

# Ordinary Meeting Agenda

## PUBLIC

To be held at McKinlay Shire Council, Boardroom  
29 Burke Street, Julia Creek, Queensland 4823

Tuesday 17<sup>th</sup> November 2020, 9:00am

Notice is hereby given that an Ordinary Meeting will be held at the Council Chambers,  
Civic Centre, Julia Creek on 17<sup>th</sup> November 2020 at 9:00am.

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## **1. OPENING BUSINESS**

All Councillors having signed the Attendance Book, the Mayor declared the meeting open.

## **2. ATTENDANCE**

Mayor: Cr. P Curr  
Members: Cr. J Fegan, Cr. S Royes, Cr. J Lynch, Cr. T Pratt

### Staff:

Chief Executive Officer, John Kelly  
Executive Assistant, Mrs. Grace Armstrong  
Rates and Debtors, Mrs. Katie Woods  
Director of Corporate and Community Services, Ms. Tenneil Cody  
Director of Engineering, Environment and Regulatory Services, Mr. Cameron Scott  
Environmental and Regulatory Services Team Leader, Ms. Megan Pellow

### Other people in attendance:

Shaun McCarthy – CEO - Multicom Resources Limited  
Christian Shaw - CFO Multicom Resources Limited  
Nathan Cammerman – Executive Director Multicom Resources Limited  
Jean-Marc (JM) Manning - Business Development Manager Multicom Resources Limited

### Apologies:

## **2.1 APPOINTMENT**

2.1.1 Multicom Resources Limited for an “Update on the St Elmo Vanadium Project”

## **3. DECLARATION OF CONFLICT OF INTEREST**

## **4. CONFIRMATION OF MINUTES**

That the Minutes of the October Ordinary Meeting on 20<sup>th</sup> October 2020 be confirmed.

That the Minutes of the November Special Meeting on 13<sup>th</sup> November 2020 be confirmed.



## **2.1 APPOINTMENT**

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**Multicom Resources Limited –**

**“Update on the St Elmo  
Vanadium Project”**



ABN 46 448 426 394

# McKINLAY SHIRE COUNCIL

CIVIC CENTRE, JULIA CREEK

Correspondence to be  
addressed to  
The Chief Executive Officer,  
P.O. Box 177,  
Julia Creek, Q. 4823  
TELEPHONE: (07) 4746 7166  
FAX: (07) 4746 7549  
EMAIL: [reception@mckinlay.qld.gov.au](mailto:reception@mckinlay.qld.gov.au)

23<sup>rd</sup> October 2020

Madeleine Verdich  
Principal, Communications and Engagement  
Epic Environmental  
PO Box 13058  
George Street  
Brisbane, Queensland 4003

[mverdich@epicenvironmental.com.au](mailto:mverdich@epicenvironmental.com.au)

Dear Madeleine

**Re: Saint Elmo Vanadium Project:  
Request for Multicom Resources Limited to present to Nov 17 Council Meeting**

Further to your email of 12<sup>th</sup> October 2020 and our subsequent discussions I advise that at a meeting of the Council held on Tuesday 20<sup>th</sup> October 2020, Council adopted the following resolution:

**Resolution No. 123/2021**

***“Council agree to the request from Epic Environmental on behalf of Multicom Resources Limited to present to the Council meeting on 17th November 2020 to provide a briefing and update.”***

**Moved Cr. T Pratt**

**Seconded Cr. J Fegan**

**CARRIED 5/0**

Subject to the timing of your arrival, I can arrange for you to be listed on the Council meeting agenda for 9.30 a.m. on Tuesday 17<sup>th</sup> November 2020 for a 30 minute presentation and Q & A session.

Please let me know who the participants will be and if you require to utilise the Hall or Supper Room for an afternoon Community information session and BBQ please also advise.

I am available for most of next week if you wish to call and discuss.

Yours faithfully



John Kelly  
Chief Executive Officer



# MCKINLAY SHIRE COUNCIL

***UNCONFIRMED MINUTES***

OF THE

***ORDINARY MEETING OF COUNCIL***

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

**20<sup>th</sup> October 2020**

## **ORDER OF BUSINESS**

1. Opening
2. Attendance

### **2.1 Appointment – QRA – Presentation of Mars Portal 9:30am**

- 2.1.1 Presentation - Mr Robert Da Fonseca

### **2.2 Appointment – Dirt n Dust Festival Committee 10:00am**

- 2.2.1 Meeting – Mr Stephen Malone, Margie Ryder, Brent Armstrong (Alliance Planning), Nicole Zimmerle (Alliance Planning), Casey Mitchell

3. Declaration of Conflict of Interest
4. Confirmation of Ordinary Meeting on 15<sup>th</sup> September 2020
- 4.1 Confirmation of Special Meeting on 13<sup>th</sup> October 2020
- 4.2 Business Arising out of minutes of previous Meeting

### **5. ENGINEERING REPORT**

- 5.1 Engineering Work Monthly Report
- 5.2 Report – Consent to Permanent Road Closure
- 5.3 Notice of Intention to Revoke Security Airport Status for Julia Creek Airport

### **6. ENVIRONMENTAL & REGULATORY SERVICES REPORT**

- 6.1 Environmental & Regulatory Services Monthly Report
- 6.2 Review of Restricted Animal Permits on Rural Residential Land
- 6.3 Permit to Occupy and Purchase Applications Lot 57

### **7. COMMUNITY SERVICES REPORT**

- 7.1 Community Services Monthly Report
- 7.2 Julia Creek Primary P&C Association – Donation Request
- 7.3 Regional Arts Development Fund – Quick Response Applications
- 7.4 Pet Policy Seniors Living Units 2020
- 7.5 Co-host Flood Summit 2020

### **8. CORPORATE SERVICES REPORT**

- 8.1 Corporate Services Report
- 8.2 Closing Audit Report 2020
- 8.3 LATE Report – 2020-2021 First Quarter Review

### **9. CHIEF EXECUTIVE OFFICERS REPORT**

- 9.1 CEO Report
- 9.2 LATE Report – CEO Report to October Meeting 2020

### **10. WORKPLACE HEALTH AND SAFETY**

- 10.1 Workplace Health and Safety Report

### **11. CLOSE**

**1. OPENING BUSINESS** ▲

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 9:01am.

**2. ATTENDANCE** ▲

**Mayor:** Cr. P Curr

**Members:** Cr. J Fegan, Cr. S Royes, Cr. J Lynch, Cr. T Pratt

**Staff:**

Chief Executive Officer, Mr. John Kelly

Executive Assistant, Mrs. Katie Woods

Director of Corporate & Community Services, Ms. Tenneil Cody

Director of Engineering, Environment and Regulatory Services, Mr. Cameron Scott

Environmental and Regulatory Services Team Leader, Ms. Megan Pellow

**Other people in attendance:**

Queensland Reconstruction Authority – Robert da Fonseca

Dirt n Dust Festival Committee – Stephen Malone, Casey Mitchell, Brent Armstrong (Alliance Planning), Nicole Zimmerle (Alliance Planning)

**Apologies:**

Margie Ryder – Dirt n Dust Festival Committee

**2.1 APPOINTMENT** ▲

**Attendance:** Robert da Fonseca – Queensland Reconstruction Authority entered the meeting room at 9:02am

Presentation of Mars Portal – Queensland Reconstruction Authority

Mr R da Fonseca explained and demonstrated to Council how the MARS portal worked and how it is used in assessing Council submissions for flood damage and for managing the claim process and acquittals. Council officers have access to the program and can monitor performance.

The Mayor extended Council's appreciation for his presentation and invited questions from Councillors.

**Attendance:** Robert da Fonseca – Queensland Reconstruction Authority left the meeting room at 9:43am

**2.2 APPOINTMENT** ▲

2.2.1 Meeting – Dirt n Dust Festival Committee – Mr Stephen Malone, Casey Mitchell, Brent Armstrong (Alliance Planning), Nicole Zimmerle (Alliance Planning) to attend the meeting at 10:00am. (See page 4)

**3. DECLARATION OF CONFLICT OF INTEREST** ▲**Cr. P Curr**

1. I 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 because a person who is a related party of mine has an interest in this matter reference item 6.3

## Particulars:

(i) Name of related party: Jennifer Heslin

(ii) The nature of my relationship with this related party is Jennifer is my sister

(iii) The nature of the related party's interests in this matter is that she stands to gain access to public land.

I propose to leave and stay away from the meeting while this matter is discussed and voted on.



#### 4. CONFIRMATION OF MINUTES ▲

Confirmation of Minutes of the Ordinary Meeting of Council held on 15<sup>th</sup> September 2020.

##### **RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on 15<sup>th</sup> September 2020 be confirmed.

##### **Resolution No. 103/2021**

The Minutes of the Ordinary Meeting of Council held on 15<sup>th</sup> September 2020 are confirmed.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

Confirmation of Minutes of the Special Meeting of Council held on 13<sup>th</sup> October 2020.

##### **RECOMMENDATION**

That the Minutes of the Special Meeting of Council held on 13<sup>th</sup> October 2020.

##### **Resolution No. 104/2021**

The Minutes of the Special Meeting of Council held on 13<sup>th</sup> October 2020.

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

#### 4.2 BUSINESS ARISING FROM PREVIOUS MINUTES ▲

Nil

#### 5. ENGINEERING SERVICES ▲

##### **5.1 Engineering Works Report**

This report outlines the general activities for the Engineering Department for the month of September 2020.

##### **RECOMMENDATION**

That Council receives the Engineering Services monthly report for September 2020.

##### **Resolution No. 105/2021**

That Council receives the Engineering Services monthly report for September 2020.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

**2.2 APPOINTMENT** ▲

2.2.1 Meeting – Dirt n Dust Festival Committee at 10:00am.

**Attendance:** Dirt n Dust Festival Committee Stephen Malone, Brent Armstrong, Nicole Zimmerle, Casey Mitchell, and Council Director of Corporate & Community Services, Tenneil Cody entered the meeting room at 10:03am.

**Welcome and Presentation**

Mayor Philip Curr thanked the Dirt n Dust Festival Committee representatives for their attendance and invited President Mr Stephen Malone to address the meeting.

**Attendance:** After questions from the floor and responses the Dirt n Dust Festival delegation left the meeting at 10.57a.m.

**Attendance:** Director of Corporate & Community Services, Tenneil Cody left the meeting room at 10:57am

**Attendance:** Environmental and Regulatory Services Team Leader, Ms. Megan Pellow entered the meeting.

**5.2 Consent for Application for permanent road closure made by Rita Crawford on road adjacent to the Julia Creek Villas currently known as Church Lane.**

Council have received the Statement in relation to an application under the Land Act 1994 over State Land- Part C application form from Rita Crawford who is seeking Council's consent as Road Manager to permanently close the road adjacent to the Julia Creek Villas currently known as Church Lane.

**RECOMMENDATION**

That Council offer no objection to the application by Rita Crawford for Permanent Road Closure over only that part of road adjacent to the Julia Creek Villas currently known as Church Lane to provide for their existing assets which encroach on to the road reserve as the balance of the road reserve is required to be kept open to allow access to current sewer line and the CEO complete Part C of the application.

**Resolution No. 106/2021**

That Council offer no objection to the application by Rita Crawford for Permanent Road Closure over only that part of road adjacent to the Julia Creek Villas currently known as Church Lane to provide for their existing assets which encroach on to the road reserve as the balance of the road reserve is required to be kept open to allow access to current sewer line and the CEO complete Part C of the application.

Moved Cr. J Lynch

Seconded Cr. P Curr

CARRIED 5/0

**5.3 Notice of Intention to Revoke Security Controlled Airport Status for Julia Creek Airport**

Council have received correspondence from the Department of Home Affairs regarding changes to Australia's aviation security framework, and security controlled status of Julia Creek Airport. New regulations come into effect on 19 December 2020 which gives effect to a new categorisation model to classify airports. It is the Department's intention to deregulate airports that do not meet the minimum threshold, i.e. have fewer than 15,000 annual departing passengers, and are not serviced by regular public transport, or open charter aircraft, with seating capacity of more than 40 seats. The Department intends to revoke Julia Creek Airport's security controlled status as it does not meet the minimum threshold for inclusion in the new airport categorisation model.

Regional Express (REX) wrote to Council requesting that Council apply under the new guidelines to be considered a Tier 3 airport thereby ensuring that current security measures in place at the airport are retained and maintained. REX has advised that they may be obliged to suspend RPT services to non-Tier 3 airports.

As a RPT operator, REX has an obligation under the Aviation Transport Security Regulations (ATSR 2005) to ensure the security of its operations. The outcome of operating to a non-security controlled airport is that REX will be in breach of various requirements under its Transport Security Program (TSP).

### **RECOMMENDATION**

That Council resolve to respond to the Department of Home Affairs requesting that Julia Creek Airport remains as a security controlled airport to enable Regional Express (REX) to continue to operate from the Julia Creek Airport.

#### **Resolution No. 107/2021**

That Council resolve to respond to the Department of Home Affairs requesting that Julia Creek Airport remains as a security controlled airport to enable Regional Express (REX) to continue to operate from the Julia Creek Airport.

Moved Cr. J Lynch

Seconded Cr. J Fegan

CARRIED 5/0

## **6. ENVIRONMENTAL AND REGULATORY SERVICES** ▲

### **6.1 Environmental and Regulatory Services Report**

This report outlines the general activities, revenue and expenditure for the Environment and Regulatory Services department for the period September 2020.

### **RECOMMENDATION**

That Council receives the August 2020 Environmental and Regulatory Services Report.

#### **Resolution No. 108/2021**

Council receives the August 2020 Environmental and Regulatory Services Report.

Moved Cr. J Fegan

Seconded Cr. T Pratt

CARRIED 5/0

### **6.2 Review of Restricted Animal Permits on Rural Residential Land**

Council has received correspondence from Belinda and Wayne Murphy requesting Council's consideration of revisiting the application of Restricted Animal Permits, mainly horses on rural residential land within the defined town zone as identified in Schedule 14 of the Subordinate Local Law No 2.

### **RECOMMENDATION**

That Council advise Belinda and Wayne Murphy in response to their letter of 13 September 2020 that:

- a) a permit is required to have horses within the designated town area as identified in Schedule 14 of the Subordinate Local Law No. 2 and at this time as their property is situated within the designated town area, and
- b) Council requests staff to review the Local Law within the next twelve (12) months to determine the appropriateness of the designated town area maps with the aim of amending the Local Law.

#### **Resolution No. 109/2021**

That Council advise Belinda and Wayne Murphy in response to their letter of 13 September 2020 that:

- a) a permit is required to have horses within the designated town area as identified in Schedule 14 of the Subordinate Local Law No. 2 and at this time as their property is situated within the designated town area, and

b) Council requests staff to review the Local Law within the next twelve (12) months to determine the appropriateness of the designated town area maps with the aim of amending the Local Law.

Moved Cr. T Pratt

Seconded Cr. S Royes

CARRIED 5/0

**Attendance** – Cr. Philip Curr left the meeting room, having declared a Conflict of Interest in the matter of Agenda Item 6.3 as defined in section 150EN of the Local Government Act 2009, and left the meeting room at 11:07am taking no part in the meeting or discussion. Deputy Mayor Cr Janene Fegan assumed the Chair.

### **6.3 Permit to Occupy and Purchase Applications on Pasturage Reserve over Lot 57 on SP299144**

The Department of Natural Resources, Mines and Energy (DNRME) invites Council to provide views and/or requirements regarding a Permit to Occupy application and a Purchase application over the Pasturage Reserve known as Lot 57 on SP299144.

### **RECOMMENDATION**

That Council advise the Department of Natural Resources, Mines and Energy that with respect to applications for permit to occupy and to purchase part of Pasturage Reserve known as Lot 57 on SP299144.

- a) Council has recognized the need for additional land for the future expansion of Julia Creek township for both residential and light industry, Council does not support the revocation of any reserve land in the vicinity of Julia Creek until a full and proper land audit and needs analysis is undertaken.
- b) Since Council previously provided non objection to an application by C & F Malone for a Permit to Occupy over part of the Pasturage reserve as agreed by the former CEO on 16th January 2020, Council agrees to granting a Trustee lease to C & F Malone over that part of the Reserve which is currently fenced for the “Ranger’s horse paddock” with the annual fee to be calculated using the formula provided in the Land Act and the termination date being set to coincide with recent trustee leases – approaching a 7 year term.
- c) As the balance of the land, which is already fenced out of the “Ranger’s horse paddock” fronting the access road to Hilton park, would be unoccupied, Council agree to grant a Trustee lease to J Heslin on similar terms and conditions as the proposed Trustee lease to C & F Malone.
- d) Since K & B Murphy appear not to have proceeded with their application to DNRME to acquire the small parcel of land on the eastern side of the access road to Hilton Park, Council would wish to initiate discussions with K & B Murphy to determine the future of this land as it currently has a Council water pipe line traversing the full length of the land – a point which was over-looked when Council last considered this matter.

### **Resolution No. 110/2021**

That item 6.3 be deferred to the next Meeting of Council and staff provide advice on alternate tenure options.

Moved Cr. J Fegan

Seconded Cr. T Pratt

CARRIED 4/0

**Attendance:** Environmental and Regulatory Services Team Leader, Megan Pellow left the meeting room at 11:49am.

**Attendance:** Cr. Philip Curr entered the meeting room at 11:49am and resumed the Chair.

**Attendance:** Director of Corporate and Community Services, Tenneil Cody entered the meeting room at 11:50am.

**7. COMMUNITY SERVICES****7.1 Community Services Monthly Report**

Council is presented with the monthly Community Services report, which provides an overview of the operations for the month of September 2020.

**RECOMMENDATION**

That Council receives the Community Services monthly report for September 2020

**Resolution No. 111/2021**

That Council receives the Community Services monthly report for September 2020

Moved Cr. T Pratt

Seconded Cr. S Royes

CARRIED 5/0

**7.2 Julia Creek Primary P&C Association**

Council has received a Community Donation Request from Julia Creek Primary P&C Association for the value of \$10,000. The P&C Association aims to support the school community with resources and activities outside of the scope of the school budget. The funding requested will be utilised by the P&C to contribute to the School's application through the School Subsidy Scheme to undertake significant repairs, maintenance and upgrades to school facilities. The P&C will also be matching Council's contribution through fundraising and grants.

**RECOMMENDATION**

Council resolves to approve the Community Donation Request for the Julia Creek State Primary P&C Association for \$10,000.

**Resolution No. 112/2021**

Council resolves to approve the Community Donation Request for the Julia Creek State Primary P&C Association for \$10,000.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0

**7.3 Regional Arts Development Fund – Quick Response Applications**

Council has received one (1) Quick Response Applications and the committee will be assessing the application prior to the Council meeting and their decision will be provided on the day.

**RECOMMENDATION**

That Council resolves to support the recommendations made by the RADF Committee to support:

- Funny Mummies - \$6,590

**Resolution No. 113/2021**

That Council resolves to support the recommendations made by the RADF Committee to support:

- Funny Mummies - \$6,590

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

**7.4 Pets at Seniors Living Units**

The Seniors Living Units located on Coyne Street and Hospital Lane are currently tenanted on the basis of no pets. At the request of Council, a Pet Policy has been drafted for consideration and adoption.

**RECOMMENDATION**

That Council adopt the Pet Policy – Seniors Living Units V1.0 as presented.

**Resolution No. 114/2021**

That Council adopt the Pet Policy – Seniors Living Units V1.0 as presented.

Moved Cr. J Lynch

Seconded Cr. J Fegan

CARRIED 5/0

**7.5 Co-host Flood Summit 2020**

Council has received an invitation from the Western Queensland Primary Health Network (WQPHN) to co-host the 2020 Flood Summit on Monday 30 November 2020 at Julia Creek Shire Hall.

**RECOMMENDATION**

That Council accepts the invitation to co-host the 2020 Flood Summit on Monday 30 November 2020 with the Western Queensland Primary Health Network. Further, Council will support the initiative by:

- Providing the assistance of Council's Community Development Officer as a key coordinator to work with the WQPHN in organising the logistics associated with the Summit; and
- Providing the hall hire for the event as an in-kind contribution

**Resolution No. 115/2021**

That Council accepts the invitation to co-host the 2020 Flood Summit on Monday 30 November 2020 with the Western Queensland Primary Health Network. Further, Council will support the initiative by:

- Providing the assistance of Council's Community Development Officer as a key coordinator to work with the WQPHN in organising the logistics associated with the Summit; and
- Providing the hall hire for the event as an in-kind contribution

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

**8. CORPORATE SERVICES****8.1 Corporate Services Report**

The Corporate Services Report as of 30 September 2020 which summarises the financial performance and position is presented to Council.

**RECOMMENDATION**

That Council receives the monthly Corporate Services Report for the period ending 30 September 2020.

**Resolution No. 116/2021**

That Council receives the monthly Corporate Services Report for the period ending 30 September 2020.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 5/0

**8.2 Closing Audit Report 2020**

An external audit of Councils financial statements was undertaken throughout September 2020 by Pitcher Partners under the appointment of the Queensland Audit Office (QAO). QAO has provided the closing Audit Report to the Mayor for the financial year ending 30 June 2020. At the Mayors direction this report has been prepared in order to present the Audit Report to Council.

**RECOMMENDATION**

That Council note the Closing Audit Report provided by the Queensland Audit Office for the year ending 30 June 2020.

**Resolution No. 117/2021**

That Council note the Closing Audit Report provided by the Queensland Audit Office for the year ending 30 June 2020.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

**Attendance:** Cr. Shauna Royes left the meeting room at 12:02pm

**Attendance:** Cr. Shauna Royes entered the meeting room at 12:04am

**PROCEDURAL MOTION**

That Council accept late agenda item 8.3 First Quarter Review of the 2020-2021 Operational Plan;

**8.3 LATE AGENDA ITEM:** First Quarter Review of the 2020-2021 Operational Plan

**Resolution No. 118/1920**

Council resolves to accept late agenda item 8.3 LATE First Quarter Review of the 2020-2021 Operational Plan.

Moved Cr. J Fegan

Seconded Cr. T Pratt

CARRIED 4/0

**8.3 LATE - First Quarter Review of the 2020-2021 Operational Plan**

In accordance with section 174 (3) of the Local Government Regulation 2012, a written assessment of Council's progress towards implementing the annual operational plan for the quarter July to September 2020 is presented to Council.

**RECOMMENDATION**

That Council accepts the first quarter review of the 2020-2021 Operational Plan.

**Resolution No. 119/2021**

That Council accepts the first quarter review of the 2020-2021 Operational Plan.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 5/0

**9. CHIEF EXECUTIVE OFFICER** ▲**9.1 CEO Report**

This report provides an update on matters I have been dealing with for information or decision of Council.

**RECOMMENDATION**

That Council receive and note the report from the Chief Executive Officer for the period 12 September – 14 October 2020 except where amended or varied by separate resolution of Council.

**Resolution No. 120/2021**

That Council receive and note the report from the Chief Executive Officer for the period 12 September – 14 October 2020 except where amended or varied by separate resolution of Council.

Moved Cr. P Curr

Seconded Cr. T Pratt

CARRIED 5/0

**9.1.1 Council Portfolio System and Protocols**

Council has established a Portfolio system where each Councillor is nominated to and assigned specific responsibilities to focus on key areas and functions of Council. For the purposes of clarity, a policy paper has been prepared detailing how the system works, which Councillor is assigned to each Portfolio and the responsibilities within each Portfolio.

The draft policy paper is attached to this report for Council consideration, amendment and adoption.

**RECOMMENDATION**

The Policy for the Council Portfolio System and Protocols attaching to the CEO's report to the Council meeting of 20th October 2020 be adopted.

**Resolution No. 121/2021**

The Policy for the Council Portfolio System and Protocols attaching to the CEO's report to the Council meeting of 20th October 2020 be adopted.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

**9.1.2 Recruitment of Director Engineering and Regulatory Services**

Mr Cameron Scott commenced in this position on Monday 12 October 2020 and we have warmly welcomed him into our Organisation.

**Action:** For noting

**9.1.3 2021 Reunion of Current & Former Residents of Julia Creek – Letter from Warren Butterworth**

Letter from Mr Warren Butterworth, former Officer in Charge of the Julia Creek Police station 1972 -1980 was received 8 September 2020 refer copy. The writer organized the first "Reunion of Current and Former Residents of Julia Creek" in 2017 at the bushland Beach Tavern, Townsville. He assisted with organizing the 2019 Reunion at the same venue.

He is now seeking Council support to organize the 2021 Reunion to be held in Julia Creek through the provision of a venue and to appoint a coordinator for this event.

This matter was discussed at Council Briefing on 6<sup>th</sup> October 2020 and the suggestion from the Councillors was that given limited staff resources especially through unfilled vacancies, Council should provide the venue free of charge and promote the reunion through Council's various social media networks and newsletters.



**RECOMMENDATION**

The CEO advise Mr Butterworth that Council will provide the venue for the 2021 Reunion of Current and Former Residents of Julia Creek free of charge and will promote the event through Council's various social media networks and newsletters.

**Resolution No. 122/2021**

The CEO advise Mr Butterworth that Council will provide the venue for the 2021 Reunion of Current and Former Residents of Julia Creek free of charge and will promote the event through Council's various social media networks and newsletters.

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 5/0

**9.1.4 Multicom Resources Limited – Request by Epic Environmental to present to Nov Council**

By email dated 12 October 2020, Madeleine Verdich Principal, Communications and Engagement, Epic Environmental wrote on behalf of Multicom Resources Limited seeking an appointment to the Ordinary Meeting of Council to be held 17 November 2020 to provide Councillors with a briefing on the project, updated on the environmental approval process and discuss key areas of interest. In addition, a community BBQ would be held to update the Community.

**RECOMMENDATION**

Council agree to the request from Epic Environmental on behalf of Multicom Resources Limited to present to the Council meeting on 17th November 2020 to provide a briefing and update.

**Resolution No. 123/2021**

Council agree to the request from Epic Environmental on behalf of Multicom Resources Limited to present to the Council meeting on 17th November 2020 to provide a briefing and update.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0

**9.1.5 Multicom Resources Limited – Draft Compensation Agreement**

A compensation Agreement prepared by MRL has been presented for Council agreement. The draft has been reviewed by Council's solicitors Preston Law who have made a range of recommended changes which are detailed in the attached draft – **attachment 4**.

This is the second such compensation Agreement which Council has been requested to enter into relating to use of the stock route and roads in the vicinity. Specifically under the Mineral Resources Act 1989, applicants for a mining lease need to deal with compensation in respect of any landholders whose land overlaps a Mining Lease application before a Mining Lease can be granted,

The purpose of this Agreement is to provide compensation for Council held tenures that overlap MLA 100245. These tenures are:

- Local Authority roads within MLA 100245 being the Punchbowl Road;
- Lot 10 on SP 300374, which is the stock route.

Compensation is the same as the previous agreement being \$1.00 in exchange for Council's consent to the grant of MLA 100245. MRL has agreed to pay Council's reasonable legal costs associated with reviewing the agreement.

**RECOMMENDATION**

Council authorize the CEO to advise Multicom Resources Limited that Council will accept the compensation agreement as per the amended attachment to the CEO's report to 20th October meeting of Council and

subject to confirmation of MRL's agreement to the amendments, the CEO be authorized to execute the agreement.

#### **Resolution No. 124/2021**

Council authorize the CEO to advice Multicom Resources Limited that Council will accept the compensation agreement as per the amended attachment to the CEO's report to 20th October meeting of Council and subject to confirmation of MRL's agreement to the amendments, the CEO be authorized to execute the agreement.

Moved Cr. J Lynch

Seconded Cr. P Curr

CARRIED 5/0

#### **9.1.6 Meeting with Director General TMR**

A verbal report will be presented to Council arising from the meeting by the Mayor and CEO to the Director General of Department Transport and Main Roads held on 15 October 2020 to discuss roads funding.

#### **RECOMMENDATION**

Council note the verbal report to the Ordinary Meeting of Council on the meeting with the Director General Department Transport and Main Roads held in Brisbane on 15 October 2020.

#### **Resolution No. 125/2021**

Council note the verbal report to the Ordinary Meeting of Council on the meeting with the Director General Department Transport and Main Roads held in Brisbane on 15 October 2020.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

#### **9.1.7 LGAQ Conference 2020 – Proxy Vote**

At the NWQROC meeting held in Cloncurry on 8/9 October 2020, Council's meeting representative Cr Janene Fegan Deputy Mayor was asked to agree to Council's proxy voting rights for the 2020 LGAQ Conference to be granted to Mayor of Flinders Shire Cr Jane McNamara as per a consensus reached on a particularly important vote.

#### **RECOMMENDATION**

Council ratify the action of the Deputy Mayor and the CEO in granting Council's proxy vote the 2020 LGAQ Conference to Cr Jane McNamara, Mayor Flinders Shire Council.

#### **Resolution No. 126/2021**

Council ratify the action of the Deputy Mayor and the CEO in granting Council's proxy vote the 2020 LGAQ Conference to Cr Jane McNamara, Mayor Flinders Shire Council.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

#### **9.1.8 IQ-RAP Budget Proposal 2020-2021**

IQ-RAP Vice-Chair Cr Jane McNamara presented a 2020/21 funding proposal seeking Council contribution of \$7,500 plus GST to fund the continuing work of the organisation specifically to update the data on which their submissions to Federal and State Government for funding of future roads upgrade. The Inland Queensland Roads Action Plan 20/21 Partnership proposal was copied to Councillors at the October Briefing and was elaborated on at the NWQROC in Cloncurry on 8/9 October 2020.

**RECOMMENDATION**

Council advise IQ-RAP that Council is unable to commit funding to the 2020/21 Partnership Proposal at this late stage in the budget cycle and given the significant infrastructure stimulus that the Federal and State Government have recently announced in response to COVID-19 recovery.

**Resolution No. 127/2021**

Council advise IQ-RAP that Council is unable to commit funding to the 2020/21 Partnership Proposal at this late stage in the budget cycle and given the significant infrastructure stimulus that the Federal and State Government have recently announced in response to COVID-19 recovery.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 5/0

**9.1.9 Local Government Remuneration Commission**

The Commission is commencing its annual remuneration review process to determine the remuneration to be paid to Mayors, Deputy Mayors and Councillors from 1 July 2021. By letter dated 12 October 2020 the Commission is inviting submissions from Councillors in relation to this matter to inform the deliberations of the Commission by Monday 26 October 2020.

**RECOMMENDATION**

Council advise the Local Government Remuneration Commission that Council does not wish to make a submission to the review of elected members remuneration as of 1 July 2021.

**Resolution No. 128/2021**

Council advise the Local Government Remuneration Commission that Council does not wish to make a submission to the review of elected members remuneration as of 1 July 2021.

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 5/0

**9.1.10 Council/State Parliament Mutual Access Agreement**

LGAQ has negotiated a mutual access agreement with the State Government which will allow Mayors, Councillors and CEO's access to the Parliamentary Precinct to utilise the resources needed when working remotely in Brisbane in the interests of Council's constituents. Likewise, Ministers and State MPs will be able to access Council's premises. To activate the agreement, Council must formally decide to opt into the Agreement.

**RECOMMENDATION**

Council agree to opt into the Council/State Parliament mutual access agreement as negotiated by LGAQ and detailed in their letter of 22 September 2020.

**Resolution No. 129/2021**

Council agree to opt into the Council/State Parliament mutual access agreement as negotiated by LGAQ and detailed in their letter of 22 September 2020.

Moved Cr. T Pratt

Seconded Cr. S Royes

CARRIED 5/0

**9.1.11 Surplus Generators**

In response to a request from Council at a recent Ordinary Meeting the following advice is provided in relation to surplus Council generators which are all located at the depot at the moment:

- The original McKinlay water supply 3 phase 53KVA generator will be installed at the new Julia Creek town Water Bore
- The original Kynuna water supply 3 phase 53KVA generator will be installed at the depot
- The former J.C. Airport (Abel) single phase 25 KVA generator is in the depot and no decision has been made on what to do with it.
- The former Fr Bill 3 phase 88KVA generator maybe installed at the caravan park or sold, but no decision has been made at this stage.

**Action:** For noting.

### **PROCEDURAL MOTION**

That Council accept late agenda item;

## **9.2 LATE Report from the CEO to 19 October 2020 Council meeting**

### **Resolution No. 130/1920**

Council accepts late agenda items;

Council agree to accept the late Supplementary Report from the Chief Executive Officer dated 19 October 2020.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 5/0

### **9.2.1 Management of 2020 Flood Damage Approved Works**

Council is advised that the 2020 flood damage claim is nearing approval, expected within the next two weeks.

To prepare for the delivery of these works Council needs to determine the management and administration arrangements.

### **RECOMMENDATION**

Council engage Aecom to undertake the management and administration of the 2020 flood recovery program in conjunction with Council staff and under similar terms and conditions to the 2019 flood recovery works program.

### **Resolution No. 131/2021**

Council engage Aecom to undertake the management and administration of the 2020 flood recovery program in conjunction with Council staff and under similar terms and conditions to the 2019 flood recovery works program.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

### **9.2.2 Preparation for Possible 2021 Flood Event**

With predictions of a high probability for an above average wet season as a consequence of current and continuing La Niña weather patterns, Council is advised to plan for any possible required pickups of flood damage data and preparation of a submission to QRA.

### **RECOMMENDATION**

Council negotiate an arrangement with Aecom to be prepared for and to respond to any weather Event as a consequence of the forthcoming wet season, to include pickups of data for any assets damage and for the preparation of a submission to QRA.

**Resolution No. 132/2021**

Council negotiate an arrangement with Aecom to be prepared for and to respond to any weather Event as a consequence of the forthcoming wet season, to include pickups of data for any assets damage and for the preparation of a submission to QRA.

Moved Cr. J Lynch

Seconded Cr. J Fegan

CARRIED 5/0

**9.2.3 Correspondence from Toby Fitchett proposing the installation of the Barbed Wire Globe “Bent Not Broken” in Burke Street Julia Creek.**

By correspondence dated 25 September 2020 Mr Toby Fitchett seeks approval from Council to install the barbed wire globe “Bent Not Broken” in Burke Street Julia Creek in the centre median island near the school pedestrian crossing.

The sculpture would be mounted with a surrounding, low, galvanised post and chain fence together with an interpretative board explaining the origins of the sculpture.

**RECOMMENDATION**

Council approve of the mounting of the barbed wire globe sculpture “Bent Not Broken” created by the Mckinlay Shire Community under the leadership of Mr Toby Fitchett, to be positioned in the centre island in Burke Street, Julia Creek adjacent to the school pedestrian crossing and Toby be congratulated on this initiative.

**Resolution No. 133/2021**

Council approve of the mounting of the barbed wire globe sculpture “Bent Not Broken” created by the Mckinlay Shire Community under the leadership of Mr Toby Fitchett, to be positioned in the centre island in Burke Street, Julia Creek adjacent to the school pedestrian crossing and Toby be congratulated on this initiative.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 5/0

**9.2.4 Ron Wall Rodeo Julia Creek on 18<sup>th</sup> September 2020**

By correspondence dated 1st October 2020, Georgia Crocker advised that the organisers of the Ron Wall Julia Creek Rodeo were able to raise \$38,894.26 for the Wall Family. The committee spent \$9,200 at local businesses and with approximately 300 people in attendance they estimate the economic impact would have been higher.

The committee wishes to thank McKinlay Shire Council for its support of the event.

**RECOMMENDATION**

The correspondence from Georgia Crocker on behalf of the committee which organised the Ron Wall Rodeo in Julia Creek be noted and they be congratulated on raising \$38,894.26 for the Wall Family.

**Resolution No. 134/2021**

The correspondence from Georgia Crocker on behalf of the committee which organised the Ron Wall Rodeo in Julia Creek be noted and they be congratulated on raising \$38,894.26 for the Wall Family.

Moved Cr. P Curr

Seconded Cr. T Pratt

CARRIED 5/0

### 9.2.5 Kynuna Water Supply – Water Bore

There have been ongoing problems associated with the two water bores for the Kynuna Town supply – one bore (the old bore) is over 100 years old and the second bore (the new bore) is over 40 years old. Following recent issues related to fractured filter housing which subsequently caused badly dis-coloured water (rusty red), the defective filter was isolated, the system was flushed and clean supply was restored.

Because both bores are unreliable, it is important that Council develop a replacement strategy.

The following course of action is recommended:

- a. Staff to review the latest report on the logging of the “new” bore.
- b. Discussions amongst Colin Malone, Bradley McCormick, engineer Cameron Scott and Todd Symons of Daly Bros to understand the degree of urgency.
- c. Obtain prices to connect up the new water tank. Note Bradley McCormick and Megan Pellow are finalising a Request For Quotation (RFQ).
- d. Proceed with connecting the new water tank to the system a.s.a.p.
- e. Revisit the decision to install water filters at each property to consider:
  - i. Who is responsible for ongoing maintenance of filters.
  - ii. Decide on the preferred type of filter – sand or cartridge.
  - iii. Develop a cost estimate for installation of the filters.
  - iv. Develop a basic policy statement around this.
  - v. Re-present to Council to confirm decision to proceed.
- f. Staff to explore possible sources of funding for a new bore.
- g. Council to determine options for funding a new bore including possible re-consideration of existing budget priorities.

#### **RECOMMENDATION**

Council to consider options for re-prioritisation of existing capital budget items in 2020/21 Budget for possible funding of a new Bore for Kynuna Town.

#### **Resolution No. 135/2021**

Staff consider options for re-prioritisation of existing capital budget items in 2020/21 for possible funding of a new Bore for Kynuna Town and report options to a future meeting of Council.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

## **10. WORKPLACE HEALTH AND SAFETY** ▲

### **10.1 Workplace Health and Safety**

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of September 2020.

#### **RECOMMENDATION**

That Council receives the September 2020 Work Health and Safety Report.

#### **Resolution No. 136/2021**

That Council receives the September 2020 Work Health and Safety Report.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 5/0

**11. CLOSURE OF MEETING**



The Chair of the meeting Mayor Philip Curr declared the meeting closed at 12:49pm.

UNCONFIRMED



# MCKINLAY SHIRE COUNCIL

## ***UNCONFIRMED MINUTES***

OF THE

### **SPECIAL MEETING OF COUNCIL** **ANNUAL REPORT 2019/20**

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

13<sup>th</sup> November 2020



## ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest

### **4. ANNUAL REPORT**

- 4.1 2019/20 Annual Report

### **5. CLOSE**

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## 1. OPENING BUSINESS ▲

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 9:02am.

## 2. ATTENDANCE ▲

**Mayor:** Cr. P Curr (teleconference)

**Members:** Cr. J Fegan, Cr. S Royes, Cr. J Lynch (teleconference), Cr. T Pratt (teleconference)

**Staff:**

Chief Executive Officer, Mr. John Kelly

Executive Assistant, Mrs. Grace Armstrong

Rates and Debtors, Mrs. Katie Woods

Director of Corporate & Community Services, Ms. Tenneil Cody

**Other people in attendance:**

Nil

**Apologies:**

## 3. DECLARATION OF CONFLICT OF INTEREST ▲

Nil

#### 4. ANNUAL REPORT ▲

##### 4.1 2019/20 Annual Report

In accordance with *Section 182 of the Local Government Regulation 2012*, Council is presented with the 2019/20 Annual Report which includes the Audited Financial Statements for the 2019/20 financial year.

