



Inglewood Shire Council

## **Ordinary Meeting of Council**

# **Minutes**

Meeting held in the Council Chambers

Cnr Albert and Elizabeth Streets

Inglewood Queensland 4387

Monday 20 August, 2007

## **Monday, 20 August, 2007 – 9:32 a.m.**

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1. OPENING OF MEETING.....	8901
2. APOLOGIES.....	8901
3. RECEIPT AND CONFIRMATION OF MINUTES.....	8901
4. BUSINESS ARISING FROM MINUTES.....	8901
5. NOTICE OF MOTIONS PREVIOUSLY GIVEN.....	8901
6. CONSULTING ENGINEERS REPORT.....	8902
7. WORKS MANAGERS REPORT.....	8903
8. ENVIRONMENTAL HEALTH OFFICERS REPORT.....	8903
8.1 WASTE COLLECTION CONTRACT.....	8903
9. REGIONAL ARTS DEVELOPMENT FUND OFFICERS REPORT.....	8904
10. COMMUNITY DEVELOPMENT OFFICERS REPORT.....	8905
10.1 IMPLICATIONS OF REFORM PROCESS ON FUNDING OPPORTUNITIES.....	8905
10.2 TEXAS VISITORS ASSOCIATION – MANAGEMENT OF DUMARESQ RIVER CAMPING AREA.....	8906
11. HUMAN RESOURCE OFFICERS REPORT.....	8908
11.1. TEXAS SWIMMING POOL – LEASE.....	8908
12. ACCOUNTANTS FINANCE REPORT.....	8909
12.1. COUNCIL LAND AVAILABLE FOR LEASE.....	8909
12.2. SMK CONSULTANTS PTY LTD (DAMIEN & HEATHER SCANLAN).....	8911
12.3. CAMPBELL – PURCHASE OF RESERVE – TEXAS-YELARBON ROAD, GLENARBON.....	8912
12.4. EXCESS WATER WRITE OFF.....	8913
<i>Council has issued excess water levies to the address of 35 Albert St Inglewood. ....</i>	<i>8913</i>
13. CHIEF EXECUTIVE OFFICERS REPORT.....	8914
13.1 MATTERS GENERALLY FOR INFORMATION.....	8914
13.2 BORDER RIVERS FOOD & FIBRE.....	8916
13.3 LOCAL GOVERNMENT, PLANNING, SPORT & RECREATION – REVIEW OF LOCAL LAWS.....	8917
13.4 CROWN CASTLE AUSTRALIA PTY LTD – TELECOMMUNICATION TOWER SITES.....	8918
13.5 TEXAS BOWHUNTERS CLUB.....	8918
13.6 QMDC – TRAPOCK SUB-CATCHMENT GROUP – FUNDING AGREEMENT.....	8919
13.7 REVIEW OF LOCAL GOVERNMENT ACT 1993 (LGA REVIEW) ISSUES PAPERS.....	8920
13.8 REVIEW OF INGLEWOOD SHIRE LOCAL DISASTER MANAGEMENT PLAN.....	8921
13.9 MEDIA RELEASE – HON BRUCE SCOTT MP.....	8922
13.10 AUSLINK ARTERIAL ROAD FUNDING CONCEPT.....	8922
13.11 ISOLATED CHILDREN'S PARENTS' ASSOCIATION – QLD INC.....	8923

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**

16 July, 2007

---

13.12 BREACHES OF THE LAND PROTECTION (PEST AND STOCK ROUTE MANAGEMENT) ACT 2002 .....	8924
13.13 QUEENSLAND LOCAL GOVERNMENT REFORM PROCESS .....	8925
<b>14. MEETING CLOSED TO THE PUBLIC .....</b>	<b>8927</b>
<b>15. MEETING REOPENED TO THE PUBLIC .....</b>	<b>8927</b>
<b>16. CLOSURE .....</b>	<b>8928</b>

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

Present: Councillor J White (Mayor)  
Councillor RJ Pietsch (Deputy Mayor)  
Councillor B Johnson  
Councillor L Cox  
Councillor L Dawson  
Councillor R McDougall  
Councillor M Moffitt  
Councillor T Tait  
Councillor D Thompson  
Don Ramsland (Chief Executive Officer)

Apologies

Officers in Attendance *The following officers attended the meeting at various times during the course of proceedings as recorded in the minutes.*

*Dave Burges Consulting Engineer  
Vince Stephens Environmental Health Officer  
Dave Hayward Community Development Officer  
Andrew Wegener Accountant*

Other Attendees Mary Belford, Chris O'Neal and Geraldine Morris from Texas Liners.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**1. OPENING OF MEETING**

The Mayor welcomed all Councillors and declared the meeting open at 9.32 a.m.

**Attendance:** At the time of commencement of the meeting, Councillor Johnson was not in attendance of the meeting.

**2. APOLOGIES**

All other Councillors with the exception of Cr Johnson were in attendance.

**Resolution:** 2007- 0716

**Moved: Cr Pietsch Seconded: Cr Cox**

That the apology of Cr Johnson be accepted and that leave of absence from the meeting be granted.

**CARRIED: (VOTE: 8/0)**

**3. RECEIPT AND CONFIRMATION OF MINUTES**

**Resolution:** 2007- 0717

**Moved: Cr Dawson Seconded: Cr Tait**

That the minutes of the Ordinary Meeting held on 16 July, 2007, as supplied to all Councillors, be confirmed as a true record of the proceedings thereat:-

**CARRIED: (VOTE: 8/0)**

**4. BUSINESS ARISING FROM MINUTES**

There is no business arising from the minutes.

**5. NOTICE OF MOTIONS PREVIOUSLY GIVEN**

**Attendance:** The Human Resource Manager attended the meeting at 9.32 am and retired from the meeting at 10.04am

**Attendance:** At 9.39am, Mary Belford, Chris O'Neal and Geraldine Morris attended the meeting to discuss various issues with the Texas Memorial Hall and retired from the meeting at 10.04am.

**Attendance:** The Consulting Engineer attended the meeting at 10.08 am.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**6. CONSULTING ENGINEERS REPORT**

**SYNOPSIS:**

By letter dated 17 April 2007, Mrs Esme Simpson is expressing concern at the gate across Browns Road opposite the olive processing plant.

Vehicles accessing the gravel section of Browns Road through the gate must stop primarily on the bitumen road. If the olive processing plant was operational this may cause safety concerns although visibility is quite good. As the processing plant is no longer operational the traffic on this road would be extremely minimal and the risk reduced accordingly.

The writer has met with the gate owner, Mr Bob Robinson, to discuss the issue. Mr Robinson indicated he would be prepared to fence out one section of the road between the gate and Mrs Simpson house if she paid for another section. The distances involved are approximately 590m Robertson / 410m Simpson.

