

AGENDA – SPECIAL COUNCIL MEETING

24 JANUARY 2024 – 4:00PM

COUNCIL CHAMBERS



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P. 07 4741 2900 F. 07 4741 1741
PO Box 274 Hughenden Q 4821
34 Gray St, Hughenden Q 4821
flinders@flinders.qld.gov.au
www.flinders.qld.gov.au

Mayor
Jane B McNamara
mayor@flinders.qld.gov.au

Deputy Mayor
Kim I Middleton
deputymayor@flinders.qld.gov.au

Cr Kelly A Carter
Cr.Carter@flinders.qld.gov.au

Cr Clarence N Haydon
Cr.Haydon@flinders.qld.gov.au

Cr Nicole G Flute
Cr.Flute@flinders.qld.gov.au

Cr Arthur W Bode
Cr.Bode@flinders.qld.gov.au

Cr Trevor G Mitchell
Cr.Mitchell@flinders.qld.gov.au

Chief Executive Officer
Hari Boppudi
ceo@flinders.qld.gov.au

Director of Engineering
Misenka Duong
doe@flinders.qld.gov.au

Director of Corporate & Financial Services
Melanie Wicks
dcfs@flinders.qld.gov.au

Acting Director of Community Services & Wellbeing
Erin Kinchela
dcs@flinders.qld.gov.au

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1. OPENING BUSINESS

Cr Jane McNamara (Mayor) opened the meeting with the Council Prayer

Lord,
Please guide and direct us,
In that the decisions to be made,
Will be for the benefit,
Of our whole community
Amen

1.1 PRESENT

Councillors

Mayor Jane McNamara
Kim Middleton
Kelly Carter
Clarence Haydon
Nicole Flute
Arthur Bode
Trevor Mitchell

Staff

Hari Boppudi - Chief Executive Officer
Misenka Duong - Director of Engineering
Melanie Wicks – Director of Corporate & Financial Services
Erin Kinchela – Acting Director of Community Services & Wellbeing
Jackie Coleman – Executive Support Officer

School Students

Nil

1.2 APOLOGIES

Nil

1.3 LEAVE OF ABSENCE

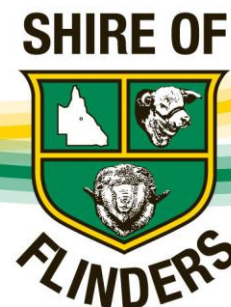
1.4 CONFIRMATION OF MINUTES

Not required

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1.5 OBLIGATIONS OF COUNCILLORS

1.5.1 Prescribed Conflict of Interest - Sections 150EG, 150EH & 150EI Local Government Act 2009

Councillors are ultimately responsible for informing of any prescribed conflict of interest on matters to be discussed at a council or committee meeting (other than ordinary business matters).

When dealing with a Prescribed Conflict of Interest, Councillors must abide by the following procedures:

- A Councillor who has notified the Chief Executive Officer of a Prescribed Conflict of Interest in a matter to be discussed in a council meeting must also give notice during the meeting.
- A Councillor who first becomes aware of a Prescribed Conflict of Interest in a matter during a council meeting must immediately inform the meeting of the conflict of the interest.
- When notifying the meeting of a Prescribed Conflict of Interest, the following details must be provided:
 - if it relates to a gift or loan given by an entity - state the details of gift or loan
 - if it relates to a sponsored travel or accommodation benefit - state the benefit details
 - if it relates to a contract between the Councillor and Local Government or close associate of the Councillor – state details
 - if it relates to an application or submission - state the subject of the application or submission
 - if it relates to appointment/employment matters of Chief Executive Office position - state conflict details

The Councillor must then leave the place of the meeting, including any area set aside for the public, and stay away while the matter is being discussed and voted on, unless the subject Councillor has written notice from the Minister to participate in the matter.

Once the Councillor has left the area where the meeting is being conducted, the council can continue discussing and deciding on the matter at hand.

1.5.2 Declarable Conflict of Interest - Section 150EN Local Government Act 2009

Councillors are ultimately responsible for informing of any Declarable Conflict of Interest on matters to be discussed at council or committee meetings that might lead to a decision that is contrary to the public interest (other than ordinary business matters).

A Councillor may raise their personal interests in a matter at the meeting to canvas the view of the other Councillors prior to deciding to declare a conflict of interest. If the other Councillors suspect the personal interest might be a conflict of interest, the Councillor may disclose their suspicion and the processes under section 150EW of the LGA.

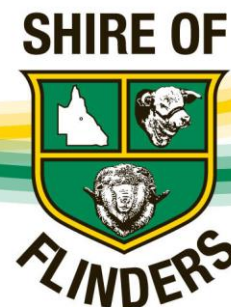
When dealing with a Declarable Conflict of Interest, Councillors must abide by the following procedures:

- A Councillor who has notified the Chief Executive Officer of a Declarable Conflict of Interest in a matter to be discussed at a council meeting must also give notice during the meeting.
- A Councillor who first becomes aware of a Declarable Conflict of Interest in a matter during a council meeting must inform the meeting of the conflict of interest
- When notifying the meeting of a Declarable Conflict of Interest or it could be reasonably presumed that a conflict exists, Councillors should provide sufficient detail to allow the other Councillors to make an informed decision about how best to manage the Declarable Conflict of Interest in the public interest. The following details must be provided:
 - the nature of the Declarable Conflict of Interest
 - if it arises because of the Councillors relationship with a related party:
 - i. the name of the related party to the Councillor
 - ii. the nature of the relationship of the related party to the Councillor
 - iii. the nature of the related party's interest in the matter
 - if it arises because of a gift or loan from another person to the Councillor or a related party:
 - i. the name of the other person
 - ii. the nature of the relationship of the other person to the Councillor or related party
 - iii. the nature of the other person's interest in the matter
 - iv. the value of the gift or loan and the date the gift or loan was made.

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After a Councillor has declared a conflict of interest, the Councillor should consider leaving the meeting while the matter is discussed unless they have reasons why their participation would improve making the decision in the public interest.

