



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARD ROOM, CIVIC CENTRE
JULIA CREEK

15th March 2016

CONFIRMED MINUTES

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CONFIRMED MINUTES

1. OPENING BUSINESS

All Councillors having signed the Attendance Book, the Mayor declared the meeting open at 9:03am

2. ATTENDANCE

Mayor: Cr. B Murphy

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

Staff:

Interim Chief Executive Officer Mr John Kelly
Director of Corporate and Community Services Mrs Tenneil Cody
Director of Engineering Services Mr Brian Wood
Director of Environment and Regulatory Services Mr Geoff Rintoul
Executive Assistant Linda McNab

Apologies:

Other people in attendance:

Nicholas Lodewyk

3. CONFIRMATION OF MINUTES

Confirmation of minutes from the Ordinary Meeting held on 16th February 2016 as previously circulated to Councillors.

Moved Cr. A. Batt

Seconded Cr. E. Hick

That the minutes of the Ordinary meeting held on 16th February 2016 be confirmed.

CARRIED 5/0

Resolution No.178/1516

Confirmation of minutes from the Special Meeting held on 11th March 2016 as previously circulated to Councillors.

Moved Cr. N. Walker

Seconded Cr. P.Curr

That the minutes of the Special meeting held on 11th March 2016 be confirmed.

CARRIED 5/0

Resolution No.179/1516

4. BUSINESS ARISING FROM PREVIOUS MINUTES

LGIS are now undertaking financial checks of the successful tenderer and preparing a letter of acceptance for Tender for the Civic Centre Refurbishment.

5. ENGINEERING SERVICES REPORT

5.1 Engineering Works Report

Moved Cr. P.Curr

Seconded Cr. A.Batt

That Council receive the Engineering Services Works Report

CARRIED 5/0

Resolution No.180/1516

5.2 Resealing Rural Roads and Town Streets

As a result of strong competition in the bitumen sealing industry at present prices are very low and Council have made good savings on this work. The balance of the available budget is recommended on Nelia Bunda Road and 2 town streets.

Recommendation:

That the balance of funds in the resealing budget be utilised as planned on Nelia Bunda Rd and Mathew St and Church La.

Moved Cr. E. Hick

Seconded Cr. N. Walker

Due to competitive price savings in the current 15/16 reseal program council approve that the balance of funds be utilised as presented on Nelia Bunda Rd, Mathew Street and Church Lane.

CARRIED 5/0

Resolution No.181/1516

5.3 Punchbowl Bridge Procurement and Construction Supervision

The funding for Punchbowl bridge replacement is now in place and the next phase of procurement and construction supervision can begin.

Recommendation:

That Council accept the offer of AECOM for the procurement and construction supervision of the Punchbowl Bridge for the amount of \$101,210

Moved Cr. A Batt

Seconded Cr. N Walker

That Council accept the offer of AECOM for the procurement and construction supervision of the Punchbowl Bridge for the amount of \$101,210

CARRIED 5/0

Resolution No.182/1516

5.4 TIDS Program 2016/17 – 2019/20

The proposed 4 year TIDS programs for years 2016/17-2019/20 has been revised following the NWQRRTG meeting in Richmond on 19 February 2016.

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Recommendation:

That the revised 4 year TIDS program for 2016/17-2019/20 be agreed.

Moved Cr. P Curr

Seconded Cr. E Hick

That the revised 4 year TIDS program for 2016/17-2019/20 be agreed.

CARRIED 5/0

Resolution No.183/1516

Attendance - Director of Engineering Services Mr Brian Wood left the meeting at 10:05am

Attendance – Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 10:07am

6. ENVIRONMENT AND REGULATORY SERVICES REPORT

6.1 Environment and Regulatory Works Report – February 2016

This report outlines the general activities, revenue and expenditure for the department for the period of February 2016 and generally up to date of writing this report.

Moved Cr. N Walker

Seconded Cr. E Hick

That Council receive the February 2016 Environment and Regulatory Services Works Report.

CARRIED 5/0

Resolution No.184/1516

Cr Murphy declared a real conflict of interest (as per section 173 of the Local Government Act 2009) in relation to Agenda item 6.2 . Cr Murphy left the meeting taking no part in the debate or decision of the meeting.

