



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

Friday 22nd September 2017

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1. OPENING BUSINESS

All Councillors having signed the Attendance Book, Deputy Mayor Neil Walker declared the meeting open at 10:25am.

2. ATTENDANCE

Mayor: Cr. B Murphy

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

Cr. S. Royes arrived at 10:33am due to delayed flight.

Staff:

Chief Executive Officer Mr Peter Fitchat

Executive Assistant Mrs Amy Tinning

Director of Engineering, Environmental & Regulatory Services Mr Andrew Boardman

Apologies:

Cr. J Fegan

Director of Corporate & Community Services Mrs Tenneil Cody

Other people in attendance:

Nil

Attendance – Council approve leave of absence for Cr. J Fegan for the Ordinary Council Meeting held on Friday, 22nd September 2017.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 3/0

3. CONFIRMATION OF MINUTES

Confirmation of Minutes of the Ordinary Meeting of Council held on 15th August 2017.

RECOMMENDATION

That the Minutes of the Ordinary Meeting on 15th August 2017 be confirmed.

Resolution No. 055 /1718

The Minutes of Ordinary Meeting on 15th August 2017 are confirmed.

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 3/0

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

Due to quorum issues Council defer the Engineering Works Report at 10:27am.

6. ENVIRONMENT AND REGULATORY SERVICE REPORT

6.1 Environment and Regulatory Services Report – August 2017

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

RECOMMENDATION

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

Resolution No. 056/1718

Council receives the August 2017 Environment and Regulatory Services Report.

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 3/0

Attendance – Cr. S Royes entered the meeting room at 10:33am.

6.2 Local Law Making Process

Under section 29 of the *Local Government Act 2009*, Council must decide its own process for making local laws. The process must not be inconsistent with the requirements of the Act. The proposed process is included as Attachment 6.2.1 – *Local Law Making Process*.

RECOMMENDATION

That Council resolves to adopt the Local Law Making Process as detailed in Attachment 6.2.1 *Local Law Making Process Resolution* in its entirety.

Resolution No. 057/1718

Council resolves to adopt the Local Law Making Process as detailed in Attachment 6.2.1 Local Law Making Process Resolution in its entirety.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

6.3 Waste Management Local Law

Council has approached King & Company Solicitors to create the Local Law No. 17 (Waste Management) 2017 to ensure Council could control waste management within the Shire if the 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 are removed on 1 July 2018. This is to protect Council's interest in Waste Management for the future.

RECOMMENDATION

That Council resolves to propose to make Local Law No. 17 (Waste Management) 2017. The proposed Local Law No. 17 (Waste Management) 2017 is included in Attachment 6.3.1 *Local Law No. 17 (Waste Management) 2017*.

PROCEDURAL MOTION

Resolution No. 058/1718

Council resolves to propose to make Local Law No. 17 (Waste Management) 2017. The proposed Local Law No. 17 (Waste Management) 2017 is included in Attachment 6.3.1 Local Law No. 17 (Waste Management) 2017.

Moved Cr. N Walker

Seconded Cr. P Curr
CARRIED 4/0

5. ENGINEERING WORKS REPORT

Council return to the order of agenda, by accepting to receive the Engineering Works Report at 10:48am.

5.1 Engineering Works Report

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

RECOMMENDATION

That Council receives the August 2017 Engineering Works Report.

Resolution No. 059/1718

Council receives the August 2017 Engineering Works Report.

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 4/0

5.2 Region Aviation Access Programme – Remote Airstrip Upgrade (RAU) Round 5

Council has received notification that the Remote Airstrip Upgrade (RAU) Programme Round 5 provided by the Australian Government's Department of Infrastructure and Regional Development, Regional Aviation Access Programme is now open. This funding will provided 50% funding if matched 50% or 33% is matched by Council and another party, i.e. state government. Upgrading of priority Airstrips to all weather is eligible. Safety issues have been raised regarding the McKinlay Airstrip and Council officers prosed that an application be submitted for this project.

