



MCKINLAY SHIRE COUNCIL

UNCONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

19th January 2021

ORDER OF BUSINESS

1. Opening
2. Attendance

2.1 APPOINTMENT

- 2.1 CopperString Presentation with Ian Bridge (teleconference)
- 2.2 Hospital Updates from Gina Harrington – CAN Chair

3. Declaration of Conflict of Interest
4. Confirmation of Ordinary Meeting on 15th December 2020
- 4.2 Business Arising out of minutes of previous Meeting

5. ENGINEERING REPORT

- 5.1 Engineering Work Monthly Report

6. ENVIRONMENTAL & REGULATORY SERVICES REPORT

- 6.1 Environmental & Regulatory Services Monthly Report
- 6.2 Change Application under Section 78 of the Planning Act 2016 (Other Change) – Material Change of Use – Accommodation Building – Additional Stages
Vision Surveys (QLD) Pty Ltd on behalf of Marwill Pty Ltd

7. COMMUNITY SERVICES REPORT

- 7.1 Community Services Monthly Report

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Report
- 8.2 Local Government Remuneration Commission Annual Report 2020
- 8.3 Revocation of Policies
- 8.4 Register of Delegations

9. CHIEF EXECUTIVE OFFICERS REPORT

- 9.1 Dirt and Dust Updates Report

10. WORKPLACE HEALTH AND SAFETY

- 10.1 Workplace Health and Safety Report

11. CLOSE

1. OPENING BUSINESS ▲

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 9:19am.

2. ATTENDANCE ▲

Mayor: Cr. P Curr (teleconference)

Members: Cr. J Fegan, Cr. S Royes, Cr. J Lynch, Cr. T Pratt

Staff:

Chief Executive Officer, Mr. John Kelly (teleconference)

Rates & Debtors Officer, Mrs. Katie Woods

Director of Engineering, Environment and Regulatory Services (and A/CEO in the physical absence of the CEO), Mr. Cameron Scott

Environmental and Regulatory Services Team Leader, Ms. Megan Pellow

Other people in attendance:

CopperString Project – 2.0, Mr Ian Bridge & Heidi Marshall (teleconference)

Community Advisory Network (CAN) Chair, Mrs Gina Harrington

Apologies: NIL

2.1 APPOINTMENT ▲**2.1 Presentation from Mr Ian Bridge, CopperString 2.0**

Mr Ian Bridge & Ms Heidi Marshall from CopperString 2.0 will attend the meeting via teleconference at 10:00am to present CopperString's Environmental Impact Statement.

2.2 Mrs Gina Harrington, CAN Chair

Mrs Gina Harrington will attend the Council Meeting on behalf of the CAN at 11:30am to discuss community concerns in regards to the Hospital downgrade.

3. DECLARATION OF CONFLICT OF INTEREST ▲**Cr. J Fegan****Declaration of Conflict of Interest for item 6.2**

I inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009). The nature of my interest is as follows:

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

Particulars:

(i) Name of related party: Marwill Pty Ltd

(ii) The nature of my relationship with this business is that I and my husband Trevor Fegan are Directors and Shareholders of the company

(iii) The nature of the interest in this matter is that Marwill Pty Ltd is the applicant of the Development Application and that I stand to gain a benefit or a loss depending on the outcome of Council's consideration of this matter.

I propose to leave and stay away from the meeting while this matter is discussed and voted on.

4. CONFIRMATION OF MINUTES ▲

4.1 Confirmation of Minutes

Confirmation of Minutes of the Ordinary Meeting of Council held on 15th December 2020.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 15th December 2020 be confirmed.

Resolution No. 188/2021

The Minutes of the Ordinary Meeting of Council held on 15th December 2020 are confirmed.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0

4.2 BUSINESS ARISING FROM PREVIOUS MINUTES ▲

Nil

5. ENGINEERING SERVICES ▲

5.1 Engineering Works Report

This report outlines the general activities for the Engineering Department for the month of December 2020.

RECOMMENDATION

That Council receives the Engineering Services monthly report for December 2020.

Resolution No. 189/2021

That Council receives the Engineering Services monthly report for December 2020.

