



CONFIRMED MINUTES

**GENERAL MEETING OF
BARCOO SHIRE COUNCIL
HELD WEDNESDAY
15 MAY 2013
COMMUNITY CENTRE
WINDORAH**

Handwritten initials

DRAFT

BARCOO SHIRE COUNCIL
CONFIRMED MINUTES OF THE GENERAL MEETING
HELD AT THE COMMUNITY CENTRE WINDORAH
ON WEDNESDAY, 15 MAY 2013
COMMENCING AT 9.15AM

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1. OPENING

The Mayor welcomed all in attendance and opened the meeting at 9.15 am.

2. ATTENDANCE

- ATTENDANCE:** Cr Julie Groves, Mayor
Cr Michael Pratt, Deputy Mayor
Cr Ian Groves
Cr Craig Lasker
- OFFICER'S PRESENT:** Mr Bob O'Brien, Chief Executive Officer
Ms Bronwyn Beck, Minutes Clerk
Mr David Charlton, Corporate Services Manager
- GUESTS:** Liam Byrnes, Student from the Queensland University.

3. APOLOGIES

Resolution No.: 2013.05.01

That apology from Cr P Batt is accepted and leave of absence be granted.

MOVED: Cr Groves

SECONDED: Cr Pratt

CARRIED 4/0

4. CONDOLENCES & BIRTHS

- The Council expresses sympathy to the family and friends of James and Carla Pidgeon, on the passing of Ross Geitz, father of Carla Geitz.
- Congratulations to Julie Barr and Chris Richards on the birth of their son, Cooper James Barr-Richards, born on 22 April 2013.

5. DECLARATION OF INTEREST

- Robert O'Brien declared an interest in the Shire Bursary Report.

6. CONSIDERATION OF NOTICE OF MOTION

- NIL

7. CONFIRMATION OF MEETING MINUTES

Resolution No.: 2013.05.02

That the Minutes of the General Meeting held at Council Chambers, Jundah on Wednesday, 17 April 2013 be confirmed.

MOVED: Cr Groves

SECONDED: Cr Pratt

CARRIED 4/0

8. BUSINESS ARISING

- Local Laws - Need to be adopted.
- Council discussed the Jericho-Windorah Road at the previous meeting. A teleconference has been held since the previous meeting.

9. MEMBERS BUSINESS ARISING

Cr Lasker

- Nil

Cr Batt

- Nil

Cr I Groves

- Nil

Cr Pratt

- Trees on the Windorah Bypass.
- Beautification of Windorah.
- Arrange a meeting with Landholders re reinstatement Jundah Weir.

Cr J Groves

- Nil

09. CONSIDERATION OF CORPORATE SERVICES REPORTS

Resolution No.: 2013.05.03

That Council receive the following Financial Statements pursuant to and in accordance with Section 152 of the Local Government (Finance, Plans and Reporting) Regulation 2010 for the period ending 30 April 2013.

MOVED: Cr Groves

SECONDED: Cr Lasker

ATTENDANCE

David Charlton left the meeting at 10.20 am.

CARRIED 4/0

ADJOURMENT

The meeting adjourned for morning tea, time being 10.30 am.

The meeting resumed, the time being 11.15 am.

DEPUTATION

Attendance at 11.15 am.

LIAM BYRNES

Researcher from the Queensland University, Liam is doing research to develop a methodology to determine the viability of renewable energy for electricity generation in regional and remote Australia.

ATTENDANCE

Mr O'Brien left the meeting, time being 11.50 am.

Mr O'Brien returned to the meeting, time being 12.09 pm.

ATTENDANCE

Liam Byrnes left the meeting at 12.45 pm.

10. MAYOR'S REPORTS

Resolution No: 2013.05.04

That Council accepts the Mayor's Report.

MOVED: Cr Lasker

SECONDED: Cr Pratt

CARRIED 4/0



That Council endorses the Mayors attendances at the following events and meetings:

April

- 22 Western Fire Management Group Meeting – Longreach
- 22 Premier Newman's visit – Barcaldine
- 25 Anzac Day – Jundah & Stonehenge
- 29 RAPAD meeting – Windorah
- 30 WQLGA Annual Conference – Windorah

May

- 07 Regional Managers Co-coordinators Network Meeting – Longreach
- 10 The Queensland Plan – 30 Year Vision for Qld – Mackay

MOVED: Cr Pratt

SECONDED: Cr Lasker

CARRIED 4/0

ADJOURNMENT

The meeting adjourned for lunch, time being 1.05 pm.