##### **RECOMMENDATION**

That Council adopt the 2019/20 Annual Report including the Audited Financial Statements 2019/20 as presented.

##### **Resolution No. 137/2021**

Council adopts the 2019/20 Annual Report including the Audited Financial Statements 2019/20 as presented.

Moved Cr. J Lynch

Seconded Cr. P Curr

CARRIED 5/0

#### 5. CLOSURE OF MEETING ▲

The Chair of the meeting Mayor Philip Curr declared the meeting closed at 9:12am.

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## **4.2 BUSINESS ARISING OUT OF MINUTES FROM PREVIOUS MEETING**



## **5.0 ENGINEERING SERVICES**

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**5.1 Subject:** Engineering Services Monthly Report October 2020  
**Attachments:** Nil  
**Author:** Engineering Services Department  
**Date:** 17th November 2020

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**Executive Summary:**

This report outlines the general activities for the Engineering Department for the month of October 2020.

**Recommendation:**

*That Council receives the Engineering Services monthly report for October 2020.*

---

**Background:**

This report outlines the general activities of the department for the month of October 2020 and also provides an update on the current activities of the department.

**RMPC**

	Actual		Budget
<b>1610 RMPC Works</b>	\$476,181	#	\$1,428,000
<ul style="list-style-type: none"><li>• Resealing on all 4 roads</li><li>• Pothole Patching</li><li>• Heavy shoulder grading Beef rd.</li></ul>			

**Cannington Road**

	Actual	Budget YTD	Budget
<b>1630 Cannington Road Works</b>	\$40,168	#	\$420,000
<ul style="list-style-type: none"><li>• Daily maintenance</li><li>• Removal of dead animals.</li><li>• Pothole patching.</li></ul>			

**Roads Maintenance**

	Actual	Budget YTD	Budget
<b>1100 Repairs &amp; Maintenance Shire Roads</b>	\$208,923	#	\$1,200,000
<ul style="list-style-type: none"><li>• Pot hole patching various roads</li><li>• Sign repairs</li><li>• Guide posts</li><li>• Maintenance grade Euraba/Maxwelton Road</li></ul>			



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**Water and Sewerage**

	Actual	Budget YTD	Budget
<b>1800 Operational Costs – Julia Creek Water</b>	\$47,533	#	\$190,000

- Water Quality Sampling as a part of the monthly routine.
- Repairs and maintenance at Caravan Park repairing leaking taps and tank.
- Portaloo for roads crew vacuumed cleaned before transported.
- Checks for contractors at Water Tower.
- Service pipe for 64 Coyne Street.
- Orientation with new Director

McIntyre Park:

- Routine checks done.

	Actual	Budget YTD	Budget
<b>1810 Operational Costs – McKinlay Water</b>	\$7,034	#	\$15,000

- Routine monitoring
- Water Quality Sampling

	Actual	Budget YTD	Budget
<b>1820 Operational Costs – Kynuna Water</b>	\$31,532	#	\$74,000

- Water Quality Sampling
- Routine monitoring
- New Stainless steel housing.
- Organise contractors to hook-up ground tank to supply (work to be done in November).

	Actual	Budget YTD	Budget
<b>1830 Operational costs – Nelia Water</b>	\$4,065	#	\$6,000

- Routine monitoring
- Water testing

	Actual	Budget YTD	Budget
<b>1900 Operational Costs – Julia Creek Sewerage</b>	\$27,789	#	\$160,000

- The work include responding to the alarms, including after hours alarms, data recording for the regulator, repairing electrical faults, supply of electricity, and repair to the pumps.
- Routine monitoring of Sewerage treatment plant.
- Private works to Repair of 2 Blocked drains at 37 Quarrel Street.



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- Organise contractor for replacement and installation of new septic tank and rubble pit at air port (works to begin in November).
- Over looked works done at Church.

**Workshop**

	Actual	Budget
<b>1510 Repairs and Maintenance - Plant &amp; Vehicles</b>	\$448,646	\$1,245,000

- Ongoing repairs and maintenance to Council vehicles plant equipment.
- Julia creek Work camp has provided the workshop with 1 staff member for 2 weeks of each month, helping with any duties required.

**Parks and Gardens**

	Actual	Budget
<b>2700 Parks &amp; Gardens and Amenities – Operations</b>	\$205,308	\$790,000

- Mowing and whipper snipping parks and town streets.
- Cleaning of public toilets.
- Collection of rubbish.
- Maintenance to garden beds Burke St.
- Road sweeping in Julia Creek

**Airport**

	Actual	Budget YTD	Budget
<b>1300 Airport Operational Costs</b>	\$43,119	#	\$155,000

- Serviceability Inspections of the facility are undertaken 3 days per week

**Projects**

**Sewerage Treatment Plant – Stage 2**

- The installation of the new walkway to inspect and repair the Bio-cubes is to be arranged by Council.
- Council has issued PC to Xylem.
- The operation and maintenance of the STP is now the responsibility of Council.

**T-1920035- Refurbishment of the Hickman Street pump station –**

- Design works of the pump station is being completed with detailed design to be submitted week of 9/11.
- Construction works on site to begin 11/1/2021





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#### **T-1920021- Water Tower Refurbishment –**

Below is the progress on the water Tower Refurbishment

- Construction works finished
- Hydrostatic testing completed and final inspection completed by Structural Engineer
- Practical Completion to be awarded week of 9/11.

It is planned to flush and put back online week commencing the 16<sup>th</sup> November 2020.

#### **T- 1920022 Town Bore Replacement Project –**

Below is the progress on the water bore:

- Council have completed the connection into the network
- Design of headworks and procurement of pump completed.
- Installation of headworks are expected to be completed in November 2020.

#### **Julia St Sewerage connections**

This project is complete.

#### **Report on the Natural Disaster Recovery Works -Summary of program**

2019 – Works are scheduled to complete by May 2021 unless extension is requested to enable the delivery of these works using internal workforce. Council has started fortnightly meeting amongst the operational staff of the Council and AECOM to help facilitate the delivery of this program in line with the Project Management Plan (PMP). Council has reviewed the PMP and approved by the CEO that provides that all formal communication between AECOM and Council were to occur through the CEO.

2020 Submission – Council received approval from QRA \$5,648,499 during the month. This work is yet to be programmed.

#### **Details of the 2019 Projects currently underway**

The above works are being delivered between AECOM (as the Project Manager using local contractors) and Council as Project Manager with responsibilities as outlined above. Both AECOM and Council use external contractors to deliver these works.

Please find attached Scope Summary detailing works completed and upcoming works (completed up to 10 August 2020) for the works AECOM is the Project Manager on behalf of the Council.

#### **2019 DRFA Event**

Works on the 2019 Event are being managed by AECOM and Council, AECOM are currently managing the following submissions:

- Taldora Road – Unsealed
- North West – Unsealed



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- North East – Unsealed
- South East – Unsealed

The Table below details the current status of the AECOM managed submissions.

Submission Number	Approved Value	Actual Expenditure to Date	Location	Percentage Complete	Status
1	\$18,146,709	\$6,740,007	Taldora Road	75%	Approved – Works Commenced
2	\$9,842,149	\$4,088,227	North West - Unsealed	63%	Approved – Works Commenced
3	\$5,739,470	\$1,377,178	North East - Unsealed	61%	Approved – Works Commenced
4	\$8,184,353	\$2,246,348	South East - Unsealed	59%	Approved – Works Commenced
5	\$ 2,381,085	\$532,346	South West - Unsealed	37%	Approved – Works Commenced
6	\$5,729,602	\$4,939,421	Sealed Roads	100%	
7	\$7,814,430	\$4,926,464	Betterment	100%	
8	\$193,391	\$30,198	Euraba, Sunny Plains. Shaw Street	56%	Approved – Works Commenced
9	\$256,905	\$12,699	Nelia Road	90%	Approved – Works Commenced
Total	\$58,288,098	\$24,892,888		71%	

**Council DRFA works**

Council are doing the PM for the south west works 30% of these works are complete, Crews are currently Eulolo rd and Beenfields rd.

**Gilliat McKinlay Betterment**

26km of gravel and seal works has been completed.

Transport Infrastructure Development Scheme (TIDS) has been completed making Gilliat McKinlay rd totally sealed.



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**T20210001 Culvert replacement Wills Developmental rd**

Works have commenced at Cerebrus Creek and are on track to be will be completed by 12/12/2020. Williams River portion of the project will be completed post wet season.

**Legal Implications:**

Nil

**Policy Implications:**

Nil.

**Financial and Resource Implications:**

As provided in the report.

**InfoXpert Document ID:** 114004



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**5.2 Subject:** Extension of Register of Pre-qualified Suppliers for Plant Hire  
**Attachments:** Nil  
**Author:** Director Engineering and Regulatory Services  
**Date:** 4<sup>th</sup> November 2020

---

**Executive Summary:**

Council's current pre-qualified supplier register is due to expire on 31 December 2020. Given there is still potential outstanding contract and emergent works early in the calendar year it is recommended to extend the current register by 6 months. It is also recommended to commence a tender process to establish a new Register of Pre-qualified Suppliers for Plant Hire for adoption prior to 30 June 2021.

**Recommendation:**

*That Council resolves to:*

- a. Extend the existing Register of Pre-qualified suppliers register for Plant Hire to 30 June 2021; and*
- b. To commence a tender process to develop and adopt a new Register of Pre-qualified suppliers for Plant Hire prior to 30 June 2021 to commence 1 July 2021 for an initial 2 year period; and*
- c. Notify existing pre-qualified suppliers*

**Background:**

Council resolved (resolution #125/1920) at its general meeting on 19 November 2019 to update and extend the current Register of Pre-Qualified Suppliers Plant Hire to 31 December 2020. Given that there is not enough time to undertake a tender process for another register prior to the expiration date of the current register, Council's ability to continue to procure and resource existing DRFA works is at risk.

To assure continued works it is recommended to extend the register in its current form for a short term (6 months). During this period it is recommended that a new tender process to source another Register of Pre-qualified suppliers for Plant Hire, is undertaken with an intention for it to commence 1 July 2021.



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**Consultation:** (internal/External)

Internal; Chief Executive Officer

**Legal Implications:**

Nil

**Policy Implications:**

Ensure continued compliance with Procurement policy

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:**

113935



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**5.3 Subject:** Development of Register of Pre-qualified suppliers for Road Construction and Maintenance  
**Attachments:** Nil  
**Author:** Director Engineering and Regulatory Services  
**Date:** 4<sup>th</sup> November 2020

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**Executive Summary:**

Currently Council engages local contractors from a register of pre-qualified suppliers – Plant Hire to undertake major road construction (or reconstruction) and maintenance projects, mostly DRFA funded. These works are effectively all done on hourly hire rates. The ability to scope a project and seek a lump sum price provides certainty to all stakeholders in project delivery, however the overall value of these works generally exceeds \$200,000 requiring a tender process should be followed. A register of Pre-qualified suppliers would allow flexibility, improve timeliness and enhance value for money for these works.

**Recommendation:**

*That Council resolves to:*

*a. Establish a register of Pre-qualified suppliers for Road Construction and Maintenance in accordance with Section 232,3 (a) and (e) of Local Government Regulation 2012 to commence 1 July 2021 for an initial period of 2 years; and*

*b. Instructs Officers that in the preparation of the relevant documentation prior to tender, that existing local providers be engaged with so as to ensure the development of local business.*

**Background:**

Currently Council engages local contractors from a register of pre-qualified suppliers – Plant Hire to undertake major road construction (or reconstruction) projects, mostly DRFA funded. These works are effectively all done on hourly hire rates, this might be questionable with regard to value for money and probity perspectives. The ability to scope a project and seek a lump sum price provides certainty to all stakeholders in project delivery.

Currently there is nothing preventing Council scoping a project and seeking quotation or tender (depending on value) for lump sum works or contract. However for works over \$200,000 open tender introduces processes that hinder timing i.e. advertising, Council report and consideration and the added financial burden of this process.

However if a Panel of Providers was adopted by Council quotations could be sourced directly from the panel evaluated and awarded in a more streamlined fashion.



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### **Establishing a Prequalified Panel of Providers for Road and Civil Works**

Council has already developed the Plant Hire Prequalified supplier register so developing a road and civil construction register should be relatively straightforward.

Initially select the activities that are required to be addressed by panel participants, the following is suggested:

- Road Construction – sealed and unsealed
- Road Maintenance - reseals, re-sheeting, stabilising, maintenance grading( including visibility clearing, drain cleaning and reshaping), Culvert repairs and maintenance, Grid repairs and maintenance

Select the information that Council requires from the tenderer, the following is suggested:

- What items they choose to be available for (from above)
- Their knowledge and experience, previous works or projects
- Their Staff, Plant, subcontractors
- Safety Systems and NHVR obligations
- Their business Location

All submissions addressing the above information should be included in the panel. Once quotations for projects are sought the following factors from each supplier are weighted and assessed according to:

- Relevant experience
- Resources
- Developing Local Business
- Price
- Meeting delivery timeframes

### **Engaging with Local Contractors**

Getting local contractors to move out of the current hourly rate status quo won't come easily however there is benefit to both Council and the contractor in doing so. For example:

- By giving certainty to the cost and earning potential of a project
- By setting distinct timeframes of delivery giving certainty to Council and priority to the contractor
- Shifts the responsibility of efficiency from Council to the contractor which benefits Council but also allows the contractor to benefit from efficiency gains(not lose)

Communicating the above would be a way to start the conversation with the local contractors. Communication could be prepared including the above and an outline of what the most likely



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project scopes would look like. Once distributed a briefing session could be held to field questions and provide Council's intent. This could then be used to tweak how it is rolled out.

### **Outside Contractors**

As it would be a tender for this panel, contractors from elsewhere will most likely submit. This is not necessarily a bad thing as the weighting system hopefully will assist locals but when dealing with say a large DRFA event or eventually a large TMR contract extra capacity or capabilities from further afield will benefit Council and therefore the community.

It is recommended Council establish a Register of Pre-qualified suppliers for Road Construction and Maintenance for the following reasons:

- Improved value for money
- Improved efficiency
- Developing local business (potentially improving their business)
- Improved probity
- Potential extra capacity or capability added to local market from outside players

### **Consultation:** (internal/External)

Internal; Chief Executive Officer, Director Corporate and Community Services

### **Legal Implications:**

Nil if adherence to section 232 Local Government Regulation is maintained

### **Policy Implications:**

Compliance with Procurement policy

### **Financial and Resource Implications:**

Nil, potential increase in efficiencies identified

### **InfoXpert Document ID:**

113936





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**5.4 Subject:** Award of Punchbowl Rd and Nelia/Bunda Rd Resealing Works

**Attachments:** 10.11.2020 Vendor Panel Submissions (*InfoXpert ID:113964*)

**Author:** Director Engineering and Regulatory Services

**Date:** 10<sup>th</sup> November 2020

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**Executive Summary:**

Council staff sought Vendor panel quotations through Local Buy approved contractors for the resealing of Punchbowl Rd and Nelia/Bunda Rd. These projects have been approved by Council in the 2020/2021 Capital Works program.

**Recommendation:**

*That Council resolves to:*

- a. Accept the quotation from Austek Spray Seal Pty Ltd dated 30 October 2020; and*
- b. Inform Stabilised Pavements of Australia and RPQ that their submissions were unsuccessful*

**Background:**

Council approved the resealing of Punchbowl and Nelia/Bunda Rd in the 2020/2021 Capital Works program. Staff utilised Vendor Panel to seek quotations (VP211809) from 5 LocalBuy approved contractors BUS270 Road, Water, Sewer and Civil Works. These were:

- Austek Spray Seal
- Rock and Road
- Fulton Hogan
- RPQ
- Stabilised Pavements of Australia

3 quotations were received (Prices are Ex GST):

- |                                     |             |
|-------------------------------------|-------------|
| • Austek Spray Seal                 | \$868,500   |
| • RPQ                               | \$960,000   |
| • Stabilised Pavements of Australia | \$1,067,200 |

It is recommended that Austek Spray Seal be engaged to undertake the works.

**Consultation:** (internal/External)

Internal; Works Manager and Team Leader Environmental



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**Legal Implications:**

Nil

**Policy Implications:**

Complies with Procurement policy

**Financial and Resource Implications:**

Works approved in Capital works program and funded via Transport and Infrastructure Development Scheme (TIDS), \$450,000 and Roads to Recovery(R2R), \$575,484.

**InfoXpert Document ID:**

113963

Email: worksmanager@mckinlay.qld.gov.au  
 Phone: 0428 464 001  
 Attention: Michael McConnell

RE: Reseal works on Nelia Bunda and Punchbowl Roads (VP211809)

We are pleased to quote for the proposed sealing works. Unless specified otherwise, this quote and any subsequent work arising from it is subject to our attached terms, conditions and general notes. This quote is valid for 90 days.

Description	Unit of Measure	Quantity	Unit Rate (\$)	Amount (\$)
Nelia Bunda Road (Ch0-40km)				
C170 with 10mm	M2	160,000	3.30	528,000.00
Punchbowl Road (Ch0-40km)				
C170 with 10mm	M2	160,000	3.37	539,200.00
Subtotal (excl GST)				1,067,200.00
GST (10%)				106,720.00
Total (incl GST)				1,173,920.00

All rates excl GST

This option is provided under the following considerations

- Client to provide: stockpile pad within 5km of works.
- Quoted rates include supply of materials, traffic management, accommodation & meals as required,
- One mobilisation has been allowed to complete all works. Additional visits to suit client staging to be charged at \$7,500.00 / visit (excl GST)
- Rates are based on provided quantities. Should actual quantities vary by greater than 10%; SPA reserve the right to recalculate the quoted rate.
- Supply rates for binder current at time of quoting and subject to rise & fall in line with market fluctuations from 5pm of the date of quote.

Thank you for the opportunity of quoting for this work and we look forward to being of service to you.

Yours faithfully,



**Matt Devine**  
 Regional Engineer  
 Stabilised Pavements of Australia

Accepted by client/contractor:

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



## Quotation

Project 20201, Punchbowl and Neila Rd Reseals  
McKinlay SC

Project Date: 03 November 2020  
Project Price: \$960,000.00  
GST: \$96,000.00  
Total Price: \$1,056,000.00

McKinlay Shire Council  
29 Burke Street  
McKinlay 4823

Phone :  
Fax No :  
Client Code : COUNCIL6

### Section: 150, Reseals

Code	Description	Quantity Unit	Rate	Amount	GST	Rate Inc. GST	Amount Inc. GST
<u>Punchbowl Rd CH0 - CH 40 - 160000m2</u>							
2	10mm C170 Seal at 1.4l/m2 and 1m3:120m2	160,000.00 M2	3.00	480,000.00	48,000.00	3.30	528,000.00
<u>Neila Bunda Rd CH0 - CH40 - 160000m2</u>							
2	10mm C170 Seal at 1.4l/m2 and 1m3:120m2	160,000.00 M2	3.00	480,000.00	48,000.00	3.30	528,000.00
<b>Section: 150 Total</b>				<b>960,000.00</b>	<b>96,000.00</b>		<b>1,056,000.00</b>

### Standard Condition:

RPQ Group Standard Terms and Conditions

RPQ Group, including but not limited to RPQ Asphalt Pty Ltd, RPQ Spray Seal Pty Ltd, RPQ Services Pty Ltd, Trico Asphalt Pty Ltd, RPQ North Coast Pty Ltd and Rock 'n' Road Bitumen Pty Ltd.

These terms and conditions form part of and are to be read in conjunction with the particulars contained in the Quotation. The Quotation is given by RPQ Group (herein after referred to as RPQ) to the Customer to perform works as specified in the quote and the Customer accepts the quote on the following terms. Where there is a Subcontract Agreement in place between the Customer and RPQ these standard terms and conditions shall form part of the Subcontract Agreement. This RPQ Quotation will also be referenced and listed in the order of precedence of the Subcontract Agreement conditions with the highest level of precedence. If omitted, these RPQ standard terms and conditions will take precedence whether or not it is stated in the Subcontract Agreement.

#### 1. GENERAL

- 1.1 RPQ reserves the right to vary the rates in the Quotation until such time as a site inspection by an RPQ representative or plans are received and the scope of the works are confirmed.
- 1.2 RPQ shall not be responsible for any maintenance during or after the completion of work, or after the warranty period.
- 1.3 RPQ shall not be responsible for any property damage caused by carrying out the work unless such damage was caused solely by the negligence of RPQ employees or its agents. RPQ is to be notified within 24 hours of occurrence and confirmed in writing within 7 days of occurrence.
- 1.4 In the event of any materials supplied or work performed by RPQ being defective, the liability of RPQ, if any, shall be limited to the replacement of such defective material and/or the remediation of such work. All other guarantees, warranties, undertakings, consequential loss or damage or representation expressed or implied whether arising from statute or otherwise are hereby expressly excluded (except to the extent prohibited by law).
- 1.5 Clerical and Technical errors are subject to correction at any time by RPQ. Without prejudice and reserving RPQ's rights to claim for a variation to the Subcontract Agreement.
- 1.6 The Customer shall indemnify RPQ against all claims, damages, demands, penalties, costs, charges and expenses, or consequential loss or damage to which RPQ may become partially or wholly liable through any work required to be done by RPQ, or goods and materials to be supplied by RPQ in accordance with the Customer's specifications.

#### 2. PRICE AND PAYMENT

- 2.1 The price stated includes:
  - 2.1.1 Current costs for transport (where specified), labour and materials, including Bitumen, and shall remain valid for 30 days, unless otherwise specified in the quote. Items containing Bitumen are subject to the rise and fall of the RPQ registered suppliers agreed price of Bitumen from the Quotation date to the commencement of the work, based on Department of Main Roads Minor Works Contracts clause B19 Adjustment For The Cost Of Bitumen. RPQ reserves the right to pass on changes in the RPQ registered suppliers agreed price of Bitumen at their own discretion;
  - 2.1.2 The work being carried out during normal working hours Monday to Friday, 7.00am to 5.00pm, unless otherwise specified by RPQ. Work completed outside these hours at the request of the Customer will attract additional charges;
  - 2.1.3 An assumption that all measured areas and project particulars that are supplied by the Customer, are accurate; and the price is subject to variation if any of the above measured areas or project particulars are inaccurate, insufficient or have varied from the date of the Quotation. An agreed quantity for the variations is required to be signed off prior to the commencement of works and a negotiated rate for the variations will be determined between the client and RPQ. RPQ reserves the right not to proceed until a rate for the variation is agreed upon by the Customer.
  - 2.1.4 The quoted rates being subject to change if the scheduled quantity, or the constructed quantity varies by more than 10% of the stated scheduled quantity in the Quotation. Either RPQ or the Customer can request a requote of the relevant items quoted rate.
- 2.2 The price does not include:
  - 2.2.1 Any additional services not detailed in the Quotation, and the price is subject to variation to take account of changes in any exclusions or additional services



30<sup>th</sup> October 2020

SS-2020-188

McKinlay Shire Council

Attention: Michael McConnell

### Conforming Quotation – Nelia Bunda Road and Punchbowl Road

Thank you for the opportunity to quote on the abovementioned works. Please see below the schedule of rates for each location and Item. All item quantities are estimates only and may vary slightly if there are any unforeseen issues surrounding some of the removal items.

**Scope of works: Sealing works**

**Drawings: As per quote request**

ID	Description	UOM	QUANT.	Rate	Value (gst exc)
<b>Nelia Bunda Road and Punchbowl Road</b>					
01	Supply & Spray C170 @ 1.4l/m2 and 10mm @ 1/120 m3/m2 reseal – Nelia Bunda Road	M2	160,000	\$2.65	<b>\$424,000.00</b>
02	Supply & Spray C170 @ 1.4l/m2 and 10mm @ 1/120 m3/m2 reseal – Punchbowl Road	M2	160,000	\$2.65	<b>\$424,000.00</b>
03	Supply and Incorporate Cutter if required	Litre	1	\$1.30	<b>\$1.30</b>

**Project Specific Conditions:**

Traffic Control has been allowed for in the quote

All accommodation, fuel etc has been allowed for.

Establishment/Disestablishment LS - \$20,500.00

Austek Spray Seal PTY LTD  
 ABN 28 629 433 978  
 Phone (07) 3496 2549

Response Details

As at Tuesday 03/Nov/20 04:18 AM UTC

Response **VPR378918**  
 Request (VP211809) **Reseal Works on Nelia Bunda and Punchbowl Rd**  
 Supplier **AUSTEK SPRAY SEAL PTY LTD**  
 Business Number **ABN 28 629 433 978**  
 Location **32 Grice St Clontarf, Queensland 4019, Australia**

These prices are **Fixed**

The following comments where added : None provided.

Quoted items

Product	RC D%	#	Unit Price	Tax	Total Price
1 Bituminous Surfacing		1 x	\$848,000.00	\$84,800.00	\$932,800.00
				\$84,800.00	\$932,800.00

Quoted items - Detailed View

Product	RC D%	#	Unit Price	Tax	Total Price
1 Bituminous Surfacing		1 x	\$848,000.00	\$84,800.00	\$932,800.00
Product	<b>Bituminous Surfacing</b>				
Description	Not provided.				
Quoting Tax Inclusive? (Yes)	Auto calculated.				
Unit Price	Ex tax		\$848,000.00		
Quantity quoted		x 1			
Post Discount Total			\$932,800.00		
Tax Rate Applied (10.0%)			\$84,800.00		
TOTAL	Inc Tax		<u>\$932,800.00</u>		
				Tax	Total Price
				\$84,800.00	\$932,800.00



## **6.0 ENVIRONMENTAL & REGULATORY SERVICES**

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Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**6.1 Subject:** Environmental and Regulatory Services Report – October 2020

**Attachments:** None

**Author:** Environmental and Regulatory Services Team Leader

**Date:** 5<sup>th</sup> November 2020

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**Executive Summary:**

This report outlines the general activities, revenue and expenditure for the department for the period October 2020.

**Recommendation:**

*That Council receives the October 2020 Environmental and Regulatory Services Report.*

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**Background:**

This report outlines the general activities of the department for the month of October 2020.

Detailed below are the general matters of interest that relate to the day to day activities of the department throughout the month.

**Consultation:** (internal/External)

Environmental & Regulatory Services Team Leader, Local Laws Officer, Asset Maintenance Officer, Water and Sewerage Officer, Ranger and Finance Officer.

**Legal Implications:**

Nil

**Policy Implications:**

Nil

**Financial and Resource Implications:**

As provided in the report.

**InfoXpert Document ID:**

113954





Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

## **1 – Refuse Collection and Disposal**

### **1.1 - Budget**

		<b>Actual</b>	<b>Budget</b>
ENVIRO1.1	3100 - Refuse Collection Revenue	\$42,820	\$84,715

		<b>Actual</b>	<b>Budget</b>
ENVIRO1.2	3100 - Kerbside Rubbish Collection Expenditure	\$14,917	\$42,000

		<b>Actual</b>	<b>Budget</b>
ENVIRO1.3	3110 - Refuse Disposal Revenue	\$24,739	\$42,310

		<b>Actual</b>	<b>Budget</b>
ENVIRO1.4	3110 - Refuse Disposal Operational Costs	\$20,176	\$77,000

### **1.2 - Report**

#### **Julia Creek Waste Facility**

The facility continued to be pushed up during the month. The work camp continues to assist Local Laws Officer with clean up of loose rubbish around the site when required.

One verbal warning was issued for dumping in the incorrect area.

## **2 – Environmental Health Services**

### **2.1 – Budget**

		<b>Actual</b>	<b>Budget</b>
ENVIRO2.1	3000 - Environmental Licence Fees ( Revenue)	\$1,616	\$1,600

		<b>Actual</b>	<b>Budget</b>
ENVIRO2.2	3000 - Environmental Health Services	\$41,087	\$198,000

### **2.2 – Report**

#### **Water and Sewage Monitoring**

Water sampling undertaken during the month did not show readings of E.coli in all four (4) townships.

The fluoride levels in Julia Creek were averaging 2.8mg/L for the month of October.

The following results were taken at the Lions Bore following drilling;



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<u>Parameter</u>	<u>Drinking Water Guideline Limit</u>	<u>Reading</u>
pH	Aesthetic Level – 6.5 to 8.5	8.45
Electrical Conductivity	Nil	638
Turbidity	Aesthetic Level – 5	<b>11.9</b>
True Colour	Aesthetic Level – 15	<b>23</b>
Alkalinity	Nil	246.5
Calcium	Nil	2.1
Magnesium	Nil	<0.5
Sodium	Aesthetic Level – 180	93.3
Potassium	Nil	2.5
Aluminium	Aesthetic Level – 0.2	<0.010
Boron	Health Limit – 4	0.092
Iron	Aesthetic Level – 0.3	<b>1.0</b>
Manganese	Aesthetic Level – 0.1 Health Level – 0.5	0.05
Copper	Aesthetic Level – 1 Health Level – 2	<0.002
Zinc	Aesthetic Level – 3	0.002
Ammonia	Aesthetic Level – 0.41	0.29
Oxidised Nitrogen	Health Level – 11.3	<0.01
Nitrate	Health Level – 0.91	<0.01
Phosphate	Nil	0.01
Silica	Aesthetic Level – 80	10.0
Chloride	Aesthetic Level – 250	45.7
Sulphate	Aesthetic Level – 250 Health Limit – 500	3.3
Fluoride	Health Limit – 1.5	<b>3.29</b>

### Food Recalls

One (1) Food Recall was received during the month and was forwarded onto food businesses within the Shire.

### 3 – Local Law Administration

#### 3.1 – Budget

		<b>Actual</b>	<b>Budget</b>
ENVIRO3.1	3210 - Animal Registration Fees	\$4,414	\$4,500

		<b>Actual</b>	<b>Budget</b>
ENVIRO3.2	3210 - Fines & Penalties – Animal Control	\$0	\$1,300

		<b>Actual</b>	<b>Budget</b>
--	--	---------------	---------------



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		<b>Actual</b>	<b>Budget</b>
ENVIRO3.3	3210 - Animal Boarding	\$3,243	\$3,000
ENVIRO3.4	3210 - Local Law Administration	\$41,003	\$110,000

### **3.2 - Report**

General information of activities for Local Law/Animal Control matters is outlined the table below.

**Table 1 - Local Law & Animal Control Summary**

<b>Activity</b>	<b>Number/Details</b>
Impoundings and infringement notices	Nil
Euthanized/Destroyed/Rehomed	Nil
Verbal/Written/Official warning	Nil
Complaints	Nil
Dog Boarding	Eighteen (18) dogs
Removal of Dead Animals	One (1)
Trapping Locations & Results	Nil
Compliance Notices issued	Nil
SPER Infringement Fines issued	Nil
Commercial Use of Roads Permit issued	One (1)

Council staff is awaiting quotes from Structural Engineering firms to provide a report to Council regarding the dilapidated houses in McKinlay Shire and what action we can take. Council will be updated as this matter progresses.

### **4 – Noxious Weeds and Pest Control**

#### **4.1 – Budget**

		<b>Actual</b>	<b>Budget</b>
ENVIRO4.1	3220 - Pest Plant & Animal Control Funding	\$0	\$25,000
ENVIRO4.2	3220 - Truck Washdown Bay Revenue	\$8,334	\$20,000
ENVIRO4.3	3220 - Dingo Baits (Revenue)	\$986	\$1,500
ENVIRO4.4	3220 - Feral Pig Baits (Revenue)	\$0	\$0
ENVIRO4.5	3220 - Pest Animal Rural Land Owners Fees	\$0	\$0



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		Actual	Budget
ENVIRO4.5	3220 - Pest Plant Control Program	\$11,128	\$115,000

		Actual	Budget
ENVIRO4.6	3230 - Pest Animal Control Program	\$12,620	\$78,000

## 4.2 – Report

### Washdown Bay

Hosed out grates in facility

### Pest Animal Control

There were 2 dingo scalps presented in October.

There were 160 Factory Baits issued in October.

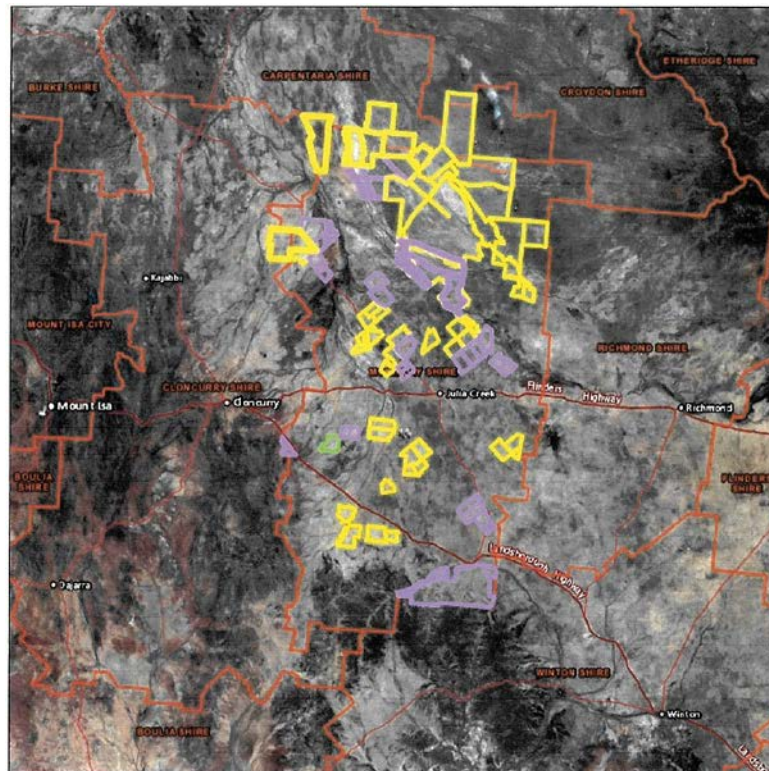
### 1080 Baiting

- 28 properties participated
- 5,550kg dog baits laid
- 2,550kg pig baits laid
- 15.9hrs aircraft hire

Participation numbers were down a bit due to weather and few dogs around the shire.

Airstrips at Alva, Whinmour and Kynuna had to be dragged before baiting due to recent rains.

Map of baiting areas is below.



Purple – Pig Bait



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*Yellow – Dog Bait*

## **5 – Livestock Operations**

### **5.1 – Budget**

		<b>Actual</b>	<b>Budget</b>
ENVIRO5.1	3235 - Livestock Weighing Revenue	\$23,295	\$60,000

		<b>Actual</b>	<b>Budget</b>
ENVIRO5.2	3235 - Livestock Cattle Train Loading Revenue	\$20,307	\$36,000

		<b>Actual</b>	<b>Budget</b>
ENVIRO5.3	3235 - Livestock Operational Costs	\$34,028	\$87,000

### **5.2 - Report**

#### **Julia Creek Livestock Facility**

There was 80 head of cattle weighed at the facility during October.

Works around the facility included;

- New water lines installed around pad for new year
- Awaiting grader to come back and finish cut down of gravel pad

#### **Livestock Weighing Month and Year Totals**

<b>MONTH</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
JANUARY	359	0	0	0	183	0	1401
FEBRUARY	1322	1872	525	467	3241	0	125
MARCH	617	3446	1497	1333	388	0	2788
APRIL	406	5315	951	2487	2217	1034	10073
MAY	1891	8107	615	2062	3065	1768	10022
JUNE	2,109	3,442	1456	1522	742	894	4507
JULY	0	2,170	2809	2003	1143	1569	3501
AUGUST	374	1183	2582	2311	6291	3023	2839
SEPTEMBER	3274	488	2665	1478	765	1280	2175
OCTOBER	790	1252	4613	1127	4708	5492	80
NOVEMBER	508	36	1011	2673	4788	3534	
DECEMBER	240	0	234	340		2776	
<b>TOTAL FOR YEAR</b>	<b>11,890</b>	<b>27,311</b>	<b>18,958</b>	<b>17,803</b>	<b>27,531</b>	<b>21,370</b>	<b>37,511</b>



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### Livestock Operations (Cattle Loading)

A total of 670 head of cattle were loaded on three (3) trains during the month.

#### Livestock Loading Month and Year Totals

MONTH	2014	2015	2016	2017	2018	2019	2020
JANUARY	0	0	0	0	0	0	0
FEBRUARY	680	0	0	132	0	0	0
MARCH	851	0	572	920	0	0	0
APRIL	1811	7653	1737	580	0	0	4100
MAY	7414	7204	2933	6126	603	3199	5716
JUNE	5912	6605	3486	2658	674	3322	3446
JULY	5246	6998	3565	3654	2084	4564	3141
AUGUST	6843	3936	4963	2898	674	1654	1384
SEPTEMBER	4508	315	2233	1804	2454	2098	1583
OCTOBER	3122	0	1070	0	3424	1328	670
NOVEMBER	3439	0	1641	0	1458	1668	
DECEMBER	0	0	144	0	0	0	
<b>TOTAL FOR YEAR</b>	<b>38826</b>	<b>32711</b>	<b>22344</b>	<b>18772</b>	<b>11371</b>	<b>17833</b>	<b>20040</b>

## 6 – Stock Routes and Reserves

### 6.1 – Budget

ENVIRO6.3	3300 - Stock Route – Permit/Water Fees	<b>Actual</b> \$9,369	<b>Budget</b> \$10,000
ENVIRO6.2	3300 - Stock Route Recoverable Works (Revenue)	<b>Actual</b> \$0	<b>Budget</b> \$0
ENVIRO6.4	3300 - Trustee Lease Fees	<b>Actual</b> \$67,556	<b>Budget</b> \$175,000
ENVIRO6.5	3300 - Reserves Agistment Fees	<b>Actual</b> \$8,749	<b>Budget</b> \$17,000
ENVIRO6.6	3300 - Precept Expenses	<b>Actual</b> \$0	<b>Budget</b> \$18,100
ENVIRO6.7	3300 - Stock Route Maintenance	<b>Actual</b> \$22,148	<b>Budget</b> \$100,000
ENVIRO6.8	3300 - Reserves Expenses	<b>Actual</b> \$6,238	<b>Budget</b> \$31,500



## **6.2 - Report**

### **Stock Routes**

Orders have been raised to Daly Bros. to complete new head works and valves on Cremona, 49 Mile and Bullock Hole. Works are scheduled to be completed by Christmas weather permitting.

### **Reserves**

New posts and wire installed on creek crossing of Julia Creek Reserve on Flinders Highway.

Local Laws Officer installed new end assembly for fence at McIntyre Park Horse Paddocks. Photos below;



### **Capital Works**

- Kynuna Reserve water upgrade – works are all complete

## **6.3 - Cemeteries**

### **6.3.1 – Budget**

		<b>Actual</b>	<b>Budget</b>
ENVIRO6.9	3400 - Cemeteries	\$6,331	\$14,000

### **6.3.2 - Report**

There was one enquiry in relation to a grave number during the month.

