

# Ordinary Meeting Agenda

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

Tuesday 25<sup>th</sup> October 2022, 9:00am

Notice is hereby given that an Ordinary Meeting will be held at the Council Chambers,  
Civic Centre, Julia Creek on 25 October 2022 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. T Pratt, Cr. J Lynch

### Staff:

Chief Executive Officer, Mr. Trevor Williams

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

Director of Corporate and Community Services, Ms. Tenneil Cody

Team Leader, Environmental and Regulatory Services, Ms. Megan Pellow

Executive Assistant, Mrs. Melissa Mussig

### Other people in attendance:

### Apologies:

## **2.1 APPOINTMENT**

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

## **4. CONFIRMATION OF MINUTES**

4.1 That the Minutes of the Ordinary Meeting on the 20 September 2022 be confirmed.

4.2 That the Minutes of the Special Meeting on the 4 October 2022 be confirmed.



# MCKINLAY SHIRE COUNCIL

***UNCONFIRMED MINUTES***

OF THE

**ORDINARY MEETING OF COUNCIL**

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

**20 September 2022**

## ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
- 4.0 Confirmation of minutes
- 4.1 Confirmation of minutes of Ordinary Meeting on 16 August 2022
- 4.2 Business Arising out of minutes of previous Meeting

### **5. ENGINEERING REPORT**

- 5.1 Engineering Works Monthly Report

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

- 6.1 Environmental and Regulatory Services Monthly Report
- 6.2 Tender T2223002 – Sale of Various Items
- 6.3 Adoption of Revised Council Housing Policy v4.0
- 6.3.1 Housing Policy 2022 v4

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

- 7.1 Community Services Monthly Report

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

- 8.1 Corporate Services Monthly Report
- 8.2 Performance and Misconduct Policy/Disciplinary Procedures
- 8.2.1 Performance and Misconduct Policy/Disciplinary Procedures Policy

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

- 9.1 CEO Monthly Report

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

- 10.1 Workplace Health and Safety

## 1. OPENING BUSINESS

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 09:05am.

## 2. ATTENDANCE

**Mayor:** Cr. P Curr

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

**Staff:**

Chief Executive Officer, Mr. Trevor Williams

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

Environmental Regulatory Services, Team Leader, Ms. Megan Pellow

Community Services, Team Leader, Mr. Kalan Lococo

Executive Assistant, Mrs. Melissa Mussig

**Apologies:** Director of Corporate & Community Services, Ms. Tenneil Cody

## 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 16 August 2022.

### RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 16 August 2022.

### **Resolution No. 045/2223**

That the Minutes of the Ordinary Meeting of Council held on 16 August 2022 be confirmed.

Moved Cr. John Lynch

Seconded Cr. Philip Curr

CARRIED 5/0

## 4.3 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 August 2022.

#### **RECOMMENDATION**

That Council receives the Engineering Services monthly report for August 2022.

#### **Resolution No. 046/2223**

That Council receives the Engineering Services monthly report for August 2022.

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 August 2022.

#### **RECOMMENDATION**

That Council receives the August 2022 Environmental and Regulatory Services Report.

#### **Resolution No. 047/2223**

Council receives the August 2022 Environmental and Regulatory Services Report.

Moved Cr. Janene Fegan

Seconded Cr. Tim Pratt

CARRIED 5/0

## 6.2 Tender T2223002 – Sale of Various Items

This report considers the submissions received for tender T2223002 for Sale of Various Items. This tender closed at 5pm on 1 September 2022. The tenders were opened as per Council’s policy. A total of 11 tenders were received.

### RECOMMENDATION

That Council resolves the following:

- a) To award Item 11 to Maggie Rudolph for the tendered price of \$88.00;
- b) To award Item 12 to Maggie Rudolph for the tendered price of \$56.10;
- c) To award Item 13 to Maggie Rudolph for the tendered price of \$88.00;
- d) To award Item 14 to Maggie Rudolph for the tendered price of \$110.00;
- e) To award Item 20 to Maree Krogh for the tendered price of \$22.00;
- f) To award Item 1 to Maree Krogh for the tendered price of \$55.00;
- g) To award Item 2 & 3 to Rachel O’Brien for the tendered price of \$440.00 per item;
- h) To award Item 24 to Daniell Alexander for the tendered price of \$550.00;
- i) To award Item 25 to Daniell Alexander for the tendered price of \$550.00;
- j) To award Item 7 to Jasmine Boxsell for the tendered price of \$550.00

### **Resolution No. 048/2223**

That Council resolves the following:

- a) To award Item 11 to Maggie Rudolph for the tendered price of \$88.00;
- b) To award Item 12 to Maggie Rudolph for the tendered price of \$56.10;
- c) To award Item 13 to Maggie Rudolph for the tendered price of \$88.00;
- d) To award Item 14 to Maggie Rudolph for the tendered price of \$110.00;
- e) To award Item 20 to Maree Krogh for the tendered price of \$22.00;
- f) To award Item 1 to Maree Krogh for the tendered price of \$55.00;
- g) To award Item 2 & 3 to Rachel O’Brien for the tendered price of \$440.00 per item;
- h) To award Item 24 to Daniell Alexander for the tendered price of \$550.00;
- i) To award Item 25 to Daniell Alexander for the tendered price of \$550.00;
- j) To award Item 7 to Jasmine Boxsell for the tendered price of \$550.00

Moved Cr. John Lynch

Seconded Cr. Shauna Royes

CARRIED 5/0

## 6.3 Adoption of Revised Council Housing Policy v4.0

This report makes recommendation to Council for the adoption of the revised Council Housing Policy Version 4.

### Recommendation:

That Council resolves to adopt the revised Housing Policy Version 4 as presented.

### **Resolution No. 049/2223**

That Council resolves to adopt the revised Housing Policy Version 4.

Moved Cr. John Lynch

Seconded Cr. Tim Pratt

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 of August 2022.

#### RECOMMENDATION

That Council receives the Community Services monthly report for August 2022.

#### **Resolution No. 050/2223**

That Council receives the Community Services monthly report for August 2022.

Moved Cr. Janene Fegan

Seconded Cr. Shauna Royes

CARRIED 5/0

## 8. CORPORATE SERVICES

### 8.1 The Corporate Services Report

The Corporate Services Report as of 31 August 2022 which summarises the financial performance and position is presented to Council.

#### RECOMMENDATION

That Council receives the monthly Corporate Services Report for the period ending August 2022.

#### **Resolution No. 051/2223**

That Council receives the monthly Corporate Services Report for the period ending August 2022.

Moved Cr. John Lynch

Seconded Cr. Shauna Royes

CARRIED 5/0

### 8.2 Performance and Misconduct Policy/Disciplinary Procedures

Council has previously adopted a policy to set out a framework for dealing with performance and misconduct issues which may arise from time to time. A recent review of the policy has been completed and is now presented to Council for consideration.

#### RECOMMENDATION

That Council adopt the Performance and Misconduct Policy/Disciplinary Procedures Policy version 2.0 as presented.

#### **Resolution No. 052/2223**

That Council adopt the Performance and Misconduct Policy/Disciplinary Procedures Policy 2.0 version.

Moved Cr. Janene Fegan

Seconded Cr. Shauna Royes

CARRIED 5/0

**9. CHIEF EXECUTIVE OFFICER****9.1 Chief Executive Officer's Report to May 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.

**Resolution No. 053/2223**

That Council receive and note the report from the Chief Executive Officer for the period ending 15<sup>th</sup> September 2022 except where amended or varied by separate resolution of Council.

Moved Cr. John Lynch

Seconded Cr. Janene Fegan

CARRIED 5/0

**Local Government Association Queensland (LGAQ) Annual Conference – Cairns 17<sup>th</sup> – 19<sup>th</sup> October**

The 126<sup>th</sup> LGAQ Annual Conference is being held in Cairns from the 17<sup>th</sup> to the 19<sup>th</sup> of October 2022. Council had previously resolved to allow Councillors Curr, Fegan and Royes to attend the conference. Councillor Fegan is unable to attend, and Councillor Lynch has indicated his availability to attend.

It is recommended Council approve the attendance of Cr. Lynch to the LGAQ Conference, in place of Cr. Fegan.

**Recommendation:**

Council approves the attendance of Cr. Lynch to the 126<sup>th</sup> Annual LGAQ Conference.

**Resolution No. 054/2223**

Council approves the attendance of Cr. Lynch to the 126<sup>th</sup> Annual LGAQ Conference.

Moved Cr. Philip Curr

Seconded Cr. Shauna Royes

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 August 2022.

**RECOMMENDATION**

That Council receives the August 2022 WHS Report.

**Resolution No. 055/2223**

That Council receives the August 2022 WHS Report.

Moved Cr. Shauna Royes

Seconded Cr. Tim Pratt

CARRIED 5/0

**General Business – Councillor Requests**

**John Lynch** – Wanted to make special mention on the recent Byrimine Road works and how excellent the road condition is now.

- Raised concerns about the road conditions on the Wills Development Road, near Ouchy. The road has a significant drop on shoulders.

**Tim Pratt** – Raised concerns about the culvert on the Bypass near the motel needs attention. Also the Culvert at McIntyre park needs attention.

**11. CLOSURE OF MEETING**

The Chair of the meeting Mayor Philip Curr declared the meeting closed at 10:31am.



# MCKINLAY SHIRE COUNCIL

***UNCONFIRMED MINUTES***

OF THE

***SPECIAL MEETING OF COUNCIL***

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

**4 October 2022**

## ORDER OF BUSINESS

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

### **4. ITEMS FOR DISCUSSION**

- 4.1 Award of preferred contractor DRFA WP01 and WP02
- 4.2 Tender T2223001 – Sale of Vacant Lots – Lots 5 & 6 on SP278219 & Lots 14 on SP247177
- 4.3 Development Application & Code Assessable Material Change of Use - Lot 31 on JC55710 also known as 40 Byrne Street, Julia Creek for a Shop.

### **5. CLOSE**

UNCONFIRMED

**1. OPENING BUSINESS** ▲

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 09:02am.

**2. ATTENDANCE** ▲

**Mayor:** Cr. P Curr

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

**Apologies:** Nil

**3. DECLARATION OF CONFLICT OF INTEREST** ▲

Cr. P Curr 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 4.2 Tender T2223001 – Sale of Vacant Lots Particulars.

(i) Name of related party: Chloe Curr

(ii) The nature of my relationship with this related party is Chloe is my daughter.

(iii) The nature of the related party's interests in this matter, is that the successful applicant will be purchasing a block of land from Council.

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

Cr. S Royes 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 I work for the applicant's business competitor in Item 4.3 Development Application & Code Assessable Material Change of Use.

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

**4. ITEMS FOR DISCUSSION** ▲**4.1 Award of preferred contractor DRFA WP01 and WP02.**

Council's consultant, PDM (Project Delivery Managers) developed tender documents for the first 2 Work packages being WP01 South East and WP02 South. These were released to Council's prequalified suppliers for Road Construction and Maintenance on 17<sup>th</sup> August 2022 and closed on 14<sup>th</sup> September 2022. A tender meeting was held on 25 August 2022 with 2 contractors in attendance. 2 submissions were received for each package. PDM have undertaken a tender evaluation for each package and these are presented.

**RECOMMENDATION:**

That Council resolve to:

- a) Award preferred contractor status for WP01 to KW Murphy Holdings and;
- b) Award preferred contractor status for WP02 to KW Murphy Holdings and;
- c) Delegate Council's Chief Executive Officer authority to finalise negotiations with KW Murphy Holdings for WP01 and WP02 and;
- d) Notify Alexander Plant Hire that their submissions were unsuccessful.

**Resolution No. 056/2223**

That Council resolve to:

- a) Award preferred contractor status for WP01 to KW Murphy Holdings and;
- b) Award preferred contractor status for WP02 to KW Murphy Holdings and;
- c) Delegate Council's Chief Executive Officer authority to finalise negotiations with KW Murphy Holdings for WP01 and WP02 and;
- d) Notify Alexander Plant Hire that their submissions were unsuccessful.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0

**Attendance** – Having declared a Conflict of Interest in Item 4.2 Tender T2223001 – Sale of Vacant Lots, Cr. P Curr left the meeting room at 9:06am.

**4.2 Tender T2223001 – Sale of Vacant Lots – Lots 5 & 6 on SP278219 & Lots 14 on SP247177**

Public tenders were invited, four Submissions were received for Lot 14 on SP247177. There were no tenders received for Lots 5 & 6 on SP278219.

**RECOMMENDATION:**

That Council resolve to:

- a. To ballot the two highest tenders Chloe Curr and Phillip & Sarah Acton as they are both residents of McKinlay Shire and have tendered the same price of \$20,000.00 including gst.
- b. Award Lot 14 on SP247177 to \_\_\_\_\_
- c. Notify all unsuccessful tenderers.

