



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARD ROOM, CIVIC CENTRE
JULIA CREEK

19th August 2014

CONFIRMED MINUTES

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Attendance – Director of Engineering Greg Chesterfield left the meeting at 10:10am

Attendance - Brian Carr – Blaze Aid Coordinator entered the meeting at 10:15am

Brian discussed with Council Blaze Aid project and volunteer response in our Shire. Blaze Aid have been in our Shire for 14 weeks visiting 39 properties in total with their volunteer base over that period of time spending over \$7000 in Julia Creek. A note of thanks was given by Brian to Director of Corporate and Community Service Tenneil Cody and Community Services Team Leader Jade Lyons for their help in assisting the promotion of Blaze Aid in securing volunteers at the local caravan park camp fire dinners.

Brian also thanks Council for their support in providing a location for Blaze Aid and also to the Julia Creek Campdraft Association for the use of their office at McIntyre park.

Attendance – Ben Barnett – Director, Overland Sun Farming Company 10:50am

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”

Moved Cr. Hick

Seconded Cr. Curr

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

CARRIED

Resolution No. 37/1415

- The meeting was closed to the public at 11:00am

Procedural Motion

Moved Cr. Hick

Seconded Cr. Walker

That Council re-open the meeting to the public.

CARRIED

Resolution No.38/1415

- The meeting was re-opened to the public at 11:55am

Attendance – Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 11:57am

6. ENVIRONMENT AND REGULATORY SERVICES REPORT

6.1 Environment and Regulatory Works Report – July 2014

Moved Cr. Walker

Seconded Cr. Batt

That Council receive the Environment and Regulatory Services Works Report

CARRIED

Resolution No.39/1415

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6.2 Amendment to the 2014-15 Fees and Charges Schedule

Proposed amendment to Sections 6.1, 7.1 and 9 of the 2014/15 Fees and Charges Schedule, to adjust fees for the cattle yards in accordance with DNRM fees and charges; Scanning Only, Weighing and Scanning, Agistment (Small Stock) and to add in additional fees for Wild Dog Baits.

Moved Cr. Walker

Seconded Cr. Hick

That Council adopts the amended Fees and Charges Schedule 2014/15 Version 2 as presented.

CARRIED

Resolution No. 40/1415

6.3 Review Local Laws

This report makes recommendation to Council for the review of McKinlay Shire Councils Local Laws.

McKinlay Shire Council presently has 28 Local and Subordinate Local Laws covering 17 separate areas, dating back to the mid 1990's. Local Laws were developed to assist Local Government to govern their respective areas where legislation did not generally or adequately meet specific needs of the community and allow for good governance. Local Laws provide for management of key operations and facilities such as libraries, cemeteries and the like, along with functions such as the conduct of council meetings. Due to various legislative changes, a number of these local laws are either no longer relevant or required modernising to meet current legal and operational needs.

With the adoption of the Local Government Act 2009, a new set of "Model" local Laws were adopted to allow Local Government to review and if necessary replace the Local Laws without the need for lengthy processes. These Local Laws are in two (2) parts, being:

- a) The Local Law (LL) - sets the Legal framework for the Local Law and can not be amended.
- b) The Subordinate Local Law (SLL) is based on frameworks where the Local Government can customise the SLL to meet specific needs of the community.

The Model Local Laws also allows a more streamlined approach to adoption of the Local Law. The initial stage of the adoption of the Local Law requires Council to resolve to review the existing Local Laws. Should it then consider appropriate, Council may then resolve to adopt the Model Local Law, Maintain existing Local Laws or a combination of both.

Moved Cr. Walker

Seconded Cr. Curr

That Council:-

- a) resolves to review McKinlay Shire Council's Local Laws with the intent of adopting a set of Local Laws that incorporate Model Local Law, from the Department of Local Government's web-site; and
- b) Council officers draft a set of Subordinate Local Laws to complement the proposed Local Laws that are relevant to McKinlay Shire Council's needs

CARRIED

Resolution No 41/1415

6.4 McKinlay Shire Town Common

This report makes recommendation to Council to consider an amendment to Resolution No. 8/1415 made in July 2014 regarding the McKinlay Shire Town Common.

