MINUTES OF THE GENERAL MEETING OF THE WINTON SHIRE COUNCIL HELD IN THE BOARD ROOM, WINTON SHIRE COUNCIL, VINDEX STREET, WINTON ON THURSDAY 20th OCTOBER 2011, COMMENCING AT 8.20AM.

Present: Cr EL Warren (Mayor), Cr PS Mann, Cr DR Nichols, Cr JE Sale, Cr LA Fraser

Chief Executive Officer - J McHugh
Director of Corporate and Economic Development - A Rayment
Director of Works and Engineering - D Timms
Director of Environmental Health and Community Services - K Morgan
Minute Secretary - D Murphy

Item 1: Apologies
Nil

Item 2: Declaration of Pecuniary Interest and Conflict of Interest
Cr Sale declared a conflict of interest in item 3.09.

Item 3: Petitions
Nil

Item 4: Confirmation of Minutes

01.10.11 Moved Cr Mann Seconded Cr Sale
That the minutes of the General Meeting held on 15th September, 2011, Folio 15809 to Folio 15822 be confirmed.
CARRIED

Cr Fraser requested information about drilling within the road reserve at Corfield by Exoma Energy. The Mayor responded.

02.10.11 Moved Cr Nichols Seconded Cr Mann
That the minutes of the Tourism Strategy Implementation Committee Meeting, held 3rd October, 2011 be confirmed.
CARRIED

03.10.11 Moved Cr Nichols Seconded Cr Mann
That the minutes of the Shire Beautification and Cemetery Advisory Committee Meeting, held on 4th October, 2011 be confirmed.
CARRIED

Question was asked by the Mayor relating to the funds pertaining to the Estate of the late Willie Mar.

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03.1.10.11 Moved Cr Warren Seconded Cr Sale
That Council write to the local member Betty Kiernan MP, seeking assistance to release funds held by the Public Trustee from the Estate of the late Willie Mar to go towards the erection of a headstone on his grave at the cemetery and the Friends of Willie Mar Project.

CARRIED

Item 5: Mayor's Report

04.10.11 Moved Cr Mann Seconded Cr Nichols
That Council develop a policy position in relation to Leasehold Rents following which that position should be communicated to the State Government and the State Opposition.

CARRIED

04.1.10.11 Moved Cr Sale Seconded Cr Nichols
That Council support the idea of a Community Forum on Coal Seam Gas Extraction seeking the involvement of RAPAD as the coordinating group.

CARRIED

Item 6: Correspondence

1) Electoral Commission Queensland - 81/683
Advising that the Electoral Commission Queensland is responsible for the future conduct of local government elections and by-elections in Queensland, and also advising that the estimated cost for the forthcoming local government election in Winton will be $6,651.00.

05.10.11 Moved Cr Mann Seconded Cr Sale
That this Electoral Commission Queensland process for the coming Local Government Election be noted.

CARRIED

2) Winton State School - 340/973
Asking if Council is interested in continuing to support the Shire Council Bursary at speech night.

06.10.11 Moved Cr Mann Seconded Cr Sale
That Council provide a sum of $200 to support the Shire Council Bursary Award ($100 per student).

CARRIED

3) Department of Community Safety - 111/550
Writing in relation to the Queensland Floods Commission of Inquiry Interim Report and areas in which disaster management

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arrangements could be improved or strengthened and noting there are 65 Recommendations that are relevant to local government.

07.10.11 Moved Cr Sale Seconded Cr Nichols
That Council's Disaster Management Plan be updated to take account of the 65 Recommendations of the Queensland Flood Inquiry and that the All Hazards Information Management System (AHIMS) be incorporated when available.

CARRIED

4) Minister for Employment, Skills and Mining - 409/239
Advising Council of actions taken to address concerns raised by communities about the expansion of exploration in and around urban centres – Restricted Access applies to the urban area plus a two kilometre buffer from the border of the urban area.

08.10.11 Moved Cr Fraser Seconded Cr Mann
That Council advise the Minister for Employment, Skills and Mining that it wants its three (3) townships of Winton, Corfield and Middleton included in RA 384 – 2 km buffer around each township.