RECOMMENDATION

That Council supports the preparation of an application for the Region Aviation Access Programme – Remote Airstrip Upgrade (RAU) Round 5 for an all weather airstrip at McKinlay

Resolution No. 060/1718

Council supports the preparation of an application for the Region Aviation Access Programme – Remote Airstrip Upgrade (RAU) Round 5 for an all weather airstrip at McKinlay

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 4/0

5.3 CONFIDENTIAL - 2018 Pre-Qualified Suppliers - Plant Hire

Attendance – Mayor Belinda Murphy 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 - 2018 Pre-Qualified Suppliers - Plant Hire. Murphy Belinda Murphy left the meeting room at 11:06am taking no part in the meeting.

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 Councillor'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. 061/1718

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 Councillor'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 3/0

Closure of meeting occurred at 11:06am.

At the last North West Regional Road Group Technical meeting tendering timeframes for pre-qualified plant suppliers was discussed, the majority of the regions Council tender over the Calendar year. Council direction is sought whether to move to a calendar year process or to remain over the financial year.

RECOMMENDATION

That Council resolve to move to a calendar year pre-qualified suppliers plant hire tender process and for the process to be released for the 2018 calendar year.

Attendance – Mayor Belinda Murphy re-entered the meeting room at 11:12am.

The Ordinary Meeting of Council remained closed to discuss agenda item 5.4.

5.4 Gidgery Creek Tender

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 previously submitted a recommendation that was taken to Council. The previous recommendation was subject to Queensland Reconstructive Authority (QRA) scope of work and price variation being fully eligible under the NDRRA Program. QRA assessed the proposed variation and as a result reduced the scope of works. AECOM has provided a revised tender report with a recommendation for Council's consideration after revising the scope of works and negotiations with the tenderers.

Recommendation:

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

- 1) Council award this contract to S.N. Gabbert Constructions for their adjusted tender price of \$595,575.38 excluding GST;
- 2) Council doesn't formally engage S.N. Gabbert Constructions until QRA formally confirms the scope of work and price variation being fully eligible under the NDRRA Program.

PROCEDURAL MOTION

Resolution No. 062/1718

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

Moved Cr. S Royes

Seconded Cr. P Curr
CARRIED 4/0

The Ordinary Meeting of Council re-opened to the public to resolve agenda item 5.3 and 5.4 at 11:23am.

5.3 Resolution No. 063/1718

Council resolve to move to a calendar year pre-qualified suppliers plant hire tender process and for the process to be released for the 2018 calendar year.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 3/0

Attendance – Mayor Belinda Murphy re-entered the meeting room at 11:24am.

5.4 Resolution No. 064/1718

Council accepts AECOM's tender report and recommendations that,

- 1) Council award this contract to S.N. Gabbert Constructions for their adjusted tender price of \$595,575.38 excluding GST;
- 2) Council doesn't formally engage S.N. Gabbert Constructions until QRA formally confirms the scope of work and price variation being fully eligible under the NDRRA Program.

Moved Cr. N Walker

Seconded Cr. P Curr
CARRIED 4/0

Attendance – Director of Engineering, Environmental & Regulatory Services Mr Andrew Boardman left the meeting room 11:25am.

7.COMMUNITY SERVICES

Community Services Team leader, Ms Janice Kilbourne entered the meeting room at 11:27am.

7.1 Community Services Report

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

RECOMMENDATION

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

Resolution No. 065/1718

Council receives the Community Services monthly report for August 2017.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

7.2 Community Sponsorship – Julia Creek Combined Sporting Association

Council has received a request for Community Sponsorship from Julia Creek Combined Sporting Association to support the Town versus Country Sporting Event on 30th September 2017. The application is presented for Council's consideration.

RECOMMENDATION

That Council support Julia Creek Combined Sporting Association by way of financial support of \$5,000 for the provision of Security, Ambulance and uniforms for the Town versus Country Sporting Event to be held on 30th September 2017 through Council's Sponsorship Grants.

Resolution No. 066/1718

Council support Julia Creek Combined Sporting Association by way of financial support of \$5,000 for the provision of Security, Ambulance and uniforms for the Town versus Country Sporting Event to be held on 30th September 2017 through Council's Sponsorship Grants.

