



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARD ROOM, CIVIC CENTRE
JULIA CREEK

16th September 2014

CONFIRMED MINUTES

TABLE OF CONTENTS

1. Opening	3
2. Attendance	3
3. Confirmation of Minutes	3
4. Business Arising out of minutes of previous Meetings	3
<u>5. ENGINEERING REPORT</u>	3
5.1 Report - Engineering Works Report	3
<u>6. ENVIRONMENT AND REGULATORY SERVICES REPORT</u>	4
6.1 Report – Environment and Regulatory Services Report – August 2014	4
6.2 Report – Review of McKinlay Shire Council Environmental Policy	4
6.3 Report – Proposed acquisition of part of Lot 16 EN 34 Water Reserve to Resolve Boundary Encroachment	4
6.4 Report – Amendment to the 2014-15 Fees and Charges Schedule Julia Creek Truck Wash	5
6.5 Report – Amendment to McKinlay Shire Planning Scheme	6
6.6 CONFIDENTIAL Report - Tenders McKinlay Paddock 3	7
<u>7. COMMUNITY SERVICES REPORT</u>	8
7.1 Report – Community Services Report	8
7.2 Report - Sponsorship Request – Julia Creek Rugby League	8
7.3 Report - Sponsorship Request – Julia Creek Kindergarten & Child Minding Association	8
7.4 Report - Royalties for the Regions Grant – Council Commitment	8
7.5 Report - Memorandum of Understanding – Julia Creek Kindergarten & Child minding Assoc	9
7.6 Report - Sponsorship Request – Julia Creek Western Riding Club	9
<u>8. CORPORATE SERVICES REPORT</u>	9
8.1 Report – Corporate Services Report	9
8.1 Report - Request to grant rates discount	9
<u>9. CHIEF EXECUTIVE OFFICER REPORT</u>	10
9.1 Report – Chief Executive Officers Report	10
9.2 Report – Local Government Remuneration and Discipline Tribunal	10
9.3 Report – Mount Isa School of the Air Julia Creek Mini School	10
9.4 Report - Stronger Choices Program	11
9.5 CONFIDENTIAL Report – Lot 409 and 410 McKinlay	12
10. Work Place Health and Safety	12
11. Members Business	12
12. Close	12

CONFIRMED MINUTES

1. OPENING BUSINESS

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

2. ATTENDANCE

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

Staff:

Chief Executive Officer: Mr Aaron Childs

Director of Corporate and Community Services: Mrs Tenneil Cody

Director of Engineering: Mr. Greg Chesterfield

Director of Environment and Regulatory Services: Mr. Geoff Rintoul

Executive Assistant: Mrs Linda McNab

Other people in attendance:

APOLOGIES:

Mayor: Cr. B Murphy

Motion

The local government may, by resolution, appoint an acting mayor from its councillors in the absence of the Mayor.

Moved Cr. Walker

Seconded Cr. Hick

In accordance with the Local Government Act 2009 Section 165 (1)(a) The deputy mayor acts for the mayor during the absence or temporary incapacity of the mayor. This will commence Monday 15th September 2014 and conclude on the 22nd September 2014.

CARRIED

Resolution No. 55/1415

3. CONFIRMATION OF MINUTES

Confirmation of minutes from the Ordinary Meeting on 19th August 2014 as previously circulated to Councillors.

Moved Cr. Curr

Seconded Cr. Hick

That the minutes of the Ordinary meeting held on 19th August be confirmed.

CARRIED

Resolution No. 56/1415

4. BUSINESS ARISING FROM PREVIOUS MINUTES

5. ENGINEERING SERVICE REPORT

5.1 Engineering Works Report – September 2014

Moved Cr. Hick

Seconded Cr. Curr

That Council receive the Engineering Services Works Report

CARRIED

Resolution No.57/1415

CONFIRMED MINUTES

Attendance – Director of Engineering Greg Chesterfield left the meeting at 9:59am

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

Attendance – Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 10:12am

6. ENVIRONMENT AND REGULATORY SERVICES REPORT

6.1 Environment and Regulatory Works Report – August 2014

Moved Cr. Walker

Seconded Cr. Curr

That Council receive the Environment and Regulatory Services Works Report

CARRIED

Resolution No.58/1415

6.2 Review of McKinlay Shire Council Environmental Policy

This report makes recommendation to Council for the adoption of the revised Environmental Policy Version 2.

