



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARD ROOM, CIVIC CENTRE
JULIA CREEK

20th May 2014

CONFIRMED MINUTES

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1. OPENING BUSINESS

All Councillors having signed the Attendance Book, the Mayor declared the meeting open at 10:10am

2. ATTENDANCE

Mayor: Cr. B Murphy
Members: Cr. E Hick, Cr. A Batt, Cr. Philip Curr

Staff:

Interim Chief Executive Officer: Mr John Kelly
Director of Corporate and Community Services: Mrs Tenneil Cody (11:48am)
Director of Engineering: Mr. Greg Chesterfield
Director of Environment and Regulatory Services: Mr. Geoff Rintoul (3:55pm)
Executive Assistant: Mrs Linda McNab

APOLOGIES:

Cr. N. Walker

Moved Cr. Batt Seconded Cr. Edwina

That Council accept the leave of absence from Councillor Neil Walker

CARRIED

Resolution No.197/1314

3. CONFIRMATION OF MINUTES

Confirmation of minutes from the Ordinary Meeting on 14th April 2014 as previously circulated to Councillors.

Moved Cr. Curr Seconded Cr. Hick

That the minutes of the Ordinary meeting held on 14th April be confirmed.

CARRIED

Resolution No. 198/1314

Confirmation of minutes from the Special Meeting of Council on 28th April 2014 as previously circulated to Councillors.

Moved Cr. Hick Seconded Cr. Batt

That the minutes of the Special meeting held on 28th April be confirmed.

CARRIED

Resolution No. 199/1314

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

5. ENGINEERING SERVICE REPORT

5.1 Engineering Works Report – May 2014

Moved Cr. Curr Seconded Cr. Hick

That Council receive the Engineering Services Works Report

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CARRIED

Resolution No.200/1314

Council has discussed possible road forum for the community to help with future planning and the need for a road strategy.

Attendance – Director of Engineering Greg Chesterfield left the meeting at 11:44am

Motion

Moved Cr. Hick Seconded Cr. Curr

That Council change the order of the agenda to receive the Environment and Regulatory Services Report last.

CARRIED

Resolution No. 201/1314

Attendance – Director of Corporate and Community Services Tenneil Cody entered the meeting at 11:48am

6. COMMUNITY SERVICES REPORT

6.1 Community Service Report

Moved Cr. Batt Seconded Cr. Hick

That Council receive the Community Services Report.

CARRIED

Resolution No 202/1314

6.2 Sponsorship Request – Julia Creek Campdraft

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

Moved Cr. Hick Seconded Cr. Curr

That Council sponsor the Julia Creek Campdraft Association for a maximum of \$3,000 for water truck services for their 2014 event.

CARRIED

Resolution No 203/1314

Cr. Curr declared a perceived conflict of interest (as per section 173 of the *Local Government Act 2009*) in relation to item 6.3 *Sponsorship Request – Saxby Round-up* due to his position of president of the Saxby Round-up.

Attendance - Cr.Curr left the meeting at 12:22pm taking no part in the debate or decision of the meeting.

6.3 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.

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Moved Cr. Batt Seconded Cr. Hick

That Council approve sponsorship of \$3,200.00 for water truck services to the Saxby Roundup Association for their 2014 event.

CARRIED

Resolution No 204/1314

Attendance – Cr. Curr re-entered the meeting at 12:26pm

6.4 Regional Arts Development Fund Round 3 Approvals

Council's Round 3 of RADF closed on 5th May after 4 weeks of advertising. The RADF Committee will assess the Round 3 applications and present the recommendations for Council's ratification at the Ordinary Meeting.

Moved Cr. Curr Seconded Cr. Batt

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

- McKinlay Shire Cultural Association: screen printing workshop \$1,900
- Julia Creek RSL: WW1 sculpture project \$17,081.28
- McKinlay Shire Council: marimba and djembes workshop \$7,731
- McKinlay Shire Council: theatre sports workshop \$3,358

CARRIED

Resolution No 205/1314

6.5 Donation Request – NQ Helicopter Rescue Service

The North Queensland Helicopter Rescue Service has written to Council requesting a donation of \$15,000 for the 2014/15 financial year.