CARRIED

5) Remote Area Planning and Development Board - 287/438
Advising of forthcoming General and Annual General Meetings and advising that Council is entitled to nominate one representative to the Board of Directors.

09.10.11 Moved Cr Mann Seconded Cr Sale
That Council nominate the Mayor as its representative on the Remote Area Planning and Development Board for the next term of appointment.

CARRIED

6) Minister for Local Government - 81/682
Advising that the *Local Government Electoral Act 2011 (LGEA)* was passed by Parliament on 25th August 2011 and has now received Royal Assent.

10.10.11 Moved Cr Mann Seconded Cr Sale
That the correspondence be received and noted.

CARRIED

7) Department of Local Government and Planning - 24/685
Advising that Queensland Infrastructure Plan, which is currently being finalised, was launched on 12 July 2011 for consultation until 9 September 2011.

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11.10.11 Moved Cr Nichols Seconded Cr Mann
That the correspondence be received and noted.

CARRIED

8) Department of Environment and Resource Management - 313/73
Advising that funding has been allocated to Council for stock route projects.

12.10.11 Moved Cr Sale Seconded Cr Nichols
That the CEO completes the necessary application and prepares the project schedule.

CARRIED

9) Department of Environment and Resource Management - 21/279
Advising of formal written notification of withdrawal as a registered cultural heritage body.

13.10.11 Moved Cr Mann Seconded Cr Sale
That the correspondence be received and noted.

CARRIED

10) Queensland Reconstruction Authority - 111/552
Advising of release for consultation *Planning for stronger, more resilient floodplains* – Part 1 *Interim measures to support floodplain management in existing planning schemes.*

14.10.11 Moved Cr Sale Seconded Cr Nichols
That the correspondence be received and noted.

CARRIED

11) Longreach District Disaster Management Group - 60/223
Advising of the final DDMG meeting for 2011 to be held in Longreach and seeking the attendance of the Mayor and CEO at the Meeting set down for 30th November 2011.

15.10.11 Moved Cr Fraser Seconded Cr Nichols
That Council endorse the attendance of the Mayor, CEO and the Winton SES Coordinator or his Deputy at the Longreach DDMG Meeting on 30th November 2011.

CARRIED

12) Department of Transport and Main Roads - 111/547
Central West Region Transport Reconstruction Program – budget cap implications.

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16.10.11 Moved Cr Sale Seconded Cr Mann
That Council request the Director of Engineering to provide a report on the matter to the next Council meeting.

CARRIED

13) Minister for Local Government - 328/18
Regulation of swimming pools – advice from Paul Lucas MP, Minister for Local Government and Special Minister of State regarding some modifications to the implementation of the pool fencing laws that were advised in May 2011.

17.10.11 Moved Cr Fraser Seconded Cr Nichols
That the correspondence be received and noted.

CARRIED

14) Winton Shire Council Regional Arts Development Fund (RADF) Liaison Officer - 80/974
Requesting Council release RADF funds - $2,000.

18.10.11 Moved Cr Sale Seconded Cr Fraser
That Council approve the payment of the sum of $2000 for the RADF Committee.

CARRIED

15) Department of Communities - 412/798
Providing information to Council about "Support Link" – an e-referral to better enable police to refer vulnerable people to the community services sector.

19.10.11 Moved Cr Fraser Seconded Cr Nichols
That the correspondence be received and noted, and no action be taken due to the fact that there are low police referrals and that the Department be so advised.

CARRIED

Item 7: Officer's Reports

Chief Executive Officer's Report

1.1 Waltzing Matilda Centre Board – AGM 26th October 2011

20.10.11 Moved Cr Fraser Seconded Cr Mann
(i) That Council Nominate Cr Sale to fill the current vacancy on the Board; and
(ii) That the voting member for the AGM of the Waltzing Matilda

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Centre Board be represented by Cr Warren, Cr Sale and Cr Fraser.

CARRIED

1.2 Notice of Intention to Acquire Native Title Rights and Interests

21.10.11 Moved Cr Fraser Seconded Cr Sale
That Council include the Notice as part of its process in notifying its intention to acquire Native Title Rights and Interests.

