



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

17th August 2021

ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
4. Confirmation of minutes of Ordinary Meeting on 20th July 2021
- 4.1 Business Arising out of minutes of previous Meeting

5. ENGINEERING REPORT

- 5.1 Engineering Work Monthly Report

6. ENVIRONMENTAL & REGULATORY SERVICES REPORT

- 6.1 Environmental & Regulatory Services Monthly Report

7. COMMUNITY SERVICES REPORT

- 7.1 Community Services Monthly Report

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Report
- 8.2 Request to Write-Off General Debtor Account
- 8.3 Request to Write-Off General Debtor Account

9. CHIEF EXECUTIVE OFFICERS REPORT

- 9.1 Chief Executive Officers Report

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 9.02am.

2. ATTENDANCE ▲

Mayor: Cr. P Curr

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

Staff:

Chief Executive Officer, Mr. John Kelly (teleconference)

Acting Executive Assistant, Mrs. Kylie Davison

Director of Corporate & Community Services, Ms. Tenneil Cody

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

Ranger, Mr. Colin Malone

Other people in attendance:

Nil

Apologies:

Nil

3. DECLARATION OF CONFLICT OF INTEREST ▲**Declaration of Conflict of Interest for item 9.1.7**

I, Cr. Philip R. Curr declare that I have a conflict of interest with respect to agenda item 9.1.7 of the August 2021 Ordinary Meeting (as defined the Local Government Act 2009, section 150EN). The nature of my interest is as follows:

- I am Interested in the possible lease of an Airport Hanger should Council proceed with this development.

4. CONFIRMATION OF MINUTES ▲

Confirmation of Minutes of the Ordinary Meeting of Council held on 20th July 2021.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 20th July 2021 be confirmed.

Resolution No. 035/2122

The Minutes of the Ordinary Meeting of Council held on 20th July 2021 are confirmed.

Moved Cr. J.Fegan

Seconded Cr. J.Lynch

CARRIED 5/0

4.1 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 July 2021.

RECOMMENDATION

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

Resolution No. 036/2122

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

Moved Cr. T.Pratt

Seconded Cr. J.Lynch

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 July 2021.

RECOMMENDATION

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

Resolution No. 37/2122

Council receives the July 2021 Environmental and Regulatory Services Report.

Moved Cr. J.Fegan

Seconded Cr. S.Royes

CARRIED 5/0

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: July 2021.

RECOMMENDATION

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

Resolution No. 38/2122

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

Moved Cr. S.Royes

Seconded Cr. J.Fegan

CARRIED 5/0

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

The Corporate Services Report as of July 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 July 2021.

Resolution No. 39/2122

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

Moved Cr. T.Pratt

Seconded Cr. J.Fegan

CARRIED 5/0

8.2 Request to Write-Off General Debtor Account

Request to Council to write off the outstanding general debtor account of \$140.00, as per requirement of debtor policy.

RECOMMENDATION

That Council resolve to write off the outstanding general debt of \$140.00 for invoice numbers 24673, 24768, 24883, 25153 and 26408.

Resolution No. 40/2122

That Council resolve to write off the outstanding general debt of \$140.00 for invoice numbers 24673, 24768, 24883, 25153 and 26408.

Moved Cr. J.Fegan

Seconded Cr. J.Lynch

CARRIED 5/0

8.3 Request to Write-Off General Debtor Account

Request to Council to write off the outstanding general debtor account of \$140.45, as per requirement of debtor policy.

RECOMMENDATION

That Council resolve to write off the outstanding general debt of \$140.45 for invoice numbers 27115.

Resolution No. 41/2122

That Council resolve to write off the outstanding general debt of \$140.45 for invoice numbers 27115.

Moved Cr. T.Pratt

Seconded Cr. J.Fegan

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 15th July to 13th August 2021 except where amended or varied by separate resolution of Council.

Resolution No. 42/2122

That Council receive and note the report from the Chief Executive Officer for the period 15th July to 13th August 2021 except where amended or varied by separate resolution of Council.