Attendance - Cr. Murphy and Nicholas Lodewyk left the meeting at 10:16am

Cr. Batt Chaired the meeting.

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(g) of the Local Government Regulation 2012.

CARRIED 4/0

Resolution No. 185/1516

Closure of meeting – 10:16am

PROCEDURAL MOTION

Moved Cr. N Walker

Seconded Cr. A Batt

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

CARRIED 4/0

Resolution No.186/1516

Re-opening of Meeting – 10:23am

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6.2 Negotiated Decision Development Application – MCK 2015_04. Applicants Murphy and Fegan

This report makes recommendation to Council for the approval of a Negotiated Decision for Development Approval MCK 2015_04.

Council has received a request for a Negotiated Decision from the applicants via their Planning Consultants for a number of negotiated changes to the decision notice issued in January 2016.

At its January 2016 meeting, Council by Resolution no. 148/1516 approved, with conditions, the Development Application 2015_04 for a Material Change of Use for a Dwelling and a Preliminary Approval under section s242 of the SPA for use rights in accordance with the Rural Residential Zone.

The request for a Negotiated Decision to deal with administrative and minor technical matters that do not generally impact on the outcome of the approval to;

- a. an Impact Assessable Material Change of Use Development Permit for a Dwelling House as defined under the McKinlay Shire Council Planning Scheme located at Lot 4 on SP229752 Yorkshire Road, Julia Creek QLD 4823; *and*
- b. Preliminary Approval under section s242 of the SPA for use rights in accordance with the Rural Residential Zone is approved subject to the following conditions.

The original attachments to the decision notice stand and will be included as attachments to the Negotiated Decision Notice.

Recommendation:

That Council in accordance with the Sustainable Planning Act 2009 as amended notify the applicant that in regards to Impact Assessable Material Change of Use and a Preliminary Approval under section s242 of the SPA for use rights in accordance with the Rural Residential Zone;

- a. *approves the Negotiated Decision Notice for development application MCK2015_04; and*
- b. *Subject to the following conditions;*

A. ASSESSEMENT MANAGERS CONDITIONS (Council)

SCHEDULE OF CONDITIONS

Impact Assessable Material Change of Use Development Permit

Assessment Manager Conditions of Approval

General

- 1 Development is to be undertaken generally in accordance with the approved site plan attached (Drawing No. M822-SK02, Dated 07 May 2015), as amended, except where conditions of approval dictate otherwise.

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- 2 The proposed development is to comply with all conditions of approval prior to commencement of use.
- 3 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.

Refuse Storage

5. A refuse storage area for the dwelling is to be provided on site and is to be screened or stored so as not be visible from any street frontage or adjoining property.

Infrastructure

6. The developer is to ensure that the dwelling remains connected and serviced by all existing reticulated water, sewer, telecommunications and electricity services.

Advice

7. 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.
8. 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.

Impact Assessable Material Change of Use

Preliminary Approval under Section 242 of the Sustainable Planning Act 2009

Assessment Manager Conditions of Approval

General

- 1 Development is to be undertaken generally in accordance with the “Murphy Rural Residential Plan of Development May 2015” as amended, except where conditions of approval dictate otherwise.
- 2 The proposed development is to comply with all conditions of approval prior to commencement of use.

Amendments to Plan of Development

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3 Prior to the issuing of any building works or operational works applications over the site, the applicant is to amend the “Murphy Rural Residential Plan of Development” dated May 2015 in accordance with the requirements below and provide a copy to council. This amendment version is to be the version used to govern development over the site, subject to any future amendments formalised with Council:

4 Section 2.0 Intent and Purpose, sub-section (c) INSERT additional sentence “The POD restricts the further intensification of land uses through the management of flood inundation, restricting the creation of additional rural residential lots and the introduction of new levels of assessment”.

5 Section 2.0 Intent and Purpose, sub-section (d) DELETE second line, thirteenth word “direct”.

6 Section 2.0 Intent and Purpose, sub-section (d) AMEND final sentence to read “This will encourage efficient assessment of proposals in accordance with the intent of the Plan of Development”.