## **7 – Work Program (Workcamp)**

### **7.1 - Budget**

		<b>Actual</b>	<b>Budget</b>
ENVIRO7.1	3600 - Work Program	\$6,977	\$42,000



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## 7.2 - Report

Community Group	Activity
Church Group	Mowing and cut trees at Churches
McKinlay Shire Council	<u>Airport</u> Mowing/whipper snipping
McKinlay Shire Council	<u>Saleyards</u> Mowing/whipper snipping, clean troughs, locate water pipe
McKinlay Shire Council	<u>Town Common</u> Assist with fence barriers for water tanks Pull down and re-erect fence on common
McKinlay Shire Council	Assist with mechanic duties in Workshop
Julia Creek State School	Remove trees and tidy gardens in school area
McKinlay Shire Council	<u>McIntyre Park</u> Whipper snipping, repaint tables

## 8 – Housing, FRB and Community Centre

### 8.1 – Budget

			Actual	Budget
ENVIRO9.1	3810-1300	3810 - Council Property / Staff Housing Program Rev	\$33,545	\$95,000
ENVIRO9.2	3810-1301	3810 - Council Property / Subdivision Blocks Rent	\$4,800	\$0
	3810-1302	3810-Council Property / Subdivision Blocks outgoings	\$3,825	\$0
ENVIRO9.3	3810-2300	3810 - Council Property / Staff Housing Program Exp	\$78,291	\$155,000
ENVIRO9.4	3810-2300	3810 - Council Property / Sub Division Expense	\$4,788	\$0

### 8.2 - Report

#### Council Property / Staff Housing

Council Property / Staff Housing activities for the month are detailed in Table below.

Activity	Number
Properties Available	4 Amberley Drive





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for use	4 Netterfield Street 5 Coyne Street 7 Coyne Street
New Tenancies	One (1) Unit B, 4 Shaw Street
Finalised Tenancies	One (1) – 7 Coyne Street
Remedy Breach	Nil
Notice to Leave	Nil
Notes/Repairs	Minor repairs performed when required 2 x new split systems installed in 7 Coyne Street 1 x new split system installed in 8 Byrne Street

#### Old Senior/Aged Care Housing

Old Senior/Aged Care Housing activities for the month are detailed in Table Below:

Activity	Number
Properties Available	Two (2)
New Tenancies	Nil
Finalised Tenancies	Nil
Remedy Breach	Nil
Notice to Leave	Nil
Notes/Repairs	Minor repairs performed when required.

#### Fr Bill Bussutin Community Centre and Seniors Living Units

##### Budget

	Actual	Budget
ENVIRO10.4 3820 - Community Centre Hire Fees	-\$96	\$8,500

	Actual	Budget
ENVIRO10.4 3820 - FRB Centre RENT	\$13,223	\$31,000

	Actual	Budget
ENVIRO10.5 3820 - FRB Units & Community Ctre Operational Costs	\$24,513	\$75,000

##### Report

#### Seniors Living Units

Seniors Living Unit activities for the month are detailed in Table Below:



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Activity	Number
Properties Available	Two (2) - Unit 3 & Unit 7
New Tenancies	Nil
Finalised Tenancies	Nil
Remedy Breach	Nil
Notice to Leave	Nil
Notes	General Maintenance performed when required.

## **9 – Land and Building Development**

### **9.1 – Budget**

		Actual	Budget
ENVIRO11.1	3900 - Revenue	\$3,496	\$1,500

		Actual	Budget
ENVIRO11.2	3900 - Town Planning Program	\$6,009	\$30,500

### **9.2 - Report**

#### **Regulatory Services, Land and Building Development**

The following development applications were lodged during the month;

<b><u>DA #</u></b>	<b><u>Applicant</u></b>	<b><u>Type of Development</u></b>	<b><u>Application Details</u></b>
2020-21_05	Rita Crawford	Building	New construction of unit building and new construction of shed and new construction of dwelling. New construction of swimming pool and new construction of carport
2020-21_06	Ray Campbell	Building	Erection of storage building at Cairo Station
2020-21_07	Frank Blacklock	Operational Works	Installation 2 flowing artesian bores and replacing authorised flowing artesian bore at Pelham Station
2020-21_09	IOR Petroleum	Plumbing	Toilet/Shower ablution block at Diesel fuel stop
2020-21_10	D Hick	Operational Works	Installing a flowing artesian replacement bore
2020-21_11	T Curr	Operational Works	Installation of replacement artesian bore at Taldora Road, Malpas-Trenton



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

## **10 – Local Disaster Management**

### **10.1 – Budget**

		<b>Actual</b>	<b>Budget</b>
ENVIRO12.1	2760 - SES Grants	\$0	\$20,567

		<b>Actual</b>	<b>Budget</b>
ENVIRO12.2	2760 – SES Capital Grants	\$0	\$59,800

		<b>Actual</b>	<b>Budget</b>
ENVIRO12.2	2760 - Natural Disaster Grants	\$6,102	\$6,780

		<b>Actual</b>	<b>Budget</b>
ENVIRO12.3	2760 - Disaster Management Operational Costs	\$159,040	\$168,000

### **10.2 - Report**

No incidents activated the LDMG during the month.



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**6.2 Subject:** Permit to Occupy and Purchase Applications on Pasturage Reserve over Lot 57 on SP299144

**Attachments:** 6.2.1 – Email Correspondence from DNRME (*InfoXpert ID: 113990*)  
6.2.2 – Survey Plan for Colin Malone Permit to Occupy Application (*InfoXpert ID: 113991*)  
6.2.3 – Google Image for Heslin Purchase Application (*InfoXpert ID: 113992*)  
6.2.4 – Current Title Search (*InfoXpert ID: 113993*)  
6.2.5 – Correspondence from Connie Navarro (*InfoXpert ID: 114002*)

**Author:** Director Engineering, Environmental and Regulatory Services / Environmental & Regulatory Services Team Leader

**Date:** 9<sup>th</sup> November 2020

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**Executive Summary:**

The Department of Natural Resources, Mines and Energy (DNRME) invites Council to provide views and/or requirements regarding a Permit to Occupy application and a Purchase application over the Pasturage Reserve known as Lot 57 on SP299144.

This matter was brought forward to the October Ordinary Meeting however the decision was deferred to the November Ordinary Meeting to allow staff to provide alternate tenure options. An extension of time has been granted from the Department to 18<sup>th</sup> November 2020.

**Recommendation:**

*That Council resolves to;*

- 1. Offer Colin Malone the continuation of existing arrangements for the paddock known as the "Ranger's Horse Paddock", as per Council's Fees and Charges; and*
- 2. Include the "Ranger's Horse Paddock" in the proposed future land use audit of Julia Creek; and*
- 3. Not consent to any revocation of the reserve for the potential purchase by Heslin as Council has recognized the need for additional land for potential future expansion of Julia Creek township for both residential and light industry; and*
- 4. Advise the Department of Natural Resources Mines and Energy accordingly*

**Background:**

Council has received correspondence from the Department of Natural Resources, Mines and Energy (DNRME) to provide views and/or requirements regarding a Permit to Occupy application and a Purchase application over the Pasturage Reserve known as Lot 57 on SP299144.

The Permit to Occupy application has been made by Colin Malone for part of the parcel of land being a total of 23.23Ha. A copy of the survey plan is attached (6.2.2) for your information.



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

The Purchase application has been made by Jeanette Heslin for part of the parcel of land being a total of approximately 3.6Ha. A copy of the google image is attached (6.2.3) for your information.

The Department are requesting Council's views or requirements on the following topics;

- Whether Council would consider a trustee lease over part of the reserve to Colin Malone in place of a permit to occupy; or
- Where Council would consider a revocation of part of the reserve to Malone to allow for a potential purchase of the reserve by Heslin; or
- Whether Council have a more appropriate use for the land than on or both of the applications that have been made; or
- Whether Council would consider a different boundary for purchase from Heslin (including the land they have applied for it has been noted that they wish to include or make another application for land over the road from their current application); or
- Whether Council would consider a different area for a Permit to Occupy or Trustee Lease for Malone; or
- Whether there is anything that Council feels the need to raise to the Department's attention prior to continuing to assess both applications.

Council received correspondence from Connie Navarro the solicitor acting on behalf for Jennifer Heslin on the 2<sup>nd</sup> November 2020 stating the following;

*Noting that the recommendation is to return to Council's next meeting for further consideration, we have raised this with Heslin and have been informed that Heslin's preference remains the Purchase of Part of the Reserve.*

*A Trustee Lease can be considered further by Heslin if Council's new position is that it no longer supports revocation of any Reserve land in the vicinity of Julia Creek.*

*In terms of the Reserve area included in the Murphy application, we advise Council as follows:*

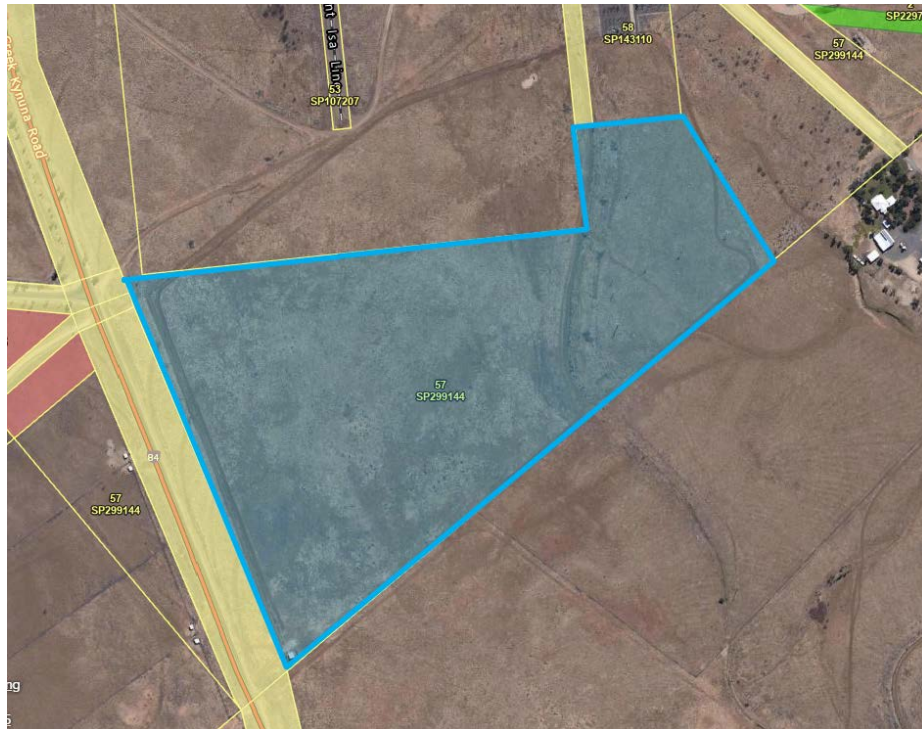
- *Council's views in respect of the Murphy application are now more than 6 months old.*
- *Since commencing the Heslin Application, it has become clear that Murphy has not commenced the Application with the Department. We understand you are making enquiry with Murphy to ascertain whether they have any intention to commence / progress an application*
- *On the basis that Murphy has not progressed their application, Heslin's preference is to include this area of the Reserve as part of her Application to Purchase Part of the Reserve, noting the existence of water services to Hilton Park in this location which appear to have been over looked when Council previously considered the matter.*
- *Heslin did not include this area in her original application because of Council's previous resolution supporting the Murphy application.*

*To the extent that Council would consider revocation of part of the Reserve, Heslin would be prepared to increase her Application Area to include this area of the Reserve also. This would avoid a further severing of the Reserve as a result of Heslin's Application over Parcel A only.*



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

The below map shows the proposed new area for Colin Malone's Trustee Permit taking out the area that is proposed to be granted to Jennifer Heslin;



**Consultation:** (internal/External)

**Legal Implications:**

**Policy Implications:**

**Financial and Resource Implications:**

**InfoXpert Document ID:** 114005

## Megan Pellow

---

**From:** MURPHY Tanya <Tanya.Murphy@dnrme.qld.gov.au>  
**Sent:** Wednesday, 9 September 2020 10:41 AM  
**To:** Amy Stretton  
**Subject:** Pasturage Reserve over Lot 57 on SP299144 - Permit to Occupy and Purchase applications  
**Attachments:** 07 - Aerial Image Application Area (Parcel A).pdf; SUPPORTING DOCUMENTATION FOR PERMIT TO OCCUPY (002).pdf; Current Title 49011769 (1 SP284275 & 57 SP299144).pdf

To: Chief Executive Officer  
McKinlay Shire Council

Pasturage Reserve over Lot 57 on SP299144 - Permit to Occupy and Purchase applications

The department has received the above applications. Both applications have been validly made with the department. The applications that have been made are for a permit to occupy and a purchase of Reserve.

Copies of documents supporting the application are enclosed for your information. The enclosed Smartmap shows the subject land and the surrounding locality.

Please advise the department of your views or requirements including any local non-indigenous cultural heritage values that the department should consider when assessing these applications.

Please also advise the department on the following topics:

- Whether council would consider a trustee lease over part of the reserve to Colin Malone in place of a permit to occupy;
- Whether council would consider a revocation of part of the reserve to allow for a potential purchase of the reserve by Heslin;
- Whether council have a more appropriate use for the land than one or both of the applications that have been made;
- Whether council would consider a different boundary for purchase from Heslin (including the land they have applied for it has been noted that they wish to include or make another application for land over the road from their current application);
- Whether council would consider a different area for a Permit to Occupy or Trustee Lease for Malone;
- Whether there is anything that council feels the needs to raise to the departments attention prior to continuing to assess both applications.

Objections to the applications, and any views or requirements that may affect the future use of the land should be received by close of business on 9 October 2020. If you offer an objection to the application, a full explanation stating the reason for the objection should be forwarded to this Office.

If you wish to provide a response but are unable to do so before the due date, please contact the author before the due date to arrange a more suitable timeframe. An extension to this due date will only be granted in exceptional circumstances.

If a response is not received by the due date and no alternative arrangements have been made, it will be assumed you have no objections or requirements in relation to this matter.

This information has been provided to you in confidence for the purpose of seeking your views on this matter. It is not to be used for any other purpose, or distributed further to any person, company, or organisation, without the express written permission of the department unless required.

If you wish to discuss this matter please contact Tanya Murphy on (07) 4794 8910.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to [Townsville.SLAMS@dnrme.qld.gov.au](mailto:Townsville.SLAMS@dnrme.qld.gov.au). Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2020/012262 and 2020/007278 in any future correspondence.

Thanks,



**Tanya Murphy**  
Land Officer  
**State Land Asset Management | Land Services**  
Department of Natural Resources, Mines and Energy

---

P: (07) 4794 8910

E: [tanya.murphy@dnrme.qld.gov.au](mailto:tanya.murphy@dnrme.qld.gov.au)

A: Cloncurry Courthouse, Cloncurry QLD 4824 | PO Box 7, Cloncurry, QLD 4824

W: [www.dnrme.qld.gov.au](http://www.dnrme.qld.gov.au)

Customers first | Ideas into action | Unleash potential | Be courageous | Empower people



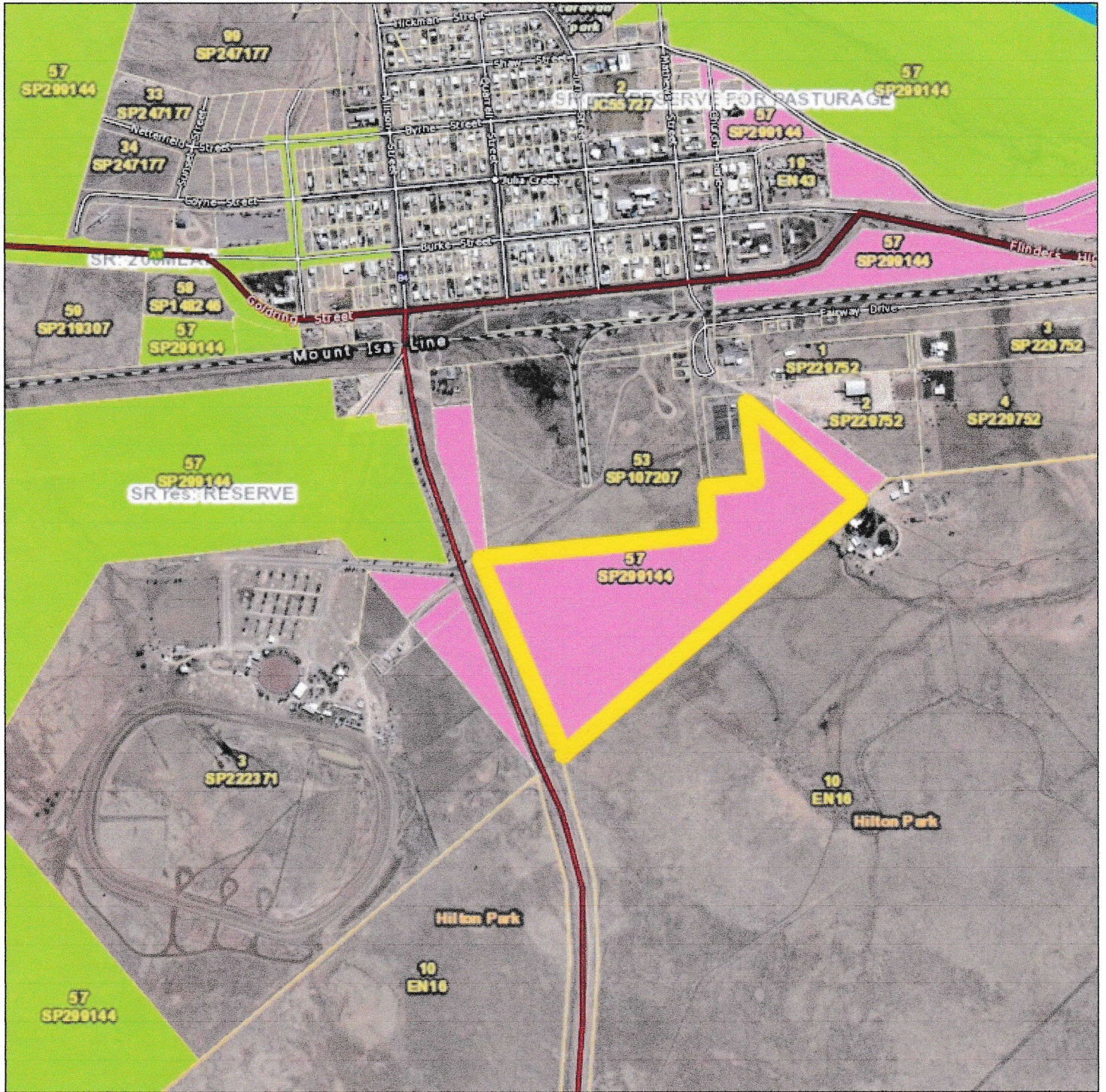
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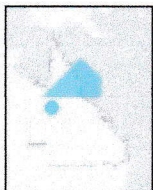
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0 250 metres

Scale: 1:13388

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Datum: Geocentric Datum of Australia 1994  
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**Queensland Government**

Department of Natural Resources, Mines and Energy

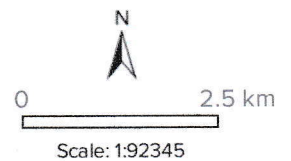


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*Blue line current gazetted  
Stock Route access around Town  
Area.*



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Print date: 15/1/2020

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For more information, visit  
<https://qldglobe.information.qld.gov.au/help-info/Contact-us.html>

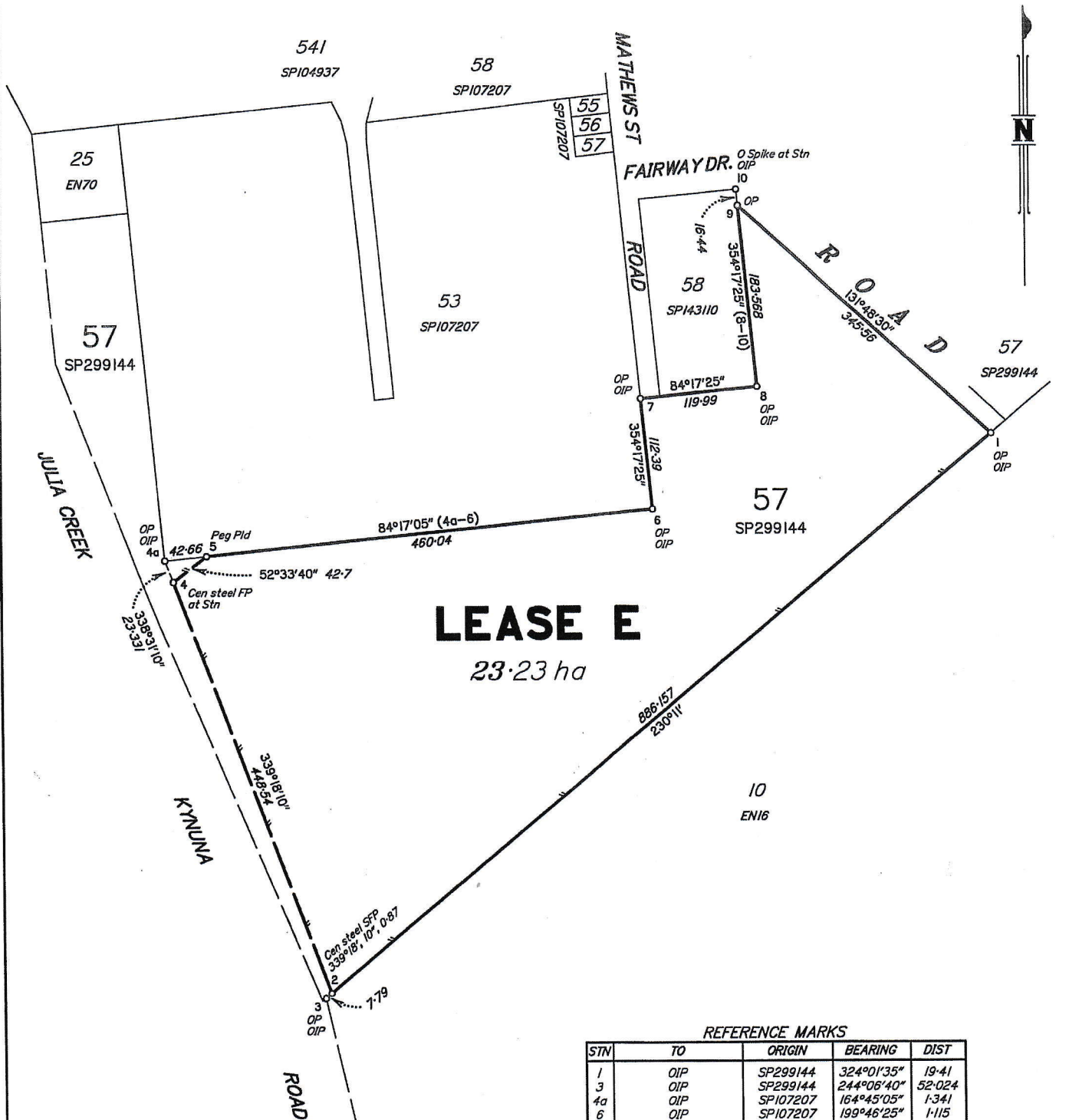


**Queensland  
Government**

Department of Natural Resources, Mines and Energy

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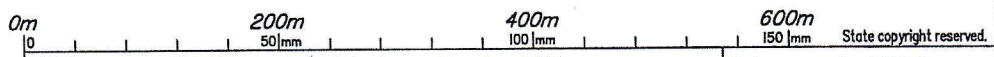
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**LEASE E**  
23.23 ha

REFERENCE MARKS

STN	TO	ORIGIN	BEARING	DIST
1	OIP	SP299144	324°01'35"	19.41
3	OIP	SP299144	244°06'40"	52.024
4a	OIP	SP107207	164°45'05"	1.341
6	OIP	SP107207	199°46'25"	1.115
7	OIP	SP143110	84°17'25"	0.99
8	OIP	SP299144	82°31'20"	1.0
10	OIP	SP299144	84°17'25"	1.0



I, Dale Ian ATKINSON hereby certify that the land comprised in this plan was surveyed by me personally and that the plan is accurate, that the said survey was performed in accordance with the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003 and associated Regulations and Standards and that the said survey was completed on 20/12/2019.

*Dale Atkinson*  
Cadastral Surveyor

Date 9/1/2020

**Plan of Lease E in Lot 57 on SP299144**

Scale: 1:4000  
Format: STANDARD



SP317983

LOCAL GOVERNMENT: MCKINLAY SHIRE LOCALITY: JULIA CREEK  
Meridian: MGA Zone 54 vide GNSS Survey Records: No

We, Colin Joseph Malone and Fiona Lee Malone  
of 44 Coyne Street, Julia Creek (Po Box 80 Julia Creek)

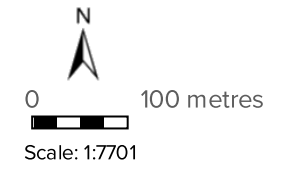
are agreeable to maintaining any boundary fencing which surrounds  
the proposed permit to occupy area which we are currently in the  
process of applying for over part of the Pasturage Reserve described  
as Lot 57 on SP299144.

Colin Malone

Fiona Malone



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Printed at: A3  
Print date: 1/5/2020

**Datum:** Geocentric Datum of Australia 1994  
**Projection:** Web Mercator EPSG 102100

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Department of Natural Resources, Mines and Energy

20°39'16"S 141°44'15"E

20°39'16"S 141°45'38"E

20°40'16"S 141°44'15"E

20°40'16"S 141°45'38"E

 Legend

---

Land parcel

 Parcel

Property



Land parcel label

Railway



Road crossing

 Bridge

 Tunnel

Road

 Highway

 Main

 Local

 Private

 Attribution

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Maxar

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INTERNAL CURRENT RESERVE SEARCH  
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 22/07/2020 11:31

Title Reference: 49011769  
Date GAZETTED: 20/05/1916  
PAGE: 1758

Opening Ref: RES 1611  
Purpose: PASTURAGE  
Sub-Purpose:  
Local Name:  
Address: JULIA CREEK  
County (R) No: R5  
File Ref: RES 1611

TRUSTEES

MCKINLAY SHIRE COUNCIL Gazetted on 20/10/2006 Page 715

LAND DESCRIPTION

LOT 1 SURVEY PLAN 284275 AMENDED on 21/02/2018  
Local Government: MCKINLAY  
LOT 57 SURVEY PLAN 299144 AMENDED on 04/04/2018  
Local Government: MCKINLAY

Area: 866.809800 Ha. (ABOUT)

EASEMENTS AND ENCUMBRANCES

1. EASEMENT No 602824432 (A806) 19/07/1974  
BURDENING THE LAND  
TO LOT 30 ON CP EN117  
OVER EASEMENT A ON RP725502  
Lodged at 00:00 on 19/07/1974 Recorded at 00:00 on 19/07/1974
2. NOTING No 713923807 24/06/2011 at 14:52  
EASEMENT: 602824432 (A806)  
THE BENEFITING TENEMENT OF THE EASEMENT IS RECORDED UNDER  
EASEMENT 602631773 (N710369) OVER TITLE REFERENCE 20898094  
Lodged at 14:52 on 24/06/2011 Recorded at 14:57 on 24/06/2011
3. STATE PERMIT No 714672493 13/09/2012 at 09:26  
A State Permit has been created see Title Reference  
40064834  
Lodged at 09:26 on 13/09/2012 Recorded at 09:29 on 13/09/2012
4. STATE PERMIT No 715859955 27/06/2014 at 09:50  
A State Permit has been created see Title Reference  
40068349  
Lodged at 09:50 on 27/06/2014 Recorded at 11:45 on 02/07/2014
5. STATE LEASE No 717285904 01/06/2016 at 11:51  
A State Lease has been created see Title Reference  
40072163  
Lodged at 11:51 on 01/06/2016 Recorded at 11:54 on 01/06/2016

INTERNAL CURRENT RESERVE SEARCH  
NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Search Date: 22/07/2020 11:31

Title Reference: 49011769  
Date GAZETTED: 20/05/1916  
PAGE: 1758

EASEMENTS AND ENCUMBRANCES

6. TRUSTEE LEASE No 717938506 03/04/2017 at 13:21  
OPTUS MOBILE PTY LIMITED A.C.N. 054 365 696  
OF LEASE F ON SP291650 IN LOT 57 ON SP284275  
TERM: 01/12/2016 TO 30/11/2036 OPTION NIL  
Lodged at 13:21 on 03/04/2017 Recorded at 07:58 on 27/06/2017

ADMINISTRATIVE ADVICES - NIL  
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Reserve Search \*\*



Attention: John Kelly, Chief Executive Officer

**Jennifer Mary Heslin (Heslin)**  
**Application to Purchase Part of Reserve for Pasturage (Application)**

**Jennifer Mary Heslin (Heslin)**  
**Services to Hilton Park**

We refer to:

- Your letter dated 23 October 2020 – as relates to Heslin’s Application to Purchase Part of Reserve;
- Your letter dated 23 October 2020 – as relates to Water Services to Hilton Park; and
- Our discussion on 29 October 2020.

**Application to Purchase Part of Reserve for Pasturage**

Since our discussion, we have now reviewed the minutes of Council meeting dated 20 October 2020.

To assist, would you please provide a marked up map of the Reserve to show clearly:

- The area of the paddock fenced and known as “Ranger’s Horse Paddock”; and
- The area of Heslin’s Application to Purchase Part of the Reserve.

From the recommendation noted in Council’s minutes it would appear that the fenced area of Ranger’s Horse Paddock excludes the area which is the subject of Heslin’s Application. If this is the case and should recommendation b) be adopted by Council, then there is no conflict between Heslin’s Application to Purchase Part of the Reserve and the area which is proposed to be granted to Malone.

We note recommendation c) recommends a Trustee Lease be granted to Heslin for the “balance of the land”, which we expect includes the area of Heslin’s Application.

Noting that the recommendation is to return to Council’s next meeting for further consideration, we have raised this with Heslin and have been informed that Heslin’s preference remains the Purchase of Part of the Reserve.

A Trustee Lease can be considered further by Heslin if Council’s new position is that it no longer supports revocation of *any* Reserve land in the vicinity of Julia Creek.

In terms of the Reserve area included in the Murphy application, we advise Council as follows:

- Council’s views in respect of the Murphy application are now more than 6 months old.
- Since commencing the Heslin Application, it has become clear that Murphy has not commenced the Application with the Department. We understand you are making enquiry with Murphy to ascertain whether they have any intention to commence / progress an application.

- On the basis that Murphy has not progressed their application, Heslin's preference is to include this area of the Reserve as part of her Application to Purchase Part of the Reserve, noting the existence of water services to Hilton Park in this location which appear to have been over looked when Council previously considered the matter.
- Heslin did not include this area in her original application because of Council's previous resolution supporting the Murphy application.

To the extent that Council would consider revocation of part of the Reserve, Heslin would be prepared to increase her Application Area to include this area of the Reserve also. This would avoid a further severing of the Reserve as a result of Heslin's Application over Parcel A only.

### **Services to Hilton Park**

We note the appointment of a new Director of Engineering and Regulatory Services: Cameron Scott.

We understand the new Director is reviewing issues around water infrastructure and supply to Hilton Park and we await further information once he has had the opportunity to investigate and understand the issues.

In our earlier correspondence (dated 22 July 2020) we had requested a copy of the "Hilton Park Water Pressure Report" which was referred to in the Council's May minutes. Are you in a position to provide this Report?

Additionally, would you please advise:

- The diameter, distance and alignment of the current water pipeline to Hilton Park?
- The number of users / offtakes on the same pipeline as Hilton Park?
- Details of changes in the last 5 to 10 years to the water supply network in this area, such as increase in users / offtakes, increase in offtake volume or diameter of pipeline?
- Relevance and location of the Railway Bore to the water supply in this area.

The above will assist us to understand the issues better.

We look forward to your reply.

Regards,

**Connie Navarro**  
Director



---

**M:** 0407 725 306 | **Office:** 0439 803 538 | **E:** [connie@cnavarrolegal.com.au](mailto:connie@cnavarrolegal.com.au)  
**P:** PO Box 126, Deeragun QLD 4818



## **7.0 COMMUNITY SERVICES**

---



## Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**7.1 Subject:** Community Services Monthly Report  
**Attachments:** Nil  
**Author:** Community Services Team Leader  
**Date:** 6<sup>th</sup> November 2020

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### **Executive Summary:**

Council is presented with the monthly Community Services report, which provides an overview of the operations for the month: **October 2020**.

### **Recommendation:**

*That Council receives the Community Services monthly report for October 2020*

---

The following report highlights the data for each of the Functional Areas of the Community Services Department.

### **Grants & Funding**

This section aims to provide Council with an update regarding the current grant submissions and applications.

#### **Smart Hub Project**

Fourier Technologies has completed the site visit to finalise the installation of the network for the Smart Hub. A receiver was installed at the top of the Water Tower to boost Wi-Fi from the Council Administration Building to the Smart Hub and Library. Council staff will work to arrange teleconference equipment and kitchenware before an official opening date is set for the facility to be open to the community.

#### **Community Benefit Assistance Scheme**

Advertised throughout October but no submissions received, anticipate to advertise the program again in early 2021.

#### **LRCIP Program**

Works funded through the Local Roads and Community Infrastructure Projects Program has began during October. Stage 2 of the Cemetery Beautification and the Swimming Pool irrigation/turf were completed by SNR Morgan. Variations were required for those projects which included the pending installation of a tank and solar pump for the cemetery to allow sufficient water pressure and extra soil and turf for the Pool. Several other projects are scheduled to be completed in November and December which include the installation of new softfall at the Early Learning Centre, a new shade structure at the Visitor Information Centre and road upgrades to the Refuse Facility and Sewerage Treatment Plant to Dog Pound.

#### **Department of State Development, Tourism and Innovation**

The allocation of funding to install new interpretive tourism signage at a range of locations throughout the Shire has been delayed. This was a result of the Department being unable to process the application prior the Government going into caretaker mode for the State Election. A meeting is scheduled for early November for an updated timeframe to be provided as well as insight into other programs.

#### **Works for Queensland**

Final approval from the Department has been provided to Council which will now allow a number of major repair and maintenance works funded through the program to begin. Council staff are working through compiling the relevant information to be able to send out quote requests to a variety of contractors.



## Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

### **Sport and Recreation Clean Up Facilities Program**

Council is close to finalizing repair and maintenance works to McIntyre Park, McKinlay Multipurpose Courts and Kev Bannah Oval. The major repairs and maintenance to both Kev Bannah Oval and McKinlay Multipurpose Courts have been completed throughout 2020 and have come in under budget. Council was granted a request for variation for McKinlay Multipurpose Courts which allowed new tennis equipment and a water cooler to be purchased.

Projects associated with McIntyre Park are also nearing completion, with the repairs to the Campdraft Arena and Jockey's Rooms and Turf Club furniture being completed in October. Below is a working spreadsheet of expenditure to date at the facility and Council has arranged for a meeting with the Department representative in early November to identify the process to complete the project.



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

	Allocated \$ (ex. GST)	Quote 1	Quote 2	Quote 3	Actual \$	Works in Progress/Spent to Date	Comment/Justification
<b>Campdraft &amp; Campgrounds</b>							
Shade Sail Repair/Replacement	\$ 6,860.00	\$ 6,589.09					JC Hardware Q9006672
Campground – Irrigation repairs (tree lines, solution to reduce water usage) (A)	\$ 20,850.00	\$ 59,550.00 (Aquaflow NQ)	\$ 32,284.00 (SNR Morgan)		\$ 32,284.00	SNR Morgan completed works late May 2020	TOTAL SAVING FOR IRRIGATION AND EARTHWORKS (S): Allocated (A) + (B) = \$50,874
Campground – earthworks to repair tree mound swales (works dependant of irrigation repairs, ground may be re-profiled or filled) (B)	\$ 30,024.00	\$ 30,042.00			\$ 6,463.49	Council Plant Hire & Wages as at 10/11/2020 (D)	(C) + (D) = Total cost of Irrigation & Earthworks = \$38,747.49 (S) Savings = Allocated (A+B) - Total Cost (C+D) = \$12,126.51 Savings to be put towards revised quote for work on (X)
Arena and campgrounds – replenish soil materials (X)	\$ 27,100.00	\$ 42,170.00			\$ 28,800.00	KW Murphy Holdings awarded works June 2020	Utilised savings as above & contingencies. Works completed Oct 2020
<b>Pony Club</b>							
Arena and grounds – replenish soil materials	\$ 86,430.00				\$ 3,387.75	Crocker Rural Inv #127 (10/12/19) \$526.50 Dan's Tippers Inv #2301 (7/12/19) \$1,761.25 Pathways repair Dec 2019	MSC to arrange supplies of gravel and sand for future usage and repair roads
					\$ 1,100.00	LJ Davison & KJ Copeman Arena repairs \$1,100	Machinery hire to remove weeds and turn over soil



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

Arena Fencing Repairs	\$ 13,725.00						Scope of works identified to replace 'like for like'. Extension granted by Dept to complete project in 2021
Stormwater drainage repairs	\$ 2,500.00						
Replacement of Troughs	TBC – Variation	\$ 3,453.18 (Booth Rural)					Variation Approval required from department/CP
Retrospective Electrical Repairs Payment		\$ 3,776.31 (Horizon Contracting)			\$ 3,776.31	Payment processed July 2020	
<b>Turf Club</b>							
Retrospective Track Repairs	\$ 3,300.00						Estimate – if there was shortfall from Racing QLD Funding following weather event
Cold Room Compressor unit	\$ 10,000.00	\$ 10,800.00			\$ 10,800.00	Marwill completed works Jan 2020	
Jockey Room Repairs	\$ 10,600.00						SN Gabbert Constructions completed works Oct/Nov. Awaiting invoice
Power pole and mains repairs	\$ 20,000.00	\$ 28,500.00 (Marwill)	\$ 14,333.00 (Fully Wired)		\$ 14,333.00	Fully Wired completed Works June 2020	Fully Wired approved – TBC March 2020
Events area – Shade Sails		\$ 10,000.00					
Events area – furniture repairs	\$ 3,600.00				\$ 628.18		MSC purchased materials/equipment and local work camp completed works
Events area – irrigation repair 50% repair 50% upgrade	\$ 30,425.00	\$ 30,425.00	\$ 29,739.72	\$ 33,671.00	\$ 33,966.68	SNR Morgan completed works late May 2020	SNRMORGAN on local buy and completed irrigation works in conjunction with other works in Julia Creek
		(Maccas Tuf Supply & install)	(Total Eden Supply & Install)	(SNR Morgan Supply & Install)			



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		Maccas Sports Turf Supply & Install Total Cost = \$60,850 (ex. GST)	Total Eden Quote 20279770 Supply & Install Total Cost = \$59,479.43(ex. GST)	SNR Morgan Supply & Install Total Cost = \$67,342 (ex. GST)			
Events area - repair lawn condition and improve soil/top-dressing	\$ 24,625.00				\$ 22,522.50	KJ Copeman & LJ Davison awarded works finished August	Local contractor
Stormwater drainage repairs (race track toilet area)	\$ 15,000.00	\$ 21,264.00 (SNR Morgan)	\$ 13,117.84 (SN Gabbert Constructions)		\$ 13,177.84	S.N Gabbert Constructions completed August.	
<b>Other – Professional fees if required</b>	\$ 15,750.00						
<b>Contingency – variations, latent conditions if required</b>	\$ 47,255.00				\$ 27,497.29		
Back-fill road crossings (as per irrigation works)	<b>CONTINGENCY</b>	\$ 3,616.00 (SNR Morgan)			\$ 3,616.00	SNR Morgan completed works late May 2020	
Provide Mulch rings around trees (as per Campdraft irrigation)	<b>CONTINGENCY</b>	\$ 2,946.00 (SNR Morgan)			\$ 2,946.00		
Removal of dead trees/stumps and supply and install 48 new trees in camp area	<b>CONTINGENCY</b>	\$ 3,269.60 (SNR Morgan - Removal)	\$ 7,716.00 (SNR Morgan - 48 new trees)		\$ 10,985.60	SNR Morgan completed works late May 2020	
Supply Materials for topsoil works including soil, sand, Council staff and plant to deliver	<b>CONTINGENCY</b>				\$ 9,949.69	Council Works Crew completed 2020	
<b>TOTAL (including other &amp; contingencies)</b>	\$ 378,044.00				\$ 198,737.04		





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## Community Development Officer

### QRIDA - Meeting

Phillipa Gilmore and Daniel Elder from QRIDA meet to discuss the Farm Business Analysis Assistance program and how best to inform the local community. The Farm Business Analysis Assistance package provides producers experiencing financial difficulty free access to independent financial analysis on their farm business.

