



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

15 August 2023

ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
- 4.0 Confirmation of minutes
- 4.1 Confirmed Ordinary Council Meeting Minutes 18 July 2023
- 4.2 Business Arising out of minutes of previous Meeting

5. ENGINEERING REPORT

- 5.1 Engineering Works Monthly Report
- 5.2 Tender T2021005 and T2021006 Proposed extension

6. ENVIRONMENTAL & REGULATORY SERVICES REPORT

- 6.1 Environmental and Regulatory Services Monthly Report
- 6.2 CONFIDENTIAL - Proposed purchase of Lot 8 on EN 125
- 6.3 Surrender and re-issue of Permit to Occupy over Lot A on AP3556, Lot 1 on PER4326 and Lot 1 on PER209520
- 6.4 Assessment of Conversion of Term Lease 0/240512 described as Lot 1 on Crown Plan CP909887

7. COMMUNITY SERVICES REPORT

- 7.1 Community Services Monthly Report
- 7.2 McKinlay Shire Council RADF co-contribution 2023/24

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Monthly Report

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, Deputy Mayor Janene Fegan declared the meeting open at 08:32am.

2. ATTENDANCE

Mayor:

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
Executive Assistant, Mrs. Melissa Mussig

Apologies: Cr. P Curr

Other people in attendance:

3. DECLARATION OF CONFLICT OF INTEREST

4. CONFIRMATION OF MINUTES

4.1 Confirmation of Minutes

Confirmation of Minutes of the Ordinary Meeting of Council held on the 18 July 2023 be confirmed.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 18 July 2023 be confirmed.

Resolution No. 001/2324

Minutes of the Ordinary Meeting of Council held on 18 July 2023 confirmed.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 4/0

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 July 2023.

RECOMMENDATION

That Council receives the Engineering Services monthly report for July 2023.

Resolution 002/2324

Council receives the Engineering Services monthly report for July 2023.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 4/0

5.2 Proposed Extension T2021005 and T2021006

Proposed extension to existing tenders T2021005 Road Construction and Maintenance and T2021006 Wet and Dry Hire of Plant.

RECOMMENDATION

That Council resolve to:

- a. Extend Tender T2021005 Road Construction and Maintenance to 30th November 2023 and;
- b. Extend Tender T2021006 Wet and Dry Hire of Plant to 30th November 2023 and;
- c. Notify existing tenderers of the extension

Resolution 003/2324

That Council resolve to:

- a. Extend Tender T2021005 Road Construction and Maintenance to 30th November 2023 and;
- b. Extend Tender T2021006 Wet and Dry Hire of Plant to 30th November 2023 and;
- c. Notify existing tenderers of the extension

Moved Cr. S Royes

Seconded Cr. J Lynch

CARRIED 4/0

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 July 2023.

RECOMMENDATION

That Council receives the July 2023 Environmental and Regulatory Services Report.

Resolution No. 004/2324

Council receives the July 2023 Environmental and Regulatory Services Report.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 4/0

PROCEDURAL MOTION

That the meeting be closed to the public in accordance with Section 275 (1) (e) of the Local Government Regulation 2012.

Resolution No. 005/2324

Council resolves to close the meeting to the public in accordance with Section 275 (1) (e) of the Local Government Regulation 2012.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 4/0

6.2 This report is CONFIDENTIAL in accordance with *Section 254J (3)(e) and (h) of the Local Government Regulation 2012*, as the report will discuss negotiations relating to the taking of land (native title interest) by the local government under the *Acquisition of Land Act 1967* and consideration of legal advice obtained.

PROCEDURAL MOTION

Resolution No. 006/2324

Council resolves to re-open the Ordinary Meeting of Council to the public.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 4/0

RECOMMENDATION

Council resolves to:

- (a) acquire Native Title rights and interests in respect of Lot 8 on EN 125 (“the Land”) pursuant to the Acquisition of Land Act 1967 (“the Act”);
- (b) delegate to the Chief Executive Officer the power to take any steps necessary, including by preparing, executing and issuing on behalf of Council all relevant documents (including but not limited to a Notice of Intention to Resume), to give effect to the acquisition referred to in paragraph (a) of this resolution, and the purchase of the Land from the State of Queensland.

