



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

Tuesday 15th May 2018

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ORDER OF BUSINESS

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1. OPENING BUSINESS

All Councillors having signed the Attendance Book, Mayor Belinda Murphy declared the meeting open at 9:02am.

2. ATTENDANCE

Mayor: Cr. B Murphy

Members: Cr. P Curr, Cr. S Royes, Cr. N Walker

Staff:

Chief Executive Officer Mr Peter Fitchat

Director of Engineering, Environmental & Regulatory Services Mr Andrew Boardman

Executive Assistant, Mrs Amy Tinning

Apologies:

Nil

PROCEDURAL MOTION

Cr Janene Fegan requests the acceptance of a leave of absence from the May Ordinary Meeting of Council.

Resolution No. 226/1718

Cr Janene Fegan is granted a leave of absence from the May Ordinary Meeting of Council.

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 4/0

Other people in attendance:

Nil

3. CONFIRMATION OF MINUTES

Confirmation of Minutes of the Special Meeting of Council held on 17th April 2018.

RECOMMENDATION

That the Minutes of the Special Meeting of Council on 17th April 2018 be confirmed.

Resolution No. 227/1718

The Minutes of Special Meeting of Council on 17th April 2018 are confirmed.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 4/0

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Mayor Belinda Murphy & Economic Development Officer Jade Lyons were unable to attend Myriad.

5. ENGINEERING SERVICES

5.1 Engineering Works Report

This report outlines the general activities, revenue and expenditure for the department for the period of April 2018.

RECOMMENDATION

That Council receives the April 2018 Engineering Works Report.

Resolution No. 228/1718

Council receives the April 2018 Engineering Works Report.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

PROCEDURAL MOTION

That the meeting be closed to the public in accordance with section 275 (1) (g) of the Local Government Regulation 2012.

Resolution No. 229/1718

Council closed the meeting to the public in accordance with section 275 (1) (g) of the Local Government Regulation 2012.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

The Ordinary Meeting of Council closed to the public at 9:30am.

5.2 CONFIDENTIAL 2018/19 Pre-Qualified Suppliers – Goods and Services

This report is CONFIDENTIAL in accordance with *Section 275 1(h) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councilor's consider it necessary to discuss *(h) other business for which public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage;*

The Council have undertaken a pre-qualified preferred supplier's process for the supply of goods and services for the McKinlay Shire Council's 2017/18 financial period.

As the pre-qualified period approaches closure Council must consider options as to how it will address its supply of goods and services moving forward.

RECOMMENDATION

That Council resolve to not extend the 2017/18 Pre-Qualified Suppliers for Goods and Services agreement and move to tender for a new Pre-Qualified Suppliers agreement for the supply of goods and services for the McKinlay Shire Council's 2018-2019 Financial period.

PROCEDURAL MOTION

That Council re-open the Ordinary Meeting of Council to the public.

Resolution No. 230/1718

Council re-open the meeting to the public.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

The Ordinary Meeting of Council re-opened to the public at 9:40am.

Resolution No. 231/1718

After discussion with Engineer and CEO, Council resolve to extend the 2017/18 Pre-Qualified Suppliers until 31st December 2018 for Goods and Services agreement. This is in order to bring this preferred qualified supplier process inline with Councils other standing offer arrangement dates. Council authorise the Engineer and CEO to run the process for the new Pre-Qualified Suppliers agreement towards the end of 2018 for the supply of goods and services for 2019 calendar year.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

6. ENVIRONMENT AND REGULATORY SERVICE REPORT

6.1 Environmental and Regulatory Services Report – 2018

This report outlines the general activities, revenue and expenditure for the department for the period of April 2018.

RECOMMENDATION

That Council receives the April 2018 Environment and Regulatory Services Report.

Resolution No. 232/1718

Council receives the April 2018 Environment and Regulatory Services Report.

Moved Cr.P Curr

Seconded Cr. N Walker

CARRIED 4/0

6.2 Making of Proposed Local Law No. 17 (Waste Management) 2018

Council has consulted with the public about proposed Local Law No. 17 (Waste Management) 2017 including anti-competitive provisions included in the proposed local law.

