



MINUTES

**Ordinary Council Meeting
Monday, 14 November 2022**



**MINUTES OF WINTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE WINTON SHIRE COUNCIL BOARD ROOM
ON MONDAY, 14 NOVEMBER 2022 AT 12.31pm**

PRESENT:

Cr Gavin Baskett (Mayor), Cr Tina Elliott (Deputy Mayor), Cr Anne Seymour, Cr Cathy White (via teleconference), Cr Shane Mann, Cr Frank Standfast (via teleconference).

IN ATTENDANCE:

Mr Ricki Bruhn (Chief Executive Officer), Ms Madeleine Lawler (Director of Community & Economic Development), Mr Charles Dyer (Acting Director of Works via teleconference) and Miss Kirby Reents (Minute Secretary).

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor recited the Acknowledgement of Country.

2 APOLOGIES

Nil

3 DECLARATION OF INTEREST AND CONFLICT OF INTEREST

The Mayor invited Councillors to declare any relevant "Interest" to respective items.

- Cr G Baskett
 - Item 15.2 – Correspondence – Outback Highway Development Council Inc.
- Cr S Mann
 - Item 15.2 – Correspondence – Outback Highway Development Council Inc.

4 CONFIRMATION OF COUNCIL MINUTES**22.11.01**

Moved: Cr T Elliott

Seconded: Cr A Seymour

THAT the minutes of the Ordinary Council Meeting held on 24 October 2022 be confirmed.

CARRIED 6-0

5 BUSINESS ARISING OUT OF PREVIOUS MEETING

Nil

6 MAYOR'S REPORT TO COUNCIL

Mayor Meeting & Inspections 24 October - 14 November 2022			
DATE	TYPE	PARTIES	PURPOSE
24 Oct 22	Event	Pool Owners and All Councillors	Meet and greet
27-Oct-22	Meeting	QFES Emergency Management Coordinator - Matt Burrows	General Meeting
29-Oct-22	Event	Winton ICPA Branch 50 years Celebration	Afternoon Tea
1-Nov-22	Event	Savannah Guides	Welcome Function
2-Nov-22	Meeting	First Nations Signage and Cultural Recognition	General Meeting
	Meeting	OQTA AGM 2022	General Meeting
4-Nov-22	Meeting	CEO Recruitment Interviews	General Meeting
7-Nov-22	Meeting	Saleyard Committee	General Meeting
	Meeting	Streets and Machinery Committee	General Meeting
9-Nov-22	Meeting	Financial Officers Networking	Workshop
	Meeting Meeting	QFES Assistant Commissioner RADF	General Meeting Assess Applications
11-Nov-22	Event	Remembrance Day	
13-Nov-22	Event	Western Queensland Regional Community Forum	Networking Function
14-Nov-22	Meeting	Western Queensland Regional Community Forum	General Meeting

22.11.02

Moved: Cr S Mann

Seconded: Cr C White

1. THAT the Mayor's Report to be received.

CARRIED 6-0

83

7 MAYOR'S BUSINESS TO BE CONSIDERED WITHOUT NOTICE

7.1 APPOINTMENT OF THE CHIEF EXECUTIVE OFFICER

22.11.03

Moved: C T Elliott

Seconded: Cr S Mann

This matter is considered to be confidential under Section 254J (3) (a) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the appointment, discipline, or dismissal of the Chief Executive Officer.

CARRIED 6-0

Attendance: The Chief Executive Officer, Director Community and Economic Development, Acting Director of Works and Minute Secretary left the chamber at 12.36pm.

Councillors C White and F Standfast declared they were alone in the room for discussion on this item.

22.11.04

Moved: Cr A Seymour

Seconded: Cr F Standfast

THAT Council moves into the closed session at 12:37pm.

CARRIED 6-0

22.11.05

Moved: Cr T Elliott

Seconded: Cr C White

THAT Council moves out of the closed session at 1:00 pm.

CARRIED 6-0

Attendance: The Chief Executive Officer, Director Community and Economic Development, Acting Director of Works and Minute Secretary returned to the chamber at 1.00pm.

22.11.06

Moved: Cr G Baskett

Seconded: Cr T Elliott

THAT Council appoint Mr Dirk Dowling to the position of Chief Executive Officer subject to the completion of satisfactory background and reference checks and the Mayor be authorised to negotiate a 4-year Contract of Employment with the successful applicant.

CARRIED 6-0

8 QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

The following information was provided by the Acting Director of Works in response to the Questions Without Notice from Cr Tina Elliott on 24 October 2022:

- 1. Can Council be advised of any information regarding the timeline anticipated for the commencement of the Gym Upgrade?**

The contractors, Kent Construction commenced onsite on the morning of 1 November 2022. The plan is to complete the rear entrance (largely completed) while the last of the steel is being prepared. The contractors will return to start the main project in a week or two.

