



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

**BOARDROOM, CIVIC CENTRE
JULIA CREEK**

16th November 2016

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5. COMMUNITY SERVICES REPORT

5.1 Community Services Report

Moved Cr. N Walker

Seconded Cr. J Fegan

That Council receive the November Community Services Report.

CARRIED 4/0

Resolution No.110/1617

5.2 Julia Creek Early Learning Centre Fees

Council is presented with a review of the fees for the Julia Creek Early Learning Centre, with a proposal to increase the fees effective from 1 January 2017.

Recommendation:

That Council increase the daily attendance fee of the Julia Creek Early Learning Centre from \$58 per day per child to \$68 per day per child, and the half day fee increase from \$38 per day per child to \$44 per day per child.

Moved Cr. N Walker

Seconded Cr. S. Royes

That Council increase the daily attendance fee of the Julia Creek Early Learning Centre from \$58 per day per child to \$68 per day per child, and the half day fee increase from \$38 per day per child to \$44 per day per child.

CARRIED 4/0

Resolution No.111/1617

5.3 Sponsorship Request – Hughenden Country Music Festival

Council has received a request from the Hughenden Country Music Festival under the Community Grants Policy. The group has requested \$300 to go towards the cost of bringing music workshop presenters to their event.

Recommendation:

That Council sponsor the Hughenden Country Music Festival 2017 event for \$300.

Moved Cr. J Fegan

Seconded Cr. N Walker

That Council sponsor the Hughenden Country Music Festival 2017 event for \$300.

CARRIED 4/0

Resolution No.112/1617

5.4 Donation Request – Life Flight

Council is presented with a Donation Request from Life Flight (previously known as CareFlight), in accordance with requirements of Council policy.

Recommendation:

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That Council consider a donation of \$15,000 as a contribution to their operational budget.

Moved Cr. J Fegan

Seconded Cr. S. Royes

That Council consider a donation of \$15,000 as a contribution to their operational budget.

CARRIED 4/0

Resolution No.113/1617

5.5 Fee Waiver Request – Australian High School Rodeo Association

Council is presented with a request for fee waiver from the Australian High School Rodeo Association for consideration.

Recommendation:

That Council waive hire fees of \$1,248 for the Australian High School Rodeo Association for their 2016 event in Julia Creek.

Moved Cr. J Fegan

Seconded Cr. S. Royes

That Council waive hire fees of \$1,248 for the Australian High School Rodeo Association for their 2016 event in Julia Creek. Council will discuss further with Association for potential future usage in the coming year.

CARRIED 4/0

Resolution No.114/1617

6. CORPORATE SERVICES REPORT

6.1 Corporate Services Report

Moved Cr. S. Royes

Seconded Cr. J Fegan

That Council receive the November Corporate Services Report.

CARRIED 4/0

Resolution No.115/1617

Attendance – Director of Corporate and Community Services Mrs Tenneil Cody left the meeting at 9:40am

Attendance – Director of Engineering Brian Wood entered the meeting at 9:49am

7. ENGINEERING SERVICES REPORT

7.1 Engineering Works Report

Moved Cr. N Walker

Seconded Cr. S. Royes

That Council receive the November Engineering Services Works Report

CARRIED 4/0

Resolution No.116/1617

Cr. Royes – inquiry to who oversees rubbish collection at Cattle yards.

Cr. Royes – Discussed with Councillors road complaint made to her.

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Attendance – Interim Director of Environment and Regulatory Services Robert Savage entered the meeting at 10:23am

Attendance – Director of Engineering Brian Wood left the meeting at 10:34am

ADJOURNMENT: 10:34am -11:18am The Mayor adjourned the meeting for morning tea. Cr. Curr entered the meeting upon resumption.