The writer also recently met with Mrs Simpson after a prolonged absence due to illness. Her preference would be to have the gate replaced with a grid or have it relocated a short distance further back from the bitumen road.

A check of Council's records indicates that the gate is not recorded on the rates database and ownership or approval cannot be definitively traced to the best of knowledge. Mr Robinson does however admit ownership of and benefit from the gate. If the gate is deemed to be legal the issue must be resolved between the property owners. If Council deems the gate illegal or not licensed, application must be made and conditions (such as set back from the bitumen) could be imposed.

Alternatively Council could accept some liability for not adequately and properly managing the issue of the gate in a public roadway (by way of not having it licensed, not undertaking routine inspections and not addressing safety issues under their jurisdiction) and remedy the situation at their cost.

**RECOMMENDATION:**

**For Decision.**

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**POLICY:**

Inglewood Shire Council policy "Gates & Grids on Local Roads".

**FINANCIAL IMPACTS:**

Nil unless Council accepts some liability for the safety issues.

**Resolution: 2007- 0718**

**Moved: Cr Thompson Seconded: Cr Moffitt**

That Council erect a gate sign on Browns Road and advise the land owners that the matter will need to be processed in accordance with Councils Grids and Gates Policy.

**CARRIED: (VOTE: 8/0)**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**7. WORKS MANAGERS REPORT**

**Resolution: 2007- 0719**

**Moved: Cr McDougall Seconded: Cr Moffitt**

That the Works Managers report be received and the comments contained therein be noted.

**CARRIED: (VOTE:8/0)**

**Attendance:** Councillor Moffitt left the meeting at 10.36am and returned at 10.39am.

**Attendance:** Council's Consulting Engineer retired from the meeting at 10.40 am.

**Adjournment:** The meeting adjourned for morning tea at 10.40 am and reconvened at 10.59am.

**Attendance:** Council's Consulting Environmental Health Officer joined the meeting at 10.59 am.

**8. ENVIRONMENTAL HEALTH OFFICERS REPORT**

**Resolution: 2007- 0720**

Moved: Cr Dawson Seconded: Cr Tait

That the Environmental Health Officers report be received and the comments contained therein be noted.

**CARRIED: (VOTE: 8/0)**

**8.1 WASTE COLLECTION CONTRACT**

**SYNOPSIS:**

The purpose of this report is to commence the process of securing domestic, industrial and commercial waste collection contractor for Inglewood Shire with the expiration of the current contract due in September 2007.

**EXECUTIVE SUMMARY:**

Last year with the Waste Collection Contract expiring in September 2006, Council called for Expressions of Interest and Tenders for the Domestic, Industrial and Commercial Waste Collection Contract for Inglewood Shire.

At the closing of the Tenders Council had received documents from four (4) parties expressing interest in providing waste collection services in Inglewood and Texas. At the time the cost of the proposed services from the compliant tenders was considered above Council's Budget.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**

20 August, 2007

---

Council negotiated with the existing waste contractor and extended the term of the waste contract for a 12 (twelve) month period to expire in September 2007.

Before commencing the Tender process for a Domestic, Industrial and Commercial Waste Contractor, it is suggested that some research be conducted to investigate the prospect of Inglewood Shire Council conducting their own waste collection service, and/or the prospect of Goondiwindi Town Council, who conduct their own service, being available to provide the service within Inglewood Shire. The current contractor E & E Waste are also the waste service provider for Waggamba Shire Council and the possibility of a negotiated contract with both Councils could have mutual benefits.

**RECOMMENDATION:**

**That Council consider researching the options of Inglewood Shire providing their own waste collection service and/or the possibility of Goondiwindi Town Council including Inglewood Shire into their waste collection service before calling for expressions of interest or tenders for the Waste Collection Contract.**

**Resolution: 2007- 0721**

Moved: Cr McDougall Seconded: Cr Pietsch

That Council consider researching the options of Inglewood Shire providing their own waste collection service and/or the possibility of Goondiwindi Town Council including Inglewood Shire into their waste collection service before calling for expressions of interest or tenders for the Waste Collection Contract.

**CARRIED: (VOTE: 8/0)**

**Attendance:** Council's Environment Health Officer retired from the meeting at 11.25am.

**9. REGIONAL ARTS DEVELOPMENT FUND OFFICERS REPORT**

**Resolution: 2007- 0722**

Moved: Cr McDougall Seconded: Cr Thompson

That the Regional Arts Development Fund Officers report be received and the comments contained therein be noted.

**CARRIED: (VOTE: 8/0)**

**Attendance:** Council's Community Development Officer joined the meeting at 11.32am.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**10. COMMUNITY DEVELOPMENT OFFICERS REPORT**

**Resolution:** 2007- 0723

**Moved:** Cr Cox **Seconded:** Cr Tait

That the Community Development Officers report be received and the comments contained therein be noted and all funding allocations be reviewed in conjunction with the September quarterly financial review.

**CARRIED: (VOTE: 8/0)**

**10.1 IMPLICATIONS OF REFORM PROCESS ON FUNDING OPPORTUNITIES**

**SYNOPSIS:**

The Inglewood Shire Council has resolved to pursue a number of projects in the current financial year and the recent local government reforms may impact on these plans.

**EXECUTIVE SUMMARY:**

Review of the current status of various funding programs has been conducted in light of the recently announced reforms to local government.

Most grant programs that relate to community organisations remain unaffected (GCBF, Community Water Grants etc.) however funding opportunities that relate to LGAs have been delayed:

- 1) RLIP - the next round will not be announced until June 2008 (\$15 million over 2 rounds). There was supposed to be a round announced in July 2007 but all funding was exhausted in the previous round and the current program is fully committed.
- 2) Regional Centres Program - All funding is exhausted and there will be no further rounds at this stage.
- 3) Sport & Recreation programs (Local Recreation Program and Major Facilities Program) - Funding rounds are traditionally announced around September but advice from S&R representatives at a meeting to discuss the Inglewood Pool was that they don't know when the programs will be announced. They said that rumours of anything up to June 2008 have been circulating.
- 4) All Abilities Playground funding - Disabilities Queensland advise that approvals have been delayed until the end of September 2007 but that they didn't expect the reforms to impact greatly on this program.

Major implications to Inglewood Shire Council with this uncertainty are:

- 1) Inglewood Swimming Pool - we are proceeding with gathering required information to submit an application. Until S&R funding programs are announced we can not apply for 50% subsidy. Also supplementary funding through Regional Partnerships cannot proceed until S&R funding is sought as they would be deemed as the appropriate primary funding body.
- 2) Walkways - quotes have been obtained. Application cannot be submitted until S&R funding is announced. This project will not proceed without subsidy.
- 3) Any footpath renewal will be delayed until suitable funding programs are announced (e.g. RLIP)
- 4) All Abilities Park - funding announcement will be delayed until the end of September 2007 - at least we will know the outcome of this project in the near future.