**Resolution No. 057/2223**

That Council resolve to:

- a. To ballot the two highest tenders Chloe Curr and Phillip & Sarah Acton as they are both residents of McKinlay Shire and have tendered the same price of \$20,000.00 including gst.
- b. Award Lot 14 on SP247177 to Chloe Curr.
- c. Notify all unsuccessful tenderers.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 4/0

Attendance – Cr. P Curr re-entered the meeting room at 9:08am.

Attendance – Having declared a Conflict of Interest in Item 4.3, Cr S Royes leaves the meeting room at 9:08am.

**4.3 Development Application & Code Assessable Material Change of Use**

Elders Rural Services Australia LTD have made an application for a Code Assessable Development Approval for a Material Change of Use of Lot 31 on JC55710 also known as 40 Byrne Street, Julia Creek for a Shop.

**RECOMMENDATION:**

That Council in accordance with the Planning Act 2016 notify the applicant that their application for a Code Assessable Material Change of Use Development Permit for a Shop on Lot 31 on JC55710 also known as 40 Byrne Street, Julia Creek be approved subject to the schedule of conditions detailed below.

**Approved Plans**

1. The development is to occur generally in accordance with the supporting plans and reports/documents reference in the table below and as attached, except where conditions of approval dictate otherwise.
- 2.

Plan Title	Plan No. and Revision	Date
SITE PLAN	23206301, 1 of 4, Issue A	9/22
Floor Plan	A-100, Issue A	12/05/20
Elevations	A-200, Issue A	12/05/22
<b>Report/Document</b>		
NA		

**General**

3. The proposed development is to comply with all conditions of approval prior to commencement of use, unless stated otherwise.
4. The developer shall bear the cost of all alterations necessary to public utility mains, services or installations necessitated by this approval with all works being undertaken to Council standard.



5. Hours of operation are limited to 8am to 5pm, Monday through Friday excluding public holidays.

### Landscaping

6. A 1.8m high solid screen fence, or suitable alternative fencing solution agreed to in writing with council, is constructed/maintained along southern and western boundaries.
7. Landscaping in the form of native trees or shrubs is provided along the road frontages of the site with a minimum of two (2) planting along Byrne Street and five (5) plantings along Allison Street.

### Infrastructure

8. The development is to be connected to councils reticulated sewerage and reticulated water supply networks.
9. The development is to be provided with a minimum of four (4) on-site car parks.
10. New vehicle crossovers, driveways, car parks and manoeuvring areas are designed in accordance with:
- AS2890.1 – Parking Facilities;
  - AS2890.1 – Accessible (Disabled) Parking; and
  - Austroads AP-34/95 – Design Vehicles and Turning Path Templates.

Certification of compliance with these standards is to be obtained from an RPEQ Engineer prior to commencement of building works.

11. Stormwater drainage is provided in accordance with:
- Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013; and
  - Pilgrim, DH, (ed), Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987.

Certification of compliance with these standards is to be obtained from an RPEQ Engineer prior to commencement of building works.

### Health and Safety

12. Utilities, equipment and machinery is to be stored within appropriately covered storage areas so as not to be visible from the street or adjoining properties. Covered storage areas being any fixed structure which is either wholly or partly enclosed by walls and which is roofed.
13. Light emanating from any source complies with *Australian Standard AS4282 Control of the Obtrusive Effects of Outdoor Lighting*.
14. Outdoor lighting is provided in accordance with *Australian Standard AS 1158.1.1 – Road Lighting – Vehicular Traffic (Category V) Lighting – Performance and Installation Design Requirement*.
15. Development is provided with a designated waste collection area that is:
- located on a concrete slab;
  - located to the side or rear of the premises;
  - screened from public view.

### Advice

1. Council would like to advise the applicant that provisions of the Aboriginal Cultural Heritage Act 2003 and the Queensland Heritage Act 1992 may apply to this development.

2. The developer/owner must demonstrate compliance with all conditions of approval prior to obtaining a certificate of classification for the use of any new buildings.
3. The developer may still require approval for plumbing and drainage works, building works or other works under other relevant legislation prior to commencement of works.

**Background:**

Elders Rural Services Australia LTD have made an application for a Material Change of Use (MCU) Development Permit on Lot 31 on JC55710 located at 40 Byrne, Julia Creek for a Shop.

The land is within the Residential zone of the McKinlay Shire Planning Scheme 2019 and is currently used for Residential Purposes. The proposed development Consist of a temporary office Building as found in attachment 6.1.3.

As part of the proposed development, a Code Assessable Material Change of Use (MCU) for a *Shop* was required in order to comply with the *Planning Act 2016* and Council's Planning Scheme. The development does not trigger referral agency assessment or public notification requirements.

The development was assessed against the Township and General Development code of the McKinlay Shire Planning Scheme 2019. A copy of the Planning Report outlining compliance with the codes can be found in attachment 6.1.1.

**Resolution No. 058/2223**

That Council in accordance with the Planning Act 2016 notify the applicant that their application for a Code Assessable Material Change of Use Development Permit for a Shop on Lot 31 on JC55710 also known as 40 Byrne Street, Julia Creek be approved subject to the schedule of conditions detailed below.

**Approved Plans**

16. The development is to occur generally in accordance with the supporting plans and reports/documents reference in the table below and as attached, except where conditions of approval dictate otherwise.

17.

Plan Title	Plan No. and Revision	Date
SITE PLAN	23206301, 1 of 4, Issue A	9/22
Floor Plan	A-100, Issue A	12/05/20
Elevations	A-200, Issue A	12/05/22
Report/Document		
NA		

**General**

18. The proposed development is to comply with all conditions of approval prior to commencement of use, unless stated otherwise.

19. The developer shall bear the cost of all alterations necessary to public utility mains, services or installations necessitated by this approval with all works being undertaken to Council standard.

20. Hours of operation are limited to 8am to 5pm, Monday through Friday excluding public holidays.

**Landscaping**

21. A 1.8m high solid screen fence, or suitable alternative fencing solution agreed to in writing with council, is constructed/maintained along southern and western boundaries.

22. Landscaping in the form of native trees or shrubs is provided along the road frontages of the site with a minimum of two (2) planting along Byrne Street and five (5) plantings along Allison Street.

## Infrastructure

23. The development is to be connected to councils reticulated sewerage and reticulated water supply networks.

24. The development is to be provided with a minimum of four (4) on-site car parks.

25. New vehicle crossovers, driveways, car parks and manoeuvring areas are designed in accordance with:

- AS2890.1 – Parking Facilities;
- AS2890.1 – Accessible (Disabled) Parking; and
- Austroads AP-34/95 – Design Vehicles and Turning Path Templates.

Certification of compliance with these standards is to be obtained from an RPEQ Engineer prior to commencement of building works.

26. Stormwater drainage is provided in accordance with:

- Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013; and
- Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987.

Certification of compliance with these standards is to be obtained from an RPEQ Engineer prior to commencement of building works.

## Health and Safety

27. Utilities, equipment and machinery is to be stored within appropriately covered storage areas so as not to be visible from the street or adjoining properties. Covered storage

areas being any fixed structure which is either wholly or partly enclosed by walls and which is roofed.

28. Light emanating from any source complies with Australian Standard AS4282 Control of the Obtrusive Effects of Outdoor Lighting.

29. Outdoor lighting is provided in accordance with Australian Standard AS 1158.1.1 – Road Lighting – Vehicular Traffic (Category V) Lighting – Performance and Installation Design Requirement.

30. Development is provided with a designated waste collection area that is:

- located on a concrete slab;
- located to the side or rear of the premises;
- screened from public view.

#### Advice

4. Council would like to advise the applicant that provisions of the Aboriginal Cultural Heritage Act 2003 and the Queensland Heritage Act 1992 may apply to this development.
5. The developer/owner must demonstrate compliance with all conditions of approval prior to obtaining a certificate of classification for the use of any new buildings.
6. The developer may still require approval for plumbing and drainage works, building works or other works under other relevant legislation prior to commencement of works.

#### Background:

Elders Rural Services Australia LTD have made an application for a Material Change of Use (MCU) Development Permit on Lot 31 on JC55710 located at 40 Byrne, Julia Creek for a Shop.

The land is within the Residential zone of the McKinlay Shire Planning Scheme 2019 and is currently used for Residential Purposes. The proposed development Consist of a temporary office Building as found in attachment 6.1.3.

As part of the proposed development, a Code Assessable Material Change of Use (MCU) for a Shop was required in order to comply with the Planning Act 2016 and Council's Planning Scheme. The development does not trigger referral agency assessment or public notification requirements.

The development was assessed against the Township and General Development code of the McKinlay Shire Planning Scheme 2019. A copy of the Planning Report outlining compliance with the codes can be found in attachment 6.1.1.

Moved Cr: J Lynch

Seconded Cr. P Curr

CARRIED 4/0

**Attendance** – Cr. S Royes re-entered the meeting room at 9:17am.

## 5. CLOSURE OF MEETING



The Chair of the meeting Mayor Philip Curr declared the meeting closed at 9:18am.

UNCONFIRMED



## **5.0 ENGINEERING SERVICES**

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Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

**5.1 Subject:** Engineering Services Monthly Report August 2022  
**Attachments:** Nil  
**Author:** Engineering Services Department  
**Date:** 20 September 2022

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**Executive Summary:**

This report outlines the general activities for the Engineering Department for the month of August 2022.

**Recommendation:**

*That Council receives the Engineering Services monthly report for September 2022.*

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**Background:**

This report outlines the general activities of the department for the month of September 2022 and provides an update on projects.

**RMPC**

	Actual	Budget YTD	Budget
<b>1610 RMPC Works</b>	\$357,312	\$375,150	\$1,500,600

- The 4 RMPC roads, normal maintenance, patching, guidepost, and signage works completed.
- Removal of dead animals
- Collected all litter on all 4 RMPC roads
- Light shoulder grading on the Beef road
- Shoulder resheeting edge of Bypass
- Richmond road end to be sealed on 16/10/2022

**Cannington Road**

	Actual	Budget YTD	Budget
<b>1630 Cannington Road Works</b>	\$45,775	\$111,249	\$445,000

- Routine maintenance
- Removal of dead animals.
- Pothole patching.
- Guideposts

**Roads Maintenance**

	Actual	Budget YTD	Budget
<b>1100 Repairs &amp; Maintenance Shire Roads</b>	\$458,891	\$324,999	\$1,300,000





Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

- Premixed approaches to 2<sup>nd</sup> grid on Yorkshire Rd
- Ballasted the base on the first crossing on the Yorkshire Rd
- Premixed approaches to 2<sup>nd</sup> grid on old Normanton Rd 1.
- 2nd day cleanup of Kynuna refuse site
- Signage audit completed 480 advisor signs required throughout the shire, 100 signs, posts, caps and fixtures ordered total cost \$13,983
- Rural maintenance grader working on old Normanton 1

**Water and Sewerage**

	Actual	Budget YTD	Budget
<b>1800 Operational Costs – Julia Creek Water</b>	\$49,992	\$52,500	\$210,000

- Monthly water sampling in line with Councils DWQMP
- Daily checks on all bores
- Fitted cold water system at 33 Byrne St 2x 50mm x 50m poly pipe rolls and removed old tank
- Pumped out irrigation boxes
- Locate optic fibre at railway depot for RMPC
- Fixed service tap and cut new valve to shut off water to stables and tanks at McIntyre park horse yard area
- Replaced tap in Byrne St Garden bed
- Replaced 23 Byrne St house shut off tap
- Cap off extra water service line at 33 Byrne St
- Airport VacOut trench for IOR power service and back fill
- Fix leaking water service at second turkeys nest at sale yards
- Repair water services leaks at 4 Amberley Drive
- Replace sprinkler water service at truck bay
- 57 Coyne St replaced the shut off tap
- Locate the pool shut off Valve

	Actual	Budget YTD	Budget
<b>1810 Operational Costs – McKinlay Water</b>	\$3,415	\$7,500	\$30,000

- Monthly water sampling in line with Councils DWQMP
- Monthly checks on bore/storage tanks
- Fix mains water service

	Actual	Budget YTD	Budget
<b>1820 Operational Costs – Kynuna Water</b>	\$3,093	\$17,499	\$70,000

- Monthly water sampling in line with Councils DWQMP
- Monthly cleaning of filters in Kynuna

	Actual	Budget YTD	Budget
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<b>1830</b>	<b>Operational costs – Nelia Water</b>	\$2,500	\$2,374	\$9,500
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- Monthly water sampling in line with Councils DWQMP
- Capped off, line to the park in Nelia due to water leak

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
<b>1900</b>	<b>Operational Costs – Julia Creek Sewerage</b>	\$34,942	\$45,000	\$180,000

- Routine monitoring
- Sewerage pond upkeep
- Camp pump out at Byrimine
- Dug up sewer line at Imhoff tank and fixed leak
- 3 Coyne St blockage cleared
- Replace seals at McKinlay toilets
- Plunged toilet at council Coyne St residence
- Remove and refit toilet pans at caravan park at old toilet block
- McIntyre park replaced toilet seals at camp draft toilet block also DnD toilets replaced seals and valves
- 4 Amberley drive fixed toilet
- Fixed sprinkler at STP irrigation area