1.5.3 Procedure if no Quorum for Deciding Matter because of Prescribed Conflicts of Interest of Declarable Conflicts of Interest – Section 150EU Local Government Act 2009

(1) This section applies in relation to a meeting if:

- (a) a matter in which 1 or more councillors have a prescribed conflict of interest or Declarable Conflict of Interest is to be decided at the meeting; and
- (b) there is less than a quorum remaining at the meeting after any of the councillors mentioned in paragraph (a) leave, and stay away from, the place where the meeting is being held.

(2) The local government must do 1 of the following:

- (a) delegate deciding the matter under section 257, unless the matter cannot be delegated under that section;
- (b) decide, by resolution, to defer the matter to a later meeting;
- (c) decide, by resolution, not to decide the matter and take no further action in relation to the matter.

(3) The local government must not delegate deciding the matter to an entity if the entity, or a majority of its members, have personal interests that are, or are equivalent in nature to, a prescribed conflict of interest or Declarable Conflict of Interest in the matter.

(4) A councillor does not contravene section 150EK(1), 150EM(2), 150EQ(2)(a) or (3)(a) or 150ES(5) by participating in a decision, or being present while the matter is discussed and voted on, for the purpose of delegating the matter or making a decision under subsection (2)(b) or (c).

1.5.4 Closed Meeting Discussion Items – Section 254J Local Government Regulation 2012

Council and standing committee meetings may resolve that a meeting be closed to the public if its Councillors consider it necessary to discuss any of the following matters:

- appointment, dismissal or discipline of the CEO
- industrial matters affecting employees
- the council's budget
- rating concessions
- legal advice obtained by the council, including legal proceedings that may be taken by or against the council
- matters that may directly affect the health and safety of an individual or a group of individuals
- negotiations relating to a commercial matter involving the council for which a public discussion could prejudice the interests of the council
- negotiations relating to the taking of land by the council under the *Acquisition of Land Act 1967*
- a matter that the council is required to keep confidential under a law of, or a formal agreement with, the Commonwealth or state.

A Council or committee meeting cannot resolve that a meeting be closed where the meeting is informed of a Councillors personal interest in the matter by another person and the eligible Councillors at the meeting must decide whether the Councillor has a Declarable Conflict of Interest or Prescribed Conflict of Interest in the matter.

Further, the meeting must not be closed if a quorum is lost due to the number of conflicted Councillors who leave the meeting and the council must;

- delegate the matter
- decide by resolution to defer to a later meeting
- decide by resolution to take no further action on the matter.

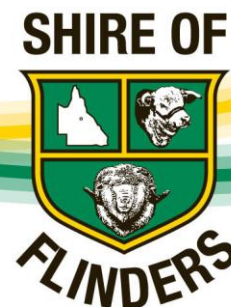
Note: None of the above will be considered, discussed, voted on or made during a closed session.

If a closed session includes attendance by teleconference, the Councillor/s attending by teleconference must maintain confidentiality by ensuring no other person can hear their conversation while in the closed meeting.

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To take a matter into a closed session the council must abide by the following:

- pass a resolution to close the meeting
- the resolution must state the matter to be discussed, an overview of what is to be discussed and why the meeting should be closed while the matter is considered
- if the matter is known in advance, the agenda should clearly identify that the matter will be considered in closed session, and an explanation of why it is deemed necessary to take the issue into closed session must be stated
- not make a resolution while in a closed meeting (other than a procedural resolution).

1.6 PETITIONS

Nil

1.7 CONDOLENCES

Nil

1.8 RECOGNITIONS

Nil

1.9 ACKNOWLEDGEMENT OF COUNTRY

The Flinders Shire Council would like to acknowledge our Local First Nations People as well as the Yirendali people as the Traditional Owners and the oldest living culture of the Land on which our Council operates, and pay respect to Elders past, present and emerging.

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2. REPORTS

2.01 CHIEF EXECUTIVE OFFICER

- Nil to Report

2.02 CORPORATE AND FINANCE SERVICES

2.02.01 LONG TERM FINANCIAL FORECAST

Executive Summary – In accordance with Section 169(2)(a) of the Local Government Regulation 2012, Council's Revised Budget must include a Long-Term Financial Forecast

Officer's Recommendation – That pursuant with Section 169(2)(a) of the Local Government Regulation 2012, that Council adopt a revised long-term financial forecast for a ten year period to June 2033, as tabled.

2.02.02 MEASURES OF FINANCIAL SUSTAINABILITY

Executive Summary – That in accordance with Section 169 (4) & (5) of the Local Government Regulation 2012, the Council Revised budget must contain the relevant Measures of Financial Sustainability for the current financial year and the next 9 years.

Officer's Recommendation – That pursuant with Section 169(4) & (5) of the Local Government Regulation 2012, that Council receive the Revised Measures of Financial Sustainability, as presented.

2.02.03 REVENUE POLICY

Executive Summary – Under Section 193 of the Local Government Regulations 2012, the Local Government must prepare and adopt a Revenue Policy annually, with sufficient time to allow an annual budget that is consistent with the policy to be adopted for the next financial year.

Officer's Recommendation – That pursuant to Section 193 of the Local Government Regulation 2012, that Council adopt the Revenue Policy, as presented.

2.02.04 DEBT POLICY

Executive Summary – Under Section 192 of the Local Government Regulation 2012, a Local Government must prepare and adopt a debt policy for each financial year.

Officer's Recommendation – That pursuant to Section 192 of the Local Government Regulation 2012, that Council adopt the Debt Policy, as presented.

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2.02.05 INVESTMENT POLICY

Executive Summary – Under Section 191 of the Local Government Regulation 2012, the Local Government must prepare and adopt an Investment Policy.

Officer's Recommendation – That pursuant to Section 191 of the Local Government Regulation 2012, that Council adopt the Investment Policy, as presented.

