



# MCKINLAY SHIRE COUNCIL

***UNCONFIRMED MINUTES***

OF THE

***ORDINARY MEETING OF COUNCIL***

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

**17<sup>th</sup> May 2021**

## ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
- 4.1 Confirmation of Minutes of Ordinary Meeting on 20<sup>th</sup> April 2021
- 4.2 Business Arising out of minutes of previous Meeting

### **5. ENGINEERING REPORT**

- 5.1 Engineering Works Monthly Report
- 5.2 Dalgonally/Millungera Rd Betterment Project Sealing Award

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

- 6.1 Environmental & Regulatory Services Monthly Report
- 6.2 2021/22 Fees and Charges Schedule – Airport Landing

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

- 7.1 Community Services Monthly Report
- 7.2 Smart Hub Proposed Fees
- 7.3 CONFIDENTIAL – SWER Lines Alternative Project
- 7.4 LATE – RADF Quick Response

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

- 8.1 Corporate Services Report
- 8.2 LATE - 3<sup>rd</sup> Quarter Operation Plan

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

- 9.1 CEO Report

### **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 9:06am.

**2. ATTENDANCE** ▲

**Mayor:** Cr. P Curr

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

**Staff:**

Chief Executive Officer, Mr. John Kelly

Rates Officer/Acting 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:**

CEO Multicom Resources Limited, Mr Shaun McCarthy,

CFO Multicom Resources Limited, Mr Christian Shaw

**Apologies:** Nil

**3. DECLARATION OF CONFLICT OF INTEREST** ▲**Declaration of Conflict of Interest for item 9.1.1**

I, Cr. Philip R. Curr inform this meeting that I have a declarable conflict of interest in item 9.1.1 (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 as the owner of an aircraft, I may have an interest in leasing an aircraft hanger site or renting an aircraft hanger space at the Julia Creek airport.

The nature of my interest in this matter is that as a potential lessee or renter of a hanger site or space I may stand to gain a benefit or a loss depending on the outcome of Council's consideration of this matter.

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

**Declaration of Conflict of Interest for item 7.4**

I, Shauna Royes, declare that I have a conflict of interest with respect to agenda item 7.4 RADF application for funding by the McKinlay Shire Cultural Association pursuant to the *Local Government Act 2009*, section 175D) as follows: -

- I am a member of the McKinlay Shire Cultural Association.

I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining Councillors must determine, pursuant to section 175E(4) of the *Local Government Act 2009*: -

(a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and

(b) If so, whether: -

- i. I must leave the meeting while this matter is discussed or voted on; or
- ii. I may participate in the meeting in relation to the matter, including by voting on the matter.

**4. CONFIRMATION OF MINUTES** ▲

Confirmation of Minutes of the Ordinary Meeting of Council held on 20<sup>th</sup> April 2021.

**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on 20<sup>th</sup> April 2021 be confirmed.

**Resolution No. 263/2021**

The Minutes of the Ordinary Meeting of Council held on 20<sup>th</sup> April 2021 are confirmed.

Moved Cr. J Fegan

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 April 2021.

**RECOMMENDATION**

That Council receives the Engineering Services monthly report for April 2021.

**Resolution No. 264/2021**

That Council receives the Engineering Services monthly report for April 2021.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

**5.2 Dalgonally/Millungera Rd Betterment Project Sealing Award**

Vendor Panel quotations were sought from the relevant LocalBuy contract BUS-270 registered providers for sealing works on the Dalgonally/Millungera Rd Betterment Project.

**RECOMMENDATION**

That Council resolves to accept the quotation dated 5th May 2021, Dalgonally Rd from RPQ.

**Resolution No. 265/2021**

That Council resolves to accept the quotation dated 5th May 2021 from RPQ, for the Dalgonally/Millungera Rd Betterment Project sealing of 12kms.

Moved Cr. J Lynch

Seconded Cr. S Royes

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 department for the period April 2021.

**RECOMMENDATION**

That Council receives the April 2021 Environmental and Regulatory Services Report.

**Resolution No. 266/2021**

Council receives the April 2021 Environmental and Regulatory Services Report.

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

**Refuse Compactus Truck**

Staff to bring forward to the budget meeting an estimate of cost to replace the garbage refuse compactus and advice whether the truck can be fitted with a new compactus or whether a complete package is more viable.

**Attendance:** At this time 9.55am Mr Shaun McCarthy, CEO Multicom Resources Limited (MRL) and Mr Christian Shaw of MRL attended the meeting for the purposes of providing Council an update on their progress with the St Elmo Vanadium Mine project.

