



MINUTES

Ordinary Council Meeting Friday, 13 October 2023

**MINUTES OF WINTON SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE WINTON SHIRE COUNCIL BOARD ROOM
ON FRIDAY, 13 OCTOBER 2023 AT 8:02AM**

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

IN ATTENDANCE: Mr Dirk Dowling (Chief Executive Officer), Miss Shannon Van Bael (Executive Manager Community Services), Mr Brenton Hall (Acting Director of Works) Miss Kirby Reents (Minutes Secretary).

1 ACKNOWLEDGEMENT OF COUNTRY

The Mayor recited the Acknowledgement of Country and paid respects to the family and friends of Jacquelin Bedourie, Mavis Lenton and Diane Kerr.

2 APOLOGIES

Nil

3 DECLARATION OF INTEREST AND CONFLICT OF INTEREST

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

Cr Gavin Baskett – 13.3 Preferred supplier arrangement for the supply of baiting meat substrate (wsct-2324-03)

4 CONFIRMATION OF COUNCIL MINUTES

23.10.01

Moved: Cr S Mann

Seconded: Cr A Seymour

1. That the minutes of the Ordinary Council Meeting held on 15 September 2023 be confirmed with amendments.

CARRIED 6-0

5 BUSINESS ARISING OUT OF PREVIOUS MEETING

NIL

6 MAYOR'S REPORT TO COUNCIL

Mayor Meeting & Inspections 20 15 September -13 October 2023			
DATE	TYPE	PARTIES	PURPOSE
15/09/2023	Meeting	Winton Community & Age care, Councillors, WSC Staff	Discuss Allocation of Land + Future Collaboration

18/09/2023	Meeting	Outback Highway Development Council	AGM
19/09/2023	Meeting	Mayor Gavin Baskett and AC Steve Smith	General Meeting
19-24/09/2023	Event	Outback Festival	Festival
25/09/2023	Meeting	Native Title Information's Session	Community Meeting
26-28/9/2023	Conference	WQAC Assembly 2023	Conference
23/09/2023	Meeting	Assistant Minister Tourism Michael Healy,	Meeting to discuss Tourism in Winton.
26/09/2023	Function	Federal Treasurer Jim Chalmers Senator the Hon Anthony Chisholm and WQAC Mayors.	Dinner to Discuss issues within our regions.
3/10/23	Public Hearing	Panel Members AAOD, Red Dirt + Public	Parliamentary Hearing into Benefits of Paleo Tourism
4/09/2023	Meeting	KL GATES - MAYOR -CEO	Geothermal Briefing
5/09/2023	Workshop	Councillors + Senior Leadership Team	Workshop
6/10/2023	Function	WSC Staff + Councillors	Retirement BBQ for David Lenton.
9/09/2023	Meeting	RAPAD	General Meeting
	Meeting	LDMG Committee Meeting	Committee meeting
	Meeting	Place Names Audit Working Group 1 - meeting 2	Meeting
	Meeting	RAPAD Mayors + Josh Dyers LGAQ	Briefing Prior to Policy Exec Meeting
10/09/2023	Meeting	Central West Area Fire Management Group Meeting	General Meeting
	Meeting	VSOFF	General Meeting

23.10.02

Moved: Cr A Seymour

Seconded: Cr T Elliott

2. That the Mayors report be received.

CARRIED 6-0

7 MAYOR'S BUSINESS TO BE CONSIDERED WITHOUT NOTICE**Western Queensland Alliance of Councils (WQAC) Conference**

Mayor Gavin Baskett would like say thank you to the organising group and all staff that were involved in all aspects of the WQAC Conference, our congratulations for organising and delivering such a great conference. Everything ran smoothly and all comments were nothing but positive.