The purpose of the Environmental policy is to provide environmental direction in relation to people and leadership, governance and accountability, practices and processes for the organisation.

The Environmental Policy was adopted in 2012 and is required to be reviewed generally every 12 months. On review, there have been no required changes to the policy document. Council should note that only minor amendments have been made to the referenced legislation under Legal Parameters of the Policy due to amendments.

Moved Cr. Curr

Seconded Cr.Hick

That Council adopts the Environmental Policy version 2.

CARRIED

Resolution No. 59/1415

6.3 Proposed acquisition of part of Lot 16 EN 34 Water Reserve to Resolve Boundary Encroachment

This report makes recommendation to Council for set conditions that it considered appropriate for the proposed acquisition of part of Lot 16 EN 34 Water Reserve. These conditions will provide advice to the Department of Natural Resources and Mines to Resolve Boundary Encroachment matters from Lot 20 on EN 128.

Council received a request from the owners of Lot 20/21 EN 128 that they wish to make application for the purchase of part of the adjoining Lot 16 EN 34 which is a water reserve located to the immediate south of the proposed new lot 20. The request is based on a proposed realignment of the common boundary about 70 meters to the south of its existing location and consisting of an area of approximately 21,000 Sq Meters. This purchase will deal with a previously identified boundary encroachment from Lot 20.

Council has previously considered a request relating to this matter in March 2014, where the owners requested Council provide advice on any conditions it may considered necessary for the purchase of part of this lot due to building boundary encroachments. That resolution (Resolution No. 170/1314) is as follows:

“That Council advises the Department of Natural Resources and Mines and the owners of Lot 20 and 21 that there are no objections to the acquisition subject to the following conditions:

- a. The Land is purchased from the State;*
- b. The Minimum set back from existing buildings/structure of 10 meters;*

CONFIRMED MINUTES

- c. *The realignment is along the entire boundary of lot 16;*
- d. *The applicant is responsible for all costs associated with the purchase;*
- e. *The applicant is responsible for the construction of a fence suitable for the area along the entire boundary of Lot 16;*
- f. *Any services located within the area is relocated at applicants cost. “*

The key matter of the resolution was the building encroachment into Lot 16 from existing structures located on the existing Lot 20. Condition b. of conditions set a minimum distance for setback to generally comply with the current boundary set back requirements under the planning scheme and the suitable for the locality.

Council will also be aware that a Development Approval (MCK2013 07) for the Reconfiguration of Lot 20 and 21 was approved in January 2014 Resolution No.134/1314. The key matter of this reconfiguration is that the internal boundaries of Lot 20 and 21 will be realigned with the proposed Lot 20 having a full frontage to lot 16 on EN 34.

Moved Cr. Walker

Seconded Cr. Curr

Council advises the Department of Natural Resources and Mines and the Owners of Lot 20 and 21 that there are no Objections to the acquisition subject to the following conditions:

- a. The common boundary between Lot 16 EN 34 and proposed lot 20 on EN 128 is moved south a distance of 70 meters subject to final survey.
- b. The Land is purchased from the State;
- c. The realignment is along the entire boundary of lot 16;
- d. The Applicant is responsible for all costs associated with the purchase;
- e. The applicant is responsible for the construction of a fence suitable for the area along the entire boundary of Lot 16;
- f. Any services located within the area is relocated at applicants cost; and
- g. The conditions relating Development Approval MCK2013 07 for the reconfiguration of Lot 20 and 21 are satisfied prior to sale of lands.

CARRIED

Resolution No 60/1415

6.4 Amendment to the 2014-15 Fees and Charges Schedule Julia Creek Truck Wash

This report makes recommendation to Council for the adoption of new charges for the use of the under vehicle wash down facility of the Julia Creek Truck Wash.

