



MINUTES

**Ordinary Council Meeting
Friday, 17 July 2020**

14 July	Meeting	Attorney General, Yvette D'Ath & Local MP, Lachlan Miller	Willie Marr Estate
14 July	Meeting	Senior Policy Advisor – Angus Sutherland	Wild Dog Fencing
14 July	Meeting	LGAQ, Staff	Drought and BNP Fence information
15 July	Meeting	National Drought and North Queensland Flood Response and Recovery Agency Members	General Meeting
16 July	Meeting	Councillors, Staff, Members	Audit Committee Meeting

7 MAYOR'S BUSINESS TO BE CONSIDERED WITHOUT NOTICE

- Old toilets at the Recreation Ground need to be locked;
- Saleyards toilets are currently being used by tourists where they should only be available to users of the saleyards;
- His Excellency the Honourable Paul de Jersey, Governor of Queensland will visit Winton on 11 August 2020;
- A visit has been arranged for Councillors to Opalton on 8 August 2020;
- Council to engage with Rex Airlines and Transport Main Roads regarding air services to Winton.

8 QUESTIONS FOR WHICH NOTICE HAS BEEN GIVEN

Nil

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

Cr Gillies asked the following question to the Chief Executive Officer:

1. Is Winton Shire Council compliant with Queensland Health infection prevention and control guidelines for the management of COVID-19?

10 PETITIONS

Nil

11 DEPUTATIONS/PRESENTATIONS

- Ms Deanna Cartledge – Senior Solicitor from Marrawah Law presented an update on the Koa People Native Title Claim.
- Ms Candice Crawford and Ms Annette Saleta from the Royal Flying Doctor Service presented on dental service options for Winton.

12 CONSIDERATION OF MOTIONS

1. Cr S Gillies lodged the following Notice of Motion:

THAT Winton Shire Council commit to the engagement and provision within the 2020-2021 budget deliberations of an independent consultant for the provision of advice, guidance and advocacy to the Winton Shire Council in all matters pertaining to Native Title Assessment for areas of land within both a 5km radius of the Winton Shire Council boundary and other significant areas identified for development.

20.07.03

Moved: Cr S Gillies
Seconded: Cr A Seymour

THAT this matter lay on the table until after the presentation from Ms Deanna Cartledge regarding the update on the Koa People Native Title Claim.

CARRIED 6-0

Following the presentation from Ms Deanna Cartledge, it was determined this Notice of Motion be withdrawn.

2. Cr Tina Elliot lodged the following Notice of Motion:**20.07.04**

Moved: Cr T Elliott
Seconded: Cr S Mann

THAT Winton Shire Council develop a program that will progress and deliver Points of Interest within the smaller rural communities of the Winton Shire.

CARRIED 6-0**3. Cr Anne Seymour lodged the following Notices of Motion:****20.07.05**

Moved: Cr A Seymour
Seconded: Cr C White

THAT Winton Shire Council investigate installing vehicle counters on the shire roads.

CARRIED 6-0**20.07.06**

Moved: Cr A Seymour
Seconded: Cr S Mann

THAT Council undertake a review of the Town Planning Services.

CARRIED 6-0**20.07.07**

Moved: Cr A Seymour
Seconded: Cr T Elliott

THAT Councillors A Seymour, S Gillies, T Elliott and C White be appointed to the Winton Way Out West Fest Working Group.

CARRIED 6-0

20.07.08

Moved: Cr A Seymour
Seconded: Cr C White

THAT Winton Shire Council commit to the establishment of a Winton Sale Yards Advisory Committee.

CARRIED 6-0

13 Decisional Reports**13.1 REGIONAL ARTS DEVELOPMENT FUND COMMITTEE - MEMBERS****SUMMARY**

This report provides the outcome from the recent call for an additional two members for the Regional Arts Development Fund Committee.

20.07.09

Moved: Cr T Elliott
Seconded: Cr C White

1. THAT the report be received.

CARRIED 6-0

20.07.10

Moved: Cr S Mann
Seconded: Cr C White

2. THAT the Terms of Reference for the Regional Arts Development Fund (RADF) Advisory Committee be amended to include 7 community members.

CARRIED 6-0

20.07.11

Moved: Cr T Elliott
Seconded: Cr S Gillies

3. THAT Council appoint Miss Karen Stephens, Mrs Judy Sale and Mrs Alexandra Sorensen as members of the Regional Arts Development Fund Committee.