- 2. Has an extension of time for the project been sought by the contractors and approved by Winton Shire Council?**

No.

- 3. If not, is there a penalty clause for a delayed commencement of the project within the contract?**

Yes, there is a penalty clause within the contract and whilst there may be some entitlement for Council to activate this clause, there is probably equally an opportunity for a price variation to be submitted for excessive material increase costs. With material shortages (and prices what they are), if Kent Construction are now committed to the project, I would be inclined to let them get on and complete the project. The goodwill of a regional, capable builder is worth the inconvenience.

- 4. Has Council commenced planning for the replacement of the old culverts laying under the racetrack at the Winton Showgrounds?**

I believe we have sufficient materials on hand to replace the old culverts and I will remind the supervisor for this project about completing the job before the next season. To my knowledge the race day on 5 November 2022 was the last event for the racing season and works can now be commenced.

The following information was provided by the Acting Director of Works in response to the Questions Without Notice from Cr Cathy White on 24 October 2022:

- 1. With the new Biosecurity Officer having now commenced employment, would it be possible for the Winton Shire Council Biosecurity Management Plan 2019-2022 to be reviewed? Could I suggest that the current Plan be circulated to the Rural Lands Advisory Committee members for comment and be tabled at its November meeting?**

The review of the Biosecurity Management Plan has now commenced. I see no problems with the current Plan being circulated at the next meeting of the Rural Lands Advisory Committee for their comment.

- 2. Could Council please have an update on the completion date for the ablution block at the truck pad?**

Works have commenced with the tunnel boring completed for the connection of water and electricity. The biocycle unit is also on hand and footing designs have been completed with stairs also to be installed. It is hoped the ablution block will be completed before Christmas; however, this will depend on any unplanned repairs to the water and sewerage network.

The following information was provided by the Chief Executive Officer in response to the Question Without Notice from Mayor Baskett 24 October 2022:

1. **The presence of roosters in and around Dagworth Street has been an ongoing issue with roosters constantly crowing and entering neighbouring properties. How many roosters are residents allowed to keep?**

In accordance with *Subordinate Local Law No. 2 (Animal Management) 2011*, the keeping of roosters within a designated town area is prohibited. There is provision for residents to make application for a permit to keep one rooster on their premises, however to my knowledge, no such permit has been applied for and no permits have been issued.

Two property owners in Dagworth Street were written to on 25 October 2022 and advised of the following: -

- Ongoing complaints were being received regarding the large number of hens and roosters being kept on their properties and being allowed to "free range" throughout the neighbourhood
- It is prohibited to keep a rooster within Winton without a permit and both have been advised a permit will not be approved due to their demonstrated lack of responsibility. As such a direction was given for all roosters to be removed immediately
- To reduce their hen numbers to no more than ten and for these to have their wings clipped and kept within their property boundaries.

I have spoken with one of the residents and staff have removed the remaining two roosters from their property on 4 November 2022. I have been trying to meet with the other resident to seek their cooperation for all the roosters on his property to be captured and removed.

9 QUESTIONS (WITHOUT DEBATE) FOR WHICH NOTICE HAS NOT BEEN GIVEN

Cr Frank Standfast -

1. Can the Chief Executive Officer provide an update on the expected timeline for the repairs/rectification of the "rutting" in the asphalt section of Elderslie Street?
2. Can the Chief Executive Officer provide an update on the status of the Water Park including an estimated timeline for its reopening?
3. Could the Chief Executive Officer provide an update on the baby change table as per the response to a Question without Notice from the October 2021 Council Meeting (see below)

"With the Water Park attracting more young families than ever to the swimming pool, can Council investigate the installation of baby change tables as part of the current renovations as a variation or independently, whichever is deemed the most cost effective"?

"Whilst the installation of baby change tables was not included in the original renovation proposal, a costing of \$547 has been received and this will now be installed as part of the amenities upgrade".

4. Can the Chief Executive Officer provide an update as to the status of the Bio-cycle Unit as per below motion from the Ordinary Council Meeting held on 21st April 2022.

Recommendation from April 2022

22.04.13

Moved: Cr T Elliott

Seconded: Cr F Standfast

2. THAT subject to the property owner of Lot 82 of AE88 37 Fraser Street entering into an agreement with Council for the ownership, connection costs and ongoing maintenance and operation of the Biocycle Unit, Council supply and install the unit.