The State Government's decision to allow \$27 million for the transition process will necessitate reallocation of funds and it may be that some of these funds will come from funding that would normally be allocated to LGA grants programs.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**

20 August, 2007

---

Apart from the delay in funding programs the Bill being introduced into legislation this week will have implications on budgeted capital expenditure during the transition period.

1) Page 11 under the definition of major policy decision effectively means that any contracts other than those with State or Federal governments over \$150,000 are classed as a major policy decision (refer attached extract).

2) Page 44 "158ZW Prohibition on major policy decision in transition period" effectively means that merging local government cannot make major policy decision without the Minister' s consent. "159ZX Invalidation of major policy decision in transition period if decision revoked" outlines the implications if the Minister does not approve a major policy decision.

Council would need to obtain expert advice on the implications of this proposed legislation on some of the capital expenditure in the 2007/2008 budget but to a layperson it would appear that some of our projects could be stopped by the Minister especially any that are substantially funded from reserves or borrowings.

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**RECOMMENDATION:**

**For consideration**

**10.2 TEXAS VISITORS ASSOCIATION – MANAGEMENT OF DUMARESQ RIVER CAMPING AREA**

**SYNOPSIS:**

Representatives of the Texas Visitor's Association have requested that we formalise arrangements regarding the camping area at the Dumaresq River as previously discussed.

**EXECUTIVE SUMMARY:**

I have been approached by members of the Texas Visitor's Association regarding progress with the camping area in Texas.

The area beside the Dumaresq River was previously the site of the Texas Tick Office and the transfer of the lease from the NSW DPI to Inglewood Shire Council was registered on 2nd July 2007.

Correspondence from council dated 22nd September 2006 suggested that council would be agreeable to arrangements with the Texas Visitors Association to manage the site (a copy is attached). A reply to the offer was received on 20th October 2006 and representatives of the Texas Visitor's Association attended a council meeting in November 2006 to discuss the proposed arrangements (copy of minute note is attached).

Sally Ridgway advised that the Texas Visitor's Association has arranged with their insurers for public liability cover at the camping area when the MOU is executed (refer attached letter dated 16.01.07).

Now that the Inglewood Shire Council is the registered lessee of the land we need to decide how we are going to manage camping at the site.

Since the previous discussions with the Texas Visitors Association the Three Rivers Caravan Park has been sold to the proprietors of the Texas Motel. They have cleaned the park up considerably and located some permanent cabins on site. There appears to be a gradual increase in patronage since the new operators have taken over but there are still some caravaners continuing to use the area near the Dumaresq River.

Council should not be seen to condone free camping in opposition to a local business that is now providing clean and affordable caravan facilities. A meeting with the new owners will be arranged with the CEO, CDO and EHO to discuss their plans with the park and how they view the use of the area at the river by caravaners.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**

20 August, 2007

---

The issue of camping on reserves under council control requires a shire wide approach and we need to develop a local law that covers all reserves including the Dumaresq River and Coolmunda areas that are the most commonly used locations. We would then have a common policy governing camping activity on all council controlled reserves.

Once the local law is developed and approved by council we could possibly call tenders for a licence to operate the Dumaresq River camping area. This way all parties would be given the opportunity to express their interest in managing the camping area. The process will be transparent and no suspicion of bias can be levelled at council.

**RECOMMENDATION:**

**That the report be accepted and:**

- 1) A local law for camping on all reserves controlled by the Inglewood Shire Council be developed for consideration at the September 2007 ordinary meeting.**
- 2) Subject to provisions of the local law for camping on council controlled reserves, tenders be called for the management of the Dumaresq River camping area; being Lot 220 on CVE 674.**
- 3) The Texas Visitor's Association be advised in writing of the council's intended action in relation to the management of the reserve.**

**Resolution: 2007- 0724**

**Moved: Cr Dawson Seconded: Cr Thompson**

That the matter of management of the Dumaresq River camping area lay on the table pending receipt of a further report.

**CARRIED: (VOTE: 8/0)**

**Attendance:** Councillor Tait left the meeting at 11.55am and rejoined at 11.57am.

**Attendance:** Council's Community Development Officer retired from the meeting at 12.05pm and Council's Human Resource Manager joined the meeting at 12.08pm.

**Attendance:** Councillor Dawson left the meeting at 12.05pm and rejoined at 12.08pm.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

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**11. HUMAN RESOURCE OFFICERS REPORT**

**Resolution:** 2007- 0725

**Moved:** Cr Pietsch **Seconded:** Cr Dawson

That the Human Resource Officers report be received and the comments contained therein be noted.

**CARRIED: (VOTE: 8/0)**

**11.1. TEXAS SWIMMING POOL – LEASE**

**SYNOPSIS:**

The current Texas Pool Lessee, Mrs Jodie Donovan, has requested Council to assign her current lease to Mrs Diana Colley of Texas, who is a qualified Pool operator, over the remainder of her lease period of two years.

**EXECUTIVE SUMMARY:**

Mrs Jodie Donovan is the current lessee of the Texas Pool and has two years of lease remaining before expiry in 2009. Due to personal reasons, Mrs Donovan has requested if she was able to assign her lease to Mrs Diana Colley of Texas over the remainder of the lease period. Mrs Colley is a qualified Pool operator and has previously managed a public swimming pool in NSW.

The transfer of lease has to be done legally hence Ian Stacey of the law firm of Lilley Spanner and Stacey has been briefed to draw up an assignment of lease

**RECOMMENDATION:**

**That Council accept the letter of Jodie Donovan and appoint Mrs Diana Colley, as the new lessee of the pool in line with the assignment of lease.**

**POLICY:**

See lease contract

**Resolution:** 2007- 0726

**Moved:** Cr Thompson **Seconded:** Cr Moffitt

That Council accept the letter of Jodie Donovan and appoint Mrs Diana Colley, as the new lessee of the pool in line with the assignment of lease.

**CARRIED: (VOTE: 8/0)**

**Attendance:** Accountant, Andrew Wegener joined the meeting at 12.31pm

**Attendance:** Council's Human Resource Manager retired from the meeting at 12.33pm.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

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**12. ACCOUNTANTS FINANCE REPORT**

**Resolution:** 2007- 0727

**Moved: Cr Tait Seconded: Cr Cox**

That the Accountants Finance report be received and the comments contained therein be noted.

**CARRIED: (VOTE: 8/0)**

**12.1. COUNCIL LAND AVAILABLE FOR LEASE**

**SYNOPSIS:**

Tenders were invited for the lease of Council land as advertised in the Macintyre Gazette (05 July 2007). Tenders closed on Friday, 27 July 2007.

