



MCKINLAY SHIRE COUNCIL

UNCONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

21st October 2019

ORDER OF BUSINESS

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
4. Confirmation of Minutes
- 4.2 Business Arising out of minutes of previous Meeting

5. ENGINEERING SERVICES

- 5.1 Engineering Works Monthly Report
- 5.2 CONFIDENTIAL – Julia Creek Artesian Bath Houses & Landscaping Design Update

6. ENVIRONMENTAL & REGULATORY SERVICES REPORT

- 6.1 Environmental & Regulatory Services Monthly Report

7. COMMUNITY SERVICES REPORT

- 7.1 Community Services Monthly Report
- 7.2 JC Smart Hub Milestone 2 Reporting
- 7.3 JC Innovation Hub – Demolition, Design & Costing

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Monthly Report

9. CHIEF EXECUTIVE OFFICERS REPORT

- 9.1 Lions Ladies McGrath Fundraising Letter
- 9.2 CEO Topics Update

10. WORKPLACE HEALTH AND SAFETY

- 10.1 Workplace Health and Safety Monthly Report

11. MEMBERS BUSINESS

12. CLOSE

1. OPENING BUSINESS ▲

All Councillors having signed the Attendance Book, Mayor Belinda Murphy declared the meeting open at 8:40am.

2. ATTENDANCE ▲

Mayor: Cr. B Murphy

Members: Cr. N Walker, Cr. S Royes, Cr. Philip Curr,
*Cr. J. Fegan currently on flight, will arrive later in the meeting

Staff:

Chief Executive Officer, Mr. Des Niesler
Director of Corporate & Community Services, Ms. Tenneil Cody
Community Services Team Leader, Mr. John Van Der Meer
Executive Assistant, Ms. Maggie Rudolph

Other people in attendance:

Nil

Apologies:

Nil

3. DECLARATION OF CONFLICT OF INTEREST ▲

Cr. B. Murphy

1. I declare that I have a Material Personal Interest in the matter of item 9.2 as defined by section 175B of the *Local Government Act 2009* as follows:

- a) My spouse Kevin Wayne Murphy is the sole director of KW Murphy Holdings Pty Ltd which would stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter
- b) The gain or loss is due to my KW Murphy Holdings Pty Ltd having Plant Hire
- c) My relationship with Kevin Wayne Murphy is he is my husband

I will be dealing with the Material Personal Interest by leaving the meeting while the matter is discussed and voted on.

Cr. S. Royes

1. I declare that I have a Material Personal Interest in the matter of item 9.2 as defined by section 175A of the *Local Government Act 2009* as follows:

- a) I would stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter
- b) The gain or loss is due to my current trustee permit over lands to be tendered in the future

I will be dealing with the Material Personal Interest by leaving the meeting while the matter is discussed and voted on.

4. CONFIRMATION OF MINUTES ▲

Confirmation of Minutes of the Ordinary Meeting of Council held on 17th September 2019.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 17th September 2019 be confirmed.

Resolution No. 089/1920

The Minutes of the Ordinary Meeting of Council held on 17th September 2019 are confirmed.

Moved Cr. N. Walker

Seconded Cr. S. Royes

CARRIED 4/0

4.2 BUSINESS ARISING FROM PREVIOUS MINUTES ▲

Nil

5. ENGINEERING SERVICES ▲**5.1 Engineering Works Report**

Council is presented with the Engineering Works Report, which outlines the general activities, revenue and expenditure for the department for the period of September 2019.

RECOMMENDATION

That Council receives the September 2019 Engineering Works Report.

Resolution No. 090/1920

Council receives the September 2019 Engineering Works Report.

Moved Cr. P. Curr

Seconded Cr. N. Walker

CARRIED 4/0

5.2 CONFIDENTIAL – Julia Creek Artesian Bath Houses & Landscaping Design Update

The report is CONFIDENTIAL in accordance with *Sections 275(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 Councillors consider it necessary to discuss *(e) contracts proposed to be made by it*.