The meeting returned, time being 2.00 pm.

11. CONSIDERATION OF WORKS AND SERVICES REPORTS

ATTENDANCE

Peter Pidgeon, Rural Lands Officer, entered the meeting at 2.00 pm.

Bill Pitman, Operational Works Manager, entered the meeting at 2.00 pm.

Resolution No.: 2013.05.05

That Council accepts the Works and Services Report.

MOVED: Cr Lasker

SECONDED: Cr Groves

CARRIED 4/0

Resolution No.: 2013.05.06

That Council purchase the Barcoo Shire Council Catering Van - Series 6 Food Van- from Work Vans Australia for a total price of \$64,625.00, including GST.

MOVED: Cr Groves

SECONDED: Cr Lasker

CARRIED 4/0

Resolution No.: 2013.05.07

That Council accepts the 'Environmental Policy Statement':

ENVIRONMENTAL POLICY STATEMENT

Barcoo Shire Council is committed to best practice in sustainable development and environmental protection. Council understands that the environment includes the interaction and relationship, sometimes referred to as symbiosis, between air, water, land, natural resources, flora, fauna and humans.

Council recognises that its activities may adversely impact on the environment and seeks to minimise those impacts and to prevent or reduce environmental nuisance or harm, while at the same time making a positive contribution towards community lifestyle and wellbeing.

Council will maintain environmental standards consistent with best practice and monitor changes and developments in technology, codes of practice and legislation. Council has incorporated sound environmental practices into its operational and strategic planning documents. An important component is the education and training of employees and subcontractors in their individual roles in pollution prevention and risk minimisation.

Specifically, Council will:

- Comply with environmental legislation, regulations, standards and codes of practice.
- Assess potential environmental impacts for all operations and monitor those activities for their potential to impact on the environment.
- Provide for the protection of air, water, land, natural resources, flora and fauna.
- Avoid the disturbance of known sites that are of or have archaeological, cultural, natural or scientific significance.
- Provide adequate training for employees to encourage personal responsibility for their actions to reduce environmental incidents.
- Liaise and communicate with employees, contractors, consultants and the community in the development of environmental strategies to maintain environmental programmes that are relevant, feasible, scientifically sound, economically viable and ecologically sustainable.

Council recognises the importance of sound environmental and ecologically sustainable practices that are effective and profitable and will therefore maintain an integrated approach to environmental management that will improve its operations.

.....
Robert O'Brien
CHIEF EXECUTIVE OFFICER

Date.....

MOVED: Cr Pratt

SECONDED: Cr Groves

CARRIED 4/0

Resolution No: 2013.05.08

That Council accepts the Work Place Health and Safety Report.

MOVED: Cr Groves

SECONDED: Cr Pratt

CARRIED 4/0

Resolution No: 2013.05.09

That Council accepts the Engineer's Report.

MOVED: Cr Pratt

SECONDED: Cr Groves

CARRIED 4/0

12. CONSIDERATION OF LAND AND ANIMAL MANAGEMENT REPORTS

Resolution No: 2013.05.10

Council accepts the Land and Animal Management Report.

MOVED: Cr Lasker

SECONDED: Cr Groves

CARRIED 4/0

Resolution No.: 2013.05.11

That Council accept the following application for Agistment:

- *K Maunsell – Horses*

Agistment Application received from K Griffiths was rejected, due to there being no formal application.

MOVED: Cr Groves

SECONDED: Cr Pratt

CARRIED 4/0

Resolution No: 2013.05.12

That the Chief Executive Officer address the inward correspondence from the Stonehenge Campdraft & Rodeo Association, with the following actions:

- *Locks for all external gates at the yard complex,*
- *Signage for the Campdraft and Rodeo grounds,*
- *Signage to have Peter Pidgeon's contact details,*
- *Advice to all Users of the conditions associated with the usage of the facilities,*
- *And that all damage to be repaired.*

MOVED: Cr Pratt

SECONDED: Cr Groves

CARRIED 4/0



ATTENDANCE

Mr O'Brien left the meeting at 3.06 pm.

Mr O'Brien returned to the meeting at 3.08 pm.

13. CONSIDERATION OF COMMUNITY AND DEVELOPMENT REPORTS

ATTENDANCE

Cr Groves left the meeting at 3.45 pm.

Cr Groves returned to the meeting at 3.47 pm.