2.02.06 PENSIONER CONCESSIONS POLICY

Executive Summary – In accordance with Sections 120, 121 and 122 of the Local Government Regulation 2012, a Local Government may grant a concession on rates. Please refer to our Pensioner Concession Policy.

Officer's Recommendation – That pursuant to Sections 120, 121 and 122 of the Local Government Regulation 2012, that Council resolve that a discount of 50% on Council Rates and Charges to a maximum of \$500.00 be granted to all ratepayers who are pensioners and who are eligible for the State Government pensioner remission as set out in the Pensioner Rate Concession Policy.

2.02.07 REVENUE STATEMENT

Executive Summary – In accordance with Section 169(2)(b) & Section 172 of the Local Government Regulation 2012, Council's budget must include a Revenue Statement including items set out in Section 172.

Officer's Recommendation – That pursuant to Section 169(2)(b) & Section 172 of the Local Government Regulation 2012, that Council adopt the Revenue Statement 2023-2024, as presented.

2.02.08 SPECIAL RATE WILD DOG CONTROL

Executive Summary – In accordance Section 94 of the Local Government Act 2009 and section 94 of the Local Government Regulation 2012, a Special Rate will be levied on rural properties (per assessment) categorised within Rate Code 3 – Rural Categories where the following applies:

- All rural land with a rateable valuation greater than \$50,000.
- All properties valued less than \$50,000 with an area greater than 4,000ha.

All properties (assessments) having an area less than 200ha are exempt from the levy.

The Council is of the opinion that all rural properties will derive a benefit from the Wild Dog Control Levy. The rate will be levied on the basis of a rate in the dollar on the rateable value of each property. A minimum rate will be determined at a level that takes into account the minimum cost of providing the service to all rural ratepayers.

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Officer's Recommendation – Pursuant to Section 94 of the *Local Government Act 2009*, Flinders Shire Council makes a Wild Dog Control Charge for the year ending 30 June 2024 and the level of charges adopted for items described in the revenue Policy is:

ITEM	2023-2024 Charge
Special Rate	0.0001363 cents per \$ of rateable value
Minimum Special Rate (Regulation, section 94(10))	\$249.00 per Assessment

(a) The overall plan for the Special Rate Wild Dog Control is as follows:

The Special Rate will be utilised for the control of wild dogs on rural properties throughout the Shire. The Special Rate will partly fund the costs of undertaking co-ordinated baiting including the Rural Lands Officer's and the supporting Administration Officer's time, plant and equipment, supply of prepared baits and payment of bounties. A Wild Dog Advisory Group will provide advice to Council and help coordinate control measures throughout the Shire. The Advisory Group will consist of Councillors, Council Officers and rural property owners throughout the Shire.

The estimated time for implementing the overall plan is one year from 1 July 2023 to 30 June 2024.

The rateable land to which the Special Rate applies is –

- All rural land with a rateable valuation greater than \$50,000.
- All properties valued less than \$50,000 with an area greater than 4,000ha.

All properties (assessments) having an area less than 200ha are exempt from the levy.

The estimated cost of implementing the overall plan for 2023-2024 is approximately \$430,588 per annum with the levy raising approximately \$125,835 and the balance funded by the Shire General Rates and payments directly from properties for special services.

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2.02.09 DIFFERENTIAL RATING CATEGORISATION

Executive Summary – In accordance with the Local Government Regulation 2012, the budget must include the Rating Categories of rateable land in the local government area and a description of the rating categories. The budget must also include the differential rate to be made and levied for each differential category and the minimum general rate to be made and levied for each differential rate category.

Officers Recommendation –

- (a) Pursuant to Section 81 of the Local Government Regulation 2012, the categories in to which rateable land is categorised, the description of those categories and, pursuant to Sections 81(4) and 81(5) of the Local Government Regulation 2012, the method by which land is to be identified and included in its appropriate category is as follows:-

RATE CODE 1 - RESIDENTIAL CATEGORIES

The following residential differential rating categories, descriptions and identification apply for the 2023-2024 financial year:

Column 1 Differential Category	Column 2 Description	Column 3 Identification
1 - Vacant Land - Hughenden <1Ha	All land in the Township of Hughenden (as defined in Appendix A), which is not otherwise categorised, and is less than 1Ha in size	The following primary land use codes apply or should apply: 01 - Vacant Urban Land, 04 - Large Home Site Vacant, and 72 – Section 25 Valuation.
2 - Vacant Land - Other Towns <4Ha	All land outside the Township of Hughenden, which is not otherwise categorised, and is less than 4Ha in size	The following primary land use codes apply or should apply: 01 - Vacant Urban Land, 04 - Large Home Site Vacant, and 72 – Section 25 Valuation.
3 - Vacant Land - Hughenden 1 - 50Ha	All land in the Township of Hughenden (as defined in Appendix A), which is not otherwise categorised, is 1Ha or more, but less than or equal to 50Ha in size	The following primary land use codes apply or should apply: 01 - Vacant Urban Land, 04 - Large Home Site Vacant, 72 – Section 25 Valuation, and 86 – Horses.
4 - Vacant Land – Other Towns 4 - 50Ha	All land outside the Township of Hughenden, which is not otherwise categorised, is 4Ha or more, but less than or equal to 50Ha in size	The following primary land use codes apply or should apply: 01 - Vacant Urban Land, 04 - Large Home Site Vacant, 72 – Section 25 Valuation, and 86 – Horses.
5 - Residential - Hughenden <1Ha	All land in the Township of Hughenden (as defined in Appendix A), used for residential purposes, which is not otherwise categorised, and is less than 1Ha in size	The following primary land use codes apply or should apply: 02 – Single Unit Dwelling, 05 - Large Home Site Dwelling, and 06 – Outbuildings.
6 - Residential – Other Towns <4Ha	All land outside the Township of Hughenden, used for residential purposes, which is not otherwise categorised, and is less than 4Ha in size	The following primary land use codes apply or should apply: 02 – Single Unit Dwelling, 05 - Large Home Site Dwelling, and