8. ENVIRONMENT AND REGULATORY SERVICES REPORT

8.1 Environment and Regulatory Works Report – October 2016

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

Moved Cr. N Walker

Seconded Cr. P Curr

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

CARRIED 5/0

Resolution No.117/1617

8.2 Local Law Making Process

Prior to making its local laws and subordinate local laws Council should have a process for making local laws in accordance with the Local Government Act 2009 Section 29 (1). This report recommends adoption of a process suitable to Council's requirements.

Recommendation:

That Council adopts the presented Local Law Making Process.

Moved Cr. P Curr

Seconded Cr. S Royes

That Council adopts the following Local Law Making Process:

Local Law Making Process – McKinlay Shire Council Introduction

For the purposes of section 29(1) of the *Local Government Act 2009*, the local government should resolve to adopt a process for making each local law of Council.

Making a local law that incorporates a model local law

The process (model local law making process) must be used to make a local law that incorporates a model local law into the local laws of the local government.

Step 1 By resolution, propose to make a local law incorporating a model local law.

Step 2 Conduct a desktop review to identify if the local laws contain any anti-competitive provisions. If the model local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.

Step 3 Consult with the public about the proposed local law for a period determined by Council (the consultation period) by—

(a) publishing a notice (a consultation notice) about the proposed local law on Council's web-site and in Council's newsletter; and

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- (b) displaying the consultation notice in a conspicuous place at the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
- (c) making a copy of the proposed local law available for inspection at the local government's public office during the consultation period; and
- (d) making copies of the proposed local law available for purchase at the local government's public office during the consultation period.

The consultation notice will state the following—

- (a) the name of the proposed local law; and
- (b) the purpose and general effect of the proposed local law; and
- (c) the length of the consultation period and the first and last days of the period; and
- (d) that written submissions by any person supporting or objecting to the proposed local law may be made and given to the local government on or before the last day of the consultation period stating—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds.

Step 4 If there is an existing local law about a matter in the model local law that would be inconsistent with the matter in the model local law—amend or repeal the existing local law so that there is no inconsistency.

Step 5 Council considers results of review of anti-competitive review and public consultation.
By resolution, decide whether to—

- (a) proceed with the making of the proposed local law as advertised; or
- (b) proceed with the making of the proposed local law with amendments; or
- (c) not proceed with the making of the proposed local law.

If the local government resolves to proceed with the making of the proposed local law with amendments, the local law may no longer be considered to be a model local law.

Step 6 Within one month of Council resolution, publish notice in Queensland Gazette and Council's website letting the public know that the local law has been made, in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

Step 7 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.

Step 8 Within 14 days after the notice is published in the gazette, give the Minister—

- (a) a copy of the notice; and
- (b) a copy of the local law in electronic form.

Step 9 Update the local government's register of its local laws.

Making an "other" local law (local law)

The process (other local law making process) must be used to make a local law (a proposed local law) other than—

- (a) a model local law; or
- (b) an interim local law; or
- (c) a subordinate local law.

Step 1 By resolution, propose to make the local law.

Step 2 Consult with relevant government entities about the overall State interest in the proposed local law.

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Step 3 Consult with the public about the proposed local law for the consultation period by—

- (a) publishing a notice (a consultation notice) about the proposed local law on Council's web-site and in Council's newsletter; and
- (b) displaying the consultation notice in a conspicuous place at the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
- (c) making a copy of the proposed local law available for inspection at the local government's public office during the consultation period; and
- (d) making copies of the proposed local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following—

- (a) the name of the proposed local law; and
- (b) the purpose and general effect of the proposed local law; and
- (c) the length of the consultation period and the first and last days of the period; and
- (d) that written submissions by any person supporting or objecting to the proposed local law may be made and given to the local government on or before the last day of the consultation period stating—

- (i) the grounds of the submission; and
- (ii) the facts and circumstances relied on in support of the grounds.

If the local government decides, by resolution, that the proposed local law only amends an existing local law to make an insubstantial change, the local government may proceed to step 6 without satisfying step 3 or step 5.