The package is a tailored report for primary producers to consider their financial options, support and improve communication and understanding with lenders.

The analysis assistance provides:

- independent, objective and unbiased review of past, present and future operations
- focused on identifying and addressing key matters affecting the business
- realistic options to address matters within the enterprises resources
- complimentary and obligation free

To be eligible for this assistance, owners must:

- be a primary producer in financial difficulty
- have eligible term debt
- lack resources to access a similar professional service

### **Other Loan & Grant Schemes with QRIDA**

The following schemes are available for producers and small businesses in the community:

- Natural Resource Management (NRM) Drought Resilience Program – Grants: The program will provide grants to organisations, farmer groups and individuals to deliver on-ground activities that build drought resilience on agricultural landscapes. Successful applicants will receive between \$20,000 up to a maximum of \$200,000. Applications close 11 pm AEDT on 30 October 2020.
- [Regional Qld Small Business COVID-19 Adaption Grant Program](#): The objective of this program is to support small businesses subject to closure or highly impacted by the coronavirus (COVID-19) shutdown restrictions announced by the Queensland Government, to adapt and sustain their operations, and build resilience. The available grant amount is a minimum of \$2,000 and up to a maximum of \$10,000 per eligible small or micro business. Funds are still available for regional Qld businesses.
- [National Landcare Program Smart Farms Small Grants Round 4](#): Smart Farms Small Grants is an open, competitive, grant opportunity to support projects to increase farming, forestry and fishing communities' awareness, knowledge, skills and capacity to adopt best practice sustainable agriculture. Applications close 10.00pm (AEST) on 9 October 2020.
- [Queensland Feral Pest Initiative \(QFPI\)](#): The Queensland Feral Pest Initiative (QFPI) funds projects for invasive plant and animal management in drought-affected regions across the state. The QFPI provides funding to eligible organisations including National Resource Management (NRM) groups, incorporated industry associations, local government, regional organisations and/or an equivalent body. Applications close 5pm, Wednesday 11 November 2020.

The above have been made available to the community through direct emails, social media and community newsletters.



### DESBT Meeting

Department of Education Small Business and Training held a meeting in regards to the delivery of better services to the region in small business recovery, and how to assist their rebuild and ensure they prosper. SBRC team shared the current findings and upcoming event and how the CDO will be able to provide local intel and assist with the planning, give feedback from the community and what they would like to see in the next outreach session in the region.

### CDO Meeting - Hughenden

Marg Darveniza facilitated the CDO meeting in Hughenden on the 13th of October. There were a number of external agencies who also attended the meeting, which was a great space to finally meet face to face, discuss issues each shire is facing and how each organisation is working towards community development.

### Sedan Dip Men's Horsemanship Clinic

As a result of the Community Survey, feedback provided an insight that a local horsemanship was strongly requested. With the collaboration between McIntyre Shire Council and Cloncurry Shire Council this event was a massive success. The addition of Mary O'Brien from Are you Bugged Mate was extremely well received. There were a range of men from the region who attended, from station owners to ringers. Each participant took new skills home within their riding and a different outlook on their mental health.

### Julia Creek Caravan Park

Compared to previous years, October resulted in being a far more busy month than normal due to the onset of school holidays and a majority of Queensland residents still travelling intra-state and a number of guests from other parts of Australia on their journey home following the relaxation of border restrictions. The park remained close to full capacity throughout the month with a large number of work crews taking up residency in the cabins and dongas.

Suzanne and Andrew Giblin completed their three week period as Caretakers of the park prior to Paul and Carol beginning their interim role as managers during the month. As previously mentioned, the park remained busy during the month compared to what is normally expected. Council must extend their thanks to Suzanne and Andrew who handled the situation with zero fuss and received a large amount of highly positive feedback.

The RMS booking system shows gross revenue of \$51,152 for the month of October, compared to \$55,858 in September. Please find below other visitor statistics obtained through the RMS system.

### JC Caravan Park Revenues October 2020

Type of service	SEPTEMBER revenues (incl GST)	Total	OCTOBER revenues (incl GST)	Total
Donga Units		\$3,195		\$2,590
Powered Sites		\$21,688		\$12,848
Cabins		\$8,070		\$15,090
Unpowered Sites		\$5,926		\$2,463
<b>Sub Total</b>		<b>\$38,879</b>		<b>\$32,991</b>
Artesian Baths incl. salts		\$8,958		\$7,230
McIntyre Park		\$1,066		\$72
Cheese Platters		\$2,250		\$3,425
Laundry		\$1,065		\$714



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Long Term Stay	\$3,640	\$6,720
<b>Calculated Total</b>	<b>\$55,858</b>	<b>\$51,152</b>

**JC Caravan Park Occupancy By Category October 2020**

Type of Service	% Occupancy for August
Donga Unit	70%
Cabin – 4 berth	94%
Cabin – 6 berth	84%
Unpowered site	12%
Powered site	64%
Powered camp site	2%
Long Term	66%

**JC Caravan Park Artesian Bathhouse Usage October 2020**

Type of Service	Number of bookings
Boundary Rider Huts	76
Replica Rain Water Tank Bathhouses	150

**Library & Funeral Services**

The extended tourist season resulted in a number of visitors using the Library to escape from the warm temperature outside. Numbers declined slowly towards the end of the month as many guests returned to their homes following the relaxation of restrictions. Our Librarian Chris had some time away which allowed Council the opportunity to upskill cleaner Fiona Edwards as she juggled both roles during this period. McKinlay Library are still hosting their Monday morning reading sessions when volunteers are available to assist and is receiving great feedback.

**JC Library Memberships October 2020**

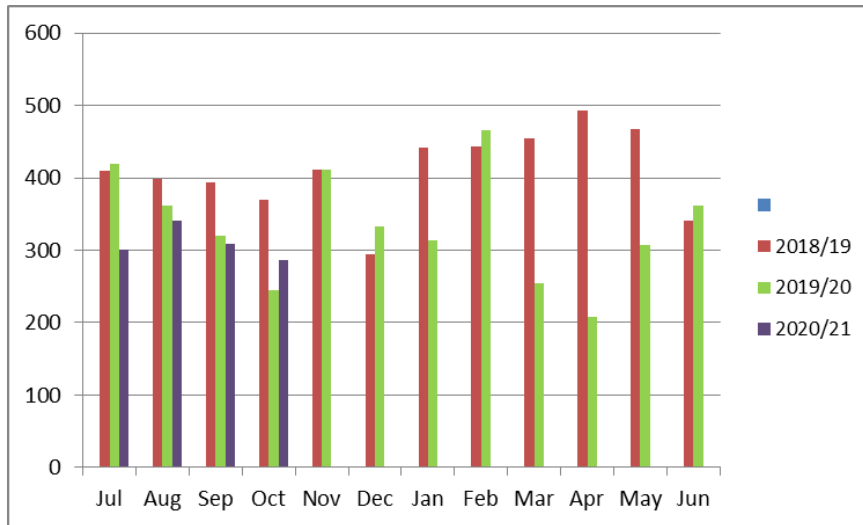
Type of Membership	Total Membership
Adult	310
Junior	69
Institutions	2
Tourists	6

**JC Library Services Provided October 2020**

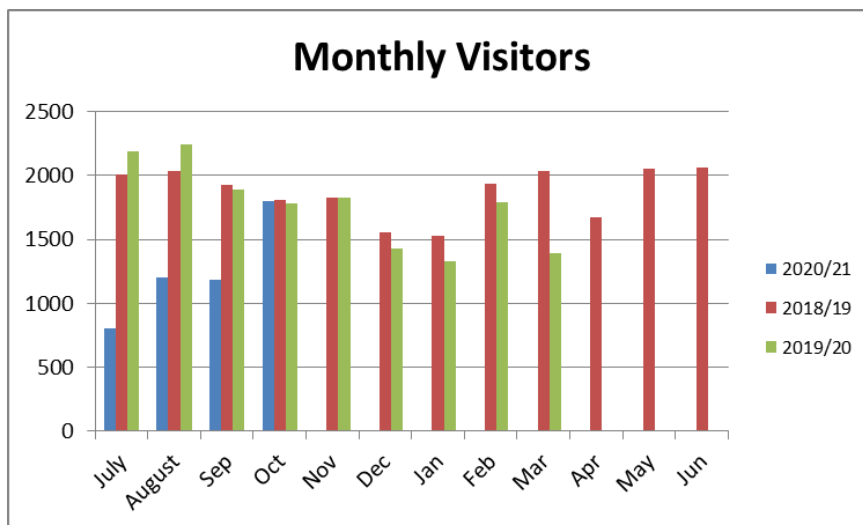
Services Provided	Total Amount
Reservations satisfied	71
Requests for books	59
Internet/Computer usage	
iPad usage	
WiFi usage	



**JC Library Monthly Loans October 2020**



**JC Library Monthly Visitors October 2020**



**Tourism**

October visitation was above average during the month due to the surprisingly extended normal tourism season. The warmer weather didn't perturb many visitors as a lot of Queensland residents enjoyed travelling to the outback during and after the school holiday period. The Centre is now operating under reduced hours to cater for the expected decline in numbers in November and December. Dunnart Feedings will be cut back during this time as well so staff can undertake much needed maintenance on the Dunnart enclosure.

***Total Visitor Numbers for October 2020***

There were 349 visitors to the Julia Creek Visitor Information Centre in October. There have been 3491 visitors to the Julia Creek Visitor Information Centre this year to date (YTD).



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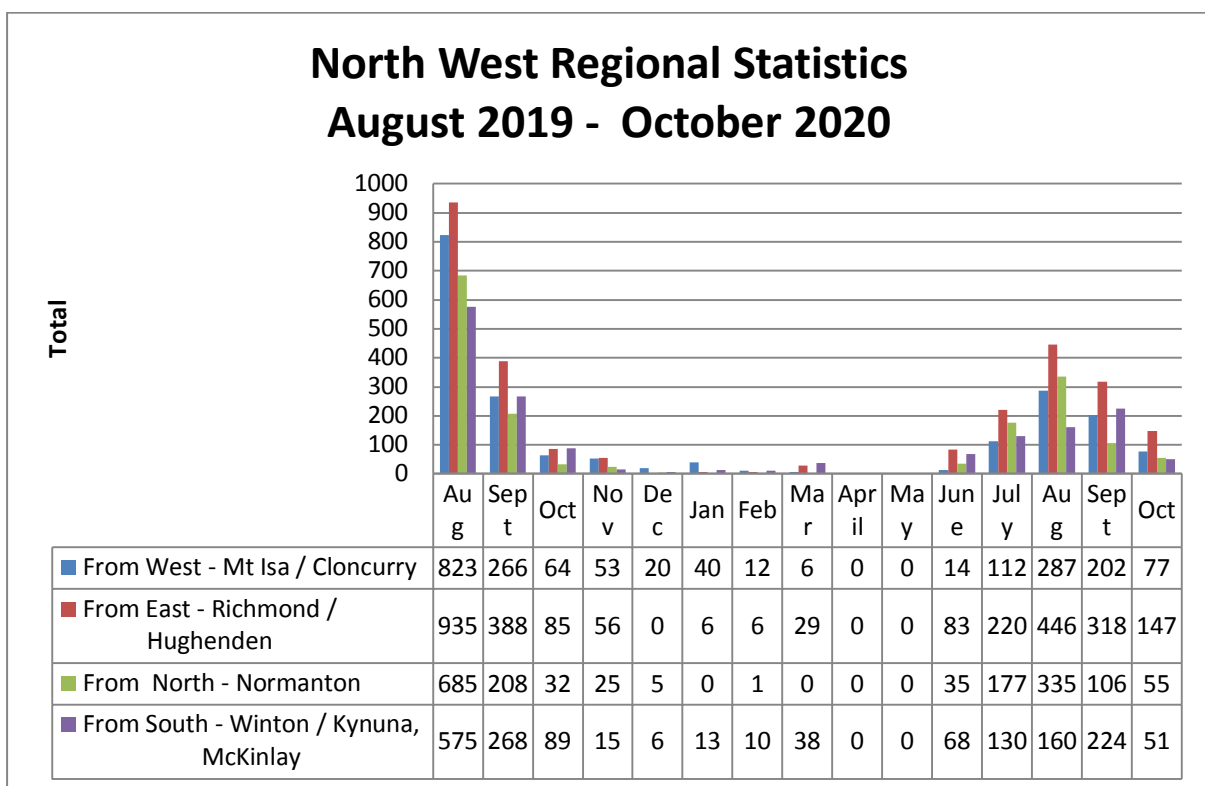
**Total Locals for October 2020**

There were a total of 10 local visitors to the Julia Creek Visitor Information Centre in October. There have been 82 local visitors to the Julia Creek Visitor Information Centre this year to date (YTD).

**Beneath the Creek Entries October 2020**

There were 161 entries to Beneath the Creek October 2020.

**North West Regional Statistics for October 2020**



**RV Site Permits October 2020**

There were 59 RV Site Permits issued in October 2020. There have been 837 RV Site Permits issued in the Year to Date (YTD).

**Digital and Social Media Figures**

	Facebook Page Likes		Instagram Likes		Websites	
	MSC	JC VIC	MSC	JC VIC	MSC	JC VIC
October 1	6,277	4,314	973	1,907	Sessions	Sessions
October 31	6,298	4,338	986	2,005	1,993	757



					<b>Users</b>	<b>Users</b>
					1,361	668

### Julia Creek Early Learning Centre

Due to the absence of the Early Learning Centre Director, no data could be obtained for the month of October.

#### Current enrolments

#### Changes to Enrolments

#### New Enrolments

#### Attendance

#### Significant events:

### Swimming Pool

#### USUAGE

TOTAL NUMBERS FOR THE MONTH

<b>ENTRIES</b>	<b>SWIMMERS</b>
Adult Entry	55
Child Entry	31
<b>Season Passes / Family Pass</b>	
Adult	249
Child	249
Swim Lessons/ No Charge	13
After School Care/ No Charge	72
J/C Swimming Club/ No Charge	37
Aged Care/ No Charge	
<b>Triathlon Training/ No Charge</b>	
Adult	
Child	
J/C State School/ No Charge	128
<b>Caravan Park Tokens</b>	
Adult	412
Child	255
<b>Free Sunday</b>	
Adult	
Child	
<b>Total Swimmers</b>	<b>1419</b>



## Sport & Recreation

### **Daren Ginns Centre Upgrade:**

Throughout the month of October, the Daren Ginns Centre continued to see some exciting upgrades to. We have welcomed some more new equipment in the way of 'slam balls', a prowler/sled, medicine ball slings as well as a wall mounted digital clock and interval timer, all of which has been utilised for Move It NQ Group Fitness classes.

The gym has also seen a bit of a facelift, with the resistance bands now being wall mounted on the back wall, which allows gym users to utilise all the functional equipment in one area at the back of the gym. We have also moved a few pieces of the cardio equipment around to allow gym goers to utilise this equipment with a bit more space between machines.

In more exciting news, the month of October has seen a total of 17 new members, bringing the total current members to 71, with a few more expressing their interest in signing up.

### **After School Sport:**

October saw the beginning of term 4, and after school sport has once again been a hit! On Tuesday & Wednesday afternoons, students have been heading to the pool to beat the heat and have some fun. We have seen up to 15 students attending at a time, all of which have been taking part in fun swimming based games to further improve their confidence in the water.

### **Social Sport:**

Social Sport has remained popular on Mondays and Wednesdays throughout October with Touch Football on Wednesday night's still remaining the most popular choice, with people young and old, local and from out of town coming down for a run. Towards the end of October, the decision was made to change Monday nights from Netball to Indoor Cricket. We have completed one night of this and it was very popular, with plenty of kids coming down to have a go as well. For those who may not want to participate in cricket, there has been the option to utilise the tennis equipment to come down and still remain active.

### **Move It - North Queensland Sports Foundation:**

With the funding for the McKinlay Shire Move It NQ program fully approved, we have been in full swing with our Group Fitness and 1 on 1 Personal Training Sessions. So far, we have completed 3 Group Fitness Sessions, with 11 people attending each time. It has been fantastic to see so many people returning to each session, as well as some new faces popping up along the way.

For those that have attended each session, we have seen some awesome improvement already in their technique and confidence and I am excited to see even more improvement as the weeks go on. Our 1 on 1 Personal Training sessions have also been incredibly popular, with 6 people already attending regular sessions, and many more expressing their interest for the month of November and onwards. As those who have been attending the Group Fitness sessions regularly have seen, those committing to the Personal Training have been giving incredible amounts of effort and have seen great results already in terms of technique, confidence and conditioning.

This initiative will be continuing through until the end of the year, with a break for Christmas/New Years and recommencing in January for roughly 6 weeks. In February, we will be reconvening with the Move It NQ team to provide feedback on any changes the community recommends for the program going forward, with the hope of continuing this initiative throughout 2021.



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This is an incredibly exciting initiative for the community and I can't wait to see the further benefit it has on all involved. In early November, I will be attending the Move IT NQ workshop in Townsville to network with other local councils and gain further ideas to how we can continue to improve the program for the rest of the year.

### Community Health

Community Nurse data collated from 17<sup>th</sup> August – 31<sup>st</sup> August due to regular nurse being on annual leave up until this point.

CHSP OCCASIONS OF SERVICE (OoS)		
		Hours
Nursing Care	Nursing Care	29.55
Personal Care	Personal Care	2.5
<b>Total</b>	<b>59</b>	<b>35.45</b>
LOCATION OF CHSP OCCASIONS OF SERVICE		
Home Visits	39	
Clinic Visits	1	
Phone Consults	-	
Telehealth	2	
Other	-	
Transport to Medical Appointments	9	

NON-CHSP COMMUNITY NURSING OCCASIONS OF SERVICE		
	OoS	Hours
Home Visits/Clinic Consults	4	3.75
Care Coordination	2	1.0
Phone Consults	6	0.5
Telehealth escorts	1	0.5
Meetings / Transports	M x 9 / T x 2	4.5
Health Promotion Sessions	2	5.0





## REFERRALS

X 3 referrals for medication reviews

X 2 referrals to NWRH for Exercise Physiology

## HEALTH PROMOTION

X 2 mental health wellbeing sessions held on Tuesday 13/10/2020 as part of Qld Mental Health Week. Hosted by community nurse, but presented by RFDS.

Day time session for senior clients held at Fr Bill with x 3 attendees

Evening session held at Shire Hall with x 12 attendees

(Social distancing in place, hand sanitiser available, list of attendees kept)

Posters hung up around town as well as social media posts on Council's facebook page for Qld Mental Health Week

Random hand-out of RFDS cake to shop-fronts in CBD for mental health week (this was very well received!)

## GENERAL BUSINESS

Community Nurse attended MPHS for mandatory training with DON 21/10/2020 (BLS, PPE donning and doffing, SAED, Patient Handling)

### CHSP – Commonwealth Home Support Program

#### Events and Activities

Wednesday luncheons are still continuing and clients have enjoyed outings to both the Julia Creek Hotel and Gannons Hotel for the monthly luncheon. As summer and the wet season approaches, staff are ensuring all clients are well equipped with medication and supplies.

#### Stats October 2020

CHSP currently have a total of **24** clients.

Service Offered	Number of Clients
Transport	36 Two-way trips
Social Support	42 Visits



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Personal Care	20 visits 1 client
EXERCISE	
Counselling/Support, Information and advocacy (client)	4 hours
Shopping	4 trips (8 pick-up)
GAMES	(0 sessions)
Luncheon	37 Attended (5 sessions)
Wednesday Meal	69 meals (including morning tea)
Meals on Wheels	48 Meals delivered
Home Maintenance	42 lawns mowed 21 clients
Domestic Assistance	7 clients
Pub Lunch	5 clients 1 session
Craft Morning	
Clients Transported for Doctors Appointments	6 CHSP clients

**Consultation:**

Director Corporate & Community Services

**Legal Implications:**

**Policy Implications:**

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:**

113969



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**7.2 Subject:** Julia Creek Community Children's Services Hub  
**Attachments:** JC Community Children's Hub Designs (*InfoXpert ID:113955*)  
**Author:** Director Corporate & Community Services  
**Date:** 9 November 2020

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**Executive Summary:**

Council successfully secured funding through the Maturing the Infrastructure Pipeline Program (MIPP) to engage a consultant to investigate the possible development of a Community Children's Services Hub and following this engage a service provider to develop detailed designs of the proposed facility. The first stage of the project to deliver a Business Plan was completed and presented to Council in August 2019. The final phase, detailed designs are now completed and presented to Council for review.

**Recommendation:**

*That Council receive the Julia Creek Community Children's Services Hub detailed design, and recommend to place the project on a future works program and attempt to secure external funding to enable delivery of the project.*

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**Background:**

Council secured funding through the Maturing the Infrastructure Pipeline Program (MIPP2) for the potential development of a Community Children's Services Hub in Julia Creek. The project involved completing a Business Plan and a detailed design of the proposed facility.

Council with the assistance of Peak Services went through a Request for Quote process to procure a consultant to undertake the Business Case phase of the project. From this process, Childcare by Design were engaged to develop the business case.

Peak Services assisted with the second phase of the project, engaging a service provider to complete detailed designs of the proposed facility. Vabasis were appointed to complete the design phase following a RFQ process.

Attached to this report are the final design of the facility which went through phases of consultation, with the Director of the Early Learning Centre, Cr Fegan, Cr Royes and Director Corporate & Community Services.

A requirement of the MIPP funding program, Council needs to consider and resolve the next steps for the project. Whether it be not to progress the project, put on the future works program with the intent to secure external funding.



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**Consultation:**

Throughout the development of these designs consultation was undertaken with operational staff, Director of the Early Learning Centre, Cr Fegan, Cr Royes and Director Corporate & Community Services.

**Legal Implications:**

Nil

**Policy Implications:**

Nil

**Financial and Resource Implications:**

A cost estimate for the proposed facility was obtained by Quantity Surveyor, Rider Levitt Bucknall which estimated the total cost of the project to be \$9,240,000. ( Estimated Net Cost \$4,338,759 plus Margin & Adjustments \$4,901,241)

**InfoXpert Document ID:**

113953



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**7.3 Subject:** Water Tower Beautification - Mural Enquiry

**Attachments:** Nil

**Author:** Economic Development Officer

**Date:** 5 November 2020

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**Executive Summary:**

The McKinlay Shire Cultural Association have recently written Council to follow up on a Council-supported proposal to have the Julia Creek Water Tower painted with a mural.

**Recommendation:**

*That Council write to the McKinlay Shire Cultural Association to inform that a painted mural is not an avenue that Council sees for the future of the Julia Creek Water Tower.*

---

**Background:**

In January 2017, the McKinlay Shire Cultural Association (MSCA) wrote to gauge Council's interest in adding mural artwork to the Julia Creek Water Tower to add "beautification" to this tourist attraction. The group recommended the type of mural artists and also suggested adding special lighting to bring the artwork to life.

A Council response was sent in July of 2017. This response stated that the MSCA's proposal to paint the Water Tower was presented to, and supported by, Council. Council staff had started making contact with artists to receive a cost estimate for the project (in excess of \$50,000) and because of the estimates staff was also seeking funding to enable this project to happen.

No other correspondence from either party appears to have occurred until now.

In December 2017, the Tourism Plan was adopted by Council which details a "Water Tower Experience" project. This project details adding changing lights and images projected to the Water Tower, but nothing about having a painted mural.

Consultation with Council Staff has deduced the following:

- Council's Tourism Plan made painting the Water Tower not ideal
- Once it was found that the Water Tower needed repairs all other plans for the Water Tower were put on hold

In August 2019, Council was awarded funding through the FNQ and NQ Monsoon Trough Flexible Funding Program to enhance the lighting of the Water Tower.

The summary of this "Julia Creek Water Tower Changeable Lighting Project":



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*“To emphasise the importance of the water tower Council have installed white lights which shine bright and illuminate the tower during the night.*

*As a landmark attraction to the town, Council are aiming to replace the current lights with changeable coloured lights. This represents an opportunity to visually change the look and feel of the water tower and address special issues that are important in community inclusion, wellbeing and health.*

*Examples are State of Origin (maroon), prostate cancer week, breast cancer awareness (pink), domestic violence or other important issues that are part of everyday ay life in the outback.*

*As the water tower can be seen from all view points both visitors and locals can see and feel the need for awareness. It provides an ice breaker in conversations on topics that are perceived as being taboo.*

*Council will actively promote the colours, consult the community and ask for input.”*

This project has also stalled due to the repairs and construction on the Water Tower as well as affects from the COVID-19 Pandemic.

**Final Thoughts:**

As the 2017 Tourism Plan contradicts that Council had originally supported a painted mural on the Water Tower earlier in the year, that there are letters of community support and secured funding for the Changing Lights Project, and a lack of evidence that Council seeks to look further into painting a mural on the Water Tower; it is suggested that this is not the path that Council sees for the future of the Water Tower.

**Consultation:**

Director of Corporate & Community Services  
Community Services Team Leader

**Legal Implications:**

Nil

**Policy Implications:**

Nil

**Financial and Resource Implications:**

FNQ and NQ Monsoon Trough Flexible Funding Program

**InfoXpert ID:**

114000



## **7.4 LATE – Glenagra Power Pod Report – SWER Lines Alternative Project**

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**7.4 Subject:** Glenagra Power Pod Report – SWER Lines Alternative Project

**Attachments:** *SWER Lines Alternatives Project – Reporting of Power Pod 12-Month Trial*

**Author:** Economic Development Officer

**Date:** 9 November 2020

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**Executive Summary:**

The 12-month trial period of the SWER Lines Alternative Project - Intech Clean Energy Power Pod located at Glenagra Station has been completed. A 12-month summary report is brought to Council for noting.

**Resolution:**

*That Council;*

- 1. Accept the Reporting of Power Pod 12-Month Trial;*
- 2. Endorse the Proposal to Extend the Trial for a 6-month period;*
- 3. Endorse the distribution of the 12-month report to all stakeholders and notify them of Council's desire to extend the trial.*

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**Background:**

Please see attachment - *SWER Lines Alternatives Project – Reporting of Power Pod 12-Month Trial* – for full details on background and data reporting.

Initial findings of the 12 month trial find that despite some compatibility and maintenance issues, the Power Pod led to an Energy Savings of \$4,396.30.

It is preferred that Council can extend this trial for another 6 month so that we can continue to report through another wet season, and to continue gathering data now that all issues appear to be resolved. This will require all stakeholders, including approval from the Landowner, to be in agreement for this proposal.

**Consultation:**

- MITEZ
- Ergon Energy
- Marwill Pty Ltd
- Council and relevant staff

**Legal Implications:**

- Updating the Power Pod Trial Agreement





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**Policy Implications:**

- Nil

**Financial and Resource Implications:**

- Budget allocation

**InfoXpert ID:**

- 114006

### Remote Area Boards Project – SWER Lines Alternatives – Power Pod Trial:

The ultimate goal of this project is to find ways to reduce the dependence on grid power for remote regions; McKinlay Shire having particular interest, being located at the end of the 66KVA powerline from Townsville to Julia Creek. Finding a suitable option to provide rural properties with more reliable and possibly cheaper electricity could provide savings, not only for rural properties but, for electricity providers that invest high amounts of money to maintain the SWER line network.

In an effort to examine options involving new technology for improved reliability of solar resources, Council investigated an off-grid solution called a “Power Pod”.

The Power Pod consists of solar, battery, and a generator. The diesel generator is meant to only kick in for emergencies or any long extended period of cloud cover. It is designed to generate enough power during the day to run all night on the batteries. Unfortunately, the wind turbine option that was initially included with the proposal was not feasible.

### The Site

A McKinlay Shire public ballot was held to determine the rural property that would host the trial of the Power Pod, after an Ergon Assessment determined final eligibility.

The winning ballot was Glenagra Station, Kynuna QLD (site).

This site facilitates the following:

- 1 house, occupied by two people
- Quarters (unoccupied)
- Shed
- Water pump; services the house, a dam and troughs



*Glenagra Station (Neil Zoglauer Photography)*

**Items to note from Ergon’s Energy Management Opportunity Analysis Report (September 2018):**

1. No electricity bill data was made available for the site as at September 2018.
2. The site is suitable for a Stand Alone Power System (SAPS).
3. Site operations (i.e. pumping and refrigeration) on a remote location means that energy consumption will appear high for the size and occupancy. This site also operates continuously throughout the year.
4. Energy efficient initiatives can offer sound cost savings, however remoteness of the site can increase implementation costs.
5. The daily average consumption over 12 months on the site is 39kWh, prompting Ergon to recommend a smaller system than the proposed 21.06kWp Pod.
6. *“It is unclear how the Intech Three-Phase Stand Alone Power System (SAPS) would integrate with the single phase SWER connection without reconfiguring the system design or site electrical connection.”*

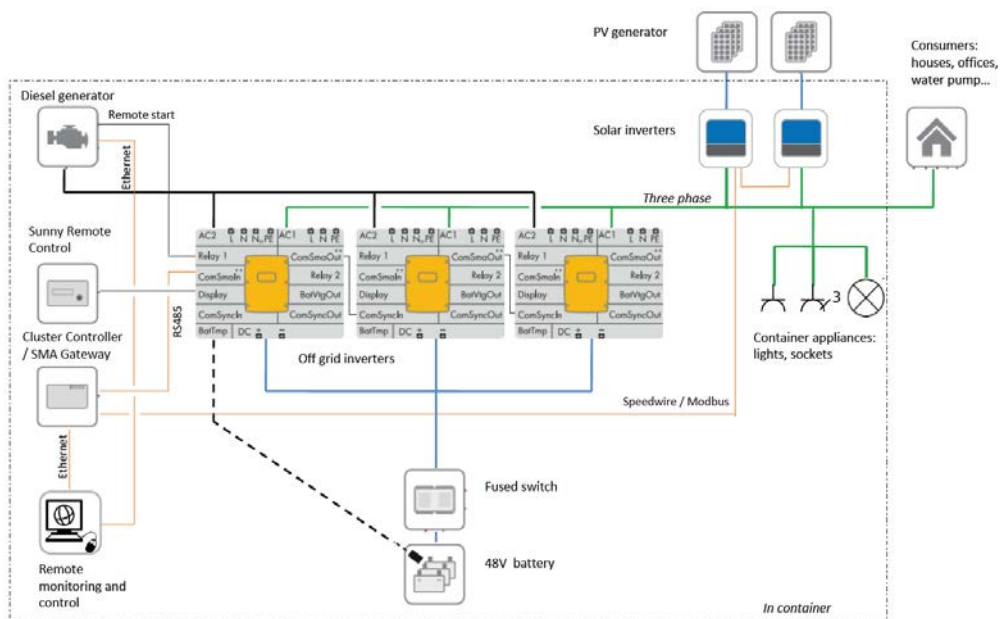
**The Pod**

Intech Clean Energy supplied a Three-Phase Power Pod that consisted of:

- 1x 20 kVA diesel generator
- 3x off-grid inverters
- 1x 48V battery, connected to the inverters with 1x Fused switch (60 kWh battery storage)
- 2x solar inverters (21.06 kWp solar PV plant)
- Electrical distribution board
- 1x Sunny Remote Control Data collector
- 1x Ethernet hook up for remote data collection
- 1x Air conditioner (unknown specs)
- All pre-mounted equipment (excluding solar modules)
- All installed in a 20-foot shipping container

The above was quoted for a price of **\$160,337.76** inc GST:

- Intech agreed to supply a Power Pod to Council at a cost of **\$97,884.64** inc GST, a significant discount.
- This price does not include; installation of solar panels, connection to energy grid, foundation for mounting pod, shipping, and other electrical install fees.



Schematic - Three Phase Configuration

Intech Clean Energy – Three Phase Pod Configuration



*The German-made power pod arriving into Townsville Port (photo from Budd Photography)*

McKinlay Shire received the Power Pod in September of 2019. Weather conditions played a big part in the delay of arrival.

## The Install

Marwill Pty Ltd performed the installation of the power pod:

- Upon installation it was found that the three-phase supply was not capable of being hooked up to the existing power at the site.
  - o This required an upgrade to the power/underground cable system and the circuit breaker
  - o This cost the landowner **\$4,848.89** inc GST.
  - o A predicted issue as per the Ergon Energy Management Opportunity Analysis Report (*item 6, page 2*)

## Pod Performance

### **Council/Landowner Reporting:**

As part of the Power Pod Trial Agreement between McKinlay Shire Council and the Landowner, the Landowner is required to provide a monthly report to Council in order to document maintenance, fuel usage, and times reverted to the grid. All reporting reflected that regular inspection and maintenance was performed. The generator had to be utilized nearly every month. Months that posed the most issues were as follows:

#### **October 2019:**

Within the first week of operation (October 2019) the generator was overheating inside the container, to prevent this from happening, the doors to the container are left open all the time, if weather allowed.

Marwill noted concerns that the battery system was too small and recommended that the pod needed to have double the size of batteries installed.

#### **November 2019:**

Cloudy weather and issues with the bore motor cutting out the power had some effect on the power quality.

**December 2019:**

The high costs and high use in December is due to a failed fuel filter on the generator which took 17 days to be ordered/delivered/installed. December and January are also McKinlay Shire's hottest months, leading Glenagra to run an extra air conditioner throughout the month.

There was mention of the electricians looking into the bore motor that was causing the power to trip out if it happened to kick in before full sunlight.

Because of the heat, the power pod also gets too hot inside when it is fully closed, so the managers leave a doors open on the pod when weather and element allow, so that there is ventilation for the battery.

**January 2020:**

The power pod failed to get a charge/generation from the solar panels and the generator would not kick in for a few days. No one had been able to diagnose why these issues happened during this time-frame.

Large amounts of internet data were being consumed, causing the site caretakers to go long periods with no internet access:

- The caretakers unplugged the internet line to the pod
- Council was made aware of this, but were led to believe that it was plugged back in later – lack of remote reporting shows that this has not been done
- It is noted that the 12-month Power Pod Trial Agreement between Council and the Landowner states that the landowner is responsible for providing access to any necessary internet connection that is required to facilitate the download of the Data by Council, Ergon or the Service Provider

Rainy and cloudy weather also had an effect on the power quality.

**May 2020:**

The Power Pod stopped operating as the battery had failed. Marwill tested and charged the existing battery, but it was determined that the batteries needed to be replaced; these were charged and the system was jump-started.

Marwill also found that the "Generator Trickle Charger" for the battery had no power connected

- This caused the battery to discharge too much causing battery malfunction
- Council requested the power be run to the "Battery Trickle Charger" to prevent this

**July 2020:**

Electricians returned to do maintenance after replacing the batteries in May.