**BACKGROUND:**

Tenders were received as listed below:-

**Part Grey Street, Inglewood**

Beven Braden \$200.00

**North End Macdougall Street, Texas**

Rodney Herschell \$260.00

B & S Hunt \$30.00

**Corner Reibelt & Denison Streets, Inglewood**

Robert & Pam Hopper \$300.00

**Part Reserve R142 – Land Adjacent to Golf Club, Inglewood**

Graham Ezzy \$250.00

Debbie Koina \$150.00

Clive Wylie \$250.00

**Part Texas Sewage Treatment Plant**

Lisa Kerwick \$156.00

Shane & Sharon Rigney \$200.00

Rodney Herschell \$260.00

**Land Fronting Alice Street, Inglewood between Old Highway and Callandoon Street, Inglewood**

Chris Greentree \$600.00

**Land Adjacent to Recreation Reserve R131 and the Inglewood Water Treatment Plant**

Stacey Blanch \$150.00

Debbie Koina \$250.00

Clive Wylie \$250.00

**Worm Paddock**

No tender received.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**LEGISLATION:**

Section 491 & 492 Local Government Act.

**POLICY:**

Reviewed every three (3) years, but no action was taken in 2004 due to a decision to be made when Reserve Management Meetings were finalised. Some Lessees have continued to use the land without paying any fees.

**FINANCIAL IMPACTS:**

Total Lease fee per annum as per above for period 2007/08 – 2009/10 will be \$2120. Action needs to be taken to recover any unpaid fees for period 2004/05 to 2006/07 before finalising new lease arrangements.

**RECOMMENDATION:**

**It is recommended that the following tenders for the lease of Council land be accepted for the three year period 2007/08 – 2009/10.**

**Part Grey Street, Inglewood - Bevan Braden - \$200.00**

**North End Macdougall Street, Texas - Rodney Herschell - \$260.00**

**Cnr Reibelt & Denison Streets, Inglewood - Robert & Pam Hooper - \$300.00**

**Part Reserve R142 – Land Adjacent Golf Club Inglewood – Clive Wylie - \$250.00**

**Part Texas Sewage Treatment Plant - Rodney Herschell - \$260.00**

**Land fronting Alice Street, between Old Highway & Callandoon Street, Inglewood - Chris Greentree - \$600.00**

**Land Adjacent to Recreation Reserve R131 and the Inglewood Water Treatment Plant - Clive Wylie - \$250.00**

**All tender prices exclude GST.**

**And that action be taken to recover any outstanding lease fees prior to any new leases being finalised.**

**Resolution: 2007- 0728**

**Moved: Cr Dawson Seconded: Cr McDougall**

That Council accept the following tenders for the lease of Council land for the three year period 2007/08 – 2009/10.

Part Grey Street, Inglewood - Bevan Braden - \$200.00

North End Macdougall Street, Texas - Rodney Herschell - \$260.00

Cnr Reibelt & Denison Streets, Inglewood - Robert & Pam Hooper - \$300.00

Part Reserve R142 – Land Adjacent Golf Club Inglewood – Clive Wylie - \$250.00

Part Texas Sewage Treatment Plant - Rodney Herschell - \$260.00

Land fronting Alice Street, between Old Highway & Callandoon Street, Inglewood - Chris Greentree - \$600.00

Land Adjacent to Recreation Reserve R131 and the Inglewood Water Treatment Plant - Clive

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

Wylie - \$250.00

All tender prices exclude GST.

And that action be taken to recover any outstanding lease fees prior to any new leases being finalised.

**CARRIED: (VOTE: 8/0)**

**12.2. SMK CONSULTANTS PTY LTD (DAMIEN & HEATHER SCANLAN)**

**SYNOPSIS:**

Council received correspondence from SMK Consultants Pty Ltd, acting on behalf of Damien & Heather Scanlan, in relation to the purchase of all or part of Lot 226 on CVE635 which is a Reserve with the Inglewood Shire Council as Trustee. This reserve is located at Mingoola Road, Texas.

**BACKGROUND:**

Damien and Heather Scanlan currently have a lease over lots 246 and 247 on CVE635, parish of Texas and have had discussions with Queensland Rail over the lease and eventual purchase of Lot 14 on SP119172. SMK Consultants have enquired about several issues that need to be resolved.

The Scanlans' interests are the old grain storage sheds that sit on Lots 14 and 246. The transformer, amenities block, wooden shed and a loading ramp are not shown on Lot 14 SP119172. These are plotted roughly on the attached copy of SP119172 and SMK Consultants Pty Ltd is requesting a proposed new boundary line between Lots 14 and 246 to resolve this issue.

SMK Consultants Pty Ltd would like to resolve the issue in relation to the access to Lot 14. The Scanlans' currently have a lease over Lot 247. They would like to relinquish this lease in exchange for an area on the western side of Lot 226. This would give them access to Mingoola Road, Texas.

If the above proposal was successful they would like to convert Lot 14, Lot 246 and part of or all of Lot 226 to an amalgamated freehold title.

Prior to any of the above taking place, SMK Consultants Pty Ltd need to ascertain if Council would be prepared to sell all or part of Lot 226 which is a Reserve with the Inglewood Shire Council as trustee. If Council has issues with the purchase of the whole of Lot 226, then the purchase of an equivalent area to Lot 247, which they would relinquish, may be more acceptable.

Council should consider:

- That Section 491 and 492 of the Local Government Act applies (Disposal of land or particular non-current assets);
- The legal access in relation to Lot 14 on SP119172;
- The Council walkway is along the southern end of the reserve and Council would have to ascertain if it is on the road reserve or the land reserve (Lot 226).

**LEGISLATION:**

Section 491 and 492.

**RECOMMENDATION:**

**For Council's Decision and Comment**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**Resolution:**    2007- 0729

**Moved: Cr Dawson Seconded: Cr Pietsch**

That the application by SMK Consultants Pty Ltd lay on the table pending further investigation.

**CARRIED: (VOTE: 8/0)**

**12.3.       CAMPBELL – PURCHASE OF RESERVE – TEXAS-YELARBON ROAD,  
              GLENARBON**

**SYNOPSIS:**

Ian & Jane Campbell expressing interest in the purchase of Reserve located on the Texas-Yelarbon Road, Glenarbron. The reserve is described as Lot 1 CVE663 and was previously the Glenarbron State School Site. The Inglewood Shire Council is Trustee in relation to the reserve.

**BACKGROUND:**

Ian and Jane Campbell purchase land previously owned by the Donges family in August 2006 in order to operate a certified organic dairy operation.