Moved Cr. S.Royes

Seconded Cr. T.Pratt

CARRIED 5/0

9.1.1 Tenders for the Sale of the former Town and Country Club and Land

Invitations for tenders have been advertised and close at 5.00p.m. Friday 3rd September 2021. I propose to present the tenders with a covering report to a Special Meeting of Council to be held at 8.30a.m. Tuesday 7th September 2021. The meeting notice will be issued beforehand.

The T&CC land is currently zoned commercial and the two adjoining Lots to the rear are zoned residential. I have obtained the following advice to any interested parties which set out the permissible uses and the required process to follow to seek approval for non-conforming uses. This includes ballpark costs to undertaking any application process. This will be circulated to interested parties prior to the close of tenders so as to be as transparent as possible with prospective tenderers.

“The tables of assessment from the planning scheme nominate which uses are generally supported in each zone and precinct:

For the commercial precinct, these include:

- ***Bar, Club, Food and drink, Function facility, Health care, Hotel, Office, Service industry, Shop, Shopping centre, Theatre, Tourist attraction, Child care, Community care, Place of worship, Garden centre, Hardware sales, Indoor sport and recreation, Market, Service station, Showroom, Vet, Non-resident workforce accommodation, Tourist park, Caretaker’s residence.***

For the residential precinct, these include:

- ***Child care, Community care, Place of worship, Non-resident workforce accommodation, Dual occupancy, Dwelling house, Multiple dwelling, Tourist park***

As is evident, there are some uses which could occur in both the commercial and residential precincts. If involving the re-use of existing buildings, some uses may not even trigger a development application to council. There are uses other than what is listed above which could be supported but are not likely to be proposed i.e. emergency services, utility installations, etc.

If a proponent were to seek approval for a use not listed above (i.e. an industrial use) OR were to seek approval for a use not supported in a precinct, then a development application to council would be required and the proponent would need to justify why the outcome is still consistent with the planning scheme despite not being consistent with the precinct designation.

Example 1 – A Shop use within the residential precinct: This would trigger a development application to council in all instances. The proponent would need to justify the proposal against the Township zone code (as well as others), in particular the Residential precinct Purpose Statement. This would be problematic given the inconsistencies between the precinct and the proposed use. The built form and site layout would also need to meet the residential precinct outcomes which would also be difficult to justify for a commercial use.

Example 2 – A Shop use within the commercial precinct: If in an existing building and not involving major additional works, then a development application is unlikely to be required. If new building work is required, then this would trigger a development application to council. The proponent would need to justify the proposal against the Township zone code (as well as others), in particular the Commercial precinct Purpose Statement. This is unlikely to be difficult. The built form and site layout would also need to meet the commercial precinct outcomes which would also not be difficult.

Any uses not listed above such as those of an industrial nature would be subject to a full impact assessable development application involving public notification and public submissions, and would find it difficult to justify compliance with the zone code. This is not to say that refuse would occur in all instances, but the development application would involve a lot of rigour and additional timeframes.

The cost of preparing, lodging and processing a development application varies depending on a range of factors. If including plans, planning consultant fees, council processing fees, potential engineering input, etc it could be anywhere from 5 or 6 thousand dollars up to 15 or so.”

Depending on proposed uses submitted by any tenderers it may be necessary to accept the preferred tender subject to their lodgment and consideration of a planning application.

RECOMMENDATION

Council note the advice regarding tender invitation for the sale of the former Town and Country building and land in Burke Street and the adjoining vacant residential Lots fronting Golding Street Julia Creek which close at 5.00p.m. Friday 3rd September 2021.

Resolution No. 43/2122

Council note the advice regarding tender invitation for the sale of the former Town and Country building and land in Burke Street and the adjoining vacant residential Lots fronting Golding Street Julia Creek which close at 5.00p.m. Friday 3rd September 2021.

Moved Cr. J.Lynch

Seconded Cr. T.Pratt

CARRIED 5/0

9.1.2 Visit by the Governor of Qld 31st August 2021

The visit by the Governor of Queensland his Excellency Mr Paul de Jersey to Julia Creek on Tuesday 31st August 2021 between the hours of 10.00a.m. – 3.30p.m. is proceeding as planned. However, the Variety Bash Car Rally is not as a result of Covid-19 and there will not be an opportunity for the Governor to interact with the participants. There is now the opportunity to transfer the afternoon tea from CSA to the Civic Centre hall for the 45 acceptances.