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

6. ENVIRONMENTAL AND REGULATORY SERVICES ▲**6.3 Late Item – Koa Native Title Claim**

Council agreed to accept the late verbal reports from acting CEO Cameron Scott.

QUD592/2015 – Koa People native title determination

Compulsory acquire native tile rights and interests

RECOMMENDATION

That Council

- a. Consent to a determination of the QUD592/2015 Koa People Native Title claim in the terms of draft order attached; and
- b. Delegate to the CEO the power to agree to any further changes agreed between the parties for that maybe required by the court to make the final determination order.

Resolution No. 190/2021

That Council

- c. Consent to a determination of the QUD592/2015 Koa People Native Title claim in the terms of draft order attached; and
- d. Delegate to the CEO the power to agree to any further changes agreed between the parties for that maybe required by the court to make the final determination order.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

RECOMMENDATION

Council proposes to compulsorily acquire any and all native title rights and interests over land described as:

- a. Part of lot 1 on K37111 for "Works construction and facilities" purposes (SES Shed)
- b. Part of Lot 18 on G24965 for "Works construction and facilities purposes (waste disposal and access road)
- c. Part of lot 18 on G24965 for "Works construction and facilities purposes (Rodeo Grounds)
"the Land".

Council serve a notice of intention to acquire native title rights and interests (the notice) and a background interpretation statement (the statement) on Queensland south native title services as the representative body for the land to commence the compulsory acquisition process;

Council take reasonable steps to identify any person who may have cultural rights in or on the land as recognised under S28 of the Human Rights act 2019 (Queensland) and who is not otherwise notified by service of the notice and the Statement; and provide that person with notice of the proposed compulsorily acquisition of any and all native title rights and interests over the land; and

Council delegate to the Chief Executive Officer the power to:

- a. Sign the notice and statement on Councils behalf; and
- b. Attend any objection meeting to be held in relation to the proposed compulsory acquisition of native title and over the land on Councils behalf; and
- c. Consult with any person holding distinct cultural rights in the land pursuant to the human rights act 2019 (QLD)

Resolution No. 191/2021

With respect to the Koa Native Title claim:

1. Council proposes to compulsorily acquire any and all native title rights and interests over land described as:
 - a. Part of lot 1 on K37111 for "Works construction and facilities" purposes (SES Shed)
 - b. Part of Lot 18 on G24965 for "Works construction and facilities purposes (waste disposal and access road)
 - c. Part of lot 18 on G24965 for "Works construction and facilities purposes (Rodeo Grounds)
"the Land".
2. Council serve a notice of intention to acquire native title rights and interests (the notice) and a background interpretation statement (the statement) on Queensland south native title services as the representative body for the land to commence the compulsory acquisition process;
3. Council take reasonable steps to identify any person who may have cultural rights in or on the land as recognised under S28 of the Human Rights act 2019 (Queensland) and who is not otherwise notified by service of the notice and the Statement; and provide that person with notice of the proposed compulsorily acquisition of any and all native title rights and interests over the land; and
4. Council delegate to the Chief Executive Officer the power to:
 - a. Sign the notice and statement on Councils behalf; and
 - b. Attend any objection meeting to be held in relation to the proposed compulsory acquisition of native title and over the land on Councils behalf; and
 - c. Consult with any person holding distinct cultural rights in the land pursuant to the human rights act 2019 (QLD)

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

6.1 Environmental and Regulatory Services Report

This report outlines the general activities, revenue and expenditure for the department for the period December 2020.

RECOMMENDATION

That Council receives the December 2020 Environmental and Regulatory Services Report.

Resolution No. 192/2021

That Council receives the December 2020 Environmental and Regulatory Services Report.

Moved Cr. J Fegan

Seconded Cr. T Pratt

CARRIED 5/0

Attendance – Cr. Janene Fegan, having declared a Conflict of Interest in the matter of Agenda Item 6.2 as defined in section 150EN of the Local Government Act 2009, left the meeting room at 9:35am taking no part in the meeting or discussion.

