australia Day Senior Cultural Award

Cr Barr declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to being related to one of the nominated persons for the Senior Cultural Award and dealt with it by excluding himself from the meeting room, taking no part in the debate or decision of the matter.

Attendance

11.28am Cr Barr left the Meeting.

Minute No. 2012.12.14-OM-13

Resolved

That Diamantina Shire Council award the Diamantina Shire Australia Day Senior Cultural Award to Mrs Joyce Crombie and Mrs Jean Barr.

Attendance

11.28am Cr Barr returned to the Meeting.

Diamantina Shire Australia Day Sports Administrator of the Year Award

Cr Morton declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to being related to one of the nominated persons for the Diamantina Shire Australia Day Sports Administrator of the Year Award, and dealt with it by excluding himself from the meeting room, taking no part in the debate or decision of the matter.

Attendance

11.29am Cr Morton left the Meeting.

Minute No. 2012.12.14-OM-14

Resolved

That Diamantina Shire Council award the Diamantina Shire Australia Day Sports Administrator of the Year Award to Mrs Beverly Morton.

Attendance

11.30am Cr Morton returned to the Meeting.

3. National Aboriginal Islander Day of Observance Committee Celebrations in Diamantina Shire Council (Late Report)

Council directed its Events Coordinator to investigate the possibility of having former sports professionals present during the proposed NAIDOC celebration in 2013 and provide a report to its February, 2013 Meeting.

4. Three Way Alliance Resolution (Late Report)

Minute No. 2012.12.14-OM-15

Moved by Cr Morton and Seconded by Cr Tully

That Diamantina Shire Council endorse the following:

- 1. As the proposed enterprise to be conducted through Far West Alliance Limited, a public company limited by guarantee:**
 - (a) will have as its members, Barcoo Shire Council, Diamantina Shire Council and Boulia Shire Council;**
 - (b) will conduct regional tourism and area promotion for the Diamantina, Boulia and Barcoo local government areas ("the region");**
 - (c) will include activities such as:**
 - (i) promotion of the region as a tourist destination**
 - (ii) facilitating tourism activities and co-ordinating accommodation information and booking facilities**
 - (iii) sharing of members infrastructure, equipment and administration.**

it is considered to be a beneficial enterprise under the *Local Government Act 2009* Chapter 3 Part 2

- 2. Council considers the enterprise is directed to benefiting, and can reasonably be expected to benefit, the whole of the local government areas of Diamantina, Boulia and Barcoo.**

That Council engage in the enterprise referred to in paragraph 1 by incorporating a public company limited by guarantee in the name of 'Far West Alliance Limited' and with a constitution generally in accordance with the proposed constitution adopted at the November, 2012 Ordinary Meeting, subject to the approval of Council's Chief Executive Officer."

Carried 4/0.

6.6 Corporate Services Manager Report

1. Grants Officer Report – Road Shade Shelters

Minute No. 2012.12.14-OM-16

Moved by Cr Tully and Seconded by Cr Morton

That Diamantina Shire Council retrospectively endorse the funding application for Road Shade Shelters and make the necessary amendments to its Budget at its February 18, 2013 Ordinary Meeting to provide for the required 60% of funding monies amounting to \$32,490.

Carried 4/0.

6.4 Environmental Health Officer

Nil.

6.5 Councillors

Nil.

6.6 Emergency Services

Nil.

6.7 Chief Executive Officer

1. CONFIDENTIAL – Staff Matters

Minute No. 2012.12.14-OM-17

Moved by Cr Morton Seconded by Cr Tully

That Diamantina Shire Council close its meeting to the public in accordance with Section 275(1)(b) and (h) of the Local Government Regulation 2012.

Carried 4/0.

Minute No. 2012.12.14-OM-18

Moved by Cr Morton Seconded by Cr Tully

That Diamantina Shire Council re-open its Meeting to the public.

Carried 4/0.

2. Establishment of a Shooting Range within Bedourie Town Common

Minute No. 2012.12.14-OM-19

Moved by Cr Barr Seconded by Cr Rayment

That Diamantina Shire Council advise the Sporting Shooters' Association of Australia (Bedourie Branch) Incorporated that it consents to use of the paddock located on the western side of the Bedourie Town Common for the purposes of an intermittent shooting range subject to the following conditions:

- **That the dates and times of use for organised events be published to the community and that the land owner and adjoining land owner be expressly advised of the dates and times of use for organised events.**
- **That Council be provided with a certificate of currency for public liability insurance.**
- **That suitable warning signage be displayed on all perimeter fences while the range is in use for organised events.**
- **That prior to the conduct of events, the perimeter fence be inspected for soundness and that livestock be removed.**

Carried 4/0.

3. CONFIDENTIAL – Chief Executive Officer Performance Review

Minute No. 2012.12.14-OM-20

Moved by Cr Morton Seconded by Cr Rayment

That Diamantina Shire Council close its meeting to the public in accordance with Section 275(1)(h) of the Local Government Regulation 2012.

Carried 4/0.

Attendance

12.02pm The Chief Executive Officer and Miss Seven Ryan, Executive Assistant left the Meeting.

Minute No. 2012.12.14-OM-21

Moved by Cr Rayment Seconded by Cr Barr

That Diamantina Shire Council re-open its Meeting to the public.

Carried 4/0.

Attendance

12.12pm The Chief Executive Officer and Miss Ryan returned to the Meeting.

Minute No. 2012.12.14-OM-22

Moved by Cr Tully Seconded by Cr Rayment

That Diamantina Shire Council adopt the Chief Executive Officer Performance Review Report prepared by Mr Scott Mead, Review Facilitator, Mead Perry Group and dated November 20, 2012.

Carried 4/0.

4. Postcode for Bedourie

Council directed its Chief Executive Officer re-commence action aimed at securing an individual postcode for Bedourie in 2013.

7. OTHER MINUTES

7.1 Bedourie Playgroup Minutes

Minute No. 2012.12.14-OM-23

Moved by Cr Rayment and Seconded by Cr Barr

That Diamantina Shire Council endorse the Minutes of the Bedourie Playgroup Meeting held on November 19, 2012.

Carried 4/0.

7.2 Workplace Health and Safety Committee Meeting
Nil submitted

7.3 Youth Council Minutes
Nil submitted

7.4 Local Disaster Management Group Minutes

Minute No. 2012.12.12-OM-24

Moved by Cr Barr and Seconded by Cr Tully

That Diamantina Shire Council endorse the Minutes of the Local Disaster Management Group Meeting held on November 30, 2012.

Carried 4/0.

8. Councillors Ideas and Recommendations

Cr Rayment Questioned the status of the Tyres, Tubes and Batteries tender and whether or not the community businesses had been advised with reports circulating the Birdsville Community that Council staff are returning to Bedourie with flat tyres/punctures for fixing.

There being no further business the Meeting closed at 12.36pm.

Minutes confirmed this Eighteenth day of February, 2013.

Cr Geoff Morton
MAYOR