Moved Cr. S Royes

Seconded Cr. N. Walker

CARRIED 4/0

7.3 Library Public Internet Access Policy

Currently Council has no formal Policy regarding public access to internet and wireless service. The adoption of a Policy clearly illustrates Council's acknowledgement of its responsibility to provide internet and computer access to meet the recreational, cultural, informational and learning needs of the McKinlay community and those that visit the Shire.

RECOMMENDATION

That Council adopt the Library Public Internet Access Policy as presented.

Further:

That the Fees & Charges Schedule 2017/18 is amended to remove the internet usage fees as listed under section 18.2

Resolution No. 067/1718

Council adopt the Library Public Internet Access Policy as presented.

Further:

That the Fees & Charges Schedule 2018/19 is amended to remove the internet usage fees as listed under section 18.2

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

7.4 Council Housing Project – LGGSP Funding Commitment

The purpose of this report is to seek Council's support and financial commitment for the Local Government Grants and Subsidies Program (LGGSP).

RECOMMENDATION

That Council commit to 40% of the total project cost to a maximum of \$1.5M for the Local Government Grants and Subsidies Program funding application being for the Council Staff Housing Project.

Resolution No. 068/1718

Council commit to 40% of the total project cost across the 2017-18 Financial year to a maximum of \$1.5M for the Local Government Grants and Subsidies Program funding application being for the Council Staff Housing Project.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 4/0

7.5 Sponsorship Request Julia Creek Campdraft

Council has received a request for funding from Council's Drought Funding Budget from the Julia Creek Campdraft Association. The group has requested support for their event by way of venue hire, livestock cartage, water truck hire, hay cost and ambulance fees. The application is presented for Council's consideration.

RECOMMENDATION

Council sponsor the Julia Creek Campdraft Association for \$4'500 for associated expenses for their event including Campdraft School & official Novice Draft from the Drought Funding Budget.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

Attendance – Community Services Team Leader, Ms Janice Kilbourne left the meeting room at 11:45am.

8. CORPORATE SERVICES REPORT

Attendance – Corporate Services Team Leader, Miss Katherine Crawford entered the meeting room at 11:46am.

8.1 Corporate Services Report

The Corporate Services Report as of 31st August 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 August 2017.

Resolution No. 069/1718

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

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

8.2 Anti-Discrimination and Equal Employment Opportunity Policy Update

McKinlay Shire Council Anti-Discrimination and Equal Employment Opportunity Policy v1.0 is past its revision date and subsequently has been reviewed by Council's Executive Management Team.

RECOMMENDATION

That Council resolves to adopt the reviewed version (version 2.0) of the Anti-Discrimination and Equal Employment Opportunity Policy.

Resolution No. 070/1718

That Council resolves to adopt the reviewed version (version 2.0) of the Anti-Discrimination and Equal Employment Opportunity Policy.

Moved Cr.P Curr

Seconded Cr. N Walker

CARRIED 4/0

8.3 Code of Conduct Update

McKinlay Shire Council Code of Conduct v1.0 is past its revision date and subsequently has been reviewed by Council's Executive Management Team.

RECOMMENDATION

That Council resolves to adopt the reviewed version (version 2.0) of the Code of Conduct.

Resolution No. 071/1718

Council resolves to adopt the reviewed version (version 2.0) of the Code of Conduct.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 4/0

8.4 Performance and Misconduct Policy/Disciplinary Procedures Update

McKinlay Shire Council Performance and Misconduct Policy/Disciplinary Procedures v1.0 is past its revision date and subsequently has been reviewed by Council's Executive Management Team.

RECOMMENDATION

That Council resolves to adopt the reviewed version (version 2.0) of the Code of Conduct.

Resolution No. 072/1718

Council resolves to adopt the reviewed version (version 2.0) of the Code of Conduct.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 4/0

Attendance – Corporate Services Team Leader, Miss Katherine Crawford left the meeting room at 11:56am.

