



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

20th January 2022

ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
- 4.0 Confirmation of minutes of Ordinary Meeting on 14 December 2021
- 4.1 Business Arising out of minutes of previous Meeting

5. ENGINEERING REPORT

- 5.1 Engineering Work Monthly Report
- 5.2 Procurement of services for CN – 18096 and CN – 16540(RMPC Variation #1)
- 5.3 Subject: Tender T2122002 Sale of Miscellaneous Items

6. ENVIRONMENTAL & REGULATORY SERVICES REPORT

- 6.1 Environmental & Regulatory Services Monthly Report
- 6.2 Making of Animal Management (Amendment) Subordinate Local Law (No 1) 2022
- 6.3 Application for Surrender and Re-Issue of Permit to Occupy – PO 0/241369 described as Lot A Crown Plan AP7674

7. COMMUNITY SERVICES REPORT

- 7.1 Community Services Monthly Report

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Report

9. CHIEF EXECUTIVE OFFICERS REPORT

- 9.1 Chief Executive Officer's Report to January Meeting of Council
- 9.2 Funding Application to Regional Connectivity Program – Connect Julia Creek to the nbn Network

10. WORKPLACE HEALTH AND SAFETY

- 10.1 Workplace Health and Safety

11. CLOSE

1. OPENING BUSINESS ▲

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 9:03am.

2. ATTENDANCE ▲

Mayor: Cr. P Curr (Teleconference)

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

Staff:

Chief Executive Officer, Mr. Trevor Williams

Executive Assistant, Mrs. Melissa Mussig

Director of Corporate & Community Services, Ms. Tenneil Cody

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

Environmental Regulatory Services, Team Leader, Ms. Megan Pellow

Apologies: NIL

3. DECLARATION OF CONFLICT OF INTEREST ▲

Nil

4. CONFIRMATION OF MINUTES ▲

4.1 Confirmation of Minutes

Confirmation of Minutes of the Ordinary Meeting of Council held on 14th December 2021.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 14th December 2021 be confirmed.

Resolution No. 159/2122

That the Minutes of the Ordinary Meeting of Council held on 14th December 2021 be confirmed.

Moved Cr. Janene Fegan

Seconded Cr. John Lynch

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 December 2021.

RECOMMENDATION

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

Resolution No. 160/2122

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

Moved Cr. John Lynch

Seconded Cr. Janene Fegan

CARRIED 5/0

5.2 Subject: Procurement of services for CN – 18096 and CN – 16540(RMPC Variation #1)

Council were approached by Department Transport and Main Roads (DTMR) to undertake remediation works on 14D (CN 18096) and 14E (CN 16540). This report recommends the providers of the relevant services for the works.

RECOMMENDATION

That Council resolves to;

- a. Accept the submission from Stabilised Pavements Australia for CN – 18096 and;
- b. Accept the submission from Fulton Hogan for CN – 16540(RMPC Variation #1)

Resolution No. 161/2122

That Council resolves to;

- a. Accept the submission from Stabilised Pavements Australia for CN – 18096 and;
- b. Accept the submission from Fulton Hogan for CN – 16540(RMPC Variation #1)

Moved Cr. Janene Fegan

Seconded Cr. Shauna Royes

CARRIED 5/0

5.3 Subject: Tender T2122002 Sale of Miscellaneous Items

The successful Tenderer for Plant #275, Kubota Mower has declined the awarded item. Correspondence has also been received with an offer for plant #410, Scarab Minor Street Sweeper. This plant item did not receive an offer in the recent Tendering process.

RECOMMENDATION

That Council resolve to:

- a. To award Plant item #275 to the next Highest Tenderer, Ross Pukallus and;
- b. To accept the offer for plant #410, Scarab Minor Street from Ian McLachlan and;
- c. Delegate to the Chief Executive the ability to negotiate, vary and finalise all further transactions with regard to tender “ T2122002 Sale of Miscellaneous Items”

Resolution No. 162/2122

That Council resolve to:

- a. To award Plant item #275 to the next Highest Tenderer, Ross Pukallus and;
- b. To accept the offer for plant #410, Scarab Minor Street from Ian McLachlan and;
- c. Delegate to the Chief Executive the ability to negotiate, vary and finalise all further transactions with regard to tender “ T2122002 Sale of Miscellaneous Items”

Moved Cr. Janene Fegan

Seconded Cr. Shauna 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 December 2021.