7 Section 3.3 Assessment Table for the Rural Residential Zone, AMEND table of assessment for the material change of use to identify code assessment for “Bed and Breakfast Accommodation”, “Home Based Business” and “Relative’s Apartment” defined uses only.

8 Section 3.3 Assessment Table for the Rural Residential Zone, AMEND table of assessment for reconfiguring a lot to identify the rural residential zone code from the Plan of Development in the “applicable Codes” column and DELETE reference to the Reconfiguring a Lot Code.

9 Section 3.4 Rural Residential Zone Outcome, sub-section (b) AMEND to read “Land within the POD area is not intended to be intensified beyond the creation of single detached dwellings and ancillary development but may be appropriate for compatible rural development.”. Also formalise as new subsection (c).

10 Section 3.5 Rural Residential Zone Codes, Purpose AMEND to read “The purpose of the code is to ensure development within the Plan of Development Area is consistent with the outcomes for the Rural Residential Zone described in 3.4.”

11 Section 3.5 Rural Residential Zone Codes, Acceptable Solutions A1.1 & A1.2 DELETE and REPLACE with “No acceptable solution prescribed”.

12 Section 3.5 Rural Residential Zone Codes, Performance Criteria and Acceptable Solutions ADD the following:

Flood Prone Area

PXX:

Development within flood prone areas ensure any changes to the depth, duration or velocity of flood waters are contained within the site.

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AXX

Development must be undertaken on land above the 1% annual exceedance probability (AEP).

PXX:

Development within flood prone areas do not directly, indirectly or cumulatively worsen flood characteristics outside the development site, having regard to:

- a) increased scour and erosion; or*
- b) loss of flood storage; or*
- c) loss of or changes to flow paths; or*
- d) flow acceleration or retardation; or*
- e) reduction in flood warning times.*

AXX

Development must be undertaken on land above the 1% annual exceedance probability (AEP).

PXX:

Siting and layout of development maintains the safety of people and property in flood prone areas.

AXX.1:

The finished floor level for habitable floor space is no less than 300mm above the defined flood level.

AXX.2:

The finished floor levels of non-habitable floor space (other than class 10 buildings) is to be above the defined flood level.

Additional Criteria for Reconfiguring a Lot

PXX:

Lot sizes are compatible with the locality and configured to be appropriate for the intended use of the site.

AXX

No acceptable solution prescribed.

POXX:

The intensity and scale of the use of premises must not:

- a) increase any adverse ecological impacts, particularly on any nearby sensitive receiving environments, as a result of the system or increasing the cumulative effects of the systems in the locality;*
- b) increase any health risks during a system failure; and*
- c) deteriorate the water quality of existing and/or proposed water supplies.*

AOXX

No acceptable solution prescribed.

POXX:

Reconfiguration of land must not compromise the viability of existing and future uses.

AOXX:

No acceptable solution prescribed.

Advice

CONFIRMED MINUTES

- 13 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.

Moved Cr. N Walker

Seconded Cr. P Curr

That Council in accordance with the Sustainable Planning Act 2009 as amended notify the applicant that in regards to Impact Assessable Material Change of Use and a Preliminary Approval under section s242 of the SPA for use rights in accordance with the Rural Residential Zone;

- a. approves the Negotiated Decision Notice for development application MCK2015_04; and*
- b. Subject to the following conditions;*

A. ASSESSEMENT MANAGERS CONDITIONS (Council)

SCHEDULE OF CONDITIONS

Impact Assessable Material Change of Use Development Permit

Assessment Manager Conditions of Approval

General

- 1 Development is to be undertaken generally in accordance with the approved site plan attached (Drawing No. M822-SK02, Dated 07 May 2015), as amended, except where conditions of approval dictate otherwise.
- 2 The proposed development is to comply with all conditions of approval prior to commencement of use.
- 3 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.

Refuse Storage

4. A refuse storage area for the dwelling is to be provided on site and is to be screened or stored so as not be visible from any street frontage or adjoining property.

Infrastructure

5. The developer is to ensure that the dwelling remains connected and serviced by all existing reticulated water, sewer, telecommunications and electricity services.

CONFIRMED MINUTES

Advice

6. 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.
7. 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.