The truck wash facility was constructed with grant funding to assist in the management of pest weed control across the region. The facility currently provides for the user pays manual wash down of vehicles using pressurised hoses and a free to use automated under vehicle wash.

As part of the 2014/15 Capital works program, Council is upgrading the facility. These works including the introduction of a user pays system for the under vehicle wash.

The under vehicle wash facility is operated on a timed system using a ground sensor pad to activate the wash. This provides a 30 second delay before activation to allow entry into the wash bay and a 30 second operation of the water sprays. The intent is to replace the ground sensor with a key tag system. This system is the same the manual wash down bay, and charge for usage.

Given that the under vehicle wash is utilised by both local residences along with those based outside the shire, consideration has been given to a user pays system similar to that presently levied for the manual wash down facility. These charges are as follows:

1. All users located outside the McKinlay Shire Local Government Area - a charge of \$1.00 per use; and
2. All users located within and based in the McKinlay Shire Local Government Area - a charge of \$0.50 per use;

CONFIRMED MINUTES

Further, the facility is also used by the travelling public that may not have access to the key tag system. Consideration is also given for the installation of a coin operated system, however there are some technical integration matters that may limit this option, however this option will be based on a charge of \$1.00 per usage should a solution be found to be successful.

Moved Cr. Batt

Seconded Cr. Curr

That Council;

1. Adopts the following user pays fees for the Julia Creek under vehicle wash facility;
 - a. All users located outside the McKinlay Shire Local Government Area - a charge of \$1.00 per use; and
 - b. All users located within and based in the McKinlay Shire Local Government Area - a charge of \$0.50 per use;
2. The Fees and Charges Schedule 2014/15 current version is amended;
3. The charges are collected by the current key tag system in use by Council and managed by Avdata. and
4. The installation of a coin operated payment system is billed at \$1:00 per use.

CARRIED

Resolution No 61/1415

6.5 Amendment to McKinlay Shire Planning Scheme

This report makes recommendation to Council for Resolution to request approval to adopt the Amended Planning Scheme without any formal review of the scheme.

Council will be aware that an amendment to the McKinlay Shire Planning Scheme has been underway in order to formalise the Julia Creek Subdivision located on the western end of Julia Creek.

The formal advertising of the amendment ended on the 18th August 2014 and no submissions were received. Given that no submissions were received, Council may request from the Minister, approval to adopt without any formal review of the Planning Scheme.

Moved Cr. Walker

Seconded Cr. Hick

That Council writes to the Minister to request approval to adopt the Amended Planning Scheme without any formal review of the Scheme.

CARRIED

Resolution No 62/1415

Procedural Motion

This report is CONFIDENTIAL in accordance with *Section 275 (1) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss :

(e) *"contracts proposed to be made by it"*

Moved Cr. Walker

Seconded Cr. Curr

That Council close the meeting to the public under the Local Government Regulation 2012, Section 275 (1) (e)

CARRIED

Resolution No. 63/1415

- The meeting was closed to the public at 10:45am

CONFIRMED MINUTES

Procedural Motion

Moved Cr. Hick

Seconded Cr. Walker

That Council re-open the meeting to the public.

CARRIED

Resolution No.64/1415

- The meeting was re-opened to the public at 10:56am

6.6 Tenders McKinlay Paddock 3

This report makes recommendation to Council to enter into a Trustee Lease with the successful tenderer for McKinlay Paddock No 3 to 30 August 2018.

Council resolved by Resolution No.171/1314 at its March 2014 meeting to offer by tender McKinlay Paddock No. 3. McKinlay Paddock No. 3 was advertised for tender on 31 July 2014 and closed on Monday the 25th August. At time of closing seven (7) tenders were received.

Tenders were assessed based on the criteria set out in Section 6 of the RFT and scored based on the following assessment:

1. Amount offered per annum ;
2. General response the management of the LMP; and
3. Demonstrated support to the local community within McKinlay Shire.