9. CHIEF EXECUTIVE OFFICER REPORT

9.1 CONFIDENTIAL - MOU between McKinlay Shire council and Multicom Resources Pty Ltd

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. 073/1718

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. P Curr

Seconded Cr. N Walker

CARRIED 4/0

Closure of meeting occurred 11:56am.

The purpose of the MOU is to confirm the commitments of **Multicom Resources Pty Ltd and McKinlay Shire Council**.

Multicom has asked to have this signed and returned to them.

GENERAL

- (a) This MOU is not intended to be legally binding but is intended to provide a framework within which specific programs can be implemented to achieve desired outcomes.
- (b) The parties agree to abide by the requirements of the Privacy Act and related legislation and regulations in relation to any personal information which may be shared or disclosed between the agencies subject to specific authority from the persons concerned.

This MOU will be reviewed annually to set the platform for cooperation over the 5 years.

RECOMMENDATION

That Council receives this report and supports the MOU between **Multicom Resources Pty Ltd and McKinlay Shire Council**, and delegates the Mayor and the CEO to sign this MOU on behalf of Council.

PROCEDURAL MOTION

Resolution No. 074/1718

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

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 4/0

The meeting re-opened to the public at 12:01pm.

Resolution No. 075/1718

Council receives this report and supports the MOU between Multicom Resources Pty Ltd and McKinlay Shire Council, and delegates the Mayor and the CEO to sign this MOU on behalf of Council.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

9.2 Contract No. T1415029 McKinlay Shire Council - Solar Installation Project - Deed of Settlement

The Deed amendments is ready for signature between SunEdison Australia Pty Ltd ACN 118 108 044 and McKinlay Shire Council with the exception of Clause 2.2 which requires that the Contractor unconditionally warrant to the First Party that, as at the Termination Date, all suppliers, contractors and employees engaged by it in the performance of the Contract have no outstanding claims against it as attached. Final written confirmation from suppliers in relation to warranties on solar panels and inverters is pending.

RECOMMENDATION

That Council receives this report, and delegate the Mayor to sign the Deed Settlement between SunEdison Australia Pty Ltd CAN and McKinlay Shire Council for the amount of \$34,036.21 excluding GST.

Resolution No. 076/1718

That Council receives this report, and delegate the Mayor to sign the Deed Settlement between SunEdison Australia Pty Ltd CAN and McKinlay Shire Council for the amount of \$34,036.21 excluding GST.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

9.3 Transport and Tourism Connection Program

McKinlay Shire was successful in its application for the Combo Waterhole Road upgrade through this TTCF Program Council was working to get contributing funds from a neighbouring shire and on this project, and only agreed to commit ten percent towards this project and was seeking the balance from the funding body. This however was not possible and there was no commitment for this project at this stage from our neighbouring shire.

However during the last meeting NWQRRTG meeting McKinlay Shire managed to get full support to move this TTC Program from the Combo Waterhole to the Gilliat McKinlay Road (Gidyee Bug Byway) from all the members of the NWQRRTG.

Council has already got budget allocation for work on the Gilliat McKinlay Road in the 2017-2018 Financial year.

The total TTC funding is \$1,269,021.51 of which Council has to match 50% or 634,510.75.

The proposal is to still seek the originally requested \$1,269,021.51 for the Gilliat McKinlay Road with the TTC funding being matched by \$567,920 R2R funding and \$66,590.75 Council Contribution. This is almost half of what was allocated in the 2017-18 Budget so present a saving of \$60,311.40.

The funding will provide 8km of seal (6m seal 8m shoulders) chainage 54.87 to 62.87 reducing the amount of dirt road left will be 48km of the 77km total length on the Gidgee Bug Byway.

RECOMMENDATION

That Council receives this report, and supports the change of road project from the Combo Waterhole to the Gilliat McKinlay and support the contribution of \$66,590.75 to the Roads to Recovery Funding to match the TTC Program funding of \$634,510.75.