Step 4 Conduct a desktop review to identify if the local laws contain any anti-competitive provisions. If the proposed local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.

Step 5 Accept and consider every submission properly made to the local government.
A submission is properly made to the local government if it —

- (a) is the written submission of any person about the proposed local law; and
- (b) states—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds; and
- (c) is given to the local government on or before the last day of the consultation period.

Step 6 By resolution, decide whether to—

- (a) proceed with the making of the proposed local law as advertised; or
- (b) proceed with the making of the proposed local law with amendments; or
- (c) not proceed with the making of the proposed local law.

Step 7 Council considers results of the State Interest tests, review of anti-competitive review and public consultation.

If the local government resolves to proceed with the making of the proposed local law with amendments, and the amendments are substantial, the local government may again —

- (a) consult with the public at step 3; and
- (b) accept and consider every submission properly made to the local government at step 5.

Step 8 Within one month of Council resolution, publish notice in Queensland Gazette and Council's web-site letting the public know that the local law has been made, in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

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Step 9 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.

Step 10 Within 14 days after the notice is published in the gazette, give the Minister—

- (a) a copy of the notice; and
- (b) a copy of the local law in electronic form; and

Step 11 Update the local government's register of its local laws.

Making a subordinate local law

The local government may start the process for making a subordinate local law even though the process for making the local law (including a model local law) on which the subordinate local law is to be based (the proposed authorising law) has not finished.

The local government may use steps 1 to 5 of the subordinate local law making process (other than actually making the subordinate local law) before the proposed authorising law is made if—

(a) in making the proposed authorising law, the local government has to satisfy—

- (i) the model local law making process; or
- (ii) the other local law making process; and

(b) if the proposed authorising law is made under the other local law making process— the notice about the subordinate local law under step 2 of the subordinate local law making process is published no earlier than the notice about the proposed authorising law under step 3 of the other local law making process is published.

For the avoidance of doubt, a subordinate local law made by the local government using the process detailed in this resolution may provide for the local government to, from time to time, by resolution, reference or incorporate information.

For example, under the Local Government Regulation 2012—

- (a) the identification guidelines for the identification of anti-competitive provisions are a document made by the department and available for inspection on the department's website; and
- (b) the review of anti-competitive provisions procedures are a document made by the department and available for inspection on the department's website.

Step 1 By resolution, propose to make the proposed subordinate local law.

Step 2 Draft a proposed subordinate local law.

Step 3 Consult with the public about the proposed subordinate local law by—

- (a) publishing a notice (a consultation notice) about the proposed subordinate local law on Council's website and in Council's newsletter; and
- (b) displaying the consultation notice in a conspicuous place in the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
- (c) making a copy of the proposed subordinate local law available for inspection at the local government's public office during the consultation period; and
- (d) making copies of the proposed subordinate local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following—

- (a) the name of the proposed subordinate local law; and
- (b) the name of—

(i) the local law allowing the proposed subordinate local law to be made; or

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(ii) if the local government has started the process for making a subordinate local law even though the process for making the proposed authorising law on which the subordinate local law is to be based has not finished — the proposed authorising law; and

(c) the purpose and general effect of the proposed subordinate local law; and

(d) the length of the consultation period and the first and last days of the period; and

(e) that written submissions by any person supporting or objecting to the proposed subordinate local law may be made and given to the local government on or before the last day of the consultation period stating—

(i) the grounds of the submission; and

(ii) the facts and circumstances relied on in support of the grounds.

Step 4 Conduct a desktop review to identify if the sub-ordinate local laws contain any anti-competitive provisions. If the proposed subordinate local law contains an anti-competitive provision, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.

Step 5 Accept and consider every submission properly made to the local government.

A submission is properly made to the local government if it—

(a) is the written submission of any person about the proposed subordinate local law; and

(b) states—

(i) the grounds of the submission; and

(ii) the facts and circumstances relied on in support of the grounds; and

(c) is given to the local government on or before the last day of the consultation period.

