



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

Tuesday 15th August 2017

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1. OPENING BUSINESS

All Councillors having signed the Attendance Book, Deputy Mayor Neil Walker declared the meeting open at 8:13 am.

2. ATTENDANCE

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

Staff:

Chief Executive Officer Mr Peter Fitchat

Executive Assistant Mrs Amy Tinning

Director of Engineering, Environmental & Regulatory Services Mr Andrew Boardman

Apologies:

Mayor Belinda Murphy

Other people in attendance:

Nil

Attendance – Council approve leave of absence for Mayor Belinda Murphy for the Ordinary Council Meeting held on Tuesday, 15 August 2017.

Moved P. Curr

Seconded S. Royes

CARRIED 4/0

3. CONFIRMATION OF MINUTES

Confirmation of Minutes of the Ordinary Meeting of Council held on 18th July 2017.

RECOMMENDATION

That the Minutes of the Ordinary Meeting on 18th July 2017 be confirmed.

Resolution No. 032/1718

The Minutes of Ordinary Meeting on 18th July 2017 confirmed, with the following changes:

- MEMBERS BUSINESS Cr. B Murphy: Nelia CWA discussed items with Mayor Belinda Murphy surrounding the bush dinner and play equipment. This information has been passed onto operational staff.
- Resolution No. 024/1718

Council resolves to award Gibbons Construction the project for Stage 1 of the Water Park for \$175,300.00, Exclude and allocate the short fall of \$29,065.00 from W4Q Funding general revenue in the 2017/18 Budget (including 5% contingency) to complete the project by 30 November 2017.

- Resolution No. 028/1718

That Council receives this report and endorses the projects nominated for the Works for Queensland Program 2017-19.

Project details	Indicative Cost
Project title	W4Q project budget (GST Excl.)
Shade Structure McIntyre Park	35,000
Shade Structure Peter Dawes Park	50,000
Shade Structure Kynuna	35,000
Shade Structure in front of Council Depot	80,000
Bush Dinner Hut JC Caravan Park	150,000
Sewer Treatment Plant Improvement	710,000
	1,060,000

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 4/0

Attendance – Cr. S. Royes left the meeting room at 8:19am.

Attendance – Cr. S. Royes returned to the meeting room at 8:22am.

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

5. ENGINEERING WORKS REPORT

5.0 Engineering Works Report

Budget areas are performing generally within their specified variance range for this financial year.

RECOMMENDATION

For Council Information.

Resolution No. 033 /1718

Council receives this report for information purposes.

Moved Cr. S Royes

Seconded Cr. P. Curr

CARRIED 4/0

Attendance – Cr. S Royes left the meeting room at 8:44am.

Attendance – Cr. S Royes re-entered the meeting room at 8:45am.

5.1 CONFIDENTIAL - Gidgery Creek Tender

PROCEDURAL MOTION

That Council resolves that the meeting be closed to the public under 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 Councillor's consider it necessary to discuss (e) contracts proposed to be made by it;

Resolution No. 034 /1718

Council resolves that the meeting be closed to the public under 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 Councillor's consider it necessary to discuss (e) contracts proposed to be made by it;

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 4/0

Closure of meeting occurred at 8:44am.

Gidgery Creek works is part of the NDRRA 16 event program. The program works are administered by AECOM. All works documentation, tender documentation, tendering and tender evaluation has been completed by AECOM. AECOM have provided a tender report with a recommendation for Council's consideration.

RECOMMENDATION

That Council accepts AECOM's tender report and recommendations that,

- 1) Council award this contract to Auzscot Civil for their adjusted tender price of \$787,378.06 excluding GST;
- 2) Council doesn't formally engage Auzscot Civil until QRA confirms the scope of work and price variation being fully eligible under the NDRRA Program.

Attendance – Cr. P Curr left the meeting room at 8:51am.

Attendance – Cr. P Curr re-entered the meeting room at 8:53 am

The Ordinary Meeting of Council Meeting remained closed to discuss agenda items 5.2 & 5.2.

5.2 CONFIDENTIAL - Flood Damage Works

Confidentiality:

This report is CONFIDENTIAL in accordance with *Section 275 1(b) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councillor's consider it necessary to discuss *(b) industrial matters affecting employees;*

The Engineering and Regulatory Service department is seeking Council's strategic direction with the NDRRA Flood damage work program. To either continue as programmed or accelerate.