Mayor Philip Curr welcomed Messrs McCarthy and Shaw to the meeting and thanked MRL for their support of the recent Julia Creek Turf Club race meeting and bull ride and for the recent Julia Creek Campdraft. He invited them to update the meeting.

**Multicom Resources Limited Update**

Mr Shaun McCarthy thanked Council for accepting their request for an impromptu update and proceeded to advise the meeting that:

- Commonwealth Approval for the project under the Environment Protection and Biodiversity Conservation Act was received on 29 March 2021.
- Application has now been made to the Queensland State Government for issue of the Mining Lease which is anticipated by 30<sup>th</sup> September 2021.
- Following issue of the mining lease, negotiations will be finalised for global customers and financiers.
- Depending on timing of these matters, onsite activities could commence before the end of the calendar year.

**Attendance:** At this time 10.39am Messrs McCarthy and Shaw left the meeting and Environmental and Regulatory Services Team Leader, Ms Megan Pellow entered the meeting.

**6.2 2021/22 Fees and Charges Schedule – Julia Creek Airport Commercial Usage Charges**

Advice has been received from Avdata in relation to airport charge rules for RPT airlines. RPT operators require 3 months notice to update their ticketing/financial systems. It is proposed to adopt the airport charges early to allow REX enough notice to update their system with the new charge rate.

**RECOMMENDATION**

Council resolves to adopt the airport commercial usage charges for 2021-22 Financial Year effective immediately to;

- |  |                                     |
|--|-------------------------------------|
| - All commercial aircraft landing fees | <b>\$10.25 per tonne (incl GST)</b> |
| - Commercial Passenger                 | <b>\$2.82 per person (incl GST)</b> |

**Resolution No. 267/2021**

Council resolves to adopt the airport commercial usage charges for 2021-22 Financial Year effective immediately to;

- |  |                                     |
|--|-------------------------------------|
| - All commercial aircraft landing fees | <b>\$10.25 per tonne (incl GST)</b> |
| - Commercial Passenger                 | <b>\$2.82 per person (incl GST)</b> |

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0

**Attendance:** Megan Pellow left the meeting room at 10:48am and Director Corporate and Community Services Ms Tenneil Cody entered the meeting.

## 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: April 2021.

#### RECOMMENDATION

That Council receives the Community Services monthly report for April 2021.

#### **Resolution No. 268/2021**

That Council receives the Community Services monthly report for April 2021.

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 5/0

### 7.2 Julia Creek Smart Hub Proposed Fees

This is a proposal to Council to amend the Fees and Charges Schedule to include the membership and hiring fees of the Julia Creek Smart Hub.

#### RECOMMENDATION

That Council adopts the membership and hiring fees of the Julia Creek Smart Hub and includes them in the 2020/2021 Fees and Charges Schedule, effective immediately.

#### **Resolution No. 269/2021**

That Council adopts the membership and hiring fees of the Julia Creek Smart Hub and includes them in the 2020/2021 Fees and Charges Schedule, effective immediately.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 5/0

#### PROCEDURAL MOTION

That Council close the meeting to the public in accordance with Section 256J (3) (g) of the Local Government Regulation 2012.

#### **Resolution No. 270/2021**

Council resolves to close the meeting to the public in accordance with *Section 256J (3) (g) of the Local Government Regulation 2012.*

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

### 7.3 CONFIDENTIAL – SWER Lines Alternative Project

This report is CONFIDENTIAL in accordance with *Section 254J (3)(g) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss *(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;*

**PROCEDURAL MOTION****Resolution No. 271/2021**

Council resolves to re-open the Ordinary Meeting of Council to the public

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 5/0

**RECOMMENDATION**

That Council delegate to the CEO the power to negotiate the terms and price of the Intech Power Pod, subject to the purchase price not being lower than the amount discussed in Council.

**Resolution No. 272/2021**

That Council delegate to the CEO the power to negotiate the terms and price of the Intech Power Pod, subject to the purchase price not being lower than the amount discussed in Council.

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

**PROCEDURAL MOTION**

That Council accept late agenda item 7.4;

**7.4 LATE - RADF Quick Response****Resolution No. 273/2021**

Council accepts late agenda item;

7.4 LATE – RADF Quick Response

Moved Cr. J Fegan

Seconded Cr. T Pratt

CARRIED 5/0

**Declaration of Conflict of Interest**

“I, Shauna Royes, declare that I have a conflict of interest with respect to agenda item 7.4 RADF application for funding by the McKinlay Shire Cultural Association pursuant to the *Local Government Act 2009*, section 175D) as follows: -

- I am a member of the McKinlay Shire Cultural Association.