Impact Assessable Material Change of Use

Preliminary Approval under Section 242 of the Sustainable Planning Act 2009

Assessment Manager Conditions of Approval

General

- 1 Development is to be undertaken generally in accordance with the “Murphy Rural Residential Plan of Development May 2015” as amended, except where conditions of approval dictate otherwise.
- 2 The proposed development is to comply with all conditions of approval prior to commencement of use.

Amendments to Plan of Development

- 3 Prior to the issuing of any building works or operational works applications over the site, the applicant is to amend the “Murphy Rural Residential Plan of Development” dated May 2015 in accordance with the requirements below and provide a copy to council. This amendment version is to be the version used to govern development over the site, subject to any future amendments formalised with Council:
- 4 Section 2.0 Intent and Purpose, sub-section (c) INSERT additional sentence “The POD restricts the further intensification of land uses through the management of flood inundation, restricting the creation of additional rural residential lots and the introduction of new levels of assessment”.
- 5 Section 2.0 Intent and Purpose, sub-section (d) DELETE second line, thirteenth word “direct”.
- 6 Section 2.0 Intent and Purpose, sub-section (d) AMEND final sentence to read “This will encourage efficient assessment of proposals in accordance with the intent of the Plan of Development”.
- 7 Section 3.3 Assessment Table for the Rural Residential Zone, AMEND table of assessment for the material change of use to identify code assessment for “Bed and Breakfast Accommodation”, “Home Based Business” and “Relative’s Apartment” defined uses only.
- 8 Section 3.3 Assessment Table for the Rural Residential Zone, AMEND table of assessment for reconfiguring a lot to identify the rural residential zone code from the Plan of Development in the “applicable Codes” column and DELETE reference to the Reconfiguring a Lot Code.

CONFIRMED MINUTES

- 9 Section 3.4 Rural Residential Zone Outcome, sub-section (b) AMEND to read “Land within the POD area is not intended to be intensified beyond the creation of single detached dwellings and ancillary development but may be appropriate for compatible rural development.”. Also formalise as new subsection (c).
- 10 Section 3.5 Rural Residential Zone Codes, Purpose AMEND to read “The purpose of the code is to ensure development within the Plan of Development Area is consistent with the outcomes for the Rural Residential Zone described in 3.4.”
- 11 Section 3.5 Rural Residential Zone Codes, Acceptable Solutions A1.1 & A1.2 DELETE and REPLACE with “No acceptable solution prescribed”.
- 12 Section 3.5 Rural Residential Zone Codes, Performance Criteria and Acceptable Solutions ADD the following:

Flood Prone Area

PXX:

Development within flood prone areas ensure any changes to the depth, duration or velocity of flood waters are contained within the site.

AXX

Development must be undertaken on land above the 1% annual exceedance probability (AEP).

PXX:

Development within flood prone areas do not directly, indirectly or cumulatively worsen flood characteristics outside the development site, having regard to:

- f) increased scour and erosion; or*
- g) loss of flood storage; or*
- h) loss of or changes to flow paths; or*
- i) flow acceleration or retardation; or*
- j) reduction in flood warning times.*

AXX

Development must be undertaken on land above the 1% annual exceedance probability (AEP).

PXX:

Siting and layout of development maintains the safety of people and property in flood prone areas.

AXX.1:

The finished floor level for habitable floor space is no less than 300mm above the defined flood level.

AXX.2:

The finished floor levels of non-habitable floor space (other than class 10 buildings) is to be above the defined flood level.

Additional Criteria for Reconfiguring a Lot

PXX:

Lot sizes are compatible with the locality and configured to be appropriate for the intended use of the site.

AXX

CONFIRMED MINUTES

No acceptable solution prescribed.

POXX:

The intensity and scale of the use of premises must not:

- d) increase any adverse ecological impacts, particularly on any nearby sensitive receiving environments, as a result of the system or increasing the cumulative effects of the systems in the locality;*
- e) increase any health risks during a system failure; and*
- f) deteriorate the water quality of existing and/or proposed water supplies.*

AOXX

No acceptable solution prescribed.

POXX:

Reconfiguration of land must not compromise the viability of existing and future uses.

AOXX:

No acceptable solution prescribed.

Advice

- 13 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.