Resolution No. 007/2324

Council resolves to:

- (a) acquire Native Title rights and interests in respect of Lot 8 on EN 125 (“the Land”) pursuant to the Acquisition of Land Act 1967 (“the Act”);
- (b) delegate to the Chief Executive Officer the power to take any steps necessary, including by preparing, executing and issuing on behalf of Council all relevant documents (including but not limited to a Notice of Intention to Resume), to give effect to the acquisition referred to in paragraph (a) of this resolution, and the purchase of the Land from the State of Queensland.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 4/0

6.3 Surrender and re-issue of Permit to Occupy over Lot A on AP3556, Lot 1 on PER4326 and Lot 1 on PER209520

Email correspondence has been received from the solicitor acting on behalf of landowners of three (3) properties requesting Council complete Part C for the surrender and re-issue of permit to occupy applications of the following parcels of land for the purposes of grazing:

1. Lot A on AP3556
2. Lot 1 on PER4326
3. Lot 1 on PER209520

RECOMMENDATION

That Council resolves to:

- a) Authorise 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 for all three (3) applications advising that the application will be authorized by the road manager or trustee of the reserve land and advise that no further contact with Department of Resources is needed at this time. A formal application to the road manager or reserve trustee will be required for Council to issue the permits.
- b) Commence the application process with the landowners

Resolution No. 008/2324

That Council resolves to:

- a) Authorise 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 for all three (3) applications advising that the application will be authorized by the road manager or trustee of the reserve land and advise that no further contact with Department of Resources is needed at this time. A formal application to the road manager or reserve trustee will be required for Council to issue the permits.
- b) Commence the application process with the landowners

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

6.4 Assessment of Conversion of Term Lease 0/240512 described as Lot 1 on Crown Plan CP909887

Correspondence has been received from the Department of Resources (DoR) requesting Council's views and/or requirements including objections for the conversion of Term Lease 0/240512 to Freehold on Lot 1 on CP909887.

RECOMMENDATION

That Council resolves to:

1. Advise the Department of Resources (DoR) that it has objections and/or requirements for the application for a conversion of Term Lease 0/240512 to freehold for Lot 1 on CP909887, as the proposal interferes with the pre-existing Council walking track. Council has no objection to the proposed free holding, if the new boundary is modified to allow the existing Council walking track to be located in the road reserve.

Resolution No. 009/2324

That Council resolves to:

1. Advise the Department of Resources (DoR) that it has objections and/or requirements for the application for a conversion of Term Lease 0/240512 to freehold for Lot 1 on CP909887, as the proposal interferes with the pre-existing Council walking track. Council has no objection to the proposed free holding, if the new boundary is modified to allow the existing Council walking track to be located in the road reserve.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 4/0

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 July 2023.

RECOMMENDATION

That Council receives the Community Services monthly report for July 2023.

Resolution No. 010/2324

Council receives the Community Services monthly report for July 2023.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 4/0

7.2 McKinlay Shire Council RADF co-contribution 2023/24

Council has been liaising with Arts Queensland to finalise available funding for the Regional Arts Development Fund in 2023/24 which is essential to allow Council to support community arts and cultural workshops and activities. Arts Queensland are still working towards a new RADF application process from yearly applications to multi-year applications. This new process is still not finalised and as a result, Arts Queensland are extending the 2021/22 RADF Agreements through until September 30 2024. Council will be allocated a total of \$21,000 through the program and as per the guidelines is required to match 10% of the requested amount.

RECOMMENDATION

Council resolves to contribute \$2,100 to the 2022/23 RADF Program to support community arts and cultural projects.

Resolution No. 011/2324

Council resolves to contribute \$2,100 to the 2022/23 RADF Program to support community arts and cultural projects.