6.2 Change Application under Section 78 of the Planning Act 2016 (Other Change) – Material Change of Use – Accommodation Building – Additional Stages Vision Surveys (QLD) Pty Ltd on behalf of Marwill Pty Ltd

Vision Surveys (QLD) Pty Ltd has been engaged by Marwill Pty Ltd to lodge a change application to Development Permit 2018_06 for Material Change of Use – Accommodation Building (Workers Accommodation) to allow additional stages on land described as Lot 1 on SP229752 also known as Golfcourse Road, Julia Creek QLD 4823.

RECOMMENDATION

That Council resolves to notify the applicant that their change application for the additional two (2) stages for a accommodation building (workers accommodation) on Lot 1 on SP299752 also known as Golfcourse Road, Julia Creek QLD 4823 is approved subject to the schedule of conditions detailed below;

SCHEDULE OF CONDITIONS

Impact Assessable Material Change of Use
Development Permit (Change Application)
Assessment Manager Conditions of Approval

Approved Plans

- The development is to occur generally in accordance with the supporting plans and reports/documents reference in the table below and as attached, except where conditions of approval dictate otherwise.

Plan Title	Plan No. and Revision	Date
Site Plan (Stage 1 2 3A 3B)	A00	December 2020
Site Stage 1 & 2	A01	December 2020
General Plan (Floor Plan Stage 1 & 2)	A02	December 2020
Area Plan (Stage 1 & 2)	A03	December 2020
A (Floor Plan Volume A & Elevations)	A04	December 2020
B (Floor Plan Volume B & Elevations)	A05	December 2020
C (Floor Plan Volume C & Elevations)	A07	December 2020
D (Floor Plan Volume D & Elevations)	A09	December 2020
E (Floor Plan Volume E & Elevations)	A11	December 2020

Stage 3A & 3B	A14	December 2020
Unit (Floor Plan & Elevations)	A15	December 2020
Stage 3 3D	A18	December 2020
Report/Document		
NA		

General

2. The proposed development is to comply with all conditions of approval prior to commencement of use, unless stated otherwise.
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.

Note: further operational works development approval may be required for works associated with a material change of use.

Landscaping

4. The developer shall install landscaping to the southern property boundary for the full length of the area of development (approximately 30m). This planting is to be limited to the tree species identified in Schedule 4 of the planning scheme (McKinlay Shire Planning Scheme 2005) and spaced at even 3m intervals, or as otherwise agreed to by Council.

Infrastructure

5. The development is to be connected and serviced by the existing reticulated water, sewer, telecommunications and electricity services.
6. Prior to obtaining building approval for Stage 3 works, the developer is to undertake a network capacity assessment by a suitably qualified professional to determine the impact of the development on the council reticulated sewer and water network. Where works are required to ensure the development does not adversely impact these networks, technical details are to be provided as part of a development application for operational works approval.

Note: The intent of this condition is to determine if the development can be undertaken within the capacity of the existing reticulated sewer and water networks. If not, council will seek to enter into an agreement with the developer to contribute towards any upgrade works required as a result of the development.

7. Prior to obtaining building approval for Stage 3 works, the developer is to undertake a traffic impact assessment by a suitably qualified professional to determine the impact of the development on the local road network. Where works are required to ensure the development does not adversely impact this network, technical details are to be provided as part of a development application for operational works approval.

Note: The intent of this condition is to determine if the development can be undertaken within the capacity of the existing local road network, specifically whether Stage 3 will trigger upgrades or sealing of any part of the road reserve. Where works are required, council will seek to enter into an agreement with the developer to contribute towards any upgrade works required as a result of the development.

8. The site is to be designed so as to discharge stormwater to a road reserve as the lawful point of discharge, or an alternate point as agreed to in writing by Council. The development is not to result in ponding of stormwater or additional stormwater flow onto adjoining properties.

Parking and Access

9. The development is to provide a minimum of one (1) parking space for every two (2) accommodation units.
10. Car parking and parking areas are to be designed in accordance with AS2890.1 – Parking facilities: Off Street Carparking other than the car park widths which are to be 2.7m.
11. Parking is to be designed in accordance with AS1428 – Design for Access and Mobility.
12. Car parking areas are to be sealed, unless otherwise agreed to

Health and Safety

13. Equipment and machinery is to be stored within appropriately covered storage areas. Covered storage areas being any fixed structure which is either wholly or partly enclosed by walls and which is roofed.
14. Waste storage and outdoor storage areas are to be screened from public view and located no less than 5m from a site boundary.