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7 - Residential - Hughenden 1 - 50Ha	All land in the Township of Hughenden (as defined in Appendix A), used for residential purposes, which is not otherwise categorised, is 1Ha or more, but less than or equal to 50Ha in size	06 – Outbuildings. The following primary land use codes apply or should apply: 02 – Single Unit Dwelling, 05 - Large Home Site Dwelling, and 06 – Outbuildings.
8 - Residential – Other Towns 4 - 50Ha	All land outside the Township of Hughenden, which is not otherwise categorised, used for residential purposes, is 4Ha or more, but less than or equal to 50Ha in size	The following primary land use codes apply or should apply: 02 – Single Unit Dwelling, 05 - Large Home Site Dwelling, and 06 – Outbuildings.
9 - Multi Residential - Units	All land in the Township of Hughenden (as defined in Appendix A), which is not otherwise categorised, used for residential purposes and is comprised of two or more separate dwelling units	The following primary land use codes apply or should apply: 03 – Multi unit dwelling (flats), 07 - 09 – Guest house/private hotel, Building Units, Group Title, 21 – Residential Institutions (Non-Medical Care), and 97 – Welfare home/institution.

RATE CODE 2 - COMMERCIAL CATEGORIES

The following commercial differential rating categories, descriptions and identification apply for the 2023-2024 financial year:

Column 1 Differential Category	Column 2 Description	Column 3 Identification
1 - Commercial - Hughenden	All land in the Township of Hughenden (as defined in Appendix A), used for commercial purposes, which is not otherwise categorised	The following primary land use codes apply or should apply: 10 – 14 – Retail Business/Commercial, 15 – 27 – Retail Business (excluding 21 – Res Institutions), 44 – 49 – Special Uses (excluding 48), and 96 – 99 – General Uses.
2 - Commercial – Other Towns	All land outside of the Township of Hughenden, used for commercial purposes, which is not otherwise categorised	The following primary land use codes apply or should apply: 10 – 13 – Retail Business/Commercial, 15 – 27 – Retail Business (excluding 21 – Res Institutions), 42 – 49 – Special Uses (excluding 43 and 48), and 96 – 99 – General Uses.
3 - Hotels <25 Rooms	All land in the Township of Hughenden (as defined in Appendix A), which is not otherwise categorised, used as a hotel with less than 25 accommodation units	The following primary land use codes apply or should apply: 42 – Hotel/tavern.
4 - Hotels ≥25 Rooms	All land in the Council Area, which is not otherwise categorised, used as a hotel with 25 accommodation units or more	The following primary land use codes apply or should apply: 42 – Hotel/tavern.

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5 - Motels <25 Rooms	All land in the Council Area, which is not otherwise categorised, used as a motel with less than 25 accommodation units	The following primary land use codes apply or should apply: 43 – Motel.
6 - Motels ≥25 Rooms	All land in the Council Area, which is not otherwise categorised, used as a motel with 25 or more accommodation units	The following primary land use codes apply or should apply: 43 – Motel.
7 - Other Commercial	All other special use commercial land, in the Council area, which is not otherwise categorised	The following primary land use codes apply or should apply: 41 – Child Care ex kindergarten, and 48 - 59 – Special Uses (excluding 49 – Caravan Park).

RATE CODE 3 - INDUSTRIAL CATEGORIES

The following industrial differential rating categories, descriptions and identification apply for the 2023-2024 financial year:

Column 1 Differential Category	Column 2 Description	Column 3 Identification
1 - Industrial - Hughenden	All land in the Township of Hughenden (as defined in Appendix A), which is not otherwise categorised, used for industrial purposes	The following primary land use codes apply or should apply: 28 -39 – Transport & Storage, Industrial (Excluding 29, 30 and 31).
2 - Industrial – Hughenden Industrial Estate	All land in the Hughenden Industrial Estate (as defined in Appendix A), which is not otherwise categorised.	As determined by the CEO
3 - Industrial – Other	All land outside of the Township of Hughenden which is not otherwise categorised, used for industrial purposes	The following primary land use codes apply or should apply: 28 -39 – Transport & Storage, Industrial (Excluding 29, 30 and 31).
4 - Transformer & Transmission Sites <1Ha	All land, in the Council area, which is not otherwise categorised, is less than 1Ha in size, used as a Transformer or Transmission Site	The following primary land use codes apply or should apply: 91 – Utilities.
5 - Transformer & Transmission Sites ≥1Ha	All land, in the Council area, which is not otherwise categorised, is 1Ha or more in size, used as a Transformer or Transmission Site	The following primary land use codes apply or should apply: 91 - Utilities
6 - Industrial - Transport Terminals- Hughenden	All land in the Township of Hughenden (as defined in Appendix A), which is not otherwise categorised, used as a transport terminal	The following primary land use codes apply or should apply: 29 – Transport Terminals.
7 - Industrial - Transport Terminals - Other	All land outside the Township of Hughenden which is not otherwise categorised, used as a transport terminal	The following primary land use codes apply or should apply: 29 – Transport Terminals.
8 - Industrial - Service Station, Oil Depot-Hughenden	All land in the Township of Hughenden (as defined in Appendix A), which is not otherwise categorised, used as a service station or oil depot.	The following primary land use codes apply or should apply: 30 -31 – Oil Depot & Refinery, Service Station.
9 - Industrial - Service Station, Oil Depot - Other	All land outside the Township of Hughenden which is not otherwise categorised, used as a service station or oil depot	The following primary land use codes apply or should apply: 30 -31 – Oil Depot & Refinery, Service Station.