CARRIED 4/0

Resolution No.187/1516

Attendance - Cr. Murphy and Nicholas Lodewyk re-entered the meeting at 10:24am

6.3 Development Application MCK2016_02 - Reconfiguration of Lot – Lot 1 on JC55727

This report makes recommendation to Council to reconfigure Lot 1 JC55727 from one lot into two lots.

Council at its July 2015 meeting resolved (Resolution No. 19/1516) to re-configure the property to separate the residential and light industry uses of the CEO Residence and Council Workshop respectively.

Council staff processed the development approval MCK2016_02 on behalf of the applicant being McKinlay Shire Council and submitted the application to Council's Planning Consultant.

The application is generally in accordance with the McKinlay Shire Planning Scheme and is recommended for approval subject to conditions. Council should note that the key matters for consideration are;

- a. The uses (residential and light industry) of the lot are generally incompatible and the separation of the uses will allow for future separation of use under the revised planning schemes;
- b. The irregular boundary between the properties – the proposed boundary is on the current fence line which has been in place for many years with the fence being consistent with the current planning scheme conditions; and
- c. The boundary encroachment of the existing shed in proposed Lot 7 is noted however at this stage does not impact on this approval. Council will deal with the encroachment as part of the sheds replacement in the future.

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Recommendation:

That Council resolves that;

In accordance with the Sustainable Planning Act 2009 as amended, that the applicant be notified that the application for a Development Permit for Reconfiguring a Lot (one lot into two lots) on land described as Lot 1 JC55727, located at 20 Julia Street, Julia Creek is approved, subject to the conditions detailed below:

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

General

- 1. The development shall be undertaken substantially in accordance with the Proposal Plan of Survey cancelling Lot 1 JC55727 and creating proposed Lots 7 and 8 on SP274717, to the satisfaction of the Chief Executive Officer or delegate.*
- 2. Any future building work on each newly created lot shall be carried out generally in accordance with any relevant Council requirements, to the satisfaction of the Chief Executive Officer or delegate.*
- 3. This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse two (2) years from the day the approval takes effect in accordance with the provisions of Section 339 of the Sustainable Planning Act 2009, if the development has not been commenced.*

Site Access

- 4. The two new lots created, shall maintain existing vehicular access points, being one access point to/from Coyne St, for proposed Lot 8 and two access points to/from Julia Street, for proposed Lot 7, to the satisfaction of the Chief Executive Officer or delegate.*
- 5. All storm water and runoff from the new lots created is to be drained in such a way that it does not concentrate flow on any abutting lots, nor does it create ground erosion problems on adjoining properties and each lot drains to a lawful point of discharge, to the satisfaction of the Chief Executive Officer or delegate.*
- 6. The applicant is to meet any cost of any connections or upgrades required to urban services for the approved development. If required, water supply, sewerage and on street works are to be constructed to the relevant standards stated in Schedule 2 of the McKinlay Shire Planning Scheme, to the satisfaction of the Chief Executive Officer or delegate,*
- 7. Any work associated with connecting to urban services and/or constructing on street works shall be undertaken in accordance with an approved Plan and shall be established and completed prior to the endorsement of the Plan of Survey by Council, to the satisfaction of the Chief Executive Officer or delegate.*

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8. *Should any of the Council's assets be damaged during the construction of any crossovers and driveways servicing each lot, or associated works, the cost of the reinstatement of all such assets shall be met by the applicant, to the satisfaction of the Chief Executive Officer or delegate.*

Fencing

9. *A solid screen fence, a minimum of 1.8 metres in height, is to be maintained along the common boundary between the two lots, in order to protect the residential amenity of the residents living in the dwelling house on proposed Lot 7, to the satisfaction of the Chief Executive Officer or delegate.*

Advice

10. *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.*
11. *The existing (shed) located on the proposed Lot 7 encroaches the rear boundary with lot 2. The Applicant will deal with the encroachment as part of the sheds replacement in the future.*

Moved Cr. A Batt

Seconded Cr. E Hick

That Council resolves that;

In accordance with the Sustainable Planning Act 2009 as amended, that the applicant be notified that the application for a Development Permit for Reconfiguring a Lot (one lot into two lots) on land described as Lot 1 JC55727, located at 20 Julia Street, Julia Creek is approved, subject to the conditions detailed below:

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

General

1. *The development shall be undertaken substantially in accordance with the Proposal Plan of Survey cancelling Lot 1 JC55727 and creating proposed Lots 7 and 8 on SP274717, to the satisfaction of the Chief Executive Officer or delegate.*
2. *Any future building work on each newly created lot shall be carried out generally in accordance with any relevant Council requirements, to the satisfaction of the Chief Executive Officer or delegate.*
3. *This approval, granted under the provisions of the Sustainable Planning Act 2009, shall lapse two (2) years from the day the approval takes effect in accordance with the provisions of Section 339 of the Sustainable Planning Act 2009, if the development has not been commenced.*

Site Access

CONFIRMED MINUTES

4. *The two new lots created, shall maintain existing vehicular access points, being one access point to/from Coyne St, for proposed Lot 8 and two access points to/from Julia Street, for proposed Lot 7, to the satisfaction of the Chief Executive Officer or delegate.*
5. *All storm water and runoff from the new lots created is to be drained in such a way that it does not concentrate flow on any abutting lots, nor does it create ground erosion problems on adjoining properties and each lot drains to a lawful point of discharge, to the satisfaction of the Chief Executive Officer or delegate.*
6. *The applicant is to meet any cost of any connections or upgrades required to urban services for the approved development. If required, water supply, sewerage and on street works are to be constructed to the relevant standards stated in Schedule 2 of the McKinlay Shire Planning Scheme, to the satisfaction of the Chief Executive Officer or delegate,*
7. *Any work associated with connecting to urban services and/or constructing on street works shall be undertaken in accordance with an approved Plan and shall be established and completed prior to the endorsement of the Plan of Survey by Council, to the satisfaction of the Chief Executive Officer or delegate.*
8. *Should any of the Council's assets be damaged during the construction of any crossovers and driveways servicing each lot, or associated works, the cost of the reinstatement of all such assets shall be met by the applicant, to the satisfaction of the Chief Executive Officer or delegate.*

Fencing

9. *A solid screen fence, a minimum of 1.8 metres in height, is to be maintained along the common boundary between the two lots, in order to protect the residential amenity of the residents living in the dwelling house on proposed Lot 7, to the satisfaction of the Chief Executive Officer or delegate.*

Advice

10. *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.*
11. *The existing (shed) located on the proposed Lot 7 encroaches the rear boundary with lot 2. The Applicant will deal with the encroachment as part of the sheds replacement in the future.*

CARRIED 5/0

Resolution No.188/1516

CONFIRMED MINUTES

6.4 Approval of Display Building Location and Waiving of Building Application Lodgment Fees

This report makes recommendation to Council to approve the location of the proposed small display shed and waive Building Application Lodgment fees for the construction of the shed at the Duncan McIntyre Museum, Julia Creek.

At its meeting in December 2015, Council resolved (Resolution 124/1516) to approve the demolition of the train carriage and the subsequent construction of a small display shed subject to final approval of its location by Council. This shed is to house a "Railway" display theme.

The Julia Creek Historical Society has provided a plan locating the proposed shed and other displays. The location of the shed is approximately 9.0 meters from the Burke Street boundary and 1.5 meters from the western side boundary. This location is considered an appropriate location.

Council should also note the proposed location of other displays in the area left by the old carriage. These are considered appropriate and will be subject to future works carried out by the Society. These works should see the finalisation of the display for the Museum.

This report also recommends the waiving of the Building Application Lodgment fees to Council associated with the building approval for the shed. The shed requires building approval by a Building Certifier. As part of the process the certifier is required to lodge the application with Council for its records. Given that the Society is Not For Profit the waiving of the lodgment fees of \$117.00 is considered reasonable and will form part of Council's contribution in kind to the project and Museum.

Recommendation:

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

- 1. the proposed location of the display shed 9.0 meters from the front and 1.5 meters from the LH side boundary is acceptable; and*
- 2. approves the waiving of the Building Application Lodgment fees for the display shed.*

Moved Cr. N Walker

Seconded Cr. E Hick

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

1. the proposed location of the display shed 9.0 meters from the front and 1.5 meters from the LH side boundary is acceptable; and
2. approves the waiving of the Building Application Lodgment fees for the display shed.

