

# MCKINLAY SHIRE COUNCIL

## **CONFIRMED MINUTES**

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARD ROOM, CIVIC CENTRE JULIA CREEK

15<sup>th</sup> October 2013

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#### 1. OPENING BUSINESS

All Councillors having signed the Attendance Book, the Mayor declared the meeting open at 9:00am

#### 2. ATTENDANCE

Mayor: Cr. B Murphy Members: Cr. E Hick, Cr. N. Walker, Cr. P Curr

Staff:

Acting Chief Executive Officer and Director of Corporate and Community Services Ms Tenneil Cody Director of Environment and Regulatory Services: Mr. Geoff Rintoul (9:39am) Director of Engineering: Mr. Matt Fanning Executive Assistant: Ms Linda McNab

#### APOLOGIES:

Chief Executive Officer Mr. Mark Kelleher Cr. A. Batt

Moved Cr. Walker

That Council accept Cr. Anthony Batt's leave of absence.

Resolution No.64/1314

#### 3. CONFIRMATION OF MINUTES

Confirmation of minutes from the Ordinary Meeting on 17<sup>th</sup> September 2013 as previously circulated to Councillors.

Moved Cr. Hick Seconded Cr. Walker

That the minutes of the Ordinary meeting held on 17<sup>th</sup> September, 2013 be confirmed.

Seconded Cr. Curr

Resolution No.65/1314

#### 4. BUSINESS ARISING FROM PREVIOUS MINUTES

NIL

#### 5. ENGINEERING SERVICE REPORT

#### 5.1 Engineering Works Report

Moved Cr. Hick Seconded Cr. Walker

That Council receive the Engineering Services Works Report

Resolution No. 66/1314

Attendance – Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 9:39am.

Attendance - Director of Engineering Matt Fanning left the meeting at 9:43am

CARRIED

CARRIED

#### 6. ENVIRONMENT AND REGULATORY SERVICES REPORT

#### 6.1 Environment and Regulatory Works Report

Moved Cr. Hick Seconded Cr. Walker

That Council receive the Environment and Regulatory Works Report

Resolution No.67/1314

CARRIED

CARRIED

#### 6.2 Duncan McIntyre Museum Proposal for upgrade of facilities.

This report formalises recent negotiations between Council and the Julia Creek Historical Society to carry out works at the Duncan McIntyre Museum located in Burke Street Julia Creek. The aim is to reopen the museum to the general public and place on display, the history of the Julia Creek and wider McKinlay Shire.

Moved Cr. Walker

Seconded Cr. Curr

That Council approves the proposed upgrade works at the Duncan McIntyre Museum subject to the following conditions:

- 1. Council authorise the CEO to enter into a signed agreement between McKinlay Shire Council and the Julia Creek Historical Society formalising the long term management and operations of the Duncan McIntyre Museum.
- 2. Funding for the works is sourced from the current 2013/14 budged allocations of "At the Creek Stage 3" project work to a maximum of \$60,000.
- 3. Internal works to the main building are carried out so as to provide for a physical separation between the public and display; and
- 4. External works are carried out generally in accordance with JC Museum Site Plan (Mark Up) Attachment 1.

Resolution No. 68/1314

# 6.3 Request for Council comment - Removal of Covenant No. 707275546 over Lots 8 on TO38, 5 on EN18 and 6 on EN49

Council received a request from the current owners of the property for comment and any conditions that it may have in regard to the proposed removal of Covenant No. 707275546 over Lots 8 on TO38, 5 on EN18 and 6 on EN49.

The covenant was set in place to restrict the sale of individual lots due to the size and usability of the individual lots. The current owners are looking at the removal of the covenant.

Moved Cr. Hick

Seconded Cr. Walker

That Council advises the Department of Natural Resources and Mines that in regards to removal of Covenant No. 707275546 over Lots 8 on TO38, 5 on EN18 and 6 on EN49:

- 1. Council has no objection to the removal of the covenant; and
- 2. All costs relating to the removal of the covenant, including access or services to these lots due to the removal of the covenant is the responsibility of the leasee.