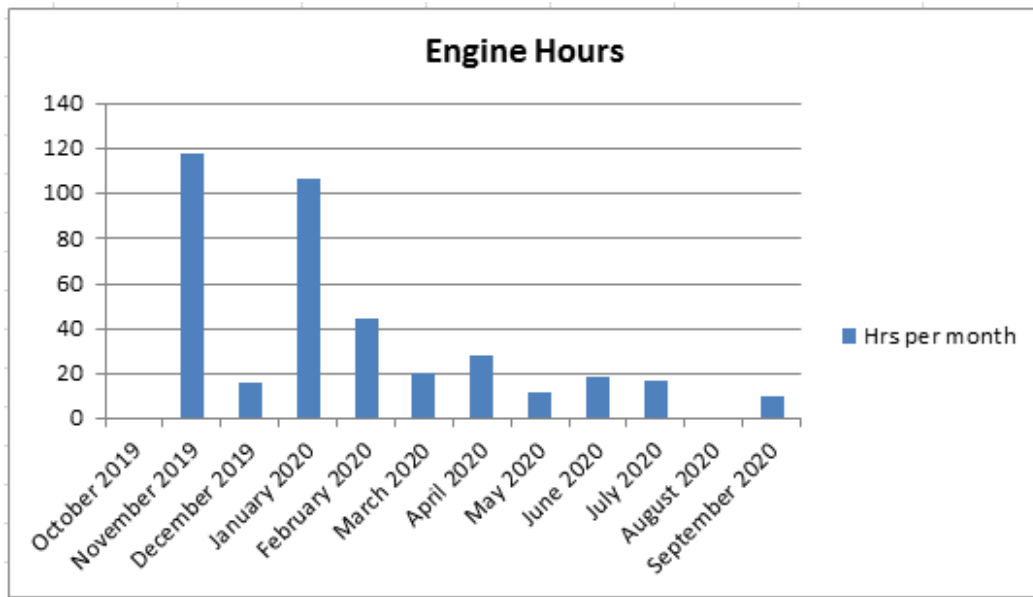
Instances of Reverting to the Electricity Grid		
Date	# of times reverted	Comments
October 2019	0	Nil
November 2019	0	
December 2019	17	reverted every night from 13-30 December Issue: Failed Fuel Filter
January 2020	2	1 instance: reverted for 3 days due to panel failure 1 instance: reverted for 1 day due to generator failure
February 2020	0	Nil
March 2020	0	Nil
April 2020	1	only for a few hours
May 2020	1	reverted for 5 days (22-26) due to battery failure
June 2020	0	Nil
July 2020	1	reverted for 48 hours for electrician to perform maintenance
August 2020	0	Perfect Month - no use of grid or generator!
September 2020	0	Nil

**Generator Engine Hours:**

Engine Hours		
	Hrs per month	Hrs YTD
October 2019	NA	NA
November 2019	118.3	118.3
December 2019	15.7	134
January 2020	106.8	240.8
February 2020	44.8	285.6
March 2020	20.1	305.7
April 2020	27.9	333.6
May 2020	11.6	345.2
June 2020	18.1	363.3
July 2020	16.6	379.9
August 2020	0	379.9
September 2020	9.6	389.5

**Average Engine Hours per Month:** 32.46 Hours

**Total Engine Hours for 12 Months:** 389.50 Hours



**Diesel Use & Cost:**

Diesel Use/Cost		
	Fuel used (litres)	Cost per month (\$)
October 2019	82	131.12
November 2019	167	267.03
December 2019	112	173.49
January 2020	411	648.97
February 2020	233	367.91
March 2020	120	189.48
April 2020	140	223.86
May 2020	60	77.94
June 2020	60	77.94
July 2020	80	103.92
August 2020	0	0
September 2020	60	75

**Average Fuel used per Month:** 127.08 Litres

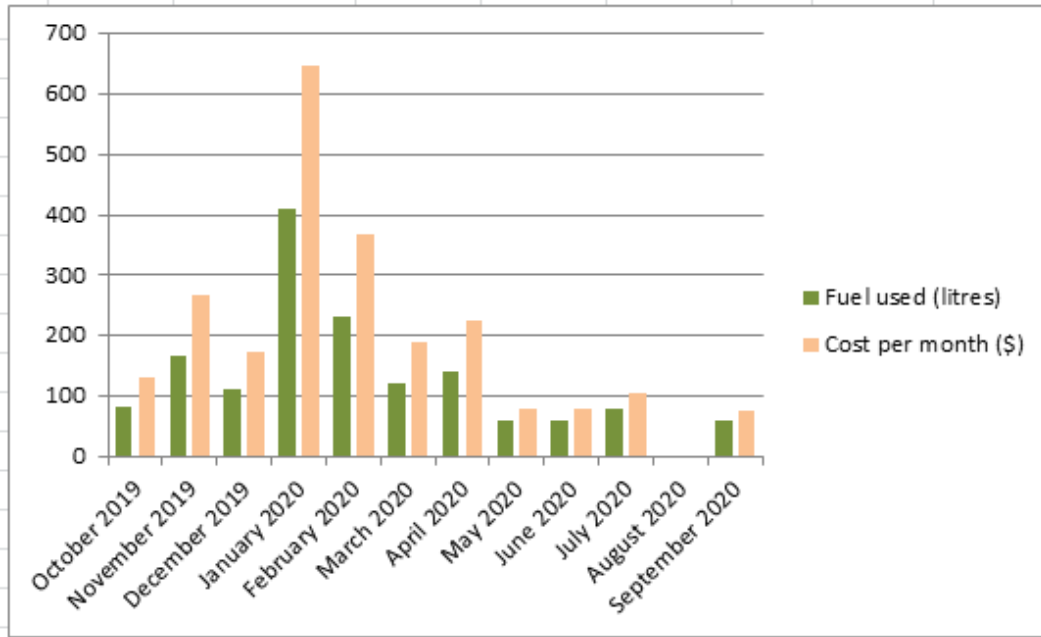
**Total Fuel used for 12 Months:** 1,525 Litres

**Average Cost of Fuel per Month:** \$194.72

**Total Cost of Fuel for 12 Months:** \$2,336.66

**Average Cost of Fuel per Litre over 12 Months:** \$1.35

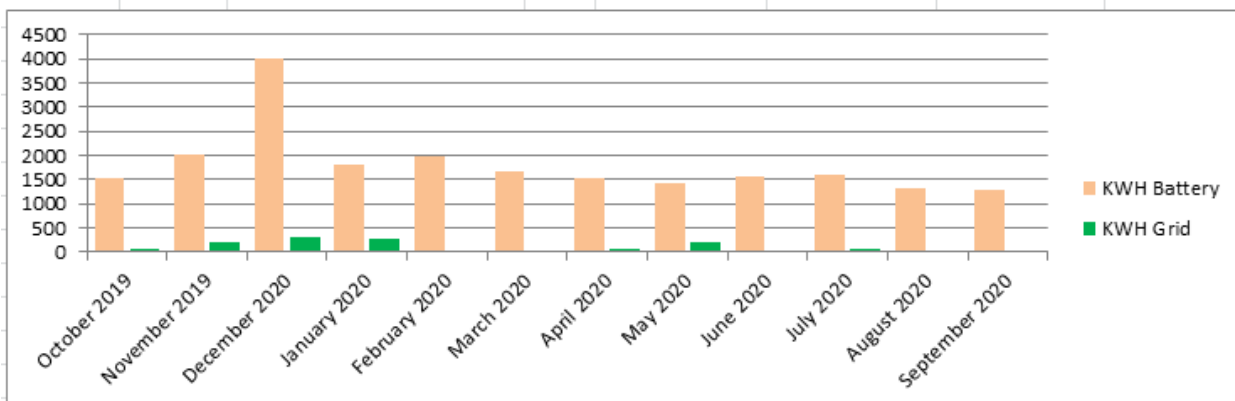
### Diesel Use and Cost



### Energy Usage:

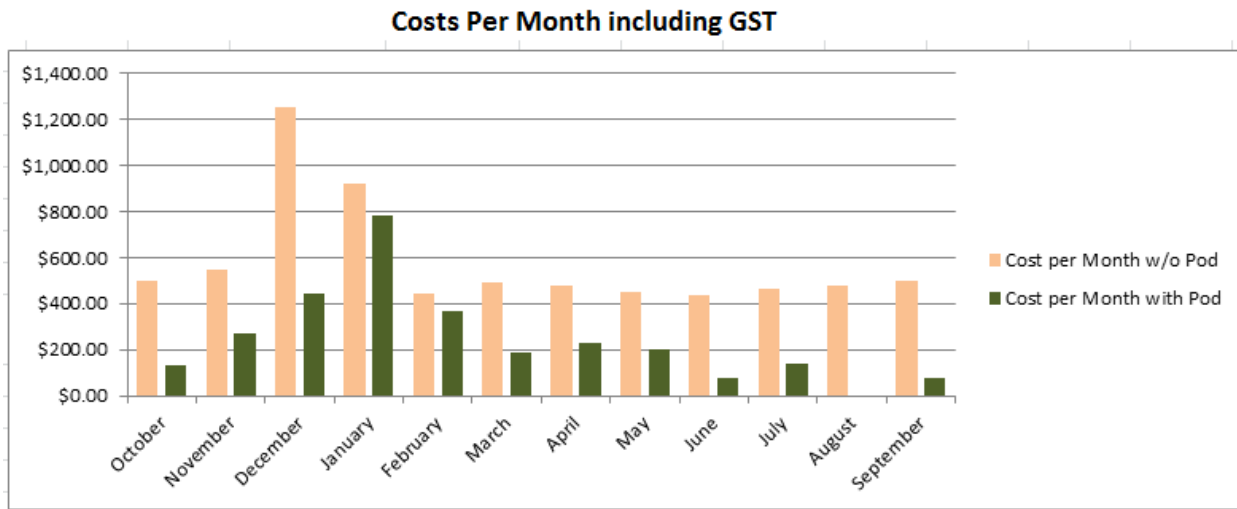
The following chart shows where the energy was used from. This does not include generator use. **Please note:** the battery energy usage is based on the Ergon kWhs data from the previous year. Actual energy data from the battery will be added once the data is manually pulled from the Power Pod.

### KWH Used on Battery and Grid





The following chart compares the cost of energy for each month of operation. The peach colour shows what the Ergon Energy Bills reflected from October 2018-September 2019 vs the green colour which represents the Ergon Energy Bills and Diesel costs from October 2019-September 2020.



These costings clearly show which months had problems with the Pod, as detailed previously. Warmer months also have more generator usage hinting that air conditioners may have used more energy from the batteries.

Once a comparison is made between the energy usage without the Pod vs the energy usage with the Pod, this may also support why some costings are higher or lower on other months.

### Viability

Council’s cost of the Pod with delivery and installation: **\$155,457.22**

The cost of the Pod with delivery and installation, for the typical user: **\$217,910.34**

The cost of energy at the Site from October 2018 – September 2019 is estimated at **\$7,300** for the year (excluding service and meter charges).

The cost of energy at the Site from October 2019 – September 2020 was **\$2,903.61** for the year (excluding service and meter charges, excluding maintenance costs).

Energy Savings: **\$4,396.39**

It would take 50 years to pay for the pod as a typical user in this trial, with only the amount saved in energy savings.

However if the maintenance and repairs costs are also factored into this trial, the savings are reduced to **\$1,303.57**. This does not mean repairs like this are required every year. There were a couple big issues with the fuel filter and battery system, causing replacements that should not normally happen, especially in the first year of use.

## In Retrospect

Intech Clean Energy have created shipping container pods like this for other countries that have cooler climates and more reliable internet access. This trial is their first in Outback Australia, which has pushed the limits with heat, internet capabilities, and access to reliable power in general. The future for potential users would see some design changes to the pod to allow for either; better ventilation or better insulation.

The Trial Site, at the time, had one of the lowest energy uses in the Shire. The original Ergon reporting, done in September 2018, showed an average usage of **39k Wh a day**, over 12 months. However the Ergon Data from Energy Bills between September 2018 – October 2019 shows an average usage of **63.29 kWh a day**.

Knowing this and knowing how the Pod performed overall, a larger battery system is recommended. Electricians have recommended a Battery System to be used at this site should be double the size.

It did work in our favour that the pod being delayed in arrival, allowed nearly a whole year of billing data to be collected for a better before and after comparison, since no billing data was made available with Ergon's initial reporting.

It did not work in our favour that the initial problems of the Pod happened during our wet season which are also our warmest months. We also did not have much rainfall or storms during the summer months for the trial.

## Going Forward

It is recommended that the Power Pod remain at the same site for at least another 6 months to evaluate how it performs without issues during a wet season.

Internet connection has also been an issue, and this would need to be rectified for the next 6 months, so that proper reporting can be done at the end of the extended trial.



## **8.0 CORPORATE SERVICES**

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Ordinary Meeting of Council Tuesday 17 November 2020

**8.1 Subject:** Corporate Services Report  
**Attachments:** Nil  
**Author:** Corporate Services Team Leader  
**Date:** 4<sup>th</sup> November 2020

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**Executive Summary:**

The Corporate Services Report as of 31 October 2020 which summarises the financial performance and position is presented to Council.

**Recommendation:**

*That Council receives the monthly Corporate Services Report for the period ending 31 October 2020.*

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**Report:**

The Corporate Services Report compares actual performance to date with the Council's proposed 2020-2021 Budget and provides information, budget variances or any financial risks/concerns.

Financial information provided in this report is:

1. Summary of the Statement of Comprehensive Income (Profit & Loss Sheet) provides the total revenue versus expenditure which gives the operating result.
2. Statement of Financial Position (the Balance Sheet) "bottom line" discloses the Net Community Equity of Council, which represents it's wealth as measured by a dollar value of its asset less liabilities.
3. Statement of Cash Flows indicates where Council's cash came from and where it was spent.
4. Summary by function provides the total year to date revenue and expenditure for each Department of Council.
5. Summary of year to date expenditure for the Capital Works program.
6. Outstanding balances for rates and debtors.

**Income Statement Variances/Comments:**

Revenue received for the month included \$1.6mil for 2020 flood damage. Other revenue received was for RMPC and recoverable works.

\$1.3mil in expenditure spent on flood damage. All other expenditure is operational.



Ordinary Meeting of Council Tuesday 17 November 2020

<b>INCOME STATEMENT SUMMARY</b>				
	<b>Actuals</b>	<b>Variance</b>	<b>YTD Budget</b>	<b>Full Year Budget</b>
<b>Total Income</b>	14,328,992	87%	16,539,927	49,619,780
<b>Total Expenses</b>	(11,389,711)	201%	(5,678,830)	(17,036,489)
<b>Net Result</b>	<b>2,939,281</b>	<b>27%</b>	<b>10,861,097</b>	<b>32,583,291</b>
Less Capital Revenue	10,688,427	81%	13,219,515	39,658,546
<b>Operating Result (excl. Capital</b>	<b>\$ (7,749,146)</b>	<b>329%</b>	<b>\$ (2,358,418)</b>	<b>\$ (7,075,255)</b>

<b>STATEMENT OF FINANCIAL POSITION</b>			
	<b>2021 Actuals</b>		<b>2020 Actuals</b>
Current Assets	21,297,530		25,136,597
Total Non-Current Assets	231,251,094		228,620,012
<b>Total Assets</b>	<b>252,548,624</b>		<b>253,756,609</b>
Total Current Liabilities	7,782,146		11,585,523
Total Non-Current Liabilities	130,704		272,166
<b>Total Liabilities</b>	<b>7,912,850</b>		<b>11,857,689</b>
<b>Net Community Assets</b>	<b>\$</b>	<b>244,635,774</b>	<b>\$ 241,898,920</b>
<i>Community Equity</i>			
Asset Revaluation Surplus	79,503,337		79,503,335
Retained Surplus	164,732,437		162,395,585
<b>Total Community Equity</b>	<b>\$</b>	<b>244,635,774</b>	<b>\$ 241,898,920</b>

<b>STATEMENT OF CASH FLOWS</b>			
	<b>2021 Actuals</b>		<b>2020 Actuals</b>
<b>Cash Flows from Operating Activities</b>	(8,829,772)		4,693,817
Receipts, Payments & Interest Received			
Borrowing Costs			
<b>Cash Flows From Investing Activities</b>	6,847,088		(2,009,228)
Payments and Proceeds for PPE			
Capital Income			
<b>Cash Flows from Financing Activities</b>	-		-
Loan Payments			
Net increase (decrease) in cash held	(1,982,684)		2,684,589
Cash at beginning of the financial year	18,835,421		16,150,832
<b>Cash at the end of the period</b>	<b>\$</b>	<b>16,852,737</b>	<b>\$ 18,835,421</b>



Ordinary Meeting of Council Tuesday 17 November 2020

Summary By Departments						
Department	Revenue			Expenditure		
	Actuals	%	Budget	Actuals	%	Budget
Infrastructure & Works	10,359,047	26%	40,162,046	8,839,828	20%	43,575,986
Governance & Partnerships	-	0%	-	371,018	40%	937,987
Corporate Services	2,891,486	40%	7,144,058	455,386	23%	1,987,501
Economic Development	247,230	60%	410,420	247,229	23%	1,080,550
Community Services	649,785	44%	1,488,484	1,100,709	27%	4,135,707
Health Safety & Development	18,872	19%	99,047	288,088	41%	699,500
Environmental Management	162,573	43%	375,525	87,454	19%	461,600
	<b>14,328,993</b>	<b>29%</b>	<b>49,679,580</b>	<b>11,389,711</b>	<b>22%</b>	<b>52,878,831</b>

## Capital Works Program 2020-2021 Version 1.0

Infrastructure & Works	Actuals	Budget	Grants/Other
Roads	\$2,222,497.21	\$7,580,801.83	\$7,830,802.00
Wastewater	\$43,022.69	\$1,217,540.00	\$1,215,000.00
Water	\$863,158.18	\$1,881,600.00	\$1,458,000.00
Transport	\$0.00	\$139,984.00	\$119,984.00
Other	\$14,003.65	\$995,000.00	\$40,000.00
<b>Subtotal</b>	<b>\$3,142,681.73</b>	<b>\$11,814,925.83</b>	<b>\$10,663,786.00</b>
Environmental Management	Actuals	Budget	Grants/Other
Reserves	\$11,541.09	\$103,256.28	\$0.00
<b>Subtotal</b>	<b>\$11,541.09</b>	<b>\$103,256.28</b>	<b>\$0.00</b>
Community Services & Facilities	Actuals	Budget	Grants/Other
Community Buildings & Other Structures	\$430,143.40	\$1,159,232.00	\$860,907.00
Parks & Gardens	\$47,652.05	\$404,146.00	\$383,846.00
Council Housing	\$15,281.37	\$153,500.00	\$0.00
<b>Subtotal</b>	<b>\$493,076.82</b>	<b>\$1,716,878.00</b>	<b>\$1,244,753.00</b>
Corporate Services	Actuals	Budget	Grants/Other
Corporate Buildings & Other Structures	\$15,080.00	\$574,205.45	\$252,000.00
Other	\$1,464.55	\$25,000.00	\$0.00
Economic Development	\$19,966.94	\$643,000.00	\$252,272.73
<b>Subtotal</b>	<b>\$36,511.49</b>	<b>\$1,242,205.45</b>	<b>\$504,272.73</b>
<b>Total</b>	<b>\$3,683,811.13</b>	<b>\$14,877,265.56</b>	<b>\$12,412,811.73</b>

### Capital Works Program 2020-2021

Infrastructure & Works	PM	Job Cost	Actuals	2020/21 Budget	Grants/Other	Comments	Committed Costs	Detailed Comments
<b>Roads</b>								
Gilliat/McKinlay Road - Sealing Works	DERS	0460-1040-0002	158,068	975,484	1,275,484	TIDS \$425k R2R \$550,484 - Gravel and Seal works CH 22.580 - CH 24.655,	\$108,513.65	Gravel and Seal works CH 22.580 - CH 24.655,
Gilliat/McKinlay Road - Floodways	DERS	0460-1040-0004	-	300,000	300,000	TIDS \$150k R2R \$150k Floodways CH 61.000,CH 58.700,CH 25.000.		Floodways CH 61.000,CH 58.700,CH 25.000
Burke Street - reseal	DERS	0460-1040-0009	6,181	350,242	350,242	R2R \$350,242		
Combo Waterhole Sealing Project	DERS	0460-1040-0020	9,229	1,500,000	1,500,000	75% of works completed in 2019/20 and remaining 25% to be completed in 2020/21. Intersection Upgrade, Landscaping. Combo Water hole and Landsborough highway	\$3,880.93	Intersection Upgrade, Landscaping. Combo Water hole and Landsborough highway. Should be completed after x-mas.
Road Upgrade STP to Dog Pound	DERS	0460-1040-0021	-	8,500	8,500	Funding under LRCIP. Council to complete		271mx6m Gravel and Cartage cost \$3,200 Machinery Hire \$5,300
Julia Creek Refuse Tip Road Upgrade	DERS	0460-1040-0022	-	21,600	21,600	Funding under LRCIP. Council to complete		1100mx6m Gravel and Cartage cost \$9940, Machinery Hire \$11660
Gravel Pits	DERS	0430-1100-0000	-	50,000		Survey of Gravel Pits, Geo tech for testing of gravel.		
Upgrade Bunda Pelham Road	DERS	0460-1040-0023	-	200,000	200,000	LRCIP funding		Patch approx. 4km of unsealed road over a 20km stretch 7mm bitumen seal over the entire 750m pathway of the solar lights, repair dirt shoulder
McIntyre Park Walking Path	DERS	0430-2610-0005	-	30,000	30,000	LRCIP funding		
Julia Creek Truck Bay Stabilisation and Reseal	DERS	0460-1040-0024	-	190,000	190,000	Possible LRCIP Stabilising and Reseal Cost \$ 190,000 15000 sqm2. Should be completed around May 2021.		Stabilising and Reseal Cost \$ 190,000 15000 sqm2
Betterment Project - Gilliat/McKinlay Rd	DERS	0460-1060-0001	2,049,019	3,954,976	3,954,976	Total RV \$8,611,300.94 (this includes REPA & Project Management) Betterment \$5,256,183	\$331,749.72	Completed
<b>TOTAL ROADS</b>			<b>2,222,497</b>	<b>7,580,802</b>	<b>7,830,802</b>			
<b>Wastewater</b>								
			Actuals	2020/21 Budget	Grants/Other		Committed Costs	Detailed Comments
Julia Creek Sewer Fencing Irrigation Area	DERS	0480-1900-0007	-	80,000	80,000	W4Q funding. Requirement from the QLD department of Environment and Science. Standard man proof fence for 3.9hec, approx 800m.	\$213.26	Requirement from the QLD department of Environment and Science. Standard man proof fence for 3.9hec, approx 800m.
Airport Septic or AWWSTP	DERS	0480-1900-0001	18,233	30,000	30,000	W4Q funding. Replace the septic system with a new 1800 litre tank, design and install a new disposal bed		Replace the septic system with a new 1800 litre tank, design and install a new disposal bed
Sewer Sub Main - Julia Street	DERS	480-1900-0008	-	75,000	75,000	W4Q funding. Connect 3 existing properties to the sewer line. Approx 50m long including 3 house connections.	\$72,418.16	
Hickman Street Pump Station Upgrade	DERS	480-1900-0009	24,789	1,002,540	1,000,000	Upgrade to be funded through Drought Communities Programme, 50% of funding to be received in 2019/20 and 50% 2020/21	\$734,961.40	Awarded to RE-Pump.
Julia Creek Manhole Sewer Replacement Lids - Stage 3	DERS	480-1900-0006	-	30,000	30,000	W4Q funding. Requirement from QLD Department of Environment and Science. Intended to stop stormwater intrusion.	\$162.76	
<b>TOTAL WASTEWATER</b>			<b>43,023</b>	<b>1,217,540</b>	<b>1,215,000</b>			
<b>Water</b>								
			Actuals	2020/21 Budget	Grants/Other		Committed Costs	Detailed Comments
Julia Creek Water - New Bore	DERS	0470-1800-0003	244,342	525,000	350,000	Installation of a new primary water bore located at the Lions Park Julia Creek, includes all interconnections and headworks New estimate = \$868,000 for contract plus contingency \$173,600 (20% of contract that includes consultancy).	\$285,237.17	Installation completed.
Water Tower Renewal	DERS	0470-1800-0004	618,752	1,041,600	868,000	Funding \$700k W4Q plus \$168k funding for stage 2 W4Q 20/21	\$341,575.87	Refurbishment of the Julia Creek Water tower, includes vessel, sealing the roof, replacement of the access ladders, stairwell, fall arrest system, new valves and controls,, ventilation
Julia Creek Water Main Backflow Prevention	DERS	0470-1800-0001	-	50,000	50,000	W4Q funding. Part of the action plan agreed with QLD Department of Environment and Science. Require for ongoing operations. Install a dual check valve in front of each property in Julia Creek	\$162.76	

Julia Creek Secondary Water Supply - Southern side Julia Creek	DERS	0470-1800-0006	-	150,000	100,000	W4Q funding. Interconnection of the existing railway bore into the Julia Creek water reticulation network, proposed new 80m suction line in Mathews Street, headworks, pumps and power. This connection provides a backup in the event the existing bores fail. It is one of the best bores available at this point in time and it is recommended that this bore is connected within the next 3-5 years. Total cost of project \$150k, do in a staged approach. This will include Hilton Park Water Main works - 360m long, 110-125 HDPE pipe water main, located near the southern end of Fairway Drive next	\$162.76	
McKinlay Water Telemetry	DERS	0470-1810-0001	-	30,000	30,000	W4Q funding. Intended to monitor water tank levels and alert with alarms.	\$162.76	
McKinlay Bore pipework replacement	DERS	0470-1810-0002	-	60,000	60,000	W4Q funding. Replace rusting existing pipeworks between the tanks and, bores and water mains with new stainless steel type to ensure water quality. Length is approx 150m, width 150mm approx.		
Kynuna Water Upgrades	DERS	0470-1820-0001	64	20,000		Finalise connections for the new water tank on the ground	\$17,135.10	Seeking quotes closed 15/10/20
Kynuna Water Tower Ladder Reinstatement	DERS	0470-1820-0002	-	5,000		Repair the old tower.		
<b>TOTAL WATER</b>			<b>863,158</b>	<b>1,881,600</b>	<b>1,458,000</b>			

Transport	PM		Actuals	2020/21 Budget	Grants/Other	Comments	Committed Costs	Detailed Comments
Julia Creek Airport - Shed	DERS	0430-1300-0006	-	20,000		Project in conjunction with Fuel Pod project		
Julia Creek Airport - Fuel Pods	DERS	0430-1300-0007	-	119,984	119,984	Funded through the Cat C FNQ & NQ Monsoon Trough Flexible Funding Program		
<b>TOTAL TRANSPORT</b>			-	<b>139,984</b>	<b>119,984</b>			

Other	PM		Actuals	2020/21 Budget	Grants/Other	Comments	Committed Costs	Detailed Comments
Plant & Vehicle Replacement	DERS	0440-4500-0001	14,004	955,000		As per Plant Replacement Program	\$233.21	
Digital Road Signs (Variable Message Boards)	DERS	0440-4500-0003	-	40,000	40,000	LRCIP funding		Purchase two variable message boards on trailer with solar recharge
<b>TOTAL OTHER</b>			<b>14,004</b>	<b>995,000</b>	<b>40,000</b>			

Environmental Management	PM	Job Cost	Actuals	2020/21 Budget	Grants/Other	Comments	Committed Costs	Detailed Comments
<b>Reserve Water Upgrade and Poly Tanks</b>	DERS							
Kynuna Reserve	DERS	0430-3300-0016	11,541	37,100		Rollover from 2019-20	\$5,730.13	
<b>Reserve Fencing</b>	DERS							
Gilliat Common	DERS	0430-3300-0003	-	49,386				
Pasturage Reserve 2 Fencing	DERS	0430-3300-0004	-	16,771				
<b>TOTAL ENVIRONMENT MANAGEMENT</b>			<b>\$ 11,541</b>	<b>103,256</b>	<b>\$ -</b>			

Community Services & Facilities	PM	Job Cost	Actuals	2020/21 Budget	Grants/Other	Comments	Committed Costs	Detailed Comments
<b>Buildings &amp; Other Structures</b>								
Artesian Bath Restoration	DCCS	0430-2290-0002	-	40,000.00	40,000	W4Q funding. Staged project, to renew fittings in bath houses.		Need to prepare RFQ and distribute to contractors
Caravan Park replacement shed and concrete pad	DERS	0420-2600-0002	-	20,000.00		Budget for all four water tank bathhouses.	\$17,658.01	Concrete slab is down and shed is here.
Caravan Park - Extension Veranda dongas	DCCS	0420-2150-0000	-	30,000.00	30,000	Extend veranda on dongas to protect from weather. W4Q funding		Need to prepare RFQ and distribute to contractors
Caravan Park - Replacement of light poles, power supply	DCCS	0430-2150-0000	-	50,000.00	50,000	W4Q funding. Upgrade of light and power supply poles	\$162.76	Need to prepare RFQ and distribute to contractors
Carport Bus & Hearse	DERS	0420-4100-0006	-	18,000.00		6m x 7m Shed	\$162.76	Chris H to order, Josh R will assemble.
Innovation Hub	DCCS	0420-2190-Items	286,174	498,889.00	288,564	Based on total project budget of \$1,155,277 Funding comprised of BOR \$523,750, ARIP \$66814	\$95,447.93	Wifi to be installed



McKinlay SES Project	DERS	0420-2760-0000	-	41,808.00	41,808	Includes \$15k for McKinlay Stand Pipe	\$20,516.99	Seeking quotes
John McKinlay Statue	DCCS	0430-3120-0000	-	5,000.00		Industrial Laser Cutting		
Childrens Community Hub - Design	DCCS	0420-2530-0000	134,935	188,124.00	188,124	Detailed Design of Community Childrens Hub. Carryover. Vabasis engaged as consultant, concept design completed.	\$27,166.41	Nearly completed
Early Learning Centre - Softfall	DCCS	0420-2600-0003	-	20,000.00	20,000	LRCIP funding. Replace softfall in Western yard	\$12,271.50	Installation 7/11/20
Father Bill Busuttin Centre Repairs	DERS	0420-3820-0000	-	30,000.00	30,000	LRCIP funding. Roof re-sheeting and painting		
Visitor Information Centre adjustable Stumps	DERS	0420-2130-0000	-	15,000.00		Josh to complete	\$3,131.45	
Visitor Information Centre Shade Structure	DCCS	0430-2130-0000	-	15,000.00	15,000	LRCIP funding	\$7,804.54	
Tourism Signage Renewal	DCCS	0430-2291-0000	-	20,000.00	20,000	LRCIP funding	\$14,228.61	
Swimming Pool - Landscaping and Irrigation	DCCS	0430-3755-0000	-	32,000.00	32,000	LRCIP funding	\$35,008.06	Completed end of October. Variation of approx. \$5500 for extra material/turf.
Land Purchase - Community Venue	DCCS	0410-2000-0003	-	30,000.00		\$80k in total (originally proposed as a 3 year project, Yr1 \$30k, Yr2 \$30k, Yr3 \$20k)		Dirty n Dust block
Julia Creek Water Tower Changeable Light Project	DCCS	0470-2280-0000	-	69,223.00	69,223	Funded through the Cat C FNQ & NQ Monsoon Trough		
Daren Ginns Gym Extension	DCCS	0420-2620-0000	9,035	36,188.00	36,188	Flexible Funding Program	\$12,372.09	Invoices to come
<b>TOTAL COMMUNITY BUILDINGS &amp; OTHER STRUCTURES</b>			<b>430,143</b>	<b>1,159,232</b>	<b>860,907</b>			

Parks & Gardens			Actuals	2020/21 Budget	Grants/Other	Committed Costs	Detailed Comments
McKinlay Tennis Courts	DCCS	0430-2680-0000	243	15,209	15,209	\$1,418.78	Purchased replacement equipment and awaiting water cooler to arrive and be installed.
McIntyre Park Improvement Program	DCCS	0430-2610-0004	47,409	291,637	291,637	\$77,662.67	Majority of works completed. Pony Club fence extended until early 2021.
Grandstand at Kev Bannah Oval	DERS	0420-2600-0008	-	10,000	10,000	\$459.10	Cameron and Mick inspected to determine scope of works.
McKinlay Centenary Park Shade Structure	DERS	0430-2700-0004	-	15,000			Replacement of shade structure
McIntyre Park Shade Sails	DERS	0430-2610-0006	-	30,000	30,000		Awaiting final quote to install shade structure at Turf Club.
Funeral Equipment	DCCS	0440-3400-0000	-	5,300			
Julia Creek Cemetery - Irrigation Upgrade Stage 2	DERS	0430-2700-0005	-	37,000	37,000	\$53,005.90	
<b>TOTAL PARKS &amp; GARDENS</b>			<b>47,652</b>	<b>404,146</b>	<b>383,846</b>		

Council Housing			Actuals	2020/21 Budget	Grants/Other	Committed Costs	Detailed Comments
3 Coyne Street, Julia Creek	DERS	0420-2610-0005	13,159	15,000		\$166.80	Bathroom renovations, rolling over from 19/20. Close the prev
Airport Residence Bathroom	DERS	0420-2610-0011	1,123	3,500			Carryover for painting
8 Byrne Street - Bathroom	DERS	0420-2610-0001	-	20,000			Bathroom renovations
Council Housing Netterfield St- Fencing	DERS	0420-2610-0002	-	45,000.00			
33 Byrne Street Renovations	DERS	0420-2610-0003	1,000	70,000			Full house renovation, new kitchen, new bathroom, new floor, wall repairs, new aircons.
<b>TOTAL COUNCIL HOUSING</b>			<b>15,281</b>	<b>153,500</b>	<b>0</b>		

Corporate Services	PM	Job Cost	Actuals	2020/21 Budget	Grants/Other	Comments	Committed Costs	Detailed Comments
<b>Buildings &amp; Other Structures</b>								
McKinlay Depot Fence	DERS	0420-4100-0001	-	42,000	42,000	W4Q funding. 277m of fencing	\$162.76	277m
McKinlay Depot Carport	DERS	0420-4100-0002	-	16,000	16,000	W4Q funding Store Tractor and vehicles		Store tractor and vehicles
Purchase Land around Julia Creek STP	DERS	0410-2000-0006	15,080	50,000		Procure land. It is a regulatory requirement of inconsistent use.		
Workshop Pit 6m Pre Fab	DERS	0420-4100-0005	-	200,000				Increased from \$25k to \$200k
Julia Creek Refuse Tip Pads	DERS	0430-3110-0003	-	20,400		5 pads x 400sqm	\$162.76	5 pads x 400sqm2
Upgrade landfills all communities	DERS	0430-3110-0004	-	194,000	194,000	W4Q funding		
Purchase Land - Kynuna Refuse facility	DERS	0410-2000-0004	-	20,000		Procure land. It is a regulatory requirement of inconsistent use.		
Purchase Land surrounding McKinlay Refuse	DERS	0410-2000-0005	-	20,000		Procure land. It is a regulatory requirement of inconsistent use.		
ELC new air conditioning	DERS	0420-2531-0000	-	11,805	7,986	Insurance claim.	\$11,923.50	

**TOTAL CORPORATE BUILDINGS & OTHER STRUCTURES**

15,080                      574,205                      252,000

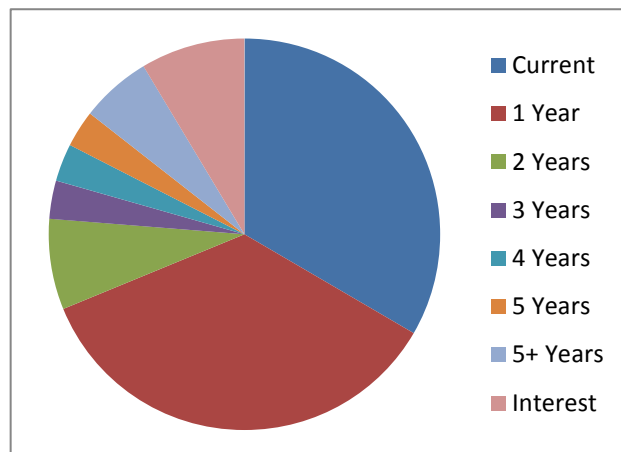
<b>Other</b>			Actuals	2020/21 Budget	Grants/Other		Committed Costs	Detailed Comments
Office Equipment - Replacement of furniture, IT equipment, software and other	DCCS	7180-4100-0002	1,465	25,000			\$1,499.77	
Flood Warning Infrastructure Network Project	DCCS	0430-2760-0000	-	270,000	270,000	Fully funded through DRFA Cat D		
<b>TOTAL OTHER</b>			\$ 1,465	25,000	-			

<b>Economic Development</b>	PM	Job Cost	Actuals	2020/21 Budget	Grants/Other	Comments	Committed Costs	Detailed Comments
Julia Creek Dip & Yards Facility	DCCS	0430-3235-0002	19,688	412,000	187,273	DAF funding	\$3,542.25	Tender documents to be finalised early November, scheduled to release on 9th November.
New Dip Yards Stage 2	DCCS	0430-3235-0005	-	35,000	35,000	W4Q funding	\$162.76	Tender documents to be finalised early November, scheduled to release on 9th November.
Purchase Land - Sale Yards	CEO	0410-2000-0002	-	150,000		Purchase of Aurizon Land		
Tourism AV Project	DCCS	0430-2293-0000	279	46,000	30,000			
<b>TOTAL ECONOMIC DEVELOPMENT</b>			19,967	643,000	252,273			
<b>TOTAL</b>			3,683,811	\$ 14,877,266	\$ 12,412,812			
					\$ 2,464,454			



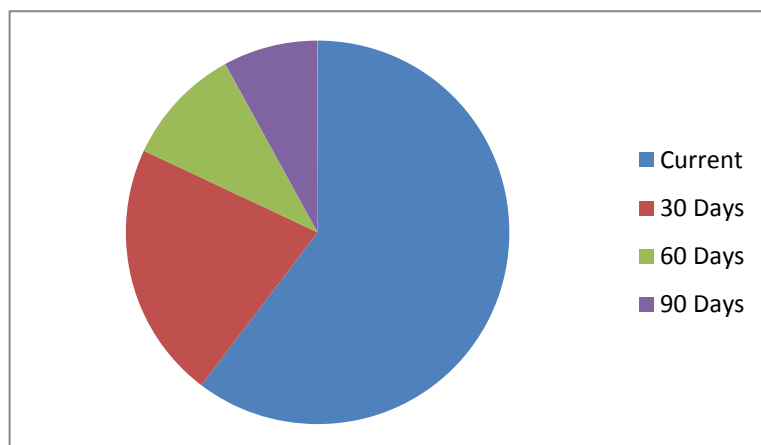
## Outstanding Rates

	Oct-20	Sep-20
<b>Current</b>	58,062	127,038
<b>1 Year</b>	61,425	69,699
<b>2 Years</b>	12,984	20,496
<b>3 Years</b>	5,494	5,494
<b>4 Years</b>	5,381	5,381
<b>5 Years</b>	5,274	5,274
<b>5+ Years</b>	10,134	10,134
<b>Interest</b>	14,958	22,307
<b>Total</b>	<b>173,712</b>	<b>265,823</b>



## Outstanding Debtors

<b>Total</b>	<b>258,711.10</b>
<b>Current</b>	156,144.35
<b>30 Days</b>	55,962.23
<b>60 Days</b>	25,920.90
<b>90 Days</b>	20,683.62



### Consultation:

- Director of Corporate & Community Services

### Legal Implications:

### Policy Implications:

### Financial and Resource Implications:

### InfoXpert Document ID:



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**8.2 Subject:** Audit Committee Meeting Minutes  
**Attachments:** Audit Committee Meeting Minutes 13<sup>th</sup> October 2020 (*InfoXpert ID:113948*)  
**Author:** Director Corporate & Community Services  
**Date:** 9 November 2020

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**Executive Summary:**

An Audit Committee meeting was held on Tuesday 13<sup>th</sup> October 2020, Council is presented with a copy of the minutes from the meeting for information purposes.

**Recommendation:**

*That Council receive the report and note the Audit Committee Meeting Minutes of 13<sup>th</sup> October 2020.*

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**Background:**

The Audit Committee met on 13<sup>th</sup> October 2020 to discuss a number of matters, including the Audit Committee Terms of Reference, 2019/20 Annual Financial Statements and the Auditors Closing Report.

**Consultation:**

Audit Committee and CEO

**Legal Implications:**

Section 211 (1) (c) of the *Local Government Regulation 2012* states that a written report about the meeting must be given to Council as soon as practicable after the meeting.

**Policy Implications:**

N/A

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:**

113947



## **AUDIT COMMITTEE MEETING**

**HELD AT COUNCIL CHAMBERS**

On Tuesday 13<sup>th</sup> October 2020

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## 1. Opening

The meeting opened at 10:35am

## 2. Attendance

Cr. Janene Fegan

Cr. John Lynch

Neil Warner – Community member

Mr. John Kelly - Chief Executive Officer (teleconference)

Ms. Tenneil Cody – Director of Corporate and Community Services

Mr. Peter Gogsch – Peter Gogsch Accountants (teleconference)

Mr. Andrew Robin – Pitcher Partners

Mr Allan Diano – Qld Audit Office (teleconference)

Apologies received from Mr Jason Evans – Pitcher Partners

## 3. Review of the Audit Committee Terms of Reference/Charter

Members of the committee reviewed the Terms of reference and resolved the following:

That the Committee have reviewed and accept the Terms of Reference without change.

Moved: Mr N Warner

Seconded: Cr. J Lynch

## 4. Annual Financial Statements

Peter Gogsch gave an overview of the financial statements.

Noting the below points:

- Net Result \$19,091,453
- Decreased sales due to decrease Recoverable Works projects
- Employee benefits decreased due to Executive Positions vacant and paid through contract arrangements.
- Full comprehensive valuation completed in 2019, this year completed indexation which equated to an increases in assets of approximately \$1.2m
- Balance Sheet – increased cash position driven by prepayments of Financial Assistance Grants (FAGS) and DRFA funding.
- Change in Accounting Standards, commencing 1 July 2019 to closely align recognition of income and when Council spends the money. Given this see two new line items Contract Liabilities and Contract Assets.
- Increase to Provisions – recognise the additional provision for landfill restoration.
- Statement of Cashflows – increase of \$2.5m.
- Increase in general receipts driven by reduction on receivables.
- 2020 large investment by Council, over \$31m, Flood Damage, Capital Infrastructure. \$28.8 funded by third parties, and \$5.4 Council have funded for Capital projects.

That the members note the tabling of the 2019/20 financial statements.

Moved: Cr. J Lynch

Seconded: Mr. N Warner

## 5. Auditors Closing Report

Andrew Robin provided an overview of the Audit Closing Report.

Noting the following:

- Expect to provide an unmodified Audit Opinion of the closing accounts
- Talked through the Financial Sustainability Ratios.

Members noted the 2020 Audit Closing Report as tabled.

Moved: Mr. N Warner

Seconded: Cr. J Fegan

## 6. Members Business

Nil

## 7. Close

With no further business, Cr Fegan thanked members for their attendance and declared the meeting closed at 11:24am.





Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**8.3 Subject:** Final Management Report 2020  
**Attachments:** Final Management Report 2020 (*InfoXpert ID:113950*)  
**Author:** Director Corporate & Community Services  
**Date:** 9<sup>th</sup> November 2020

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**Executive Summary:**

An external audit of Council's financial statements was undertaken throughout September 2020 by Pitcher Partners under the appointment of the Queensland Audit Office (QAO). QAO has previously provided a closing Audit Report to the Mayor for the financial year ending 30 June 2020 following the audit, now the QAO has delivered the Final Management Report. At the Mayor's direction this report has been prepared in order to present the Audit Report to Council.

**Recommendation:**

*That Council note the Final Management Report provided by the Queensland Audit Office for the year ending 30 June 2020.*

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**Background:**

Each financial year Council's financial statements are audited by the Queensland Audit Office. In some circumstances the QAO contract this work out to other Accountancy firms, and this year Pitcher Partners have been appointed to carry out the audit work for McKinlay Shire Council.

The audit is generally done in two phases, and interim audit which is completed prior to the end of financial year and a final audit once the financial statements have been finalised and provided to the QAO or their delegate.

The Final Management Report replicates the management letter points in the Closing Report which was presented to Council at the October 2020 Ordinary Meeting. In summary an unmodified audit opinion was issued on our financial statements which is a great outcome.



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**Consultation:**

Chief Executive Officer

**Legal Implications:**

In accordance with section 213 of the Local Government Regulation 2012, the Mayor must present a copy of the auditor-general's observation report (if provided) at the next ordinary meeting of Council after receipt of such report.

**Policy Implications:**

Nil

**Financial and Resource Implications:**

**InfoXpert Document ID:**

113949

13 October 2020

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Mayor Philip Curr  
29 Burke Street  
Julia Creek QLD 4823

Dear Mayor Curr

### **Final Management Report for McKinlay Shire Council**

We have completed our 2020 financial audit for McKinlay Shire Council. An unmodified audit opinion was issued on your financial statements.

The purpose of this letter is to provide the Council with details on audit matters and other important information related to the audited financial statements.

Please note that under section 213 of the *Local Government Regulation 2012*, you must present a copy of this report at the next ordinary meeting of the Council.

### **Reporting on issues**

Issues and other matters formally reported to management and an update on actions taken by management to resolve these issues is included as Appendix A to this letter. Our rating definitions for internal control deficiencies is shown in Appendix B.

### **Report to parliament**

Each year we report the results of all financial audits and significant issues to Parliament.

This year we intend to include the results of our audit of McKinlay Shire Council in our report to Parliament on the results of the local government sector. In this report we will comment on the results of our audit of your financial report, any significant internal control issues we identified, and the overall results of the sector, including, major transactions and events. We will discuss the proposed content of our report with your Director Corporate & Community Services and will continue to consult as we draft our report. Formally, you will have an opportunity to comment on our report and for these comments to be included in the final report.

### **Audit fee**

The final audit fee for this year is \$49,500 exclusive of GST (2019: \$42,000). This fee is in line with the \$49,500 estimated in our external audit plan due.

### **Financial reporting maturity level**

QAO are in the process of finalising a new financial statement preparation reporting tool, called the financial reporting maturity model. This model allows for scalable assessment of financial reporting preparation processes which aims to better reflect the differences in size and maturity of public sector entities. For future years, we are planning to move to assessing the process according to the new maturity model. In the interim we will commence working with management to understand their expected / desired positioning of maturity.

We would like to thank you and your staff for their engagement in the audit this year, and look forward to working with your team again next year.

If you have any questions about this letter or would like to discuss any matters regarding our audit service, please contact either myself or Andrew Robin on 3222 8514.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Evans', written in a cursive style.

Jason Evans  
Partner

# Appendix A1—Internal control issues



## Significant deficiencies, deficiencies and other matters

The following table details control deficiencies and other matters identified since our last report dated 18 June 2020. It includes a response from management.

Our risk ratings are as follows—refer to [Our rating definitions](#) for more detail.



 Deficiencies						
<p><b>20CR-1 – Capitalisation of fixed assets</b> <i>COSO Component: Control activities</i></p> <p>Documentary evidence should be maintained for project completion dates to support the timeliness of capitalisation and commencement of depreciation. We note that often conversations are held between engineers/directors/accountants to confirm that capital projects have been completed and are ready for capitalisation, however we could often not evidence these discussions as no audit trail is maintained.</p> <p><b>QAO recommendation</b> We recommend Council consider implementing a more formal process to document project completion dates to evidence when projects are ready to be transferred from work-in-progress to the fixed asset register and commence depreciation. This may include the issuance of Practical Completion certificates to be signed off by responsible parties as evidence of appropriate capitalisation dates.</p> <p><b>Management response</b> Council notes the recommendation to increase documentation around the finalisation and capitalisation of constructed assets. Council is currently reviewing the process together with this recommendation with a view to enhancing the process for the forthcoming financial year.</p> <table><tr><td>Responsible officer:</td><td>Director Corporate and Community Services</td></tr><tr><td>Status:</td><td>Work in Progress</td></tr><tr><td>Action date:</td><td>November 2020</td></tr></table>	Responsible officer:	Director Corporate and Community Services	Status:	Work in Progress	Action date:	November 2020
Responsible officer:	Director Corporate and Community Services					
Status:	Work in Progress					
Action date:	November 2020					



## Deficiencies

### 20CR-2 – Issuance of contract following tender

#### *COSO Component: Control activities*

We note that for one tender awarded there was no formal contract issued. This occurred as the Engineering Department felt that the tender was for a straight-forward supply and delivery of materials.

There is a risk that council cannot uphold delivery times or other contract specifications as there is no written formal documentation in place to support this.

#### **QAO recommendation**

We recommend that all tenders awarded have contracts issued.

#### **Management response**

Council note the recommendation, and will ensure contracts are in place for all tenders. Noting this was an anomaly as all previous tenders have had contracts in place.

Responsible officer:	Chief Executive Officer
Status:	Resolved
Action date:	September 2020

### 20CR-3 – Componentisation of fixed assets

#### *COSO Component: Control activities*

On review of the fixed asset register we noted that costs associated with rectification to roads for flood damage and been capitalised to a single line item. There is a risk that if costs are not split up within the fixed asset register that they risk being depreciated and valued at incorrect rates and amounts.

#### **QAO recommendation**

We recommend that upon the initial capitalisation of fixed assets the asset is split in line with external valuers, as each portion has their fair value and useful lives assessed separately.

#### **Management response**

Council acknowledges the comments. The current treatment has been an established practice over a number of years that the Flood Damage works are initially capitalised as a single asset and subsequently componentised upon a subsequent full comprehensive revaluation. Whilst we acknowledge the different components have different useful lives and accordingly different rates of depreciation, the potential misstatement for depreciation had been considered extremely low. Notwithstanding this, given the large level of flood damage occurring as a result of the 2019 event, Council will review the works undertaken and capitalised during 2020 with a view to componentising as at 1 July 2020. This will not affect any values but will enhance the accuracy of the future depreciation calculation.

Responsible officer:	Peter Gogsch - Accountant
Status:	Work in Progress
Action date:	December 2020



## Other matters

### 200M-1 – Contracts Register

A contracts register is maintained by Council for any contract worth over \$200,000. Details of contracts for less than this amount are kept in InfoXpert (document storage software), which does not contain additional details around the tender processes required by the contracts register.

#### QAO recommendation

We recommend that all contracts issued in the financial year are recorded in the contracts register to centralise documentation and help to assist Council in continuing to follow procurement policies.

#### Management response

Council notes the recommendation and will look to formulate a register to detail all contract as per recommendation.

Responsible officer:	Director Corporate and Community Services
Status:	Work in Progress
Action date:	November 2020

### 200M-2 – Manual record keeping

We note that a large portion of records are kept manually, including invoices, recipient created tax invoices (RCTI's) for grants, and related party forms. These are all stored in physical folders at Council's offices.

#### QAO recommendation

In considering current best practice, we recommend Council considers maintaining electronic records of items. This can assist in safeguarding Council's records against physical threats and natural disasters.

#### Management response

Council notes the comments in relation to its systems and processes. Council notes these business processes (including paper based filing of documentation) have evolved over a series of years and until recently were the only way to maintain full approval and documentation trails. We note PCS has now recently enabled electronic approvals of orders however Council has yet to assess the feasibility of changing its business processes. Whilst Council acknowledges some advantages of doing so, it also notes some significant communication deficiencies in terms of access of staff to appropriate technology, particularly for outdoor staff who often live at camp with little or no phone and internet reception. Please also note whilst physical hard copies are kept in physical folders (e.g. Related Party forms) these records are also digitised and kept in our electronic records keeping system (Infoxpert).

Responsible officer:	Director Corporate and Community Services
Status:	Work in Progress
Action date:	Ongoing

# Appendix A2—Financial reporting issues



The following table details financial reporting issues identified through our audit since our last report dated 18 June 2020. It includes a response from management.

Our risk ratings are as follows—refer to [Our rating definitions](#) for more detail.



High



Medium



Low



## Low risk issues

### 20FR-2 Restoration provision

#### Observation

Council is required to quantify and recognise a provision for landfill restoration as at 30 June 2020. We noted that no provision had been recorded in the draft final financial report. This was subsequently recognised in the financial report by council through the profit or loss statement due to the landfill being on state land.

#### Implication

There is a risk that the financial report is materially misstated if council does not assess or record its obligations relating to landfill restoration.

#### QAO recommendation

It was recommended that management reassess Council's restoration obligations and evaluate the level of provision required to be recognised at least annually or earlier if new information results in a material change to the estimated provision.

It is recommended that the accounting treatment adopted by management going forward be consistent with accounting treatment discussed above.

#### Management response

Council had considered the issue of a restoration provision as part of its end of year processes. Council engaged external consultants to review Council's obligations. Council utilised their assessment to form an opinion of such a provision being immaterial. Notwithstanding this Council accepted feedback as part of the audit process and subsequently recognised the provision. It has been acknowledged as being immaterial to the financial statements.

Responsible officer: Peter Gogsch - Accountant

Status: Resolved

Action date: June 2021





## Low risk issues

### 20FR-3 Overdue rates

#### Observation

We noted a number of significantly aged rates within the debtors ledger, some for which payments had last been received in 2012 and 2013. The amounts were not material.

#### Implication

Whilst no provision had been recorded, we understand council can recoup through the sale of land/property to which the rates relate.

#### QAO recommendation

We recommend council assesses the recoverability of these rates and course of action, whether through sale of property or write-off.

#### Management response

Council notes the QAO recommendation and will review the outstanding rates and take action on those where the regulation allows Council to do so. Noting we have commenced the process of acquiring land for overdue rates for two assessments.

Responsible officer: Director – Corporate and Community Services

Status: Work in progress

Action date: December 2020

### 20FR-4 – Depreciation of road formation assets

#### *COSO Component: Control activities*

We note that council is currently depreciating road formation assets over a 1000 year useful life. Per the FY19 valuation report, road formation generally has indefinite useful lives. We understand PCS system cannot handle assets with indefinite useful lives.

#### QAO recommendation

We recommend Council assess whether newer versions of PCS have capacity to record assets with indefinite useful lives.

#### Management response

Council notes the valuers had made an assessment of infinite useful lives for formation components. As this was not directly possible to integrate into PCS Council had adopted a 1000 year useful live. Whilst we acknowledge a potential overstatement of depreciation Council does not believe this to result in a material misstatement of the carrying value of those assets.

Responsible officer: Peter Gogsch - Accountant

Status: Resolved

Action date: September 2020

# Appendix A2—Matters previously reported



## Status

The following table summarises all control deficiencies, financial reporting issues and other matters that have previously been raised but are not yet resolved. The listing includes issues from our reports this year and those issues raised in prior years.

Our risk ratings are as follows—refer to [Our rating definitions](#) for more detail.

### Internal control issues




### Financial reporting issues

Significant deficiency	Deficiency	Other matters	High	Medium	Low

Reference	Rating	Issue	Status
<b>Internal control issues</b>			
17FR-1		Asset Management Plan Not Implemented	Work in progress. Council is still working on the Asset Improvement Plan. Progress towards this Improvement Plan has been stalled due to executive level staff changes. Action date: December 2020
18IR-2		Council Policies Due for Review had not been updated	Resolved Policies updated and to be uploaded to Council website.
18IR-3		Key Management Personnel (KMP) Related Party Transaction Notifications	Resolved Related Party declarations obtained for all Key Management Personnel for the 2019/2020 FY.
19IR-1		Payroll Control and Calculation	Resolved None of these same issues arose through current period testing.
19IR-3		Compliance with Procurement Policy and Procedures	Resolved None of these same issues arose through current period testing.
20IR-1		Validation of changes to supplier masterfile	Resolved Procedures were updated immediately following the vendor fraud incident. Any vendor changes to bank details are verified by telephone.
20IR-2		Revenue – Rates review (segregation of duties)	Work in progress To be addressed when Rates Officer position is filled. Action date: October 2020
20IR-3		Tabling of 2019 Interim Management Report at next ordinary council meeting	Resolved 2020 Interim Audit Report was tabled at July Ordinary Meeting of Council.
20IR-4		Review of changes to supplier Masterfile (segregation of duties)	Resolved Audit logs of changes to the supplier Masterfile reviewed by Director – Corporate & Community Services.

## Appendix A2—Matters previously reported



Reference	Rating	Issue	Status
<b>Financial Reporting issues</b>			
19IR-5		Asset Additions Reversed Asset additions (post valuation) capitalised and subsequently reversed when the revaluation adjustment was processed.	Resolved pending QAO verification Council has amended its processes to add additions to specific assets prior to periodic revaluations. Given there are no revaluations in the current year, this can not be evidenced until future periods.
20FR-1		Capital expenditure classification	Work in progress Council will work through implementing the recommendation of timely capitalisation. Action date: October 2020
<b>Other Matter</b>			
19FR-1		Excessive annual leave	Work in progress QAO recommendations accepted and adopted. Leave has been taken by particular individuals to bring balances down and this continues to remain a focus. At 30 June 2020, there were 8 employees with an annual leave balance above 8 weeks, totalling \$170k. Action date: 2021

# Appendix B—Our rating definitions



## Internal rating definitions

	Definition	Prioritisation of remedial action
<b>Significant deficiency</b> 	<p>A significant deficiency is a deficiency, or combination of deficiencies, in internal control that requires immediate remedial action.</p> <p>Also, we increase the rating from a deficiency to a significant deficiency based on:</p> <ul style="list-style-type: none"> <li>• the risk of material misstatement in the financial statements</li> <li>• the risk to reputation</li> <li>• the significance of non-compliance with policies and applicable laws and regulations</li> <li>• the potential to cause financial loss including fraud, or</li> <li>• where management has not taken appropriate timely action to resolve the deficiency.</li> </ul>	<p>This requires immediate management action to resolve.</p>
<b>Deficiency</b> 	<p>A deficiency arises when internal controls are ineffective or missing, and are unable to prevent, or detect and correct, misstatements in the financial statements. A deficiency may also result in non-compliance with policies and applicable laws and regulations and/or inappropriate use of public resources.</p>	<p>We expect management action will be taken in a timely manner to resolve deficiencies.</p>
<b>Other matter</b> 	<p>An other matter is expected to improve the efficiency and/or effectiveness of internal controls, but does not constitute a deficiency in internal controls. If an other matter is not resolved, we do not consider that it will result in a misstatement in the financial statements or non-compliance with legislative requirements.</p>	<p>Our recommendation may be implemented at management's discretion.</p>

## Financial reporting issues

	Potential effect on the financial statements	Prioritisation of remedial action
<b>High</b> 	<p>We assess that there is a high likelihood of this causing a material misstatement in one or more components (transactions, balances and disclosures) of the financial statements, or there is the potential for financial loss including fraud.</p>	<p>This requires immediate management action to resolve.</p>
<b>Medium</b> 	<p>We assess that there is a medium likelihood of this causing a material misstatement in one or more components of the financial statements.</p>	<p>We expect management action will be taken in a timely manner.</p>
<b>Low</b> 	<p>We assess that there is a low likelihood of this causing a material misstatement in one or more components of the financial statements.</p>	<p>We recommend management action to resolve; however, a decision on whether any action is taken is at management's discretion.</p>



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**8.4 Subject:** Code of Conduct for Councillors  
**Attachments:** Code of Conduct for Councillors in Queensland (*InfoXpert ID:113968*)  
**Author:** Director Corporate & Community Services  
**Date:** 10 November 2020

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**Executive Summary:**

In accordance with section 150D of the Local Government Act 2009, the Minister for Local Government must make a Code of Conduct stating the standards of behavior for Councillors in the performance of their responsibilities as Councillors. The Code of Conduct for Councillors has been revised and issued in August 2020.

**Recommendation:**

*That Council note and adopt the new Code of Conduct for Councillors in Queensland released by the Department of Local Government, Racing and Multicultural Affairs which was approved on 4 August 2020.*

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**Background:**

Under Section 150D of the *Local Government Act 2009* the Minister for Local Government must make a Code of Conduct stating the standards of behavior for Councillors in the performance of their responsibilities as Councillors.

The previous Code of Conduct for Councillors was issued in December 2018 and has been reviewed and updated by the Minister. The main changes are to reflect new conflicts of interests terminology, being conflict of interest and prescribed conflict of interest s as opposed to material personal interest and perceived conflicts of interest.

**Consultation:**

Chief Executive Officer

**Policy Implications:**

Replacement of Current Code of Conduct for Councillors

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:**

113967



**Queensland  
Government**

# **Code of Conduct** for Councillors in Queensland

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Approved on 4 August 2020

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# Purpose of the Code of Conduct

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The Code of Conduct sets out the principles and standards of behaviour expected of Councillors and Mayors when carrying out their roles, responsibilities and obligations as elected representatives for their communities. By adhering to the behaviours set out below, Councillors will increase public confidence in local government and Council decisions.

## Background

Under section 150D of the *Local Government Act 2009* (the LGA), the Minister for Local Government (the Minister) must make a Code of Conduct stating the standards of behaviour for Councillors in the performance of their responsibilities as Councillors. In addition to this, the Code of Conduct may contain anything the Minister considers necessary for, or incidental to, the standards of behaviour.

Before assuming public office, Councillors must understand and commit to complying with the local government principles and obligations of Councillors in accordance with section 169 of the LGA and 169 of the *City of Brisbane Act 2010* (CoBA), as well as the standards of behaviour set out in this Code of Conduct.

All Councillors are required to make a declaration of office under the applicable legislation. As part of that declaration, Councillors must declare that they will abide by this Code of Conduct.

# The local government principles and values

The legislation is founded on five local government principles with which Councillors must comply while performing their roles as elected representatives. These principles are listed below:

1. Transparent and effective processes, and decision-making in the public interest
  2. Sustainable development and management of assets and infrastructure, and delivery of effective services
  3. Democratic representation, social inclusion and meaningful community engagement.
  4. Good governance of, and by, local government
  5. Ethical and legal behaviour of Councillors and local government employees.
3. In representing and meaningfully engaging with the community, Councillors will:
    - show respect to all persons
    - clearly and accurately explain Council's decisions
    - accept and value differences of opinion.
  4. In exercising good governance, Councillors are committed to:
    - the development of open and transparent processes and procedures
    - keeping clear, concise and accessible records of decisions.
  5. To meet the community's expectations for high level leadership, Councillors will:
    - be committed to the highest ethical standards
    - uphold the system of local government and relevant laws applicable.

This Code of Conduct provides a set of values that describe the types of conduct Councillors should demonstrate to ensure their compliance with the local government principles. These values are listed below:

1. In making decisions in the public interest, Councillors will:
  - make decisions in open council meetings
  - properly inform relevant personnel of all relevant information
  - make decisions in accordance with law and policy
  - commit to exercising proper diligence, care and attention.
2. To ensure the effective and economical delivery of services, Councillors will:
  - manage council resources effectively, efficiently and economically
  - foster a culture of excellence in service delivery.

This Code of Conduct also sets out standards of behaviour aimed at helping Councillors understand how the principles and values are put into practice while performing their official duties as elected representatives.

Each standard of behaviour is not intended to cover every possible scenario. However, they provide general guidance about the manner in which Councillors are expected to conduct themselves.

It is important to note that the principles, values and standards set out in the Code of Conduct are of equal importance.

# Standards of behaviour

This Code of Conduct sets out the standards of behaviour applying to all Councillors in Queensland. The behavioural standards relate to, and are consistent with, the local government principles and their associated values.

The standards of behaviour are summarised as the three Rs, being:

- 1. RESPONSIBILITIES**
- 2. RESPECT**
- 3. REPUTATION.**

Each standard of behaviour includes, but is not limited to, several examples to guide Councillors in complying with the Code of Conduct when carrying out their role as elected officials. Councillors are to understand and comply with the following standards of behaviour as set out in the Code of Conduct listed below.

## **1. Carry out RESPONSIBILITIES conscientiously and in the best interests of the Council and the community**

For example, Councillors will, at a minimum, have the following responsibilities:

- 1.1 Attend and participate meaningfully in all Council meetings, committee meetings, informal meetings, briefings, relevant workshops and training opportunities to assist them in fulfilling their roles other than in exceptional circumstances and/or where prior leave is given
- 1.2 Respect and comply with all policies, procedures and resolutions of Council

- 1.3 Use only official Council electronic communication accounts (e.g. email accounts) when conducting Council business
- 1.4 Report any suspected wrongdoing to the appropriate entity in a timely manner
- 1.5 Ensure that their behaviour or capacity to perform their responsibilities as a Councillor is not impaired by the use of substances that may put them or others at risk while performing their duties (for example, alcohol, illegal drugs or prescribed/non-prescribed and/or restricted substances)
- 1.6 Cooperate with any investigation being undertaken by the local government or other entity
- 1.7 Ensure that the Councillor's Advisor is aware of their obligations to comply with the standards of behaviour in the Code of Conduct for Councillor Advisors in Queensland.

## **2. Treat people in a reasonable, just, RESPECTFUL and non-discriminatory way**

For example, Councillors will, at a minimum, act in the following ways:

- 2.1 Treat fellow Councillors, Council employees and members of the public with courtesy, honesty and fairness
- 2.2 Not use abusive, obscene or threatening language (either oral or written) or behaviour towards other Councillors, Council employees or members of the public
- 2.3 Have proper regard for other people's rights, obligations, cultural differences, safety, health and welfare.

### **3. Ensure conduct does not reflect adversely on the REPUTATION of Council**

For example, Councillors will, at a minimum, conduct themselves in the following manner:

- 3.1 When expressing an opinion dissenting with the majority decision of Council, respect the democratic process by acknowledging that the Council decision represents the majority view of the Council
- 3.2 When making public comment, clearly state whether they are speaking on behalf of Council or expressing their personal views
- 3.3 At all times strive to maintain and strengthen the public's trust and confidence in the integrity of Council and avoid any action which may diminish its standing, authority or dignity.

# Consequences of failing to comply with the Code of Conduct

Failure to comply with the standards of behaviour in this Code of Conduct, or other conduct prescribed in this code of conduct may give rise to a complaint against a Councillor's conduct and subsequent disciplinary action under the legislation.

A complaint about the conduct of a Councillor must be submitted to the Office of the Independent Assessor (OIA), who will assess the complaint and determine the category of the allegation. In order of least to most serious, the categories of complaint are **unsuitable meeting conduct, inappropriate conduct, misconduct**, and then **corrupt conduct**.

## Unsuitable meeting conduct

Under the legislation, any conduct by a Councillor that is contrary to the standards of behavior in the Code of Conduct that occurs within a meeting of Council (including standing committee meetings), is dealt with as **unsuitable meeting conduct**.

Unsuitable meeting conduct by a Councillor is dealt with by the Chairperson of the meeting. It is important that the Chairperson deal with matters of unsuitable meeting conduct locally, and as efficiently and effectively as possible so that Council can continue with their business of making effective decisions in the public interest.

### NOTE

Chairpersons of meetings are carrying out a statutory responsibility under the legislation to manage and lead the meeting. As such, where a Chairperson behaves inappropriately in a meeting this involves a serious breach of the trust placed in them as the Chairperson of the meeting and may be dealt with as misconduct (see right).

## Inappropriate conduct

Under the legislation, any conduct by a Councillor that is contrary to the standards of behavior in the Code of Conduct or a policy, procedure or resolution of a Council, and is not unsuitable meeting conduct, misconduct or corrupt conduct is dealt with as **inappropriate conduct**.

The conduct of a Councillor is also inappropriate conduct if the conduct contravenes an order by the Chairperson of a meeting of Council for the Councillor to leave the meeting or is a series of conduct at Council meetings that leads to orders for the Councillor's unsuitable meeting conduct being made on three occasions within a period of one year. The local government is not required to notify the OIA and may deal with the conduct under section 150AG of the LGA (including Brisbane City Council).

The OIA is responsible for assessing allegations of suspected inappropriate conduct other than those arising from unsuitable meeting conduct. If the OIA chooses to refer the matter to the Council to deal with, the Council must deal with the matter as quickly and effectively as possible.

## Misconduct

Councillors are required to comply with all laws that apply to local governments, this includes refraining from engaging in **misconduct**.

The OIA is responsible for assessing and investigating instances of suspected misconduct. The OIA may make an application to the Councillor Conduct Tribunal to be heard and determined.

The conduct of a Councillor is misconduct if the conduct:

- adversely affects, directly or indirectly, the honest and impartial performance of the Councillor's functions or exercise of the Councillor's powers, or
- is, or involves:
  - a breach of trust placed in the Councillor, either knowingly or recklessly
  - misuse of information or material acquired by the Councillor, whether the misuse is for the benefit of the Councillor or for the benefit or to the detriment of another person
  - a Councillor giving a direction to any Council employee (other than the Mayor giving direction to the Chief Executive Officer, or for Brisbane City Council, the Lord Mayor giving direction to the Chief Executive Officer and senior contract officers)
  - a release of confidential information outside of the Council
  - failure to declare a conflict of interest or appropriately deal with a conflict of interest in a meeting
  - attempting to influence a decision maker about a matter in which the Councillor has a conflict of interest
  - failure by a Councillor to report a suspected prescribed conflict of interest of another Councillor
  - failure to submit, update or review your registers of interests, or
- is a failure by the Councillor to comply with:
  - an order made by the Council or the Councillor Conduct Tribunal
  - any acceptable request guidelines of the Council made under the legislation
  - the reimbursement of expenses policy of the Council.

The conduct of a Councillor is also misconduct if the conduct leads to the Councillor being disciplined for inappropriate conduct on three occasions within a

period of one year or is conduct that is identified in an order of Council that will be dealt with as misconduct if the Councillor engages in the conduct again.

The conduct of a Councillor may also be misconduct if a Councillor purports to direct the Chief Executive Officer in relation to disciplinary action regarding the conduct of a Councillor Advisor.

## Corrupt conduct

**Corrupt conduct** is defined by, and dealt with, under the *Crime and Corruption Act 2001*<sup>1</sup> and must be referred to the Crime and Corruption Commission (CCC). For a Councillor, corrupt conduct involves behaviour that:

- adversely affects or could adversely affect the performance of the Councillor's responsibilities, and
- involves the performance of the Councillor's responsibilities in a way that:
  - is not honest or impartial, or
  - involves a breach of the trust placed in the Councillor, or
  - involves the misuse of information acquired by the Councillor, and
- is engaged in for the purpose of providing a benefit or a detriment to a person, and
- if proven would be a criminal offence.

Councillors are reminded of their obligations under section 38 of the *Crime and Corruption Act 2001* to report suspected corrupt conduct.

The OIA has entered into a section 40<sup>2</sup> arrangement with the CCC which allows the OIA to commence investigation into some allegations of corrupt conduct and report the matters to the CCC on a monthly basis, to provide the CCC with the opportunity to assume responsibility for or monitor an investigation, should the CCC consider that appropriate.

Further information about the CCC's jurisdiction and other topics in relation to local government is available at <https://www.ccc.qld.gov.au/sites/default/files/Docs/Publications/CCC/Corruption-in-focus-Guide-2020.pdf> (Chapter 4).

<sup>1</sup>Section 15, Crime and Corruption Act 2001

<sup>2</sup>Section 40, Crime and Corruption Act 2001

## More information

The Department of Local Government, Racing and Multicultural Affairs website at [www.dlgrma.qld.gov.au](http://www.dlgrma.qld.gov.au) provides further information and resources for Councillors.

The Department also provides and facilitates training for Councillors and Council employees to assist them to develop the knowledge, skills and understanding necessary to undertake their roles and responsibilities effectively and in the best interests of their communities.

For more information, please contact your regional office within the Local Government Division of the Department of Local Government, Racing and Multicultural Affairs on:

### Southern office

Phone: (07) 3452 6762

Email: [southern@dlgrma.qld.gov.au](mailto:southern@dlgrma.qld.gov.au)

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Department of Local Government, Racing  
and Multicultural Affairs

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Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**8.5 Subject:** Standing Orders of Council

**Attachments:** Standing Orders for Council Meetings including Standing Committees (*InfoXpert ID:113970*)

**Author:** Director Corporate & Community Services

**Date:** 10<sup>th</sup> November 2020

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**Executive Summary:**

Following the latest rolling local government reforms the Department of Local Government, Racing and Multicultural Affairs (DLGRMA) have released an updated version of the 'Best practice standing orders for local government and standing committee meetings'. Council is presented with a Standing Orders policy for consideration for adoption.

**Recommendation:**

*That Council adopt the Standing Orders for Council Meetings including Standing Committees as presented.*

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**Background:**

Following the recent changes to the Local Government Act, part of the rolling reforms the Department of Local Government, Racing and Multicultural Affairs (DLGRMA) released an updated 'Best practice standing orders for local government and standing committee meetings'. Given this a review of Council's existing policy was conducted and updated to reflect the latest Department issued best practice guide.

The new sections included in the policy are as below:

- Prescribed Conflict of Interest
- Declarable Conflict of Interest
- Reporting a Suspected Conflict of Interest
- Loss of Quorum
- Withdrawing a Motion
- Process for dealing with unsuitable Meeting Conduct
- Meeting process for dealing with suspected inappropriate conduct which has been referred to a local government by the Independent Assessor
- Closed Session
- Teleconferencing

The Standing Orders provide written rules for the orderly conduct of Council Meetings and Committee Meetings.



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**Consultation:**

Chief Executive Officer.

**Legal Implications:**

Nil

**Policy Implications:**

Revokes previous versions of the policy

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:**

113970



# STANDING ORDERS FOR COUNCIL MEETINGS INCLUDING STANDING COMMITTEES

## 1. Standing Orders

- 1.1. These standing orders apply to local government meetings including standing committee meetings. These standing orders do not apply to meetings of the audit committee.
- 1.2. A provision of these standing orders may be suspended by resolution of any meeting of the local government except those sections that are mandatory under the model meeting procedures. A separate resolution is required for any suspension and must specify the application and duration of each suspension.
- 1.3. Where a matter arises at the local government meeting that is not provided for in these standing orders, the matters shall be determined by resolution of the local government upon a motion which may be put without notice but otherwise conforming with these standing orders.

## Procedures for Meetings of Council

### 2. Presiding Officer

- 2.1 The Mayor will preside at a meeting of Council.
- 2.2 If the Mayor is absent or unavailable to preside, the Deputy Mayor will preside.
- 2.3 If both the Mayor and the Deputy Mayor, or the Mayors' delegate, are absent or unavailable to preside, a Councillor chosen by the Councillors present at the meeting will preside at the meeting.
- 2.4 Council will choose the Chairperson for a Committee meeting. This Chairperson will normally preside over meetings of the Committee.
- 2.5 If the Chairperson of a Committee is absent or unavailable to preside, a Councillor chosen by the Councillors present will preside over the Committee meeting.
- 2.6 Before proceeding with the business of the meeting, the person presiding at the meeting shall undertake the acknowledgement and/or greetings deemed appropriate by the Council.

### 3. Order of Business

- 3.1 The order of business will be determined by resolution of the local government from time to

time. The order of business may be altered for a particular meeting where the councillors at that meeting pass a procedural motion to that effect. A motion to alter the order of business may be moved without notice.

3.2 Unless otherwise altered, the order of business will be as follows:

- attendances
- apologies and granting of leaves of absence
- confirmation of minutes
- officers' reports.

**Note:** The minutes of a preceding meeting, whether an ordinary or a special meeting, not previously confirmed will be taken into consideration, at every ordinary meeting of the local government, in order that the minutes may be confirmed. No discussion will be permitted about these minutes except with respect to their accuracy as a record of the proceedings. Amendments to the minutes may be made prior to confirming the minutes. This must be done by moving a motion to amend the minutes that must be voted on and carried. Once the resolution is passed the minutes can be amended. All councillors present at the meeting can vote to confirm the minutes including those who were absent at the previous meeting and those who had a conflict of interest at the previous meeting.

## 4. Agendas

4.1 The agenda may contain:

- notice of meeting
- minutes of the previous meetings
- business arising out of previous meetings
- business which the mayor wishes to have considered at that meeting without notice
- matters of which notice has been given
- committees' reports referred to the meeting by the chief executive officer (CEO)
- officers' reports referred to the meeting by the CEO
- deputations and delegations from the community that are approved to attend
- any other business the council determines by resolution be included in the agenda.

4.2 Business not on the agenda, or not fairly arising from the agenda, will not be considered at any council meeting unless permission for that purpose is given by the local government at the meeting. Business must be in accordance with the adopted terms of reference for each committee.

4.3 The agenda for the local government must be made publicly available by 5pm on the business day after the notice of meeting is given to the councillors. The related reports for the local government meeting must also be included and available to the public excluding confidential reports.

4.4 Matters on the agenda that will require the meeting to be in a closed session will be clearly identified including the reasons why the session will be closed.

## 5. Petitions

- 5.1 Any petition presented to a meeting of the local government will:
- be in legible writing or typewritten and contain a minimum of ten (10) signatures
  - include the name and contact details of the principal petitioner (i.e. the key contact)
  - include the postcode of all petitioners, and
  - have the details of the specific request/matter appear on each page of the petition.
- 5.2 Where a councillor presents a petition to a meeting of the local government, no debate in relation to it will be allowed, and the only motion which may be moved is:
- that the petition be received
  - received and referred to a committee or officer for consideration and a report to the council, or
  - not be received because it is deemed invalid.
- 5.3 The local government will respond to the principal petitioner in relation to all petitions deemed valid.

## 6. Deputations

- 6.1 A deputation wishing to attend and address a meeting of the council shall apply in writing to the CEO not less than seven (7) business days before the meeting.
- 6.2 The CEO, on receiving an application for a deputation, shall notify the chairperson who will determine whether the deputation may be heard. The CEO will inform the deputation of the determination in writing. Where it has been determined the deputation will be heard, a convenient time will be arranged for that purpose, and an appropriate time period allowed (e.g. 15 minutes).
- 6.3 For deputations comprising three or more persons, only three persons shall be at liberty to address the council meeting unless the councillors at the meeting determine otherwise by resolution. A deputation shall be given adequate opportunity to explain the purpose of the deputation.
- 6.4 If a member of the deputation other than the appointed speakers interjects or attempts to address the council meeting, the chairperson may terminate the deputation.
- 6.5 The chairperson may terminate an address by a person in a deputation at any time where:
- the chairperson is satisfied that the purpose of the deputation has been sufficiently explained to the councillors at the meeting
  - the time period allowed for a deputation has expired, or
  - the person uses insulting or offensive language or is derogatory towards councillors or others.
- 6.6 The CEO is responsible for the deputation including that the appointed speaker/s are notified in writing of developments or future actions as appropriate.

## 7. Public Participation at Meetings

- 7.1 A member of the public may take part in the proceeding of a meeting only when invited to do so by the chairperson.
- 7.2 In each local government meeting, time may be required to permit members of the public to address the local government on matters of public interest related to local government. The time allotted shall not exceed fifteen (15) minutes and no more than three (3) speakers shall be permitted to speak at one meeting. The right of any individual to address the local government during this period shall be at the absolute discretion of the local government.
- 7.3 If any address or comment is irrelevant, offensive, or unduly long, the chairperson may require the person to cease making the submission or comment.
- 7.4 For any matter arising from such an address, the local government may take the following actions:
- refer the matter to a committee
  - deal with the matter immediately
  - place the matter on notice for discussion at a future meeting
  - note the matter and take no further action.
- 7.5 Any person addressing the local government shall stand, and act and speak with decorum and frame any remarks in respectful and courteous language.
- 7.6 Any person who is considered by the local government or the mayor to be unsuitably dressed may be directed by the mayor or chairperson to immediately withdraw from the meeting. Failure to comply with such a request may be considered an act of disorder.

## 8. Prescribed Conflict of Interest

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a council or committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, councillors must abide by the following procedures:

- 8.1 A councillor who has notified the chief executive officer of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting.
- 8.2 A councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of the interest.
- 8.3 When notifying the meeting of a prescribed conflict of interest, the following details must be provided:
- if it arises because of a gift, loan or contract, the value of the gift, loan or contract
  - if it arises because of an application or submission, the subject of the application or

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Date of Approval: 17<sup>th</sup> November 2020  
Approved By: Council Resolution

Effective Date: 18/11/2020  
Version: 2.0  
Review Date: November 2022

- submission
- the name of any entity other than the councillor that has an interest in the matter
- the nature of the councillor's relationship with the entity that has an interest in a matter
- details of the councillor's and any other entity's interest in the matter.

8.4 The councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject councillor has written notice from the Minister to participate in the matter.

8.5 Once the councillor has left the area where the meeting is being conducted, the council can continue discussing and deciding on the matter at hand.

## 9. Declarable Conflict of Interest

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at council or committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other councillors suspect the personal interest might be a conflict of interest, the councillor may disclose their suspicion and the processes under section 150EW of the LGA.

When dealing with a declarable conflict of interest, councillors must abide by the following procedures:

- 9.1 A councillor who has notified the chief executive officer of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting.
- 9.2 A councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must inform the meeting of the conflict of interest
- 9.3 When notifying the meeting of a declarable conflict of interest, councillors should provide sufficient detail to allow the other councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following details must be provided:
  - the nature of the declarable conflict of interest
  - if it arises because of the councillor's relationship with a related party:
    - i. the name of the related party to the councillor
    - ii. the nature of the relationship of the related party to the councillor
    - iii. the nature of the related party's interest in the matter
  - if it arises because of a gift or loan from another person to the councillor or a related party:
    - i. the name of the other person
    - ii. the nature of the relationship of the other person to the councillor or related party

- iii. the nature of the other person's interest in the matter
- iv. the value of the gift or loan and the date the gift or loan was made.

- 9.4 After a councillor has declared a conflict of interest, the councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- 9.5 If the councillor chooses not to leave the meeting, the councillor may advise the other councillors of their reasons for seeking permission to participate in making the decision.
- 9.6 The other non-conflicted councillors at the meeting must then decide, by resolution, whether the councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted councillors. The non-conflicted councillors may impose conditions on the councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The councillor must comply with any decision or condition imposed by the non-conflicted councillors.
- 9.7 In deciding on a councillor's declarable conflict of interest in a matter, only councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the LGA.
- 9.8 The councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other councillors in making their decision. The subject councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the councillor may remain in the meeting and participate in deciding the matter in which the councillor has a declarable conflict of interest.
- 9.9 When deciding whether a councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other councillors should consider the particular circumstances of the matter including, but not limited to:
- how does the inclusion of the councillor in the deliberation affect the public trust
  - how close or remote is the councillor's relationship to the related part
  - if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
  - will the benefit or detriment the subject councillor or their related party stands to receive from the decision have major or minor impact on them
  - how does the benefit or detriment the subject councillor stands to receive compare to others in the community
  - how does this compare with similar matters that council has decided and have other councillors with the same or similar interests decided to leave the meeting
  - whether the subject councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.



