



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARD ROOM, CIVIC CENTRE
JULIA CREEK

22nd July 2015

CONFIRMED MINUTES

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1. OPENING BUSINESS

All Councillors having signed the Attendance Book, the Mayor declared the meeting open at 9:30am

2. ATTENDANCE

Mayor: Cr. B Murphy

Members: Cr. E Hick, Cr. A Batt, Cr. P. Curr , Cr. N. Walker

Staff:

Chief Executive Officer: Mr Aaron Childs

Director of Engineering: Mr. Brian Wood

Director of Corporate and Community Services: Mrs Tenneil Cody

Director of Environment and Regulatory Services: Mr. Geoff Rintoul

Executive Assistant: Mrs Linda McNab

Apologies:

Nil

Other people in attendance:

Nil

3. CONFIRMATION OF MINUTES

Confirmation of minutes from the Ordinary Meeting on 22nd June 2015 as previously circulated to Councillors.

Moved Cr. N Walker

Seconded Cr. E Hick

That the minutes of the Ordinary meeting held on 22nd June be confirmed.

CARRIED 5/0

Resolution No.9/1516

4. BUSINESS ARISING FROM PREVIOUS MINUTES

5. ENGINEERING SERVICE REPORT

5.1 Engineering Works Report

Moved Cr. P Curr

Seconded Cr. A Batt

That Council receive the Engineering Services Works Report

CARRIED 5/0

Resolution No.10/1516

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5.2 5 Year Capital Roadworks Plan

A draft 5 year plan for capital roadworks for shire roads has been presented to Council for consideration.

Moved Cr. N Walker Seconded Cr. A Batt

That Council adopt the 5 year draft capital road works plan for distribution to the Road Strategy Working Group.

CARRIED 5/0

Resolution No.11/1516

5.3 Road Trial Section Lime Stabilization of Blacksoil

Based upon recent research and trials by TMR in areas such as Warwick, and Emerald, a trial section of lime stabilized blacksoil pavement on the Gilliat McKinlay Road has begun. A short length (125m) was constructed and partly sealed on 14 July 2015 in order to determine the long term suitability for this road construction method.

The depth of blacksoil stabilized was 250mm and the amount of lime used was 6% by weight. This section, both sealed and unsealed will be monitored over the next 12 months for performance under traffic and varying weather conditions.

Moved Cr. E Hick Seconded Cr. A Batt

That Council receives the information

CARRIED 5/0

Resolution No.12/1516

Cr. Belinda Murphy declared a real conflict of interest (as per section 173 of the Local Government Act 2009) in relation to 5.4 Plant Hire Tenders 2015/16 due to her position as a contractor to Council. Cr. Murphy left the meeting room, taking no part in the debate or decision of the meeting.

Attendance – Cr. Murphy left the meeting at 10:15am

Deputy Mayor Anthony Batt Chaired the meeting.

Procedural Motion

Moved Cr. N Walker Seconded Cr. E Hick

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

CARRIED 4/0

Resolution No.13/1516

- The meeting was closed to the public at 10:16am

Procedural Motion

Moved Cr. P Curr Seconded Cr. N Walker

That Council re-open the meeting to the public.

CARRIED 4/0

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Resolution No.14/1516

- The meeting was re-opened to the public at 10:35am

5.4 Plant Hire Tenders 2015/16

Council advertised a Request for Plant Hire for July 2015 to June 2016 and a good response was received. Tenders have been assessed and scores have been determined based on a number of criteria

Moved Cr. E Hick

Seconded Cr. N Walker

That Council accepts the ranking of Tenderer's for the various Plant as listed on the attachment for the Register of Prequalified Suppliers of Plant Hire for 2015/16.

CARRIED 4/0

Resolution No.15/1516

Attendance – Cr. Murphy re-entered the meeting at 10:39am

RECESS: 10:39am -10:45am Deputy Mayor adjourned the meeting for morning tea. After the resumption of morning tea Cr. Belinda Murphy resumed as Chair of the meeting.

Attendance – Director of Engineering Brian Wood left the meeting at 10:48am

Attendance – Director of Environment and Regulatory Services Geoff Rintoul entered the meeting at 10:49am

6. ENVIRONMENT AND REGULATORY SERVICES REPORT

6.1 Environment and Regulatory Works Report – June 2015

This report outlines the general activities, revenue and expenditure for the department for the period June 2015 and generally up to date of writing this report.

Moved Cr. N Walker

Seconded Cr. A Batt

That Council receive the June 2015 Environment and Regulatory Services Works Report

CARRIED 5/0

Resolution No.16/1516

6.2 Proposed Amalgamation Lots 5 and 6 JC 55726 - Julia Creek Swimming Pool and Indoor Sports Centre Complex.

This report is to make recommendation to Council for Proposed Amalgamation Lots 5 and 6 JC 55726 - Julia Creek Swimming Pool and Indoor Sports Centre Complex.