**Workshop**

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
<b>1510</b>	<b>Repairs and Maintenance - Plant &amp; Vehicles</b>	\$376,887	\$287,499	\$1,150,000

- 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.
- Update on new rubbish truck, Bucher Municipal looks to be still end of October
- Hastings Deering Grant Sampson has advised possible delivery late October early November of the new 150 M Grader (currently getting final fit out in Toowoomba) fit out continuing

**Parks and Gardens**

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
<b>2700</b>	<b>Parks &amp; Gardens and Amenities – Operations</b>	\$115,495	\$162,499	\$650,000

- Mowing and whipper snipping parks, oval, RV park and town streets. Weekly
- Mow & maintained airport road
- Mowing swimming pool weekly
- Cleaning of public toilets and park amenities daily



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- Collection of rubbish weekly
- Cleaning of Oorindi toilets weekly
- Mowing at Nelia and Oorindi fortnightly
- Mow and maintain cemetery
- Mowed and maintain council houses
- Weekly dripper line checks
- Gather and chop firewood for caravan park
- Weed control/spraying
- Pruning and hedging township gardens weekly
- Mounted new toilet roll holders at Dawes Park
- Slashed Airport runway surroundings and Common
- Paint island beds Shaw St
- Removed old pot plants from Burke St
- Set up oval for Town VS Country and Civic Centre for the ball

**Airport**

	Actual	Budget YTD	Budget
<b>1300 Airport Operational Costs</b>	\$33,075	\$37,500	\$150,000

- Serviceability Inspections of the facility are undertaken 3 days per week as required for RPT services.
- Local Laws Officer continued with ARO duties in the absence of primary ARO/Aerodrome Manager.
- Airport Security Fence checked weekly.
- Mowed around lights.
- Request for Quotes have been sent out to replace the existing concrete foundations to the vehicle gate. Quotes are to be received by start of October 2022.
- The avgas fuel tank has now been connected to power.
- IOR Aviation travelled to Julia Creek to provide Quality Control Training for the avgas tank.

The fuel was sampled, and the tank components were inspected during the training. The tank failed the test, so contact has been made to Avicom to service the tank. They are expected to be on site in December. The fuel is also required to be re-certified before it can be distributed. A sample will be sent to Intertek in Brisbane in the coming months. Once everything is in place, sampling is to occur on Monday/Wednesday/Friday each week.



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## **Projects**

### **DRFA 2022 Events**

WP01 and WP02 were awarded to KW Murphy Holdings. WP03 and WP04 are out for pricing and they close on 3<sup>rd</sup> November 2022.

### **Dalgonally/Millungera Floodways (QRRRF)**

Culvert and concrete works complete awaiting seal.

### **Building our Regions Funding Round 6**

Awaiting notification.

### **Building Better Regions Funding Round 6 Planning Projects Applications Water and Sewerage**

Tender out for pricing.

### **Goldring Street Shoulder**

TMR have agreed to allocate RMPC funds to regravell 350m southern shoulder and they will seal during their annual sealing program in October.

### **Legal Implications:**

Nil

### **Policy Implications:**

Nil.

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

As provided in the report.

**InfoXpert Document ID:** 124050



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**5.2 Subject:** Tender T2223001 – Sale of Vacant Lots – Lots 5 & 6 on SP278219 & Lots 14 on SP247177  
**Attachments:** Nil  
**Author:** Director Engineering and Environmental Regulatory Services  
**Date:** 18 October 2022

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**Executive Summary:**

Chloe Curr, the successful tenderer has withdrawn her offer for Lot 14 on SP247177. Sarah Acton, the next highest tenderer has verbally accepted the offer.

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**Recommendation:**

*That Council resolve to:*

- a. To award Lot 14 on SP247177 to Sarah Acton for the tendered price of \$20,000.00 including GST; and*
- b. Delegate the Chief Executive Officer to commence preparation of contract documentation for Lot 14; and*
- c. Re-advertise tender for Lot 5 & 6 on SP278219*

**Background:**

Council resolved at its Special Meeting held 4 October 2022 to award Lot 14 on SP247177 to Chloe Curr after undertaking a ballot.

Chloe Curr withdrew her offer. Contact was made to the next highest tenderer, Sarah Acton who has verbally accepted the offer for Lot 14 on SP247177 for the tendered price of \$20,000.00.

Council will now go back out to tender for Lot 5 & 6 with the option that the blocks can be subdivided into smaller lots.

**Consultation:** Council Staff, Tenderers

**Legal Implications:** Nil

**Policy Implications:** Nil

**Financial and Resource Implications:** Council Receive \$20,000 income from sale of this lot and ongoing rates Payments.

**InfoXpert Document ID:** 124051



## **6.0 ENVIRONMENTAL & REGULATORY SERVICES**

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Ordinary Meeting of Council Tuesday 25 October 2022

**6.1 Subject:** Environmental and Regulatory Services Report – September 2022

**Attachments:** None

**Date:** 19 October 2022

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**Executive Summary:**

This report outlines the general activities, revenue and expenditure for the department for the period September 2022.

**Recommendation:**

*That Council receives the September 2022 Environmental and Regulatory Services Report.*

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**Background:**

This report outlines the general activities of the department for the month of September 2022.

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, Water and Sewerage Officer, Ranger, Handyman/Trades Assistant and Finance Officer.

**Legal Implications:**

Nil

**Policy Implications:**

Nil

**Financial and Resource Implications:**

As provided in the report.

**InfoXpert Document ID:** 124052



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

### **1.1 - Budget**

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO1.1	3100 - Refuse Collection Revenue	\$45,181	\$22,443	\$89,776

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO1.2	3100 - Kerbside Rubbish Collection Expenditure	\$9,292	\$12,499	\$50,000

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO1.3	3110 - Refuse Disposal Revenue	\$22,581	\$11,738	\$46,953

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO1.4	3110 - Refuse Disposal Operational Costs	\$16,830	\$26,250	\$105,000

### **1.2 - Report**

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

The following works continued during the month;

- Picked up wind blown rubbish around facility
- Regularly pushed and covering of household rubbish section

The dead beast pit was pushed and covered during the month.

## **2 – Environmental Health Services**

### **2.1 – Budget**

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO2.1	3000 - Environmental Licence Fees (Revenue)	\$1,419	\$825	\$3,300

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO2.2	3000 - Environmental Health Services	\$28,066	\$89,499	\$358,000

### **2.2 – Report**

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

E.coli was not detected in sampling undertaken in September.

The fluoride levels in Julia Creek for the month of September were;

- Racecourse 2.99mg/L
- Coyne Street Depot 3.18mg/L

#### **Food Safety**

There were no food recalls received in September.





A show cause notice to suspend food licence was issued to a registered food business for contravention of the Food Act. The business is to provide the required information by 28 October 2022 or the licence will be suspended. The business was also served with an Infringement Notice for failure to maintain food standards code as per licence conditions.

### Pest Control

10 Shaw Street and 3 Coyne Street were sprayed for singapore ants during the month.

## **3 – Local Law Administration**

### **3.1 – Budget**

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO3.1	3210 - Animal Registration Fees	\$5,804	\$1,275	5,100

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO3.2	3210 - Fines & Penalties – Animal Control	\$170	\$249	\$1,000

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO3.3	3210 - Animal Boarding	\$2,977	\$3,750	\$15,000

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO3.4	3210 - Local Law Administration	\$41,808	\$30,000	\$120,000

### **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	One (1) Dog due to age
Verbal/Written/Official warning	Nil
Complaints	Nil
Dog Boarding	Fifteen (15) Dogs – some dogs were boarded twice during the month.
Removal of Dead Animals	One (1)
Trapping Locations & Results	Nil
Compliance Notices (Untidy Allotments) issued	Nil
SPER Infringement Fines issued	Nil
Commercial Use of Roads Permit issued	Nil



**Comments / Actions:**

Local Laws Officer continued assisting in Ranger and Aerodrome Reporting Officer duties  
 Local Laws Officer assisted with watering for Julia Creek Campdraft  
 There are still a few outstanding animal registrations that are currently being followed up on  
 Council issued a Show Cause Notice for the Alloway property in Nelia

**4 – Noxious Weeds and Pest Control**

**4.1 – Budget**

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO4.1	3220 - Pest Plant & Animal Control Funding	\$0	\$0	\$0
ENVIRO4.2	3220 - Truck Washdown Bay Revenue	\$6,126	\$6,249	\$25,000
ENVIRO4.3	3220 - Dingo Baits (Revenue)	\$0	\$1,249	\$5,000
ENVIRO4.4	3220 - Feral Pig Baits (Revenue)	\$0	\$0	\$0
ENVIRO4.5	3220 - Pest Animal Rural Land Owners Fees	\$30,030	\$14,671	\$58,686
ENVIRO4.5	3220 - Pest Plant Control Program Exp	\$14,056	\$37,500	\$150,000
ENVIRO4.6	3230 - Pest Animal Control Program Exp	\$1,715	\$22,500	\$90,000

**4.2 – Report**

**Pest Animal Control**

There were no dingo scalps presented or factory baits issued in September

**Pest Plant Control**

Contractors commence spraying on Reserves on the 10 October weather permitting

**Washdown Bay Facility**

Facility cleaned during the month

**5 – Livestock Operations**

**5.1 – Budget**



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		Actual	Budget YTD	Budget
ENVIRO5.1	3235 - Livestock Weighing Revenue	\$12,188	\$11,250	\$45,000

		Actual	Budget YTD	Budget
ENVIRO5.2	3235 - Livestock Cattle Train Loading Revenue	\$0	\$6,249	\$25,000

		Actual	Budget YTD	Budget
ENVIRO5.3	3235 - Livestock Operational Costs	\$16,532	\$21,874	\$87,500

## 5.2 - Report

### Julia Creek Livestock Facility

There was a total of 2862 head of cattle weighed and/or scanned at the facility during September 2022.

## 6 – Stock Routes and Reserves

### 6.1 – Budget

		Actual	Budget YTD	Budget
ENVIRO6.3	3300 - Stock Route – Permit/Water Fees	\$7,992	\$1,999	\$8,000
		Actual	Budget YTD	Budget
ENVIRO6.2	3300 - Stock Route Recoverable Works (Revenue)	\$0	\$165,762	\$663,050
		Actual	Budget YTD	Budget
ENVIRO6.4	3300 - Trustee Lease Fees (Revenue)	\$57,072	\$49,999	\$200,000
		Actual	Budget YTD	Budget
ENVIRO6.5	3300 - Reserves Agistment Fees (Revenue)	\$2,371	\$4,999	\$20,000
		Actual	Budget YTD	Budget
ENVIRO6.6	3300 - Precept Expenses (Revenue)	\$0	\$4,374	\$17,500
		Actual	Budget YTD	Budget
ENVIRO6.7	3300 - Stock Route Maintenance (Expenditure)	\$21,762	\$188,574	\$754,300
		Actual	Budget YTD	Budget
ENVIRO6.8	3300 - Reserves Expenses (Expenditure)	\$1,151	\$11,250	\$45,000

### 6.2 - Report

#### Reserves

##### Capital Works Project – McKinlay Reserve

The ranger with the assistance of the Work Camp have continued works on the fencing between other scheduled works around Julia Creek.

### 6.3 - Cemeteries



**6.3.1 – Budget**

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO6.9	3400 - Cemeteries	\$4,624	\$13,749	\$55,000

**6.3.2 - Report**

There were no enquiries or funerals during the month.

**7 – Work Program (Workcamp)**

**7.1 - Budget**

		<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO7.1	3600 - Work Program	\$8,251	\$7,875	\$31,500

**7.2 – Report**

Below is a list of jobs that the Work Camp undertook in September 2022.

