

CONFIRMED MINUTES



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARD ROOM, CIVIC CENTRE
JULIA CREEK

15th December 2015

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1. OPENING BUSINESS

All Councillors having signed the Attendance Book, the Mayor declared the meeting open 9:05am

2. ATTENDANCE

Mayor: Cr. B Murphy

Members: Cr. E Hick, Cr. P. Curr (teleconference), Cr. N. Walker (teleconference), Cr. A. Batt

Staff:

Acting Chief Executive Officer and Director of Corporate and Community Services Mrs Tenneil Cody
Director of Environment and Regulatory Services Mr Geoff Rintoul
Executive Assistant Mrs Linda McNab

Apologies:

Director of Engineering Mr. Brian Wood
Chief Executive Officer Mr Aaron Childs

Other people in attendance:

3. CONFIRMATION OF MINUTES

Confirmation of minutes from the Ordinary Meeting held on 17th November 2015 as previously circulated to Councillors.

Moved Cr. A Batt

Seconded Cr. E Hick

That the minutes of the Ordinary meeting held on 17th November 2015 be confirmed.

CARRIED 5/0

Resolution No.117/1516

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

5. ENGINEERING SERVICES REPORT

5.1 Engineering Works Report

Moved Cr. N Walker

Seconded Cr. A Batt

That Council receive the Engineering Services Works Report

CARRIED 5/0

Resolution No.118/1516

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5.2 Scenic Lookout Upgrade Program

TMR has advised that \$3 million is allocated for the upgrade of existing tourist lookouts on key strategic tourist routes to improve safety, accessibility and amenity.

Under the Program guidelines sites will be focused on existing formal scenic lookout facilities on the state-controlled and local government road networks. Priority will be given to sites on Queensland's strategic drive tourism routes or high trafficked regional tourist routes.

Nomination for sites on local government-controlled roads require endorsement from the relevant Regional Roads and Transport Groups (RRTG). Funding of sites on local government-controlled roads, is subject to 50:50 contribution by local government and state government.

Recommendation:

That Council submit an application to TMR for funding for a scenic lookout at a location about 4.00 kms south of Sedan Dip on the Beef Road.

Council consult with Sedan Dip committee to ensure their views are taken into account.

Moved Cr. E Hick

Seconded Cr. N Walker

That Council submit an application to TMR for funding for a scenic lookout at a location about 4.00 kms south of Sedan Dip on the Beef Road and consult with Sedan Dip committee to ensure their views are taken into account.

Resolution No.119/1516

CARRIED 5/0

5.3 2015 Event Flood Damage Restoration Management

AECOM delivered a presentation at the PLT meeting on 25 November 2015. This follows the formal proposal submitted by AECOM for the Principal Contractor option. This recent presentation compares the management of the 2015 flood restoration works under current arrangements that have been utilised for the 2013 and 2014 events with the Principal Contractor option.

Recommendation:

That Council engage AECOM to perform the Principal Contractor role on selected works/sites for the 2015 flood restoration event and the particular works/sites to be decided.

Moved Cr. P Curr

Seconded Cr. A Batt

That Council engage AECOM to perform the Principal Contractor role on selected works/sites for the 2015 flood restoration event and the particular works/sites to be decided by Council.

Resolution No.120/1516

CARRIED 5/0

Attendance – Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 9:22am

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6. ENVIRONMENT AND REGULATORY SERVICES REPORT

6.1 Environment and Regulatory Works Report – November 2015

This report outlines the general activities, revenue and expenditure for the department for the period of October 2015 and generally up to date of writing this report.

Moved Cr. N Walker

Seconded Cr. A Batt

That Council receive the November 2015 Environment and Regulatory Services Works Report.

CARRIED 5/0

Resolution No.121/1516

6.2 Application for Renewal of Term Lease 49131 over Lot 17 on Crown Plan JC55721 County of Eddington Parish of Hilton

This report makes recommendation to Council to provide relative comments to the Department of Natural Resources and Mines (DNRM) for the application for Renewal of Term Lease 49131 over Lot 17 on Crown Plan JC55721 County of Eddington Parish of Hilton.

Council has received a request from the Department to provide comment or provide any conditions that may be required for the proposed renewal of lease.