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RATE CODE 4 - RURAL CATEGORIES

The following rural differential rating categories, descriptions and identification apply for the 2023-2024 financial year:-

Column 1 Differential Category	Column 2 Description	Column 3 Identification
1 - Rural Grazing Land <500Ha Level 1	All Land, in the Council area, less than 500 Ha in size and not otherwise categorised, used for rural grazing and similar purposes	The following primary land use codes apply or should apply: 04 & 05 – Large Home Sites; 60 – 70 – Sheep and Cattle Industry; and 89 – 95 – Other rural uses (excludes 91 – Utilities).
2 - Rural Grazing Land ≥500Ha Level 1	All Land, in the Council area, 500 Ha or more in size and not otherwise categorised, used for rural grazing and similar purposes	The following primary land use codes apply or should apply: 04 & 05 – Large Home Sites; 60 – 70 – Sheep and Cattle Industry; and 89 – 95 – Other rural uses (excludes 91 – Utilities).
3 - Rural Land – Agricultural Level 1	All land, in the Council area, and not otherwise categorised, used for rural agricultural purposes	The following primary land use codes apply or should apply: 71 – 88 – Agriculture and other rural uses (excludes 72 – Section 25 Valuation).
7 - Rural Grazing Land and Extractive <500Ha Level 3	All Land, in the Council area, less than 500Ha in size, used for rural grazing and similar purposes and where part or parts are also used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is less than 5000 tonnes per annum.	The following primary land use codes apply or should apply: 04 & 05 – Large Home Sites; 60 – 70 – Sheep and Cattle Industry; and 89 – 95 – Other rural uses (excludes 91 – Utilities)
8 - Rural Grazing Land and Extractive ≥500Ha Level 3	All Land, in the Council area, 500Ha or more in size, used for rural grazing and similar purposes and where part or parts are also used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is less than 5000 tonnes per annum.	The following primary land use codes apply or should apply: 04 & 05 – Large Home Sites; 60 – 70 – Sheep and Cattle Industry; and 89 – 95 – Other rural uses (excludes 91 – Utilities).
9 - Rural Land – Agricultural and Extractive Level 3	All land, in the Council area, used for rural agricultural purposes and where part or parts are also used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is less than 5000 tonnes per annum.	The following primary land use codes apply or should apply: 71 – 88 – Agriculture and other rural uses (excludes 72 – Section 25 Valuation)
10 - Rural Grazing Land and Extractive <500Ha Level 4	All Land, in the Council area, less than 500Ha in size, used for rural grazing and similar purposes and where part or parts are also used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is 5000 tonnes and up to and including 100,000 tonnes per annum.	The following primary land use codes apply or should apply: 04 & 05 – Large Home Sites; 60 – 70 – Sheep and Cattle Industry; and 89 – 95 – Other rural uses (excludes 91 – Utilities)

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11 - Rural Grazing Land and Extractive $\geq 500\text{Ha}$ Level 4	All Land, in the Council area, 500Ha or more in size, used for rural grazing or similar purposes and where part or parts are also used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is 5000 tonnes and up to and including 100,000 tonnes per annum.	The following primary land use codes apply or should apply: 04 & 05 – Large Home Sites; 60 – 70 – Sheep and Cattle Industry; and 89 – 95 – Other rural uses (excludes 91 – Utilities).
12 - Rural Land – Agricultural and Extractive Level 4	All land, in the Council area, used for rural agricultural purposes and where part or parts are also used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is 5000 tonnes and up to and including 100,000 tonnes per annum.	The following primary land use codes apply or should apply: 71 – 88 – Agriculture and other rural uses (excludes 72 – Section 25 Valuation)
13 - Rural Grazing Land and Extractive $< 500\text{Ha}$ Level 5	All Land, in the Council area, less than 500Ha in size, used for rural grazing or similar purposes and where part or parts are used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is greater than 100,000 tonnes per annum.	The following primary land use codes apply or should apply: 04 & 05 – Large Home Sites; 60 – 70 – Sheep and Cattle Industry; and 89 – 95 – Other rural uses (excludes 91 – Utilities).
14 - Rural Grazing Land and Extractive $\geq 500\text{Ha}$ Level 5	All Land, in the Council area, 500Ha or more in size, used for rural grazing or similar purposes and where part or parts are also used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is greater than 100,000 tonnes per annum.	The following primary land use codes apply or should apply: 04 & 05 – Large Home Sites; 60 – 70 – Sheep and Cattle Industry; and 89 – 95 – Other rural uses (excludes 91 – Utilities).
15 - Rural Land – Agricultural and Extractive Level 5	All land, in the Council area, used for rural agricultural purposes and where part or parts are also used or capable of being used for extractive industry purposes and where the quantity of material capable of being extracted and/or screened is greater than 100,000 tonnes per annum.	The following primary land use codes apply or should apply: 71 – 88 – Agriculture and other rural uses (excludes 72 – Section 25 Valuation)

RATE CODE 6 - EXTRACTIVE/LOADING FACILITIES

The following extractive/loading facilities differential rating categories, descriptions and identification apply for the 2023-2024 financial year:

Column 1 Differential Category	Column 2 Description	Column 3 Identification
1 - Extractive Industry $< 5,000$ Tonnes	All Land, in the Council area and used or capable of being used for extractive industry purposes where the quantity of material capable of being extracted and/or screened is less than 5,000 tonnes per annum.	As determined by the CEO
2 - Extractive Industry $\geq 5,000$ - 100,000 Tonnes	All Land, in the Council area and used or capable of being used for extractive industry purposes where the quantity of material capable of being extracted and/or screened is 5,000 tonnes and up to and including 100,000 tonnes per annum.	As determined by the CEO
3 - Extractive Industry	All Land, in the Council area and used or capable of being used for extractive industry purposes	As determined by the CEO

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>100,000 Tonnes	where the quantity of material capable of being extracted and/or screened is greater than 100,000 tonnes per annum.	
4 - Loading Facility <10ha	All Land, in the Council area, having an area of less than 10Ha and used by a mine or extractive industry as a loading facility.	As determined by the CEO
5 - Loading Facility ≥10Ha	All Land, in the Council area, having an area of 10Ha or greater and used by a mine or extractive industry as a loading facility.	As determined by the CEO

