



# MCKINLAY SHIRE COUNCIL

## ***CONFIRMED MINUTES***

OF THE

**ORDINARY MEETING OF COUNCIL**

HELD AT THE

BOARD ROOM, CIVIC CENTRE  
JULIA CREEK

**15<sup>th</sup> July 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
<b><u>5. ENGINEERING REPORT</u></b>	<b>3</b>
5.1 Report - Engineering Works Report	3
9.6 CONFIDENTIAL Report – Renewal of Punchbowl Road	4
<b><u>6. ENVIRONMENT AND REGULATORY SERVICES REPORT</u></b>	<b>5</b>
6.1 Report – Environment and Regulatory Services Report- June 2014	5
6.2 Report – Julia Creek and McKinlay Town Common	5
<b><u>7. COMMUNITY SERVICES REPORT</u></b>	<b>7</b>
7.1 Report – Community Services Report	7
7.2 Report – Middle School – Student Enrolment	7
7.3 Report - Julia Creek Kindergarten & Childminding Association MOU	8
7.4 Report - Get Out, Get Active Grant	8
7.5 Report – McIntyre Park user groups	8
<b><u>8. CORPORATE SERVICES REPORT</u></b>	<b>8</b>
8.1 Report – Corporate Services Report	8
8.2 Report – Audit Committee	9
8.3 Report – Procurement Policy Review	9
8.4 Report - Review Fees and Charges Schedule	9
<b><u>9. CHIEF EXECUTIVE OFFICER REPORT</u></b>	<b>9</b>
9.1 Report – Chief Executive Officer Report	9
9.2 Report – Women in Local Government QLD Leadership Summit 2014	9
9.3 Report – Councillor Remuneration Policy	10
9.4 Report – Nomination of Special Holiday 2015	10
9.5 Report – Corporate Plan	10
9.7 CONFIDENTIAL Report - Progression report on Purchase of part of LOT 57 on SP232864 for Solar Farm	11
10. Work Place Health and Safety	12
11. Members Business	12
12. Close	12



CONFIRMED MINUTES

**Procedural Motion**

These reports are 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. Batt

Seconded Cr. Curr

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

CARRIED

Resolution No.4/1415

- The meeting was closed to the public at 11:16am

**Procedural Motion**

Moved Cr. Walker

Seconded Cr. Curr

That Council re-open the meeting to the public.

CARRIED

Resolution No.5/1415

- The meeting was re-opened to the public at 11:35am

**9.6 Renewal of Punchbowl Bridge**

On the 2<sup>nd</sup> July 2014 a Load Limit Assessment report was received from AECOM for the Punchbowl Bridge. The report was quite disturbing with the report stating that Punchbowl Bridge *“is in very poor condition with severe spalling (and loss of concrete) in large sections and loss of reinforcing sections throughout (particularly on the underside of the deck slab)”*.

A full replacement of the structure was recommended and a load limit of 5 tonne recommended until the bridge is replaced.

The load limit will be applied from 4<sup>th</sup> August 2014, with a bypass road catering for vehicles over 5 tonne.

AECOM were engaged to supply concept assessments, and this report details options and costs for the new bridge.

Moved Cr. Walker

Seconded Cr. Hick

1. That Council confirms the preferred option is C1 single narrow culvert.
2. Chief Executive Officer be authorized to continue negotiations and discussions on the preferred option.
3. Further, the Chief Executive Officer provides regular, timely advice to Council prior to any contract being finalized.
4. Council to apply for the Federal Governments Bridges to Renewal program for this project and investigate further funding opportunities

CARRIED

Resolution No.6/1415

CONFIRMED MINUTES

**Attendance** – Director of Engineering Greg Chesterfield left the meeting at 11:45am

**Attendance** – Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 11:50am

**6. ENVIRONMENT AND REGULATORY SERVICES REPORT**

**6.1 Environment and Regulatory Works Report – June 2014**

Moved Cr. Hick

Seconded Cr. Walker

That Council receive the Environment and Regulatory Services Works Report

CARRIED

Resolution No.7/1415

**6.2 Julia Creek and McKinlay Town Common**

This report makes recommendation to Council for the formalisation of general rules of use for the Julia Creek Town Common and the progression of the lease of the McKinlay Paddock 3.

McKinlay Shire is Trustee for a number of Pasturage Reserves or “Traditional” town commons located in Julia Creek and the three Townships of the Shire. The commons in McKinlay, Kynuna and Nelia have previously operated under Trustee Lease agreements to persons for the intended use of grazing live stock. In the past the traditional use of a “Town Common” was to allow for use of grazing of live stock by residence of the neighboring urban communities.

At the moment, the only “Town Common” that operates in the shire is the Julia Creek Common located to the west of the town. The common has been in use for many years and presently has about 200 head agisted. The general rule of use is a limit of 20 head of livestock per person. The number of stock allowed for agistment varies dependent of the season and available feed. Council should note that feed and stock levels are maintained to provide, where practical, all year round availability of the common.