Council is presented with the latest iteration of the concept designs for the Artesian Bath Houses and landscaping from successful Tenderer of T1819005, SNR Morgan. At the time of writing this report, Council staff have yet to receive the last iteration of these designs, however they have been advised that the Tenderer should have these designs finished by Friday, 18 October.

Council defers item 5.2 to later in the meeting.

Attendance – Executive Assistant, Maggie Rudolph, left and re-entered the meeting room at 9:03am.

Attendance – Director of Corporate and Community Services, Tenneil Cody, entered the meeting room at 9:05am.

6. ENVIRONMENTAL AND REGULATORY SERVICES ▲

6.1 Environmental and Regulatory Services Report

Council is presented with the monthly Environmental and Regulatory Services Report, which outlines the general activities, revenue and expenditure for the department for the period of September 2019.

RECOMMENDATION

That Council receives the September 2019 Environmental and Regulatory Services Report.

Resolution No. 091/1920

Council receives the September 2019 Environmental and Regulatory Services Report.

Moved Cr. N. Walker

Seconded Cr. P. Curr

CARRIED 4/0

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 September 2019.

RECOMMENDATION

That Council receives the Community Services monthly report for September 2019.

Resolution No. 092/1920

Council receives the Community Services monthly report for September 2019.

Moved Cr. P. Curr

Seconded Cr. S. Royes

CARRIED 4/0

7.2 Building our Region R4 - Julia Creek Smart Hub - Milestone 2 Reporting

As part of mandatory milestone reporting (milestone 2), the signed Building our Regions Round 4 Funding Agreement states that Council needs to provide proof of their commitment to fund the mandatory 50% co-contribution of the approved Julia Creek Smart Hub project. Council is presented with this report to formally approve the funding of the mandatory 50% co-contribution for the project, which amounts to \$523,500 funded by Council and \$523,500 funded by the Queensland Government, via a Council resolution whilst also acknowledging Council is responsible to cover any funding shortfall – e.g. exceeding the budget or having non-eligible expenditure.

RECOMMENDATION

That Council, in addition to the already adopted operational budget 2019/20, formally commits to deliver the project “Julia Creek Innovation Hub” by funding the mandatory 50% co-contribution, which represents an amount of \$523,700, and acknowledging their responsibility to fund any shortfall in the budget.

Resolution No. 093/1920

Council, in addition to the already adopted operational budget 2019/20, formally commits to deliver the project “Julia Creek Innovation Hub” by funding the mandatory 50% co-contribution, which represents an amount of \$523,700, and acknowledging their responsibility to fund any shortfall in the budget.

Moved Cr. S. Royes

Seconded Cr. N. Walker

CARRIED 4/0

Attendance – Executive Assistant, Maggie Rudolph, left and re-entered the meeting room at 9:28am.

Attendance – Community Services Team Leader, John Van Der Meer enters the meeting room at 9:31am.

7.3 Julia Creek Innovation Hub – Demolition, Design and Costing Update

The architects sent their third iteration of The Julia Creek Innovation Hub based on feedback provided during Briefing Session – 1 October 2019. Before proceeding with the next steps, Council is asked to provide feedback on this third iteration and approve going forward pending financial viability. The attachments show the i) demolition plan, ii) the exterior design and interior design proposals, and iii) the QS costings based on the plans.

The costings accumulate to approx. \$1,020,000 and is within budget of approx. \$1,046,000. Provisions have been made for contingencies, fees, approval and certification costs and allowances for locality.

The costings have been itemised for the three ‘stages’, i.e. The library storage room upgrade (\$25,000), the refurbishment of the smart hub (\$254,000) and the external works (\$153,000).

RECOMMENDATION

That Council:

- (a) receive the final designs and provide feedback,
- (b) approve the plans as presented as final designs,
- (c) approve communication and promotion efforts based on the approved final designs to the community and surrounding Shires,

prior to progressing the Innovation Hub to the next stage of construction.