RATE CODE 7 - INTENSIVE BUSINESSES AND INDUSTRIES

The following intensive business and industries differential rating categories, description and identification apply for the 2023-2024 financial year:

Column 1 Differential Category	Column 2 Description	Column 3 Identification
6 - Mining Lease <5 Ha	Mining Leases issued within the Council area that have an area of less than 5Ha.	As determined by the CEO
7 - Mining Leases ≥5 to < 100Ha	Mining Leases issued within the Council area that have an area of 5Ha to less than 100ha.	As determined by the CEO
8 - Mining Leases ≥100Ha	Mining Leases issued within the Council area that have an area greater than 100ha.	As determined by the CEO
25 - Workers Accommodation	All Land, in the Council area, which is not otherwise categorised, predominately used for providing intensive accommodation capable of accommodating persons (other than the ordinary travelling public) in rooms, suites, or caravan sites specifically built or provided for this purpose. Land within this category is commonly known as "workers accommodation", "single persons quarters", "work camps", "accommodation village" or "barracks".	As determined by the CEO

RATE CODE 8 – RENEWABLE ENERGY FACILITIES

The following renewable energy facilities differential rating categories, descriptions and identification apply for the 2023-2024 financial year:

Column 1 Differential Category	Column 2 Description	Column 3 Identification
12 - Solar and/or Battery	Land used or intended for use, in whole or in part for as a renewable energy facility excluding wind generation	The following primary land use codes apply or should apply: 91 – Utilities
13 - Wind	Land used or intended for use, in whole or in part as a wind renewable energy facility	The following primary land use codes apply or should apply: 91 – Utilities

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- (b) Council delegates to the Chief Executive Officer the power, pursuant to Sections 81(4) and 81(5) of the Local Government Regulation 2012, to identify the rating category to which each parcel of rateable land belongs.
- (c) Pursuant to Section 92 and 94 of the Local Government Act 2009, the differential general rate to be made and levied for each differential general rate category and, pursuant to Section 77 of the Local Government Regulation 2012, the minimum general rate to be made and levied for each differential general rate category, is as follows:

Differential General Rates & Minimum General Rate

That, in accordance with Section 94 of the Local Government Act 2009, and sections 80 and 77, respectively, of the Local Government Regulation 2012, Flinders Shire Council makes Differential General Rates and Minimum General Rates for the year ending 30 June 2024 as follows: -

Rate Code	Differential Category		2023-2024 Cents in the \$	2023-2024 Minimum General Rate
1	1	Vacant Land - Hughenden <1Ha	3.8308	\$430.00
1	2	Vacant Land – Other Towns <4Ha	2.9802	\$405.00
1	3	Vacant Land - Hughenden 1 - 50Ha	2.1560	\$594.00
1	4	Vacant Land – Other Towns 4 - 50Ha	3.6093	\$380.00
1	5	Residential - Hughenden <1Ha	3.8573	\$430.00
1	6	Residential - Other Towns<4Ha	3.9737	\$405.00
1	7	Residential - Hughenden 1 - 50Ha	2.0675	\$594.00
1	8	Residential - Other Towns 4 - 50Ha	3.4705	\$380.00
1	9	Multi Residential - Units	2.9197	\$481.00
2	1	Commercial - Hughenden	2.5085	\$499.00
2	2	Commercial - Other Towns	2.2760	\$470.00
2	3	Hotel <25 Rooms	2.6243	\$1,897.00
2	4	Hotel ≥25 Rooms	3.0281	\$2,530.00
2	5	Motel <25 Rooms	3.2967	\$1,897.00
2	6	Motel ≥25 Rooms	3.3122	\$2,530.00
2	7	Other Commercial	3.3122	\$380.00
3	1	Industrial – Hughenden	1.8914	\$481.00
3	2	Industrial – Hughenden Industrial Estate	2.2036	\$607.00
3	3	Industrial – Other Towns	2.1802	\$380.00
3	4	Transformer & Transmission Sites <1Ha	1.6151	\$481.00
3	5	Transformer & Transmission Sites ≥1Ha	1.9458	\$948.00
3	6	Industrial - Transport Terminals	2.2434	\$1,517.00
3	7	Industrial - Transport Terminals - Other	2.1802	\$380.00
3	8	Industrial - Service Station, Oil Depot	2.5812	\$481.00
3	9	Industrial - Service Station, Oil Depot - Other	2.9066	\$380.00
4	1	Rural Grazing Land <500Ha – Level 1	0.2476	\$443.00
4	2	Rural Grazing Land – Grazing ≥500Ha – Level 1	0.2237	\$607.00

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4	3	Rural Agricultural Land – Level 1	0.2256	\$1,265.00
4	7	Rural Grazing Land and Extractive <500Ha – Level 3	0.2916	\$2,529.00
4	8	Rural Grazing Land and Extractive ≥500Ha – Level 3	0.2929	\$2,529.00
4	9	Rural Agricultural Land and Extractive – Level 3	0.2735	\$2,529.00
4	10	Rural Grazing Land and Extractive <500Ha – Level 4	0.2916	\$6,324.00
4	11	Rural Grazing Land and Extractive ≥500Ha – Level 4	0.2145	\$6,324.00
4	12	Rural Agricultural Land and Extractive – Level 4	0.2929	\$6,324.00
4	13	Rural Grazing Land and Extractive <500Ha – Level 5	0.2920	\$25,294.00
4	14	Rural Grazing Land and Extractive ≥500Ha – Level 5	0.2933	\$25,294.00
4	15	Rural Agricultural Land and Extractive – Level 5	0.2735	\$25,294.00
6	1	Extractive Industry <5,000 Tonnes	0.3072	\$2,529.00
6	2	Extractive Industry 5,000-100,000 Tonnes	0.3072	\$6,324.00
6	3	Extractive Industry >100,000 Tonnes	0.3072	\$25,294.00
6	4	Loading Facility <10Ha	1.6396	\$1,265.00
6	5	Loading Facility ≥10Ha	2.9102	\$2,529.00
7	6	Mining Leases <5Ha	1.6396	\$948.00
7	7	Mining Leases 5 - <100Ha	1.6396	\$1,265.00
7	8	Mining Leases ≥100Ha	1.1477	\$1,580.00
7	25	Workers Accommodation	4.0989	\$5,994.00
8	12	Solar and/or Battery	4.5143	\$30,353.00
8	13	Wind	3.0270	\$43,566.00

2.02.10 SEWERAGE UTILITY CHARGES

Executive Summary - Under Section 94 of the *Local Government Act 2009* and Section 99 of the *Local Government Regulation 2012*, a Local Government may levy utility charges on any basis that they consider appropriate.