RECOMMENDATION:

That Council resolve to either,

- 1) Continue the current NDRRA Works Program.
- 2) Direct AECOM to accelerate the works program to complete before Christmas shutdown.

Attendance – Cr. P Curr left the meeting room at 9:15am.

Attendance – Cr. P Curr re-entered the meeting room at 9:17am.

Resolution No. 035/1718

That Council resolve to re-open the meeting to the public.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

Re-opening of the meeting occurred at 9:42am to pass the resolution of agenda items 5.1 & 5.2

5.1 Resolution No. 036/1718

Council accepts AECOM's tender report and recommendations that,
1) Council award this contract to Auzscot Civil for their adjusted tender price of \$787,378.06 excluding GST;
Council will not officially proceed until the variation is approved by QRA under the NDRRA Program.

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 4/0

5.2 Resolution No. 037/1718

Council resolve to,
-Direct AECOM to accelerate the NDRRA works program to complete as soon as possible.

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 4/0

6. ENVIRONMENT AND REGULATORY SERVICE REPORT

6.0 Environment and Regulatory Services Report - June 2017

This report outlines the general activities, revenue and expenditure for the department for the period July 2017.

RECOMMENDATION

That Council receives the July 2017 Environment and Regulatory Services Report.

Resolution No. 038/1718

Council receives the July 2017 Environment and Regulatory Services Report.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

Attendance – Executive Assistant Mrs Amy Tinning left the meeting room at 9:58am.

Attendance – Executive Assistant Mrs Amy Tinning re-entered the meeting room at 10:01am.

Attendance – CEO Mr Peter Fitchat left the meeting room at 10:05am

Attendance – CEO Mr Peter Fitchat re-entered the meeting room at 10:07am.

6.1 Waste Management Services and Utility Charges

Council has received correspondence from LGAQ Inviting the Council's Chief Executive Officer or a suitable Senior Executive from Council to a meeting to discuss the implications of the expiry of the Local Government Waste Management Provisions.

RECOMMENDATION

That Council resolves that Council's Chief Executive Officer and Acting Director of Engineering and Regulatory Services represent Council via teleconference to discuss waste management provisions in Part 2A(section 7 – Designation of areas) of the Waste Reduction and Recycling Regulation 2011 and Chapter 5A of the Environmental Protection Regulation 2008.

Resolution No. 039/1718

Council resolves that Council’s Chief Executive Officer and Acting Director of Engineering and Regulatory Services represent Council via teleconference to discuss waste management provisions in Part 2A(section 7 – Designation of areas) of the Waste Reduction and Recycling Regulation 2011 and Chapter 5A of the Environmental Protection Regulation 2008.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

6.2 CONFIDENTIAL - Plant Hire Tender Assessment Report (LATE)

PROCEDURAL MOTION

That Council resolve that the meeting be closed to the public under section 217 11(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

Resolution No. 040/1718

Council resolve that the meeting be closed to the public under section 217 11(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

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

Closure of meeting occurred at 10:22am.

In June Council released the plant hire pre-qualified suppliers for 2017-2018, these were received late June, evaluated and the resulting contractor and ranking were taken to the July Ordinary Meeting 2017 for endorsement. This report seeks to answers questions from Council regarding the tender process.

RECOMMENDATION

That Council receive the Plant Hire Tender Assessment Report.

The Ordinary Council Meeting remained closed, to discuss items 6.2 & 6.3.

Attendance – Cr. J Fegan declared a material personal interest (as per section 172 of the Local Government section 172 of the Local Government Act 2009) in relation to CONFIDENTIAL Dirt n Dust Venue Shed Tender. Cr. J Fegan left the meeting room at 10:24am taking no part in the meeting.

6.3 Dirt n Dust Venue Shed Tender

Confidentiality:

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;

Executive Summary:

Funding has been allocated from the Works for Queensland Program for a multi-purpose events shed at the Dirt N Dust Precinct. The works were advertised as a design and construct tender that closed on the 7 August 2017.

Recommendation:

That Council award the Dirt N Dust precinct events shed to Arid to Oasis Solutions Pty Ltd T/A Auzscot Civil Australia for the Option B without Cold Room for \$309,052.00 Excl GST.

PROCEDURAL MOTION

Resolution No. 041/1718

Council resolve to re-open the meeting to the public.

Moved Cr. P Curr

Seconded Cr. S Royes
CARRIED 3/0

The meeting re-opened at 10:40am to pass the resolution of 6.2 & 6.3.