Step 6 By resolution, decide whether to—

(a) proceed with the making of the proposed subordinate local law as advertised; or

(b) proceed with the making of the proposed subordinate local law with amendments; or

(c) not proceed with the making of the proposed subordinate local law.

If the local government resolves to proceed with the making of the proposed subordinate local law with amendments, and the amendments are substantial, the local government may again —

(a) consult with the public at step 2; and

(b) accept and consider every submission properly made to the local government at step 4.

For the avoidance of doubt, if an amendment changes an anti-competitive provision, the local government must again comply with the procedures prescribed under a regulation for the review of anti-competitive provisions for the amended anti-competitive provision.

Step 7 Within one month of Council resolution, publish notice in Queensland Gazette and Council's website letting the public know that the subordinate local law has been made, by publishing a notice of the making of the subordinate local law in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

Step 8 As soon as practicable after the notice is published in the gazette, ensure that a copy of the subordinate local law may be inspected and purchased at the local government's public office.

Step 9 Within 14 days after the notice is published in the gazette, give the Minister—

(a) a copy of the notice; and

(b) a copy of the subordinate local law in electronic form; and

Step 10 Update the local government's register of its local laws.

Amending a local law

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The process (amending local law making process) stated in this resolution must be used to make a local law (a proposed amendment local law).

Step 1 By resolution, propose to amend a local law.

Step 2 Develop a proposed amendment local law and a consolidated local law.

Step 3 Consult with relevant government entities about the overall State interest in the proposed amendment to the local law.

Step 4 Consult with the public about the proposed amendment to the local law for the consultation period by—

- (a) publishing a notice (a consultation notice) about the proposed amendment to the local law on Council's web-site and in Council's newsletter; and
- (b) displaying the consultation notice in a conspicuous place at the local government's public office from the first day of the consultation period until the end of the last day of the consultation period; and
- (c) making a copy of the proposed amendment local law and consolidated local law available for inspection at the local government's public office during the consultation period; and
- (d) making copies of the proposed amendment local law and consolidated local law available for purchase at the local government's public office during the consultation period.

The consultation notice must state the following—

- (a) the name of the proposed amendment local law; and
- (b) the purpose and general effect of the proposed amendment to the local law; and
- (c) the length of the consultation period and the first and last days of the period; and
- (d) that written submissions by any person supporting or objecting to the proposed amendment local law may be made and given to the local government on or before the last day of the consultation period stating—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds.

If the local government decides, by resolution, that the proposed local law only amends an existing local law to make an insubstantial change, the local government may proceed to step 6 without satisfying step 3 or step 5.

Step 5 Conduct a desktop review to identify if the local laws amendments contain any anti-competitive provisions. If the proposed amendment to the local law contains anti-competitive provisions, comply with the procedures prescribed under a regulation for the review of anti-competitive provisions.

Step 6 Accept and consider every submission properly made to the local government.

A submission is properly made to the local government if it —

- (a) is the written submission of any person about the proposed amendment local law; and
- (b) states—
 - (i) the grounds of the submission; and
 - (ii) the facts and circumstances relied on in support of the grounds; and
- (c) is given to the local government on or before the last day of the consultation period.

Step 7 By resolution, decide whether to—

- (a) proceed with the making of the proposed amendment local law as advertised; or
- (b) proceed with the making of the proposed amendment local law with further amendments; or
- (c) not proceed with the making of the proposed amendment local law.

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If the local government resolves to proceed with the making of the proposed amendment local law with further amendments, and the amendments are substantial, the local government may again —

- (a) consult with the public at step 3; and
- (b) accept and consider every submission properly made to the local government at step 5.

Step 8 Within one month of Council resolution, publish notice in Queensland Gazette and Council's website letting the public know that the local law has been made, in accordance with the requirements of section 29B(1) to (4) inclusive of the *Local Government Act 2009*.