<b>Community Group</b>	<b>Activity</b>
McKinlay Shire Council	<u>Workshop</u> Assist with workshop duties
McKinlay Shire Council	<u>Saleyards</u> Assist with the regular upkeep of the facility Mowing/Whippersnipping Clean water troughs
McKinlay Shire Council	<u>McIntyre Park</u> Mowing/Whippersnipping
McKinlay Shire Council	<u>Various</u> *Assist Ranger with fencing on McKinlay Reserve under Capital Works Project *Sand and paint sign at Peter Dawes Park *Set up tents for Junior Football Weekend *Erect new fence and clean up rubbish at Kynuna Waste Facility *Mow airport area and runway strip *Mow visitor centre *Spread soil at 33 Byrne Street *Remove rubbish from 4 Amberly Drive *Move tables from CSA to Netball Courts *Remove old dead tree from front of Gannons Hotel Motel
Julia Creek Pony Club	Whippersnip and remove rubbish from Pony Club grounds
Julia Creek State School	Mowing/Whipper snipping
Churches/RSL/CWA/SES/Dirt and Dust	Mowing/whipper snipping



## **8 – Housing, FRB and Community Centre**

### **8.1 – Budget**

			Actual	Budget YTD	Budget
ENVIRO9.1	3810-1300	3810 - Council Property / Staff Housing Program Rev	\$32,752	\$24,999	\$100,000
ENVIRO9.2	3810-1301	3810 - Council Property / Subdivision Blocks Rent	\$1,100	\$225	\$900
	3810-1302	3810-Council Property / Subdivision Blocks outgoings	\$1,263		\$0
ENVIRO9.3	3810-2300	3810 - Council Property / Staff Housing Program Exp	\$116,576	\$79,999	\$320,000
ENVIRO9.4	3810-2300	3810 - Council Property / Sub Division Expense	\$3,158	\$1,500	\$6,000

### **8.2 - Report**

#### **Council Property / Staff Housing**

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

<b>Activity</b>	<b>Number</b>
Properties Available for use	Unit B, 4 Shaw Street 7 Coyne Street 4 Amberly Drive
New Tenancies	Nil
Finalised Tenancies	Nil
Remedy Breach	Nil
Notice to Leave	Nil
Notes/Repairs	<p><b><u>Maintenance</u></b></p> <p>*Replaced screen in sliding door, paint new door and repair gate at Unit A, 4 Shaw Street</p> <p>*Grip installed to steps, sensor light on back deck replaced and replaced smoke alarms at 33 Byrne Street</p> <p>*Two new windows, doors and screen door installed at 7 Coyne Street</p> <p>*Repairs to internal door and toilet roll holder at 17 Coyne Street</p> <p><b><u>Capital Works</u></b></p>



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	<p>*Painting has commenced on 7 Coyne Street</p> <p>*Bathroom upgrade has commenced on 4 Amberly Drive</p>
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**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	Nil

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

**Budget**

	Actual	Budget YTD	Budget
ENVIRO10.4 3820 - Community Centre Hire Fees	\$247	\$1,624	\$6,500

	Actual	Budget YTD	Budget
ENVIRO10.4 3820 - FRB Centre RENT	\$10,923	\$9,999	\$40,000

	Actual	Budget YTD	Budget
ENVIRO10.5 3820 - FRB Units & Community Ctre Operational Costs	\$7,926	\$27,499	\$110,000

**Report**

**Seniors Living Units / Fr Bill Community Centre**

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

<b><u>Fr Bill Units</u></b>	
Units Available for Rent	Two (2) – Unit 3, Unit 7
New Tenancies	Nil
Finalised Tenancies	Nil
Remedy Breach	Nil
Notice to Leave	Nil
Repairs undertaken	Nil



<b>Fr Bill Centre</b>	
Repairs undertaken	Nil

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

### **9.1 – Budget**

	<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO11.1 3900 - Revenue	\$3,002	\$499	\$2,000

	<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO11.2 3900 - Town Planning Program	\$6,463	\$15,000	\$60,000

### **9.2 - Report**

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

There were no 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>Location</u></b>	<b><u>Application Details</u></b>

Updates on various land matters are as follows;

<b><u>Matter</u></b>	<b><u>Status</u></b>
Kynuna Rodeo Grounds/Landfill	The compulsory acquisition application has been placed on hold as the Department has not reached a policy position relating to the intersect between the Human Rights Act 2019 and the compulsory acquisition of native title under the Native Title Act 1993. Council's application for purchase has been granted a further 6 month extension
McKinlay Landfill	Council have requested a further 6-month extension in order to address Native Title. Further updates regarding the Mitakoodi claim will be provided in October
Lot 2 K3718 – Land beside Water Reserve in Kynuna	No further updates at this stage
Acquiring Land for Industrial Estate (part of Lot 8 on EN125)	Letter of Offer still to be received from the Department. This is expected to be received by end of October
Road Opening through Malpas Station	Council staff have requested an updated from the Department 19 September 2022. No response has been received to date
Application for Deed of Grant over Operational Reserve, Lot 54	No further updates at the stage



on JC55713 also known as 48  
Byrne Street, Julia Creek

## **10 – Local Disaster Management**

### **10.1 – Budget**

	<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO12.1 2760 - SES Grants	\$20,568	\$5,142	\$20,568

	<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO12.2 2760 – SES Capital Grants	\$0	\$17,499	\$70,000

	<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO12.2 2760 - Natural Disaster Grants	\$4,578	\$1,695	\$6,780

	<b>Actual</b>	<b>Budget YTD</b>	<b>Budget</b>
ENVIRO12.3 2760 - Disaster Management Operational Costs	\$3,304	\$6,375	\$25,500

### **10.2 - Report**

No events activated the LDMG during the month.





## **7.0 COMMUNITY SERVICES**

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**7.1 Subject:** Community Services Monthly Report

**Attachments:** Nil

**Author:** Community Services Team Leader

**Date:** 10<sup>th</sup> October 2022

**Executive Summary:**

Council is presented with the monthly Community Services report, which provides an overview of the operations for the month: **September 2022.**

**Recommendation:**

*That Council receives the Community Services monthly report for September 2022.*

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

**Grants, Funding & Projects**

No updates from previous meeting.

**Julia Creek Caravan Park**

The month of September was still relatively busy considering the park is approaching the off-peak season. A total of 1,744 guests stayed with us during the month. Our interim relief managers Steve and Tina Chaffe finished up halfway through the month as they began their journey home. Full-time managers Garrie and Jodi are heading away on a well-deserved holiday throughout October and we will be joined by Brad and Cheryl Faint during this time. Through the Queen's Jubilee Tree Planting program, the park will see new trees planted throughout camping areas to provide additional shade and privacy.

**JC Caravan Park Revenues September 2022**

Type of service	JULY revenues (inc GST)	Total (inc)	AUGUST revenues (inc GST)	Total (inc)	SEPTEMBER revenues (inc GST)	Total (inc)
Twin Single Units	\$3,330		\$3,330		\$5,310	
Powered Sites	\$46,394		\$44,444		\$28,945	
Self-Contained Cabins	\$22,431.25		\$20,534.60		\$14,795.50	
Unpowered Sites	\$5,120		\$5,360		\$3,484	
<b>Sub Total</b>	<b>\$77,275.25</b>		<b>\$73,668.60</b>		<b>\$52,534.50</b>	
Artesian Baths incl. salts	\$21,296		\$22,997		\$19,448	
McIntyre Park	\$1,824		\$1,117			
Cheese Platters	\$3,360		\$3,720		\$4,020	
Laundry	\$3,097		\$2,206		\$897	
Long Term Stay						
<b>Calculated Total</b>	<b>\$106,852.25</b>		<b>\$103,708.60</b>		<b>\$76,899.50</b>	

**JC Caravan Park Occupancy by Category September 2022**



Type of Service	% Occupancy
Twin Single Units	33%
Cabin – 4 berth	88%
Cabin – 6 berth	70%
Unpowered site	10%
Powered Caravan site	66%
Powered camp site	25%
McIntyre Park	

#### JC Caravan Park Artesian Bathhouse Usage September 2022

Type of Service	Number of bookings
Boundary Rider Huts	94
Replica Rainwater Tank Bathhouses	222

#### Library & Funeral Services

Another busy month for the Library as many children continued to utilize the space in afternoons once school had finished and on the school holidays. The installation of new bike racks and port racks have been well received and has improved the safety outside the Library by minimizing any trip hazards. The local Mums & Bubs group are continuing to meet regularly and are really enjoying be able to play with the new equipment sourced through the First 5 Forever Program. A special highlight was during the school holidays when the children were joined by local Queensland Ambulance staff to focus on emergency knowledge, safety and how to safely call for help. The children were also treated to a tour around the ambulance to investigate all the equipment on board.

#### JC Library Memberships September 2022

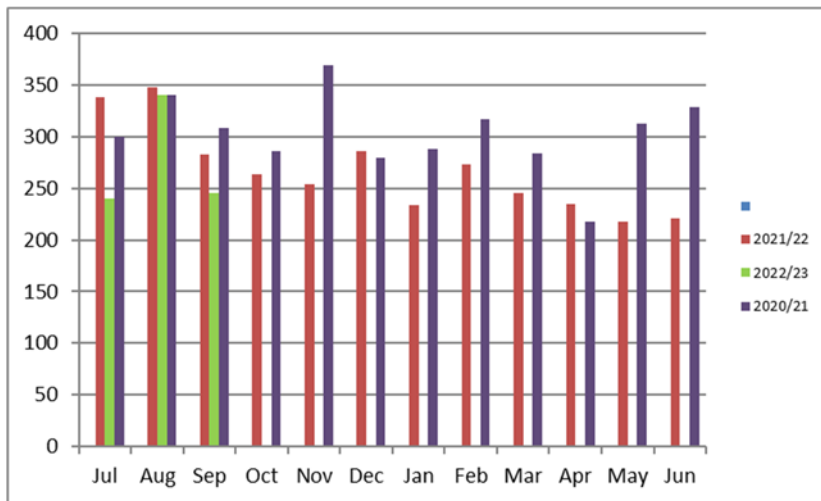
Type of Membership	Total Membership
Adult	254
Junior	70
Institutions	2
Tourists	

#### JC Library Services Provided September 2022

Services Provided	Total Amount
Reservations satisfied	44
Requests for books	27



**JC Library Monthly Loans August 2022**



**JC Library Monthly Visitors September 2022**



**Tourism**

***Total Visitor Numbers for September 2022***

There were 1021 visitors to the Julia Creek Visitor Information Centre in September 2022 compared with 794 in September 2021. There have been 8118 visitors to the Julia Creek Visitor Information Centre this year to date (YTD) compared with 7403 over the same period in 2021.



Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

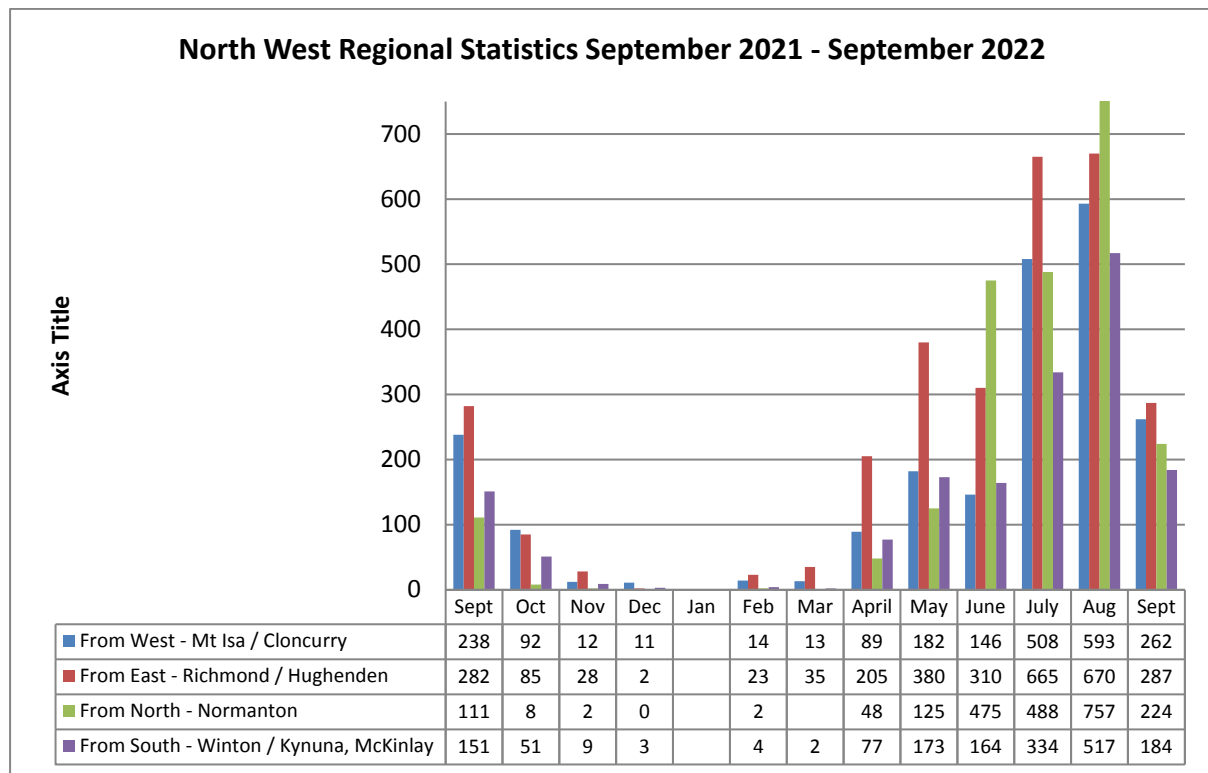
**Total Locals for September 2022**

There was a total of 17 local visitors to the Julia Creek Visitor Information Centre in September 2022 compared with 10 in September 2021.

**Beneath the Creek Entries September 2022**

There was a total of 357 attendees at the dunnart feeding experience compared with 407 in in 2021. 92 children attended dunnart feeding sessions in September 2022 – up from 55 children in August indicating that we had good school holiday attendance.