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

Cr Tina Elliott –

1. On the 19/04/2023 (Acting DOW) report tabled to Council via the Rural Lands Team regarding the Thrip Bug Release - indicating that regular monthly updates would be gathered either by Biosecurity QLD or DCQ – has Council received any of these updates, to date? If yes, can we be advised of the progress of the trial. If not, are we able to follow up on the results of this trial within our shire? Report attached –

Background

In 2015, a colony of Thrip that induce rosette galls on prickly acacia trees in Ethiopia were brought into a secure quarantine facility in Brisbane, Australia due to the vulnerability of Australian prickly acacia under quarantine in South Africa (appendix 1,5). After examining over 55 plant species, it was found that the thrips only reproduced on prickly acacia. In field trials are now being conducted to test how the bugs survive in different environments around the state. The Winton Shire Council, home to a dense population of prickly acacia trees, is the target area for control. The bugs have been selected because of their ability to survive on prickly acacia trees and their targeted approach to this specific plant. The release of thrips was part of the first trial outside the laboratory to be conducted, with the aim of providing valuable insight into the bugs' impact on the natural environment. The project will run for three years, with monthly site monitoring to assess progress and collect data and observations.

Process of Release

The biosecurity officer met with Desert Channels, Southern Gulf NRM, and Biosecurity QLD at 10 am in town to clarify the exact location of the release. Once the team tracked the route and reviewed the GPS location, the landholder's representative was informed of the departure from town. At the first plot, the two scientists removed the specimens and explained how the bugs were expected to behave once the colony was established (appendix 4). They selected five trees onto which the bugs would be released. The first site was located next to a permanent body of water to assess the bugs' behaviour. The dense trees will assist the scientists in understanding the moving rate of the species and whether they would require a dense area of prickly acacia to survive. The physical release included tying the plant material on which the bugs were transported onto branches with pink marking tape (Appendix 3). The release took a total of one hour at each plot. The project will continue for the next three years, with monthly monitoring by Biosecurity Queensland and/or Desert Channels, and the biosecurity officer will attend monitoring days wherever possible to gather a comprehensive understanding of the project's progress.

2. Report in the DOW report is still indicating that works are required to complete the newly installed weighbridge at the Winton Saleyards – when is it anticipated these works will be completed and is there a budget allocation to complete these works? Refer attached report.

<ul style="list-style-type: none">• Drainage at the new scales needs to be completed so we can clean the scales of	
<ul style="list-style-type: none">• Cement needs to be fixed at the new scales as it is a trip hazard	

CEO can report that there is no specific budget allocation this year for this particular project. However, the works could be completed as part of the commercial assets upgrade allocation of \$250,000 for the financial year (to cover a range of projects across Council's commercial properties). The final decision can be made as part of the Budget Review process to come to Council at the November Council Meeting.

Cr Cathy White –

1. Could the DOW please give a date when ergon energy will connect the electricity to the toilet block at the truck pad.

DOW – Waiting on ergon energy to finish work. Still waiting on confirmations.

10 PETITIONS

Nil

11 DEPUTATIONS/PRESENTATIONS

Nil

12 CONSIDERATION OF MOTIONS

Nil

13 DECISIONAL REPORTS

13.1 LOCAL LAWS

SUMMARY

In order to enact the Local Laws that have been the subject of numerous consultations with Dr Michael Limerick (Barrister) which have resulted in new subordinate local laws being drafted, there are a number of steps required.

This document provides for the first steps which include resolutions to be made to propose to make the repealing local law and subordinate local laws and to undertake community consultation.

There is a requirement to undertake community consultation should there be any anti-competitive provisions in the local laws. Dr Limerick provided information to include for public consultation in relation to anti-competitive provisions in the proposed local laws.

Once community consultation has been completed and any submissions reviewed and, where appropriate, incorporated into the local laws, these can be finalised and enacted.

This report includes references to the Queensland legislation that is in place for local governments to make local laws.

23.10.03

Moved: Cr S Mann

Seconded: Cr C White

1. That the report be received.

CARRIED 6-0

23.10.04

Moved: Cr T Elliott

Seconded: Cr C White

2. Under section 29 of the *Local Government Act 2009* to adopt the 'WSC-GOV-PWI-003 Making Local Laws Process' with amendments.

CARRIED 6-0

23.10.05

Moved: Cr S Mann

Seconded: Cr T Elliott

3. In accordance with the 'Winton Shire Council Process for Making Local Laws' adopted in resolution 2, propose to make the following with amendments.