CARRIED 6-0

13.2 GRANTING OF SPECIAL HOLIDAYS FOR 2021**SUMMARY**

The Holiday's Act 1983 provides for the granting and observance of special holidays which includes show days. Each year, Councils are requested to nominate special and show holidays for the following year.

The Office of Industrial Relations has written to Council providing the opportunity for special holidays to be nominated in 2021.

20.07.12

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the report be received.

CARRIED 6-0

20.07.13

Moved: Cr S Mann

Seconded: Cr T Elliott

2. THAT Council nominates a Special Holiday to be held on 2 November 2021 for the purpose of the Melbourne Cup.

CARRIED 6-0

13.3 QUEENSLAND BOULDER OPAL ASSOCIATION INC. - WINTON OPAL FESTIVAL 26-27 SEPTEMBER 2020**SUMMARY**

This report requests Council approval for the Winton Opal Festival to be held on the weekend of 26-27 September 2020. The QBOA is also seeking a funding contribution of \$2,000 from Council's community grants to assist in promoting the event.

20.07.14

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the report be received.

CARRIED 6-0

20.07.15

Moved: Cr S Mann

Seconded: Cr C White

2. THAT Council approve the QBOA Winton Opal Festival being held on the weekend of 26-27 September 2020 with a contribution of \$2,000 being allocated from the community grants budget to assist in promoting the event.

CARRIED 6-0

13.4 WINTON SHIRE COUNCIL PLANNING SCHEME - AMENDMENT**SUMMARY**

The purpose of this report is to seek Council's approval to approve an administrative amendment to the *Winton Shire Council Planning Scheme* which came into effect on 2 March 2020.

20.07.16

Moved: Cr S Mann

Seconded: Cr T Elliott

1. THAT the report be received;

CARRIED 6-0

20.07.17

Moved: Cr S Gillies

Seconded: Cr S Mann

2. THAT Council prepare the proposed Administrative Amendment No. 1 in accordance with the *Minister's Guidelines and Rules* under the *Planning Act 2016 (July 2017)*, chapter 2, part 1, section 2.1.

CARRIED 6-0

20.07.18

Moved: Cr S Gillies

Seconded: Cr T Elliott

3. THAT Council decide to adopt the proposed Administrative Amendment No.1 in accordance with the *Minister's Guidelines and Rules* under the *Planning Act 2016 (July 2017)*, chapter 2, part 1, section 3.1.

CARRIED 6-0

20.07.19

Moved: Cr S Mann

Seconded: Cr C White

4. THAT Council publish a notice in accordance with the requirements prescribed in the *Minister's Guidelines and Rules* under the *Planning Act 2016 (July 2017)*, chapter 2, part 1, section 3.2.

CARRIED 6-0

20.07.20

Moved: Cr T Elliott

Seconded: Cr S Mann

5. THAT Council give the chief executive a copy of the public notice and a certified copy of the administrative amendment in accordance with the *Minister's Guidelines and Rules* under the *Planning Act 2016 (July 2017)*, chapter 2, part 1, section 3.3.

CARRIED 6-0

13.5 RAPAD MONTHLY REPORT**SUMMARY**

This report provides the draft minutes of the Central West Queensland Remote Area Planning & Development Board (RAPAD) Meeting held on 3 July 2020 and the draft Communique prepared following this meeting.

20.07.21

Moved: Cr C White

Seconded: Cr S Mann

1. THAT the report be received.

CARRIED 6-0

20.07.22

Moved: Cr T Elliott

Seconded: Cr S Mann

2. THAT the draft minutes from the meeting held on 3 July 2020 including the Communique, be received and noted.

CARRIED 6-0

13.6 OUTBACK HIGHWAY DEVELOPMENT COUNCIL MINUTES**SUMMARY**

This report provides the Minutes of the Outback Highway Development Council Inc. General Meeting held on 19 June 2020.

20.07.23

Moved: Cr S Mann

Seconded: Cr S Gillies

1. THAT the report be received.

CARRIED 6-0

20.07.24

Moved: Cr S Mann

Seconded: Cr A Seymour

2. THAT the Minutes of the Outback Highway Development Council Inc. General Meeting held on 19 June 2020 be received and noted.

CARRIED 6-0

13.7 2020 INTERIM AUDIT REPORT

SUMMARY

This report presents the interim audit provided by the Queensland Audit Office for the financial year ending 30 June 2020 following attendance at the Winton Shire Council by Council's auditors, Crowe Horwath. This audit report provides an assessment of our internal control framework, a summary of internal control deficiencies, financial reporting considerations and other matters.

