



WINTON SHIRE COUNCIL

Minutes

DRAFT MINUTES OF THE SPECIAL MEETING OF THE WINTON SHIRE COUNCIL
HELD IN THE BOARD ROOM, WINTON SHIRE COUNCIL,
75 VINDEK STREET, WINTON ON FRIDAY 10th FEBRUARY 2017
COMMENCING AT 2.04PM.

Present: Cr GT Lenton, Cr JE Sale, Cr T Harbour, Cr PS Mann and Cr GJ Baskett

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|--------------------------------|------------|
| Deputy Chief Executive Officer | - T Beynon |
| Director of Works | - R Sheedy |
| Minute Secretary | - D Murphy |

Item 1: Apologies

01.02.17 Moved Cr Sale Seconded Cr S Mann
That the apology from Cr T Harbour and Mr A Rayment be received.
CARRIED

Item 2: Declaration of Pecuniary Interest and Conflict of Interest

Cr Lenton advised Councillors to declare relevant "Interest" prior to respective items.

Item 4: Kerb and Channel Program

Declaration of

Interest: Cr Sale noted that her residence is in the schedule of works for the Kerb and Channel Program for Chirnside Street and declared a perceived Material Personal Interest (as defined in S172 (2(a)) of the *Local Government Act 2009*),.

02.02.17 Moved Cr S Mann Seconded Cr Baskett
That Council ratify the list of kerb and channel that was agreed to at the inspection after the Roads, Plant and Streets Meeting with Councillors:

- Bloomfield St (Oondooroo to Werna) – North side of carriageway – 215m of kerb and channel in front of Diamantina Gardens;
- Chirnside St (Manuka to Werna) – South side of carriageway – approximately 60m of kerb and channel to continue on from existing;
- Manifold St (Bostock to Bloomfield) – West side of carriageway – 137m of kerb and channel;

Further works where time and funding permits would be:

- Bloomfield St (Nesbit to Manuka) – South side of carriageway – 215m of kerb and channel (i.e. entire block);
- Bloomfield St (Manifold to Nesbit) – South side of carriageway – 80m (about half the block) may need a concrete pad were TMR trucks turn into yard.

Approved Footpaths:

- Vindex St;
- Werna St to Rec Grounds (Fraser Street) on south side of carriageway (two street blocks, approximately 430m length in total including pram ramps at each intersection)

CARRIED

Item 5: 2015 NDRRA Flood Damage – Gravel Tenders (North West)

Item 3: Australian Age of Dinosaur Slab Report

Declaration

of Interest: Cr Baskett made the following disclosure:
I inform the meeting that I may have a perceived Conflict of Interest (as defined in S173 (3(a)) of the *Local Government Act 2009*), in the matter of the 2015 NDRRA Flood Damage – Gravel Tenders (North West) to be discussed and decided today at this meeting, due to my son's previous part time employment with an owner of an existing quarry operation, whose quarry business will likely be impacted by Council's decision with respect to this Development Application; and
My occasional previous part time contract work (as a cattle truck driver) for the same quarry business owner.

Cr Baskett continued with his statement, declaring that:
I determined that this Personal Interest is not of sufficient significance that it would lead me to making a decision on this matter that is contrary to the public interest. I will best perform my responsibility of serving overall interest of the whole of the Winton Shire area by participating in the discussion and voting on this development application.

Declaration of

Interest: Cr Lenton declared a Material Personal Interest under S 172 (2) (c) of the *Local Government Act 2009*, in the matter of the 2015 NDRRA Flood Damage – Gravel Tenders (North West). Cr Lenton left the meeting at 2.12pm.

Assumption of

the Chair: Cr S Mann assumed the Chair at 2.13pm.

Closed

Meeting: Moved Cr S Mann
That Council close the meeting to the public under Section 275(1)(h) of the *Local Government Regulation 2012*, to discuss business for which a public discussion would be likely to prejudice the interest of the local government or someone else.

CARRIED

Closed

Meeting: Moved Cr S Mann
That Council move into Closed Meeting at 2.13pm.

CARRIED

Attendance: Cr Lenton returned to the meeting at 2.52pm and resumed the Chair.

Declaration of

Interest: Cr J Mann declared a perceived Conflict of Interest as defined in Section 173 (2(b)) of the *Local Government Act 2009*, in the matter of AAoD Slab Report and left the meeting at 2.53pm.

Attendance: Cr J Mann returned to the meeting at 3.45pm.

**Out of
Closed**

Meeting: Moved Cr Baskett
That Council move out of Closed Meeting at 3.47pm.

Seconded Cr Sale

CARRIED

Item 5: 2015 NDRRA Flood Damage – Gravel Tenders (North West)

**WSC 16-108 AND 16-110 for 2015 NDRRA Restoration
Flood Damage Program – North West Gravel Tenders**

03.02.17 Moved Cr Baskett Seconded Cr Sale

That Council award the following tenders:

- WSC 16-108 - Grants Livestock for the value of \$527,589.12 (gst inc)
- WSC 16-110 - Mitchell Earthmoving for the value of \$323,091.12 (gst inc).

CARRIED

**WSC 16-109 and WSC 16-111 for 2015 NDRRA Restoration
Flood Damage Program – North West Gravel Tenders**

04.02.17 Moved Cr S Mann Seconded Cr J Mann

That the matter of North West Gravel Tenders WSC 16-109 and WSC 16-111 be deferred for further consideration at the Council meeting to be held 23rd February 2017.

CARRIED

Item 3: Australian Age of Dinosaur Slab Report

Summary: *This report summarises the investigation of the concrete slabs on Dinosaur Drive that were constructed by Stockham Building Services (SBS) for the Winton Shire Council. The report assesses both:*

- *Due process as per the contract; and*
- *The structural implications of the change to the concrete reinforcing.*

05.02.17 Moved Cr S Mann Seconded Cr Sale

It is recommended that Council:

- a) Accept the base slabs and aprons for culvert Bays 1 and 3;
- b) Enforce SBS to obtain structural certification for concrete base slabs 1 and 3 from Steve McKenzie (SMCE)
- c) That the cost of the rectification works, estimated at \$44,798.49, identified by the DOW be shared equally between SBS and Winton Shire Council.

CARRIED

Cr Baskett voted against the motion. The vote is 3/1. The recommendation stands.

Closure: The meeting closed at 3.53pm.

Confirmation:

Confirmed before me this 23rd February 2017.

Signed

Cr GT Lenton