Council should note that assessment for this tender is based on information supplied at time of tender. Whilst consideration may be given to the history of the tenderers and their current status within the community, it was a requirement that a response to all criteria was provided. It is therefore not fair or reasonable to score the offers that were not tabled based on knowledge or histories and easily comparable at the time of assessment. Council should note that two (2) tenderer's currently lease paddocks under Trustee Lease arrangements with Council.

Moved Cr. Curr

Seconded Cr. Walker

That Council accepts the tender for McKinlay Paddock No. 3 based on the following:

1. The successful tenderer, Sheree Dani Pratt, be offered to enter into a Trustee Lease Agreement with McKinlay Shire Council for McKinlay Paddock 3; and
2. The duration of the trustee Lease is to the 30th August 2018, or sooner if surrendered prior to that date; and
3. The offer is as identified in the Form of Tender for the Sum of \$12,650.00 GST Inclusive per annum; and
4. The annual lease fees be adjusted subject to the provisions of Councils Schedule of Fees and Charges for Trustee Lease Paddocks; and
5. The Land Management Plan be included in the Trustee Lease; and
6. Should the successful tender not wish to take up the offer for Trustee Lease, the Paddock is offered to the next tenderer on the list based on the same conditions and their relevant offer.
7. Should the paddock become available within 12 months of this resolution, the paddock is offered to the next successful tenderer.

CARRIED

Resolution No 65/1415

Attendance – Director of Environment and Regulatory Services Geoff Rintoul left the meeting at 10:57am

Attendance – Director of Community and Corporate Services Tenneil Cody entered the meeting at 10:59am

CONFIRMED MINUTES

9.4 Stronger Choices Program

On Tuesday the 9th of September the mayor attended a teleconference with Mayors from the MITEZ region with Qld Treasurer Tim Nicholas.

The purpose of the meeting was for the treasurer to inform Councils of the State Governments Stronger Choices Program, essentially sale of state assets, and plans for the money if re elected. The government is working with regional groups, local governments can also make direct submissions, to gauge an idea of regional projects for which the money can be spent.

This is of course dependant on the current Government being re elected, but it is clear that the government will be releasing a list of projects within the next six weeks and obviously this will form an election campaign strategy.

Moved Cr. Curr

Seconded Cr. Hick

That Council resolve the following priorities of water and road infrastructure in relation to the State Governments Stronger Choices initiative:

1. Capital Investment into the Flinders Highway and the Hann Highway
2. Capital Investment into water security for Mt Isa and Cloncurry

CARRIED

Resolution No 77/1415

Procedural Motion

This report is CONFIDENTIAL in accordance with *Section 275 (1) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its councillors consider it necessary to discuss -:

(e) *“contracts proposed to be made by it” and*

(g) *“any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.”*

Moved Cr. Walker

Seconded Cr. Batt

That Council close the meeting to the public under the Local Government Regulation 2012, Section 275 (1) (e) and (g)

CARRIED

Resolution No.78/1415

- The meeting was closed to the public at 12:37pm

Procedural Motion

Moved Cr. Walker

Seconded Cr. Hick

That Council reopen the meeting to the public.

CARRIED

Resolution No.79/1415

CONFIRMED MINUTES

- The meeting was re-opened to the public at 12:48pm

9.5 Lot 409 and 410 McKinlay

Council owns Lots 409 and 410 in the Township of McKinlay. Correspondence has been received enquiring whether Council is willing to sell these blocks.

Moved Cr. Walker

Seconded Cr. Hick

That Council determines that Lot 409 and 410 will not be sold.

CARRIED

Resolution No 79/1415

10. WORK PLACE HEALTH AND SAFETY

11. MEMBERS BUSINESS

Cr. Hick inquired with regard to Council's future position to Julia Creek Dip and Rail complex.

12. CLOSURE OF MEETING

The Chair of the meeting, Cr. Anthony Batt declared the meeting closed at 1:00pm

Cr Anthony Batt
Deputy Mayor