**North West Regional Statistics for September 2022**



**RV Site Permits September 2022**

There were 131 RV Site permits issued in September 2022 compared with 303 in September 2021. We have had Camp Hosts on site throughout most of September.



Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

### Social Media Figures

	Facebook Page Likes			Instagram Likes		
	Mckinlay Shire Council	Julia Creek VIC	Caravan Park	Mckinlay Shire Council	Julia Creek VIC	Caravan Park
September 1	6,645	4,781	4,142	1,100	2,914	12
September 30	7,000	4,800	4,300	1,088	2,943	58

### Julia Creek Early Learning Centre

#### Current enrolments

There are currently 19 children enrolled at the Centre.

#### Attendance

The centre had 141 attendances (actual) over the 19 days of care offered during August. This equated to an average of approx. 7 children per day.

#### Significant events:

- Centre Director commenced on the 15<sup>th</sup> August and the Full Time Educator commenced on 29<sup>th</sup> August and both staff have settled into their new roles and developed programmes/routines with clear expectations and boundaries
- The Centre has farewelled two long-serving staff members but has been fortunate to overcome this potential staff shortage with two casual staff joining the team
- Kinder transition to school underway with visits from JCSS Teachers and planned visits to school scheduled for Term 4
- Visits from local Ambulance and Police
- Critical reflection sheets underway and goals set for toddler group and kinder programme
- Working through ACQUA self-assessment as part of Quality Improvement Plan
- Occupational Therapist and Speech Therapist visits to Centre to support families



## Swimming Pool

### USUAGE

#### TOTAL NUMBERS FOR THE MONTH

ENTRIES	SWIMMERS
Adult Entry	72
Child Entry	98
<b>Season Passes / Family Pass</b>	
Adult	
Child	
Swim Lessons/ No Charge	
After School Care/ No Charge	
J/C Swimming Club/ No Charge	
J/C State School/ No Charge	
<b>Caravan Park Tokens</b>	
Adult	423
Child	309
<b>Free Sunday</b>	
Adult	
Child	
<b>Total Swimmers</b>	<b>902</b>

## Sport & Recreation

Council has still not been able to secure a person to fill the vacant Sport and Recreation Officer position. As a result, there are unfortunately no normal programs occurring at this stage.

## Community Health

CHSP Clients	Occasions of Service	Time Spent (hrs)
Nursing Care	<b>81</b>	<b>35.85</b>
Personal Care	<b>13</b>	<b>3.5</b>
Other	--	--
<b>TOTAL</b>	<b>94</b>	<b>39.35</b>
Non-CHSP Clients	Occasions of Service	Time Spent (hrs)
Nursing Care	<b>33</b>	<b>19.5.</b>
Other	--	--
Other	--	--
<b>TOTAL</b>	<b>33</b>	<b>19.5</b>

TRANSPORTS	Number of one-way journeys
CHSP Clients	<b>9</b>
Non-CHSP Clients	<b>0</b>
<b>TOTAL</b>	<b>9</b>



<b>Meetings</b>
CAN on 01/09/22
<b>Health Promotion</b>
Low level MSC social media activity for Womens Health Week early September
<b>General Business</b>
Non-CHSP community clients totalled x7 this month. Of those, x2 clients accounted for 24 episodes of care (comprising Palliative Care and Chronic Disease Management).
WQPHN and Oceana are still delivering FLU and COVID jabs to our community. They visit approximately once/month. Uptake has been low, anecdotally. Feedback on their service delivery has been offered, to try and improve numbers locally - WQPHN have been receptive to this.
Several issues around model of care for our downgraded MPHS remain unaddressed. Await GP recruitment and next CAN meeting for updates. END.

### CHSP – Commonwealth Home Support Program

#### Events and Activities

CHSP clients Monday games , Wednesday Luncheons, Thursday shopping, Gym Tuesday & Thursday. Weekly luncheons on Wednesdays rotating between Fr Bill centre and Gannon’s Hotel .

#### Statistics September 2022

CHSP currently have a total of **23** clients.

Service Offered	Number of Clients
Transport	46 Two-way trips
Social Support	38 Visits
Personal Care	21 visits 1 clients
Counselling/Support, Information and advocacy (client)	6 hours
Shopping	4 trips
GAMES	5 attended (4 sessions)
Luncheon	10 Attended (4 sessions)
Wednesday Meal	50 meals (including morning tea)
Meals on Wheels	22 Meals delivered
Home Maintenance	11 lawns mowed 11 clients
Domestic Assistance	8 clients
Pub Lunch	clients sessions
Clients Transported for Doctors Appointments	4 CHSP clients





Ordinary Meeting of Council Tuesday 25 October 2022

**7.2 Subject:** Julia Creek ICPA – Community Donation Request

**Attachments:** Nil

**Author:** Community Services Team Leader

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**Executive Summary:**

Council has received a Community Donation Request from the McKinlay Shire Cultural Association to support the group with purchasing craft equipment and supplies. The group is planning to host weekly after school craft sessions each Monday in lieu of no sport and recreation programs being undertaken due to staffing issues.

**Recommendation:**

*Council resolves to approve the Community Donation Request for McKinlay Shire Cultural Association for \$1500 which can be utilized by the group to assist with covering costs of purchasing craft equipment and supplies to provide weekly after school activities in Term 4.*

---

**Background:**

Council annually offers funding programs such as Community Sponsorship/Donations to provide additional support to community events which provide economic support, social interaction and community connectedness for residents of the Shire. The Julia Creek ICPA is an organisation that provides positive outcomes for rural families by providing support with accessing education. Julia Creek is also scheduled to host the ICPA State Conference in 2023 which will be of great benefit to the community.

It is recommended for Council to provide a donation of \$1500 to assist with the cost of purchasing the equipment to assist with the delivery of after school programs during Term 4.

**Consultation:**

This report was completed with consultation from Director Corporate & Community Services and was discussed at the Council Briefing Meeting.

**Legal Implications:**

Nil

**Policy Implications:**

Community Grants Policy

**Financial and Resource Implications:**

Council sets aside \$15,000 from its annual budget for community donations and \$13,500 would remain for other organisations to access for the remainder of the 2022/23 financial year.

**InfoXpert Document ID:** 123943



**7.3 Subject:** McKinlay Shire Council RADF Program – Round 1 2022-23

**Attachments:** Nil

**Author:** Community Services Team Leader

---

**Executive Summary:**

Council has recently advertised the first round of Regional Arts Development Funding for the 2022-23 financial year. The initial round was open throughout September & October with two applications received and presented to the RADF Committee. The committee were in favor of one of the applications and would like to present the following workshop to Council for ratification:

- McKinlay Shire Cultural Association \$7,800 – *2-day Mosaic Workshop (November 2022)*

**Recommendation:**

*Council resolves to approve the following application received as part of Round 1 of the RADF Program 2022-23 which include:*

- McKinlay Shire Cultural Association \$7,800 – *2-day Mosaic Workshop (November 2022)*

**Background:**

Council has utilised the Regional Arts Development Fund for the past five years to support local artists and arts and cultural activities in Queensland communities. The funding program is delivered as a partnership between the Queensland Government through Arts Queensland and eligible local councils across the State.

RADF promotes the role and values of arts, culture and heritage as key drivers of diverse and inclusive communities and strong regions. RADF invests in local arts and cultural priorities, as determined by local communities, across Queensland.

For McKinlay Shire Council the Program makes arts and cultural activities more accessible for residents that otherwise wouldn't occur due to distance from major centres.

**Consultation:**

This report was completed with consultation from Director Corporate & Community Services and presented at the September Briefing Meeting.

**Legal Implications:**

Nil



Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

**Policy Implications:**

Arts & Cultural Policy

**Financial and Resource Implications:**

Council has a total of \$33,799.50 available through the RADF Program in 2022-23. Round 1 will result in a total of \$7,800 allocated for projects which will leave \$24,499.50 for the remainder of the year.

**InfoXpert Document ID:** 123945



## **8.0 CORPORATE SERVICES**

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**8.1 Subject:** Corporate Services September 2022 Report

**Attachments:** Nil

**Author:** Director Corporate & Community Services

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**Executive Summary:**

The Corporate Services Report as of 30 September 2022 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 2022.*

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**Report:**

The Corporate Services Report compares actual performance to date with the Council's 2022/2023 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 its 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:**

\$5.3million received in September for 2022 flood damage.



<b>INCOME STATEMENT SUMMARY</b>				
	<b>Actuals</b>	<b>Variance</b>	<b>YTD Budget</b>	<b>Full Year Budget</b>
<b>Total Income</b>	9,591,084	91%	10,540,712	42,162,847
<b>Total Expenses</b>	(3,210,872)	69%	(4,641,580)	(18,566,319)
<b>Net Result</b>	<b>6,380,212</b>	<b>108%</b>	<b>5,899,132</b>	<b>23,596,528</b>
Less Capital Revenue	6,021,457	84%	7,141,038	28,564,152
<b>Operating Result (excl. Capital</b>	<b>\$ 358,755</b>	<b>-29%</b>	<b>\$ (1,241,906)</b>	<b>\$ (4,967,624)</b>

<b>STATEMENT OF FINANCIAL POSITION</b>			
	<b>2023 Actuals</b>	<b>2022 Actuals</b>	
Current Assets	34,933,215	30,184,662	
Total Non-Current Assets	254,242,029	253,073,592	
<b>Total Assets</b>	<b>289,175,244</b>	<b>283,258,254</b>	
Total Current Liabilities	3,046,162	3,063,276	
Total Non-Current Liabilities	268,932	268,932	
<b>Total Liabilities</b>	<b>3,315,094</b>	<b>3,332,208</b>	
<b>Net Community Assets</b>	<b>\$ 285,860,151</b>	<b>\$ 279,926,046</b>	
<i>Community Equity</i>			
Asset Revaluation Surplus	79,973,716	79,973,715	
Retained Surplus	205,486,435	199,552,332	
Reserves	400,000	-	
<b>Total Community Equity</b>	<b>\$ 285,860,151</b>	<b>\$ 279,926,047</b>	

<b>STATEMENT OF CASH FLOWS</b>		
	<b>2022/23 Actuals</b>	<b>2021/22 Actuals</b>
<b>Cash Flows from Operating Activities</b>	1,758,324	5,036,833
Receipts, Payments & Interest Received		
Borrowing Costs		
<b>Cash Flows From Investing Activities</b>	4,812,881	1,614,673
Payments and Proceeds for PPE		
Capital Income		
<b>Cash Flows from Financing Activities</b>	-	-
Loan Payments		
Net increase (decrease) in cash held	6,571,205	6,651,506
Cash at beginning of the financial year	24,385,108	17,733,602
<b>Cash at the end of the period</b>	<b>\$ 30,956,313</b>	<b>\$ 24,385,108</b>



Summary By Departments						
Department	Revenue			Expenditure		
	Actuals	%	Budget	Actuals	%	Budget
Infrastructure & Works	7,005,816	32%	21,831,414	1,472,000	16%	9,024,600
Governance & Partnerships	-	0%	-	246,507	28%	867,646
Corporate Services	1,875,406	18%	10,395,489	320,244	18%	1,797,500
Economic Development	58,839	6%	1,014,600	174,277	18%	952,975
Community Services	441,154	6%	7,681,131	808,095	20%	3,993,553
Health Safety & Development	38,519	31%	123,748	87,343	16%	563,500
Environmental Management	171,353	15%	1,116,465	68,339	6%	1,215,800
	<b>9,591,086</b>	<b>23%</b>	<b>42,162,847</b>	<b>3,176,805</b>	<b>17%</b>	<b>18,415,574</b>

**Capital Works Program 2022-2023 Version 1.0**

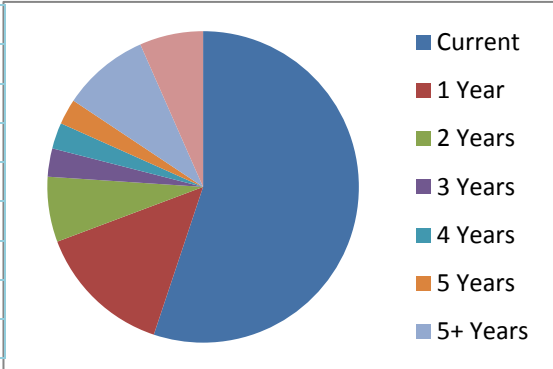
Infrastructure & Works	Actuals	Original Budget	Grants/Other
Roads	\$1,279,810.02	\$18,672,445.00	\$18,517,484.00
Wastewater	\$10,100.00	\$1,550,000.00	\$1,500,000.00
Water	\$4,888.40	\$783,890.00	\$650,000.00
Transport	\$0.00	\$300,000.00	\$0.00
Other	\$0.00	\$2,203,000.00	\$0.00
<b>Subtotal</b>	<b>\$1,294,798.42</b>	<b>\$23,509,335.00</b>	<b>\$20,667,484.00</b>
Environmental Management	Actuals	Budget	Grants/Other
Reserves	\$30,293.63	\$164,171.00	\$0.00
<b>Subtotal</b>	<b>\$30,293.63</b>	<b>\$164,171.00</b>	<b>\$0.00</b>
Community Services & Facilities	Actuals	Budget	Grants/Other
Community Buildings & Other Structures	\$43,573.06	\$7,535,800.00	\$7,193,300.00
Parks & Gardens	\$40,010.30	\$670,968.00	\$660,968.00
Council Housing	\$0.00	\$230,000.00	\$0.00
<b>Subtotal</b>	<b>\$83,583.36</b>	<b>\$8,436,768.00</b>	<b>\$7,854,268.00</b>
Corporate Services	Actuals	Budget	Grants/Other
Corporate Buildings & Other Structures	\$4,430.28	\$211,000.00	\$0.00
Other	\$0.00	\$30,000.00	\$0.00
Economic Development	\$0.00	\$1,500,000.00	\$1,121,000.00
<b>Subtotal</b>	<b>\$4,430.28</b>	<b>\$1,741,000.00</b>	<b>\$1,121,000.00</b>
<b>Total</b>	<b>\$1,413,105.69</b>	<b>\$33,851,274.00</b>	<b>\$29,642,752.00</b>