Moved Cr.Hick Seconded Cr. Curr

That Council donate \$15,000 to the NQ Helicopter Rescue Service for the 2014/15 financial year.

CARRIED

Resolution No 206/1314

6.6 Community Benefit Assistance Scheme

Council is presented with an application through the Community Benefit Assistance Scheme for ratification.

Moved Cr. Curr Seconded Cr. Murphy

That Council fund the Community Benefit Assistance Scheme application of the Julia Creek Pony Club in the amount of \$5,000.00

CARRIED

Resolution No 207/1314

7. CORPORATE SERVICES REPORT

7.1 Corporate Services Report

Moved Cr. Batt Seconded Cr. Hick

That Council receive the Corporate Services Report

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Resolution No 208/1314 CARRIED

7.2 Advertising Spending Policy

Council is required by the Local Government Regulation 2012 to prepare and adopt a policy about the local governments spending on advertising. Council is presented with the Advertising Spending Policy Version 2.0 for consideration to adopt.

Moved Cr. Batt Seconded Cr. Curr

That Council adopt the Advertising Spending Policy Version 2.0 as presented.

CARRIED

Resolution No 209/1314

ADJOURNMENT: 12:57pm – 1:25pm The Mayor adjourned the meeting for lunch.

7.3 Local Government Grants and Subsidies Program

The Local Government Grants and Subsidies program opened on the 29 April 2014 and close on the 29 May 2014. Council is eligible to make an application for funding up to 40% of project costs. Council is requested to make a determination with regard to a project to seek funding for.

Moved Cr. Hick Seconded Cr. Curr

That Council make an application through the Local Government Grants and Subsidy Program for the Participation Space project and commit \$55,000 for the 2014/2015 budget as well as acknowledging approved BHP Billiton funds of \$125,000.

CARRIED

Resolution No 210/1314

8. CHIEF EXECUTIVE OFFICERS REPORT

8.1 Chief Executive Officers Report

Moved Cr. Batt Seconded Cr. Curr

That Council receive the Chief Executive Officers Report.

CARRIED

Resolution No. 211/1314

8.2 Third Quarter Review of the 2013-2014 Operational Plan

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

Moved Cr. Curr Seconded Cr. Hick

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

CARRIED

Resolution No.212/1314

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Attendance – Director of Corporate and Community Services Tenneil Cody left the meeting at 2:09pm

8.3 Queensland Agriculture Conference 2014

The Department of Agriculture, Fisheries and Forestry will host the Queensland Agriculture Conference 2014 on Thursday 26 June 2014 in Brisbane, to officially release the State of Queensland Agriculture Report. Council is presented with the program for consideration of attendance.

Moved Cr.Curr Seconded Cr. Batt

That Council nominates Cr. Belinda Murphy and Cr. Edwina Hick to attend the Queensland Agriculture Conference 2014 on Thursday 26 June 2014.

CARRIED

Resolution No.213/1314

8.4 Councillor Attendance at Northern Development Summit

Council is presented with a request from the Australian Davos Connection (ADC) to attend the Northern Development Summit to be held in Townsville 26 - 28 June, 2014. The Summit will be an opportunity for community representatives, State, Local and Federal Government representatives and individuals to participate in a major event which will influence the future development of Australia.

Council noted the report and decided not to nominate any attendees.

8.5 NDRRA Infrastructure Restoration Program incl Leadership Team (PLT) Governance

Council has commenced delivery of the approved 2013 NDRRA restoration works by day labour utilizing subcontractors as required. To successfully control and manage the program Council has established an NDRRA Program Management Plan (PMP) and Program Leadership Team (PLT).