RECOMMENDATION

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

Resolution No. 163/2122

Council receives the December 2021 Environmental and Regulatory Services Report.

Moved Cr. Janene Fegan

Seconded Cr. John Lynch

CARRIED 5/0

6.2 Making of Animal Management (Amendment) Subordinate Local Law (No 1) 2022

Council has completed its consultation with the public regarding its proposed Animal Management (Amendment) Subordinate Local Law (No. 1) 2021.

No properly made submissions were received by Council and no amendment of the proposed subordinate local law is proposed.

Considering all the steps have been made Council are now at the position to proceed with the making of, and make, the proposed subordinate local law.

After Council resolves to make the proposed subordinate local law, it must let the public know by publishing a notice in the gazette and on Council's Website. Within 14 days of publishing the notice in the gazette, Council must give the Minister a copy of the notice and a certified copy of the subordinate local law.

RECOMMENDATION

Council resolves to—

1. To make Animal Management (Amendment) Subordinate Local Law (No. 1) 2021 as advertised, but amended by the omission of each reference to "2021" and the insertion, instead, of a reference to "2022"; and
2. To adopt, pursuant to section 32 of the Local Government Act 2009, in the form attached to this report to Council, a consolidated version of Subordinate Local Law No. 2 (Animal Management) 2019.

Resolution No. 164/2122

Council resolves to—

1. To make Animal Management (Amendment) Subordinate Local Law (No. 1) 2021 as advertised, but amended by the omission of each reference to "2021" and the insertion, instead, of a reference to "2022"; and
2. To adopt, pursuant to section 32 of the Local Government Act 2009, in the form attached to this report to Council, a consolidated version of Subordinate Local Law No. 2 (Animal Management) 2019.

Moved Cr. Janene Fegan

Seconded Cr. Tim Pratt

CARRIED 5/0

6.3 Application for Surrender and Re-Issue of Permit to Occupy – PO 0/241369 described as Lot A Crown Plan AP7674

Council's views and/or requirements are sought by the Department of Resources regarding the surrender and re-issue of permit to occupy PO 0/241369 over Lot A on Crown Plan AP7674.

RECOMMENDATION

That Council resolves to advise the Department of Resources that it has no objections or requirements for the re-issue of the permit to occupy PO 0/241369 over Lot A on Crown Plan AP7674.

Resolution No. 165/2122

That Council resolves to advise the Department of Resources that it has no objections or requirements for the re-issue of the permit to occupy PO 0/241369 over Lot A on Crown Plan AP7674.

Moved Cr. Shauna Royes

Seconded Cr. John Lynch

CARRIED 5/0

7. COMMUNITY SERVICES



Community Services Monthly Report

Council is presented with the monthly Community Services report, which provides an overview of the operations for the month of December 2021.

RECOMMENDATION

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

Resolution No. 166/2122

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

Moved Cr. Janene Fegan

Seconded Cr. Tim Pratt

CARRIED 5/0

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

The Corporate Services Report as of December 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 December 2021.

Resolution No. 167/2122

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

Moved Cr. Tim Pratt

Seconded Cr. John Lynch

CARRIED 5/0

9. CHIEF EXECUTIVE OFFICER**9.1 Chief Executive Officer's Report to January Meeting of Council**

In addition to the information provided below, a verbal update will be given on current matters headlined in the body of the report which have arisen from the Office of the Chief Executive Officer.

RECOMMENDATION

That Council receive and note the report from the Chief Executive Officer for the period ending 14th January 2022 except where amended or varied by separate resolution of Council.

Resolution No. 168/2122

That Council receive and note the report from the Chief Executive Officer for the period ending 14th January 2022 except where amended or varied by separate resolution of Council.

Moved Cr. Shauna Royes

Seconded Cr. Janene Fegan

CARRIED 5/0

Procedural Motion

169/2122 PROCEDURAL MOTION – CLOSURE OF MEETING

Moved by: Cr. John Lynch

Seconded by: Cr. Janene Fegan

That Council closes the meeting to the public at 9:45am in accordance with section 254J of the Local Government Regulations 2012 for closed meetings, for the purpose of discussing the following item and the reason for going into closed session:

(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

Procedural Motion

171/2122 PROCEDURAL MOTION - REOPEN OF MEETING

Moved By: Cr. Janene Fegan

Seconded by: Cr. Shauna Royes

That Council reopens the meeting to the general public at 9:47am.