This Interim Audit Report will also be presented to Council's Audit Committee for consideration. Pursuant to section 213 of the *Local Government Regulation 2012*, a copy of this Report must be presented to Council's next Ordinary Meeting.

20.07.25

Moved: Cr S Gillies

Seconded: Cr S Mann

1. THAT the report be received.

CARRIED 6-0

20.07.26

Moved: Cr G Basket

Seconded: Cr S Mann

2. THAT the '2020 Interim Report to the Mayor' dated 25 June 2020 and provided by the Queensland Audit Office be received and noted.

CARRIED 6-0

13.8 ADMINISTRATIVE ACTION COMPLAINT MANAGEMENT POLICY - UPDATE

SUMMARY

This report requests Council to adopt an amended '**Administrative Action Complaints Management Policy**' as provided for pursuant to section 268 of the *Local Government Act 2009* and section 306 of the *Local Government Regulation 2012*. This policy requires amendment based on information provided by the Queensland Ombudsman and the *Human Rights Act 2019* enacted on 1 January 2020.

20.07.27

Moved: Cr T Elliott

Seconded: Cr S Mann

1. THAT the report be received.

CARRIED 6-0

20.07.28

Moved: Cr S Mann

Seconded: Cr S Gillies

2. THAT Council adopt the amended Administrative Action Complaints Management Policy.

CARRIED 6-0

ADJOURNMENT: The meeting adjourned for morning tea at 10.05am and returned at 10.32am with all in attendance.

20.07.29

Moved: Cr Sandy Gillies

Seconded: Cr Cathy White

That Council change of order of the meeting.

CARRIED 6-0

13.17 KOA PEOPLE NATIVE TITLE CLAIM - UPDATE**SUMMARY**

This report provides a brief background to the Koa People claim and an update on developments over the last six months. In addition, a summary of the native title landscape in each local government area is provided.

20.07.30

Moved: Cr T Elliott

Seconded: Cr S Gillies

1. THAT the report be received.

CARRIED 6-0

ATTENDANCE: Ms Deanna Cartledge, Senior Solicitor, Marrawah Law attended at 10.38am to discuss Item 13.17 Koa People Native Title Claim – Update and departed at 11.19am.

20.07.31

Moved: Cr S Gillies

Seconded: Cr T Elliott

2. THAT the update report provided by Deanna Cartledge from Marrawah Law Pty Ltd on the Koa People Native Title Claim, be received and noted.

CARRIED 6-0

13.9 AUSTRALIAN AGE OF DINOSAURS MUSEUM - PROPOSED WATER PIPELINE**SUMMARY**

This report seeks Council approval for The Australian Age of Dinosaurs Museum of Natural History to be provided with a potable water supply from Winton to the Museum. Council has previously provided in-principle support for the Museum to access potable water and to allow the water pipeline to be located on Council land.

ATTENDANCE: Charles Dyer, Asset Manager and Merv Sale, Water and Sewerage Manager attended the meeting at 12.10pm to discuss Item 13.9 Australian Age of Dinosaurs Museum – Proposed Water Pipeline and departed at 12.50pm.

20.07.32

Moved: Cr T Elliott
Seconded: Cr C White

1. THAT the report be received.

CARRIED 6-0**20.07.33**

Moved: Cr T Elliott
Seconded: Cr S Mann

1. THAT Report 13.9 Australian Age of Dinosaurs Museum – Proposed Water Pipeline be laid on the table to enable further information to be provided by Mr David Elliott.

CARRIED 6-0**CONFLICT OF INTEREST:**

Cr Shane Mann declared an interest in this matter.

“ I declare that I have a conflict of interest in the matter of Development Application – CD & LM Holm (as defined by *section 175D of the Local Government Act 2009*) as I am a relative of the applicant.

I will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.”

DEPARTURE: Cr S Mann departed the chamber at 12.54pm.

13.10 DEVELOPMENT APPLICATION - CD & LM HOLM**SUMMARY**

This application seeks an approval for a Development Permit for a Material Change in Use for “Transport Depot” situated at Lot 13 of AE 163, Warnambool Court, Winton.

CHTP File Ref: 441_WIN168

20.07.34

Moved: Cr T Elliott
Seconded: Cr C White

1. THAT the report be received;

CARRIED 5-0**20.07.35**

Moved: Cr C White
Seconded: Cr T Elliott

2. THAT the Development Application submitted by CD & LM Holm be approved subject to the reasonable and relevant planning conditions as set out in Attachment A of the Town Planning Assessment Report prepared by Campbell Higginson Town Planning and which reflect and accord generally with the application as made as amended.