CARRIED

1.3 Waltzing Matilda Centre Ltd – Management Team

22.10.11 Moved Cr Sale Seconded Cr Nichols
That the action taken to formalise these two contract positions be noted.

CARRIED

1.4 Bush Campsites Along the Landsborough Highway

23.10.11 Moved Cr Sale Seconded Cr Nichols
That Council does not support the concept of the establishment of bush camping sites and that RAPAD be so advised.

CARRIED

1.5 Lark Quarry – Safety Inspection

Adjournment: At this stage, the meeting adjourned for morning tea, the time being 10.08am and resumed at 10.38am with all still in attendance except DCEO.

Attendance: At this stage, DCEO Mr Alan Rayment attended the meeting, the time being 10.42am.

24.10.11 Moved Cr Fraser Seconded Cr Nichols
That Council:

(i) Close the Lark Quarry facility to the public until safety issues are resolved;
(ii) Engage suitably qualified firms immediately to provide a lasting solution to this structural problem;
(iii) Develop a short-term solution to again provide public access;
(iv) Approach the State Government for funding to cover the cost of the investigative work, building re-design and the more immediate work needed to allow the public access to the facility;

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(v) Endeavour to have the facility re-opened to the public at the earliest opportunity.

CARRIED

1.6 Land Sales – Hospital Estate – Stage 2 Lots 1 and 3

25.10.11 Moved Cr Sale Seconded Cr Mann

That Council

(i) Advise the applicants for Lot 3 that it has received two (2) offers and as such, will ask for both parties to place their best offer in a sealed envelope in Council's Tender Box on or before 12 noon, Friday 28th October 2011. The highest offer will be accepted by Council.

(ii) Authorise the CEO to accept the highest tender and execute the sale.

(iii) Accept the offer of K&M Sorensen for Lot 1 in the sum of $18,000.

CARRIED

Declaration of Interest: At this stage, Cr Sale declared her interest in the following matter, and left the meeting, the time being 11.15am.

1.7 Land Sales – Hospital Estate – Stage 3

26.10.11 Moved Cr Fraser Seconded Cr Mann

That Council approve the sale of Lot 6 in SP 232661 to Sale Superannuation Fund in the sum of $18,000.

CARRIED

Attendance: At this stage, Cr Sale returned to the meeting, the time being 11.17am.

1.8 Appointment of Acting Chief Executive Officer 17th September to 3 October 2011

27.10.11 Moved Cr Fraser Seconded Cr Nichols

That Council confirm the appointment of Alan Rayment as Acting Chief Executive Officer for the period from 17th September 2011 to 3rd October 2011.

CARRIED

1.9 Enterprise Bargaining – Appointment of Bargaining Committee Negotiating Team for EBA

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28.10.11 Moved Cr Nichols Seconded Cr Fraser
That Council appoint the Chief Executive Officer, the Deputy Chief Executive Officer, the Director of Engineering and the Human Resource Officer as Council's representatives on the EBA Negotiating Team.

CARRIED

1.10 Financial Position as at 30th September 2011

29.10.11 Moved Cr Sale Seconded Cr Fraser
That the Report be received and noted.

CARRIED

1.11 Audit – Interim Management Report (dated 16th October, 2011) (enclosure)

30.10.11 Moved Cr Mann Seconded Cr Nichols
That Council refer the matters raised by the Auditor that relate to the preparation of the Financial Statements to the accounting firm O'Regan and Partners, Mt Isa, for correction.

1.12 Winton Industrial Estate – Sale of Lot 4 Plan AE 162

31.10.11 Moved Cr Fraser Seconded Cr Sale
That Council accept the offer of A&S Grant, the highest of the two tenders received, in the sum of $20,500, and further, that the Chief Executive Officer be authorised to transact the sale.

CARRIED

Director of Corporate and Economic Development Report

2.01 Director of Corporate and Economic Development Report

32.10.11 Moved Cr Sale Seconded Cr Nichols
That the information contained in the report be received and noted.

CARRIED

2.02 Proposed Landscaping Project abutting Boulder Opal Motel

33.10.11 Moved Cr Mann Seconded Cr Nichols
That Council accept the offer of trees from the Lions Club and undertake as planned a low cost water wise landscaping project to the area of land to the eastern side of the Boulder Opal Motel bounded by the By-Pass road.

