



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

17 January 2023

ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
- 4.0 Confirmation of minutes
- 4.1 Confirmed Council Meeting Minutes 6 December 2022
- 4.2 Business Arising out of minutes of previous Meeting

5. ENGINEERING REPORT

- 5.1 Engineering Works Monthly Report
- 5.2 Arthur James Fontaine Sale to Crocker Rural

6. ENVIRONMENTAL & REGULATORY SERVICES REPORT

- 6.1 Environmental and Regulatory Services Monthly Report
- 6.2 Application for a siting concession/setback variation approval
- 6.3 Potential Road closure of parts of Lyrian Dora Vale Road
- 6.4 Assessment Manager Determination – Development Application AACo

7. COMMUNITY SERVICES REPORT

- 7.1 Community Services Monthly Report

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Monthly Report
- 8.2 Request to Write-Off Rates Charges
- 8.3 Register of Delegations

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 09:00am.

2. ATTENDANCE

Mayor: Cr. P Curr (teleconference)

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

Director of Corporate & Community Services, Ms. Tenneil Cody

Environmental Regulatory Services, Team Leader, Ms. Megan Pellow

Apologies:

Executive Assistant, Mrs. Melissa Mussig

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 6 December 2022.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 6 December 2022 be confirmed.

Resolution No.106/2223

Minutes of the Ordinary Meeting of Council held on 6 December 2022 confirmed.

Moved Cr. Fegan

Seconded Cr. Lynch

CARRIED 5/0

4.2 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

5. ENGINEERING SERVICES

5.1 Engineering Works Report

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

RECOMMENDATION

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

Resolution 107/2223

Council receives the Engineering Services monthly report for December 2022.

Moved Cr. Fegan

Seconded Cr. Royes

CARRIED 5/0

5.2 Arthur James Fontaine Sale to Crocker Rural

Correspondence has been received from Crocker Rural outlining their purchase of Arthur (Mick) Fontaine's business. Crocker has requested that they be considered for machinery hire and roadworks contracts.

RECOMMENDATION

That Council resolve to;

- a. Accede to the request From Crocker Rural Pty Ltd to take over the tender of Arthur James Fontaine on the T2021005 PSA Road Construction and Maintenance and the T2021006 PSA Wet and Dry Hire of Plant and:
- b. Instruct staff to make the necessary administrative arrangements.

Resolution No.108/2223

That Council resolve to;

- a. Accede to the request From Crocker Rural Pty Ltd to take over the tender of Arthur James Fontaine on the T2021005 PSA Road Construction and Maintenance and the T2021006 PSA Wet and Dry Hire of Plant and:
- b. Instruct staff to make the necessary administrative arrangements.

Moved Cr. Pratt

Seconded Cr. Lynch

CARRIED 5/0

ENVIROMENTAL AND REGULATORY SERVICES

6.1 Environmental and Regulatory Services Report

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

RECOMMENDATION

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

Resolution No. 109/2223

Council receives the December 2022 Environmental and Regulatory Services Report.

Moved Cr. Fegan

Seconded Cr. Royes

CARRIED 5/0

6.2 Application for a siting concession/setback variation approval – new dwelling at 91 Goldring Street, Julia Creek QLD 4823

McKinlay Shire Council has received correspondence from Westbuilt Homes acting on behalf of Scott & Michele Zadow requesting approval for a siting concession/setback variation for a proposed new dwelling at 91 Goldring Street, Julia Creek also known as Lot 1 on EN148.

RECOMMENDATION

That Council resolves to approve the siting concession/setback variation request made by Westbuilt Homes on behalf of Scott & Michele Zadow at 91 Goldring Street, Julia Creek also known as Lot 1 on EN148 for a proposed new dwelling.

Resolution No. 110/2223

That Council resolves to approve the siting concession/setback variation request made by Westbuilt Homes on behalf of Scott & Michele Zadow at 91 Goldring Street, Julia Creek also known as Lot 1 on EN148 for a proposed new dwelling.

Moved Cr. Lynch

Seconded Cr. Royes

CARRIED 5/0

6.3 Potential Road closure of parts of Lyrian Dora Vale Road

Council have received correspondence from AA Company seeking Council's input into the potential road closure of parts of Lyrian Dora Vale Road associated with the establishment of AACo's Gulf Irrigation Project.

RECOMMENDATION

That Council resolves to advise AACo that it has no objections or requirements to their application for a potential road closure of parts of Lyrian Dora Vale Road as presented and authorises the Chief Executive Officer to complete and return Part C – Form LA30 Statement in relation to an application under the Land Act 1994 over State Land.

Resolution No. 111/2223

That Council resolves to advise AACo that it has no objections or requirements to their application for a potential road closure of parts of Lyrian Dora Vale Road as presented and authorises the Chief Executive Officer to complete and return Part C – Form LA30 Statement in relation to an application under the Land Act 1994 over State Land.

Moved Cr. Curr

Seconded Cr. Lynch

CARRIED 5/0

6.4 Assessment Manager Determination – Development Application ACo – Gulf Irrigation Project – Project Number: BE220053.01

Council have received correspondence from Epic Environmental acting on behalf of AA Company Pty Ltd seeking Council's views on the appropriate assessment manager for proposed Gulf Irrigation Project development application.