Advice

1. 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.
2. 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.
3. The developer may still require approval for plumbing and drainage works, building works or other works under other relevant legislation prior to commencement of works.

Resolution No. 193/2021

That Council resolves to notify the applicant that their change application for the additional two (2) stages for a accommodation building (workers accommodation) on Lot 1 on SP299752 also known as Golfcourse Road, Julia Creek QLD 4823 is approved subject to the schedule of conditions detailed below;

SCHEDULE OF CONDITIONS

Impact Assessable Material Change of Use
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C (Floor Plan Volume C & Elevations)	A07	December 2020
D (Floor Plan Volume D & Elevations)	A09	December 2020
E (Floor Plan Volume E & Elevations)	A11	December 2020
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Report/Document		
NA		

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2. The proposed development is to comply with all conditions of approval prior to commencement of use, unless stated otherwise.
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Advice

1. 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.
2. 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.
3. The developer may still require approval for plumbing and drainage works, building works or other works under other relevant legislation prior to commencement of works.

Moved Cr. P Curr

Seconded Cr. T Pratt

CARRIED 4/0

Attendance – Cr Janene Fegan re-entered the meeting room at 9:56am

Attendance – Heidi Marshall and Ian Bridge from CopperString Project – 2.0 joined the meeting via teleconference at 10:01am. Council EDO Maggie Rudolph entered the meeting at 10:05am

Copper StringProject – 2.0 – Presentation

Mr Ian Bridge proceeded to speak to the power point presentation which had been circulated to all Councillors and then took questions. In brief, the draft Environmental Impact Study was presented to the Queensland State Government Coordinator General on 20th November 2020. Public submissions are now invited and will be received by the Coordinator General up to 12th February 2021. Once the EIS is approved, anticipated by June 2021, the investment decision to proceed will be made by the proponents in the third quarter of 2021. The aim is to commence construction of the first (of nine) construction camps in December 2021 with the CopperString electricity link being constructed over 2 – 3 year period from January 2022. A project camp will be constructed near Julia Creek to service the construction of the electricity link.

The project will involve:

- Extra high voltage overhead electricity transmission line connecting the North West Mineral Province customers to the National Electricity Market (from Townsville to Mt Isa),
- 1,060 kms in length,
- Direct employment estimated to be 750 during construction (2-3 years),
- Indirect employment estimated at 3,560 EFTs for at least 25yrs across the corridor.
- Capital investment of \$1.7B approx,
- 7 new substations,
- 8 controlled environmental huts,
- Fibre optic cables,
- Access tracks,
- 9 temporary construction camps,
- Laydown delivery areas incl fuel depots & concrete batching plants,
- Townsville logistics yard,
- etc.

Attendance – Kalan Lococo entered the meeting at 10:20am

Attendance – Following questions from Councillors the CopperString Project – 2.0 representatives Heidi Marshall and Ian Bridge left the teleconference at 10:40am, together with Council officers Megan Pellow and Maggie Rudolph.

7. COMMUNITY SERVICES ▲

7.1 Community Services Monthly Report

Council is presented with the monthly Community Services report, which provides an overview of the operations for the month of December 2020.

RECOMMENDATION

That Council receives the Community Services monthly report for December 2020.

Resolution No. 194/2021

That Council receives the Community Services monthly report for December 2020.

Moved Cr. S Royes

Seconded Cr. J Lynch

CARRIED 5/0

8. CORPORATE SERVICES**8.1 Corporate Services Report**

The Corporate Services Report as of December 2020 which summarises the financial performance and position is presented to Council.

RECOMMENDATION

That Council receives the monthly Corporate Services Report for the period ending December 2020.

Resolution No. 195/2021

Council receives the monthly Corporate Services Report for the period ending December 2020.

Moved Cr. P Curr

Seconded Cr. J Lynch

CARRIED 5/0

8.2 Local Government Remuneration Commission Annual Report 2020

Each year the Local Government Remuneration Commission is required to undertake a review of the categories of Councils, and determine the maximum amount of remuneration for mayors, deputy mayors and Councillors as required by the *Local Government Act 2009* and *Local Government Regulation 2012*.