CARRIED

DRAFT

Director of Engineering Report

3.01 Water & Sewerage Services Report (Ref 13/15).

34.01.10.11 Moved Cr Mann Seconded Cr Nichols
That the Director of Engineering be instructed prepare a report on proposed water augmentation in view of future town planning development.

CARRIED

34.10.11 Moved Cr Fraser Seconded Cr Mann
That the report be received and noted.

CARRIED

3.02 Workshop Services Report (13/51).

35.10.11 Moved Cr Sale Seconded Cr Mann
That the report be received and noted.

CARRIED

3.03 Works Department Services Report (13/05).

36.10.11 Moved Cr Mann Seconded Cr Nichols
That the report be received and noted.

CARRIED

3.04 Corfield Bore – Capital Works (Ref 13/12).

37.01.10.11 Moved Cr Mann Seconded Cr Fraser
That the Director of Engineering be instructed to arrange for the intake fluming in the dam wall at Corfield to be removed and replaced with appropriate sized fluming if funds are available.

CARRIED

37.10.11 Moved Cr Sale Seconded Cr Nichols
That Council receive and note the information and request the Director of Engineering to undertake further investigations into whether the works on the bore are required to be undertaken in the short term.

CARRIED

3.05 Sewer Relining Project (Ref 13/22).

38.10.11 Moved Cr Mann Seconded Cr Fraser
That the information be received and noted.

CARRIED

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3.06 Aerodrome Taxiway and Apron Upgrade – Remote Aerodrome Safety Program (Ref 13/47).

39.10.11 Moved Cr Mann Seconded Cr Fraser
That the information be received and noted.

CARRIED

3.07 Plant Replacement Program (Ref 13/51).

40.10.11 Moved Cr Sale Seconded Cr Nichols
That the information be received and noted.

CARRIED

Tender For Sale (TFS 724-2011) Traymark Single Berth Work Caravan (Plant No.724)

41.10.11 Moved Cr Nichols Seconded Cr Mann
That Council sell the Traymark Caravan to Paul & Liarna Clarke for the amount of $2,045.45 (exc. GST), on the basis of their submitted tender being the highest and thus the most financially attractive to Council with respect to best practice asset disposal procedures.

CARRIED

3.08 Construction of Neighbourhood Centre (Ref 13/36).

42.10.11 Moved Cr Mann Seconded Cr Sale
That the information be received and noted.

CARRIED

3.09 Construction of culvert crossovers at the rear of the Waltzing Matilda Centre and Winton West Hydraulics (Ref 13/05).

Departure: At this stage, Cr Sale left the meeting due to her conflict of interest (already declared) in the following matter.

43.10.11 Moved Cr Mann Seconded Cr Fraser
(i) That Council award the construction of the culvert crossovers to Sale Enterprises Pty Ltd for the amount of $19,120.00 (exc. GST), on the basis of their submitted quote being the lowest priced conforming quote, thus representing the best value for money; and

(ii) That Council fund the works by transferring the capital works allocation ($25,000.00) for the construction of 60 metres of kerb and channel in Riley Street (at the rear of the Tatts Hotel) and that this project be deferred to the 2012/13 budget for consideration.

CARRIED

DRAFT

3.10 Chirnside Street Estate Stage 3 – Sewerage Pump Station and Sewerage Mains (Ref 13/21).

44.10.11 Moved Cr Fraser Seconded Cr Mann
That Council ratify the decision of the Chief Executive Officer in approving the review of the Tender Documentation for the Chirnside Street Sewerage Pump Station and Mains project.

CARRIED

3.11 Winton Bowls Club Inc – assistance provided regarding rectification of artificial green (Ref P/W).

45.10.11 Moved Cr Nichols Seconded Cr Mann
That the information be received and noted.

CARRIED

3.12 270/99D/4 Department of Transport and Main Roads Contract Project - Bitumen and Aggregate Quotes (Ref 13/60).

46.10.11 Moved Cr Fraser Seconded Cr Nichols
That Council ratify the decision of the Acting Chief Executive Officer in approving the quotes for the bitumen on the basis that the recommendation provided to him reflected the lowest priced conforming quote.