Action: For noting and advice from Councillors on the preferred venue for afternoon tea. Let it be known however invites have been sent out with the CSA venue on them.

Note: Councillors preferred venue for the afternoon tea is the Civic Centre.

9.1.3 Decision for Environmental Authority – Multicom Resources Limited (MRL).

Advice has been received that the Department of Environment and Science Qld has decided to approve the application for a site-specific environmental authority under 172(2)(a) of the Environmental Protection Act 1994 for the St Elmo vanadium mine. As Council was a submitter when the original application was submitted, Council has the right to make a further submission which must be lodged by 24th August 2021.

As Council has supported the application it is proposed that no further submission be made and certainly not an objection. The approval will then enable the state to issue a Mining Lease to MRL although the company will not be able to commence operations until a Social Impact Assessment (SIA) is completed and lodged. The SIA needs to address accommodation issues in Julia Creek, impact on existing infrastructure including water, sewerage, health, education, early learning etc. MRL are in the process of preparing the SIA and will liaise with Council in its preparation prior to lodgement, expected to be by 31st December 2021.

RECOMMENDATION

Council advise the Department of Environment and Science Qld that Council has no further comment regarding the decision to approve the site-specific environmental authority for St Elmo Vanadium mine proposal other than continued Council support for the project.

Resolution No. 44/2122

Council advise the Department of Environment and Science Qld that Council has no further comment regarding the decision to approve the site-specific environmental authority for St Elmo Vanadium mine proposal other than continued Council support for the project.

Moved Cr. T.Pratt

Seconded Cr. J.Fegan

CARRIED 5/0

9.1.4 Queensland Reconstruction Authority Procurement Audit for 2018/2019

The QRA appointed auditors Procurement & Co conducted a Procurement Review of Council QRA funding expenditure for 2018-19 on 29th July 2021.

Staff have been verbally advised that the audit is unqualified and that no concerns have been raised.

RECOMMENDATION

Council note that the Queensland Reconstruction Authority undertook an audit on 29 July 2021 of Council's procurement processes and documentation for expenditure of QRA funding for 2018-19 and the positive outcome was unqualified.

Resolution No. 45/2122

Council note that the Queensland Reconstruction Authority undertook an audit on 29 July 2021 of Council's procurement processes and documentation for expenditure of QRA funding for 2018-19 and the positive outcome was unqualified.

Moved Cr. J.Lynch

Seconded Cr. S.Royes

CARRIED 5/0

9.1.5 Qld State Government \$100 million Resources Community Infrastructure Fund

Subject to finalisation the Director Engineering & Regulatory Services will table detail of the costings and configurations for stage 2 of the subdivision for inclusion in an application under the Qld State Government \$100 million Resources Community Infrastructure Fund. Applications close 5.00p.m. Friday 27th August 2021. Funding available in the first round is up to \$50M. and successful projects will be announced November 2021.

RECOMMENDATION

Council authorize staff to submit an application under the recently announced Qld State Government Resources Community Infrastructure fund for stage 2 subdivision of land to meet the anticipated demand for land and housing which will be created by projected mining projects in the McKinlay Shire.

Resolution No. 46/2122

Council authorize staff to submit an application under the recently announced Qld State Government Resources Community Infrastructure fund for stage 2 subdivision of land to meet the anticipated demand for land and housing which will be created by projected mining projects in the McKinlay Shire.

Moved Cr. J.Lynch

Seconded Cr. J.Fegan

CARRIED 5/0

Attendance: At this time, Shire Ranger Mr. Colin Malone entered the meeting at 9:50am

9.1.6 Livestock Transit Centre Proposed Extensions and New Dip

In the 2021/21 financial year Council proposed to extend the existing yards and install a new dip.

Due to the tenders exceeding the available funding, Council deferred the proposal pending discussions with the Director General Transport and Main Roads and with Aurizon with regard to the future contract for the hauling of livestock on the Mt Isa – Townsville line and to seek additional funding.

To date Aurizon have not been advised of the outcome of the tenders for the livestock haulage contract even though the current contract expires on 31st December 2021.