- Repealing Local Law No. 1 (Miscellaneous) 2023
- Subordinate Local Law No. 1 (Administration) 2023
- Subordinate Local Law No. 2 (Animal Management) 2023
- Subordinate Local Law No. 3 (Community and Environmental Management) 2023
- Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2023

CARRIED 6-0

23.10.06

Moved: Cr A Seymour

Seconded: Cr C White

4. Undertake community consultation, comprising:

- publicly advertising the proposed draft repealing local law and subordinate local laws on the Council's website for a period of 28 days;
- publicly advertising the proposed draft repealing local law and subordinate local laws on social media;
- publicly advertising the proposed draft repealing local law and subordinate local laws in the Longreach Leader;
- inviting and considering submissions by the public about the proposed draft subordinate local law.

CARRIED 6-0

23.10.07

Moved: Cr A Seymour

Seconded: Cr S Mann

5. Assert:

- it has reviewed the repealing local law and the subordinate local laws to identify any possible anti-competitive provisions, pursuant to section 38 of the *Local Government Act 2009*;
- proposed Repealing Local Law No. 1 (Miscellaneous) 2023, Subordinate Local Law No. 3 (Community and Environmental Management) 2023 and Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2023 do not contain any possible anti-competitive provisions and therefore do not require a public interest review;
- proposed Subordinate Local Law No. 1 (Administration) 2023 and Subordinate Local Law No. 2 (Animal Management) 2023 contain possible anti-competitive provisions;
- a Public Interest Review will be conducted for the possible anti-competitive provisions through advertising the Public Interest Review Consultation Paper to businesses and members of the public during the public consultation period for the local laws.

CARRIED 6-0

13.2 COMMUNITY ENGAGEMENT POLICY

SUMMARY

As part of the package provided by Dr Michael Limerick (Barrister at Law) when he was assisting Council construct the new local laws a recommendation was made by him to publish a Community Engagement policy. Included in the requirements to enact the new local laws, there is a phase of community consultation / public interest review.

As quoted in the Report section of this paper, there are other occasions where Council is required to undertake Community Engagement. It is appropriate that Council have a policy to underpin these activities in the future.

The Policy document has been written in a way that is not prescriptive, but rather has standards and principles to guide community engagement, recognising that community engagement needs to be tailored to the subject matter requirements.

23.10.08

Moved: Cr T Elliott

Seconded: Cr C White

1. That the report be received.

CARRIED 6-0

23.10.09

Moved: Cr A Seymour

Seconded: Cr S Mann

2. Adopt the WSC-GOV-POL-009 Community Engagement Policy with amendments.

CARRIED 6-0

13.3 PREFERRED SUPPLIER ARRANGEMENT FOR THE SUPPLY OF BAITING MEAT SUBSTRATE (WSCT-2324-03)

SUMMARY

The purpose of this report is to recommend the appointment of selected tenderers to the Register of Preferred Supplier arrangements, for the Supply of Baiting Meat Substrate (WSCT-2324-03) for Winton Shire Council.

DECLARATION OF A DECLARABLE CONFLICT OF INTEREST

Cr G Baskett advised of a Declarable Conflict of Interest for Item 13.3 Preferred supplier arrangement for the supply of baiting meat substrate (wsct-2324-03)

I Cr G 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 Cr Gavin Baskett is close friends with one of the Suppliers.

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

Departure: Cr G Baskett departed the chamber at 9:30am.

Cr Tina Elliott (Deputy Mayor) becomes Chair of the Meeting.

23.10.10

Moved: Cr C White

Seconded: Cr S Mann

1. That the Report be received.

CARRIED 5-0

23.10.11

Moved: Cr F Standfast

Seconded: Cr C White

2. Approve the following applicants to be on Register of Preferred Supplier Arrangement, for the Supply of Baiting Meat Substrate: -
 - NQ Game Meats;
 - Malcolm McQueen (Trading as MJ & CJ McQueen);
 - GA & JE Smith; and
 - Stuart Searle.

CARRIED 5-0

Attendance: Cr G Baskett returned to the chamber at 9:37am.

13.4 PROJECT MANAGMENT FLOOD DAMAGE 2022/2023

SUMMARY

This report summarises the Project Management works that George Bourne & Associates (GBA) have performed for Winton Shire Council in rolling out the 2019, 2020, 2021 and 2022 Flood Damage Program and gaining approvals for the 2023/2024 flood program.

This Flood Damage event will further have major overlaps with the previously approved flood programs and careful assessment and negotiation with the Queensland Reconstruction Authority (QRA) will be required in the ongoing months.