At its meeting in July 2014 Council resolved in part to;

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1. adopt the *General Rules of Use for McKinlay Shire Town Common* located in Julia Creek, specifically Conditions of Use No. 1 - which limits the maximum number of livestock to ten (10) agisted per registered brand and household; and
2. Agistee's on the McKinlay Shire Town Common that do not meet the criteria of the Rules are advised and negotiations to destock are made effective at the next Common Muster.

Following discussion with Councils Ranger and a number of agistee's presently using the Common, there have been some concerns that de-stocking at this point in time may cause hardship. Therefore considering the current drought and economic conditions it is believed prudent to recommend to Council, the following:

- a) Amend the maximum number of head of live stock from ten (10) to fifteen (15) agisted per registered brand and household; and
- b) Require de-stocking of the common in order to comply with the rules at a time that considers the current drought and economic climate.

Moved Cr. Curr

Seconded Cr. Walker

That Council:

- a. Amend the Conditions of Use No. 1 of the General Rules of Use for McKinlay Shire Town Common from ten (10) to twenty (20) head of livestock to be the maximum number agisted per registered Brand and household and must be cross branded with the owners registered brand; and
- b. Require de-stocking of the common no later that 31 December 2014.

CARRIED

Resolution No 42/1415

Attendance – Director of Environment and Regulatory Services Geoff Rintoul left the meeting at 12:44pm

Attendance – Director of Community and Corporate Services Tenneil Cody entered the meeting 12:44pm

7. COMMUNITY SERVICES REPORT

7.1 Community Service Report

Moved Cr. Hick

Seconded Cr. Curr

That Council receive the Community Services Report.

CARRIED

Resolution No 43/1415

8. CORPORATE SERVICES REPORT

8.1 Corporate Services Report

Moved Cr. Hick

Seconded Cr. Walker

That Council receive the Corporate Services Report

CARRIED

Resolution No 44/1415

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8.2 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. Council's current Delegation Register was approved on 20 August 2013.

There have been some recent amendments to twenty one pieces of legislation, and Council is presented with the revised delegations for those Acts to be included in the Register of Delegations – Council to CEO for consideration.

Moved Cr. Curr

Seconded Cr. Walker

That all powers referred to in the document titled "Register of Delegations Amendment August 2014 – 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 under the Regulations and Acts contained in this amendment report are repealed.

CARRIED

Resolution No 45/1415

8.3 Expenses and Reimbursement Policy

Council is required by the provisions of the *Local Government Regulation 2012* to adopt an expenses and reimbursement policy. Council has previously adopted the Expenses and Reimbursement Policy version 2.0 in June 2012.

In line with practices of good governance, a review of the policy has been carried out, and Council is presented with version 2.1 for consideration.

Moved Cr. Hick

Seconded Cr. Curr

That Council adopt the Expenses and Reimbursement Policy Version 2.1 as presented.

CARRIED

Resolution No 46/1415

8.4 Entertainment and Hospitality Policy

Council is required by the provisions of the *Local Government Regulation 2012* to adopt an Entertainment and Hospitality policy. The previous Entertainment and Hospitality policy was adopted by previous Council in 2007. In line with practices of good governance, a review of the policy has been carried out, and Council is presented with version 2.0 for consideration.

Moved Cr. Hick

Seconded Cr. Walker

That Council adopt the Entertainment and Hospitality Policy Version 2.0 as presented.

CARRIED

Resolution No 47/1415

8.5 Request to Grant Rates Discount

Council has received a request from a ratepayer to allow the discount which they missed due to payment being received after the discount date of 30 June 2014. The discounted amount is in excess of the authority of Chief Executive Officer therefore requires Council approval as per the debtor policy.

Moved Cr. Hick

Seconded Cr. Curr

That Council approve for the discounted amount of \$17,277.85 be accepted as full payment for the second levy of the 2013/14 financial year for assessment number 653, and write off accrued interest of \$120.87.