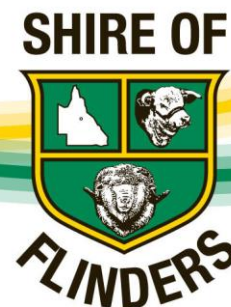
Officer's Recommendation – That pursuant to Section 94 of the *Local Government Act 2009* and Section 99 of the *Local Government Regulation 2012*, Council make and levy sewerage utility charges, for the supply of sewerage services by the Council, as follows:-

- Council will levy a sewerage charge on each consumer/property, whether vacant or occupied, that Council has provided or deems able to provide with sewerage services;
- The charge will be based on the number of pedestals/wastes together with Council's estimate of demand/usage patterns and measured in units as detailed in the Revenue Statement;
- The charge for the 2023-2024 financial year will be \$72.50 per unit;
- The application of the above levied sewerage charge be in accordance with the further detail provided in Council's adopted Revenue Statement for 2023/2024.

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2.02.11 WATER UTILITY CHARGES

Executive Summary - Under Section 94 of the Local Government Act 2009 and Section 99 of the Local Government Regulation 2012, a Local Government may levy utility charges on any basis that they consider appropriate.

Officer's Recommendation –

- (a) That pursuant to Section 94 of the Local Government Act 2009 and Section 99 of the Local Government Regulation 2012, Council make and levy water utility charges, for the supply of water services by the Council, as follows:-
- i) Council will levy a water access charge on each consumer/property, whether vacant or occupied, that Council has provided or is able to be provide with water services;
 - ii) The water access charge will be based on the size of the water connection together with Council's estimate of demand patterns and measured in units as detailed in the Revenue Statement for 2023/2024;
 - iii) Council will levy an excess water charge where consumption exceeds the annual allowance, as detailed in the Revenue Statement;
 - iv) The charge for the 2023-2024 financial year will be \$84.50 per unit and the excess water charges will be \$1.10 per kilolitre; and
 - v) The application of the above levied water charges be in accordance with the further detail provided in Council's adopted Revenue Statement for 2023/2024.
- (b) Pursuant to Section 102(2) of the Local Government Regulation 2012, a water meter is taken to have been read during the period that starts 2 weeks before, and ends 2 weeks after, the day on which the meter is actually read.

2.02.12 CLEANSING SERVICE CHARGES

Executive Summary - Under Section 94 of the Local Government Act 2009 and Section 99 of the Local Government Regulation 2012, a Local Government may levy utility charges on any basis that they consider appropriate

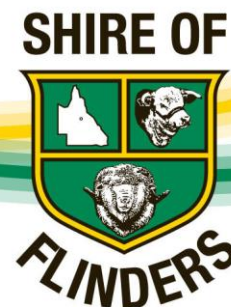
Officer's Recommendation – That pursuant to Section 94 of the Local Government Act 2009 and Section 99 of the Local Government Regulation 2012, Council make and levy cleansing service charges, for the supply of cleansing services by the Council, as follows:-

- i) Council will levy a cleansing service charge on each consumer/property, whether vacant or occupied, that Council provides or deems to be provided with cleansing services;
- ii) The charge will be based on the number of wheelie bins and collections measured in units as detailed in the Revenue Statement for 2023/2024;
- iii) The charge for the 2023-2024 financial year will be \$27.50 per unit;
- iv) The application of the above levied cleansing service charge be in accordance with the further detail provided in the Council's adopted Revenue Statement for 2023/2024

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2.02.13 INTEREST ON RATES AND CHARGES

Executive Summary – In accordance with Section 133 of the Local Government Regulation 2012 Flinders Shire Council fixes the interest for overdue rates and utility charges at 11.64 per cent (11.64%) per annum Compound Interest, for the year ending 30 June 2024 to be charged monthly in arrears. Interest is to be charged on the current levy from the due date for payment.

Officer's Recommendation – That pursuant to Section 133 of the Local Government Regulation 2012, Council fix the interest for overdue rates and utility charges at 11.64% per cent per annum Compound Interest, for the year ending 30 June 2024, to be charged monthly in arrears. Interest is to be charged on the current levy from the due date.

2.02.14 ISSUE OF NOTICES

Executive Summary – In accordance with Section 94 of the Local Government 2009, Section 107 of the Local Government Regulation 2012 and Section 114 of the Fire and Emergency Services Act 1990 Councils rates and charges and the State Government's Emergency Management, Fire and Rescue Levy will be levied half yearly.

Officer's Recommendation –

(a) Pursuant to Section 94 of the Local Government 2009, Section 107 of the Local Government Regulation 2012 and Section 114 of the Fire and Emergency Services Act 1990 Council's rates and charges and the State Government's Emergency Management, Fire and Rescue Levy be levied half yearly as follows:

- for the half year 1 July 2023 to 31 December 2023 - in August 2023; and
- for the half year 1 January 2024 to 30 June 2024 - in February 2024

2.02.15 TIME WITHIN WHICH RATES MUST BE PAID

Executive Summary - In accordance with Section 94 of the Local Government Act 2009 and Section 118 of the Local Government Regulation 2012, Council makes the last date for payment 30 days from the date of issue of the notice. Payment must be received in the Official Office of the Council, 34 Gray Street, Hughenden on or before the due date by the close of business (5:00pm) or electronically in Council's nominated bank account by 12 midnight.