There have been some management matters that have tendered to limit the access for residences due mainly to multiple family members’ agisting livestock. This includes from the same household and brand. This report makes recommendation to formalise this matter moving forward and allow a greater level of access, fairness and equity to community members across the Shire.

As noted above, all Trustee leases paddocks were tendered for lease over two years or so ago with the formal leases on all but one (1) being formalised 1 September 2013. In March 2014, Council approved McKinlay Paddock 3 to be offered for public tender. However a number of residences of the McKinlay Township have requested that this paddock be now utilised as a “Town Common”.

The McKinlay Paddock 3 was and has again been considered for use as a Town Common for McKinlay, however due to operational, management and control issues identified this option is a least preferred outcome. In order to effectively deal with the various matters pertaining to the access and use of the Town Common and to allow fair and equitable access to all urban residences of the shire a set of Town Common Rules has been prepared.

Moved Cr. Walker

Seconded Cr. Curr

That Council:

- a. Offers by tender McKinlay Paddock 3 as per the March 2014 Resolution 171/1314.
- b. Adopts the Julia Creek Town Common General Rules of Use as detailed below;

**General Rules of Use  
McKinlay Shire Town Common**

CONFIRMED MINUTES

**PURPOSE**

To establish criteria, for the number of livestock agisted on the McKinlay Shire Town Common per household and brand.

**DEFINITION**

**Town Common** - The McKinlay Shire Town Common is located on the Western Side of Julia Creek bounded to the south by the Flinders Highway/Rail Line and to the east by the Wills Development Road. Being Lot 9 on EN 71 and of about 2840 hectares in area.

**Household** - The principal place of residence of the applicant.

**Eligibility to Agist** - To remove any doubt,

1. only those persons whose principle place of residence is located in the urban area of the following communities will be eligible to agist livestock on the Town Common;
  - a. Julia Creek;
  - b. McKinlay;
  - c. Kynuna;
  - d. Nelia.
2. they do not have current trustee leases for reserve paddocks.

**Livestock** – Only Cattle and Horses are to be agisted

**RESPONSIBLE PERSONS**

1. Chief Executive Officer - means the Chief Executive Officer of McKinlay Shire Council.
2. Livestock Owner - The registered and lawful owner of the livestock.
3. Shire Ranger - Day to day management of the McKinlay Shire Town Common.

**CONDITIONS OF USE**

The following are the general conditions for agistment for the McKinlay Shire Town Common:

1. Ten (10) head of livestock to be the maximum number agisted per registered Brand and household;
2. Total number of live stock allowable of the Common will be season dependant and will be assessed by the Shire Ranger from time to time. However as a guide the maximum number of livestock will generally be limited to 150 head of cattle and 15 horses. Maximum stocking rate will be approved by the Chief Executive Officer from time to time;
3. Total head of livestock on the McKinlay Shire Town Common will be reduced to an acceptable number determined by Council during poor seasons when insufficient fodder. Number of livestock per household to be reduced proportionately;
4. Agistment charges as fixed by Council are payable in advance. Accounts will be issued prior to the expiry of previously paid agistment. (It is your responsibility to advise Council when livestock is removed to avoid incorrect accounts being raised);
5. Notice must be given to Council to Agist on the McKinlay Shire Town Common must be on the approved form to put livestock on the Common, at least fourteen (14) days in advance;
6. Application must include a copy of a receipt, waybill/NVD or other documentation to prove ownership of livestock;
7. All cattle are to have an NLIS tag in their ear prior to being put on the Common. A list of the NLIS tag numbers are to be given to the Council with your application and read onto the Common;
8. It is the applicants' responsibility to ensure that all NLIS transfers on and off the Common are completed







CONFIRMED MINUTES

## 8.2 Audit Committee

Council is required under the Local Government Act 2009 to establish an Audit Committee. This is a new requirement from 1 July as Council moves to the categorisation of a large Council. Council must appoint two Councillors to the committee.

Moved Cr. Curr                      Seconded Cr. Walker

That Council appoint Crs Murphy and Batt to the Audit committee and invite Mr Neil Warner to be a member of the Audit committee with Cr Belinda Murphy as the chairperson of the committee.

CARRIED

Resolution No 15/1415

## 8.3 Procurement Policy Review

As per section 198 of the Local Government Regulation 2012, Council must review the Procurement Policy on an annual basis.

Moved Cr. Curr                      Seconded Cr. Walker

That Council adopt the revised Procurement Policy Version 3.4 as presented.

CARRIED

Resolution No 16/1415

## 8.4 Review Fees and Charges Schedule

Present to Council the proposed Fees and Charges Schedule for the financial year 2014/15.

The schedule contains fees and charges relating to all other services provided by Council.

Moved Cr. Walker                      Seconded Cr. Hick

That Council adopts the proposed Fees and Charges Schedule 2014/15 Version 1 as presented.

CARRIED

Resolution No 17/1415

**Attendance** – Director of Corporate and Community Services Tenneil Cody left the meeting at 3:27pm

## 9. CHIEF EXECUTIVE OFFICERS REPORT

### 9.1 Chief Executive Officers Report

Moved Cr. Batt                      Seconded Cr. Walker

That Council receive the Chief Executive Officers Report.