Lot 17 on Crown Plan JC55721 is about 1004m² in area and is located at 17 Byrne Street, Julia Creek.

There are Council services connected and charged to the property these include water, sewerage and refuse collection. There is an existing high set dwelling and shed on the property.

Recommendation:

That Council advises the Department of Natural Resources and Mines that in relation to the proposed application for Renewal of Term Lease 49131 over Lot 17 on Crown Plan JC55721 that;

- 1. Council has no specific requirements in relation for the proposed renewal;*
- 2. The applicant should note that there are current rates and charges for this property; and*
- 3. All costs related to the application are borne by the applicant*

Moved Cr. N Walker

Seconded Cr. E Hick

That Council advises the Department of Natural Resources and Mines that in relation to the proposed application for Renewal of Term Lease 49131 over Lot 17 on Crown Plan JC55721 that;

- Council has no specific requirements in relation for the proposed renewal;
- The applicant should note that there are current rates and charges for this property; and
- All costs related to the application are borne by the applicant.

CARRIED 5/0

Resolution No.122/1516

6.3 Native Title Claim QUD592/2015 and QUD558/2015

This report makes recommendation to Council to seek legal representation and funding in relation to two (2) Native Title Claims recently lodged over approximately 43% of the McKinlay Shire Local Government Area.

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Council has received correspondence from Gilkerson Legal advising of recent Native Title Claims lodged that have or will impact on McKinlay Shire. They are;

Claim no.	Application name	Claim Area over LGA (external boundary only) Sq Kms	Percentage % of LGA covered by claim
QUD592/2015	Koa People	2545.91	6.25%
QUD558/2015	Mitakoodi Mayi People#5	15197.12	37.31%

It is understood that the claims will be formally advertised in the next few months or so and possibly as early as the 16th December. It is likely that the local authority's infrastructure and holdings will be impacted under such claims, however the extent is not yet known.

Financial assistance is available to local authorities should there be a need to progress any matters either as part of the claim or in court. Further it is likely that neighboring local authorities will also be impacted, there is logic in any representation being a combined approach. Those local authorities adjoining McKinlay Shire are;

1. Winton;
2. Cloncurry; and
3. Carpentaria.

There are seven (7) Local Authorities affected in total in regards to these two claims. A number of which have already spoken to the CEO regarding a coordinated approach to this matter.

Recommendation:

That Council in regards to Native Title Claims QUD592/2015 and QUD558/2015 approve the Chief Executive Officer to;

1. *seek legal representation as required;*
2. *seek the appropriate financial assistance as and when required;*
3. *where practical to do so – enter into a joint action with relevant Local Authorities; and*
4. *report back to Council on progress on a regular basis.*

Moved Cr. A Batt

Seconded Cr. N Walker

That Council in regards to Native Title Claims QUD592/2015 and QUD558/2015 approve the Chief Executive Officer to;

1. seek legal representation as required;
2. seek the appropriate financial assistance as and when required;
3. where practical to do so – enter into a joint action with relevant Local Authorities; and
4. report back to Council on progress on a regular basis.

CARRIED 5/0

Resolution No.123/1516

6.4 Railway Carriage at Duncan McIntyre Museum

This report makes recommendation to Council to approve the construction of a small shed at the Duncan McIntyre Museum, Julia Creek.

Council has received correspondence from the Julia Creek Historical Society advising they have been successful in a grant application to construct a small shed in place of the existing rail carriage at the Museum.

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Council should note that the society has until September 2016 to complete the works. Council will be aware of previous discussions relating to the matter and importantly the condition of the existing carriage.

The intent is for the demolition of the existing carriage and the subsequent construction of a new shed approximately 8 meters long and 3 meters wide generally in the same area of the existing carriage. The new shed will house railway memorabilia including some of the original fixtures and furniture from the old carriage.

It is the intent that the demolition will be carried out by Work Camp and the construction of new shed by a local contractor.

This project will allow the completion of the western side of the museum's attractions and enhance the overall amenity of the facility. Note that these future works will be programmed when the new works are completed and may require further approval by Council prior to commencement of works.