Attendance - Cr. J Fegan re-entered the meeting room at 10:35am, taking no part in the discussion or vote for Agenda Item 6.3.

6.2 Resolution No. 042/1718

Council receive the Plant Hire Tender Assessment Report. Council delegates CEO Peter Fitchat and Cr. Philip Curr, to discuss the tender process with concerned contractors.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 4/0

6.3 Resolution No. 043/1718

That Council award the Dirt N Dust precinct events shed to Arid to Oasis Solutions Pty Ltd T/A Auzscot Civil Australia for the Option B double storey shed without Cold Room for \$309,052.00 Excl GST.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 3/0

7.COMMUNITY SERVICES

Attendance – Director of Corporate & Community Services Mrs Tenneil Cody entered the meeting room at 10:40am.

7.0 Community Services

Council is presented with the monthly Community Services report, which provides an overview of the operations for the month of July 2017.

RECOMMENDATION

That Council receives the Community Services monthly report for July 2017.

Resolution No. 044 /1718

Council receives the Community Services monthly report for July 2017.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 4/0

7.1 Proposed Dog Fenced Park in Julia Creek

Council has received a request from a community member for the construction of a dog off leash area (dog park) in Julia Creek. The request is supported by a number of completed surveys which are presented for Council's consideration.

RECOMMENDATION

That Council support the development of concept plans and cost estimates, for the proposed construction of a fenced dog park on the block of land that borders Old Normanton Road, Quarrell and Hickman Streets.

Resolution No. 045/1718

Council support the development of concept plans and cost estimates, for the proposed construction of a fenced dog park on the block of land that borders Old Normanton Road, Quarrell and Hickman Streets.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 4/0

7.2 Regional Arts Development Fund – Quick Response

Council has received Quick Response applications for funding through the Regional Arts Development Fund (RADF). The RADF Committee will assess the applications via email and present the recommendations for Council's ratification at the Ordinary Meeting.

RECOMMENDATION

That Council ratify the recommendations made by the Regional Arts Development Fund Committee:

- McKinlay Shire Council : Iconic Queensland Exhibition \$2,000;
- Julia Creek Quilters: Quilting Video lessons \$450.

Resolution No. 046/1718

Council ratify the recommendations made by the Regional Arts Development Fund Committee:

- McKinlay Shire Council: Iconic Queensland Exhibition \$2,000;
- Julia Creek Quilters: Quilting Video lessons \$450.

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 4/0

7.3 Community Sponsorship – Sedan Dip Sports & Recreation Club Inc.

Council has received a request for Community Sponsorship from Sedan Dip Sports and Recreation Club Inc. to support the Sedan Dip Races, Rodeo and Campdraft to be held 18th to 20th August 2017 by way of water truck services. The application is presented for Council's consideration.

RECOMMENDATION

1. That Council support Sedan Dip Sports and Recreation Club Inc. by way of the provision of water truck services for their event from 17th to 20th August inclusive, on the basis of dry hire with 12 hours usage provided in-kind, any over and above hours to be charged at the standard hourly plant hire rate.

Resolution No. 047/1718

Council support Sedan Dip Sports and Recreation Club Inc. by way of the provision of water truck services for their event from 17th to 20th August inclusive, on the basis of dry hire with 12 hours usage provided in-kind, any over and above hours to be charged at the standard hourly plant hire rate.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 4/0

Attendance – Cr. P Curr left the meeting room at 10:59am.

Attendance – Cr. P re-entered the meeting room at 11:02 am.

7.4 Application for funding through Stronger Communities Programme Round 3

An invitation was extended to Council by the Kennedy Electorate Office to apply for funding through the Federal Stronger Communities Programme, Round 3. At this time Expressions of Interest (EOI) are being called for small capital projects and aims to improve local community participation, cohesion and contribute to vibrant and viable communities.

RECOMMENDATION

That Council support the EOI for funding through the Stronger Communities Programme, Round 3, for the construction of a community shed/facility for the McKinlay community; and further commit to the ongoing operational and maintenance costs of the asset if and when constructed.

Resolution No. 048/1718

Council support the EOI for funding through the Stronger Communities Programme, Round 3, for the construction of a community shed/facility for the McKinlay community; and further commit to the ongoing operational and maintenance costs of the asset if and when constructed.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 4/0

8. CORPORATE SERVICES REPORT

8.0 Corporate Services Report

The Corporate Services Report as of 31st July 2017 which summarises the financial performance and position is presented to Council.

RECOMMENDATION

That Council receives the monthly Corporate Services Report for the period ending 31st July 2017.