CARRIED 5-0

5. Can the Chief Executive Officer provide an update on the plan going forward for the Creative Arts Building in Vindex Street?
6. Can the Chief Executive Officer provide an update on how much, if any additional funding was provided to the Vision Splendid Outback Film Festival as per the below motion from the Ordinary Council Meeting held on 16th June 2022.

Recommendation from June 2022

22.06.06

Moved: Cr F Standfast

Seconded: Cr A Seymour

2. THAT should additional funding be required to offset any budget deficit for the 2022 Film Festival, Council allocate up to a maximum of \$25,000 subject to verification being provided in the 2021/2022 financial statements.

CARRIED 5-0

7. Can the Chief Executive Officer provide an update on the progress of the cricket pitch construction and expected timeline for completion?

Cr Tina Elliott -

1. Has the funding body for the Local Roads and Community Infrastructure Program - Round 3, approved all of our projects decided through the LRCIP review process in May 2022?
2. If so, do we think the dog park will be completed prior to the commencement of our next tourist season?

10 PETITIONS

Nil

11 DEPUTATIONS/PRESENTATIONS

Nil

12 CONSIDERATION OF MOTIONS

Nil

13 DECISIONAL REPORTS

13.1 REVIEW AND ADOPTION OF WASTE MANAGEMENT POLICY

SUMMARY

This report presents the Waste Management Policy for endorsement by Council following a review by the Governance and Risk Officer.

22.11.07

Moved: Cr A Seymour

Seconded: Cr S Mann

1. THAT the report be received.

CARRIED 6-0

22.11.08

Moved: Cr S Mann

Seconded: Cr F Standfast

2. THAT the WSC-WKS-POL-005 Waste Management Policy, with amendments be adopted.

CARRIED 6-0

13.2 RATES INCENTIVE DRAW

SUMMARY

As an incentive for ratepayers to pay their rates by the due date, Council introduced a "rates payment incentive scheme" whereby people who paid their rates on time were automatically entered into a draw to win a cash prize of \$1,000.

22.11.09

Moved: Cr S Mann

Seconded: Cr C White

1. THAT the report be received.

CARRIED 6-0

22.11.10

Moved: Cr C White

Seconded: Cr T Elliott

2. THAT Council award the "rates payment incentive scheme" with a cash prize of \$1,000 to Victor and Sue Campbell.

CARRIED 6-0

13.3 2023 WINTON SHIRE COUNCIL ORDINARY MEETING DATES**SUMMARY**

In accordance with *Section 254B* of the *Local Government Regulation 2012*, the Ordinary Meeting dates of the Winton Shire Council for 2023 are required to be established and advertised. The dates of meetings can be modified provided sufficient advertising is undertaken prior to the relevant meeting being undertaken.

The prepared dates scheduled are the third Thursday of the month commencing at 8.00am and to be held in the Winton Shire Council Board Room.

22.11.11

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the report be received.

CARRIED 6-0

22.11.12

Moved: Cr F Standfast

Seconded: Cr T Elliott

2. THAT Council adopt its Ordinary Meeting dates for 2023 in accordance with the schedule contained in the Agenda, subject to the December Meeting being altered to the 14 December, and public notice be provided of these dates in accordance with *Section 254B* of the *Local Government Regulation 2012*.

CARRIED 6-0

13.4 ANNUAL REPORT AND FINANCIAL STATEMENTS FOR 2021/2022**SUMMARY**

In accordance with Section 182 of the *Local Government Regulation 2012*, a local government must prepare an annual report for each financial year. The local government must adopt its annual report within 1 month after the day the auditor-general gives the auditor-general's audit report about the local government's financial statements for the financial year to the local government.

Attached to this report is a copy of Council's Annual Report for consideration and adoption.

22.11.13

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the report be received.

CARRIED 6-0

22.11.14

Moved: Cr F Standfast

Seconded: Cr C White

2. THAT the Annual Report and Annual Financial Statements for the financial year ending 30 June 2022, be adopted with amendments.

CARRIED 6-0

13.5 CENTRAL WEST REGION PEST MANAGEMENT GROUP

SUMMARY

This report provides a copy of the draft minutes from the Central West Region Pest Management Group Leadership Meeting held in Birdsville on 23 August 2022.

22.11.15

Moved: Cr S Mann

Seconded: Cr T Elliott

1. THAT the report be received.

CARRIED 6-0

22.11.16

Moved: Cr S Mann

Seconded: Cr T Elliott

2. THAT the minutes of the Central West Region Pest Management Group Leadership Meeting held on 23 August 2022 be received and noted.