- 9.10 If the non-conflicted councillors cannot decide about the declarable conflict of interest of a councillor, they are taken to have decided that the councillor must leave and stay away from the meeting while the non-conflicted councillors discuss and vote on the matter.
- 9.11 A decision about a councillor who has a declarable conflict of interest in a matter applies in relation to the councillor for participating in the decision, and all subsequent decisions, about the same matter unless there is a change to the councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted councillors decide that the councillor can act in the public interest on the matter, then the councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. briefing sessions or workshops.
- 9.12 In making the decision under 9.6 and 9.9, it is irrelevant how the subject councillor intended to vote on the issue or any other issue (if known or suspected).
- 9.13 A councillor does not contravene the above procedures if the councillor participates in a decision under written approval from the Minister.

## **10. Reporting a suspected Conflict of Interest**

- 10.1 If a councillor at a meeting reasonably believes or suspects that another councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that councillor is participating in a decision on that matter, the councillor must immediately inform the chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.
- 10.2 The chairperson then should ask the relevant councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the councillor agrees they have a conflict of interest, the councillor must follow the relevant procedures above.
- 10.3 If the councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 10.4 The non-conflicted councillors must then decide whether the councillor has a prescribed conflict of interest, a declarable conflict of interest or that the councillor does not have prescribed or declarable conflict of interest in the matter. If the meeting decides the councillor has a conflict of interest, the councillor must follow the relevant procedures above.
- 10.5 If the councillors cannot reach a majority decision, then they are taken to have determined that the councillor has a declarable conflict of interest.

## **11. Loss of Quorum**

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Date of Approval: 17<sup>th</sup> November 2020  
Approved By: Council Resolution

Effective Date: 18/11/2020  
Version: 2.0  
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- 11.1 In the event where one or more councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the council must resolve to:
- delegate the consideration and decision on the matter, pursuant to section 257 of the LGA
  - defer the matter to a later meeting
  - not decide the matter and take no further action in relation to the matter.
- 11.2 All councillors including the conflicted councillors, may participate in deciding to delegate or defer a matter.
- 11.3 The council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 11.4 If the matter cannot be delegated under an Act, the council should seek ministerial approval for the councillors to be able to consider and vote on the matter, subject to any conditions the Minister may impose.

## Motions

### 12. Motion to be moved

- 12.1 A councillor is required to 'move' a motion and then another councillor is required to 'second' the motion.
- 12.2 When a motion has been moved and seconded, it will become subject to the control of the council and cannot be withdrawn without the consent of the council meeting.
- 12.3 Other councillors can propose amendments to the motion, which must be voted on before voting on the final motion.
- A motion brought before a meeting of the local government in accordance with the LGA or these standing orders will be received and put to the meeting by the chairperson.
  - The chairperson may require a motion or amendment to a motion to be stated in full or be in writing before permitting it to be received.
  - The chairperson may refuse to accept a motion if it is not within the meeting's jurisdiction and rule a motion out of order if necessary. Any motion that is vague, proposes an unlawful action, is outside the scope of the meeting, is defamatory, vexatious or is unnecessary, may be ruled out of order.
- 12.4 The chairperson may call the notices of motion in the order in which they appear on the agenda. Where no objection is taken to a motion being taken as a formal motion, and the motion is then seconded, the chairperson may put the motion to the vote without discussion and the vote occur.

- 12.5 Not more than one motion or one proposed amendment to a motion may be put before a meeting of a local government at any one time.

### **13. Absence of Mover of Motion**

- 13.1 Where a councillor who has given notice of a motion is absent from the meeting of the local government at which the motion is to be considered, the motion may be:
- moved by another councillor at the meeting, or
  - deferred to the next meeting.

### **14. Motion to be seconded**

- 14.1 A motion or an amendment to a motion shall not be debated at a meeting of the local government unless or until the motion or the amendment is seconded, with the exception of procedural motions.

### **15. Amendment of Motion**

- 15.1 An amendment to a motion will be in terms which maintain or further clarify the intent of the original motion and do not contradict the motion.
- 15.2 Where an amendment to a motion is before a meeting of the local government, no other amendment to the motion will be considered until after the first amendment has been voted on.
- 15.3 Where a motion is amended by another motion, the original motion will not be proposed as a subsequent motion to amend that other motion.

### **16. Speaking to motions and amendments**

- 16.1 The mover of a motion or amendment will read it and state that it is so moved but will not speak to it until it is seconded.
- 16.2 The chairperson will manage the debate by allowing the councillor who proposed the motion the option of speaking first on the motion. The chairperson will then call on any other councillors who wish to speak against the motion and then alternatively for and against the motion as available, until all councillors who wish to speak have had the opportunity.
- 16.3 A councillor may make a request to the chairperson for further information before or after the motion or amendment is seconded.
- 16.4 The mover of a motion or amendment has the right to reply. Each councillor will speak no more than once to the same motion or same amendment except as a right of reply. Once the

right of reply has been delivered the debate ends.

- 16.5 Each speaker will be restricted to not more than five (5) minutes unless the chairperson rules otherwise.
- 16.6 Where two or more councillors indicate they may wish to speak at the same time, the chairperson will determine who is entitled to priority.
- 16.7 In accordance with section 254H of the *Local Government Regulation 2012* (LGR), if a decision made at the council meeting is inconsistent with a recommendation or advice given to the council by an advisor, the minutes of the meeting must include a statement of the reasons for not adopting the recommendation or advice.

## 17. Method of taking vote

- 17.1 The chairperson will call for all councillors in favour of the motion to indicate their support. The chairperson will then call for all councillors against the motion to indicate their objection. A councillor may call for a 'division' to ensure their objection to the motion is recorded in the minutes. If a division is taken, the minute secretary will record the names of councillors voting in the affirmative and of those voting in the negative. The chairperson will declare the result of a vote or a division as soon as it has been determined.
- 17.2 Councillors have the right to request that their names and how they voted be recorded in the minutes if they request it when voting other than by division.
- 17.3 Except upon a motion to repeal or amend it, the resolution will not be discussed after the vote has been declared.

**Note:** If a report contains distinct recommendations, the decision of the council may be taken separately on each recommendation. If a decision by the meeting is contra to a recommendation in a report the minutes must give the reasons for the decision.

## 18. Withdrawing a motion

- 18.1 A motion or amendment may be withdrawn by the mover with the consent of the council, which will be without debate, and a councillor will not speak to the motion or amendment after the mover has been granted permission by the council meeting for its withdrawal.

## 19. Repealing or amending resolutions

- 19.1 A resolution of the local government may not be amended or repealed unless notice of motion is given in accordance with the requirements of the legislation.
- 19.2 Councillors present at the meeting at which a motion to repeal or amend a resolution is put, may defer consideration of that motion. The deferral will not be longer than three (3) months.

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## 20. Procedural motions

- 20.1 A councillor at a meeting of the local government may, during the debate of a matter at the meeting, move the following motions, as a procedural motion without the need for a seconder:
- that the question/motion be now put before the meeting
  - that the motion or amendment now before the meeting be adjourned
  - that the meeting proceeds to the next item of business
  - that the question lie on the table
  - a point of order
  - a motion of dissent against the chairperson's decision
  - that this report/document be tabled
  - to suspend the rule requiring that (insert requirement)
  - that the meeting stands adjourned.
- 20.2 A procedural motion, that 'the question be put', may be moved and where the procedural motion is carried, the chairperson will immediately 'put the question to the motion' or amendment to that motion under consideration. Where the procedural motion is lost, debate on the motion or amendment to that motion will resume.
- 20.3 The procedural motion, that the motion or amendment now before the meeting be adjourned, may specify a time or date, to which the debate will be adjourned. Where no date or time is specified:
- a further motion may be moved to specify a time or date; or
  - the matter about which the debate is to be adjourned, will be included in the business paper for the next meeting.
- 20.4 Where a procedural motion that the meeting proceed to the next item is carried, debate on the matter that is the subject of the motion will cease and may be considered again by the local government on the giving of notice in accordance with the standing orders.
- 20.5 A procedural motion that the question lie on the table, will only be moved where the chairperson or a councillor requires additional information on the matter before the meeting (or the result of some other action of the council or person is required) before the matter may be concluded at the meeting. Where such a procedural motion is passed, the council will proceed with the next matter on the business paper. The motion, that the matter be taken from the table, may be moved at the meeting at which the procedural motion was carried or at any later meeting.
- 20.6 Any councillor may ask the chairperson to decide on a point of order where it is believed that another councillor:
- has failed to comply with proper procedures;
  - is in contravention of the legislation; or
  - is beyond the jurisdiction power of the council meeting.

**Note:** Points of order cannot be used as a means of contradicting a statement made by the

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councillor speaking. Where a point of order is moved, consideration of the matter to which the motion was moved will be suspended. The chairperson will determine whether the point of order is upheld.

Upon the question of order suddenly arising during the process of a debate, a councillor may raise a point of order, and then the councillor against whom the point of order is raised, will immediately cease speaking. Notwithstanding anything contained in these standing orders to the contrary, all questions or points of order at any time arising will, until decided, suspend the consideration and decision of every other question.

- 20.7 A councillor may move a motion of dissent in relation to a ruling of the chairperson on a point of order. Where such motion is moved, further consideration of any matter will be suspended until after a ruling is made. Where a motion of dissent is carried, the matter to which the ruling of the chairperson was made will proceed as though that ruling had not been made. Whereas a result of that ruling the matter was discharged as out of order, it will be restored to the business paper and be dealt with in the normal course of business.
- 20.8 The motion that this report/document be tabled may be used by a councillor to introduce a report or other document to the meeting, only if the report or other document is not otherwise protected under confidentiality or information privacy laws. On tabling the document, it ceases to be a confidential document and is available for public scrutiny.
- 20.9 A procedural motion, 'to suspend the rule requiring that.....', may be made by any councillor in order to permit some action that otherwise would be prevented by a procedural rule. A motion to suspend a rule will specify the duration of the suspension.
- 20.10 A procedural motion, that the meeting stands adjourned, may be moved by a councillor at the conclusion of debate on any matter on the business paper or at the conclusion of a councillor's time for speaking to the matter, and will be put without debate. Such a procedural motion will specify a time for the resumption of the meeting and on resumption of the meeting, the council meeting will continue with the business before the meeting at the point where it was discontinued on the adjournment.

## 21. Questions

- 21.1 A councillor may at the local government meeting ask a question for reply by another councillor or an officer regarding any matter under consideration at the meeting. A question will be asked categorically and without argument and no discussion will be permitted at the council meeting in relation to a reply or a refusal to reply to the question. A councillor or officer to whom a question is asked without notice may request that the question be taken on notice for the next meeting.
- 21.2 A councillor who asks a question at a meeting, whether or not upon notice, will be deemed not to have spoken to the debate of the motion to which the question relates.
- 21.3 The chairperson may disallow a question which is considered inconsistent with an

acceptable request or good order, provided that a councillor may move a motion that the chairperson's ruling be disagreed with, and if carried the chairperson will allow the question.

## Meeting Conduct

### 22. Process for dealing with Unsuitable Meeting Conduct

The conduct of a councillor is unsuitable meeting conduct if the conduct happens during a council meeting and contravenes a behavioural standard of the code of conduct for councillors ([Add Link to COC](#)). When dealing with an instance of unsuitable conduct by a councillor in a meeting, the following procedures must be followed:

- 22.1 The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a councillor at a meeting.
- 22.2 If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the councillor has had any previous warnings for unsuitable meeting conduct issued. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, proceed to step 23.7.
- 22.3 If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the councillor take remedial actions such as:
  - ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct;
  - apologising for their conduct;
  - withdrawing their comments.
- 22.4 If the councillor complies with the chairperson's request for remedial action, no further action is required.
- 22.5 If the councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the request could result in an order being issued.
- 22.6 If the councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- 22.7 If the councillor still continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 22.3, the chairperson may make one or more of the orders below:
  - an order reprimanding the councillor for the conduct
  - an order requiring the councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- 22.8 If the councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the councillor be removed from the meeting.

22.9 Following the completion of the meeting, the chairperson must ensure:

- details of any order issued is recorded in the minutes of the meeting
- if it is the third or more order made within a 12-month period against a councillor, or the councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council and treated as inappropriate conduct
- the council's chief executive officer (CEO) is advised to ensure details of any order made is updated in the council's councillor conduct register.

22.10 Any councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 22.1, 22.7 and 22.8 above.

**Note:** Chairpersons of a meeting are carrying out a statutory responsibility under the LGA to manage and lead the meeting. As such, where a chairperson behaves inappropriately in a meeting this involves a serious breach of the trust placed in them as the chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor (OIA) to be dealt with. However, breaches of trust don't arise because councillors disagree with the chairperson's decision or ruling during the meeting.

## 23. General Conduct during Meetings

23.1 After a meeting of the council has been formally constituted and the business commenced, a councillor will not enter or leave from the meeting without first notifying the chairperson.

23.2 Councillors will speak to each other or about each other during the local government meeting by their respective titles ('mayor' or 'councillor'), and when speaking of or addressing officers will call them by their respective official or departmental title and will confine their remarks to the matter under consideration.

23.3 No councillor who is speaking will be interrupted except upon a point of order being raised either by the chairperson or by another councillor.

23.4 When the chairperson speaks during the process of a debate, the councillor speaking or offering to speak will immediately cease speaking, and each councillor present will observe strict silence so that the chairperson may be heard without interruption.

## 24. Meeting process for dealing with suspected inappropriate conduct which has been referred to a local government by the Independent Assessor (IA)

Pursuant to Chapter 5A, Division 5 of the LGA (Referral of conduct to a local government) a referral from the IA of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 22.9 dot point two of this document.

When dealing with an instance of suspected inappropriate conduct which has been referred to a

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local government by the IA:

- 24.1 The council must be consistent with the local government principle of transparent and accountable decision making in the public interest by dealing with suspected inappropriate conduct in an open meeting of the council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the council may resolve to go into closed session under section 254J of the LGR to discuss the allegation.
- 24.2 The subject councillor has a declarable conflict of interest in the matter and is permitted by the council to remain in the meeting during the debate about whether the councillor engaged in the inappropriate conduct and answer questions put to the subject councillor by the chairperson to assist the other councillors in making a decision. This permission to remain in the meeting for the debate is on the condition that the subject councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the councillor is found to have committed inappropriate conduct.
- 24.3 Should the complainant be a councillor, that councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 9. If the complainant councillor who has a declarable conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other councillors must decide how to deal with the conflict of interest under section 9. The complainant councillor can be ordered to leave the meeting place or conditions may be applied to allow that councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.
- 24.4 The council must debate the issue and decide whether the accused councillor engaged in inappropriate conduct. If the council has lost quorum due to the number of conflicted councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or deferred to another date when a quorum will be present.
- 24.5 If a decision is reached that the accused councillor has engaged in inappropriate conduct, then the councillors must decide what penalty or penalties from the orders detailed in 24.6, if any, to impose on the councillor. In deciding what penalty to impose, the council may consider any previous inappropriate conduct of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the council is reasonably satisfied is true.
- 24.6 The council may order that no action be taken against the councillor or make one or more of the following:
- an order that the councillor make a public admission that the councillor has engaged in inappropriate conduct
  - an order reprimanding the councillor for the conduct
  - an order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense
  - an order that the councillor be excluded from a stated council meeting
  - an order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor, for example that the councillor is ordered to

- resign from an appointment representing the local government on a state board or committee
  - an order that if the councillor engages in the same type of conduct again, it will be treated as misconduct
  - an order that the councillor reimburse the council for all or some of the costs arising from the councillor's inappropriate conduct.
- 24.7 A local government may not make an order that the councillor attend training/counselling, be suspended from a meeting, be removed or resign from a position or that the same conduct will be treated as misconduct in future, in relation to a person who is no longer a councillor.
- 24.8 The subject councillor, and where relevant, the complainant councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the details of the decision.
- 24.9 The chairperson must ensure the meeting minutes reflect the resolution made.

## **25. Disorder**

- 25.1 The chairperson may adjourn the meeting of the local government, where disorder arises at a meeting other than by a councillor. On resumption of the meeting, the chairperson will move a motion to be put without debate, to determine whether the meeting will proceed. Where the motion is lost, the chairperson shall declare the meeting closed, and any outstanding matters referred to a future meeting.

## **Attendance and Non-Attendance**

### **26. Attendance of public and the media at meeting**

- 26.1 An area shall be made available at the place where any meeting of the local government is to take place for members of the public and representatives of the media to attend the meeting and as many members of the public as reasonably can be accommodated in that area will be permitted to attend the meeting.
- 26.2 When the local government is sitting in closed session, the public and representatives of the media will be excluded.

### **27. Closed Session**

- 27.1 Council and standing committee meetings may resolve that a meeting be closed to the public if its councillors consider it necessary to discuss any of the following matters:
- appointment, dismissal or discipline of the CEO

- industrial matters affecting employees
- the council's budget
- rating concessions
- legal advice obtained by the council, including legal proceedings that may be taken by or against the council
- matters that may directly affect the health and safety of an individual or a group of individuals
- negotiations relating to a commercial matter involving the council for which a public discussion could prejudice the interests of the council
- negotiations relating to the taking of land by the council under the *Acquisition of Land Act 1967*
- a matter that the council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or state.

27.2 A council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a councillor's personal interest in the matter by another person and the eligible councillors at the meeting must decide whether the councillor has a declarable conflict of interest in the matter.

27.3 Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the meeting and the council must;

- delegate the matter
- decide by resolution to defer to a later meeting
- decide by resolution to take no further action on the matter.

**Note:** None of the above will be considered, discussed, voted on or made during a closed session.

If a closed session includes attendance by teleconference, the councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

27.4 To take a matter into a closed session the council must abide by the following:

- pass a resolution to close the meeting
- the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered
- if the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated
- not make a resolution while in a closed meeting (other than a procedural resolution).

## 28. Teleconferencing of Meetings

28.1 If a councillor wishes to be absent from a council meeting place during a meeting, the councillor must apply to the chairperson to participate by teleconference, at least three (3) business days prior to the meeting or as soon as practicable once the councillor becomes aware of their intended absence. The chairperson may allow a councillor to participate in a council or committee meeting by teleconference.

28.2 A councillor taking part by teleconference is taken to be present at the meeting if the councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the councillor must be recorded in the minutes as present at the meeting.

**Note:** Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

28.3 In order for councils to manage the safety rules during the COVID-19 pandemic, changes have been added to the LGR that will expire in June 2021.

28.4 These provisions allow the council:

- the option to conduct the entire council meeting via phone, teleconference or video conference
- where possible, must provide streaming or other facilities so that the public can observe or hear the meeting as it is happening, at one of the council's public offices or on the council's website
- chairperson has the option to close the meeting on health and safety grounds to protect participants or observers from risk of exposure to COVID-19.



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**8.6 Subject:** Model Meeting Procedures  
**Attachments:** Model Meeting Procedures September 2020 (*InfoXpert ID:113975*)  
**Author:** Director Corporate & Community Services  
**Date:** 10 November 2020

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**Executive Summary:**

Following the recent changes to legislation through the passing of *The Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020* a number of policies and procedures require review and updating to reflect the changes.

**Recommendation:**

*That Council adopt the Model Meeting Procedures (September 2020 Revision) as developed by the Department of Local Government, Racing and Multicultural Affairs.*

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**Background:**

The previous Model Meeting procedures were developed by the Department in October 2018 following legislative reform as part of the Belcarra Report. With the recent amendments to the legislation further review of the meeting procedures was required to ensure consistency with the latest changes.

The latest version of the Model Meeting Procedures as developed by the Department now take into account the new terminology around conflicts of interests, being “Prescribed Conflict of Interest” and ‘Declarable Conflicts of Interest’, the meaning of each, reporting suspected conflicts of interests and recording the conflicts of interest. Further the section around ‘Closed Meetings’ has been updated given the changes to the legislation.

It is recommended that Council adopt the Model Meeting procedures as developed by the Department.

**Consultation:**

Chief Executive Officer

**Legal Implications:**

Nil

**Policy Implications:**

Nil

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:**

113974



# Model meeting procedures



Revised September 2020

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## Purpose of the model meeting procedures

The purpose of the model meeting procedures is to set out certain procedures to ensure the local government principles are reflected in the conduct of council meetings, standing and advisory committee meetings as defined in the Local Government Regulation 2012 (LGR) and the City of Brisbane Regulation 2012 (COBR). However, model meeting procedures do not apply to meetings of the council's audit committee.

It is not intended that the model meeting procedures would deal with all aspects of meeting conduct but only those required to strengthen public confidence in council to deal with the conduct of councillors in meetings.

## Background

As required under section 150F of the *Local Government Act 2009* (the LGA) this document sets out:

- the process for how a chairperson of a council meeting may deal with instances of unsuitable meeting conduct by councillors, and
- the process for how suspected inappropriate conduct of a councillor referred to the local government by the Independent Assessor (IA) is to be dealt with at a council meeting.

## Application

A council must either adopt the model meeting procedures or prepare and adopt other procedures for the conduct of its council meeting, standing and advisory committee meetings that are consistent with the model meeting procedures. If there is any inconsistency, then the council is taken to have adopted the model meeting procedures to the extent of the inconsistency.

If a council chooses to continue using existing standing orders, the council must review them to ensure that they are consistent with the requirements of these model meeting procedures. To assist council, the Department of Local Government, Racing and Multicultural Affairs (DLGRMA) has published best practice standing orders that councils can choose to adopt.

A council must conduct its meetings in a manner that is consistent with either the model meeting procedures or its own meeting procedures.

# Processes

## 1. Process for dealing with unsuitable meeting conduct by a councillor in a meeting

The conduct of a councillor is unsuitable meeting conduct if the conduct happens during a council meeting and contravenes a behavioural standard of the [code of conduct for councillors](#). When dealing with an instance of unsuitable conduct by a councillor in a meeting, the following procedures must be followed:

- 1.1 The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a councillor at a meeting.
- 1.2 If the chairperson decides the unsuitable meeting conduct has occurred, the chairperson may consider the severity of the conduct and whether the councillor has had any previous warnings for unsuitable meeting conduct issued. If the chairperson decides the conduct is of a serious nature or another warning is unwarranted, proceed to step 1.7.
- 1.3 If the chairperson decides unsuitable meeting conduct has occurred but is of a less serious nature, the chairperson may request the councillor take remedial action such as:
  - 1.3.1 ceasing the unsuitable meeting conduct and refraining from exhibiting the conduct
  - 1.3.2 apologising for their conduct
  - 1.3.3 withdrawing their comments.
- 1.4 If the councillor complies with the chairperson's request for remedial action, no further action is required.
- 1.5 If the councillor fails to comply with the chairperson's request for remedial action, the chairperson may warn the councillor that failing to comply with the request could result in an order being issued.
- 1.6 If the councillor complies with the chairperson's warning and request for remedial action, no further action is required.
- 1.7 If the councillor continues to fail to comply with the chairperson's request for remedial action or the chairperson decided a warning was not appropriate under 1.3, the chairperson may make one or more of the orders below:
  - 1.7.1 an order reprimanding the councillor for the conduct

- 1.7.2 an order requiring the councillor to leave the meeting, including any area set aside for the public and stay out for the duration of the meeting.
- 1.8 If the councillor fails to comply with an order to leave and stay away from the meeting, the chairperson can issue an order that the councillor be removed from the meeting.
- 1.9 Following the completion of the meeting, the chairperson must ensure:
  - 1.9.1 details of any order issued is recorded in the minutes of the meeting
  - 1.9.2 if it is the third or more order made within a 12 month period against a councillor, or the councillor has refused to comply with an order issued to leave the meeting, these matters are dealt with at the next meeting of the council and treated as inappropriate conduct
  - 1.9.3 the council's chief executive officer (CEO) is advised to ensure details of any order made is updated in the council's councillor conduct register.
- 1.10 Any councillor aggrieved with an order issued by the chairperson can move a motion of dissent for parts 1.1, 1.7 and 1.8 above.

**Note:** Chairpersons of a meeting are carrying out a statutory responsibility under the LGA and *City of Brisbane Act 2010* (COBA) to manage and lead the meeting. As such, where a chairperson behaves inappropriately in a meeting, this involves a breach of the trust placed in them as the chairperson of the meeting and may be dealt with as misconduct. The breach can be referred to the Office of the Independent Assessor (OIA) to be dealt with. However, breaches of trust don't arise because councillors disagree with the chairperson's decision or ruling during the meeting.

## **2. Meeting process for dealing with suspected inappropriate conduct which has been referred to a local government by the IA**

Pursuant to Chapter 5A, Division 5 of the LGA (Referral of conduct to local government) a referral from the IA of inappropriate conduct or an instance of suspected inappropriate conduct may arise from circumstances under paragraph 1.9.2 of this document.

In either case, the council must complete an investigation into the alleged conduct:

- consistent with any recommendations from the IA; and
- consistent with the council's investigation policy; or
- in another way decided by resolution of the council.

After the completion of the investigation, the council must decide in a council meeting, whether the councillor has engaged in inappropriate conduct, unless it has delegated responsibility for this decision under section 257 of the LGA or section 238 of the COBA.

When dealing with an instance of suspected inappropriate conduct which has been referred to a council by the IA:

- 2.1 The council must be consistent with the local government principle of transparent and accountable decision making in the public interest by dealing with suspected inappropriate conduct in an open meeting of the council. However, where the matter may directly affect the health and safety of the complainant due to the nature of the complaint, the council may resolve to go into closed session under section 254J of the LGR or section 242J of the COBR to discuss the allegation.
- 2.2 The subject councillor has a declarable conflict of interest in the matter and is permitted by the council to remain in the meeting during the debate about whether the councillor engaged in the inappropriate conduct and answer questions put to the subject councillor through the chairperson to assist the other councillors in making a decision. The permission to remain in the meeting for the debate is on the condition that the subject councillor must leave the place where the meeting is being held, including any area set aside for the public, during the vote on whether they have committed inappropriate conduct and what, if any, penalty to impose if the councillor is found to have committed inappropriate conduct.
- 2.3 Should the complainant be a councillor, that councillor may have a declarable conflict of interest in the matter and if so, must follow the declarable conflict of interest procedures in section 4. If the complainant councillor who has a conflict of interest, wishes to remain in the meeting during the debate and vote on the matter, the other councillors must decide how to deal with the conflict of interest under section 4. The complainant councillor can be ordered to leave the meeting place or conditions may be applied to allow that councillor to participate in either the debate, the vote or the decision on any disciplinary action to be applied.
- 2.4 The council must debate the issue and decide whether the subject councillor engaged in inappropriate conduct. If the council has lost quorum due to the number of conflicted councillors or another reason, the matter must be delegated consistent with section 257 of the LGA or section 238 of the COBA or deferred to another date when a quorum will be present.
- 2.5 If a decision is reached that the subject councillor has engaged in inappropriate conduct, then the councillors must decide what penalty or penalties from the orders detailed in 2.6, if any, to impose on the councillor. In deciding what penalty to impose, the council may consider any previous inappropriate conduct of the councillor and any allegation made in the investigation that was admitted, or not challenged, and that the council is reasonably satisfied is true.
- 2.6 The council may order that no action be taken against the councillor or make one or more of the following:
  - 2.6.1 an order that the councillor make a public admission that the councillor has engaged in inappropriate conduct
  - 2.6.2 an order reprimanding the councillor for the conduct

- 2.6.3 an order that the councillor attend training or counselling to address the councillor's conduct, including at the councillor's expense
- 2.6.4 an order that the councillor be excluded from a stated council meeting
- 2.6.5 an order that the councillor is removed, or must resign, from a position representing the local government, other than the office of councillor, for example that the councillor is ordered to resign from an appointment representing the local government on a state board or committee
- 2.6.6 an order that if the councillor engages in the same type of conduct again, it will be treated as misconduct
- 2.6.7 an order that the councillor reimburse the council for all or some of the costs arising from the councillor's inappropriate conduct.
- 2.7 A local government may not make an order under 2.6.3; 2.6.4; 2.6.5; 2.6.6 in relation to a person who is no longer a councillor.
- 2.8 The subject councillor, and where relevant, the complainant councillor, must be invited back into the place where the meeting is being held once a decision has been made, and the chairperson must advise them of the details of the decision.
- 2.9 The chairperson must ensure the meeting minutes reflect the resolution made.

### **3. Prescribed conflict of interest**

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a council meeting, standing or advisory committee meeting (other than ordinary business matters). When dealing with a prescribed conflict of interest, councillors must abide by the following procedures:

- 3.1 A councillor who has notified the chief executive officer of a prescribed conflict of interest in a matter to be discussed in a council meeting must also give notice during the meeting.
- 3.2 A councillor who first becomes aware of a prescribed conflict of interest in a matter during a council meeting must immediately inform the meeting of the conflict of interest.
- 3.3 When notifying the meeting of a prescribed conflict of interest, the following details must, at a minimum, be provided:
  - 3.3.1 if it arises because of a gift, loan or contract, the value of the gift, loan or contract
  - 3.3.2 if it arises because of an application or submission, the subject of the application or submission

- 3.3.3 the name of any entity, other than the councillor, that has an interest in the matter
- 3.3.4 the nature of the councillor's relationship with the entity that has an interest in a matter
- 3.3.5 details of the councillor's and any other entity's interest in the matter.
- 3.4 The councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject councillor has written notice from the Minister to participate in the matter.
- 3.5 Once the councillor has left the area where the meeting is being conducted, the council can continue discussing and deciding on the matter at hand.


#### **4. Declarable conflict of interest**

Councillors are ultimately responsible for informing of any declarable conflict of interest on matters to be discussed at council meetings, standing or advisory committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A councillor may raise their personal interests in a matter at the meeting to canvas the view of the other councillors prior to deciding to declare a conflict of interest. If the other councillors suspect the personal interest might be a conflict of interest, the councillor may disclose their suspicion and the processes under section 150EW of the LGA or Section 177T of COBA applies.

When dealing with a declarable conflict of interest, councillors must abide by the following procedures:

- 4.1 A councillor who has notified the chief executive officer of a declarable conflict of interest in a matter to be discussed at a council meeting must also give notice during the meeting.
- 4.2 A councillor who first becomes aware of a declarable conflict of interest in a matter during a council meeting must inform the meeting of the conflict of interest.
- 4.3 When notifying the meeting of a declarable conflict of interest, councillors should provide sufficient detail to allow the other councillors to make an informed decision about how best to manage the declarable conflict of interest in the public interest. The following minimum details must be provided:
  - 4.3.1 the nature of the declarable conflict of interest
  - 4.3.2 if it arises because of the councillor's relationship with a related party:
    - i. the name of the related party to the councillor
    - ii. the nature of the relationship of the related party to the councillor
    - iii. the nature of the related party's interest in the matter

- 
- 4.3.3 if it arises because of a gift or loan from another person to the councillor or a related party:
- i. the name of the other person
  - ii. the nature of the relationship of the other person to the councillor or related party
  - iii. the nature of the other person's interest in the matter
  - iv. the value of the gift or loan and the date the gift or loan was made.
- 4.4 After a councillor has declared a conflict of interest, the councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.
- 4.5 If the councillor chooses not to leave the meeting, the councillor may advise the other councillors of their reasons for seeking permission to participate in making the decision.
- 4.6 The other councillors at the meeting must then decide, by resolution, whether the councillor can participate in the decision making in relation to the matter, including voting on the matter, or whether they should not participate in the decision and leave the place of the meeting while the matter is decided by the non-conflicted councillors. The non-conflicted councillors may impose conditions on the councillor under a decision to either participate or leave the meeting e.g. may stay for the debate but must leave for the vote. The councillor must comply with any decision or condition imposed by the non-conflicted councillors
- 4.7 In deciding on whether a councillor may participate in a decision about a matter in which the councillor has a declarable conflict of interest, only councillors who do not themselves have a prescribed or declarable conflict of interest in the matter are eligible to participate in the decision making. The decision may be made even if the number of those councillors is less than a majority or less than a quorum for the meeting consistent with section 150ET of the LGA and section 177Q of COBA.
- 4.8 The councillor who is the subject of the decision may remain in the meeting while the debate is occurring and can participate by answering questions from the chairperson to assist the other councillors in making their decision. The subject councillor must not vote or otherwise participate in making the decision but may remain in the meeting while the vote on the matter takes place and the decision is declared by the chairperson, on whether the councillor may remain in the meeting and participate in deciding the matter in which the councillor has a declarable conflict of interest.
- 4.9 When deciding whether a councillor may participate in the decision making on a matter in which they have a declarable conflict of interest, the other councillors should consider the circumstances of the matter including, but not limited to:

- 4.9.1 how does the inclusion of the councillor in the deliberation affect the public trust
  - 4.9.2 how close or remote is the councillor's relationship to the related party
  - 4.9.3 if the declarable conflict of interest relates to a gift or other benefit, how long ago was the gift or benefit received
  - 4.9.4 will the benefit or detriment the subject councillor or their related party stands to receive from the decision have major or minor impact on them
  - 4.9.5 how does the benefit or detriment the subject councillor stands to receive compare to others in the community
  - 4.9.6 how does this compare with similar matters that council has decided and have other councillors with the same or similar interests decided to leave the meeting
  - 4.9.7 whether the subject councillor has unique skills, knowledge or expertise that might help make the best decision in the public interest.
- 4.10 If the non-conflicted councillors cannot decide about the declarable conflict of interest of a councillor, they are taken to have decided that the councillor must leave and stay away from the meeting while the non-conflicted councillors discuss and vote on the matter.
- 4.11 A decision about a councillor who has a declarable conflict of interest in a matter applies in relation to the councillor for participating in the decision, and subsequent decisions, about the same matter unless there is a change to the councillor's personal interests and/or the nature of the matter being discussed. If the non-conflicted councillors decide that the councillor can act in the public interest on the matter, then the councillor may participate in the meeting and be involved in processes occurring outside of a council meeting about the same matter e.g. briefing sessions or workshops.
- 4.12 In making the decision under 4.6 and 4.9, it is irrelevant how the subject councillor intended to vote on the issue or any other issue (if known or suspected).
- 4.13 A councillor does not contravene the above procedures if the councillor participates in a decision under written approval from the Minister.

## **5. Reporting a suspected conflict of interest**

- 5.1 If a councillor at a meeting reasonably believes or suspects that another councillor has a personal interest in a matter that may be a prescribed or declarable conflict of interest, and that councillor is participating in a decision on that matter, the councillor must immediately inform the chairperson of the meeting of their belief or suspicion, and the facts and circumstances that led to their belief or suspicion.



- 5.2 The chairperson should ask the relevant councillor with the suspected personal interest whether they have any prescribed or declarable conflict of interest in the matter. If the councillor agrees they have a conflict of interest, the councillor must follow the relevant procedures above.
- 5.3 If the councillor believes they do not have a conflict of interest, they must inform the meeting of that belief and their reasons for that belief.
- 5.4 The non-conflicted councillors must then decide whether the councillor has a prescribed conflict of interest, a declarable conflict of interest or that the councillor does not have a prescribed or declarable conflict of interest in the matter. If the meeting decides the councillor has a conflict of interest, the councillor must follow the relevant procedures above.
- 5.5 If the councillors cannot reach a majority decision then they are taken to have determined that the councillor has a declarable conflict of interest.

## **6. Loss of quorum**

- 6.1 In the event where one or more councillors leave a meeting due to a prescribed or declarable conflict of interest in a matter that results in a loss of a quorum for deciding the matter, the council must resolve to:
  - delegate the consideration and decision on the matter, pursuant to section 257 of the LGA or section 238 of the COBA; or
  - defer the matter to a later meeting
  - not to decide the matter and take no further action in relation to the matter.

All councillors including the conflicted councillors, may participate in deciding to delegate or defer a matter.

- 6.2 The council must not delegate a decision to an entity if the entity, or a majority being at least half of its members, has a prescribed or declarable conflict of interest in the matter.
- 6.3 If the matter cannot be delegated under an Act, the council should seek ministerial approval for the councillors to be able to consider and vote on the matter, subject to any conditions the Minister for Local Government may impose.

## **7. Recording prescribed and declarable conflicts of interest**

When a councillor informs a meeting that they or another councillor have a prescribed or declarable conflict of interest in a matter, the minutes of the meeting must record all of the relevant details of how the conflict of interest was dealt with, being:

- the name of any councillor and any other councillor who may have a prescribed or declarable conflict of interest
- the particulars of the prescribed or declarable conflict of interest provided by the councillor

- the actions taken by a councillor after informing the meeting that they have, or they reasonably suspect another councillor has a prescribed or declarable conflict of interest
- any decision then made by the eligible councillors
- whether the councillor with a prescribed or declarable conflict of interest participated in or was present for the decision under ministerial approval
- the council's decision on what actions the councillor with a declarable conflict of interest must take and the reasons for the decision
- the name of each councillor who voted on the matter and how each voted
- If the councillor has a declarable conflict of interest the following additional information must be recorded in the minutes of the meeting when the meeting is informed of a councillor's personal interest by someone other than the councillor, the name of each councillor who voted in relation to whether the councillor has a declarable conflict of interest, and how each of the councillors voted
- where a decision has been made under section 4.6 above – the minutes must include the decision and reasons for the decision, and the name of each eligible councillor who voted and how each eligible councillor voted.

## 8. Closed meetings

Council meetings, standing and advisory committee meetings may resolve that a meeting be closed to the public if its councillors consider it necessary to discuss any of the following matters:

- appointment, dismissal or discipline of the CEO or, in the case of Brisbane City Council only, for senior executive employees
- industrial matters affecting employees
- the council's budget
- rating concessions
- legal advice obtained by the council, including legal proceedings that may be taken by or against the council
- matters that may directly affect the health and safety of an individual or a group of individuals
- negotiations relating to a commercial matter involving the council for which a public discussion could prejudice the interests of the council
- negotiations relating to the taking of land by the council under the *Acquisition of Land Act 1967*
- a matter that the council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or state.

A council meeting, standing and advisory committee meeting cannot resolve that a meeting be closed where the meeting is informed of a councillor's personal interest in the matter by another person and the eligible councillors at the meeting must decide whether the councillor has a declarable conflict of interest in the matter.

Further, the meeting must not be closed if a quorum is lost due to the number of conflicted councillors who leave the meeting and the council must;

- delegate the matter
- decide by resolution to defer to a later meeting
- decide by resolution to take no further action on the matter.

None of the above will be considered, discussed, voted on or made during a closed session.

If a closed session includes attendance by teleconference, the councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

To take a matter into a closed session the council must abide by the following:

- 8.1 Pass a resolution to close the meeting.
- 8.2 The resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered.
- 8.3 If the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated.
- 8.4 Not make a resolution while in a closed meeting (other than a procedural resolution).

## 9. Teleconferencing meetings

- 9.1 If a councillor wishes to be absent from a council meeting place during a meeting, the councillor must apply to the chairperson to participate by teleconference, at least three business days prior to the meeting or as soon as practicable once the councillor becomes aware of their intended absence. The chairperson may allow a councillor to participate in a council meeting, standing or advisory committee meeting by teleconference.
- 9.2 A councillor taking part by teleconference is taken to be present at the meeting if the councillor was simultaneously in audio contact with each other person at the meeting. The attendance of the councillor must be recorded in the minutes as present at the meeting.