Resolution No.: 2013.05.13

That Council accepts the recommendation for Local RADF committee.

MOVED: Cr Groves

SECONDED: Cr Pratt

CARRIED 4/0

ATTENDANCE

Bill Pitman left the meeting at 3.45 pm.

Peter Pidgeon left the meeting at 3.45 pm.

14. CONSIDERATION OF CHIEF EXECUTIVE OFFICER'S REPORT

Resolution No.: 2013.05.14

Council accepts the Chief Executive Officer's Report.

MOVED: Cr Groves

SECONDED: Cr Pratt

CARRIED 4/0

Resolution No.: 2013.05.15

That Council approve an exemption to keep up to 7 goats (and progeny) and 4 roosters on allotments 501 and 506 on plan J274, 1 Parish of Jundah for a period of twelve months ending 30th June, 2014 on the basis that it is for medical reasons and that all reasonable measures are taken to provide suitable shelter and that undue odours and noise are kept to an absolute minimum.

MOVED: Cr Pratt

SECONDED: Cr Lasker

CARRIED 4/0



Resolution No.: 2013.05.16

That the Windorah Development Board be advised that Council has significantly more important maintenance works identified for the centre and that Council is reluctant to contribute to the upgrade.

MOVED: Cr Groves

SECONDED: Cr Lasker

CARRIED 4/0

Resolution No.: 2013.05.17

Resolution No.1 Local Law Making Process.

For the purposes of section 29(1) of the Local Government Act 2009, the local government resolves to adopt a process for making each local law of Council as detailed below. The process applies unless the local government has begun, but not completed, its process for making a local law before the commencement of the Local Government and Other Legislation Amendment Act 2012.

The process—

- (a) applies to the making of—
 - (i) each local law that incorporates a model local law; and
 - (ii) each local law that is a subordinate local law; and
 - (iii) each other local law; but
- (b) does not apply to a local law that is an interim local law.

Making a local law that incorporates a model local law

The process (model local law making process) stated in this resolution must be used to make a local law that incorporates a model local law into the local laws of the local government.

- Step 1 — By resolution, propose to incorporate the model local law.
- Step 2 — If the model local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.
- Step 3 — If there is an existing local law about a matter in the model local law that would be inconsistent with the matter in the model local law—amend or repeal the existing local law so that there is no inconsistency.

- Step 4 — By resolution, incorporate the model local law.
- Step 5 — Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.
- Step 6 — As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.
- Step 7 — Within 14 days after the notice is published in the gazette, give the Minister—
- (a) a copy of the notice; and
 - (b) a copy of the local law in electronic form; and
 - (c) if the local law contains 1 or more anti-competitive provisions—
 - (i) advice of each anti-competitive provision; and
 - (ii) the reasons for their inclusion.
- Step 8 — Update the local government's register of its local laws.

Making an "other" local law

The process (other local law making process) stated in this resolution must be used to make a local law (a proposed local law) other than—

- (a) a model local law; or
- (b) an interim local law; or
- (c) a subordinate local law.

- Step 1 — By resolution, propose to make the proposed local law.
- Step 2 — Consult with relevant government entities about the overall State interest in the proposed local law.
- Step 3 — Consult with the public about the proposed local law for at least 21 days (the consultation period) by—
- (a) publishing a notice (a consultation notice) about the proposed local law at least once in a newspaper circulating generally in the local government's area; and
 - (b) displaying the consultation notice in a conspicuous place at the local government's public office from the first day of the consultation period until



- the end of the last day of the consultation period; and
- (c) making a copy of the proposed local law available for inspection at the local government's public office during the consultation period; and
- (d) making copies of the proposed local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following—

- (a) the name of the proposed local law; and
- (b) the purpose and general effect of the proposed local law; and
- (c) the length of the consultation period and the first and last days of the period; and
- (d) that written submissions by any person supporting or objecting to the proposed local law may be made and given to the local government on or before the last day of the consultation period stating—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds.

If the local government decides, by resolution, that the proposed local law only amends an existing local law to make an insubstantial change, the local government may proceed to step 6 without satisfying step 3 or step 5.

Step 4 — If the proposed local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 3, and this step 4, may be undertaken contemporaneously.

Step 5 — Accept and consider every submission properly made to the local government.

A submission is properly made to the local government if it —

- (a) is the written submission of any person about the proposed local law; and
- (b) states—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds; and
- (c) is given to the local government on or before the last day of the consultation period.