**Outstanding Rates**

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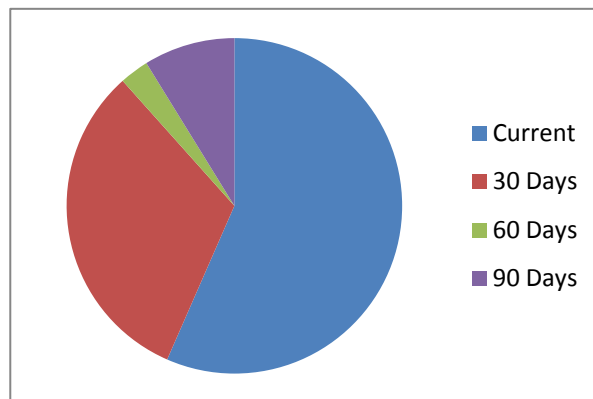
	Sep-22	Aug-22
<b>Current</b>	84,525	1,513,590
<b>1 Year</b>	21,704	25,101
<b>2 Years</b>	10,367	10,367
<b>3 Years</b>	4,507	4,907
<b>4 Years</b>	4,160	4,160
<b>5 Years</b>	4,069	4,069
<b>5+ Years</b>	13,864	13,864
<b>Interest</b>	10,138	9,959
<b>Total</b>	<b>153,334</b>	<b>1,586,018</b>



**Outstanding Debtors**

---

<b>Total</b>	<b>97,886.50</b>
<b>Current</b>	55,369.84
<b>30 Days</b>	31,150.92
<b>60 Days</b>	2,755.24
<b>90 Days</b>	8,610.50



**Comments:**

**Consultation:**

**Legal Implications:**

**Policy Implications:**

**Financial and Resource Implications:**

**InfoXpert Document ID: 123949**





**8.2 Subject:** Final Management Report 2022  
**Attachments:** Final Management Report 2022  
**Author:** Director Corporate & Community Services  
**Date:** 13<sup>th</sup> October 2022

---

**Executive Summary:**

An external audit of Council's financial statements was undertaken throughout September 2022 by Pitcher Partners under the appointment of the Queensland Audit Office (QAO). QAO has provided a closing Audit Report to the Mayor for the financial year ending 30 June 2022 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 2022.*

---

**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 continued with their appointment 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 highlighted no new matters in reporting period. The report highlights 5 internal control issues and one Financial reporting issue. Of these two matters have been marked as resolved and the others are a work in progress.

Most importantly, an unmodified audit opinion was issued on our financial statements which is a great outcome.



Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

**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:** 123948



2022 FINAL MANAGEMENT LETTER

**McKinlay Shire Council**

13 October 2022

---

13 October 2022

Mayor Philip Curr  
29 Burke Street  
Julia Creek QLD 4823

Dear Mayor Curr

### **Final management report for McKinlay Shire Council**

We have completed our 2022 financial audit for McKinlay Shire Council. An unmodified audit opinion has been issued on your financial statements.

The purpose of this letter is to update you on any matters that have arisen since we presented our closing report on 11 October 2022.

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 identified after the closing report**

I can confirm that we have not identified significant issues since the presentation of our closing report. We did not identify any new internal control observations or financial reporting matters during the current year's audit. The issues and other matters we have formally reported to management in previous audits and an update on management's actions taken to resolve these issues is included as Appendix A.

### **Report to parliament**

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

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. 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 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 version tabled in parliament.

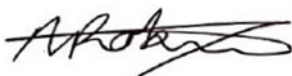
### **Audit fee**

The final audit fee for this year is estimated to be \$50,000 exclusive of GST (2021: \$50,000). This fee is unchanged from that estimated in our external audit plan.

We would like to thank you and your staff for their engagement in the audit this year.

If you have any questions about this letter or would like to discuss any matters regarding our services and engagement, please do not hesitate to contact me on (07) 3222 8014.







Yours sincerely









Andrew Robin  
Partner

# Appendix A1 – Matters previously reported

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.

Internal control issues			Financial reporting issues		
					
Significant deficiency	Deficiency	Other matter	High	Medium	Low

Ref.	Rating	Issue	Status and comment
17FR-1		<p><b>Asset Management Plan Not Implemented</b></p> <p>Council has not designed and implemented a formal asset management plan</p>	<p><b>Work in progress.</b></p> <p>To assist Council in meeting its goal of developing new Asset Management Plans, Council applied for funding under the Building Our Regions Round 6 program. Council have been successful in securing funding to develop Water &amp; Waste Water Asset Management Plans. Council's project manager has developed the following scope for this project summarised as follows;</p> <ul style="list-style-type: none"> <li>• Survey all the existing water and wastewater infrastructure in Julia Creek, to provide an up-to-date plan with all the water and wastewater assets.</li> <li>• Undertake a condition assessment of all water and wastewater infrastructure, utilising CCTV survey.</li> <li>• Provide condition assessment reports for the water and wastewater infrastructure.</li> <li>• Provide an Asset Management Plan outlining future works required to maintain Council's assets.</li> </ul> <p>Further Council has allocated its own funds to further develop AMP for other classes of assets.</p> <p>Action date: 2023</p>
21CR-1		<p><b>No reconciliation of payroll reports to accounting records</b></p> <p>It was identified that Council does not perform formal reconciliations between the payroll system and accounting records.</p>	<b>Resolved</b>
21OM-1		<p><b>Out of date internal policies and procedures</b></p> <p>Through inspection of policies and procedures, we noted that some policies disclosed on Council webpage were out of date</p>	<b>Resolved</b>
19FR-1		<p><b>Excessive annual leave</b></p> <p>On review of annual leave balance, four employees had in excess of ten weeks entitlement.</p>	<p><b>Work in progress</b></p> <p>Council worked with all four employees over the 21/22 FY to reduce their annual leave balances with all taking a minimum of 3 weeks leave (or 108 hours) during the period. We are continuing to work with the employees to reduce their leave. Of these employees only 2 currently have in excess of 10 weeks annual leave.</p>

Ref.	Rating	Issue	Status and comment
20OM-2		<p><b>Manual record keeping</b></p> <p>A large portion of records are kept manually, including invoices and related party forms. These are all stored in physical folders at Council's offices.</p>	<p><b>Work in progress</b></p> <p>Council have considered the recommendation, but note that whilst there are manual records we also have the digital records (e.g. RCTI's are digitally recorded). Council will continue to review record keeping practices.</p>
20FR-3		<p><b>Overdue rates</b></p> <p>A number of significantly aged rates within the debtors ledger were noted, some for which payments had last been received in 2012 and 2013. The amounts were not material.</p>	<p><b>Work in progress</b></p> <p>There are 3 assessments which exceed 3 years overdue at 30 June 2022 (the period in which Council can commence proceedings to sell land for overdue rates). For one assessment Council has worked through a lengthy process to sell the land. It has been an extended timeframe as there was no person to serve the required notices to, therefore Council had to advertise in the Gazette and go through a substituted service process. The process has now been completed and the land has been sold via Auction held on 12 July 2022. Council have engaged King &amp; Company to assist in progressing the process of 'selling land for overdue rates' for the remaining two assessments. All other overdue assessments (less than 3 years overdue) are following Council's recovery process with issuing reminder letters and referring to Debt collection agency.</p> <p>Action date: June 2023</p>





## [qao.qld.gov.au/reports-resources/reports-parliament](http://qao.qld.gov.au/reports-resources/reports-parliament)

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W: [www.qao.qld.gov.au](http://www.qao.qld.gov.au)  
53 Albert Street, Brisbane Qld 4000  
PO Box 15396, City East Qld 4002





Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

**8.3 Subject:** Standing Orders of Council  
**Attachments:** Standing Orders for Council Meetings including Standing Committees  
**Author:** Director Corporate & Community Services  
**Date:** 17<sup>th</sup> October 2022

---

**Executive Summary:**

Council adopted the Standing Orders for Council Meetings including Standing Committees Policy in December 2020. The policy is now due for review.

**Recommendation:**

*That Council adopt the Standing Orders for Council Meetings including Standing Committees version 3.0 as presented.*

---

**Background:**

Council adopted the Standing Orders for Council Meetings including Standing Committees Policy in December 2020 following the provision of a model policy provided by the Department of Local Government. It had a review period of 2 years, and consequently staff have completed a review. The review took into account current practices and also considered the model policy produced by the Department.

Minor changes were made, including:

- Section 1 – removal of reference of applying to Audit Committee meetings as Council does not have an audit committee
- Section 25 – correction of referencing to previous paragraph.
- Section 29 – removal of paragraph referencing changes to legislation for meeting during the COVID-19 pandemic which expired in June 2021.

The Standing Orders provide written rules for the orderly conduct of Council Meetings and Committee Meetings.

**Consultation:**

Department of State Development, Infrastructure, Local Government and Planning.

**Legal Implications:**

Nil





Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

**Policy Implications:**

Revokes all previous versions of the policy.

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:** 123958



# 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.
- 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.

## 2. Procedures for Meetings of Council

### 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

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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

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- 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

- 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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- 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.

## 12. Recording prescribed and declarable conflicts of interest

- 12.1 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.

## Motions

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## 13. Motion to be moved

- 13.1 A councillor is required to 'move' a motion and then another councillor is required to 'second' the motion.
- 13.2 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.
- 13.3 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.
- 13.1 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.
- 13.2 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.

## 14. Absence of Mover of Motion

- 14.1 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.

## 15. Motion to be seconded

- 15.1 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.

## 16. Amendment of Motion

- 16.1 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.
- 16.2 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.
- 16.3 Where a motion is amended by another motion, the original motion will not be proposed as a subsequent motion to amend that other motion.

## **17. Speaking to motions and amendments**

- 17.1 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.
- 17.2 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.
- 17.3 A councillor may make a request to the chairperson for further information before or after the motion or amendment is seconded.
- 17.4 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.
- 17.5 Each speaker will be restricted to not more than five (5) minutes unless the chairperson rules otherwise.
- 17.6 Where two or more councillors indicate they may wish to speak at the same time, the chairperson will determine who is entitled to priority.
- 17.7 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.

## **18. Method of taking vote**

- 18.1 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.

18.2 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.

18.3 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.

## 19. Withdrawing a motion

19.1 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.

## 20. Repealing or amending resolutions

20.1 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.

20.2 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.

## 21. Procedural motions

21.1 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.

21.2 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.

21.3 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.

21.4 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.

21.5 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.

21.6 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 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.*

21.7 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.

21.8 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.

21.9 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.

- 21.10 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.

## 22. Questions

- 22.1 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.

- 22.2 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.

- 22.3 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

### 23. 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 <https://www.mckinlay.qld.gov.au/downloads/file/1059/councillor-code-of-conduct>. When dealing with an instance of unsuitable conduct by a councillor in a meeting, the following procedures must be followed:

- 23.1 The chairperson must reasonably believe that unsuitable meeting conduct has been displayed by a councillor at a meeting.
- 23.2 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.

- 23.3 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.
- 23.4 If the councillor complies with the chairperson’s request for remedial action, no further action is required.
- 23.5 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.
- 23.6 If the councillor complies with the chairperson’s warning and request for remedial action, no further action is required.
- 23.7 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.
- 23.8 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.
- 23.9 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.
- 23.10 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.

## 24. General Conduct during Meetings

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- 24.1 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.
- 24.2 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.
- 24.3 No councillor who is speaking will be interrupted except upon a point of order being raised either by the chairperson or by another councillor.
- 24.4 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.

## **25. 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 23.9 dot point two of this document.

When dealing with an instance of suspected inappropriate conduct which has been referred to a local government by the IA:

- 25.1 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.
- 25.2 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.
- 25.3 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.