Resolution No. 049 /1718

Council receives the monthly Corporate Services Report for the period ending 31st July 2017.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

9. CHIEF EXECUTIVE OFFICER REPORT

9.0 Local Government Association of Queensland – 121st Annual Conference

Council is presented with a request to attend the *LGAQ 121st Annual Conference on the 16-18 October 2017 Gladstone Entertainment Convention Centre*.

The conference includes the general meeting and the annual general meeting of the Association, and a number of presentations from guest speakers who provide information and discuss current topics of interest to local governments (including LGAQ).

Each member Council is entitled to nominate two 'delegates' who will be the designated representatives for voting purposes during the Annual General Meeting and General Meeting. All other attendees are registered as observers.

RECOMMENDATION

That Council nominates at least 2 elected members to attend the *LGAQ 121st Annual Conference on the 16-18 October 2017 Gladstone Entertainment Convention Centre*.

Resolution No. 050/1718

Council nominates Cr. Neil Walker, Mayor Belinda Murphy & CEO Peter Fitchat elected members to attend the *LGAQ 121st Annual Conference on the 16-18 October 2017 Gladstone Entertainment Convention Centre*.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 4/0

9.1 Christmas period closure for Council 2017-18

Council is presented with a report for information purposes in relation to discussions held at Councils Briefing meeting held 1st August 2017 for the closure period of Councils Main Office, Depot and Early Learning Centre during the Christmas Holiday Period.

RECOMMENDATION

That Council's Outside Workforce close for the Christmas period from Friday 15th December 2017 to reopens Monday 15th January 2018 and Council Administration Office Closure from Friday the 22nd December 2017 reopening Tuesday the 2nd January 2018.

The Early Learning Center Closure to be from 20th December 2017 to the 15th January 2018.

Resolution No. 051/1718

Council's Outside Workforce close for the Christmas period from Friday 15th December 2017 to reopens Monday 15th January 2018 and Council Administration Office Closure from Friday the 22nd December 2017 reopening Tuesday the 2nd January 2018.

The Early Learning Centre Closure to be from 20th December 2017 to the 15th January 2018.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

9.2 CONFIDENTIAL - Contract Renewal Director Corporate and Community Services

PROCEDURAL MOTION

That Council resolve that the meeting be closed to the public under section 217 11(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*.

Resolution No. 052/1718

Council resolve that the meeting be closed to the public under section 217 11(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.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 4/0

Closure of meeting occurred 11:01am

Executive Summary:

Director Corporate and Community Services, Mrs Tenneil Cody has written to express interest to renew her contract with McKinlay Shire Council.

Director Corporate and Community Services current contract states:

- Notice must be given at least 7 months before contract expiry, which is 28 Feb 2018
- Council must give notice of its intention to either re-appoint Director Corporate and Community Services or advertise at least 6 months before contract expiry – will need to give notice by 28 August 2017
- Director Corporate and Community Services must advise Council if offer is accepted (where an offer is made) at least 5 months before contract expiry

Recommendation:

That Council receives the Director Corporate and Community Services request to negotiate a new contract with McKinlay Shire Council. Council delegate the CEO to negotiate the new contract with McKinlay Shire Council.

PROCEDURAL MOTION

Resolution No. 053 /1718

Council resolve to re-open the meeting to the public.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 4/0

Re-opening of the meeting occurred at 11:09am

Resolution No. 054/1718

Council resolves to delegate the CEO to negotiate the new contract between; McKinlay Shire Council and Director Corporate and Community Services.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

10.WHS REPORT

Nil

11.MEMBERS BUSINESS

Cr. J Fegan – Approached by a rate payer regarding funding availability for rubber vine control.

Cr. P Curr – Untidy allotment concern.

Cr. S Royes – McIntyre Park water reticulation check. Director of Environmental, Regulatory Services & Engineering Andrew Boardman and CEO Peter Fitchat delegated to check.

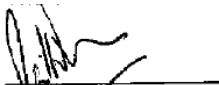
Cr. N Walker (on behalf of Cr. B Murphy) – Media release on Business Education Hub.

Cr. N Walker (on behalf of Cr. B Murphy) – Cattle load out model.

Cr. N Walker – 2017 Bush Councils Convention update.

12. CLOSURE OF MEETING

The Chair of the meeting, Deputy Mayor Neil Walker declared the meeting closed at 11:40am.



Cr. Neil Walker
Deputy Mayor