They have found it difficult to oversee the farm and to try and protect its organic status from where their house is located along the Glenarbron Church Road and require a site that they can possibly build a house near the farm. They would like to restore the tennis court on the site and have tennis days with other families in the area.

The cattle are thriving at this Glenarbron location and they have been winning many awards for the products during the year. The Campbell's are fascinated by the location near Inglewood and are enjoying the association.

Council should consider:

- That Section 491 and 492 of the Local Government Act applies (Disposal of land or particular non-current assets);

**LEGISLATION:**

Section 491 and 492.

**Recommendation:**

That the request from J & I Campbell for the acquisition of the old Glenarbron State School Reserve site be considered in conjunction with the current review of all of Council's Reserves.

**Resolution:**    2007- 0729

**Moved: Cr Dawson Seconded: Cr Thompson**

That the request from J & I Campbell for the acquisition of the old Glenarbron State School Reserve site be approved subject to clarification of title issues.

**CARRIED: (VOTE: 8/0)**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**12.4. EXCESS WATER WRITE OFF**

**SYNOPSIS:**

*Council has issued excess water levies to the address of 35 Albert St Inglewood.*

The residence and post office each are metered. The way in which the meters are plumbed to both premises, they use water from the meter issued against the house. This, results in no water being measured from the meter held at the post-office, which leads to the house meter being in excess. This also means that the post office does not make use of their allocation. Therefore they have requested to be refunded for excess water charge over the last two-years considering they believe that they would fall under the excess limit.

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**BACKGROUND:**

Water excess usage and charges:

	<b>Assessment 55 (house) allocated 342 kL</b>		<b>Assessment 56 (post office) allocated 456 kL</b>	
	Kilo Litre excess	Excess Charge	Kilo Litre excess	Excess Charge
30 June 2006	295	\$191.75	0	0
30 June 2007	281	\$281.00	0	0

The above table indicates that the ratepayers use is less than their total allocation where the assessment 56 has had no movement in water over the last couple of years therefore have not used any part of their 912 kilolitre allocation.

Although the plumbing of residence and businesses are not a Council obligation, Council is also part of the problem in that no plan was located and provided to the ratepayer. Hence Council is partly at fault and this should be taken into account in its recommendation to write-off only part of the excess water levy issued.

**FINANCIAL IMPACTS:**

\$281 for 2006/07 financial year write-off from previous year excess charges, potentially refund, \$191.75 of prior-year excess charge.

**ATTACHMENTS:**

Letter from the Inglewood Post Office

**RECOMMENDATION:**

**That Council write-off the excess water charge for the 2006/07 financial year of \$281.  
Council request that the ratepayer connect their house to the appropriate water meter to properly reflect Councils records. This is to be at the ratepayers expense.**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**Resolution:** 2007- 0730

**Moved: Cr Pietsch Seconded: Cr McDougall**

That Council write-off the excess water charge for the 2006/07 financial year of \$281.

Council request that the ratepayer connect their house to the appropriate water meter to properly reflect Councils records. This is to be at the ratepayers expense.

**CARRIED: (VOTE: 8/0)**

**Attendance:** Accountant, Andrew Wegener retired from the meeting and Councillor Johnson attended the meeting at 1.05 pm.

**Adjournment:** The meeting adjourned in committee for lunch at 1.05 pm and reconvened at 1.41pm with all previously present Councillors and staff in attendance with the exception of Councillor Thompson.

**Attendance:** Councillor Thompson rejoined the meeting at 1.42 pm.

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### 13. CHIEF EXECUTIVE OFFICERS REPORT

#### 13.1 MATTERS GENERALLY FOR INFORMATION

**Reason for Report**

To bring Councillors' attention to the following items that are generally for information only:

- |         |             |  |
|---------|-------------|--|
| 15.1.1  | Item No. 1  | - Local Government Association of Queensland – Summaries of Circulars            |
| 15.1.2  | Item No. 2  | - Sunwater MacIntyre Brook Water Supply Scheme – 2007/2008 Announced Allocations |
| 15.1.3  | Item No. 3  | - Area Consultative Committees   |
| 15.1.4  | Item No. 4  | - Ergon Energy – Grid Connected Solar Power Offer                                |
| 15.1.5  | Item No. 5  | - Queensland Government Business Water Efficiency Program                        |
| 15.1.6  | Item No. 6  | - Local Government Annual Payment (Precept) for 2007/2008                        |
| 15.1.7  | Item No. 7  | - Speed Zones – Inglewood Town Approach – Hospital                               |
| 15.1.8  | Item No. 8  | - Goondiwindi District Promotions  |
| 15.1.9  | Item No. 9  | - Auditor-General of Queensland  |
| 15.1.10 | Item No. 10 | - Exotic Animal Disease Prevention & Animal Access to Swill at Landfills         |

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

- 15.1.11      Item No. 11      - Local Government Reform Polls
- 15.1.12      Item No. 12      - Texas Historical Society
- 15.1.13      Item No. 13      - DMR Letter of Acceptance – Job No. 63 Various Reseals 07/08

**Recommendation:**

That the CEO's Report in relation to the following matters:

- Item No. 1      - Local Government Association of Queensland – Summaries of Circulars
  - Item No. 2      - Sunwater MacIntyre Brook Water Supply Scheme – 2007/2008 Announced Allocations
  - Item No. 3      - Area Consultative Committees
  - Item No. 4      - Ergon Energy – Grid Connected Solar Power Offer
  - Item No. 5      - Queensland Government Business Water Efficiency Program
  - Item No. 6      - Local Government Annual Payment (Precept) for 2007/2008
  - Item No. 7      - Speed Zones – Inglewood Town Approach – Hospital
  - Item No. 8      - Goondiwindi District Promotions
  - Item No. 9      - Auditor-General of Queensland
  - Item No. 10     - Exotic Animal Disease Prevention & Animal Access to Swill at Landfills
  - Item No. 11     - Local Government Reform Polls
  - Item No. 12     - Texas Historical Society
  - Item No. 13     - DMR Letter of Acceptance – Job No. 63 Various Reseals 07/08
- be received and noted for information.

**Resolution:    2007- 0731**

**Moved: Cr Johnson Seconded: Cr McDougall**

That the Chief Executive Officers report in relation to the following matters be received and the comments contained therein be noted.

- Item No. 1      - Local Government Association of Queensland – Summaries of Circulars
- Item No. 2      - Sunwater MacIntyre Brook Water Supply Scheme – 2007/2008 Announced Allocations
- Item No. 3      - Area Consultative Committees
- Item No. 4      - Ergon Energy – Grid Connected Solar Power Offer
- Item No. 5      - Queensland Government Business Water Efficiency Program

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

- Item No. 6 - Local Government Annual Payment (Precept) for 2007/2008
- Item No. 7 - Speed Zones – Inglewood Town Approach – Hospital
- Item No. 8 - Goondiwindi District Promotions
- Item No. 9 - Auditor-General of Queensland
- Item No. 10 - Exotic Animal Disease Prevention & Animal Access to Swill at Landfills
- Item No. 11 - Local Government Reform Polls
- Item No. 12 - Texas Historical Society
- Item No. 13 - DMR Letter of Acceptance – Job No. 63 Various Reseals 07/08

be received and noted.