Step 6 By resolution, decide whether to—

- (a) proceed with the making of the proposed local law as advertised; or
- (b) proceed with the making of the proposed local law with amendments; or
- (c) make the proposed local law as advertised; or
- (d) make the proposed local law with amendments; or
- (e) not proceed with the making of the proposed local law.

If the local government resolves to proceed with the making of the proposed local law with amendments, and the amendments are substantial, the local government may again —

- (a) consult with the public at step 3; and
- (b) accept and consider every submission properly made to the local government at step 5.

For the avoidance of doubt, if an amendment changes an anti-competitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anti-competitive provisions for the amended anti-competitive provision.

Step 7 — Let the public know that the local law has been made, by publishing a notice of the making of the local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

Step 8 — As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.

Step 9 — Within 14 days after the notice is published in the gazette, give the Minister—

- (a) a copy of the notice; and
- (b) a copy of the local law in electronic form; and
- (c) if the local law contains 1 or more anti-competitive provisions—
 - (i) advice of each anti-competitive provision; and
 - (ii) the reasons for their inclusion.

Step 10— Update the local government's register of its local laws.



Making a subordinate local law

The process (subordinate local law making process) stated in this resolution must be used to make a subordinate local law (a proposed subordinate local law).

The local government may start the process for making a subordinate local law even though the process for making the local law (including a model local law) on which the subordinate local law is to be based (the proposed authorising law) has not finished.

The local government may use steps 1 to 5 of the subordinate local law making process (other than actually making the subordinate local law) before the proposed authorising law is made if—

- (a) in making the proposed authorising law, the local government has to satisfy—
 - (i) the model local law making process; or
 - (ii) the other local law making process; and
- (b) if the proposed authorising law is made under the other local law making process— the notice about the subordinate local law under step 2 of the subordinate local law making process is published no earlier than the notice about the proposed authorising law under step 3 of the other local law making process is published.

For the avoidance of doubt, a subordinate local law made by the local government using the process detailed in this resolution may provide for the local government to, from time to time, by resolution, reference or incorporate information.

For example, under the *Local Government Regulation 2012*—

- (a) the identification guidelines for the identification of anti-competitive provisions are a document made by the department and available for inspection on the department's website; and
- (b) the public interest test procedures are a document made by the department and available for inspection on the department's website.

Step 1 — By resolution, propose to make the proposed subordinate local law.

Step 2 — Consult with the public about the proposed subordinate local law for at least 21 days (the consultation period) by—

- (a) publishing a notice (also a consultation notice) about the proposed subordinate local law at least once in a newspaper circulating generally in the local government's area; and



- (b) displaying the consultation notice in a conspicuous place in the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
- (c) making a copy of the proposed subordinate local law available for inspection at the local government's public office during the consultation period; and
- (d) making copies of the proposed subordinate local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following—

- (a) the name of the proposed subordinate local law; and
- (b) the name of—
 - (i) the local law allowing the proposed subordinate local law to be made; or
 - (ii) if the local government has started the process for making a subordinate local law even though the process for making the proposed authorising law on which the subordinate local law is to be based has not finished — the proposed authorising law; and
- (c) the purpose and general effect of the proposed subordinate local law; and
- (d) the length of the consultation period and the first and last days of the period; and
- (e) that written submissions by any person supporting or objecting to the proposed subordinate local law may be made and given to the local government on or before the last day of the consultation period stating—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds.

If the local government decides, by resolution, that the proposed subordinate local law only amends an existing subordinate local law to make an insubstantial change, and the amendment does not affect an anti-competitive provision, the local government may proceed to step 5 without satisfying any of step 2 to step 4 inclusive.

Step 3 — If the proposed subordinate local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions. For avoidance of doubt, step 2, and this step 3, may be undertaken contemporaneously.



Step 4 — Accept and consider every submission properly made to the local government.

A submission is properly made to the local government if it—

- (a) is the written submission of any person about the proposed subordinate local law; and
- (b) states—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds; and
- (c) is given to the local government on or before the last day of the consultation period.

Step 5 — By resolution, decide whether to—

- (a) proceed with the making of the proposed subordinate local law as advertised; or
- (b) proceed with the making of the proposed subordinate local law with amendments; or
- (c) make the proposed subordinate local law as advertised; or
- (d) make the proposed subordinate local law with amendments; or
- (e) not proceed with the making of the proposed subordinate local law.