CARRIED 6-0

13.6 ECO-DESTINATION ACCREDITATION - GRANT SUCCESS

SUMMARY

The Community and Economic Development (CED) department was approached in August by Eco-Tourism Australia regarding an opportunity to receive funding through the Department of Tourism, Innovation and Sport (DTIS) to undergo Eco-Destination certification. A grant application submitted to DTIS for \$84,000 has been successful.

22.11.17

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the report be received.

CARRIED 6-0

22.11.18

Moved: Cr F Standfast

Seconded: Cr S Mann

2. THAT Council recruit a part-time project officer to undertake the Eco-Destination Certification project.

CARRIED 6-0

22.11.19

Moved: Cr S Mann

Seconded: Cr T Elliott

1. THAT the late reports be accepted.

CARRIED 6-0

13.7 TENDER - WINTON / RICHMOND ROAD GRAVEL SUPPLY WSCQ-2223-06**SUMMARY**

This report provides details of the responses received to Tender WSCQ-2223-06 – Winton / Richmond Road Gravel Supply. Council is asked to consider the tenders received and award the contract accordingly. This tender includes the supply of 4,708m³ of gravel for a project on the Winton / Richmond Road commencing in early 2023. The gravel is to be supplied and carted in January and February prior to the civil construction works. Council sought quotes from prequalified suppliers, and it is recommended the tender be awarded to QCrush Pty Ltd to complete the works.

22.11.20

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the report be received.

CARRIED 6-0

22.11.21

Moved: Cr S Mann

Seconded: Cr T Elliott

2. THAT Council award tender WSCQ-2223-06 – Winton / Richmond Road Gravel Supply to QCrush Pty Ltd for the sum of \$355,924.80 (GST Exclusive).

CARRIED 6-0

13.8 TENDER - HOSPITAL ESTATE ASPHALT WSCT-2223-05**SUMMARY**

This report provides details of the responses received to Tender WSCT-2223-05 – Hospital Estate Asphalt Works. Council is asked to consider the tenders received and award the contract accordingly. This tender includes the supply, delivery, laying of asphalt and the supply of quarry material (binding layer and AC10M mix). GBA Consulting Engineers and the Acting Director of Works recommend the dearer option – Boral Resources Pty Ltd on the basis they can complete the works prior to Christmas which will reduce Council's risk of damage and reworks during the wet season.

22.11.22

Moved: Cr S Mann

Seconded: Cr C White

1. THAT the report be received.

CARRIED 6-0

22.11.23

Moved: Cr F Standfast

Seconded: Cr S Mann

2. THAT Council award tender WSCT-2223-05 – Hospital Estate Asphalt Works to Fulton Hogan Industries Pty Ltd for the sum of \$178,324.89 (GST Exclusive).

CARRIED 6-0

The Council elected not to accept the recommendation contained in the report as there were other outstanding works yet to be completed in the subdivision. There was also a considerable difference in the value of the two tenders received.

13.9 TENDER - JUNDALH ROAD GRAVEL CRUSHING AND STOCKPILING WSCT-2223-07

SUMMARY

This report provides details of the responses received to Tender WSCT-2223-07 – Jundah Road Gravel Crushing and Stockpiling. Council is asked to consider the tenders received and award the contract accordingly. This tender includes the crushing and stockpiling of 37,290 tonnes of gravel for future projects on the Winton Jundah Road.

22.11.24

Moved: Cr A Seymour

Seconded: Cr S Mann

1. THAT the report be received.

CARRIED 6-0

22.11.25

Moved: Cr F Standfast

Seconded: Cr T Elliott

2. THAT Council award tender WSCT-2223-07 – Jundah Road Gravel Crushing and Stockpiling to Champion Contracting Pty Ltd for the sum of \$316,320.00 (GST Exclusive), subject to confirmation of Roads Of Strategic Importance funding (ROSI).

CARRIED 6-0

14 ADVISORY COMMITTEE MEETING REPORTS

Nil

ADJOURNMENT: The meeting adjourned for Afternoon tea at 2.25pm and resumed at 2:38pm.

15 CORRESPONDENCE

1. JOHN LOWRY and LEN EZZY

22.11.26

Moved: Cr T Elliott

Seconded: Cr S Mann

1. THAT the writers be thanked for their correspondence and a response be forwarded advising of Council's future plans to enhance bird-watching in the Winton area.

CARRIED 6-0

DECLARATION OF A DECLARABLE CONFLICT OF INTEREST

Cr Gavin Baskett advised of a Declarable Conflict of Interest for Item 15.2 – Outback Highway Development Council Inc.

I Cr Gavin Baskett inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009). The nature of my interest is as follows:

This declarable conflict of interest arises as I hold an executive position (Deputy Chair) of the Outback Highway Development Council Inc.