Resolution No.69/1314

#### 6.4 Application for Renewal of Special Leases over Camping and Water Reserve on Lot3 on AL66.

Council has received a request from the Department of Natural Resources and Mines (DNRM) to provide views and/or requirements regarding the application for renewal of Special Leases over Camping and Water Reserve on Lot3 on AL66. This Property is located on the Landsbrough Highway and Oorindi/McKinlay Road McKinlay, see Photo 1 on page 2. The proposed use of the land is for ongoing grazing on the property which is consistent with the existing use of the reserve. The lease period will be for 5 years.

The current lessee owns the neighbouring and adjoining properties and the intended use of the lots is for grazing.

Moved Cr. Curr Seconded Cr. Walker

That Council advises the Department of Natural Resources and Mines that in regards to Renewal of Special Leases over Camping and Water Reserve on Lot3 on AL66:

- 1. Council has no objections to the lease being renewed;
- 2. The lease is made between the applicant and DNRM;
- 3. The period of Lease is for five (5) year;
- 4. The reserve is still required for its intended purposes; and
- 5. Council does not wish to enter into a Trustee Lessee arrangement with the applicant;

Resolution No.70/1314

Attendance – Director of Environment and Regulatory Services Geoff Rintoul left the meeting at 10:18am

**<u>RECESS</u>**: 10:18am – 10:30am The Mayor adjourned the meeting for morning tea.

#### 7. COMMUNITY SERVICES REPORT

#### 7.1 Community Service Report

Moved Cr. Hick

Seconded Cr. Walker

That Council receive the Community Services Report.

Resolution No 71/1314

#### 7.2 Support for Julia Creek Pony Club Grant Application

The purpose of this report is to seek Council's support for the Julia Creek Pony Club's grant application to the Department of National Parks, Recreation, Sport and Racing, through its *Get Playing* grant to upgrade arena fencing at McIntyre Park.

Moved Cr. Curr

Seconded Cr. Hick

That Council support the Julia Creek Pony Club's Get in the Game funding application through a letter of support including confirmation of permission to occupy the land.

Resolution No. 72/1314

CARRIED

CARRIED

#### 7.3 Sponsorship Request – Julia Creek Kindergarten & Child Minding Association

Council is presented with a request for sponsorship from the Julia Creek Kindergarten & Child Minding Association for consideration.

Moved Cr. Curr

Seconded Cr. Walker

That Council sponsor the Julia Creek Kindergarten & Child Minding Association for the Drought Buster Ball to the value of \$1,100.

Resolution No. 73/1314

CARRIED

#### 7.4 Julia Creek Pony Club Request to utilize donga

Council is presented with a request from Julia Creek Pony Club to utilize the donga currently located at Kev Bannah Oval. Greening Australia Queensland own the donga and a request has been made to transfer ownership to Council. Direction is required from Council on how to allocate use of the facility in future.

Moved Cr. Hick

Seconded Cr. Walker

Council approve the request of Julia Creek Pony Club to relocate and utilize the Greening Australia Queensland donga to McIntyre Park subject to written approval from Greening Australia Queensland. Julia Creek Pony Club shall bear all removal and re-establishment costs.

CARRIED

#### Resolution No. 74/1314

#### 7.5 Council Venues – Alcohol Management

Council is presented with information regarding changes to liquor licensing legislation and how this affects Council venues and their use by non for profit groups. The Office of Liquor and Gaming Regulation requires that an appropriate licence or permit be issued in order for liquor to be supplied or sold in Queensland and comply with the necessary conditions, responsibilities and obligations.

New legislation introduced meant that from 1 July 2013, eligible non-profit organisation holding a low risk fundraising event may not need a community liquor permit to be able to sell/supply alcohol at their event.