Recommendation:

That Council advises the Julia Creek Historical Society that it approves;

- 1. the removal of the existing Train Carriage;*
- 2. the construction of a shed of approximately 8 meters long and 3 meters for museum display purposes;*
- 3. the final location of the new structure is to be agreed by council, however not to be closer than 6 meters from the front boundary; and*
- 4. the society is responsible for all applications, permits and costs associated with the work.*

Moved Cr. E Hick

Seconded Cr. A Batt

That Council advises the Julia Creek Historical Society that it approves;

1. the removal of the existing Train Carriage;
2. the construction of a shed of approximately 8 meters long and 3 meters for museum display purposes;
3. the final location of the new structure is to be agreed by council, however not to be closer than 6 meters from the front boundary; and
4. the society is responsible for all applications, permits and costs associated with the work.

CARRIED 5/0

Resolution No.124/1516

Attendance – Tenneil Cody, Linda McNab and Geoff Rintoul left the meeting at 10:04am

RECESS: 10:03am-10:55am The Mayor adjourned the meeting for morning tea

PROCEDURAL MOTION

Moved Cr. E Hick

Seconded Cr. N Walker

That Council resolve that the meeting be closed to the public under section 275 1(a) of the Local Government Regulation 2012.

CARRIED 5/0

Resolution No. 125/1516

Closure of meeting – 10:56am -10:57am

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PROCEDURAL MOTION

Moved Cr. A Batt

Seconded Cr. P Curr

That Council resolve to re-open the meeting to the public.

CARRIED 5/0

Resolution No.126/1516

Attendance – Tenneil Cody and Linda McNab re-entered the Council meeting at 10:57am

Moved Cr. E Hick

Seconded Cr. A Batt

That Council resolve to delegate to the Mayor and Deputy Mayor the authority to manage the earlier exit of the CEO with conditions considered reasonable by them having regard to costs of current CEO up until proposed separation date.

CARRIED 5/0

Resolution No.127/1516

Attendance – Cr. Philip Curr left the teleconference at 10:58am and Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 11:00am

Cr Murphy declared a real conflict of interest (as per section 173 of the Local Government Act 2009) in relation to general discussions on information and progress of the Fegan/Murphy land zoning by the Director of Environment and Regulatory Services. Cr Murphy left the meeting at 11:15am taking no part in the discussion.

Attendance – Cr Murphy re-entered the meeting at 11:22am

Attendance - Director of Environment and Regulatory Services Geoff Rintoul left the meeting at 11:27am

7. COMMUNITY SERVICES REPORT

7.1 Community Services Report

Moved Cr. N Walker

Seconded Cr. E Hick

That Council receive the Community Services Report.

CARRIED 4/0

Resolution No.128/1516

7.2 Tourism Strategy 2016

A Tourism Strategy meeting was held on 23rd November 2015 with Cr Murphy, Cr Batt, Tenneil Cody, Jade Lyons, Georgia Fleming and Katrina Harling. Amy Thieme was an apology. Many ideas were discussed to market the Shire and are summarised within this report.

Recommendation:

That Council receive the information

Moved Cr. A Batt

Seconded Cr. E Hick

That Council receive the information

CARRIED 4/0

Resolution No.129/1516

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7.3 Julia Creek Dirt n Dust Festival Memorandum of Understanding

Council has received written correspondence from the Julia Creek Dirt & Dust Festival requesting Council to reconsider the financial and in-kind support provided to the event for the coming four years.

Recommendation:

That Council approve the Memorandum of Understanding as presented and authorise the Chief Executive Officer to execute the agreement.

Moved Cr. E Hick

Seconded Cr. N Walker

That Council approve the Memorandum of Understanding as presented and authorise the Chief Executive Officer to execute the agreement.

CARRIED 4/0

Resolution No.130/1516

7.4 University of Queensland Aerodrome Survey Report

Council has received a Draft Aerodrome Survey Report on the results of the small animal survey conducted in the Julia Creek aerodrome in July 2015.

Recommendation:

That Council receives the report for information purposes only.

Moved Cr. N Walker

Seconded Cr. A Batt

That Council receives the report for information purposes only.

CARRIED 4/0

Resolution No.131/1516

8. CORPORATE SERVICES REPORT

8.1 Corporate Services Report

Moved Cr. E Hick

Seconded Cr. A Batt

That Council receive the December Corporate Services Report.