Step 9 As soon as practicable after the notice is published in the gazette, ensure that a copy of the local law may be inspected and purchased at the local government's public office.

Step 10 Within 14 days after the notice is published in the gazette, give the Minister—

- (a) a copy of the notice; and
- (b) a copy of the consolidated local law; and
- (c) a copy of the amendment local law in electronic form.

Step 11 Update the local government's register of its local laws.

Amending a subordinate local law

As above, except **Step 3**, State Interest Tests are not required when amending subordinate local laws

CARRIED 5/0

Resolution No.118/1617

8.3 Local Laws

Council has adopted a process for the making of local laws. In accordance with that process, this report presents the following Local Laws and Subordinate Local Laws for consideration of anti-competitive provisions and adoption (making):

- Local Law 1 (Administration) 2016
- Local Law 2 (Animal Management) 2016
- Local Law 3 (Community and Environmental Management) 2016
- Local Law 4 (Local Government Controlled Areas, Facilities and Roads) 2016
- Subordinate Local Law 1 (Administration) 2016
- Subordinate Local Law 2 (Animal Management) 2016
- Subordinate Local Law 3 (Community and Environmental Management) 2016
- Subordinate Local Law 4 (Local Government Controlled Areas, Facilities and Roads) 2016

Recommendation:

Resolution in respect to Anti-Competitive Provisions

1. THAT Council notes that proposed Local Law No. 1 (Administration) 2016 and Subordinate Local Law No. 1 (Administration) 2016 contain anti-competitive provisions.

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THAT Council resolves that there are no anti-competitive provisions in the following proposed Local Laws and Subordinate Local Laws—

- a) Local Law No. 2 (Animal Management) 2016 and Subordinate Local Law No. 2 (Animal Management) 2016; and
- b) Local Law No. 3 (Community and Environmental Management) 2016 and Subordinate Local Law No. 3 (Community and Environmental Management) 2016; and
- c) Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016 and Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016.

Resolutions in respect to making Local Laws

2. THAT Council hereby resolves to make Local Law No. 1 (Administration) 2016 which incorporates Model Local Law No.1 (Administration) 2010, and includes the repeal of the following existing local laws—

- a) McKinlay Shire Council Local Law No. 1 (Administration)
- b) McKinlay Shire Council Local Law No. 2 (Cemeteries)
- c) McKinlay Shire Council Local Law No. 3 (Meetings)
- d) McKinlay Shire Council Local Law No. 6 (Control of Advertising)
- e) McKinlay Shire Council Local Law No. 13 (Caravan Parks and Camping 2002)
- f) McKinlay Shire Council Local Law No. 14 (Temporary Entertainment Venues 2004)
- g) McKinlay Shire Council Local Law No. 23 (Libraries)

The local law once adopted will be referred to as McKinlay Shire Council Local Law No. 1 (Administration) 2016 of Council's Local Laws.

3. THAT Council hereby resolves to make Local Law No. 2 (Animal Management) 2016 which incorporates Model Local Law No.2 (Animal Management) 2010, and includes the repeal of the following existing local laws—

- a) McKinlay Shire Council Local Law No. 4 (Impounding of Animals)
- b) McKinlay Shire Council Local Law No. 5 (Keeping and Control of Animals)

The local law once adopted will be referred to as McKinlay Shire Council Local Law No. 2 (Animal Management) 2016 of Council's Local Laws.

4. THAT Council hereby resolves to make Local Law No. 3 (Community and Environmental Management) 2016 which incorporates Model Local Law No.3 (Community and Environmental Management) 2010, and includes the repeal of the following existing local law—

- a) McKinlay Shire Council Local Law No. 16 (Overgrown and Unsightly Allotments 2005)

The local law once adopted will be referred to as McKinlay Shire Council Local Law No. 3 (Community and Environmental Management) 2016 of Council's Local Laws.