**CARRIED: (VOTE:9/0)**

### **13.2BORDER RIVERS FOOD & FIBRE**

#### **Reason for Report**

To consider membership of Border Rivers Food and Fibre for 2007/08.

#### **Background**

Council has been a member of Border Rivers Food and Fibre since 1999. Previously Council has paid the nominal default charge but as indicated in the fourth paragraph of the attached letter dated 5 July, 2007 the charging regime has been changed and is now based on the licensed entitlement.

#### **Legislation**

N/A

#### **Policy**

N/A

#### **Financial Impacts**

Cost per annum is \$358.05 including MacIntyre Brook Irrigators Association. Previously Council's payments were in the order of \$44 for BRFF plus \$22 for the DVIA and \$55 for MBIA.

#### **Options**

A lot to face in view of pending Local Government amalgamations.

#### **Attachments**

Letter dated 5 July, 2007.

#### **Recommendation:**

That Council pay the annual membership of \$358.05 to Border Rivers Food and Fibre.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**Resolution:**    2007- 0732

**Moved: Cr McDougall Seconded: Cr Moffitt**

That Council pay the annual membership of \$358.05 to Border Rivers Food and Fibre.

**CARRIED: (VOTE: 9/0)**

**13.3LOCAL GOVERNMENT, PLANNING, SPORT & RECREATION – REVIEW OF LOCAL LAWS**

**Reason for Report**

To allow Council to have input into Model Local Law revision process.

**Background**

A letter dated 17 July, 2007 was received from the Department of Local Government , Planning, Sport and Recreation

Whilst the amalgamation process may overshadow some local law revision requirements, Council should be proceeding with amendments to its own local laws where changes have already been identified as essential i.e. camping on reserves, heavy vehicle parking in town areas.

Could should also be working to improve community awareness of proposed changes.

**Legislation**

Review of Local Government Act 1993 and Local Laws.

**Policy**

Will impact on local policies when in place.

**Financial Impacts**

May have financial implications for Council, both revenue and capital works could be affected.

**Options**

Nil

**Attachments**

Refer to copies of brochures that are available on Department's website.

**Recommendation:**

Council give appropriate publicity to the Local Government Model Local Law revision process.

**Resolution:**    2007- 0733

**Moved: Cr Pietsch Seconded: Cr Dawson**

That Council give appropriate publicity to the Local Government Model Local Law revision process.

**CARRIED: (VOTE: 9/0)**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**13.4 CROWN CASTLE AUSTRALIA PTY LTD – TELECOMMUNICATION TOWER SITES**

**Reason for Report**

To consider a request to purchase telecommunication tower sites on prepay existing long term leases.

**Background**

A letter dated 23 July, 2007 from Crown Castle Australia Pty Ltd which is self explanatory.

**Legislation**

Local Government Act, 1993.

Federal Telecommunications legislation.

**Policy**

Nil.

**Financial Impacts**

Short term gain, but possible long term pain if relocation required at a later date.

**Options**

Retain land and Council's independence.

Continue to lease with periodical review.

**Attachments**

Correspondence dated 23 July, 2007.

**Recommendation:**

Council advise Crown Castle Pty Ltd that it is not interested in either selling the land in question or entering into a long term prepaid leasing agreement.

**Resolution: 2007- 0734**

**Moved: Cr Tait Seconded: Cr Cox**

That Council advise Crown Castle Pty Ltd that it is not interested in either selling the land in question or entering into a long term prepaid leasing agreement.

**CARRIED: (VOTE: 9/0)**

**13.5 TEXAS BOWHUNTERS CLUB**

**Reason for Report**

To consider an application for the use of part of the Texas Common.

**Background**

A letter dated 3 July, 2007 from Mr Jorgen (Yogi) Andersen, President of the Texas Bowhunters Association, which is self explanatory.

Before Council further considers the request, it would be appropriate to gauge community reaction to the proposals.

**Legislation**

N/A

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**Policy**

N/A

**Financial Impacts**

Some small rental/licence charge could be made for the proposed site.

**Options**

Nil.

**Attachments**

Letter dated 3 July, 2007 from Mr Jorgen (Yogi) Andersen, President of the Texas Bowhunters Association,

**Recommendation:**

That the proposal be advertised and community submissions invited.

**Resolution: 2007- 0735**

**Moved: Cr Thompson Seconded: Cr Moffitt**

That the proposal from the Texas Bowhunters Club be advertised and community submissions invited.

**CARRIED: (VOTE: 9/0)**

**13.6QMDC – TRAPOCK SUB-CATCHMENT GROUP – FUNDING AGREEMENT**

**Reason for Report**

To consider entering an agreement with QMDC Inc for Traprock Sub-Catchment Group project.

**Background**

A letter dated 25 July, 2007 from QMDC Inc referring to an application made by Inglewood Landcare Group through Council.

The application requires Council to contribute by way of one personnel ute and spray rig for one and a half days per landholders at an estimated cost of \$11,400 in total.

The contract wording needs to be revisited to clarify the extent of Council's involvement. Now that Council has a spray rig available perhaps Council's involvement should be limited to the provision of the plant only to the value indicated and no labour component allowed for.

**Legislation**

Local Government Act 1993.

Memorandum of Understanding with Inglewood Landcare Group.

**Policy**

Nil.

**Financial Impacts**

Funding proposal commits Council for \$11,400.

**Options**

To refuse application.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**Attachments**

See letter dated 25 July, 2007 and QMDC agreement.

**Recommendation:**

For Council's consideration.

**Resolution: 2007- 0736**

**Moved: Cr Dawson Seconded: Cr Cox**

Council's commitment will be a providing spray rig at standard hire rates as per the revised Inglewood Pest Management Plan.

**CARRIED: (VOTE: 9/0)**

**Attendance:** Councillor Moffitt left the meeting at 2.28 pm.

**13.7REVIEW OF LOCAL GOVERNMENT ACT 1993 (LGA REVIEW) ISSUES PAPERS**

**Reason for Report**

To allow Council to have input into the review of the Local Government Act 1993.

**Background**

A letter dated 8 August, 2007 was received from the Department of Local Government, Planning, Sport and Recreation regarding the release of the review of the Local Government Act 1993 (LGA Review) Issues Papers.