No properly made submissions were received by Council however it will be necessary for Council to amend the proposed local law given that the local law making process commenced in 2017 but will not be concluded until 2018.

Council can now resolve to adopt the public interest test report recommendation and make local law as advertised.

RECOMMENDATION

Council resolves—

- (a) to note that Council has consulted with relevant government entities about the overall State interest in Local Law No. 17 (Waste Management) 2017; and
- (b) to implement the recommendations of the Public Interest Test Report about Local Law No. 17 (Waste Management) 2017; and
- (c) to make Local Law No. 17 (Waste Management) 2017 as advertised, but amended by the omission of each reference to '2017', and the insertion instead of a reference to '2018'; and
- (d) to note that Local Law No. 17 (Waste Management) 2017 contains anti competitive provisions.

Resolution No. 233/1718

Council resolves—

- (a) to note that Council has consulted with relevant government entities about the overall State interest in Local Law No. 17 (Waste Management) 2017; and
- (b) to implement the recommendations of the Public Interest Test Report about Local Law No. 17 (Waste Management) 2017; and
- (c) to make Local Law No. 17 (Waste Management) 2017 as advertised, but amended by the omission of each reference to '2017', and the insertion instead of a reference to '2018'; and
- (d) to note that Local Law No. 17 (Waste Management) 2017 contains anti competitive provisions.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

PROCEDURAL MOTION

That the meeting be closed to the public in accordance with section 275 (1) (g) of the Local Government Regulation 2012.

Resolution No. 234/1718

Council closed the meeting to the public in accordance with section 275 (1) (g) of the Local Government Regulation 2012.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

The Ordinary Meeting of Council closed to the public at 9:46am.

6.3 CONFIDENTIAL - Cannington Mine Village – Vision Stream Request for Planning Exemption

This report is CONFIDENTIAL in accordance with *Section 275 1(g) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councilor's consider it necessary to discuss *(g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act;*

Visionstream on behalf of Telstra is proposing to install two new small cell 4Gx antennas for improved data capacity and speeds at the Cannington Mine Village with a reduced cost and faster deployment. Under our current Planning Scheme this project could be defined as a 'Telecommunications Facility' which is code assessable in the Rural Zone Code. The antennas that are to be installed are only 1.2m high above the allowed limit in the Low Impact Determination of the Telecommunications Act 1997. The Low Impact

Telecommunications Facility is identified as exempt in our planning scheme. Visionstream are requesting a planning exemption for the proposed development to reduce cost and quick deployment of equipment.

RECOMMENDATION

That Council resolve to respond to Visionstream that their development application to install two new small cell 4Gx antennas at the Cannington Mine Village is approved without the need for Development Approval.

PROCEDURAL MOTION

RECOMMENDATION

That Council re-open the Ordinary Meeting of Council to the public.

Resolution No. 235/1718

Council re-opened the Ordinary Meeting of Council to the public.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

The Ordinary Meeting of Council re-opened to the public at 9:48am.

Resolution No. 236/1718

Council resolve to respond to Visionstream that their development application to install two new small cell 4Gx antennas at the Cannington Mine Village is approved without the need for Development Approval as Council consider it a low impact telecommunications facility.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

6.4 Old SES Shed

It has been raised that the Julia Creek Museum requires additional space and that the Old SES shed may be suitable due to the proximity to the Museum.

RECOMMENDATION

That Council support the expansion of the Julia Creek Museum into the Old SES shed by making this space available and commence consultation with the Museum to prepare the area appropriately.

Resolution No. 237/1718

Council support the expansion of the Julia Creek Museum into the Old SES shed by making this space available and commence consultation with the Museum to prepare the area appropriately and budget accordingly in the 2018/19 financial year.

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 4/0

PROCEDURAL MOTION

RECOMMENDATION

That Council accept to receive late report 6.5 Julia Creek Housing Project Tender - T1718003.

Resolution No. 238/1718

Council accept to receive late report 6.5 Julia Creek Housing Project Tender - T1718003.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 4/0

PROCEDURAL MOTION**RECOMMENDATION**

That the meeting be closed to the public in accordance with section 275 (1) (g) of the Local Government Regulation 2012.