The team comprises MSC Councillor, staff and AECOM (under contract) who will act on behalf of Council to deliver the approved scope of restoration works for assets damaged by the 2013 event in accordance with 2009/10 NDRRA and 2011QRA guidelines.

This report seeks Council consideration and adoption of the PMP which details how the team will manage and control the restoration work to ensure the desired outcome is achieved.

Moved Cr. Curr Seconded Cr. Hick

That with respect to 2013 NDRRA restoration works, Council:

1. Adopt the Program Management Plan(PMP) for restoration works under the 2013 NDRRA arrangements which were attached to the interim CEO's report to Council dated 16th May 2014,
2. Confirm membership of the Program Leadership Team (PLT) as detailed in the report, and
3. Endorse the Governance, Probity and Procurement Principles detailed in the Plan.

CARRIED

Resolution No.214/1314

8.6 BlazeAid and Aussie Helpers

Aussie Helpers and BlazeAid have been established to provide assistance to people in need following natural disasters. Both organisations have offered their services to the McKinlay Shire community.

This report provides a briefing to assist Councillors in the event they receive inquiries from the community.

Council noted the report.

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8.7 Contract Director of Engineering Service

In February 2014 Council contracted with AECOM to provide contract Director of Engineering Services through to 30 June 2014.

The services have been delivered on the ground five days per week by Mr Greg Chesterfield, supported by the professional advice from senior engineers within AECOM.

A decision is required on engineering service delivery post 30th June 2014

Moved Cr.Hick Seconded Cr. Batt

That Council extend the contract with AECOM for the delivery of Director of Engineering Services through to the 30th June 2015 on the same basis as the existing contract subject to Council having the right to terminate the arrangement on the giving of one month's notice in the event that Council decides on a different service delivery model or if services become unsatisfactory.

CARRIED

Resolution No.215/1314

8.8 Management of 2014 NDRRA Infrastructure Restoration

Council has contracted with AECOM to undertake data collection and development of a Council submission seeking approval for flood restoration work arising from the 2014 rainfall and flooding event. The data capture will be completed by the end of May, 2014 and the application will be submitted shortly there after.

The value of estimated damage is considerable and may even exceed the approved 2013 works This report seeks Council consideration and approval to contract with AECOM to provide management systems and support similar to those being delivered for the 2013 NDRRA works

Moved Cr.Curr Seconded Cr. Hick

With respect to the 2014 NDRRA restoration work Council note the report and defer any decision pending outcome of 2014 claim and assessment of internal capabilities.

CARRIED

Resolution No.216/1314

8.9 Julia Creek Airport – Hanger Sites

In late 2012 Council received a request to consider nominating to the Regional Development Australia grant funding body the concept of providing covered aircraft parking facilities and/or hanger space at the Julia Creek airport.

Council responded to the writer, Mr Bram Pollock of Ray White Julia Creek that there were other priorities for RDA funding but commits to investigate the long term development of the airport. Queensland Airport Consultants Pty Ltd Townsville have carried out annual technical inspections of the airport but have not been commissioned to prepare a plan of development for the site. Some form of site management plan or master plan is desirable.

Because the airport is situated on State Reserve Council would be required to seek prior approval from the Minister before entering into any formal lease over part of the land.

Moved Cr.Batt Seconded Cr. Hick

With respect to the Julia Creek airport, Council:

1. Note the report on the options for providing covered aircraft sites or hanger sites at the Julia creek Airport,

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2. Request the Chief Executive Officer to:

- a. Liaise with the Department of Natural Resources and Mines on requirements and options for granting tenancy over part of the airport land including the need for any site management plan or master plan,
- b. Seek a proposal including estimate of cost, from John Hunter QLD Airport Consultant's Pty Ltd to develop a site management plan or master plan or layout plan as required by the Department of Natural Resources and Mines, and
- c. Report to a future meeting of Council with recommended options