Council should examine the Issue Papers and make submissions about issues that are significant to them. Submissions close Friday, 5 October, 2007

**Legislation**

Review of Local Government Act 1993

**Policy**

N/A

**Financial Impacts**

N/A

**Options**

N/A

**Attachments**

Letter from Minister for Local Government, Planning and Sport.

**Recommendation:**

That Council give appropriate publicity to the issue of eight review papers and prepare appropriate submission where necessary.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**Resolution:** 2007- 0737

**Moved:** Cr Tait **Seconded:** Cr Pietsch

That Council give appropriate publicity to the issue of eight review papers and prepare appropriate submission where necessary.

**CARRIED: (VOTE: 8/0)**

**Attendance:** Councillor Moffitt rejoined the meeting at 2.30pm.

### **13.8 REVIEW OF INGLEWOOD SHIRE LOCAL DISASTER MANAGEMENT PLAN**

**Reason for Report**

To advise Council of progress being made with the review of the Inglewood Shire Local Disaster Management Plan.

**Background**

As previously advised, the draft Inglewood Shire Local Disaster Management Plan has been received and referred to local emergency services groups for review and comment.

A meeting with all the groups will be convened shortly to consider the final draft of the plan.

It is proposed to bring the final draft to Council's September 2007 meeting for adoption.

**Legislation**

Nil.

**Policy**

Nil.

**Financial Impacts**

Nil.

**Options**

Nil.

**Attachments**

Letter dated 30 July, 2007.

**Recommendation:**

For Council's information.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**13.9 MEDIA RELEASE – HON BRUCE SCOTT MP**

**Reason for Report**

To consider possible funding for the Texas airstrip.

**Background**

A press release from the Hon Bruce Scott MP, Federal Member for Maranoa, draws attention to possible funding for local airstrips.

**Legislation**

Local Government Act 1993.

**Policy**

Nil.

**Financial Impacts**

Would have both revenue and capital funding impacts.

**Options**

To do nothing.

**Attachments**

Press release dated 8 August, 2007.

**Recommendation:**

That Council further investigate funding for upgrading the Texas Airstrip.

**Resolution: 2007- 0738**

**Moved: Cr Dawson Seconded: Cr Cox**

That Council further investigate funding for upgrading the Texas Airstrip.

**CARRIED: (VOTE: 9/0)**

**13.10 AUSLINK ARTERIAL ROAD FUNDING CONCEPT**

**Reason for Report**

To consider a preliminary approach to become involved with an economic demand study for the tourist route from Narrabri to Inglewood via Bingara, Warialda, Yetman and Texas.

**Background**

An approach has been received from Mr Peter Rofford of Peece Consulting (Canberra) who has been approached by Gwydir Shire in NSW to prepare an economic demand study of the Warialda/Yetman Road.

In view of at least two very successful projects (resulting in road upgrading grants of approximately \$27m) Mr Rofford contacted me recently to see if expanding the proposed study to include the alternative tourist route between Narrabri and Inglewood would be likely to attract favourable support.

**Financial Implications**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

Full work study costs are in the order of \$15,000/\$25,000 dependant upon scope.

**Legislation**

N/A

**Policy Implications**

Nil

**Alternatives/Options**

The alternative to participating in a regional funding concept would be for Council to continue upgrading/widening the Inglewood/Texas Road on a piecemeal basis when funding appropriations were available.

**Recommendation:**

That Council express preliminary interest in participating in an economic demand study for the alternative Narrabri (NSW) – Inglewood (Qld) Tourist Route.

**Resolution: 2007- 0739**

**Moved: Cr Tait Seconded: Cr Dawson**

That Council express preliminary interest in participating in an economic demand study for the alternative Narrabri (NSW) – Inglewood (Qld) Tourist Route.

**CARRIED: (VOTE: 9/0)**

**13.11 ISOLATED CHILDREN'S PARENTS' ASSOCIATION – QLD INC.**

**Reason for Report**

To allow Council to consider whether or not it should contribute to a proposal for rural communities to support teacher trainees.

**Background**

A letter dated 5 August, 2007 from the Isolated Children's Parents' Association of Queensland (Stanthorpe District Branch) seeking support for prac teachers as a means of attracting them to community locations once they complete their studies. The letter, which is self explanatory, is attached.

This is an issue that should perhaps be best referred to the local interagency Committee for consideration and recommendation.

**Legislation**

N/A

**Policy**

May be the subject of a future local interagency based policy.

**Financial Considerations**

Council would need to ensure any action taken would not be seen as cost shifting by higher tiers of Government.

**Alternatives/Options**

Support representatives to government to ensure a high percentage of all prac teacher positions allocated were offered to rurally based students.

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

**Recommendation:**

That the approach from the Qld Children's Parents' Association be referred to the Inglewood Interagency Committee for consideration.

**Resolution: 2007- 0740**

**Moved: Cr Cox Seconded: Cr Thompson**

That the approach from the Qld Children's Parents' Association be referred to the Inglewood Interagency Committee for consideration.

**CARRIED: (VOTE: 9/0)**

**13.12 BREACHES OF THE LAND PROTECTION (PEST AND STOCK ROUTE MANAGEMENT) ACT 2002**

**Reason for Report**

To consider breaches of the Land Protection (Pest and Stock Route Management) Act 2002.

**Background**

On Friday morning 17 August, 2007 an incident was reported that a series of breaches of the Land Protection Act occurred by moving stock through Inglewood without a permit.

**Legislation**

Land Protection (Pest and Stock Route Management) Act 2002

**Policy**

N/A

**Financial Impacts**

Non payment of appropriate Fees and Charges.

**Recommendation:**

That the owner of offending cattle be given a show cause notice and requested to attend Council's next Ordinary Meeting to be held on 17 September, 2007, to be given the opportunity to explain why Council shouldn't prosecute him for breaching the Land Protection Act 2002.

**Resolution: 2007- 0741**

**Moved: Cr Pietsch Seconded: Cr Dawson**

That the Chief Executive Officer further investigate the cattle travelling in breach of the Land Protection Act 2002 matter and take appropriate action.

**CARRIED: (VOTE: 9/0)**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

### **13.13 QUEENSLAND LOCAL GOVERNMENT REFORM PROCESS**

#### **Reason for Report**

To update Council in respect of the Queensland Local Government Reform Process and outline the process Council must follow as a consequence of Queensland State Parliament passing the amended Local Government Reform Implementation Bill 2007 early on Friday morning, 10 August, 2007.

#### **Background**

As Council is well aware, Council staff have been endeavouring to keep Council fully informed on an almost daily basis of the outcomes and impacts of the Queensland Local Government Reform process through the circulation of incoming correspondence, press releases and comment. It has become extremely time consuming but is essential that Council be as fully briefed as possible on (daily) developments. It is not proposed to list that correspondence etc in this report, but rather to confine attachments to the following:-

1. Amended Local Government Reform Implementation Act 2007
2. The LGMA – Management of Change Toolkit
3. Guidelines for LTC's – yet to issue.