- 25.4 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.
- 25.5 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 25.6, 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.
- 25.6 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.
- 25.7 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.
- 25.8 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.
- 25.9 The chairperson must ensure the meeting minutes reflect the resolution made.

## 26. Disorder

- 26.1 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

### 27. Attendance of public and the media at meeting

27.1 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.

27.2 When the local government is sitting in closed session, the public and representatives of the media will be excluded.

### 28. Closed Session

28.1 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.

28.2 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.

28.3 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.*

28.4 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).

## 29. Teleconferencing of Meetings

29.1 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.

29.2 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.*



Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

**8.4 Subject:** Expenses and Reimbursement Policy  
**Attachments:** Expenses and Reimbursement Policy  
**Author:** Director of Corporate & Community Services  
**Date:** 17 October 2022

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**Executive Summary:**

Council is required by the provisions of the Local Government Regulation 2012 to adopt an expenses and reimbursement policy. Council has previously adopted the Expenses and Reimbursement Policy in November 2019. In line with practices of good governance, a review of the policy has been carried out, and Council is presented with version 4.0 for consideration.

**Recommendation:**

*That Council adopt the Expenses and Reimbursement Policy Version 4.0 as presented;*

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**Background:**

In November 2019, the Expenses and Reimbursement Policy version 3.0 was presented to Council and adopted at the Ordinary meeting of Council.

A review of the existing policy was completed and no changes to the content have been made.

**Consultation:** (internal/External)

Chief Executive Officer

**Legal Implications:**

Policy developed in accordance with the *Local Government Regulation 2012*

**Policy Implications:**

The adoption of this policy will revoke all previous versions.

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:** 123957



# EXPENSES & REIMBURSEMENT POLICY

## 1. INTRODUCTION

Council is committed to ensuring that Councillors are provided with the facilities required to enable them to perform their duties.

Councillors should not be financially disadvantaged when carrying out the requirements of the role of Councillor and should be fairly and reasonably compensated in accordance with statutory requirements and community expectations.

The payment and/or reimbursement of expenses and provision of facilities for Councillors:

- Is open and transparent, prudent, responsible, acceptable to the community and in accordance with statutory requirements;
- Based on ensuring economy and efficiency;
- Subject to budget provisions;
- Subject to the *section 4 of the Local Government Act 2009* principles –
  - a) Transparent and effective processes, and decision-making in the public interest;
  - b) Sustainable development and management of assets and infrastructure, and delivery of effective services;
  - c) Democratic representation, social inclusion and meaningful community engagement;
  - d) Good governance of, and by, local government; and
  - e) Ethical and legal behavior of Councillors and local government employees; and

## 2. POLICY OBJECTIVES/PURPOSE

The purpose of this policy is to:

- Ensure compliance with community expectations and statutory requirements relating to the payment or reimbursement of legitimate expenses and provision of facilities for Councillors while carrying out their duties and responsibilities as elected representatives of McKinlay Shire Council; and
- Ensure that all Councillors have the facilities and other support necessary to perform their civic duties.

## 3. SCOPE

This policy provides for:

- Payment of expenses incurred, or to be incurred, by the Councillors in the course of discharging their duties as Councillors; and
- The provision of facilities to the Councillors for that purpose.

This policy applies to all Councillors of McKinlay Shire Council.

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Date of Approval: 25<sup>th</sup> October 2022  
Approved By: Council Resolution

Effective Date: 26/10/2022  
Version: 4  
Review Date: October 2025

This policy does not provide for Councillor remuneration. Councillor remuneration is determined annually by the Local Government Remuneration Commission.

#### **4. STATEMENT OF PRINCIPLES**

Council has formulated this policy in line with the following core principles and the provisions of the *Local Government Act 2009* and the *Local Government Regulation 2012*.

##### Key Principles

1. The use of public money in the public interest by responsible budgeting and accounting.
2. Fair and reasonable allocation of Council resources (allowances, facilities and other benefits) to enable Councillors to conduct the duties of their office.
3. Transparent decision making by public disclosure of policy resolutions; and
4. Accountability for expenditure and use of facilities through full justification and acquittal.

Councillors should not receive a private benefit through their role as a Councillor and as such this policy provides for actual reimbursement of legitimate expenses and full disclosure through appropriate accountability requirements.

#### **5. PAYMENT OF EXPENSES**

All expenses will be paid to a Councillor through the administrative processes of Council's payment system and subject to:

- the limits outlined in this policy
- ensuring that payments have been authorised by an approved officer as per the administrative procedures for payments
- all claims for reimbursement are to have receipts attached to the approved claim form and be signed by the Councillor.

All claims for reimbursement shall be included on the Councillors monthly Reimbursement claim form.

##### **5.1 Expense Categories**

###### **Mileage Allowance**

Councillor's private vehicle usage will be reimbursed at the Australian Taxation Office rate (cents per kilometer) where a Councillor's private vehicle is used for Council business or commuting to official Council meetings/functions from their place of residence. The kilometres claimed is to be on the approved claim form signed by the Councillor.

Mileage Allowance rate be set at the ATO rate "Rates per business kilometre" and increased accordingly.

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## **Professional Development**

Council encourages Councillors to undertake relevant professional development and will reimburse expenses incurred for:

- Mandatory professional development, and
- Discretionary professional development deemed essential for the Councillor's role.

### *Mandatory Professional Development*

Council will reimburse expenses for attendance and will pay for or reimburse Councillors for all associated reasonable costs (including registration, travel, accommodation, meals etc) at the following subject to attendance being approved by Council:

- Training courses or workshops for skill development related to a Councillors role or portfolio;
- Training courses or workshops relating to their legislative obligations i.e. Councillor induction, Code of Conduct.
- Regional, State or National Local Government associated conferences, symposiums, workshops and training courses.

Note: Registrations should be made in sufficient time to take advantage of any 'early bird' discounts.

### *Discretionary Professional Development*

Where a Councillor identifies the need to attend a conference, workshop or training to improve skills relevant to their role as a Councillor, other than mandatory professional development as above, the Councillor may request Council's approval to attend.

## **Travel Costs**

Council will reimburse travel expenses deemed reasonable and necessary to achieve the business of Council where:

- A Councillor is an official representative of Council and
- The activity/event and travel have been endorsed by resolution of Council

Councillors are required to travel the most direct route, using the most economical and efficient mode of transport.

All Councillor travel approved by Council will be booked and paid for by Council where possible.

Economy class is to be used where possible.

Airline tickets are not transferable and can only be procured for the Councillor's travel on Council Business. They cannot be used to offset other unapproved expenses. (e.g. cost of partner or spouse accompanying Councillor)

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Any travel transfer expenses associated with Councillors travelling for council approved business will be reimbursed in line with "Payment of Expenses".

Council shall permit Councillors and employees to link their personal frequent flyer program (which the individual is financially responsible for) to flights arranged by Council for work or official Council business. The benefit provided to the individual is considered not to be material and is an acknowledgement that the majority of travel is undertaken outside normal business hours.

Council will reimburse parking costs incurred by Councillors while attending to official Council business.

Any fines incurred while travelling in Council owned vehicles or privately owned vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine.

### **Accommodation**

All Councillor accommodation for Council business will be booked and paid for by Council where possible. Council will pay for the most economical deal where available. The minimum standards for Councillor accommodation will be three star rating.

Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is most economical and convenient to the event.

### **Meals**

Council will reimburse costs of meals for a Councillor when:

- the Councillor incurs the cost personally; and
- the meal was not provided:
  - within the registration costs of the approved activity/event
  - during an approved flight
- a copy of a Tax Invoice is provided

Council reimbursement for meal expenses shall be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch, and dinner where these are not provided at the event and must be within the *Australian Taxation Office Guidelines for Reasonable Allowances* set for each income tax year.

### **Hospitality Expenses**

The Mayor and Councillors may have occasion to incur hospitality expenses while conducting official council business. Hospitality expenses incurred will typically take the form of meals and beverages. The maximum amount of hospitality expenses that may be reimbursed is:

- Mayor- \$4,000 per annum
- Councillor-\$500 per annum

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This will be reimbursed according to earlier clause “Payment of Expenses”

Hospitality and entertainment expenses shall be in accordance with Council’s Entertainment and Hospitality Expenditure Policy.

## **6. PROVISION OF FACILITIES**

All facilities provided to Councillors remain the property of Council and must be returned to Council when a Councillor’s term expires.

### **Administrative Tools and Access to Council Office**

The following facilities will be provided to Councillors:

1. Provision of Mayoral office space for Mayor.
2. Councillors use of Council Boardroom and Council office space when required and where available. Meeting rooms will be required to be booked in advance with Council reception.
3. Access to Council Office equipment such as photocopier, printers, computers, facsimile machine and telephones for the purpose of Council business where available.
4. Council will provide all Councillors with Corporate business cards.

### **Secretarial Support**

The Mayor’s office will be assisted by Council’s Executive Assistant. Assistance provided will be secretarial support. Limited secretarial support will be provided to Councillors by the Executive Assistant.

### **Home Office**

Council will supply the Mayor with such home office equipment as necessary to assist with the role. This may include fax machine, laptop, tablet and printer.

Council will be responsible for the ongoing maintenance and reasonable wear and tear costs of Council-owned equipment that is supplied for official business use.

### **Vehicle**

Councillors will have access to an allocated Council vehicle which will be available for official Council business within Queensland. All maintenance of the vehicle will be the responsibility of Council.

### **Fuel Costs**

Fuel for a Council owned vehicle used for Official Council Business will be provided or paid for by Council

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## **Telecommunication**

Council approves the provision of necessary telecommunication equipment to be supplied to the Mayor for the purpose of conducting Council Business. Such equipment may include mobile telephone, fax, tablet, computer, wireless internet and land line. Council will be responsible for all associated costs.

Where Council deems necessary and appropriate reimbursement may occur for expenses of phone, internet and email for Councillor's. This reimbursement will be based on "Payment of Expenses" and must be approved by Council resolution.

## **Insurance**

Council will indemnify and insure Councillors in the event of injury sustained while discharging their civic duties.

Council will pay the excess for injury claims made by a Councillor resulting from conducting official business

## **7. REPORTING**

The *Local Government Regulation 2012* legislates that Council must maintain a policy providing for payment of reasonable expenses incurred, or to be incurred, by Councillors for discharging their duties and responsibilities as Councillors and provision of facilities to the Councillors for that purpose.

The *Local Government Regulation 2012* legislates that Council must in its Annual Report detail the expenses incurred by, and the facilities provided to each Councillor during the year under the local government's expenses reimbursement policy.

## **8. RELATED LEGISLATION**

*Local Government Act 2009*  
*Local Government Regulation 2012*

## **9. RELATED DOCUMENTS**

Entertainment and Hospitality Policy

## **10. DEFINITIONS**

### ***Council Business***

This is the official business conducted on behalf of, and approved by, Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements or archive business continuity for the Council

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## **Entertainment and hospitality**

*Section 196 of the Local Government Regulation 2012 provides:*

*Examples of entertainment or hospitality—*

- entertaining members of the public in order to promote a local government project
  - providing food or beverages to a person who is visiting the local government in an official capacity
  - providing food or beverages for a conference, course, meeting, seminar, workshop or another forum that is held by the local government for its councillors, local government employees or other persons
  - paying for a councillor or local government employee to attend a function as part of the councillor's or employee's official duties or obligations as a councillor or local government employee
- (2) A local government may spend money on entertainment or hospitality only in a way that is consistent with its entertainment and hospitality policy.

### **Expense**

Expenses are payments made by Councils to reimburse Councillors for their reasonable expenses incurred or to be incurred when discharging their duties. *These payments are not regarded as remuneration.* The expenses may be either reimbursed by Council or paid direct by Council for something that is deemed a necessary cost or charge when performing their roles.

### **Facility**

Facilities provided by Council to Councillors are the “tool of trade” required to enable them to perform their duties with relative ease and at a standard appropriate to fulfill their professional role for the community.

### **Reasonable**

Council must make sound judgments and consider what is prudent, responsible and acceptable to their communities when determining reasonable levels of facilities and expenditure. The community expects limits and does not want to see excessive use of public funds.



## **9.0 CHIEF EXECUTIVE OFFICER**

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Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

**9.1 Subject:** Chief Executive Officer's Report to September Meeting of Council

**Attachments:** NIL

**Author:** CEO

**Date:** 21<sup>st</sup> October 2022

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**Executive Summary:**

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 21<sup>st</sup> October 2022 except where amended or varied by separate resolution of Council.*

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**1. Appointment of Acting CEO During CEO Leave from 28<sup>th</sup> November – 5<sup>th</sup> December and 12<sup>th</sup> December – 6<sup>th</sup> January 2023**

In the absence of the CEO on Leave commencing 28<sup>th</sup> November – 5<sup>th</sup> December 2022 and 12<sup>th</sup> December – 6<sup>th</sup> January 2023 it is desired that Council appoints an Acting CEO.