CARRIED 4/0

Resolution No. 132/1516

8.2 Updated organisational structure

The updated organisational structure, dated November 2015, reflects the following changes:

New Roles:

- Swimming Pool Manager (previously a contractor position)
- Casual Pool Officer

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- Casual Pool and Leisure Officer
- Asset and Quality Assurance Coordinator
- Workplace Health and Safety and Risk Management Officer
- Tourism Coordinator

(To commence 18th January 2016)

- Early Learning Centre Director
- Early Learning Centre Teacher and Education Leader
- Early Learning Centre Assistant Educator

Previous position titles:

- Builder
- Workshop Apprentice
- Environmental Health Cadet
- Animal Control Officer
- Workshop Serviceman

New position titles:

- Asset Maintenance Officer
- Workshop Mechanic
- Environment and Regulatory Services Administration Officer
- Local Laws Officer
- Workshop Supervisor

Recommendation:

That council considers adopting the McKinlay Shire Council Organisational Structure - Version 2.2 as presented.

Moved Cr. N Walker

Seconded Cr. A Batt

That council adopt the McKinlay Shire Council Organisational Structure - Version 2.2 as presented.

CARRIED 4/0

Resolution No. 133/1516

8.3 North West Queensland Regional Organisation of Councils (ROC) Membership

Council has been a member of the North West Queensland Regional Organisation of Councils (NWQROC) since its inception in 2013. The group has had recent discussions regarding the objectives of the group and the membership fees required to meet the objectives. An increase in membership is requested for consideration.

Recommendation:

That Council commit to the membership of the North West Queensland Regional Organisation of Councils (NWQROC) with an annual fee of \$10,000 commencing 1 July 2016.

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11. MEMBERS BUSINESS

Cr. Murphy presented Council with the QAO Final Management Report for McKinlay Shire Council. As per the *Local Government Regulation 2012 s213 (3)* The Mayor must present a copy of the report at the next ordinary meeting of the local government.

Cr Murphy presented email from Suncorp to Council in relation to ongoing support. The Mayor has requested further information to enable council to make an informed decision. It is anticipated that this will be provided to the Ordinary Council meeting in January 2016.

Max Employment had discussions with Mayor regarding the Work for the dole program and it's possible implementation into our Shire.

Adjournment: Mayor adjourned the meeting at 12:34pm and re-opened at 12:58 to receive a late agenda item from Director of Environment and Regulatory Services Geoff Rintoul.

LATE AGENDA ITEM

11.1 Request for Agistment – Punchbowl Paddock

This report makes recommendation to Council to approve the use of the Punchbowl Road Paddock for agistment of three (3) stock horses for a defined period.

Council has received a request from Georgia Fleming and Dane Crocker for the lease of the paddock. The applicants acknowledge that there is little to no feed and they will have to provide same as required.

The paddock has previously run up to 20 head of cattle for between 6-9 months of the *year*, however given the recent dry conditions the available feed on site is minimal. The site is serviced by a water trough and water supply. There have been no recent requests for paddocks in the Julia Creek area for this type of use.

Councils Ranger believes that this request is consistent with the general use of the site. However may be underutilized with only the three (3) horses in the medium/long term.

Moved Cr. E Hick

Seconded Cr. A Batt

That Council approves the use for agistment purposes of the Punchbowl Road Paddock to Georgia Fleming and Dane Crocker based on the following conditions;

1. the duration is to 31st March 2016;
2. fees for the use of the paddock is based on the standard agistment fees under McKinlay Shire Councils fees and charges for agistment of livestock; payable one (1) month in advance via Councils standard monthly invoice ;
3. the use is for three (3) stock horses only;
4. the occupier is responsible for:
 - a. Feeding and watering of stock on a day to day basis;
 - b. Repairs to fencing, water troughs and any other structures that is damaged by the tenant and or stock;
 - c. Tick treatment and PIC management as required; and Animal husbandry requirements.

CARRIED 4/0

Resolution No.139/1516

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MOTION

Moved Cr. N Walker

Seconded Cr. A Batt

That Council resolve to appoint Tenneil Cody as acting Chief Executive Officer from the 15th December 2015 through to the commencement date of the interim CEO John Kelly.

CARRIED 4/0

Resolution No.140/1516

12. CLOSURE OF MEETING

The Chair of the meeting, Cr. Belinda Murphy declared the meeting closed at 1:05pm

Cr Belinda Murphy
Mayor