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5. THAT Council hereby resolves to make Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016 which incorporates Model Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2010, and includes the repeal of the following existing local laws—

- a) McKinlay Shire Council Local Law No. 7 (Parks and Reserves)
- b) McKinlay Shire Council Local Law No. 8 (Public Aerodromes)
- c) McKinlay Shire Council Local Law No. 9 (Swimming Pools)
- d) McKinlay Shire Council Local Law No. 10 (Water)
- e) McKinlay Shire Council Local Law No. 11 (Roads)
- f) McKinlay Shire Council Local Law No. 12 (Commercial Use of Roads 2002)

The local law once adopted will be referred to as McKinlay Shire Council Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016 of Council's Local Laws.

Subordinate Local Laws

6. THAT Council hereby resolves to make McKinlay Shire Council Subordinate Local Law No. 1 (Administration) 2016.

The subordinate local law once adopted will be referred to as McKinlay Shire Council Subordinate Local Law No. 1 (Administration) 2016 of Council's Local Laws.

7. THAT Council hereby resolves to make McKinlay Shire Council Subordinate Local Law No. 2 (Animal Management) 2016.

The subordinate local law once adopted will be referred to as McKinlay Shire Council Subordinate Local Law No. 2 (Animal Management) 2016 of Council's Local Laws.

8. THAT Council hereby resolves to make McKinlay Shire Council Subordinate Local Law No. 3 (Community and Environmental Management) 2016.

The subordinate local law once adopted will be referred to as McKinlay Shire Council Subordinate Local Law No. 3 (Community and Environmental Management) 2016 of Council's Local Laws.

9. THAT Council hereby resolves to make McKinlay Shire Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016.

The subordinate local law once adopted will be referred to as McKinlay Shire Council Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2016 of Council's Local Laws.

Moved Cr. S Royes

Seconded Cr. N Walker

That Council receive the report and council defer consideration of adoption for a future meeting.

CARRIED 5/0

Resolution No119/1617

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8.4 Renewal of Term Lease over Lot 35 on EN98

Council's views are sought on the application for renewal of Term Lease over Lot 35 on EN98.

Recommendation:

That in reference to the renewal of Term Lease over Lot 35 on EN98 Council advises the Department of Natural Resources and Mines that it has no objection or requirements.

Moved Cr. P Curr

Seconded Cr. J Fegan

That in reference to the renewal of Term Lease over Lot 35 on EN98 Council advises the Department of Natural Resources and Mines that it has no objection or requirements.

CARRIED 5/0

Resolution No.120/1617

8.5 Renewal of Term Lease over Lot 1 on CP909887

Council's views are sought on the application for renewal of Term Lease over Lot 1 on CP909887.

Recommendation:

That in reference to the renewal of Term Lease over Lot 1 on CP909887 Council advises the Department of Natural Resources and Mines that it has no objection or requirements.

Moved Cr. J Fegan

Seconded Cr. N Walker

That in reference to the renewal of Term Lease over Lot 1 on CP909887 Council advises the Department of Natural Resources and Mines that it has no objection or requirements.

CARRIED 5/0

Resolution No.121/1617

8.6 Renewal of Special Lease over Lot 7 on EN33

Council's views are sought on the application for renewal of Special Lease over Lot 7 on EN33.

Recommendation:

That in reference to the renewal of Special Lease over Lot 7 on EN33 Council advises the Department of Natural Resources and Mines that it has no objection or requirements.

Moved Cr. S Royes

Seconded Cr. N Walker

That in reference to the renewal of Special Lease over Lot 7 on EN33 Council advises the Department of Natural Resources and Mines that it has no objection or requirements.

CARRIED 5/0

Resolution No.122/1617

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8.7 Assistance with fencing Nelia CWA grounds

QCWA Nelia Branch seeks assistance from Council to erect boundary fencing to its property southern and eastern boundaries when Council undertakes fencing on the common boundary between QCWA and the park.