Moved Cr. S Royes

Seconded Cr. J Lynch

CARRIED 4/0

7.3 Community Sponsorship Request Julia Creek Combined Sporting Association

Council has received a Community Sponsorship Request from the Julia Creek Combined Sporting Association for the value of \$5,000 cash for their '2023 Big Weekend' event. The club is planning to host the 10th anniversary of Town vs Country Rugby League match this year, along with a Town vs Country Netball match and fundraising ball.

RECOMMENDATION

Council resolves to approve the Community Sponsorship Request for the Julia Creek Combined Sporting Association for \$5,000 cash.

Resolution No. 012/2324

Council resolves to approve the Community Sponsorship Request for the Julia Creek Combined Sporting Association for \$5,000 cash.

Moved Cr. S Royes

Seconded Cr. J Lynch

CARRIED 4/0

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

The Corporate Services Report as of July 2023 which summarises the financial performance and position is presented to Council.

RECOMMENDATION

That Council receives the monthly Corporate Services Report for the period ending July 2023.

Resolution No. 013/2324

Council receives the monthly Corporate Services Report for the period ending July 2023.

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 4/0

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 9th August 2023 except where amended or varied by separate resolution of Council.

Resolution No. 014/2324

That Council receive and note the report from the Chief Executive Officer for the period ending 9th August 2023 except where amended or varied by separate resolution of Council.

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 4/0

9.2 Western Queensland Alliance of Councils Assembly 2023

The Western Queensland Alliance of Councils (WQAC) Assembly is being held in Winton from Tuesday 26th September until Thursday 28th September 2023.

It is recommended that Council approve the attendance of Councillors Curr and Pratt to the WQAC Assembly in Winton from the 26th to the 28th September 2023. It is also recommended that Council approve the attendance of Cr. Fegan to the WQAC Assembly should either of the two Councillors be unable to attend.

RECOMMENDATION

Council approves the attendance of Councilors Curr and Pratt to the Western Queensland Alliance of Councils Assembly in Winton from the 26th to the 28th September 2023, and approves the attendance of Councilor Fegan or Councilor Royes or Councilor Lynch should either of the two Councilors be unable to attend.

Resolution No. 015/2324

Council approves the attendance of Councilors Curr and Pratt to the Western Queensland Alliance of Councils Assembly in Winton from the 26th to the 28th September 2023, and approves the attendance of Councilor Fegan or Councilor Royes or Councilor Lynch should either of the two Councilors be unable to attend.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 4/0

9.3 MITEZ Meeting Hughenden 24th August

The next MITEZ meeting, focusing on Agricultural Initiatives in the North West, will be held on 24th August in Hughenden. The meeting will discuss horticulture, grain, cotton, processing, beef, live cattle, technology and digital advancements, diversification and more.

It is recommended Council approve the attendance of Councilor Fegan to the next MITEZ meeting in Hughenden on the 24th August 2023.

RECOMMENDATION

Council approves the attendance of Councilor Fegan to the next MITEZ Meeting in Hughenden on 24th August 2023.

Resolution No. 016/2324

Council approves the attendance of Councilor Fegan to the next MITEZ Meeting in Hughenden on 24th August 2023.

Moved Cr. S Royes

Seconded Cr. J Lynch

CARRIED 4/0

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 June 2023.

RECOMMENDATION

That Council receives the July 2023 WHS Report.

Resolution No. 017/2324

That Council receives the July 2023 WHS Report.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 4/0

General Business – Councillor Requests

Council Fegan to attend the funeral of the late Cr Jason Ned, the Mayor of Doomadgee, which is being held in Doomadgee on Friday 18 August.

Resolution No. 018/2324

Council authorises the attendance of Council Fegan to attend the funeral of the late Cr Jason Ned, the Mayor of Doomadgee, which is being held in Doomadgee on Friday 18 August. Cr Fegan will fly to Doomadgee on a charter flight from Cloncurry with other local government representatives.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 4/0

11. CLOSURE OF MEETING

The Chair of the meeting Deputy Mayor Janene Fegan declared the meeting closed at 10:35am.