**Note:** Teleconferencing includes the use of a telephone, video conferencing equipment or other means of instant communication that allows a person to take part in a discussion as it happens.

- 9.3 In order for councils to manage the safety rules during the COVID-19 pandemic, changes have been added to the LGR and the COBR that will expire in June 2021.

These provisions allow the council:

- the option to conduct the entire council meeting via phone, teleconference or video conference
- where possible, that they must provide streaming or other facilities so that the public can observe or hear the meeting as it is happening, at one of the council's public offices or on the council's website
- chairperson the option to close the meeting on health and safety grounds to protect participants or observers from risk of exposure to COVID-19.

**Department of Local Government, Racing and Multicultural Affairs**  
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**[www.dlgrma.qld.gov.au](http://www.dlgrma.qld.gov.au)**



Ordinary Meeting of Council Tuesday 17<sup>th</sup> November 2020

**8.7 Subject:** Investigation Policy – Councillors Conduct  
**Attachments:** Investigation Policy – Councillors Conduct (*InfoXpert ID:113973*)  
**Author:** Director Corporate & Community Services  
**Date:** 10<sup>th</sup> November 2020

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**Executive Summary:**

As part of the requirements of section 150AE of the *Local Government Act 2009*, a local government must adopt a policy about how it deals with the suspected inappropriate conduct of councillors referred, by the assessor, to the local government to be dealt with. Following the recent rolling reform amendments the policy has been reviewed and updated.

**Recommendation:**

*That Council adopts the Investigation Policy V2.0 as presented.*

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**Background:**

With recent changes to the Local Government Act as a consequence of The Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act passed by the Legislative Assembly and review of certain policies needed to be reviewed to ensure consistency with the changes that were implemented.

To this end, a review of the Investigation Policy was completed in consultation with the example policy provided by the Department of Local Government, Racing and Multicultural Affairs (DLGRMA).

Only minor amendments were made to the policy, which include:

Section 7 Assessor referral has been expanded a little to detail the content of the referral notice.

Section 14 Completion of Investigation has been expanded to detail the content of the completion report.

**Consultation:**

Chief Executive Officer

**Legal Implications:**

The policy and associated documents have been compiled to meet the requirements of the *Local Government Act 2009* and based on the example policy provided by DLGRMA.

**Policy Implications:**

On adoption of this policy it will revoke previous versions, namely version 1.0.

**Financial and Resource Implications:**

**InfoXpert Document ID:**

113972



# INVESTIGATION POLICY – Councillors Conduct

## 1. Authority

This is McKinlay Shire Council's investigation policy for how complaints about the inappropriate conduct of councillors will be dealt with as required by the section 150AE of the *Local Government Act 2009* (the LGA). However, this policy does not relate to more serious councillor conduct.

## 2. Commencement

The investigation policy was adopted by Council resolution on 17<sup>th</sup> November 2020 and applies from 18<sup>th</sup> November 2020.

## 3. Scope

This investigation policy applies to investigations and determinations of a complaint about the alleged inappropriate conduct of a councillor/s which has been referred by the Independent Assessor.

## 4. Definitions

**Assessor** means the Independent Assessor appointed under section 150CV of the LGA

**Behavioural standard** means a standard of behaviour for councillors set out in the Code of Conduct for Councillors in Queensland approved under section 150E of the LGA

**Conduct** includes—

- (a) failing to act; and
- (b) a conspiracy, or attempt, to engage in conduct

**Councillor conduct register** means the register required to be kept by Council as set out in section 150DX of the LGA

**Inappropriate conduct** see section 150K of the LGA

**Investigation policy**, refers to this policy, as required by section 150AE of the LGA

**Investigator** means the person responsible under this investigation policy for carrying out the investigation of the suspected inappropriate conduct of a councillor or mayor

**LGA** means the *Local Government Act 2009*

**Local government meeting** means a meeting of—

- (a) a local government; or
- (b) a committee of a local government

**Misconduct** see section 150L of the LGA

**Model procedures** see section 150F of the LGA

**Referral notice** see section 150AC of the LGA

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Date of Approval: 17<sup>th</sup> November 2020

Approved By: Council Resolution

Effective Date: 18/11/2020

Version: 2.0

Review Date: November 2022

**Tribunal** means the Councillor Conduct Tribunal as established under section 150DK of the LGA

**Unsuitable meeting conduct** see section 150H of the LGA

## 5. Confidentiality

Matters of suspected inappropriate conduct of a councillor are confidential except as otherwise specifically provided for either in the LGA or this investigation policy.

*Note: It must be kept in mind that the matter is an allegation only and not yet proven. Further, there will be circumstances where the detail of the referral will need to remain confidential to the local government. Any release of information that a councillor knows, or should reasonably know, to be confidential to the local government, may be contrary to section 171(3) of the LGA and dealt with as misconduct.*

## 6. Natural Justice

Any investigation of suspected inappropriate conduct of a councillor/s must be carried out in accordance with natural justice. An overview of the principles of natural justice follows.

Natural justice or procedural fairness refers to three key principles:

- that the person being investigated has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken (fair hearing)
- that the investigator(s) should be objective and impartial (absence of bias)
- that any action taken is based on evidence (not suspicion or speculation).

A fair hearing means the councillor who is the subject of the suspected inappropriate conduct matter must be told of the case against them including any evidence and be provided with an opportunity to put their case in writing with the investigation report provided to the councillors as part of the meeting agenda.

An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

Ensuring decisions are based on evidence requires that the investigation should not be based on mere speculation or suspicion but instead must be based upon evidence material. A proper examination of all issues means the investigation must give a proper and genuine consideration to each party's case.

## 7. Assessor's referral

The council will receive from the assessor a referral notice about the suspected inappropriate conduct of a councillor/s. The referral notice will include details of the conduct and any complaint received about the conduct, state why the assessor reasonably suspects that the councillor has engaged in inappropriate conduct, and include information about the facts and circumstances that form the basis of the assessor's reasonable suspicion.

The referral notice may be accompanied by a recommendation from the assessor about how the local government may investigate or deal with the conduct. The recommendation of the assessor may be inconsistent with this policy.

The investigation must be conducted in a way consistent with:

- (i) any recommendation of the assessor
- (ii) to the extent that this policy is not inconsistent with the recommendation of the assessor – this investigation policy, or
- (iii) in another way the local government decides by resolution.

A resolution under subsection (iii) must state the decision and the reasons for the decision.

## **8. Receipt of Assessor's referral**

On receipt of a referral notice about the suspected inappropriate conduct of a councillor/s from the assessor, the council's chief executive officer will forward a copy of that referral notice to the mayor and all councillors, other than the councillor who is the subject of the complaint, or the complainant if the complainant is a councillor, as a confidential document.

Should the mayor or a councillor/s disagree with any recommendation accompanying the assessor's referral notice, or form the opinion that the complaint should be dealt with in a way other than under this policy, the mayor or councillor may request the matter be placed on the agenda of the next council meeting for the council to decide, by resolution, the appropriate process to investigate the complaint. Such a request must be made in accordance with the council's meeting procedure requirements.

## **9. Investigator**

Unless otherwise resolved by council, the mayor will manage the investigation of suspected inappropriate conduct of other councillors.

If the suspected inappropriate conduct involves conduct where, in the circumstances, the mayor believes it is in the best interests of the investigation to refer the matter for external investigation, then the chief executive officer may refer the suspected inappropriate conduct to the president of the Councillor Conduct Tribunal (the Tribunal) or other entity to investigate and make recommendations to the council about dealing with the conduct.

If the suspected inappropriate conduct involves an allegation about the conduct of the mayor or the mayor as the complainant, then the chief executive officer may refer the suspected inappropriate conduct to the president of the Tribunal, or another entity, to investigate and make recommendations to the council about dealing with the conduct.

## **10. Early resolution**

Before beginning an investigation, the investigator should consider whether the matter is appropriate for resolution prior to the investigation. This consideration can include any recommendations made by the assessor.



A matter is only appropriate for early resolution if the parties to the matter both voluntarily agree to explore early resolution. The investigator may engage an independent person with suitable qualifications or experience to facilitate this process.

If the matter cannot be resolved, the matter will then be investigated as outlined in this investigation policy.

If the matter is resolved prior to investigation, the investigator will advise the chief executive officer of this outcome. In turn, the chief executive officer will advise the mayor (if the mayor is not the investigator) and all councillors that the matter has been resolved. The chief executive officer will also update the councillor conduct register to reflect this.

### **11. Timeliness**

The investigator will make all reasonable endeavors to complete the investigation and provide a report for inclusion on the agenda of a council meeting no more than eight weeks after the receipt of the complaint.

*Note: If the investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the mayor (if the mayor is not the investigator) to seek an extension of time.*

### **12. Assistance for investigator**

If the mayor, or another councillor appointed by council resolution, is the investigator of a matter of suspected inappropriate conduct, the mayor or councillor may use section 170A of the LGA to seek assistance during the investigation.

The mayor is authorised by council to expend money as reasonably needed to engage contractors in accordance with the council's procurement policy.

### **13. Possible misconduct or corrupt conduct**

If during the course of an investigation the investigator obtains information which indicates a councillor/s may have engaged in misconduct, the investigator must cease the investigation and advise the chief executive officer. The chief executive officer will then notify the assessor of the possible misconduct.

If during the course of an investigation, the investigator obtains information that indicates a councillor/s may have engaged in corrupt conduct, the investigator must cease the investigation and advise the chief executive officer. The chief executive officer will then notify the Crime and Corruption Commission of the possible corrupt conduct.

Instances of suspected misconduct or corrupt conduct may be referred back to the council if determined by the assessor or Crime and Corruption Commission to be inappropriate conduct.

#### **14. Completion of investigation**

On the completion of an investigation, the investigator will provide a report to a council meeting outlining as appropriate:

- the investigation process
- any witnesses interviewed
- documents or other evidence obtained
- a statement of the relevant facts ascertained
- confirmation that the subject councillor has been provided with an opportunity to respond to the complaint and the evidence gathered
- the investigation findings
- a statement of any relevant previous disciplinary history
- any recommendations about dealing with the conduct
- a record of the investigation costs.

If there is a risk to the health and safety of the complainant, under s 254J of the LGR the council may resolve that the meeting be closed to the public for the councillors to consider the investigation report and any recommendations.

The council (with the exception of the councillor the subject of the investigation and the complainant, if another councillor) will consider the findings and recommendations of the investigator's report and decide whether the councillor has engaged in inappropriate conduct and, if so, what action it will take under section 150AH of the LGA. In accordance with s275(3) of the LGR, the resolution in relation to what action is to be taken as a result of the investigation must be made after the meeting has been re-opened to the public and the decision recorded in the meeting minutes. The chief executive officer is also required to ensure the details are entered into the councillor conduct register.

#### **15. Disciplinary action against councillors**

If the council decides at the completion of the investigation that the councillor has engaged in inappropriate conduct, the council may:

- (i) order that no action be taken against the councillor, or
- (ii) make an order outlining action the councillor must undertake in accordance with section 150AH(1)(b) of the LGA.

#### **16. Notice about the outcome of investigation**

After an investigation is finalised, the council must give notice about the outcome of the investigation to the person who made the complaint about the councillor/s' conduct that was the subject of the investigation and the subject councillor.

#### **17. Councillor conduct register**

The chief executive officer must ensure decisions about suspected inappropriate conduct of a councillor/s are entered into the councillor conduct register.

Where a complaint has been resolved under section 10 of this policy, or otherwise withdrawn by the complainant, the chief executive officer will update the register to reflect that the complaint was withdrawn.

## **18. Expenses**

Council must pay any reasonable expenses of council associated with the investigation of suspected inappropriate conduct of a councillor including any costs of:

- the president of the Tribunal in undertaking an investigation for council
- an independent investigator engaged on behalf of, or by the Tribunal
- an independent investigator engaged on behalf of the local government
- travel where the investigator needed to travel to undertake the investigation, or to interview witnesses
- seeking legal advice
- engaging an expert.

*Note: Council may order the subject councillor reimburse it for all or some of the costs arising from the councillor's inappropriate conduct. Any costs incurred by complainants or the subject councillors will not be met by council.*



## **9.0 CHIEF EXECUTIVE OFFICER**

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**9.1 Subject:** Chief Executive Officer's Report

**Attachments:** NIL

**Author:** Chief Executive Officer

**Date:** 12<sup>th</sup> November 2020

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**Executive Summary:**

This report provides an update on current matters for the information of Council

**Recommendation:**

*That Council receive and note the report from the Chief Executive Officer for the period 15 October – 13 November 2020 except where amended or varied by separate resolution of Council.*

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**1. Multicom Resources Limited – Presentation to Council**

The following Multicom Resources Limited representatives will attend the meeting at 10.00a.m. to update Council on the latest developments with the St Elmo Vanadium Mining project:

- Shaun McCarthy – CEO
- Christian Shaw - CFO
- Nathan Cammerman – Executive Director
- Jean-Marc (JM) Manning - Business Development Manager

Multicom will provide a community information session between 3.00 – 6.00p.m. on Monday 16<sup>th</sup> November 2020 in the Civic Centre Hall followed by a BBQ.

**Recommendation:**

*The representatives from Multicom Resources Limited be thanked for their presentation to Council on the status of the St Elmo Vanadium mining projection.*

**2. Recruitment of Executive Assistant**

Council has appointed Grace Armstrong as Executive Assistant from 10 November 2020 with EA Katie Woods taking up the part-time position of Rates Officer. Council is still in the market place for the recruitment of a receptionist. The option of recruiting a Trainee at the end of the school year is under consideration. Staff have been excellent in filling in across the vacant positions during this protracted recruitment process.

**Action:** *For noting*

**3. National Drought and North Queensland Flood Response and Recovery Agency**

When the Hon Shane Stone AC, QC Coordinator-General of the ND&NQFR&RA visited Council at the briefing on 3<sup>rd</sup> November 2020 he foreshadowed that Council will soon receive correspondence advising of possible funding allocations to Local Governments affected by the 2019 Monsoon Trough Event which will be formally announced in official correspondence.



Council may receive funding for telecommunications and emergency improvements and for stimulus projects. Whilst details and guidelines are yet to be released, Council should prepare to respond to any funding offer.

With respect to telecommunications improvements, I am planning to invite neighboring Councils to discuss options for improving internet speed both in Town and across the Shire.

In regard to possible projects, a preliminary list was presented to last Briefing to stimulate discussions.

**Recommendation:**

*The CEO and key staff scope possible projects for future funding under any flood recovery funding which might eventuate and present further details with preliminary costings to the December meeting of Council.*

**4. MITEZ Meeting – Townsville 5 November 2020**

Deputy Mayor Cr Janene Fegan and CEO attended the MITEZ AGM in Townsville on 5<sup>th</sup> November where the existing Executive were re-elected with Mr David Glasson continuing as Chairman. The career of CEO Glen Graham was celebrated as he has announced his retirement. His replacement will be Ross Thinee, current MITEZ Regional Development Officer.

Presentations of particular interest were received from:

- Copper Mountain Resources about the Little Eva proposed copper mine north of Cloncurry;
- Vast Solar Project 10km west of Mt Isa; DAF proposal to place technology skilled extension officers in local governments in the north west to support community and land holders;
- Suns Metals update on proposed zinc operation which could create 900 positions in Townsville involving solar farm and green hydrogen as energy sources for the project.

Whilst in Townsville the Deputy Mayor and CEO took the opportunity to meet with Regional Director TMR Mr Sanjay Ram to discuss current works being undertaken by Council on behalf of TMR. A verbal report on this meeting will be presented to the O.M.

**Recommendation:**

*Council write to Mr Glen Graham congratulating him on his retirement as CEO MITEZ and thanking him for his contribution.*

**5. Local Government Legislative Reforms**

Recent amendments require that:

- Council must make agendas publicly available on Council's web site by 5pm on the next business day after the agenda and business papers are given to councillors. (Councillors need to be mindful that this could prompt inquiries from the public regarding individual matters and reports before the meetings.)
- Late reports must be published on the web site as soon as possible after being provided to Councillors.
- Meeting minutes must be published on the web site within 10 days of the meeting



- Council can no longer close meetings to consider tenders, contracts, starting or defending legal proceedings, applications under the *Planning Act 2016*,
- Council must disclose an overview of what is to be discussed in the closed session (rather than simply “stating the nature of the matters to be considered”, which is the wording currently used in the LGR).

**Action:** *For noting*

## **6. Financial Sustainability**

Regional Director Department of Local Government visited the Mayor, CEO & Director Corporate & Community Service on 10 November 2020 to discuss recent legislative changes and current DLGMA funded projects. The R/Dir also advised that in conjunction with the Queensland Treasury Corporation and the University of Queensland, DLGRMA is currently developing financial sustainability workshops for Councillors. These workshops will be delivered in early 2021, intended to build practical capacity and will include relevant case studies and examples, including;

- What are the key strategies Council will need to put in place to meet expected financial management challenges during the 2020-2024 term.
- What strengths do Councillors currently have (knowledge, skills, experience) to inform their strategic financial decision making in addressing these challenges.
- What areas of development (i.e. knowledge, skill) would assist in improving Councillors strategic financial decision making.

DLGRMA are considering whether the Workshops will be provided by Zoom/video conferencing or in person in key regions.

### **Resolution:**

*Council advise DLGRMA that Council’s preference is for face to face Workshops.*

## **7. Local & District Disaster Management Meetings**

A meeting of the Local Disaster Management Group will be held on Tuesday 17<sup>th</sup> November at 1.00p.m, following the Ordinary meeting to consider preparations for the oncoming wet season.

The Mayor and CEO will attend a meeting of the Mt Isa District Disaster Management Group to be held in Carpentaria Shire on Wednesday 2<sup>nd</sup> December 2020 to receive presentations on NWHHS evacuation preparedness, LifeFlight, RFDS, managing Covid in a flood and a wet season exercise.

**Action:** For noting

## **8. DRFA Flood Monitoring Devices**

NWQROC agreed to undertake joint procurement of 69 flood monitoring devices across 12 local government areas as part of the DRFA funded flood warning infrastructure Network Project.



After inviting and assessing tenders, NWQROC have agreed to award the contract to Curry PM (based in Cloncurry) as Project Manager to undertake the procurement, installation and commissioning of the devices. Cloncurry Shire Council has been appointed as the Coordinating Council. Whilst the project was meant to be delivered by 30 June 2021, it is likely to be extended to June 2022 due to the forecast active wet season.

**Action:** *For noting*

### **9. Community Christmas Tree Event – 4<sup>th</sup> December 2020**

Typically Council has hosted the annual Community Christmas Tree event on the first Friday of December at McIntyre Park. Given COVID-19 and growing pressure from local businesses we are proposing to change the format to a Street function. The opportunity is there for local businesses to do late night shopping, Santa will come in to Peter Dawes park at 7.00p.m. and deliver gifts for the children. Other arrangements include:

- Encourage community members to have market stalls, either in Peter Dawes Park or in middle of street
- Close Burke Street between Julia & Quarrel Streets.
- No bar, the hotels deal with alcohol
- No band this year as no dancing allowed.
- Local buy promotion draws in the Park that evening.
- Consider the possibility of having BYO in Peter Dawes Park subject to agreement with the Police.
- Consider possibility of kids rides with COVID restrictions.

**Action:** *For discussion and noting*

### **10. Performance Plan for the CEO**

It is a good management practice that Council have in place a performance plan for the Chief Executive Officer to set goals and monitor performance against that plan. Periodic discussions should be held throughout the year to provide feedback to the CEO on performance against the Plan. A draft plan for Council consideration will be presented to the meeting for discussion.

**Resolution:**

*Council adopts the performance plan for the Chief Executive Officer as discussed and amended at the Ordinary Meeting.*

### **11. Julia Creek Aerodrome Rectification Works**

A verbal report will be presented to Council on the progress relating to the required rectification work at the Julia Creek Aerodrome reference Council resolution # 073/2021 – 15<sup>th</sup> September 2020.

**Action:** *For noting*





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**Policy/Legislative:**

LG Act 2009 & LG Regulation 2012

**Operational Financial and Resource Implications:**

Directors

**Consultation and engagement:**

As detailed in the Report

**InfoXpert Document ID:**

113999



## **10. WORKPLACE HEALTH AND SAFETY**

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Ordinary Meeting of Council Tuesday, 17<sup>th</sup> November 2020

**10.1 Subject:** WHS Report – October 2020  
**Attachments:** Nil  
**Author:** WHS Officer  
**Date:** 6<sup>th</sup> November 2020

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**Executive Summary:**

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of October 2020.

**Recommendation:**

*That Council receives the October 2020 WHS Report.*

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**Background:**

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of October 2020.

Detailed below are the general areas of importance to the safety of workers at McKinlay Shire Council throughout the month.

**Consultation:** (internal/External)

Nil

**Legal Implications:**

Nil

**Policy Implications:**

Nil

**Financial and Resource Implications:**

As provided in the report.

**InfoXpert Document ID:**

113938



Ordinary Meeting of Council Tuesday, 17<sup>th</sup> November 2020



DATE; 18 November 2020

Monthly  Quarterly  Yearly  Two Yearly

October 2020

## COVID-19

COVID-19 will likely be an on-going issue for the next 12-18 months throughout Australia. In Queensland –

### Case summary

Cases	Total
Number of cases	1,175
Last 24 hours	3
Active cases <sup>[1]</sup>	6
Recovered	1,163
Current hospitalisations	3
Patients currently in ICU	0
Deaths	6
Cases of First Nations people <sup>[2]</sup>	10

Data as at 03/11/2020. Refer to [data caveats](#).

Due to Queenslanders' great work in keeping up physical distancing, practising good hygiene and sticking to the State's restrictions, we can now have 40 people gather in people's homes, non-residences and outdoor settings. This number includes those who live with you.

### What changed from 1am 3 November 2020:

- Only 32 greater Sydney Local Government Areas are listed as COVID-19 hotspots in New South Wales (all of Victoria is still a hotspot)
- The border zone has been removed
- Children under the age of 12 are not required to wear a face mask.
- People can transfer through a hotspot by road as long as they stop only for essential fuel, supplies and to manage driver fatigue, wear a mask when stopping and don't stay overnight in a hotspot
- People can fly to Queensland from Sydney airport
- People can come to Queensland from the Spirit of Tasmania if they immediately leave Victoria by road or air after disembarking the vessel and do not stay overnight in a hotspot on their way to Queensland

The WHS COVID-19 Plan for all areas are being looked at on a bi-monthly basis or as required and are staff are being consulted at all times. We all need to continue to be vigilant.



**Objectives of WH&S Management System Plan 2019-2021**

1. Comply with the intent of the Workplace Health and Safety Act 2011 in preventing a persons death, injury or illness being caused by a workplace, by a relevant workplace area, by work activities, or by plant or substances for use at a workplace
2. Contribute to a Management framework that allows all work areas to manage WH&S in a preventative way;
3. Ensure that WH&S is an integral part of effective business practice; and
4. Clearly state the principles for managing WH&S and how the organisation is expected to perform in accordance with legislative requirements

*The primary objective is to provide a structured methodology to conduct all WH&S matters over an annual cycle.*

5. McKinlay Shire Council (MSC) Management team have identified the top 5 work health and safety risks to Council for 2019 and will be reviewed annually. These are:-
  - Verification of Competency (VOC)
    - VoC & VoCC Procedure in operation, with process followed over the last month to ensure all workers are Competent with the Machinery. This will be expanded in coming months to involve further smaller plant.
  - Contractor Management
    - Contractor management in reference to WHS is being conducted on the SkyTrust system which is being supported by Local Government Workcare.
    - VendorPanel is also starting to be used
  - Risk Management
  - Fit for work
  - Plant Risk Management

Quarterly KPI's	Measurement / Score	Detail / Information
80% of completed items indicated in QAP's	77%	Figure is ongoing.
20% of carry over items indicated in QAP's	Added to RAP	See QAP's, Per Quarter and accumulative tally
Quarterly KPI's	Measurement / Score	Detail / Information
Progressive Statistics as above	✓	See QAP's Table following on P3 of this Report, Per month and accumulative tally
Progressive incidents, LTI's and days lost over the year;	✓	Incident and Event Statistical information collated on P4 of this Report, Per month and accumulative tally
Progressive lost time frequency and duration rates compared to the scheme	✓	LGMS Dashboard Information, P4 of



Ordinary Meeting of Council Tuesday, 17<sup>th</sup> November 2020

		<i>Report</i>
Progressive costs of claims over the year;	✓	<i>LGMS Dashboard Information, P4 of Report</i>
Hazard inspections completed as per the Hazard Inspection Matrix	✓	<i>See Hazard Inspection Table on P3</i>
<b>Yearly KPI's</b>	<b>Measurement / Score</b>	<b>Detail / Information</b>
Progressive monthly statistics as above	✓	<i>See QAP's Table following on P3 of this Report, Per month and accumulative tally</i>
Progressive incidents, LTI's and days lost over the year;	✓	<i>Incident and Event Statistical information collated on P4 of this Report, Per month and accumulative tally</i>
Progressive lost time frequency and duration rates compared to the scheme	✓	<i>LGMS Dashboard Information, P4 of Report</i>
Progressive costs of claims over the year;	✓	<i>LGMS Dashboard Information, P4 of Report</i>
Hazard inspections completed as per the Hazard Inspection Matrix	✓	<i>See Hazard Inspection Table on P3</i>
Results of Internal WH&S Management System Audit or the WHSA Annual Assessment Report	<i>Still ongoing</i>	<i>To Schedule 2020</i>  <i>Audit was originally meant to occur just after the 2019 floods so was postponed. Still yet to be scheduled for 2020. With COVID-19 will now likely occur 2021.</i>
<b>Two (2) Yearly</b>	<b>Measurement / Score</b>	<b>Detail / Information</b>
Progressive Monthly and 3 monthly statistics as above	✓	<i>See the following tables for statistical outcomes.</i>
Results of an external WHS Management Systems Audit or the WHSA's Annual Assessment Report	<i>50%</i>	
Results of the overall, two yearly injury trend analysis	<i>N/a</i>	<i>Ongoing statistical information following</i>
<b>Additional Objectives</b>	<b>Measurement / Score</b>	<b>Detail / Information</b>



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<i>(WH&amp;S Management System Plan 2019 / 2021)</i>		
Sufficient resources trained to conduct SafePlan's Internal WHS Management Systems Auditing.	<i>TBC</i>	<i>JLTA is completing current audit, will look to complete this if necessary.</i>
The audit report will be accompanied by a Rectification Action Plan (RAP) that will be forwarded to the CEO, Senior Management and then to the WHS Committee for discussion.	✓	
Actions Register; number of actions outstanding	✓	<i>See the Actions Register Table at P3</i>
Training / Information completed as per 'Matrix for T5	✓	<i>See Compliance training table at P3</i>
Prestarts and Toolbox Meetings completed	✓	<i>See Table at P3 for Consultation completions</i>
<b>Key Outcomes</b>		
<ol style="list-style-type: none"> <li>1. Management and workers display commitment and involvement in achieving a safe and health workplace</li> <li>2. Appropriate consultative mechanisms are implemented</li> <li>3. Safe systems of work are implemented and maintained</li> <li>4. Plant and equipment is maintained in a safe condition</li> <li>5. All workers receive supervision, instruction, information &amp; induction training in all matters pertaining to WHS</li> <li>6. Reporting of all accidents / incidents &amp; mishaps &amp; / or systems that may be related to WHS risks at workplace</li> <li>7. Effective rehabilitation programs with early intervention to assist injured workers back into the workplace</li> <li>8. The provision &amp; maintenance of workplaces and equipment where risk to people is eliminated or minimised;</li> <li>9. Provision of personal protective clothing &amp; equipment, where appropriate, for control of workplace hazards</li> </ol>		
<b>Note all of the above KPI's are mandatory and MUST be reported on as directed</b>		
<b>Reference;</b>		
<i>MSC WHS Safety Management System Plan 2019-2021</i>		
<i>Procedure, Performance Measures, April 2015 and</i>		
<i>Procedure, WH&amp;S Incentives and Awards, March 2014</i>		





## Compliance Training

As per MSC WHS Safety Management System Plan 2019-2021

*E3Learning has been mostly abandoned at this point with only the ELC Staff still completing it.*

*Below shows the percentage of completion for each area. Contractor's percentages are based upon having 5 contractor crews consistently working, this is based on that crew being a crew of 10.*

Month	Corporate & Community	Works/Depot/P&G	Contractors
June	70%	78%	80% (now % is based on 5 crews of 10)
July	65%	59%	52% (appear to be missing T5's from 1 full crew)
August	64%	67%	66% (still seem to be missing T5's from 1 full crew)
September	45%	44%	56% (Missing T5's from 2 full crews)
October	22%	43%	20% (Missing T5's from 3 full crews) WHS Officer following up with AECOM)

## Key Performance Indicators

As per 'Schedule, Hazard Management Inspection Register', and MSC WHS Safety Management System Plan 2019-2021 Including Quarterly Action Plans (QAP's)

MONTH	Quarterly Action Plans (MAP's)							Audits / Hazard Inspections			Consultation				Risk Management		Comments / Information
	#	Total	Close Out	Comp %	Target	Transferred to CAR		Sched	Complete	Not Comp	P/Start TOTAL	P/Start MSC	P/Start DRFA	T/box	JSEA's & SWMS's	Plant & Equip	
Jan-19	12	12	7	58%	80%	5	42%	0	0	0	72			1	4		
Feb-Mar 19	19	19	16	84%	80%	3	16%	51	32	19	101			11	14		
Apr-Jun 19	12	12	10	83%	80%	2	17%	41	19	22	402			37	11		
Jul-Sep 19	12	12	11	92%	80%	1	8%	49	27	22	521			19	18		
Oct-Dec 19	12	12	11	92%	80%	1	8%	30	13	17	449			24	36		
Jan-Mar 20	17	17	12	71%	80%	5	29%	52	33	19	487			20	57		
Apr-Jun 20	12	12	9	75%	80%	3	25%	59	44	15	632			19	60		
Jul-Sep 20	11	11	10	91%	80%	1	9%	52	11	41	638	289	349	11	95		
Oct-Dec 20	11	11	5	45%	80%		55%	27	6	21	148	63	85	3	10		
Jan-Feb 21	15				80%												
<b>Total 2018</b>	<b>133</b>		<b>91</b>	<b>77%</b>	<b>80%</b>	<b>42</b>	<b>23%</b>	<b>361</b>	<b>185</b>	<b>176</b>	<b>3450</b>			<b>145</b>	<b>305</b>	<b>0</b>	

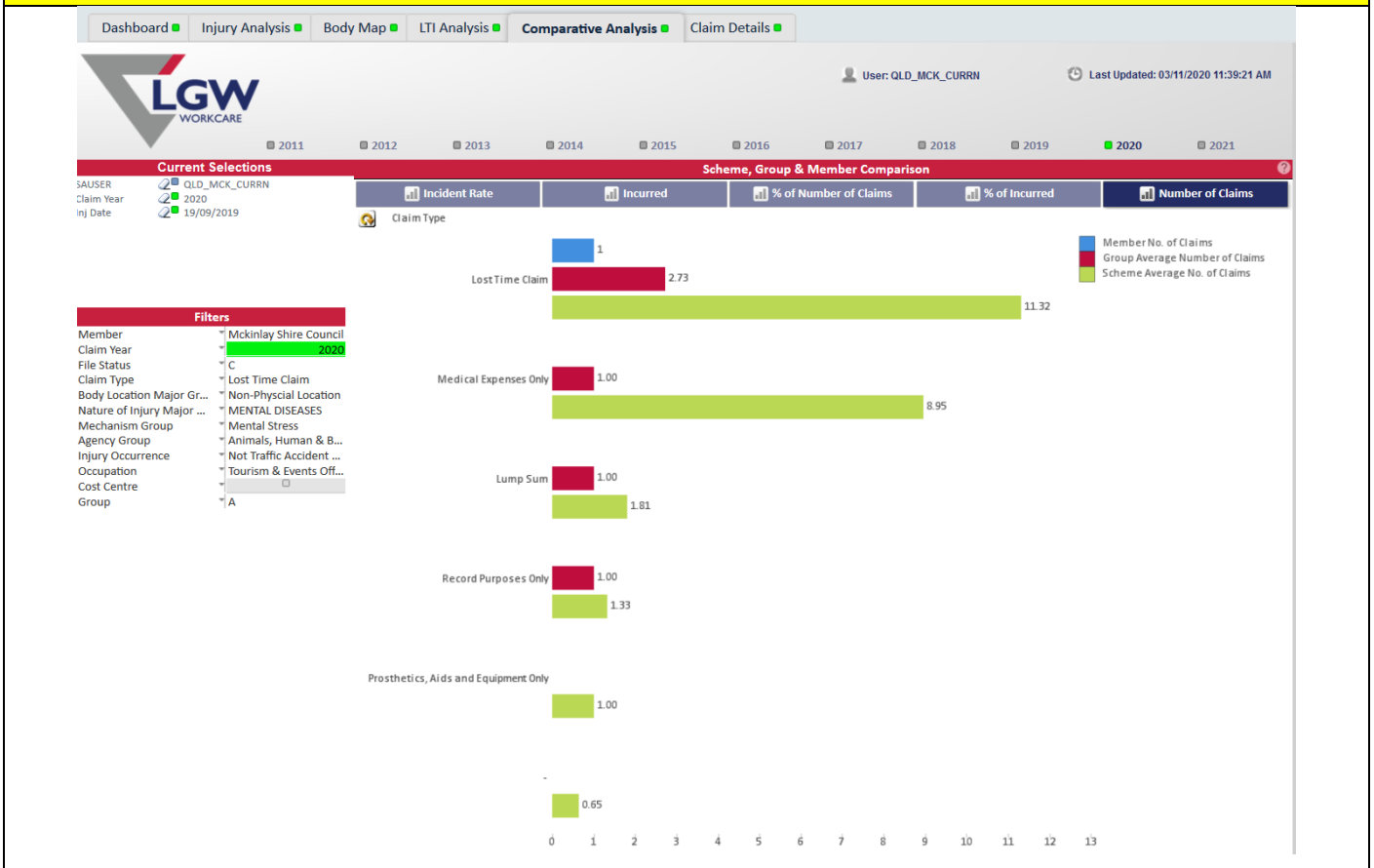


OUTSTANDING ACTIONS	Extreme Risk	High Risk	Moderate Risk	Low Risk	Details / Comments
Total 58 (in Rectification Action Plan)	1	8	33	16	At 04/11/2020
Total 10 (In SkyTrust)	0	1	5	4	At 04/11/2020

*Extreme Risk; Identified issue with access to Kynuna Bore, EWP Access only – remove platform and ladder (dangerous). Access has been restricted (and notified to all parties) however the ladder is still present.*

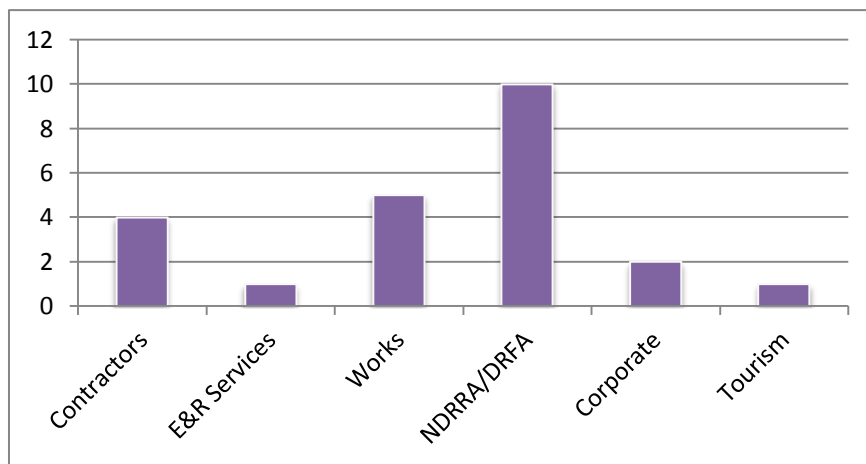
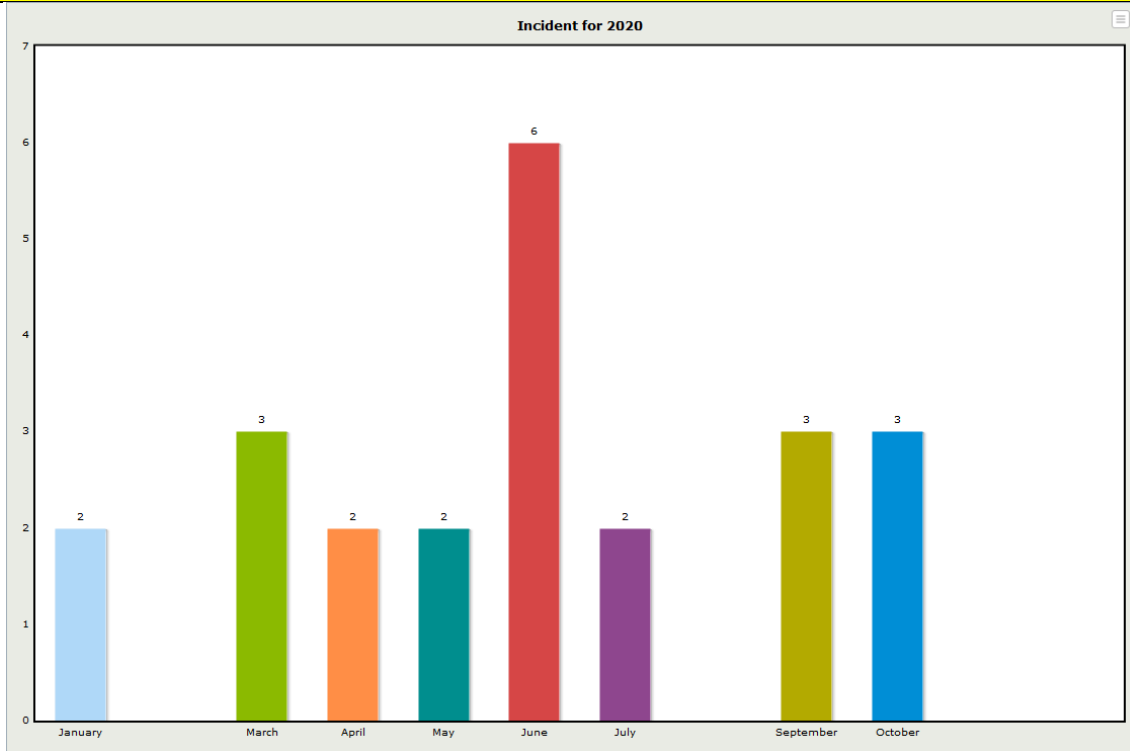
*Actions are identified via Inspections, Audits, Incidents etc. and their risk assessed, with preventative or corrective actions identified to control the risk – this process improves the Health, Safety and compliance of the business.*

**LGW**





## Incidents and Events



*There has been an increase in incidents caused by kangaroos and the general dry conditions. It has been a long year with minimal breaks for contractors. Many contractor employees have been working 10/4 for the entire year (except for wet periods) which may lead to issues with fatigue in the coming months.*

*There was a physical altercation on a DRFA site in October which led to the WHS Inductions for 2 contractor employees being cancelled for 12 months.*



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**11. CLOSE**