GBA are on Council's Prequalified Supplier Arrangement (PSA for Professional Services) and are the current program managers. GBA have implicit knowledge of the previous events which will greatly assist in negotiating the best outcome for Winton Shire Council. It is therefore recommended that GBA be appointed for the continuing role as Program Managers for 2022/2023.

Project management fees are included as part of the DRFA works program and are determined as a percentage of the overall project value and Council is not burdened with the cost.

23.10.12

Moved: Cr S Mann

Seconded: Cr F Standfast

1. That the report be received.

CARRIED 6-0

23.10.13

Moved: Cr S Mann

Seconded: Cr T Elliott

2. Appoint George Bourne & Associates as Project Mangers for the 2022/2023 Flood Damage Project.

CARRIED 6-0

13.5 OPERATIONAL PLAN 2023-24 QUARTERLY REPORT

SUMMARY

This report presents the first quarterly report on the outcomes delivered against the Operation Plan for the year ended 30 June 2024.

23.10.14

Moved: Cr S Mann

Seconded: Cr C White

1. That the report be received.

ADJOURNMENT: The meeting adjourned for morning tea at 10:16am and resumed at 10:46am

CARRIED 6-0

23.10.15

Moved: Cr T Elliott

Seconded: Cr S Mann

2. Note the first quarterly report on outcomes delivered against the Operational Plan for the year ended 30 Jun 2024.

CARRIED 6-0

13.6 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 \$1000 BUY LOCAL CARD.

23.10.16

Moved: Cr C White

Seconded: Cr S Mann

1. That the report be received

CARRIED 6-0

23.10.17

Moved: Cr C White

Seconded: Cr T Elliott

2. Award the winner of the "rates payment incentive scheme" \$1000 BUY LOCAL CARD awarded to the winner Evert Superannuation PTY LTD trading as TTE.

CARRIED 6-0

13.7 WSC-CCS-POL-013 ABUSE PREVENTION AND RESPONSE POLICY

SUMMARY

This report presents the Abuse Prevention and Response Policy for endorsement by Council.

23.10.18

Moved: Cr S Mann

Seconded: Cr A Seymour

1. That the report be received.

CARRIED 6-0

23.10.19

Moved: Cr S Mann
Seconded: Cr C White

2. Adopt the WSC-CCS-POL-013 Abuse Prevention and Response Policy.

CARRIED 6-0

13.8 ANIMAL MANAGEMENT APPROVED SYSTEMATIC INSPECTION PROGRAM 2023-2024**SUMMARY**

Public safety and responsible pet ownership in our communities are priority items for Council. Council's regulatory services team aims to educate pet owners on their responsibilities and ensure compliance with the requirements for owning cats and dogs. Council has not undertaken an Approved Inspection Program for animal-related matters in many years.

With complaints received showing that animal-related issues are on the rise, it is proposed to take proactive action to enhance community safety and amenity by undertaking an Approved Systematic Inspection Program.

The program will focus education and awareness for the community on key animal-related issues, including:

- registration of dogs;
- microchipping of cats and dogs;
- the keeping of excess animals;
- the keeping of prohibited animals; and
- ensuring compliance with the minimum standards for keeping animals.

23.10.20

Moved: Cr S Mann
Seconded: Cr A Seymour

1. That the report be received.

CARRIED 6-0

23.10.21

Moved: Cr S Mann
Seconded: Cr C White

2. Pursuant to Section 113 of the *Animal Management (Cats & Dogs) Act 2008*, approves a systematic inspection program of all properties within the town boundaries of Winton:
 - a. to be carried out at some point during the period from 6 November 2023 to 5 June 2024;
 - b. for the primary purpose of educating and making the community aware of the requirements for the keeping of animals; and
 - c. for achieving improved compliance with the registration and microchipping requirements of the *Animal Management (Cats & Dogs) Act 2008*.

CARRIED 6-0**23.10.22**

Moved: Cr T Elliott

Seconded: Cr A Seymour

3. Pursuant to Section 134 of the *Local Government Act 2009* approves a systematic inspection program of all properties within the town boundaries of Winton.
- to be carried out at some point during the period from 6 November 2023 to 5 June 2024; and
 - for the primary purpose of monitoring the keeping of animals under *Local Law No. 2 (Animal Management) 2011* and *Subordinate Local Law No. 2 (Animal Management) 2011*, including the keeping of excess or prohibited animals, and monitoring compliance with minimum standards.