CARRIED

47.10.11 Moved Cr Nichols Seconded Cr Mann
That Council ratify the decision of the Acting Chief Executive Officer in approving the purchase of the 14mm precoated aggregate on the basis that the Recommendation provided to him reflected the lowest priced conforming quote.

CARRIED

Adjournment: The meeting adjourned for lunch at this stage, the time being 12.59pm, and resumed at all in attendance except Cr Nichols.

Director of Environmental Health and Community Services

4.01 Home and Community Care

48.10.11 Moved Cr Mann Seconded Cr Fraser
That the information be received and noted.

CARRIED

DRAFT

4.02 Community & Individual Support Program

49.10.11 Moved Cr Sale Seconded Cr Mann
That the information be received and noted.

CARRIED

4.03 Community Service Program Update

50.10.11 Moved Cr Mann Seconded Cr Fraser
That the information be received and noted.

CARRIED

4.04 Youth Development Program

Attendance: At this stage, Cr DR Nichols attended the meeting, the time being 2.13pm.

51.10.11 Moved Cr Fraser Seconded Cr Mann
That the information be received and noted.

CARRIED

4.06 Waste Accumulation

52.10.11 Moved Cr Sale Seconded Cr Nichols
(i) That Council forgo issuing an environmental compliance order and manage the public health risk when relevant;
(ii) That Council erect a sign at the Waste Depot advising the maximum penalty for the removal of waste without authority from the Waste Depot;
(iii) That the Environmental Health Officer investigate environmental compliance with respect to the removal of waste from the Waste Depot;
(iv) That Council place a notice in the Winton Herald advising the community of the penalties associated with removing waste from the Waste Depot without authority.

CARRIED

4.07 Overgrown Allotment Inspections

53.10.11 Moved Cr Sale Seconded Cr Nichols
That the information be received and noted.

CARRIED

4.08 Environmental Health Compliance Inspections

54.10.11 Moved Cr Fraser Seconded Cr Mann
That the information be received and noted.

CARRIED

DRAFT

Item 8: General Business

Cr Fraser asked about occupancy of Pelican Waterhole Units.

The DCEO advised he is bringing forward a policy to the next Council meeting with respect to aged care accommodation in Winton.

Cr Fraser asked a question regarding the stock route watering facility at the Rocky Tank trough. The CEO to refer this matter to the Stock Route Supervisor.

Cr Nichols advised of good outcome with respect to Census collection.

Cr Nichols requested that a new sign be erected showing the direction to Dagworth Cemetery. This matter be referred to the Director of Engineering for investigation.

Cr Sale raised concerns regarding noxious plants adjacent to the railway yard and sought review of the situation.

Cr Warren raised concerns regarding noxious plants surrounding the old cooling ponds. The CEO to organise an inspection and report to Council.

Cr Sale enquired about revised building fees and charges. The CEO to bring to Council for review at the November Council meeting, the schedule of Fees and Charges.

The CEO updated Council with respect to the implementation of the proposed new business system. The CEO to report to the November Council meeting.

Item 9: Confidential Session

55.10.11 Moved Cr Nichols Seconded Cr Mann

(i) That Council resolve to move into confidential session to consider the matter of the appointment of the new Chief Executive Officer on the grounds of the matter being a personnel issue and commercial in-confidence deliberations, the time being 3.50pm; and

(ii) That the present CEO John McHugh be invited to remain in attendance.

CARRIED

DRAFT

56.10.11 Moved Cr Fraser Seconded Cr Nichols
That Council move out of confidential session, the time being 4.35pm.

CARRIED

57.10.11 Moved Cr Nichols Seconded Cr Mann
That Council call for interview for the position of Chief Executive Officer, the following candidates, namely:
Tom Upton
Sharon Frank
David Wiskar
Alan Rayment

CARRIED

Item 10: Date of Next Meeting

November Ordinary Meeting	-	17th November, 2011
December Ordinary Meeting	-	15th December, 2011

Closure: The meeting closed at 4.42pm.

Confirmation: Confirmed before me this 17th November, 2011

Signed …….
Cr EL Warren
MAYOR

DRAFT