Resolution No. 172/2122

Council notes the advice from the Chief Executive Officer that negotiations for the Julia Creek aerodrome reconstruction are nearing an end and delegate authority to the CEO to finalise the financial settlement and indemnity.

Moved Cr. Tim Pratt

Seconded Cr. Philip Curr

CARRIED 5/0

Julia Creek Aerodrome Pavement Concession

Regional Express Holdings Ltd. (REX) requested a long-term pavement concession for the use of the Julia Creek Aerodrome, due to an increase in the Aircraft Maximum Take-Off Weight of the SAAB 340 aircraft type. The concession was granted and will allow REX to continue to use the aerodrome with the SAAB 340 aircraft.

RECOMMENDATION

For Council Information

Moved: Cr. John Lynch

Seconded: Cr. Janene Fegan

CARRIED 5/0

Provision of Helicopter Fuel in Southern Part of Shire

In the December LDMG Meeting, the provision of fuel in the McKinlay / Kynuna area for the Lifeflight Rescue Helicopter was discussed. Local Member Robbie Katter has had an approach from a constituent in McKinlay requesting the provision of helicopter fuel for the Lifeflight Rescue Helicopter. Following the LDMG, Cr Shauna Royes and some Council Staff met with Stephen Malone (QFES) to discuss the provision of helicopter fuel. Stephen also briefed Billy McCreddie (Lifeflight) and arranged for Billy to discuss with me. I have had discussions with Billy and will provide a verbal update to Council. Leah Morgan (South32) has also confirmed that helicopter fuel is available at Cannington for the Lifeflight as long as they have sufficient supply.

RECOMMENDATION

For Council Information.

Moved: Cr. Shauna Royes

Seconded: Cr. John Lynch

CARRIED 5/0

Certified Agreement Negotiations Fifth Meeting to be held on 27th January 2022

Verbal update to be provided

RECOMMENDATION

For Council Information

Moved: Cr. Shauna Royes

Seconded: Cr. Tim Pratt

CARRIED 5/0

Dirt and Dust Festival Committee

Settlement will occur on 20th January 2022 for the acquisition of Lots 18 and 19 on CP JC55713 from DnD to Council.

A draft Memorandum of Understanding has been provided to the DnD committee for their consideration and feedback. When it is executed by both parties, this will be the trigger for the surrender of the existing special lease held by DnD over the festival precinct site.

RECOMMENDATION

For Council information

Move: Cr. Janene Fegan

Second: Cr. Shauna Royes

CARRIED 5/0

9.2 Funding Application to Regional Connectivity Program – Connect Julia Creek to the nbn Network

At a special meeting held on Tuesday 2nd November 2021 Council received a second presentation via tele-conference from the Community Engagement Manager for North Queensland **nbn**, Ms Casie Scott relating to the required planning and estimating of the cost to build the network connecting the town of Julia Creek to the **nbn** Network.

RECOMMENDATION

Council submitted an application to the Regional Connectivity Program seeking funding to build the network required to connect the Town of Julia Creek to the National Broadband Network including a co-contribution of \$20,000 to be funded from existing reserves.

Resolution No. 173/2122

Council submitted an application to the Regional Connectivity Program seeking funding to build the network required to connect the Town of Julia Creek to the National Broadband Network including a co-contribution of \$20,000 to be funded from existing reserves.

Moved Cr. Philip Curr

Seconded Cr. Janene Fegan

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 December 2021.

RECOMMENDATION

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

Resolution No. 174/2021

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

Moved Cr. John Lynch

Seconded Cr. Shauna Royes

CARRIED 5/0

General Business – Councillor Requests

Trevor Williams – Wanted to acknowledge council employee Russell Hinwood valuable contributions work on the NBN application.

Philip Curr – Made mention that Watco East West has been selected to operate cattle rail transport services in North West Queensland.

John Lynch – Raised concerns of unmaintained properties and houses in the shire. He suggested, notices to be issued to owners.

Janene Fegan – Has been in discussions with Joanne Bergamin, Communications Director, QEM Limited. QEM are looking at leasing a premises to set up an office space in Julia Creek. QEM also have plans to fund mental health support in the Julia Creek community.

Cameron Scott- Wanted to make special mention to Council employee Taleah Rafter for her hard work on the Tender T2122002 process.

TMR plan to upgrade the 14E/78A intersection, concerns of a separate acceleration lane to be raised with TMR.

11. CLOSURE OF MEETING ▲

The Chair of the meeting Mayor Philip Curr declared the meeting closed at 10:48am.