Recommendation:

That Council agrees to the request from QCWA Nelia to provide assistance by way of labour and equipment (excluding fencing materials) to erect boundary fencing to the QCWA Nelia property southern and eastern boundaries when Council erects fencing to the common boundary with its park.

Moved Cr. P Curr

Seconded Cr. J Fegan

That Council agrees to the request from QCWA Nelia to provide assistance by way of labour and equipment (excluding fencing materials) to erect boundary fencing to the QCWA Nelia property southern and eastern boundaries when Council erects fencing to the common boundary with its park.

CARRIED 5/0

Resolution No123/1617

8.8 Request to Pay Building Certification Fees for new JC Historical Society Shed

In a report presented to Council at its meeting held on 15 March 2016 no consideration was given to Building Certification fees in respect to the proposed JCHS display shed.

An invoice has now been received by the society for these fees which is beyond their resources to pay at this time. As the project cannot proceed further without payment of fees and the grant for the shed must be acquitted by mid December, the society has requested Council pay the fees with reimbursement by the society over time.

Moved Cr. J Fegan

Seconded Cr. N Walker

That Council agree to the Julia Creek Historical Society's request.

CARRIED 5/0

Resolution No.124/1617

Interim Director of Environment and Regulatory Services distributed to Councillors details of a Deed of Issue of a Trustee Permit for discussion.

Attendance – Director of Environment and Regulatory Services Robert Savage left the meeting at 12:01pm

9. CHIEF EXECUTIVE OFFICERS REPORT

Attendance – Cr. Royes left the meeting 12:02 -12:05pm

9.1 Chief Executive Officers Report

Moved Cr. S Royes

Seconded Cr. J Fegan

That Council receives the November Chief Executive Officer Report.

CARRIED 5/0

Resolution No.125/1617

CONFIRMED MINUTES

9.2 Ergon SWER Lines

This Project is looking at the possibility for a joint venture for a better more reliable power source for the end consumer and still have Ergon as the supplier and maintainer of an alternative power supply this would be negotiated with end users, local governments, MITEZ and ERGON, and looking at McKinlay Shire Council as starting point for a trial project.

MITEZ has already been part of a discussion of this longstanding issue of reliable power to remote communities. Glen Graham has completed a draft funding application is asking feedback from Council.

We are sitting up discussions now so that at the next MITEZ meeting on the 1st December 2016 Council hope to have a discussion with ERGON, Glen Graham (MITEZ) and Council initially working on behalf of landowners and Lessees to formalise to agree to nominate this as a project.

The budget for this Project is estimated at \$100,000.00 to engage a consultant/company to investigate the feasibility along with Landowners/Lessees, ERGON, MITEZ and Council.

The budget Breakdown for this is as follows:

MITEZ	\$50,000
ERGON	\$25,000
MSC	\$25,000

Recommendation:

That Council agrees to work with MITEZ and ERGON to see if we can form a MOU and work towards submitting this funding agreement to MITEZ, and if successful fund this either through a budget adjustment or in the 2017-18 Financial year for Councils contribution of \$25,000.

Moved Cr. P Curr

Seconded Cr. N Walker

That Council agrees to work with MITEZ and ERGON to see if we can form a MOU and work towards submitting this funding agreement to MITEZ, and if successful fund this either through a budget adjustment or in the 2017-18 Financial year for Councils contribution of \$25,000.

CARRIED 5/0

Resolution No.126/1617

9.3 Julia Creek Town and Country Club Memorabilia

McKinlay Shire Council now owns the Town and Country Club. We also received the keys to the building last week and have acted on a community request in regards to the memorabilia.

The executive management went for an initial inspection of the building and its contents, and took photos of the memorabilia that we could find.

Recommendation:

That Council through discussion ask the Historical Society to house these item in the museum.