As additional funding has been promised through the office of the D/G of TMR and given that construction would be better undertaken in advance of the wet season, it is timely for Council to now consider the way forward, notwithstanding that the tenure of the land between Council's yards and the rail corridor remains under the control of Aurizon.

RECOMMENDATION

Staff finalise documentation for the proposed extension of the Livestock Transit Centre including the installation of a new Dip and proceed to invite fresh tenders.

Resolution No. 47/2122

Staff finalise documentation for the proposed extension of the Livestock Transit Centre including the installation of a new Dip and proceed to invite fresh tenders.

Moved Cr. T.Pratt

Seconded Cr. J.Lynch

CARRIED 5/0

Attendance: Having declared a potential conflict of interest in this item, Cr. Philip Curr left the meeting at 10:44am and Deputy Mayor Cr Janene Fegan assumed the Chair.

9.1.7 Verbal update regarding the Airport Hanger Discussions

The CEO advised that a meeting of interested parties (3 landowners, 2 apologies and 3 staff) was held in the board room on Tuesday 10th August 2021 with a range of options discussed including:

- Council to provide the land on a lease with the owner to build the hanger to Council specification
- Council to construct one large hanger and lease space to interested parties,
- Council to construct individual hangers and lease to interested parties.

The parties will require further detail on the financial arrangements and terms before being in a position to make a commitment. Council would require a further a business case before making a commitment on any option. A summary of the meeting will be circulated to the parties and another meeting will be held when additional information including cost estimates are obtained.

Action: Staff will undertake further investigations of other airports and will present a discussion paper at a future meeting of Council.

Attendance: Cr. Philip Curr re-entered the meeting 10:53am and assumed the Chair,

9.1.8 Verbal update regarding the Aerodrome Rectification works

The CEO provided a verbal update on the without prejudice discussions held on Friday 23rd July 2021. Negotiations are continuing.

Action: Note a verbal report from CEO regarding the progress of the matter.

9.1.9 Stock Routes Review

Media Release from The Honorable Scott Stewart "Have your say on the future of Queensland's Stock Routes" is included in full in the CEO's report.

RECOMMENDATION

The CEO present a written submission to the Qld Government Stock Routes Review as discussed in the Council Briefing.

Resolution No. 48/2122

The CEO present a written submission to the Qld Government Stock Routes Review as discussed in the Council Meeting.

Moved Cr. S.Royes

Seconded Cr. P.Curr

CARRIED 5/0

Attendance: Shire Ranger Mr. Colin Malone left the meeting at 10:41am

10. WORKPLACE HEALTH AND SAFETY ▲

10.1 Workplace Health and Safety

No report this month due to position vacancy. The Director of Engineering advised the Meeting that an in-house appointment has been made (after public recruitment process) of Ms Taleah Rafter to the position of Workplace Health and Safety Officer in a development role. The former WHSO has been contracted to deliver a mentoring program for Ms Rafter, initially on a 3 month period and will remain available by telephone in an advisory capacity as required. This will ensure continued delivery of safety services to Council operations and at the same time foster the initiative of developing skills from within.

General Business – Councillor Requests

Cr. J Fegan

- Census – the lack of information and documentation available to our residents and the effect it will have on Council for funding etc. To be raised at NWQROC and staff to continue to promote the importance of completing the Census forms, on Council's Facebook page and in Council's community newsletters
- Dirt and Dust - update of new committee elected on Saturday 14th August 2021
- Health – has written and sent formal correspondence regarding the continued lack of communication with Council and Community.
- Community Consultation trip to McKinlay and Kynuna August 25th. Staff to arrange.

Cr. S Royes

- Damage to road and gutter edges loose stone. DERS to follow up

Cr. T Pratt

- Lawn McIntyre Park - arranging bollards to keep vehicles off
- IOR Coyne Street - Trucks running over the edge of the kerb and damage occurring. DERS will investigate and implement remedial measures.

Cr. J Lynch

- Damage to road edges in Julia Creek. DERS to follow up.

11. CLOSURE OF MEETING ▲

The Chair of the meeting Mayor Philip Curr declared the meeting closed at 11:47am.