The Commission concluded its review on 25th November 2020, with the following determinations:

- No increase to the maximum remuneration levels for Mayors, Deputy Mayors and Councillors from 1 July 2021

Section 247 of the *Local Government Regulation 2012* provides that a council can decide to pay less than the determination, provided that a resolution is made before 1 July.

RECOMMENDATION

That Council receives the Local Remuneration Commission Annual Report and takes it into consideration.

Resolution No. 196/2021

Council resolves to:

1. Receive the Local Remuneration Commission Annual Report and
2. Keep Councillor remuneration unchanged at the current level.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

8.3 Revocation of Policies

Council is presented with this report seeking to rescind the following policies as they are no longer applicable to Council Operations or are covered by another policy of Council. The policies are; Community Housing Policy, Small Business Grants Policy and Write Off Small Amounts Policy.

RECOMMENDATION

That Council revokes policies titled Community Housing Policy, Write Off Small Amounts Policy and Small Business Grants Policy and associated Procedure.

Resolution No. 197/2021

Council revokes policies titled Community Housing Policy, Write Off Small Amounts Policy and Small Business Grants Policy and associated Procedure.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

8.4 Register of Delegations

Provisions of the *Local Government Act 2009* allow Council to delegate a power under the Act or another Act to the Chief Executive Officer. Further to this, the Act requires the Chief Executive Officer to keep a Register of those Delegations. Due to recent legislative changes, amendments to the Delegations Register – Council to CEO have been required and Council is presented with a revised Register of Delegations – Council to CEO for consideration.

RECOMMENDATION

That all powers referred to in the document titled “Register of Delegations December 2020 – Council to CEO” attached to this report are hereby delegated by Council to the Chief Executive Officer of Council pursuant to section 257 of the Local Government Act 2009. All prior delegations of powers from Council to CEO are repealed.

Resolution No. 198/2021

Council resolves to defer consideration of item 8.5 Register of Delegations to the February Council Meeting to enable further consideration by the CEO.

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

Attendance – Gina Harrington Chair of the Community Advisory Network entered the meeting room at 11:03am

Lengthy discussions ensued on the recent down grading of the Julia Creek Multipurpose Health Service and the impact on the Community as demonstrated in a number of letters of concern which had been forwarded to Council including from the President of the Neila QCWA, from Mrs Helen Lynch, from Mrs Abdey, from Georgia Knight together with six letters received by Cr Shauna Royes.

It is important for the Community to direct their experiences about the health services (both negative and positive) in writing to the Director of Nursing and to the CAN. Continued representations will be made to relevant Federal and State Ministers in advance of the review of the service which will be undertaken before 31st March 2021. The CAN will recommend to NWHs that regular updates be provided to the Community via newsletters, fact sheets and social media with relevant statistics and data so that the Community is kept fully informed of ongoing developments with the service.

Attendance – Gina Harrington left the meeting room at 11:54am

9. CHIEF EXECUTIVE OFFICER ▲**9.1 Updates from Dirt and Dust**

A new Executive Committee for the Dirt ‘n’ Dust Association was elected in October 2020. The committee has met over the course of January 2021 to discuss event plans and receive a hand over from the outgoing event management team. This report is prepared for Council to consider the correspondence from the committee which will provide an update of their plans for 2021.

RECOMMENDATION

That Council receive the correspondence from the Julia Creek Dirt and Dust Festival.

Resolution No. 199/2021

That Council receives the correspondence from the Julia Creek Dirt and Dust Festival and await the outcome of further meetings during February.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 5/0

10. WORKPLACE HEALTH AND SAFETY ▲

10.1 Workplace Health and Safety

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of December 2020.

RECOMMENDATION

That Council receives the December 2020 Work Health and Safety Report.

Resolution No. 200/2021

That Council receives the December 2020 Work Health and Safety Report.

Moved Cr. T Pratt

Seconded Cr. P Curr

CARRIED 5/0

General Business – Councillor Requests

11. CLOSURE OF MEETING ▲

The Chair of the meeting Mayor Philip Curr declared the meeting closed at 12:04pm.