CARRIED

Resolution No.217/1314

Procedural Motion

These reports are CONFIDENTIAL in accordance with *Section 275 (1) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its councillors consider it necessary to discuss -:

(h) "other business for which a 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." and

(a) "the appointment, dismissal or discipline of employees"

(g) "any action to be taken by the local government under the Planning Act, including deciding applications made to it under the Act"

(e) "contracts proposed to be made by it"

Moved Cr. Curr Seconded Cr. Hick

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

CARRIED

Resolution No.218/1314

- The meeting was closed to the public at 3:00pm

Procedural Motion

Moved Cr. Curr Seconded Cr. Hick

That Council reopen the meeting to the public.

CARRIED

Resolution No.219/1314

- The meeting was re-opened to the public at 3:53pm

8.10 Meeting with Senior Executives of TMR in Townsville Monday 12 May 2014

On Monday 12 May 2014 the Mayor, Deputy Mayor and Interim Chief Executive Officer met with Mr Miles Vass TMR General Manager Program Delivery and Operations and Mr David Aitkinson, TMR Regional Director NQ Region at the Townsville office.

The purpose of the meeting was to discuss Council's concerns at the recent decision by TMR to exclude Council from RPC works. The meeting was positive.

Council Noted the report

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8.11 TMR Draft Flinders and Barkly Highways Investment Strategy

On Tuesday 29th April, 2014 the Mayor, Deputy Mayor, I/CEO, A/Manager of Works and AECOM contract Engineer met with TMR Executive Director Strategic Investment & Asset Management Karen Peut, TMR Manager Network Development Greg Gola, TMR Ben Stewart & TMR Deputy Regional Director Mr Peter Trim.

The purpose of the meeting was for TMR to present the draft Flinders and Barkly Highways Investment Strategy for consultation and to seek Council input. The Strategy is not yet government policy.

Moved Cr. Hick Seconded Cr. Curr

That Council thanks TMR for the opportunity to comment on the draft Flinders and Barkly Highways Investment Strategy and advises that Council is generally in agreement with the investment strategy outlined on page 14 with the comment that:

McKinlay Shire Council is supportive of the Highway as a whole and the priorities set as such being:

1. Truck pad at junction of the Flinders and Bruce Highway
2. Widening of the one-lane bridge at Granite Creek
3. Upgrading the flood prone crossings at Boundary Creek, Corella Creek and Gilliat Channels
4. Addressing the poor state of Highway between Richmond and Hughenden.

CARRIED

Resolution No.220/1314

8.12 Contract Signing and Commencement – New CEO Mr Aaron Childs

At the special meeting of Council held after the interviews for a new Chief Executive Officer, Council adopted the following resolution:

“Having conducted formal interviews on Monday 28 April 2014, Council:

- a. Appoint Mr Aaron Childs to the position of Chief Executive Officer McKinlay Shire Council, subject to suitable contract negotiations and extensive reference checks,
- b. The Mayor, Deputy Mayor and Interim CEO be authorised to conclude contract negotiations generally in accordance with the advertised employment package,
- c. The Mayor will advise Councillors of the outcome, and
- d. The interim CEO to advise the unsuccessful interviewees and thank them for participating.”

This report confirms verbal advice to Councillors following the conclusion of reference checks and contract negotiations.

Moved Cr. Batt Seconded Cr. Hick

That Council notes that following positive outcomes from reference checks and satisfactory contract discussions, the appointment of Mr Aaron CHILDS as Chief Executive Officer of McKinlay Shire Council has been incorporated in a five year contract and that he will commence duties on Tuesday 10 June 2014

CARRIED

Resolution No.221/1314

8.13 Acting Manager of Works – Completion of Probationary Period

The application for the position of Works Manager for a three year contract closed on 9 December 2013. Interviews of five candidates were held on 15th January 2014 without a permanent appointment being made by

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the selection panel comprising of previous CEO Mark Keller, previous Director of Engineering Matt Fanning, Deputy Mayor Cr. Tony Batt and Cr. Philip Curr.