Resolution No. 077/1718

Council receives this report, and supports the change of road project from the Combo Waterhole to the Gilliat McKinlay and support the contribution of \$66,590.75 to the Roads to Recovery Funding to match the TTC Program funding of \$634,510.75.

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 4/0

9.4 LGAQ Digital Productivity Survey

This report for information purposes only.

This is a summary and an update from LGAQ President Mark Jamieson and CEO Greg Hallam on LGAQ and Local Governments achievements.

Works for Queensland

The Works for Queensland program, conceived in partnership between the State and local governments, will deliver \$400 million of infrastructure investment and create thousands of jobs.

SGFA

The return of proper funding levels to the State Government Financial Assistance program rights a wrong done to our Aboriginal and Torres Strait Island councils.

FAGS

A concerted campaign has convinced the Federal Government to ensure Financial Assistance Grants funding will rise in line with inflation.

NDRRA

After a long battle, we've finally won a common-sense approach to Natural Disaster Relief and Recovery Arrangements, with wins on the eligibility of day labour and council plant and equipment.

Infrastructure charges

We've convinced the state government to index the maximum infrastructure charge, meaning extra revenue of up to \$26 million a year for the sector.

Waste

Councils have repelled an industry attack on our ability to have control over managing waste.

Industrial reform

A concerted effort via LGAQ IR audits to improve the operation of their industrial arrangements has led councils to find up to \$20 million in possible annual savings for the sector as it heads into enterprise bargaining negotiations.

QWRAP

The work of Queensland Regional Water Alliance has delivered \$3 million in Savings.

Freight

Local government's work on national heavy vehicle regulations means there are streamlined regulations for freight movements covering 85 per cent of the state – a big win for connectivity.

QLD Great

Your membership body, the LGAQ, received a prestigious Queensland Great Award, putting it alongside the Royal Flying Doctor service, the SES and the RSPCA as a respected Queensland institution.

LGAQ Businesses

And, lastly, the LGAQ's businesses have delivered \$140 million of market-to-market savings to member councils, not to mention a distribution totalling \$6 million back to councils from their insurance mutual.

9.5 Ergon Network Reliability Report

As part of Councils SWER Line Project Ergon completed step 1 of 2 by supplying Council with a detailed Network Reliability Report.

RECOMMENDATION

That Council receives this report.

Resolution No. 078/1718

That Council receives this report.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 4/0

9.6 URGENT RE: IQ-RAP PARTNERSHIP

The IQ-RAP project seek your specific urgent support for updating critical information from all Council Mayors and CEOs to support their ongoing work with Commonwealth and State Governments on funding for regional roads, with particularly engagement with Minister for Infrastructure and Transport the Hon Darren Chester and his team.

To undertake the IQ-RAP we had initially budgeted \$50,000 (consultancy) + \$10,000 (plan and brochure design and production) but the quote came in at \$83,000 for the consultancy. We have negotiated a starting position at \$65,000 based on RDA TNWQ providing more in-kind support and frugally managing the project funds. However, the WG believes that the quality of the end product will be compromised if we cannot go to the full \$83,000 + \$10,000 production costs for the plan and brochures.

RECOMMENDATION

That Council receives this report, and support the request from IQ RAP and Council's contribution of \$1,000 + GST to go directly to do the IQ-RAP update.

Resolution No. 079/1718

Council receives this report, and support the request from IQ RAP and Council's contribution of \$1,000 + GST to go directly to do the IQ-RAP update.

Moved Cr.P Curr

Seconded Cr. N Walker

CARRIED 4/0

10.WHS REPORT

Nil

11. MEMBERS BUSINESS

Mayor Belinda Murphy – Update from North West Regional Organisations of Councils & Regional Roads Group.

Mayor Belinda Murphy – Middle School Update


Mayor Belinda Murphy – OQTA Attendance Cr. J Fegan, Cr. S Royes to attend

Mayor Belinda Murphy – Artesian Spa Bath Update

Mayor Belinda Murphy – Water Park Update

12. CLOSURE OF MEETING

The Chair of the meeting, Mayor Belinda Murphy declared the meeting closed at 12:37am.



Mayor, Belinda Murphy