Resolution No. 239/1718

Council closed the meeting to the public in accordance with section 275 (1) (g) of the Local Government Regulation 2012.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 4/0

6.5 CONFIDENTIAL - LATE REPORT Julia Creek Housing Project Tender - T1718003

This report is CONFIDENTIAL in accordance with Section 275 1(e) of the Local Government Regulation 2012, which provides for a local government to resolve that a meeting be closed to the public if its Councilor's consider it necessary to discuss (e) contracts proposed to be made by it;

Council has called for tenders for the Julia Creek Housing Project. Five submissions have been received. Three submissions have been disqualified through the evaluation process due to non-conforming submissions. The tenders been evaluated in accordance with the tender criteria listed in the Request for Tender. The highest ranked submission was Arid to Oasis Solutions Pty Ltd, followed by M & C Glasgow Pty Ltd as Trustee for the Glasgow Family Trust.

RECOMMENDATION

That Council receives the Julia Creek Housing Project Tender – T1718003 Report; and

- resolves to delegate to the Chief Executive Officer approval and governance through oversight for the tender process of T1718003 – Julia Creek housing project and approves the Principal's Representative for the tender and contract to continue negotiation with the two highest ranking tenderers, Arid to Oasis Solutions Pty Ltd and M & C Glasgow Pty Ltd as Trustee for the Glasgow Family Trust to clarify and quantify the tender submission. Or;
- resolves to award the Tender T1718003 Julia Creek Housing Project Contract to the highest scoring tenderer Arid to Oasis Solutions Pty Ltd for the sum of \$1,466,587.00 excluding GST and funds the \$107,041.60 shortfall out of the 2018/19 Council Budget.
- Resolves to retender the Julia Creek Housing Tender.

PROCEDURAL MOTION**RECOMMENDATION**

That Council re-open the Ordinary Meeting of Council to the public.

Resolution No. 240/1718

Council re-opened the Ordinary Meeting of Council to the public.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

Resolution No. 241/1718

Council resolve to defer the resolution for agenda item 6.5 CONFIDENTIAL - LATE REPORT Julia Creek Housing Project Tender - T1718003 to the next Special Meeting of Council.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

Attendance – Executive Assistant Amy Tinning left the meeting room at 10:03am

Attendance - Executive Assistant Amy Tinning re-entered the meeting room at 10:05am

Attendance – Cr. N Walker left the meeting room at 10:11am.

Attendance – Cr. N Walker re-entered the meeting room at 10:12am

Attendance – Director of Engineering, Environmental & Regulatory Services, Andrew Boardman left the meeting room at 10:31am

Attendance – Director of Corporate & Community Services, Tenneil Cody entered the meeting room at 10:33am.

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 April 2018.

RECOMMENDATION

That Council receives the Community Services monthly report for April 2018.

Resolution No. 242/1718

Council receives the Community Services monthly report for April 2018.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

Attendance - Cr. P Curr declared a conflict interest (as per section 172 of the Local Government section 172 of the Local Government Act 2009) in relation to agenda item 7.2 Community Benefit Assistance Scheme. Cr. P Curr left the meeting room at 10:37am taking no part in the discussion or decision.

7.2 Community Benefit Assistance Scheme

The Community Benefit Assistance Scheme has had two rounds advertised during the 2017/18 financial year with Council approving to accept applications from now until the end of the financial year or until funds exhausted.

RECOMMENDATION

That Council fund Saxby Roundup \$3,250 under the Community Benefit Assistance Scheme program.

Resolution No. 243/1718

Council fund Saxby Roundup \$3,250 under the Community Benefit Assistance Scheme program.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 3/0

7.3 Sponsorship Request – Julia Creek Campdraft

Council has received a request for sponsorship from the Julia Creek Campdraft under the Community Grants Policy. The group has requested support for their event by way of water truck services and fee waiver. The application is presented for Council's consideration.

RECOMMENDATION

That Council sponsor the Julia Creek Campdraft Association by way of fee waiver up to a maximum of \$5,000 for their 2018 event.