I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council’s area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining Councillors must determine, pursuant to section 175E(4) of the *Local Government Act 2009*: -

- (a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (b) If so, whether: -
- i. I must leave the meeting while this matter is discussed or voted on; or
  - ii. I may participate in the meeting in relation to the matter, including by voting on the matter.”

**Decision:** On being put this question, all other Councillors agreed to Cr Royes remaining in the meeting and participating in discussion and voting on the application for RADF funding by the McKinlay Shire Council Cultural Association.

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

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

**RECOMMENDATION**

That Council resolved to support the recommendations made by the RADF Committee to support

- McKinlay Shire Culture Association 'Picnic Paint & Sip' - \$1833.50

**Resolution No. 274/2021**

That Council agree to the recommendation made by the RADF Committee to support

- McKinlay Shire Culture Association 'Picnic Paint & Sip' - \$1833.50

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

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

The Corporate Services Report as of April 2021 which summarises the financial performance and position is presented to Council.

**RECOMMENDATION**

That Council receives the monthly Corporate Services Report for the period ending April 2021.

**Resolution No. 275/2021**

Council receives the monthly Corporate Services Report for the period ending April 2021.

Moved Cr. J Lynch

Seconded Cr. J Fegan

CARRIED 5/0

**PROCEDURAL MOTION**

That Council accept late agenda item 8.2;

**8.2 LATE – 3<sup>rd</sup> Quarter Operational Plan Review****Resolution No. 276/2021**

Council accepts late agenda item;

8.2 LATE – 3<sup>rd</sup> Quarter Operational Plan Review.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0

**8.2 Third 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 January to March 2021 is presented to Council.



**RECOMMENDATION**

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

**Resolution No. 277/2021**

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

Moved Cr. J Lynch

Seconded Cr. P Curr

CARRIED 5/0

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

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 14<sup>th</sup> April 2021 to 13<sup>th</sup> May 2021 except where amended or varied by separate resolution of Council.

**Resolution No. 278/2021**

That Council receives and note the report from the Chief Executive Officer for the period 14<sup>th</sup> April 2021 to 13<sup>th</sup> May 2021 except where amended or varied by separate resolution of Council.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

I, Cr. Philip R. Curr inform this meeting that I have a declarable conflict of interest in item 9.1.1 (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 as the owner of an aircraft, I may have an interest in leasing an aircraft hanger site or renting an aircraft hanger space at the Julia Creek airport.

The nature of my interest in this matter is that as a potential lessee or renter of a hanger site or space I may stand to gain a benefit or a loss depending on the outcome of Council's consideration of this matter. I propose to leave and stay away from the meeting while this matter is discussed and voted on.

**Attendance:** Having declared a conflict of interest in item 9.1.1 Cr Philip Curr – left the meeting room at 11:30am.

**9.1.1 Consideration of Establishing Aircraft Hanger sites at the Julia Creek Aerodrome**

This matter was raised at the April meeting of Council following which the CEO made inquiries of Councils in the North West. Comments are provided for Council consideration and advice to staff.

**RECOMMENDATION**

Staff bring forward for consideration of Council, a draft lease for hanger sites at the Julia Creek Aerodrome together with a report addressing the issues and matters discussed in Council including preferred method of allocation of hanger sites.

**Resolution No. 279/2021**

The Chief Executive Officer invite interests from the community to attend a meeting with him to discuss the concept of establishing aircraft hangers at the Julia Creek Airport with Councils preferred position being to offer the land for lease with lessees to develop the hangers, and the CEO to report back to a future meeting of Council.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 4/0

**Attendance:** At this time, 12:00pm Cr. Philip Curr entered the meeting room.

**9.1.2 Licence Agreement for Telecommunications Equipment on Julia Creek Water Tower**

An agreement has been finalised with Mr William Harrington trading as Wi-Sky QLD Pty Ltd for the installation of telecommunications equipment on the Julia Creek Water Tower for the purposes of facilitating improved internet capability for rural landholder to the north of Julia Creek. Depending on how the service is developed and promoted by the provider, it may result in better arrangements for other potential consumers including Julia Creek residents.

**RECOMMENDATION**

Council note the advice regarding the licensing of an Internet provider to install telecommunications equipment on the Julia Creek Water Tower.