The proposed amalgamation of the lots has been as a result of a review of existing formal boundaries and the existing and likely future usage at the site. The Julia Creek Swimming Pool is located on the majority of Lot 5 JC 55726. A small section of the lot located east of the existing fence and utilised by part of the new Daren Ginns Centre area. Lot 6 JC 55723 Daren Ginns Centre, Indoor Sports Centre, Tennis Courts and part of existing unformed road adjoining Matthews Street Julia Creek

Both properties are zoned Open Space and Recreation under the planning scheme and current reserves with Council as trustee with the existing uses consistent with the planning scheme (recreation).

Consideration was given to reconfigure the joining property boundary, however due to the proposed installation of solar power on the Indoor Sports Centre for use at the pool, it is considered more appropriate to amalgamate the lots. Further noting that amalgamation of lots does not require planning approval under the Sustainable Planning Act, however the reconfiguration of same does require approval.

Moved Cr. P Curr

Seconded Cr. N Walker

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That Council, in regards to lots 5 and 6 JC55726;

- a. approves the amalgamation of the lots;
- b. authorises the Chief Executive Officer to execute formal documents in regards to the amalgamation

CARRIED 5/0

Resolution No.17/1516

6.3 Proposed Property Numbering for various properties in Julia Creek - Julia Creek Land Subdivision

This report is to make recommendation to Council for the approval of the property/house numbering of various properties located in the Julia Creek Land Subdivision.

The properties have not previously been allocated house numbers and Council may if it wishes to do so allocate same and formally advise the Department of Natural Resources and Mines of update of the relevant property information.

The formal adoption of house numbering allows for the property to be more easily recognised in general addressing of the property, attendance of emergency services and the like.

Moved Cr. E Hick

Seconded Cr. N Walker

That Council;

- a. formally adopts the house numbering of properties in Byrne, Netterfield, Sunset Street (Drive) and Coyne Street as follows;

Current RPD	Proposed Address	Comments
Lot 1 SP 247177	39-41 Byrne Street	
Lot 2 SP 247177	43-45 Byrne Street	
Lot 3 and 12 SP 247177	2 Netterfield Street	Proposed Lot 3 SP 278219
Lot 4 and 11 SP 247177	4 Netterfield Street	Proposed Lot 4 SP 278219
Lot 5 and 10 SP 247177	6 Netterfield Street	Proposed Lot 5 SP 278219
Lot 6 and 9 SP 247177	8 Netterfield Street	Proposed Lot 6 SP 278219
Lot 7 and 8 SP 247177	10 Netterfield Street	Proposed Lot 7 SP 278219
Lot 13 SP 247177	1 Netterfield Street	
Lot 14 SP 247177	3 Netterfield Street	
Lot 15 SP 247177	5 Netterfield Street	
Lot 16 SP 247177	7 Netterfield Street	
Lot 33 SP 247177	4 Sunset Street	To advise DNRM of Street name change to Drive
Lot 34 SP 247177	2 Sunset Street	To advise DNRM of Street name change to Drive
Lot 35 SP 247177	112 - 118 Coyne Street	
Lot 36 SP 247177	104 -110 Coyne Street	
Lot 37 SP 247177	96-102 Coyne Street	
Lot 38 SP 247177	80-94 Coyne Street	Truck Park

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- b. Advise the Department of Natural Recourses and Mines of the changes.

CARRIED 5/0

Resolution No.18/1516

6.4 Proposed Reconfiguration of Lot 1 JC 55726 - 22 Julia Street Julia Creek being the Chief Executive Officers Residence and Shire Workshops.

This report make recommendation to Council for the approval to commence the process to reconfigure Lot 1 JC 55726 - 22 Julia Street Julia Creek being the Chief Executive Officers Residence and Shire Workshops. The proposed reconfiguration of the lot has been as a result of a review of existing formal boundaries and the existing usage at the site. The Chief Executive Officers Residence and Workshops is located on the corner of Julia and Coyne Street Julia Creek.

The CEO's residence is currently zoned Residential and is consistence with the planning scheme. The Workshops are zoned Community Open Space. The existing boundary between the lots is defined by an established boundary fence.

The proposed Reconfiguration will allow for consistent uses under the planning scheme and also allow for separate addressing of the properties.

The reconfiguration will require planning approval under the McKinlay Shire Planning Scheme and require a separate application to Council for same.

Moved Cr. N Walker

Seconded Cr. A Batt

That Council, in regards to lot 1 JC55726;

- a. approves the commencement of the reconfiguration of the lot;
- b. the reconfiguration to be submitted to Council as part of the normal planning approval process;
- c. authorises the Chief Executive Officer to execute formal documents in regards to the amalgamation

CARRIED 5/0

Resolution No. 19/1516

Procedural Motion

Moved Cr. E Hick

Seconded Cr. P Curr

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

CARRIED 5/0

Resolution No.20/1516

- The meeting was closed to the public at 11:07am

Procedural Motion

Moved Cr.E Hick

Seconded Cr. P Curr

That Council re-open the meeting to the public.