I propose to leave and stay away from the place where the meeting is being held while this matter is discussed.

Cr Shane Mann advised of a Declarable Conflict of Interest for Item 15.2 – Outback Highway Development Council Inc.

I Cr Shane Mann inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009). The nature of my interest is as follows:

This declarable conflict of interest arises as I hold an executive position (Treasurer) of the Outback Highway Development Council Inc.

I propose to leave and stay away from the place where the meeting is being held while this matter is discussed.

Departure: Cr S Mann and Mayor Baskett departed the chamber at 2:59pm.

2. OUTBACK HIGHWAY DEVELOPMENT COUNCIL INC.**22.11.27**

Moved: Cr A Seymour

Seconded: Cr C White

2. THAT Council approve the increase in the annual membership subscription to the Outback Highway Development Council Inc. from \$25,000 to \$30,000.

CARRIED 4-0

Attendance: Cr S Mann and Mayor Baskett returned to the chamber at 3.00pm

3. QUEENSLAND HEALTH**22.11.28**

Moved: Cr T Elliott

Seconded: Cr C White

3. THAT Council decline the invitation from Queensland Health to participate in the study as the Winton Shire Council does not treat its drinking water.

CARRIED 6-0

22.11.29

Moved: Cr S Mann

Seconded: Cr A Seymour

4. THAT correspondence items 15.4 – 15.8 inclusive, be received and noted.

CARRIED 6-0

16 LATE CORRESPONDENCE

Nil

17 OFFICERS REPORTS TO COUNCIL

17.1 CHIEF EXECUTIVE OFFICER'S REPORT

22.11.30

Moved: Cr S Mann

Seconded: Cr A Seymour

THAT the Chief Executive Officer's Report be received.

CARRIED 6-0

17.2 DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT REPORT

22.11.31

Moved: Cr S Mann

Seconded: Cr A Seymour

THAT the Director of Community and Economic Development Report be received.

CARRIED 6-0

17.3 DIRECTOR OF WORK'S REPORT

22.11.32

Moved: Cr T Elliott

Seconded: Cr S Mann

THAT the Director of Work's Report be received.

CARRIED 6-0

18 CONFIDENTIAL SECTION

Mr Charles Dyer declared he was alone in the room whilst the confidential reports were being considered.

18.1 REQUEST TO REINSTATE RATES DISCOUNT ON ASSESSMENT NO. 00727-10000-000**22.11.33**

Moved: Cr T Elliott

Seconded: Cr A Seymour

This matter is considered to be confidential under Section 254J (3) (d) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

CARRIED 6-0

18.2 SHAPING QUEENSLAND'S ENERGY FUTURE – SUPPLEMENTARY INFORMATION**22.11.34**

Moved: Cr T Elliott

Seconded: Cr A Seymour

This matter is considered to be confidential under Section 254J (3) (g) of the *Local Government Regulation 2012*, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interest of the local government.

CARRIED 6-0

22.11.35

Moved: Cr F Standfast

Seconded: Cr C White

THAT Council moves into the closed session at 3.11pm.

CARRIED 6-0

22.11.36

Moved: Cr T Elliott

Seconded: Cr S Mann

THAT Council moves out of the closed session at 4.02pm.

.CARRIED 6-0

18.1 REQUEST TO REINSTATE RATES DISCOUNT ON ASSESSMENT NO. 00727-10000-000**22.11.37**

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the report be received.

CARRIED 6-0**22.11.38**

Moved: Cr A Seymour

Seconded: Cr T Elliott

2. THAT Council decline the request from the property owners of Assessment No. 00727-10000-000 to reinstate the discount amount of \$4,559.81 to their rates assessment.

3 votes for 3 votes against**The Mayor exercised his casting vote and declared the motion CARRIED****Cr F Standfast and Cr C White voted against the motion****18.2 SHAPING QUEENSLAND'S ENERGY FUTURE – SUPPLEMENTARY INFORMATION****22.11.39**

Moved: Cr A Seymour

Seconded: Cr S Mann

1. THAT the report be received.

CARRIED 6-0**22.11.40**

Moved: Cr T Elliott

Seconded: Cr S Mann

2. THAT Council consider the additional information provided as sufficient to move to detailed investigation for a Power Purchasing Agreement model.

CARRIED 6-0**22.11.41**

Moved: Cr S Mann

Seconded: Cr C White

3. THAT a business case be brought to Council for a final decision.

CARRIED 6-0**19 DATE OF NEXT MEETING**

Ordinary Meeting 15 December 2022

The Meeting closed at 5:04pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 December 2022.


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CHAIRPERSON