By letter dated 7th February 2014 the then Chief Executive Officer appointed Kerry Krogh to the position of Acting Works Manager for a period of three months with the advice that “ *Your performance in conducting all of the duties of the Works Manager will be monitored during this time. If it is determined this arrangement is not working in the organization or your best interest you will be advised accordingly.*”

On the 12th March, 8th April and 7th of May the CEO conducted performance reviews with Mr. Kerry Krogh. These reviews included gathering feedback from the Mayor, Councillors and two Directors. The CEO has formed the view that Mr. Krogh should now be formally appointed to the position of Works Manager.

Moved Cr. Curr Seconded Cr. Batt

That Council appoint Mr. Kerry Krogh to the position of Works Manager on a three (3) year contract and that the Interim Chief Executive Officer in consultation with the Mayor be authorized to negotiate the remuneration package within the advertised range.

CARRIED

Resolution No.222/1314

8.14 Offer from DNRM to sell part of LOT 57 on SP232864 for Solar Farm

In August 2013 Solicitors (Preston Law) acting on behalf of Council applied to Department of Natural Resources and Mines for:

- the opening of a road comprising approximately 3.3ha, and
- the priority purchase of approximately 26.3ha, being part of Pasturage Reserve Lot 57 on SP232864.

The road opening would provide legal access over the existing formed road servicing lots 1 & 2 SP 229752 and Portion 10 (Hilton Park).

The parcel comprising 26.3ha was proposed for lease to a commercial entity Overland Sun Farming Company Pty Ltd through a wholly owned subsidiary – Mid West Sun Farms Pty Ltd (MWSF) for the purposes of establishing a Solar Farm.

On 15 May 2014 Preston Law forwarded recent correspondence from DNRM agreeing to the applications for the road opening and the purchase of a parcel of land subject to conditions.

Moved Cr. Batt Seconded Cr. Hick

With respect to proposed road opening and land acquisition over part of Pasturage Reserve Lot 57 on SP 232864, Council:

1. Request staff to accept the offer from DNRM for the proposed road opening, submit plan lodgment fee of \$330 and arrange for the preparation and lodgment of a plan of survey,
2. Seek approval from DNRM for an extension of time of twelve (12) months to enable Council to complete negotiations for the possible lease of the proposed site of approximately 26.3ha to a third party for the purposes of establishing a commercial Solar Farm, and
3. The Mayor, Deputy Mayor and Chief Executive Officer be authorized to continue negotiations with the proponents regarding the lease of approximately 26.3ha to be acquired from the State Government from Lot 57 on SP 232864 on the conditions that:
 - a. The proponents secure funding from Australian Renewable Energy Agency (ARENA) for this project and submit evidence that the project is fully funded,
 - b. A satisfactory commercial lease is negotiated with the proponents for a period of up to 30 years with an annual lease fee that provides a timely return on Council's total investment including acquisition costs, survey plan, legal fees,

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c. Appropriate professional advice be obtained from Council's solicitors, from a registered valuer and from solar industry professionals regarding appropriate Company searches and corporate structures, managing Council's risk exposure, commercial leasing arrangements, advantages to the Julia Creek and McKinlay Shire community etc.

4. Further, the Mayor and Chief Executive Officer provide regular, timely advice to Council prior to any lease being finalized and before acquisition of the land from the State.

CARRIED

Resolution No.223/1314

Attendance – Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 3:55pm

9. ENVIRONMENT AND REGULATORY SERVICES REPORT

9.1 Environment and Regulatory Works Report – April 2014

Moved Cr. Curr Seconded Cr. Batt

That Council receive the Environment and Regulatory Services Works Report

CARRIED

Resolution No. 224/1314

10. MEMBERS BUSINESS

11. CLOSURE OF MEETING

The Chair of the meeting, Cr. Belinda Murphy declared the meeting closed at 4:40pm

Cr Belinda Murphy
Mayor