Moved Cr. Curr

Seconded Cr. Walker

That Council update its venue hire procedures to request the following when alcohol is being served/consumed at an event:

- a Community Liquor Permit along with an evacuation and site plan (templates to be provided by Council); or
- a completed Non-profit fundraising events: alcohol, safety and event management planning guide; and
- a valid Responsible Serving of Alcohol certificate; and
- a public liability insurance certificate of currency; and
- that the local Officer in Charge at Queensland Police Service is advised of the event; and for high risk events that
- security be contracted, along with a copy of their current Security Providers Licence Number.

Resolution No. 75/1314

#### 8. CORPORATE SERVICES REPORT

#### 8.1 Corporate Services Report

Moved Cr. Hick

Seconded Cr. Walker

That Council receive the Corporate Services Report

Resolution No 76/1314

#### 8.2 Public Interest Disclosure Policy

The *Public Interest Disclosure Act 2010* (the PID Act) replaced the *Whistle Blowers Act 1994*. The PID Act aims to ensure that government is open and accountable by providing protection for those who speak out about wrong doing or in other words, make a public interest disclosure (PID).

Council has obligations under the PID Act to implement and maintain a management program for Public Interest Disclosures. To achieve this, a Public Interest Disclosure Policy has been drafted for Councils consideration

Seconded Cr. Curr

Moved Cr. Walker

That Council adopt the Public Interest Disclosure Policy version 1.0 as presented.

Resolution No. 77/1314

#### 9. CHIEF EXECUTIVE OFFICERS REPORT

#### 9.1 Chief Executive Officers Report

Moved Cr. Walker

Seconded Cr. Hick

That Council receive the Chief Executive Officers Report.

Resolution No. 78/1314

#### 9.2 Acquisition of Artwork

The Council recently became aware of an art exhibition in Cloncurry which included a water colour painting by the artist, Peden, entitled "McKinlay Store". The painting has a certificate of authenticity. Given the artwork depicts the old McKinlay store, the quality of the painting and all Councilors agreeing, it was decided to acquire the work for display in a Council building.

Moved Cr. Curr

Seconded Cr. Hick

That Council confirms the purchase of the painting, "McKinlay Store" for \$1500

Resolution No. 79/1314

CARRIED

CARRIED

CARRIED

Attendance - Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 11:30am

#### 9.3 Proposed Planning Scheme Amendments and Amalgamation of Lots

In response to a recent subdivision of land along the western flanks of Julia Creek, the McKinlay Shire Planning Scheme (the planning scheme) requires amending to ensure the land use zonings accurately reflect the intended use of the lots. As it currently stands, the associated lots are zoned Community Purpose which is hindering the ability for the efficient and cost effective development and use of the lots for their intended purpose, which is a mix of rural residential and light and service industry.

This amendment also takes the opportunity to consolidate the zoning of adjoining lots so as to minimise the risk of incompatible development occurring. There is also the need to amalgamate a number of existing lots to ensure lot sizes more accurately reflected their intended zone and can subsequently accommodate the types of uses envisaged under their zoning. To ensure there is no "double handling" the amalgamation is to occur prior to the adoption of the amended planning scheme.

Moved Cr. Hick

Seconded Cr. Curr

That Council

- 1. Resolve to amend the McKinlay Shire Planning Scheme, pursuant to Chapter3, Part 5 of the *Sustainable Planning Act 2009*, in accordance with the table 1 below; and
- 2. Council resolve to amalgamate the lots identified in table 2 below.