CARRIED 5/0

Resolution No. 21/1516

- The meeting was re-opened to the public at 11:12am

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6.5 Sale of Council Lands – Julia Creek Land Subdivision

This report is to make recommendation to Council for the sale by tender of surplus lands located at the Julia Creek Land Subdivision.

The sale of local government non-current asset, in this case lands, is covered under the provisions Local Government Regulation, Division 4 “Exceptions for valuable non-current asset contracts” and in particular;

1. Regulation 236 (1) – relates generally on how the non-current asset may be sold and/or if previously offered for sale by auction or tender. 236 (1) is relevant should the lots not be sold at tender;
2. Regulation 236 (3) - requires the sale of land to be at Market Value. This requires the assets (land) to be sold at or greater than the Market Rate. Therefore the assets must be valued by a registered valuer; and
3. Regulation 236 (5) – requires the valuation to be carried out by a registered valuer under the provisions of the Valuers Registration Act 1992.

In 2010-11, Council constructed and subsequently offered sale by auction 20 lots in the Julia Creek Land Subdivision with four (4) of the lots being sold, being two (2) industrial and two (2) rural residential lots. The remaining 16 lots of mixed zoning remained available.

Council should note that the original development approval and the lots previously sold were subject to a Covenant or Design Guide lines. This covenant details the general design and construction principles of industrial , residential and rural residential properties. Given that this was a requirement under the approval the requirements are still relevant and therefore in place. Following a review of the existing land usage and general property/land availability within the shire, Council progressed with an amendment of the planning scheme to amend the zoning of residential lands to rural residential with a view to being in a position to dispose of the remaining lots. Further a number of these lots (previously residential) are in the process of being amalgamated

Herron Todd White (HTW) was engaged to provide valuations for the lots in order for Council to establish a “Reserve” price for each lot. The valuations are based on a number of criteria and represent the general local and regional market valuations of lands. Under the provisions of regulation 236 (3) the reserve price will be set at the valuation for the respective lots.

The proposal is to sell the lots by tender with a set reserve at Market Value. Lots not sold at the time may then be later disposed by other means such as placing them with an agent etc. It is proposed that the negotiation for sale of lots not sold at tender is delegated to the Chief Executive Officer under the provisions of r236 (1).

Moved Cr. T Batt

Seconded Cr. N Walker

That Council;

- a. Offers for sale by tender the following lots;

Serial	Old RPD	Current/Proposed	Area (Sq M) (Approx)
1.	Lots 2 SP247177	Lots 2 SP247177	5044
2.	Lot 3 and 12 SP247177	Lot 3 SP278219	3835
3.	Lot 4 and 11 SP247177	Lot 4 SP278219	4029
4.	Lot 5 and 10 SP247177	Lot 5 SP278219	4029
5.	Lot 6 and 9 SP247177	Lot 6 SP278219	4102
6.	Lot 7 and 8 SP247177	Lot 7 SP278219	5051
7.	Lot 13 SP 247177	Lot 13 SP 247177	4457
8.	Lot 14 SP 247177	Lot 14 SP 247177	4039
9.	Lot 15 SP 247177	Lot 15 SP 247177	4039
10.	Lot 16 SP 247177	Lot 16 SP 247177	4043
11.	Lot 36 SP 247177	Lot 36 SP 247177	8564
12.	Lot 37 SP 247177	Lot 37 SP 247177	8340

- b. delegates the Chief Executive Officer to negotiate the sale of any lots not sold by tender; and

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the reserve is based on the market value as detailed in the HTW report

CARRIED 5/0

Resolution No. 22/1516

Attendance – Director of Environment and Regulatory Services Geoff Rintoul left the meeting at 11:16am

Attendance – Director of Community and Corporate Services Tenneil Cody entered the meeting at 11:17am

7. COMMUNITY SERVICES REPORT

7.1 Community Service Report

Moved Cr. A Batt

Seconded Cr. N Walker

That Council receive the Community Services Report.

CARRIED 5/0

Resolution No.23/1516

Attendance – P Curr left the meeting at 11:37am

7.2 Middle School – Student Enrolment

Council has worked closely with the community and government departments since 2012 to establish a Middle School in Julia Creek. 2015 was the first year of running middle school for years seven and eight in Julia Creek.

Moved Cr. A Batt

Seconded Cr. E Hick

That Council commit to the middle school initiative in 2016 with a financial contribution of \$50,000 with the remainder of the funding being contributed equally between the enrolments.

CARRIED 4/0

Resolution No.24/1516

Attendance – P Curr re-entered the meeting at 11:40am

8. CORPORATE SERVICES REPORT

8.1 Corporate Services Report

Moved Cr. P Curr

Seconded Cr. E Hick

That Council receive the Corporate Services Report

CARRIED 5/0

Resolution No. 25/1516

9. CHIEF EXECUTIVE OFFICERS REPORT

9.1 Chief Executive Officers Report

Moved Cr. N Walker

Seconded Cr. E Hick

That Council receive the Chief Executive Officers Report.

CARRIED 5/0

Resolution No.26/1516