Moved Cr. P Curr

Seconded Cr. J Fegan

That Council delegate to the CEO and Director of Corporate and Community Services to discuss options with previous club committee members and put forward options of housing in public spaces such as the Opera House.

CARRIED 5/0

Resolution No.127/1617

CONFIRMED MINUTES

9.4 Julia Creek Gun Club

The new President of the SSAA Julia Creek Branch Mr. Phil Alexander has emailed Council with a request for support to have the Gun Club Approval Reissued.

Recommendation:

That Council give the SSAA Julia Creek Branch a letter of support to Mr. Phil Alexander.

Moved Cr. J Fegan

Seconded Cr. N Walker

That Council give the SSAA Julia Creek Branch a letting of support for the re-issue for the Shooting range approval.

CARRIED 5/0

Resolution No.128/1617

9.5 First Quarter Review of the 2016-2017 Operational Plan

In accordance with section 174 (3) of the Local Government Regulation 2012, a written assessment of Council's progress towards implementing the annual operational plan for the quarter July to September 2016 is presented to Council.

Recommendation:

That Council accepts the first quarter review of the 2016-2017 Operational Plan.

Moved Cr. N Walker

Seconded Cr. P Curr

That Council accepts the first quarter review of the 2016-2017 Operational Plan.

CARRIED 5/0

Resolution No.129/1617

9.6 Letter of appreciation

On the 9th September 2016 Mrs. Margaret Woodhouse addressed a letter to Council raising her concern of the growth of Prickly Acacia and other weeds along the verges of the bitumen road through Auckland, Alva and particularly Baroona.

The issue revolved mainly the hazard that this poses when traveling on this road in day and night time. Thanks to our Depot staff this issue was resolved very quickly and we are looking into how to prevent this from occurring with frequent inspections with a defect list being created with associated task with a priority rating. We have then a letter from Mrs. Margaret Woodhouse thanking Council for the treatment of the Prickly Acacia.

Recommendation:

That Council note the letter of concern and appreciation.

Moved Cr. J Fegan

Seconded Cr. S. Royes

That Council note the letter of concern and appreciation.

CARRIED 5/0

Resolution No.130/1617

CONFIRMED MINUTES

10. WORK PLACE HEALTH AND SAFETY

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

11. MEMBERS BUSINESS

Council were presented with the Draft 2015/16 Annual Report and will adopt at a Special meeting to be held on the 29th November 2016.

Mayor thanked Council's Tourism Department, Tenneil Cody, Georgia Fleming, Katrina Harling and Cr. Janene Fegan for their efforts with Tourism and for their support at the Queensland State Tourism Awards that were held in Brisbane 11th November 2016.

Mayor presented auditor-general's observation report for 2015/16.

Council were presented with a Document for Community consultation on the following projects:

- Artesian Spa Baths at the Caravan Park
- Amenities Caravan Park and the Kev Bannah Oval
- Shade structure Burke Street
- Tent City
- RV Site Nature Trail Master Plan

Cr. Janene Fegan gave Council an update on the Hospital meeting attended in relation to the Hospital upgrade. Looking at Community Consult after the 12th December 2016 on the refurbishment/new build.

Cr. Shauna Royes gave thanks to Cr. Janene Fegan, Cr. Belinda Murphy and Georgia Fleming for the Tourism initiative with Britz in relation to Outback Tourism awards attended earlier this month in Jundah.

Cr. Murphy discussed the Regional Innovation Program to Council. Program encourages innovation across Queensland and supports local economies to create jobs for regional Queenslanders. Cr. Murphy to start working on the program.

Telstra roaming submission.

Cr. Royes - Spirit of the Outback Voucher and suggested use.

Regional Roads Group and Regional Organisation of Council meeting to be held next week in Hughenden. CEO and Cr. Curr to attend.

12. CLOSURE OF MEETING

The Chair of the meeting, Cr. Belinda Murphy declared the meeting closed at 1:20pm

Cr Belinda Murphy
Mayor