Current Zone	Proposed Zone
Community Purpose	Industrial Zone – Light &
	Service Industry Sub-Area
Community Purpose	Industrial Zone – Light &
	Service Industry Sub-Area
Community Purpose	Rural Residential Zone
Community Purpose	Industrial Zone – Light &
	Service Industry Sub-Area
Community Purpose	Industrial Zone – Light &
	Service Industry Sub-Area
Community Purpose	Industrial Zone – Light &
	Service Industry Sub-Area
Community Purpose	Industrial Zone – Light &
	Community Purpose         Community Purpose

Table 1 - Properties to be rezoned

		Service Industry Sub-Area
Lot 30 on EN117	Community Purpose	Industrial Zone – Light &
		Service Industry Sub-Area
Lot 57 on SP222372	Community Purpose	Industrial Zone – Light &
		Service Industry Sub-Area
Lot 99 on SP247177	Community Purpose	Urban Expansion Zone (new
		zone)

Table 2 - Properties to be amalgamated

Lot on Plan	Proposed Zone
Lot 3 on SP247177 AND Lot 12 on SP247177	Rural Residential Zone
Lot 4 on SP247177 AND Lot 11 on SP247177	Rural Residential Zone
Lot 5 on SP247177 AND Lot 10 on SP247177	Rural Residential Zone
Lot 6 on SP247177 AND Lot 9 on SP247177	Rural Residential Zone
Lot 7 on SP247177 AND Lot 8 on SP247177	Rural Residential Zone

Resolution No. 80/1314

CARRIED

Attendance - Director of Environment and Regulatory Services Geoff Rintoul left the meeting at 11:45am

#### 9.4 Contribution to Maintain McKinlay Bush Nursing Clinic

Central North West Medicare Local (CNWML) advised the Council on 3 October, 2013 they were unable to continue the McKinlay Bush Nursing Service due to a funding cut from the State Government as at 30 September, 2013, despite earlier advice the service would continue for a period to allow for both State and Federal health services to work collaboratively on an alternative model to continue serving the McKinlay township and surrounds.

In the interests of ensuring the residents and visitors to McKinlay and Kynuna are able to maintain access to health services from the Bush Nursing Clinic, and following consultation with all Councillors, it was decided the Council would commit \$10,000 to CNWML to continue the provision of services and for this situation to be reviewed as a priority in consultation with CNWML, the North West Health and Hospital Service and Council, by 31 October 2103.

Moved Cr. Walker

Seconded Cr. Curr

That Council confirm its commitment to provide \$10,000 to Central North West Medicare Local for the purpose of supporting the continuation of employment for the nurse at the McKinlay Bush Nursing Clinic and this funding commitment be reviewed by 31 October 2013.

Furthermore, this review be undertaken following further discussions with CNWML and the State Health and Hospital Board and the Mayor be given authority to commit further funding from Council given progress is made with securing a health service model at the Bush Nursing Clinic to be permanently funded by the State and or Federal Governments for the benefit of the McKinlay Community and surrounds.

Resolution No. 81/1314

CARRIED

#### 9.5 Get Ready Queensland Resilience Initiative

The Queensland Government has launched a new initiative to help position Queensland as a disaster resilient State and has provided \$6,300 to the Council to target activities that will make a demonstrable difference to resilience in our community.

Part of the initiative is the recognition of 'Get Ready Week' (14-20 October). The Council has been asked to identify ideas which will be funded from this grant and if there is any planned activities for Get Ready Week.

Moved Cr. Walker

Seconded Cr. Curr

That Council implement a local Get Ready Resilience Initiative including but not limited to the following: emergency kits for seniors, a clean-up of public and private property to mitigate against the possibility of wind borne debris damaging property from storms, local educational video and advertising.

Resolution No. 82/1314

Moved Cr. Hick

Seconded Cr. Murphy

That Council authorize Cr. Curr and Cr. Batt to attend the live export forum in Townsville on the 30<sup>th</sup> October – 1<sup>st</sup> November on behalf of Council in consideration of economic development and future planning.

Resolution No. 83/1314

#### 10. MEMBERS BUSINESS

#### 11. CLOSURE OF MEETING

The Chair of the meeting, Cr. Belinda Murphy, Mayor, declared the meeting closed at 12:37pm

Cr Belinda Murphy Mayor CARRIED