**Recommendation:**

Council appoints Ms. Tenneil Cody as Acting CEO from 28<sup>th</sup> November – 5<sup>th</sup> December 2022 and 12<sup>th</sup> December – 6<sup>th</sup> January 2023.

**2. Building Our Regions Funding – Julia Creek Sewerage Treatment Plant**

The Minister for Regional Development and Manufacturing and the Minister for Water, the Honorable Glenn Butcher, advised Council that we have been successful in our application under Round 6 of the BoR program for Refurbishments to the Julia Creek Sewerage Treatment Plant. The value of the grant funding is \$1.5M.

The Director of Engineering, Environmental and Regulatory Services will commence the process to undertake these works.

**Recommendation:**

For Council Information



Ordinary Meeting of Council Tuesday 25<sup>th</sup> October 2022

**3. Local Government Association Queensland (LGAQ) Annual Conference – Cairns 17<sup>th</sup> – 19<sup>th</sup> October**

The 126<sup>th</sup> LGAQ Annual Conference was held in Cairns from the 17<sup>th</sup> to the 19<sup>th</sup> of October 2022. The Conference was attended by Cr. Lynch, Cr. Pratt and myself. An update from the Conference will be provided.

**Recommendation:**

For Council information.

**4. Resources Community Infrastructure Fund – Julia Creek Children Services Hub**

The Deputy Premier and Minister for State Development, Infrastructure, Local Government and Planning, the Honorable Dr. Stephen Miles advised Council that we have been successful in our application under the Resources Community Infrastructure Fund for the construction of the Julia Creek Children Services Hub. The value of the grant is approximately \$6.2M.

The design can now be finalized and the process of engaging a builder to construct can commence. Congratulations to Tenneil and her team on obtaining this grant.

**Recommendation:**

For Council Information

**5. Julia Creek Cattle Train Loading Facility**

There have been ongoing discussions regarding the Julia Creek Cattle Train Loading Facility. An update will be provided on the meetings.

**Recommendation:**

For Council Information

**Policy/Legislative:**

LG Act 2009 & LG Regulation 2012

Policies

Awards

**Operational Financial and Resource Implications:**

To be further advised

**Consultation and engagement:**

Councilors

Directors

Relevant Council staff

External agencies

**InfoXpert Document ID:** 124067



Ordinary Meeting of Council Tuesday, 25 October 2022

**9.2 Subject:** Council Meeting Dates 2023  
**Attachments:** Public Notice of 2023 Council Meeting Dates  
**Author:** Executive Assistant  
**Date:** 13 October 2022

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**Executive Summary:**

In accordance with *Section 277 (1) of the Local Government Regulation 2012* Council must “*at least once in each year, publish a notice of the days and times when- (a) its ordinary meetings will be held;*”. This report is prepared for council to confirm the meeting dates for 2023.

Meetings will be held in the Julia Creek Civic Centre Boardroom, 29 Burke Street Julia Creek QLD 4823. All meetings will commence at 9:00am, unless otherwise notified.

The proposed dates for Briefing and Ordinary Meetings of Council for 2023 are as follows:

**BRIEFING MEETINGS**

No January Meeting  
Tuesday 7 February 2023  
Tuesday 7 March 2023  
Tuesday 4 April 2023  
Tuesday 2 May 2023  
Tuesday 6 June 2023  
Tuesday 4 July 2023  
Tuesday 1 August 2023  
Tuesday 5 September 2023  
Tuesday 3 October 2023  
Tuesday 7 November 2023  
Tuesday No December Meeting

**ORDINARY MEETINGS OF COUNCIL**

Tuesday 17 January 2023  
Tuesday 21 February 2023  
Tuesday 21 March 2023  
Tuesday 18 April 2023  
Tuesday 16 May 2023  
Tuesday 20 June 2023  
Tuesday 18 July 2023  
Tuesday 15 August 2023  
Tuesday 19 September 2023  
Tuesday 24 October 2023  
Tuesday 21 November 2023  
Tuesday 5 December 2023



**Recommendation:**

*Council confirms that the Ordinary Meetings of Council will be held on a monthly basis and generally on the third Tuesday of the month. The dates of the 2023 Ordinary Meetings of Council will be:*

**BRIEFING MEETINGS**

	No January Meeting
Tuesday	7 February 2023
Tuesday	7 March 2023
Tuesday	4 April 2023
Tuesday	2 May 2023
Tuesday	6 June 2023
Tuesday	4 July 2023
Tuesday	1 August 2023
Tuesday	5 September 2023
Tuesday	3 October 2023
Tuesday	7 November 2023
Tuesday	No December Meeting

**ORDINARY MEETINGS OF COUNCIL**

Tuesday	17 January 2023
Tuesday	21 February 2023
Tuesday	21 March 2023
Tuesday	18 April 2023
Tuesday	16 May 2023
Tuesday	20 June 2023
Tuesday	18 July 2023
Tuesday	15 August 2023
Tuesday	19 September 2023
Tuesday	24 October 2023
Tuesday	21 November 2023
Tuesday	5 December 2023

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**Background:**

Council resolved, post the 2020 elections, to hold Ordinary Council Meetings on a monthly basis and that the meetings would be held on the third Tuesday of the month. In addition, Council have also incorporated a Briefing Meeting each month which is generally held the first Tuesday of the month.

**January Briefing:**

With the proposed January Briefing occurring so close to the festive season holidays, there is the potential for a number of absences. It is recommended that Council dispense with the January Briefing with the first meeting for next year start with Ordinary Council Meeting on 17 January 2023.

**October Ordinary Meeting**

With the proposed October Ordinary Meeting occurring the same week as the Annual LGAQ Conference, there is the potential to move the Ordinary Meeting to the next Tuesday, the 24 October 2023.

**December Briefing:**

With the proposed December Ordinary Meeting occurring so close to the festive season holidays, there is the potential to move the Ordinary Meeting to the Briefing date. It is recommended that Council dispense with the December Briefing and having the December Ordinary Meeting on the 5 December 2023.





Ordinary Meeting of Council Tuesday, 25 October 2022

**Comments:**

Nil

**Consultation:**

Chief Executive Officer

**Legislative:**

Nil

**Policy Implications:**

Nil

**Financial and Resource Implications:**

Nil

**InfoXpert Document ID:** 123951



Ordinary Meeting of Council Tuesday 25 October 2022

**9.3 Subject:** Revoke Emergency Preparedness Policy  
**Attachments:** Emergency Preparedness Policy  
**Author:** Melissa Mussig  
**Date:** 17 October 2022

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**Executive Summary:**

The Emergency Preparedness policy which was previously adopted in 2013 has been superseded by the Disaster Management Act and McKinlay Shires Disaster Management Plan. It has been determined the policy is no longer required.

**Recommendation:**

That Council revokes the Emergency Preparedness policy.

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**Background:**

A review of the current Emergency Preparedness policy which was last adopted by Council in 2013 has been completed. This policy was designed to assist staff when dealing with a range of emergency situations that may occur in the workplace. The content is no longer current and has been superseded by the Disaster Management Act and McKinlay Shires Disaster Management Plan.

**Consultation:**

**Legal Implications:**

**Policy Implications:**

**Financial and Resource Implications:**

**InfoXpert Document ID:** 124068

# **MCKINLAY SHIRE COUNCIL**



## ***Emergency Preparedness Policy***

*AUTHORISATION: Statutory*

*VERSION: 1*

*ADOPTED BY COUNCIL:(date)*

*REVISED: Annually*

*NEXT REVISION DUE: September 2013*

*CORPORATE PLAN REFERENCE:(to be arranged)*

## **1. POLICY PURPOSE**

In supporting McKinlay Shire Council focus of "Zero Harm to Everybody", this policy details the planned management of perceived workplace emergencies and Councils assurance to commit the necessary resources in managing any such emergency.

This policy is designed to assist staff when dealing with a range of emergency situations that may occur in the workplace.

## **2. AUTHORITY**

- Work Health & Safety Act 2011
- Workplace Health and Safety Regulation 2011
- Building Fire Safety Regulation 2008
- Fire and Service Rescue Act 1990

## **3. POLICY STATEMENT**

The McKinlay Shire Council has determined that the proper management of emergencies is essential to their operations and is a crucial element of their health and safety and moral responsibilities.

The Council will:

- develop, publish, and maintain procedures for:
  - the management of any foreseeable workplace emergency
  - the management of critical or higher risk incidents
  - the provision of essential resources to combat any perceived workplace emergency
- develop and conduct training sessions for Supervisors, Managers, Health and Safety Representatives, Emergency Control Personnel, and First-Aiders;
- allocate resources for the implementation of emergency management measures;
- monitor the implementation of this policy and related procedures

- assign responsibilities in relation to the implementation of this policy and related procedures.
- develop dedicated documented procedures for the administration of any Crisis Management activities that may affect the community as a whole
- inform the Council community of the existence of these documented process and outlines of the procedures;

#### **4. SCOPE**

The following policy applies to:

- all full time, part time or casual employees of the council
- any contractor, visitor or volunteer of the council
- any workplace incident associated with the council that threatens the safety of a person
- any activity that happened in the course of, or as a result of, any occupational, educational, commercial, or McKinlay Shire Council endorsed activity, whatever its location.

#### **5. DEFINITIONS**

**Emergency:**

An abnormal or dangerous situation requiring action to control, correct and return to a safe condition and also requiring timely action to protect people, property and the environment from harm.

Examples include:

- uncontrolled fires;
- life-threatening injuries and illnesses, and the threat of such injuries and illnesses;
- accidental spillages or releases of dangerous goods.

**Emergency Control Organisation (ECO)**

A prearranged group of employees that will organise an appropriate response in any emergency situations.

### **Supervisor/Manager:**

In this policy, these terms cover any employee of the Council to whom other employees formally report.

## **6. POLICY CONTENT**

McKinlay Shire Council adopts a proactive approach in relation to Emergency Preparedness. It is essential to establish and maintain conditions that provide priority to the safety of people during any emergency event or situation.

This policy identifies the functions and responsibilities to manage Council's Emergency Preparedness objectives.

## **7. RESPONSIBILITIES**

The Chief Executive Officer of the McKinlay Shire Council is ultimately responsible for this policy, and is accountable for the performance of the Council in relation to this policy. The Chief Executive Officer will ensure specific budget allocations are made for the implementation of appropriate emergency management measures.

All employees, contractors and visitors will comply with the relevant requirements of this policy and related procedures.

The Manager - Work, Health and Safety will:

- develop, publish and maintain Council procedures for the implementation of this policy;
- develop and conduct training sessions for Supervisors, Managers, Work Health and Safety Representatives, Emergency Control Organisation members, and First-Aiders
- advise Supervisors and Managers in implementing the policy and related procedures.
- schedule required emergency preparedness exercises for all work areas and activities.
- establish an Emergency Control Organisation

Supervisors and Managers will:

- attend training sessions organised in relation to this policy and related procedures;
- nominate, in consultation with employees, the First-Aiders and Emergency Control Organisation members required in their area under procedures related to this policy;
- develop the systems required for the training in the policy and related procedures of employees (including new staff), contractors and visitors under their control; and
- comply with the policy and related procedures.

Work Health and Safety Representatives will:

- attend training sessions organised in relation to this policy and related procedures; and
- assist local Supervisors and Managers in implementing the policy and related procedures in the area and for the work group they represent.

First-Aiders and Emergency Control Organisation members will:

- attend training sessions organised in relation to this policy and related procedures;
- take on roles of responsibility during an emergency incident
- provide feedback to management on the effectiveness of Emergency Preparedness

## **8. ASSOCIATED DOCUMENTS**

- *Emergency Management Procedure*
- *Safety Management Plan*

## **9. IMPLEMENTATION**

The Emergency Management Policy will be implemented throughout the McKinlay Shire Council via:

1. Inclusion on the Council's notice boards
2. Scheduled training sessions.

**10. FAILURE TO COMPLY**





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

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Ordinary Meeting of Council Tuesday, 25<sup>th</sup> of October 2022

**10.1 Subject:** WHS Report – August 2022

**Attachments:** Nil

**Author:** WHS Officer

**Date:** 20 October 2022

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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 September 2022.

**Recommendation:**

*That Council receives the August 2022 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 September 2022.

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:** 124059



		Actual	Budget
3700	Workplace Health and Safety	\$60,922.31	\$194,000

- Attended McKinlay Depot to organise a computer for better incident reporting.
- Attended McKinlay to do Hazard Inspections and Traffic Counter Inspections.
- Inspected traffic Counter on Byramine Road
- Inspected Dallgonally Culvert Job site with DERS
- Continued Organising Quotes for Training TMI, Working at Heights, Confined Spaces and Forklift Ticket.

- **LGW WorkCare** There has been a total of 2 Claims the year with a total amount incurred of \$7,879.
- **Incidents** in September there have been a total of (4) new incident for the month.
- **Outstanding Actions** total of 58 outstanding Actions (in Rectification Action Plan) and, Total of 17 outstanding Actions (in Skytrust).



**11. CLOSE**