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Resolution No 48/1415

CARRIED

Attendance – Director of Corporate and Community Services Tenneil Cody left the meeting at 1:36pm

9. CHIEF EXECUTIVE OFFICERS REPORT

9.1 Chief Executive Officers Report

Moved Cr. Batt

Seconded Cr. Curr

That Council receive the Chief Executive Officers Report.

CARRIED

Resolution No.49/1415

9.2 Fourth Quarter Review of the 2013-2014 Operational Plan

The fourth quarter assessment of Council's progress towards implementing the 2013-2014 Operational Plan is presented to Council.

Moved Cr. Walker

Seconded Cr. Hick

That Council accepts the fourth quarter review of the 2013-2014 Operational Plan.

CARRIED

Resolution No.50/1415

Procedural Motion

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(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. Walker

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

CARRIED

Resolution No.51/1415

- The meeting was closed to the public at 1:57pm

Procedural Motion

Moved Cr. Walker

Seconded Cr. Hick

That Council reopen the meeting to the public.

CARRIED

Resolution No.52/1415

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- The meeting was re-opened to the public at 2:20pm

9.3 Subdivision

Council constructed a subdivision on the western edge of town which was divided into blocks of varying sizes ranging from 2.445ha down to 1900m². Council has now amended some of these blocks so that the smaller blocks being blocks 3 – 12 are merged into larger blocks. Eg blocks 3-12 are merged into one block, 4 and 11 are merged etc (See attached plan).

Council's advertising period for this amendment finishes on the 18th August it then goes to Department of Infrastructure and Planning which has an approximate one month turn around then it returns to Council for adoption.

There is currently 4 lots sold, they are lots 1, 33, 34 and 35.

Council's Disposal of Assets Policy and Section 227 and 236 of the Local Government Regulation 2012 provides that Council needs to determine whether these blocks are offered for sale by tender or by auction.

Moved Cr. Batt

Seconded Cr. Walker

1. That Council determines whether the lots are sold by tender or auction – Sale by auction adopted
2. Chief Executive Officer be authorized to undertake and execute any correspondence, dealings or negotiations with regards to the requirements to progress the sale of the lots as determined in recommendation 1.

CARRIED

Resolution No 53/1415

9.4 Pool Refurbishment

Over the past 15 months Council has been investigating different treatment options with regards to rectifying unsafe areas of Julia Creek Town Swimming Pool. This initially started with upgrading the pool concourse apron so as to take the unevenness and to give it better slip resistance.

During the scoping of this work it has been identified that there are further areas of high risk that need to be addressed as well. The initial Budget of \$320,000 appears to be insufficient to undertake all identified works to bring the pool up to regulatory standard.

Moved Cr. Curr

Seconded Cr. Hick

1. That Council undertakes the priority works being the concourse, coping tiles and change room.
2. That Council authorise the Chief Executive Officer to expend the remaining amount of the \$320,000 budget on priority risk works and filtration preparatory works if possible.
3. Further, the Chief Executive Officer provides regular, timely advice to Council with regards to other works undertaken.

CARRIED

Resolution No.54/1415

10. WORK PLACE HEALTH AND SAFETY

11. MEMBERS BUSINESS

Cr. Belinda Murphy presented to Councillors the need to update their Register of Interests.

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The Nelia CWA have engaged national child protection advocate Bravehearts in promoting the safety initiative Ditto in a Box to educate children within the Shire about the dangers of sexual assault.

The Ditto in a Box education pack teaches personal safety skills and underpins children's instinctive understandings and feelings around their personal safety in a way that is non-confronting, safe and highly effective. Council discussed and supported the need to contribute to the CWA's initiative to purchase Ditto in a box to donate to the Kindergarten, Library and State School.

Cr. Murphy presented council with the QLD Plan, this will be closely looked at when next looking at Corporate Plan in 2015.

A Date for the next Briefing meeting has been decided and will be held on Tuesday 2nd September 9am.

12. CLOSURE OF MEETING

The Chair of the meeting, Cr. Belinda Murphy declared the meeting closed at 2:32pm

Cr Belinda Murphy
Mayor