RECOMMENDATION

That Council resolves to respond to Epic Environmental and advise that due to the entirety of the channel footprint being located within McKinlay Shire and that no development is proposed on the property within Carpentaria Shire, McKinlay Shire Council would be the assessment manager for the Gulf Irrigation Project development application.

Resolution No. 112/2223

That Council resolves to respond to Epic Environmental and advise that due to the entirety of the channel footprint being located within McKinlay Shire and that no development is proposed on the property within Carpentaria Shire, McKinlay Shire Council would be the assessment manager for the Gulf Irrigation Project development application

Moved Cr. Fegan

Seconded Cr. 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 December 2022.

RECOMMENDATION

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

Resolution No. 113/2223

Council receives the Community Services monthly report for December 2022.

Moved Cr. Fegan

Seconded Cr. Royes

CARRIED 5/0

8. CORPORATE SERVICES

8.1 The Corporate Services Report

The Corporate Services Report as of December 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 December 2022.

Resolution No. 114/2223

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

Moved Cr. Fegan

Seconded Cr. Lynch

CARRIED 5/0

8.2 Request to Write-Off Rates Charges

Request to Council to write off the outstanding legal fees on Rates Assessment #68 of \$9,348.80, as per requirement of the Debtor Policy.

RECOMMENDATION

That Council resolve to write off \$9,348.80 of outstanding legal fees on Rates Assessment #68.

Resolution No. 115/2223

That Council resolve to write off \$9,348.80 of outstanding legal fees on Rates Assessment #68.

Moved Cr. Lynch

Seconded Cr. Pratt

CARRIED 5/0

8.3 Register of Delegations

Provisions of the *Local Government Act 2009* allow Council to delegate a power under the Act or another Act to the Chief Executive Officer. Further to this the Act requires the Chief Executive Officer to keep a Register of those Delegations. Due to recent legislative changes, amendments to the Delegations Register – Council to CEO have been required and Council is presented with the revised delegations for those Acts to be included in the Register of Delegations – Council to CEO for consideration.

RECOMMENDATION

That all powers referred to in the document titled “Register of Delegations January 2023 – Council to CEO” attached to this report are hereby delegated by Council to the Chief Executive Officer of Council pursuant to section 257 of the Local Government Act 2009. All prior delegations of powers under the Regulations and Acts contained in this amendment report are repealed.

Further

That the following previously delegated powers under the Nature Conservation (Administration) Regulation 2017, the Nature Conservation (Wildlife Management) Regulation 2006 and Residential Tenancies and Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020 be repealed and removed from the register.

Resolution No. 116/2223

That all powers referred to in the document titled “Register of Delegations January 2023 – Council to CEO” attached to this report are hereby delegated by Council to the Chief Executive Officer of Council pursuant to section 257 of the Local Government Act 2009. All prior delegations of powers under the Regulations and Acts contained in this amendment report are repealed.

Further

That the following previously delegated powers under the Nature Conservation (Administration) Regulation 2017, the Nature Conservation (Wildlife Management) Regulation 2006 and Residential Tenancies and

Rooming Accommodation (COVID-19 Emergency Response) Regulation 2020 be repealed and removed from the register.

Moved Cr. Fegan

Seconded Cr. Royes

CARRIED 5/0

9. CHIEF EXECUTIVE OFFICER

9.1 Chief Executive Officer's Report

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 11th January 2023 except where amended or varied by separate resolution of Council.

Resolution No.117/2223

That Council receive and note the report from the Chief Executive Officer for the period ending 11th January 2023 except where amended or varied by separate resolution of Council.

Moved Cr. Fegan

Seconded Cr. Royes

CARRIED 5/0

1. North West Queensland Regional Biosecurity Plan 2022-2027

The North West Queensland Regional Biosecurity Plan has been facilitated and compiled by Southern Gulf NRM and developed in partnership with the North West Queensland Regional Organisation of Council's (NWQROC) participating councils: Burke, Carpentaria, Cloncurry, Doomadgee, Etheridge, Flinders, McKinlay, Mount Isa and Richmond Councils, as well as Croydon Shire Council, in consultation with regional stakeholders.

The plan is to assist all stakeholders in the region to protect and restore the environment through best management practices. The plan establishes a catchment approach to the management of invasive biosecurity matter.

RECOMMENDATION

Council adopts the North West Queensland Regional Biosecurity Plan 2022 – 2027.

Resolution No.118/2223

Council adopted the North West Queensland Regional Biosecurity Plan 2022 – 2027.

Moved Cr. Lynch

Seconded Cr. Curr

CARRIED 5/0

10. WORKPLACE HEALTH AND SAFETY



10.1 Workplace Health and Safety

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of December 2022.

RECOMMENDATION

That Council receives the December 2022 WHS Report.

Resolution No. 119/2223

Council receives the December 2022 WHS Report.

Moved Cr. Curr

Seconded Cr. Pratt

CARRIED 5/0

General Business – Councillor Requests

11. CLOSURE OF MEETING

The Chair of the meeting Mayor Philip Curr declared the meeting closed at 10:23am.