If the local government resolves to proceed with the making of the proposed subordinate local law with amendments, and the amendments are substantial, the local government may again —

- (a) consult with the public at step 2; and
- (b) accept and consider every submission properly made to the local government at step 4.

For the avoidance of doubt, if an amendment changes an anti-competitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anti-competitive provisions for the amended anti-competitive provision.

- Step 6 — Let the public know that the subordinate local law has been made, by publishing a notice of the making of the subordinate local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.
- Step 7 — As soon as practicable after the notice is published in the gazette, ensure that a copy of the subordinate local law may be inspected and purchased at the local government's public office.
- Step 8 — Within 14 days after the notice is published in the gazette, give the Minister—
- (a) a copy of the notice; and
 - (b) a copy of the subordinate local law in electronic form; and
 - (c) if the subordinate local law contains 1 or more anti-competitive provisions—
 - (i) advice of each anti-competitive provision; and
 - (ii) the reasons for their inclusion.
- Step 9 — Update the local government's register of its local laws.

MOVED: Cr Groves

SECONDED: Cr Pratt

CARRIED 4/0

Resolution No: 2013.05.18

Council resolves to propose to make

(a) Local Government Controlled Areas, Facilities and Roads (Amendment) Subordinate Local Law (No.1) 2013; and

(b) Subordinate Local Law No.1. 18 (Driving a Motor Vehicle or Motorbike on a Local Government Controlled Area) 2013

MOVED: Cr Pratt

SECONDED: Cr Lasker

CARRIED 4/0

ADJOURNMENT

The meeting adjourned for afternoon tea, time being 5.10 pm.

The meeting resumed, time being 5.26 pm.

Mr O'Brien declared an interest in the Shire Bursary.

ATTENDANCE

Mr O'Brien left the meeting at 5.29 pm.



Letter received from Ms Karly Scott regarding the Barcoo Shire Bursary.
Upon general discussion

Resolution No.: 2013.05.19

Council moved the following re-allocation of funding for the 2013 calendar year only.

- *Increased to \$4,000.00 from the original allocation of \$3,000.00 (Ms K Scott only).*
- *It is Council's intention to have all University's Bursary recipients receiving equal amounts, from the commencement of 2014 and onwards.*
-

MOVED: Cr Groves

SECONDED: Cr Lasker

Cr M Pratt recorded his vote against this motion

CARRIED 3/1

ATTENDANCE

Mr O'Brien returned to the meeting, time being 6.04 pm.

ATTENDANCE

Ms Bronwyn Beck, Minutes Clerk left the meeting at 6.06 pm.

MEETING CLOSED TO DISCUSS CONFIDENTIAL STAFF MATTERS

Resolution No.: 2013.05.20

Council moved to close the meeting to all general public at 6.06 pm.

MOVED: Cr Pratt

SECONDED: Cr Lasker

CARRIED 4/0

MEETING OPENED TO PUBLIC AT 6.12 PM

Resolution No.: 2013.05.21

Council moved to open the meeting to all general public at 6.12 pm.

MOVED: Cr Groves

SECONDED: Cr Lasker

CARRIED 4/0

Ms Bronwyn Beck returned to the meeting 6.12 pm.



ATTENDANCE

Ms Bronwyn Beck returned to the meeting 6.45 pm.

ATTENDANCE

Mr O'Brien left the meeting at 6.48 pm.

Resolution No.: 2013.05.26

That Council pay the membership and course costs for the Chief Executive to undertake an Australian Institute of Company Directors Course with the Officer to supply his own accommodation.

MOVED: Cr Pratt

SECONDED: Cr Groves

CARRIED 4/0

ATTENDANCE

Mr O'Brien returned to the meeting, time being 6.58 pm.

16. CONSIDERATION OF LATE REPORTS

Resolution No.: 2013.05.26

That Council accepts the late report, CWRPMG meeting and also accepts the request for 'Seed' funding for the CWRPMG to the value of \$15k/year for the next 3 years.

MOVED: Cr Pratt

SECONDED: Cr Lasker

CARRIED 4/0

RESOLUTION: 2013.05.27

That Council move to change the Council Meeting from 19th to the 26th of June 2013. Council meeting to include a housing meeting.

MOVED: Cr Pratt

SECONDED: Cr Lasker

CARRIED 4/0

18. CONCLUSION

There being no further business the Mayor declared the Meeting closed at 7.00pm.

These minutes were confirmed by Council at the General Meeting held on the Wednesday 26 June 2013.


MAYOR

24.9.71.2013
DATE