#### **Local Transition Committee Requirements**

Whilst all the details of the establishment (LTC) for the new Goondiwindi Regional Council are still unclear pending the issue of the Guidelines a summary of what we do know is:-

1. Section 159YR(2) The LTC will consist of two elected representatives from the existing Goondiwindi Town, Inglewood and Waggamba Shire Councils, three union representatives and the interim CEO once appointed.
2. Section 159YR(4) also provides for the election of other persons suitable to represent community views to the LTC from time to time with such persons to have voting rights.
3. Section 159YV requires that the first meeting of the LTC be held as soon as possible after the commencement of this Section (i.e. Friday 10 August, 2007).
4. The LTC must notify in a local newspaper within thirty (30) days of the commencement of this Section, on 10 August, 2007, the following information
  - a. The name of each member of the LTC
  - b. The name of the Chairperson of the LTC
  - c. Contact information for the LTC.
5. An interim CEO must be appointed as soon as possible and within thirty (30) days after the first LTC meeting.
6. Section 159YX requires that the LTC establish and appoint an employment sub-committee to advise the LTC about staffing matters arising from the implementation of reform matters.
7. The first meeting of the LTC is to be called by the existing Council CEO's.

#### **Appointment of LTC Representative**

Each existing Council should nominate its two (2) LTC representatives as soon as possible and in such a timeframe so as to allow the first meeting and publication of details required by Section 159YV within thirty (30) days of 10 August, 2007.

#### **Legislation**

Local Government Act 1993, Local Government Reform Implementation Act 2007, LTC Guidelines 2007 (yet to issue).

#### **Policy**

Nil

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**

20 August, 2007

---

**Financial Impacts**

\$70,000 will be made available to fund interim CEO salaries, \$50,000 is available to meet LTC administration costs; \$240,000 for change management activities post the March 2008 election, Goondiwindi Regional Council will receive a grant of \$500,000.

**Options**

N/A

**Attachments**

Two documents identified above have been circulated under separate cover.

The following are attached:-

1. Letter from Minister for Local Government, Planning, Sport and Recreation dated 9 August, 2007.
2. Director General's email dated 10 August, 2007
3. Director General's letter dated 14 August, 2007.

**LTC Forums**

The first LTC workshop will be held on the Gold Coast following the conclusion of the LGAQ Conference on Thursday 30 August, 2007.

**Breaking News**

At the time of preparing this report media releases are indicating legislation is to be introduced into Federal Parliament that will override the Queensland Local Government Act prohibition on Councils conducting a poll on a Local Government Reform matter.

**Recommendation:**

That Council

1. Nominate two (2) representatives as the Inglewood Shire representatives on the Goondiwindi Regional Council LTC together with an alternative delegate.
2. Recommend to the LTC that consideration be given to inviting all three CEO's to be observers at LTC meetings.
3. Recommend that the first meeting of the LTC be held on Friday 31 August, 2007.

**Resolution: 2007- 0742**

**Moved: Cr Tait Seconded: Cr Cox**

That Council:

1. Recommend to the LTC that consideration be given to inviting all three CEO's to be observers at LTC meetings.
2. Recommend that the first meeting of the LTC be held on Friday 31 August, 2007.

Inglewood Shire Council's representatives on the Goondiwindi Regional Council LTC be Councillor Joan White and Councillor Rick McDougall.

**CARRIED: (VOTE: 9/0)**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**Attendance:** Councillor Cox left the meeting at 3.59 pm and rejoined at 4.01pm.

**14. MEETING CLOSED TO THE PUBLIC**

**Resolution: 2007- 0743**

**Moved: Cr McDougall Seconded: Cr Johnson**

That the meeting be closed to the public under section 463 (1) of the Local Government Act 1993 for the purposes of discussing infrastructure development, staffing and finance issues.

**CARRIED: (VOTE: 9/0)**

**15. MEETING REOPENED TO THE PUBLIC**

**Resolution: 2007- 0744**

**Moved: Cr Johnson Seconded: Cr McDougall**

That the meeting be reopened to the public.

**CARRIED: (VOTE: 9/0)**

That it be reported to Council that whilst in Committee the following matters had been discussed.

1. Outstanding Debtor (Funeral Director)
2. Outstanding Debtor (overdue library books)
3. Extension of Inglewood Industrial Subdivision
4. Development of Rural Residential Subdivision – Smiths Block, Inglewood
5. Positions of Director Engineering Services/Works Supervisor – Update
6. Performance Review – Chief Executive Officer – Mr D.H. Ramsland

That Council endorse the actions of the Committee.

**Resolution: 2007- 0745**

**Moved: Cr Thomspen Seconded: Cr Pietsch**

That Council proceed with Legal Action against Abbey Funerals in order to collect monies outstanding.

That Abbey Funerals be required to pay upfront for any future fees unless suitable prior arrangements have been made.

**CARRIED: (VOTE: 9/0)**

INGLEWOOD SHIRE COUNCIL  
**MINUTES OF THE ORDINARY MEETING OF COUNCIL**  
20 August, 2007

---

**Resolution: 2007- 0746**

**Moved: Cr Dawson Seconded: Cr Tait**

That Council note the report and adopt the preliminary cost estimate in respect of proposed subdivisional works.

**CARRIED: (VOTE: 8/1 Cr Johnson objected)**

**Resolution: 2007- 0747**

**Moved: Cr Thompson Seconded: Cr Moffitt**

That:

1. The report and preliminary cost estimate for Stage 1 of the proposed Rural Residential Estate be received, noted and adopted.
2. That allotment 1 (area 4,316m<sup>2</sup>) in Stage 1 be transferred to Queensland Health pursuant to the provisions of Section of the Local Government Act 1993 (as amended).

**CARRIED: (VOTE: 9/0)**

**Resolution: 2007- 0748**

**Moved: Cr Cox Seconded: Cr Dawson**

That Council accept the Federal Government offer to conduct a referendum on the Local Government amalgamation issue organised through the Australian Electoral Commission.

That Council express appreciation to local business houses that supported financially to the conducting of a telephone poll within the Inglewood Shire.

**CARRIED: (VOTE: 9/0)**

**Resolution: 2007- 0749**

**Moved: Cr Pietsch Seconded: Cr Tait**

That the resignations of Mr William Carr and Ms Linda Clutterbuck be received with regret and Council forward a letter of appreciation for the services rendered.

**CARRIED: (VOTE: 9/0)**

**16. CLOSURE**

There being no further business, the Mayor thanked Councillors for their attendance and declared the meeting closed at 5.00 pm.

Confirmed:.....

Date:.....