Officer's Recommendation – Pursuant to Section 118 of the Local Government Regulation 2012, that Council's rates and charges, and the State Government's Emergency Management, Fire and Rescue Levy, be paid within 30 days of the date of the issue of the rate notice.

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2.02.16 RATES AND CHARGES – AS A PERCENTAGE OF LAST PERIOD

Executive Summary – In accordance with Section 169(6) of the Local Government Regulation 2012, the budget must include the total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget. This is detailed in the below table:-

Summary of Rate Increases	Actual Unaudited 22/23	Budget 23/24	% Change
Cleansing	\$231,920	\$245,300	5.77%
General Rates	\$2,534,451	\$2,674,417	5.50%
Sewerage	\$886,305	\$931,262	5.07%
Water	\$968,960	\$1,023,464	5.63%
Wild Dog Levy	\$119,155	\$125,765	5.50%
Total	\$4,740,791	\$5,000,208	5.47%

Officer's Recommendation – That pursuant to Section 169(6) of the Local Government Regulation 2012, Council note the schedule of percentage increases of rates and utility charges as set out above.

2.02.17 COST RECOVERY - FEES AND CHARGES

Executive Summary – In accordance with Section 97 of the Local Government Act 2009, Council may fix a cost recovery fee under a Local Law or by resolution. A list of the proposed Cost Recovery – Fees and Charges is provided for consideration.

Officer's Recommendation – That pursuant to Section 97 of the Local Government Act 2009, Council adopt the revised schedule of Cost Recovery and Commercial Fees and Charges for the 2023-2024 financial year, as presented.

2.02.18 2023-2024 OPERATIONAL PLAN

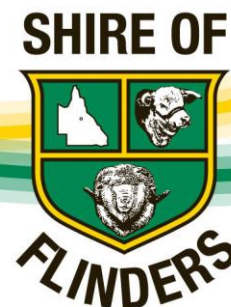
Background – In accordance with s174(1) of the Local Government Regulation 2012, (the Regs) Council must adopt an Operational Plan. S175 of the Local Government Regulation 2012 requires the Operational Plan be consistent with Council's Budget and contain certain information. The proposed 2023-24 Operational Plan complies with the Regulation's requirements.

Officer's Recommendation – That in accordance with s174(1) of the Local Government Regulation 2012, Council adopt the proposed 2023-24 Operational Plan, as presented.

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2.02.19 ADOPTION OF REVISED BUDGET

Executive Summary – In accordance with the *Local Government Regulation 2012*, Council's Budget must be prepared on an accrual basis and be adopted after 31 May but before 01 August for every financial year.

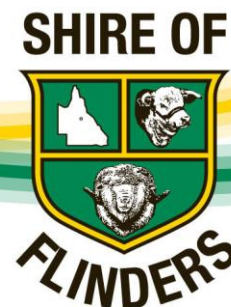
Officer's Recommendation – That pursuant to Sections 169 and 170 of the *Local Government Regulation 2012*, Council approve and adopt it's Budget for the 2023-2024 financial year, as tabled incorporating:

- i. Statement of Comprehensive Income;
- ii. Statement of Financial Position;
- iii. Statement of Cash Flows;
- iv. Statement of Changes in Equity;
- v. Revenue and Expenditure Statement;
- vi. Capital Works Program;
- vii. Long-Term Financial Forecast;
- viii. Revenue Statement
- ix. Revenue Policy
- x. Relevant Measures of Financial Sustainability; and
- xi. The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget.

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3. CLOSED BUSINESS

That Council close the meeting to the public at under section 254J Local Government Regulation 2012.

3.01 CHIEF EXECUTIVE OFFICER

3.01.01 YIRENDALI PEOPLE CULTURAL BENEFITS AGREEMENT FOR THE HUGHENDEN OFF-STREAM WATER STORAGE PROJECT BY FLINDERS SHIRE COUNCIL

Background – The Flinders Shire Council is advancing plans for the construction and operation of the Hughenden Off-tream Storage facility within the project area (Lot 164 on SP338403, and the adjacent bed and banks of the Flinders River), contingent upon securing funding from the State and Commonwealth Governments. With a commitment to adherence to the Aboriginal Cultural Heritage Act 2003 (Qld), the Cultural Heritage Duty of Care, and the Human Rights Act 2019 (Qld), the Council aims to ensure the Yirendali People actively participate in and benefit from the economic aspects of the project. In this regard, a legally binding agreement with the Yirendali Aboriginal Corporation ICN 8398 (YAC), nominated by the Yirendali People, has been proposed. The said agreement is slated for presentation at the Council's special meeting on 24/01/2024.

Officer's Recommendation – After a thorough review of all terms and conditions delineated in the proposed legally binding agreement, the Council hereby authorises the Mayor and the Chief Executive Officer to execute the agreement, solidifying the commitment to a mutually beneficial partnership with the Yirendali People for the successful realisation of the Hughenden Off-Stream Water Storage Project.

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4. PROPOSED MEETING CALENDAR

<i>DATE</i>	<i>TIME</i>	<i>MEETING VENUE</i>	<i>TOPIC</i>
Monday 15 January 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 16 January 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 19 February 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 20 February 2024	9:00am – 12:20pm	Council Chambers	Council Meeting
Monday 18 March 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 19 March 2024	9:00am – 12:20pm	Council Chambers	Council Meeting
Monday 15 April 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 16 April 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 20 May 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 21 May 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 17 June 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 18 June 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 15 July 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 16 July 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 19 August 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 20 August 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 16 September 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 17 September 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 14 October 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 15 October 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 18 November 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 19 November 2024	9:00am – 12:30pm	Council Chambers	Council Meeting
Monday 09 December 2024	9:00am – 2:00pm	Council Chambers	Briefing
Tuesday 10 December 2024	9:00am – 12:30pm	Council Chambers	Council Meeting

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The meeting closed at

Jane McNamara
Mayor
Flinders Shire Council