CARRIED 5/0

Resolution No.189/1516

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6.5 Amendment to McKinlay Shire Town Common Rules – Restriction on “Wet” Livestock

This report makes recommendation to Council to amend the McKinlay Shire Town Common Rules to deal with the restriction to the agistment of “wet” cattle on the common.

Council’s Ranger has from time to time had to deal with situations where owners had or have not wished to manage the animal husbandry issues with multiple “wiener” cattle and a single or few wet cattle.

Therefore to provide the Ranger with the capability to deal with the situation in the future, the recommendation is to not allow any wet cattle or their calves on the common.

Further should an animal only be identified after placement on the common, Councils Ranger can direct the owner to remove same. Council should also note that no entire beast is presently permitted on the common.

Recommendation:

That Council;

- a. approves the restriction of not allowing any wet cattle (cows & calves) on the common; and*
- b. adopts the General Rules of Use for McKinlay Shire Town Common as Version 4 dated 15 March 2016.*

Moved Cr. A Batt

Seconded Cr. N Walker

That Council;

- a. approves the restriction of not allowing any wet cattle (cows & calves) on the common; and
- b. adopts the General Rules of Use for McKinlay Shire Town Common as Version 4 dated 15 March 2016.

CARRIED 5/0

Resolution No.190/1516

6.6 Renewal of Term Lease 0/220685 described as Lot 11 on Crown Plan EN153

This report makes recommendation to Council to provide comments to the Department of Natural Resources and Mines (DNRM) for the application, Renewal of Term Lease 0/220685 described as Lot 11 on Crown Plan EN153 located in the Parish of Nelia.

Council has received a request from the Department to provide comment or provide any conditions that they may require for the proposed renewal of the lease due to expire on 30 June 2017.

Lot 11 EN 153 is located about 7.5 Km north of the intersection of the Flinders Highway and Great Northern Rail line, approximately 36 Km east of Julia Creek. The lot is about 4.8 Ha in area and is part of the telecommunications infrastructure owned by Telstra.

The land is zoned rural under the shire planning scheme and there are no council services connected or charged to the property other than general rates and the state emergency levy.

Recommendation:

That Council advises the Department of Natural Resources and Mines that;

- 1. Council has no specific requirements for the proposed renewal of lease; and*
- 2. All costs related to the application are borne by the applicant.*

CONFIRMED MINUTES

Moved Cr. E Hick

Seconded Cr. N Walker

That Council advises the Department of Natural Resources and Mines that;

1. Council has no specific requirements for the proposed renewal of lease; and
2. All costs related to the application are borne by the applicant.

CARRIED 5/0

Resolution No.191/1516

Attendance – Director of Environment and Regulatory Services Mr. Geoff Rintoul left the meeting at 10:30am

RECESS: The Mayor adjourned the meeting for morning tea 10:30am – 11:00am

Attendance – Director of Corporate and Community Services Mrs Tenneil Cody entered the meeting at 11:01am

7. COMMUNITY SERVICES REPORT

7.1 Community Services Report

Moved Cr. E Hick

Seconded Cr. A. Batt

That Council receive the March Community Services Report.

CARRIED 5/0

Resolution No.192/1516

Cr Hick declared a conflict of interest (as per section 173 of the Local Government Act 2009) in relation to 7.2 Community Benefit Assistance Scheme as she is a member of the Sedan Dip Committee.

Cr. Hick dealt with the conflict of interest by stating that it was her determination that their personal interest is not of sufficient significance that would lead to her making a decision on this matter that is contrary to the public interest.

7.2 Community Benefit Assistance Scheme

Council is presented with a summary of applications through the Community Benefit Assistance Scheme for ratification.

Recommendation:

That Council fund the following Community Benefit Assistance Scheme applications:

1. Sedan Dip Sports and Recreation Inc – \$1540.

Moved Cr. P Curr

Seconded Cr. N Walker

That Council fund the following Community Benefit Assistance Scheme applications:

1. Sedan Dip Sports and Recreation Inc – \$1540.

CARRIED 5/0

Resolution No.193/1516

Cr. Hick voted positive in the matter

CONFIRMED MINUTES

7.3 Nelia Nature Walk

Propose Council is asked to consider the development of a nature walking trail at Nelia township.