**Resolution No. 280/2021**

Council note the advice regarding the licensing of an Internet provider to install telecommunications equipment on the Julia Creek Water Tower.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 5/0

**9.1.3 Infrastructure Strategy Meeting Mt Isa 28 May 2021**

The Department of State Development, Infrastructure, Local Government and Planning invites Council to participate in a workshop to explore how infrastructure can support the key priorities in the region. This workshop will inform infrastructure planning by the Queensland Government for the North and Western Queensland region and Queensland.

**RECOMMENDATION**

Council register the following person/s to attend the Infrastructure planning workshop in Mt Isa on 28th May 2021.

**Resolution No. 281/2021**

Council register CEO John Kelly to attend the State Government Infrastructure planning workshop in Mt Isa on 28th May 2021.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

**9.1.4 Process to Offer for Sale the Town and Country Club Land and Building**

It is recommended that the land and building be offered for sale by public tender rather than undertake an initial EOI process. Proceeding direct to public tender is preferred as it is not anticipated that there would be a large number of interested parties thereby not over complicating the process and hopefully expedite the sale.

**RECOMMENDATION**

Staff proceed with the finalisation of tender documentation for the sale of the former Town and Country Club land and building.

**Resolution No. 282/2021**

Staff proceed with the finalisation of tender documentation for the sale of the former Town and Country Club land and building known as Lot 2 SP250561 utilising the following assessment criteria;

- Price 40%
- Proposed use 30%
- Financial capability 10%
- Timeline 20%

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

**Attendance:** At 12.17pm Mrs Katie Woods left the meeting room.

**9.1.5 Proposed Extensions to the Livestock Transit Centre and Construction of a New Dip**

Discussions have been held with the Department of Agriculture and Fisheries for approval to extend the deadline for expenditure of the grant to install a new dip and extension of yards at the Livestock Transit Centre pending resolution of land tenure issues and the future of the old dip which has reached it's used by date.

These discussions have been encouraging and a letter has been writing seeking approval to carry over the unspent funds.

**RECOMMENDATION**

- a. Pending advice from the Department of Agriculture and Fisheries, Council make provision in the 2021/2022 budget for the carry over of unspent grant funds for the construction of a new dip and extension of yards at the Livestock Transit Centre pending resolution of land tenure and the future of the old dip,
- b. Council confirms that a new procurement process will be undertaken once additional grant funds are secured and tenure issues are resolved, and
- c. Staff thank the tenderers for their time and interest in submitting tenders.

**Resolution No. 283/2021**

a. Pending advice from the Department of Agriculture and Fisheries, Council make provision in the 2021/2022 budget for the carry over of unspent grant funds for the construction of a new dip and extension of yards at the Livestock Transit Centre pending resolution of land tenure and the future of the old dip,

b. Council confirms that a new procurement process will be undertaken once additional grant funds are secured and tenure issues are resolved and notes that the tenderers have been advised and thanked for their tenders.

Moved Cr. J Fegan

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 April 2021.

**RECOMMENDATION**

That Council receives the April 2021 Work Health and Safety Report.

**Resolution No. 284/2021**

That Council receives the April 2021 Work Health and Safety Report.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

**General Business – Councillor Requests****Cr. S Royes**

- Requesting an update from Dr Karen Murphy regarding the Julia Creek MPHS. The Mayor will make a call and report back.
- A washout on the edge of the footpath on the Burke Street entrance to the hospital needs attention.

**Cr. J Fegan**

- Attended the morning tea with Cr Royes, DC&CS Tenneil Cody and CEO John Kelly and other community reps to welcome the new Director of Nursing on Friday 14<sup>th</sup> May 2021. Received an update of staffing numbers at the facility, with increased operating hours in the near future. The Hospital staffs are keen to attend to anyone from the community seeking medical assistance at the MPHS.
- Ergon Borer machine – might not be available in Julia Creek any longer with the impact of delaying maintenance activities through having to wait for its availability from Cloncurry. The Mayor will speak with the local Ergon Supervisor to see how Council can assist.
- COVID-19 vaccination update.

**Cr T Pratt**

- Road north of Bunda to boundary – road needs maintenance as it is very rough.
- Patrick Hick's access road (Malpass turn off) needs maintenance.

**Cr J Lynch**

- Byrimine Road washouts need attention.

**11. CLOSURE OF MEETING**

The Chair of the meeting Mayor Philip Curr declared the meeting closed at 12:42pm.