CARRIED 5-0

ATTENDANCE: Cr S Mann returned to the chamber at 1.03pm.

13.11 COUNCIL BUILDING ASSETS - MAINTENANCE PROGRAM - UPDATE**SUMMARY**

This report presents information on the maintenance programs which are currently being used by staff to manage Council owned structural assets. This information was requested following a Council decision made at the meeting held on 21 May 2020.

20.07.36

Moved: Cr S Mann

Seconded: Cr T Elliott

1. THAT the report be received.

CARRIED 6-0

ADJOURNMENT: The meeting adjourned at 1.29pm for lunch and returned at 2.01pm with Mr David Elliott in attendance via teleconference.

13.9 AUSTRALIAN AGE OF DINOSAURS MUSEUM - PROPOSED WATER PIPELINE**20.07.37**

Moved: Cr T Elliott

Seconded: Cr C White

1. THAT Report No. 13.9 Australian Age of Dinosaurs Museum – Proposed Water Pipeline be retrieved from the table.

CARRIED 6-0

20.07.38

Moved: Cr S Mann

Seconded: Cr T Elliott

2. THAT Council approves the request from the Australian Age of Dinosaurs Museum of Natural History to access potable water from a connection point in Winton and to allow the water pipeline to be located on Council controlled land subject to a detailed plan of the pipeline and infrastructure being provided.

CARRIED 6-0

20.07.39

Moved: Cr S Mann

Seconded: Cr C White

3. THAT water supply charges be levied in accordance with the Fees and Charges Schedule.

CARRIED 6-0

20.07.40

Moved: Cr S Gillies

Seconded: Cr T Elliott

4. THAT all works on Council controlled land are to be carried out to the full satisfaction of Council staff and any relevant regulations.

CARRIED 6-0

20.07.41

Moved: Cr S Gillies

Seconded: Cr T Elliott

5. THAT Winton Shire Council enter into a water supply agreement with the Australian Age of Dinosaurs prior to the supply of water.

CARRIED 6-0**13.12 OUTCOMES AGAINST THE 2019/2020 OPERATIONAL PLAN - FOURTH QUARTER****SUMMARY**

This report presents the fourth quarterly report on the outcomes delivered against the Operational Plan for the year ended 30 June 2020.

20.07.42

Moved: Cr S Mann

Seconded: Cr S Gillies

1. THAT the report be received.

CARRIED 6-0**20.07.43**

Moved: Cr T Elliott

Seconded: Cr A Seymour

2. THAT the fourth quarterly report on outcomes delivered against the Operational Plan for the year ended 30 June 2020 be received.

CARRIED 6-0**13.13 DELEGATIONS TO THE CHIEF EXECUTIVE OFFICER****SUMMARY**

Pursuant to Section 257 (1)(b) of the *Local Government Act 2009*, "A local government may, by resolution, delegate a power under this Act or another Act to the Chief Executive Officer. Further, Section 257 (4) requires a delegation to the Chief Executive Officer under subsection 1 to be reviewed annually by the local government.

This report seeks Council endorsement to review the existing delegations and grant new delegations to the Chief Executive Officer pursuant to the *Planning Act 2016* and the *Planning Regulation 2017*.

20.07.44

Moved: Cr C White

Seconded: Cr S Gillies

1. THAT the report be received;

CARRIED 6-0

20.07.45

Moved: Cr T Elliott
Seconded: Cr S Mann

2. THAT all powers referred to in the document "Register of Delegations to the Chief Executive Officer" attached to this report are hereby delegated by Council to the Chief Executive Officer of Council pursuant to Section 257 of the *Local Government Act 2009*.

CARRIED 6-0

20.07.46

Moved: Cr G Baskett
Seconded: Cr T Elliott

THAT all Development Approvals are reported to Council on a monthly basis.

CARRIED 6-0

13.14 REVIEW OF THE NAMING OF 'NESBITT STREET'**SUMMARY**

At the Council Meeting held on 23 April 2020, Council ratified '**Nesbitt Street**' as being the correct spelling in accordance with the Urban Addressing Standards. This decision was made based on the information which was available to Council at that time. At the Council Meeting held on 18 June 2020, a decision was carried for Council to revisit the resolution for the naming of Nesbitt Street.

This report presents all available information to assist Council in reviewing this decision.