CARRIED

Resolution No. 18/1415

### 9.2 Women in Local Government QLD Leadership Summit 2014

This leadership development opportunity is designed for female leaders to gain practical value through case studies and workshop sessions. This is a unique opportunity to address practical issues within the unique

CONFIRMED MINUTES

operating environment of Local Government. It will help develop and refine skills needed for Successful Leadership and Career Advancement in Local Government.

Moved Cr. Batt

Seconded Cr. Walker

That Council nominates Cr. Belinda Murphy and Cr. Edwina Hick to attend the Women in Local Government QLD Leadership Summit , 20<sup>th</sup> & 21<sup>st</sup> October 2014 in Brisbane.

CARRIED

Resolution No.19/1415

### 9.3 Councillor Remuneration Policy

Due to the Local Government Remuneration and Discipline Tribunal 2013 review with regards to the remuneration for Mayors, Deputy Mayors and Councillors of Local Governments, the need has arisen for Council to develop and adopt a Councillor Remuneration Policy. Whilst this is not a statutory requirement it is imperative that Council has a policy outlining the Councillor requirements with regards to the meeting fee component of Councillor's Remuneration.

Attached to this report for Council's consideration is the Policy. It details for Council's consideration and adoption Council's commitment to "Good governance of, and by, local government" whilst being "Open, transparent and prudent in its decision making".

Moved Cr. Curr

Seconded Cr. Batt

That Council adopt the Councillor's Remuneration Policy attached to the CEO's report and presented to the ordinary meeting of Council held on 15<sup>th</sup> July 2014.

CARRIED

Resolution No.20/1415

### 9.4 Nomination of Special Holiday

Under the *Holidays Act 1983*, "a special holiday within a district, whether it be a day, or the forenoon or afternoon of a day" is permitted, commonly known as a 'Show Holiday'.

Moved Cr. Walker

Seconded Cr. Hick

That Council recommends that a date for the special holiday be open for deliberation to the community for a date in 2015.

CARRIED

Resolution No.21/1415

### 9.5 Corporate Plan

Under the *Local Government Act 2009*, and *Local Government Regulation 2012* Council must have a Corporate Plan for the 2014-2019 period. The new Corporate Plan is presented to Council.

Moved Cr. Curr

Seconded Cr. Walker

That Council adopt the Corporate Plan attached to the CEO's report and presented to the ordinary meeting of Council held on 15<sup>th</sup> July 2014.

CARRIED

Resolution No.22/1415

CONFIRMED MINUTES

**Procedural Motion**

These reports are 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. Curr

Seconded Cr. Hick

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

CARRIED

Resolution No.23/1415

- The meeting was closed to the public at 3:59pm

**Procedural Motion**

Moved Cr. Curr

Seconded Cr. Walker

That Council reopen the meeting to the public.

CARRIED

Resolution No.24/1415

- The meeting was re-opened to the public at 4:11pm

**9.7 Progression report on Purchase of part of LOT 57 on SP232864 for Solar Farm**

The following recommendations were adopted at the May Ordinary Council Meeting (resolution number 223/1314)

With respect to proposed road opening and land acquisition over part of Pasturage Reserve Lot 57 on SP 232864, Council:

1. Request staff to accept the offer from DNRM for the proposed road opening, submit plan lodgment fee of \$330 and arrange for the preparation and lodgment of a plan of survey,
2. Seek approval from DNRM for an extension of time of twelve (12) months to enable Council to complete negotiations for the possible lease of the proposed site of approximately 26.3ha to a third party for the purposes of establishing a commercial Solar Farm, and
3. The Mayor, Deputy Mayor and Chief Executive Officer be authorized to continue negotiations with the proponents regarding the lease of approximately 26.3ha to be acquired from the State Government from Lot 57 on SP 232864 on the conditions that:
  - a. The proponents secure funding from Australian Renewable Energy Agency (ARENA) for this project and submit evidence that the project is fully funded,
  - b. A satisfactory commercial lease is negotiated with the proponents for a period of up to 30 years with an annual lease fee that provides a timely return on Council's total investment including acquisition costs, survey plan, legal fees,
  - c. Appropriate professional advice be obtained from Council's solicitors, from a registered valuer and from solar industry professionals regarding appropriate Company searches and corporate structures, managing Council's risk exposure, commercial leasing arrangements, advantages to the Julia Creek and McKinlay Shire community etc.

CONFIRMED MINUTES

4. Further, the Mayor and Chief Executive Officer provide regular, timely advice to Council prior to any lease being finalized and before acquisition of the land from the State.

This report addresses these items and supplies an update on the current progress of this matter.

Moved Cr. Hick

Seconded Cr. Batt

That Council receives the report and endorses the actions of the Chief Executive Officer

CARRIED

Resolution No.25/1415

**10. WORK PLACE HEALTH AND SAFETY**

**11. MEMBERS BUSINESS**

**12. CLOSURE OF MEETING**

The Chair of the meeting, Cr. Belinda Murphy declared the meeting closed at 4:18pm

\_\_\_\_\_  
Cr Belinda Murphy  
Mayor