Resolution No. 244/1718

Council sponsor the Julia Creek Campdraft Association by way of fee waiver up to a maximum of \$5,000 for their 2018 event.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 3/0

7.4 Sponsorship Request – Saxby Round-up

Council is presented with a Sponsorship Request from Saxby Round-up for consideration, in accordance with requirements of Council policy.

RECOMMENDATION

That Council approve sponsorship of \$5,000.00 for water truck and security services to the Saxby Roundup Association for their 2018 event.

Resolution No. 245/1718

Council approve sponsorship of \$5,000.00 for water truck and security services to the Saxby Roundup Association for their 2018 event.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 3/0

Attendance – Cr. P Curr re-entered the meeting room at 10:41am.

8. CORPORATE SERVICES REPORT

8.1 Corporate Services Report

The Corporate Services Report as of 30th April 2018 which summarises the financial performance and position is presented to Council.

RECOMMENDATION

That Council receives the monthly Corporate Services Report for the period ending 30th April 2018.

Resolution No. 246/1718

Council receives the monthly Corporate Services Report for the period ending 30th April 2018.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

Attendance – Director of Corporate & Community Services, Tenneil Cody left the meeting room at 10:56am.

9. CHIEF EXECUTIVE OFFICER REPORT

9.1 2017-18 Natural Disaster Resilience Program (NDRP).

During the last Flood event that started on the 1 March 2018 we identified that the approved scope of works and completed works for Gidgeree Crossing was not sufficient to with stand a 1 in 25 year flood event and to prevent ongoing damage we attempt to have this included as a project under the NDRP, and it was damaged in almost every event since 2009, the QRA and Department of Fisheries approved the last design and it did not withstand the last flood event, Council is seeking through QRA under the NDRP funding arrangements to apply for the extension of concrete works on either side of this crossing, applications closes 30th June 2020.

We obtained enough data and footage to show that the current approved design was never going to withstand the water in this catchment area.

We believe this project aligns with both the National Strategy for Disaster Resilience, and the four objectives underpinning our State-wide all-hazards Queensland Strategy for Disaster Resilience:

1. Queenslanders understand their disaster risk
2. Strengthened disaster risk management
3. Queenslanders are invested in disaster risk reduction
4. Continuous improvement in disaster preparedness, response and recovery.

We estimate that the Councils contribution won't exceed \$25,000 and the rest to be covered out of the resilience program funding, with final figures depending on approved design by the relevant departments.

RECOMMENDATION

That Council note the Report and support a application under the 2017-18 Natural Disaster Resilience Program (NDRP) for \$25,000 to be committed in the 2018-19 Financial Year to complete this project and make Gidgeree Crossing more resilient in flood event to give access to the community living on the other side of the crossing.

Resolution No. 247/1718

Council note the Report and support a application under the 2017-18 Natural Disaster Resilience Program (NDRP) for \$25,000 to be committed in the 2018-19 Financial Year to complete this project and make Gidgeree Crossing more resilient in flood event to give access to the community living on the other side of the crossing.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 4/0

9.2 Third Quarter Review

The third quarter assessment of Council's progress towards implementing the 2017-2018 Operational Plan is presented to Council.

RECOMMENDATION

That Council receives the third quarter review of the 2017-2018 budget.

Resolution No. 248/1718

Council receives the third quarter review of the 2017-2018 budget.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

10.WHS REPORT

Council receives the Work Place Health & Safety report for information purposes only.

11. MEMBERS BUSINESS

Cr. N Walker – Finance & Civic Leaders Summit update.

Cr. S Royes – Causeway located at the end of the Dalgonally waterhole crossing the Julia Creek, requires maintenance.

Mayor Belinda Murphy

- Julia Creek State School teaching resources update
- Hospital Funding update
- Mayor Belinda Murphy reported on her visit to Julia Creek CWA to view the upgrades
- Discussed issue surrounding current dipping facility in relation to the fees and charges

12. CLOSURE OF MEETING

The Chair of the meeting Mayor Belinda Murphy declared the meeting closed at 11:35am.



Mayor Belinda Murphy