20.07.47

Moved: Cr T Elliott
Seconded: Cr A Seymour

1. THAT the report be received.

CARRIED 6-0

13.15 WALTZING MATILDA CENTRE FINANCIAL STATEMENT FOR THE JUNE 2020 QUARTER**SUMMARY**

Attached to this report is a high-level summary of the income and expenditure incurred from the operations of the Waltzing Matilda Centre for the period 1 July 2019 – 30 June 2020. This statement does not consider any accruals of expenditure which will be processed during July 2020.

20.07.48

Moved: Cr S Mann
Seconded: Cr T Elliott

1. THAT the report be received.

CARRIED 6-0

20.07.49

Moved: Cr S Mann

Seconded: Cr S Gillies

2. THAT Council receive and note the income and expenditure report from the operations of the Waltzing Matilda Centre for the period 1 July 2019 – 30 June 2020.

CARRIED 6-0**13.16 ADVERTISING EXPENDITURE 2019-2020****SUMMARY**

This report provides a breakdown of all advertising expenditure for the 2019/2020 financial year as required by Council's Advertising Policy.

20.07.50

Moved: Cr S Gillies

Seconded: Cr S Mann

1. THAT the report be received.

CARRIED 6-0**20.07.51**

Moved: Cr A Seymour

Seconded: Cr S Mann

2. THAT the expenditure statement detailing all advertising costs incurred for the 2019/2020 financial year be received and noted.

CARRIED 6-0

ATTENDANCE: Ms Candice Crawford, State Manager Royal Flying Doctor Service and Ms Annette Saleta, Head of Dental Royal Flying Doctor Service, attended the meeting at 11.35am to discuss Dental Care in Winton and departed at 12.03pm.

LATE REPORT**1.1 DEVELOPMENT APPLICATION - M J AND J E SALE****SUMMARY**

This application seeks an approval for a Development Permit for Reconfiguring a Lot: Subdivision (one lot to two lots) situated at Lot 6 SP232661 66 Chirnside Street Winton.

CHTP File Ref: 441_WIN169

20.07.52

Moved: Cr S Mann

Seconded: Cr C White

1. THAT the late report be received;

CARRIED 6-0

20.07.53

Moved: Cr T Elliott
Seconded: Cr C White

2. THAT the Development Application submitted by MJ and JE Sale be approved subject to reasonable and relevant planning conditions, as set out in Attachment A, which reflect and accord generally with the application as made.

CARRIED 6-0

14 ADVISORY COMMITTEE MEETING REPORTS**14.1 MINUTES OF THE SHOWGROUND USERS COMMITTEE MEETING HELD ON 7 JULY 2020****20.07.54**

Moved: Cr T Elliott
Seconded: Cr S Mann

1. THAT the Minutes of the Showground Users Committee Meeting held on 7 July 2020 be received.

CARRIED 6-0

20.07.55

Moved: Cr T Elliott
Seconded: Cr S Mann

2. THAT the Terms of Reference for the Showground Users Advisory Committee be amended to reflect two year terms for the community member positions ending March 2022.

CARRIED 6-0

14.2 MINUTES OF THE RURAL LANDS COMMITTEE MEETING HELD ON 10 JULY 2020**20.07.56**

Moved: Cr C White
Seconded: Cr S Mann

1. THAT the Minutes of the Rural Lands Advisory Committee Meeting held on 10 July 2020 be received.

CARRIED 6-0

15 CORRESPONDENCE

Nil

16 LATE CORRESPONDENCE

Nil

17 OFFICERS REPORTS TO COUNCIL**17.1 COMMUNITY AND ECONOMIC DEVELOPMENT REPORT**

20.07.57

Moved: Cr S Mann

Seconded: Cr S Gillies

1. THAT the report be received.

CARRIED 6-0

17.2 DIRECTOR OF WORKS REPORT

20.07.58

Moved: Cr T Elliott

Seconded: Cr S Mann

1. THAT the report be received.

CARRIED 6-0

17.3 CHIEF EXECUTIVE OFFICERS REPORT

20.07.59

Moved: Cr S Mann

Seconded: Cr A Seymour

1. THAT the Financial Report be received.

CARRIED 6-0

DEPARTURE: Cr Gavin Baskett departed the Chambers at 4.30pm.

20.07.60

Moved: Cr Tina Elliott

Seconded: Cr Shane Mann

THAT the Chief Executive Officer's Report be received.

CARRIED 5-0

18 CONFIDENTIAL SECTION

Nil

19 DATE OF NEXT MEETING

Ordinary Meeting 20 August 2020

The Meeting closed at 4.32pm

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 20 August 2020.


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CHAIRPERSON