Recommendation:

That Council consider the request.

Moved Cr. N Walker

Seconded Cr. A Batt

Council support the concept and would like to have further detailed discussions regarding public liability, ongoing maintenance and community support.

Resolution No.194/1516

CARRIED 4/1

Cr. Curr recorded his vote against the Motion

7.4 Regional Arts Development Fund Round 2 Approval

Council's Round 2 of RADF closed on 22nd February 2016 after 4 weeks of advertising. The RADF Committee will assess the Round 2 applications on 14th March 2016 and present the recommendations for Council's ratification at the Ordinary Meeting.

Recommendation:

That Council ratify the recommendations made by the Regional Arts Development Fund Committee to be tabled at the Ordinary Meeting.

Moved Cr. E Hick

Seconded Cr. A Batt

That Council ratify the recommendations made by the Regional Arts Development Fund Committee to fund McKinlay Shire Council for \$2,000 and the Julia Creek Pony Club for \$6,200 as detailed in the report.

Resolution No.195/1516

CARRIED 5/0

8. CORPORATE SERVICES REPORT

8.1 Corporate Services Report

Moved Cr. N Walker

Seconded Cr. A Batt

That Council receive the March Corporate Services Report.

Resolution No. 196/1516

CARRIED 5/0

8.2 Amendment to the 2015-16 Fees and Charges Schedule

Propose an amendment to the Fees and Charges Schedule, to adjust fees for the Daren Ginn's Centre (Gym) as follows:

CONFIRMED MINUTES

Currently charging a membership of \$20 per month.

Propose to amend fees to:

1. \$20 Joining Fee – to include cost of key and administration to set up new member
2. \$20 Monthly Fee – to pay a minimum of 3 months membership
3. \$20 Reactivation Fee – for costs to reactivate membership

Recommendation:

That Council adopts the Daren Ginn's Centre Fees amendment in the Fees and Charges Schedule 2015/16.

Moved Cr. E Hick

Seconded Cr. A Batt

That Council adopts the Daren Ginn's Centre Fees amendment in the Fees and Charges Schedule 2015/16 as presented.

CARRIED 5/0

Resolution No. 197/1516

Attendance – Director of Corporate and Community Services Mrs Tenneil Cody left the meeting at 11:53am

9. CHIEF EXECUTIVE OFFICERS REPORT

9.1 Chief Executive Officers Report

Moved Cr. N Walker

Seconded Cr. E Hick

That Council receive the March Interim Chief Executive Officer Report.

CARRIED 5/0

Resolution No.198/1516

9.2 North West Regional Roads Group- Road Crew Sustainability Report

Council was presented with the Regional Roads Group report into Road Crew Sustainability in July 2015. Subsequent discussions have been taking place at the NWRRG Level. Council as part of the North West RRG is to provide a decision on the report and how it will engage, if at all, with any of the recommendations.

Recommendation:

That McKinlay Shire Council not proceed further with the KPMG report given the change in circumstances since the commencement of the project, but that Council implement some of the report's key strategies, including proceeding with the investigation of joint regional purchasing arrangements in order to save costs for participating Councils.

Moved Cr. N Walker

Seconded Cr. A Batt

That McKinlay Shire Council not proceed further with the KPMG report given the change in circumstances since the commencement of the project, but that Council implement some of the report's key strategies, including proceeding with the investigation of joint regional purchasing arrangements in order to save costs for participating Councils.

CARRIED 5/0

Resolution No.199/1516

CONFIRMED MINUTES

10. WORK PLACE HEALTH AND SAFETY

Councillors were presented with the January Work Place Health and Safety Report.

11. MEMBERS BUSINESS

Cr. Hick – Previous Information Centre painting request prior to tourism season. Interim CEO will arrange.

Cr. Murphy – The need for painting/facelift for water fountain at medical centre. Interim CEO will arrange

Cr. Murphy updated potential investor meeting.

12. CLOSURE OF MEETING

The Chair of the meeting, Cr. Belinda Murphy declared the meeting closed at 12:10pm

Cr Belinda Murphy
Mayor