CARRIED 6-0**13.9 ADVISORY COMMITTEE POLICY AND TERMS OF REFERENCE****SUMMARY**

Advisory Committees are a mechanism Council has available through the *Local Government Regulation 2012* for a number of purposes, including to obtain advice and recommendations around strategic matters from people with expertise in a particular field and promote awareness and obtain feedback from the community.

The attached Policy and Terms of Reference have been compiled in consultation with Council through workshops.

23.10.23

Moved: Cr C White

Seconded: Cr F Standfast

1. That the report be received.

CARRIED 6-0**23.10.24**

Moved: Cr T Elliott

Seconded: Cr A Seymour

2. Adopt the attached documents with amendments:
- WSC-GOV-POL-008 Advisory Committee Policy, and
 - WSC-GOV-PWI-001 Advisory Committee Terms of Reference.

CARRIED 6-0

13.10 PROCUREMENT POLICY AND PROCEDURE

SUMMARY

Legislation in relation to procurement is contained in s104 of the *Local Government Act 2009*. The Policy and Procedure attached provide compliance with legislation however the opportunity is taken to provide a framework for procurement activities particularly in relation to buying local.

Reference to legislation and to State Government Procurement documentation, including the Local Benefits Test document have been used to align guidelines with best practice.

23.10.25

Moved: Cr T Elliott

Seconded: Cr F Standfast

1. That the report be received.

CARRIED 6-0

There was some discussion regarding the need to not only adopt the right Policy and Procedure documents, but to ensure that education of staff remains a high priority i.e. to make sure that staff understand the importance of maintaining a buy local attitude when looking to procure goods and services (while remaining true to the Policy and Procedures as laid out). Without a change in culture, the true benefits of shopping local when it makes sense to do so, can never be achieved and maintaining local services and therefore liveability for all residents and visitors could be in jeopardy.

23.10.26

Moved: Cr F Standfast

Seconded: Cr S Mann

2. Adopt the attached documentation with amendments:
 - (a) WSC-FIN-POL-007 Procurement Policy and
 - (b) WSC-FIN-PRO-002 Procurement Procedure.

CARRIED 6-0

ADJOURNMENT: The meeting adjourned for lunch at 1:08pm and resumed at 1:25pm.

14 ADVISORY COMMITTEE MEETING REPORTS

Nil

15 CORRESPONDENCE

15.1 CORRESPONDENCE

23.10.27

Moved: Cr S Mann

Seconded: Cr T Elliott

1. That the Correspondence 1,2,3,4,5,6,8,9,10,11,12,13,14,15,16,18,19,20,21 be received.

CARRIED 6-0

23.10.28

Moved: Cr T Elliott

Seconded: Cr S Mann

Attachment 7 – Winton Mens Shed

2. That the CEO sends correspondence to the Men Shed with Council in-principle support and suggestions for moving forward with this project.

CARRIED 6-0

23.10.29

Moved: Cr S Mann

Seconded: Cr C White

Attachment 17 – QBOA

3. That the Mayor liaise with QBOA.

CARRIED 6-0

16 LATE CORRESPONDENCE

NIL

17 OFFICERS REPORTS TO COUNCIL

17.1 CHIEF EXECUTIVE OFFICER

23.10.30

Moved: Cr S Mann

Seconded: Cr F Standfast

1. That the Chief Executive Officer information report be received.

CARRIED 6-0

23.10.31

Moved: Cr S Mann

Seconded: Cr A Seymour

2. That the Financial report be received.

CARRIED 6-0

17.2 EXECUTIVE MANAGER COMMUNITY SERVICES**23.10.32**

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the Executive Manager Community Services report be received.

CARRIED 6-0**17.3 DIRECTOR OF WORKS****23.10.32**

Moved: Cr T Elliott

Seconded: Cr F Standfast

1. THAT the Director of Works report be received.

CARRIED 6-0**18 CONFIDENTIAL SECTION**

Nil

19 DATE OF NEXT MEETING

Ordinary Meeting 16 November 2023

The Meeting closed at 3:25pm.**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 October 2023.**
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CHAIRPERSON