Resolution No. 094/1920

Council:

- (a) receives the final designs and provides feedback,
- (b) approves the plans as presented as final designs,
- (c) approves communication and promotion efforts based on the approved final designs to the community and surrounding Shires,

prior to progressing the Innovation Hub to the next stage of construction.

Moved Cr. N. Walker

Seconded Cr. P. Curr

CARRIED 4/0

Attendance – Community Services Team Leader, John Van Der Meer, left the meeting room at 9:58am.

8. CORPORATE SERVICES ▲**8.1 Corporate Services Report**

The Corporate Services Report as of 30th September 2019, which summarizes the financial performance and position is presented to Council.

RECOMMENDATION

That Council receives the monthly Corporate Services Report for the period ending 30th September 2019.

Resolution No. 095/1920

Council receives the monthly Corporate Services Report for the period ending 30th September 2019.

Moved Cr. S. Royes

Seconded Cr. N. Walker

CARRIED 4/0

PROCEDURAL MOTION

Resolution No. 096/1920

Council resolves to accept late correspondence from the Queensland Audit Office and the late correspondence from the State Valuation Service, for noting.

Moved Cr. P. Curr

Seconded Cr. S. Royes

CARRIED 4/0

Attendance – Cr. B. Murphy left the meeting room at 10:05am.

Attendance – Cr. B. Murphy re-entered the meeting room at 10:11am.

Attendance – Cr. J. Fegan entered the meeting room at 10:11am.

8.2 LATE - QAO Audit 2019 – Final Management Letter & Report

Council is presented with a letter dated 16 October 2019, from the Queensland Audit Office, regarding the Final Management Report for McKinlay Shire Council.

RECOMMENDATION

That Council receives the letter, dated 16 October 2019, from the Queensland Audit Office, regarding the Final Management Report for McKinlay Shire Council.

Resolution No. 097/1920

Council receives the letter, dated 16 October 2019, from the Queensland Audit Office, regarding the Final Management Report for McKinlay Shire Council.

Moved Cr. P. Curr

Seconded Cr. S. Royes

CARRIED 5/0

Council notes the correspondence from the state Valuation Service, regarding Annual Valuation Effective 30 June 2020.

Attendance – Cr. P. Curr left the meeting room at 10:18am.

Attendance – Director of Corporate and Community Services, Tenneil Cody, left the meeting room at 10:19am.

Attendance – Cr. P. Curr re-entered the meeting room at 10:21am.

Item 5.2 CONFIDENTIAL– Julia Creek Artesian Bath Houses & Landscaping Design Update is brought back to the table.

5.2 CONFIDENTIAL – Julia Creek Artesian Bath Houses & Landscaping Design Update

The report is CONFIDENTIAL in accordance with *Sections 275(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 Councillors consider it necessary to discuss *(e) contracts proposed to be made by it*.

Council is presented with the latest iteration of the concept designs for the Artesian Bath Houses and landscaping from successful Tenderer of T1819005, SNR Morgan. At the time of writing this report, Council staff have yet to receive the last iteration of these designs, however they have been advised that the Tenderer should have these designs finished by Friday, 18 October.

RECOMMENDATION

That Council;

- (a) review and consider the updated concept design, and
- (b) provide feedback where appropriate,

for the additional Artesian Bath Houses and Landscaping, provided by the successful Tenderer of T1819005, SNR Morgan.

Resolution No. 098/1920

Council;

- (a) reviewed the updated concept design, and
- (b) provided feedback based on noted list from meeting discussion,

for the additional Artesian Bath Houses and Landscaping, provided by the successful Tenderer of T1819005, SNR Morgan.

Moved Cr. J. Fegan

Seconded Cr. S. Royes

CARRIED 5/0

Attendance – Executive Assistant, Maggie Rudolph, left the meeting room at 10:40am.

Attendance – Executive Assistant, Maggie Rudolph, re-entered the meeting room at 10:43am.

9. CHIEF EXECUTIVE OFFICER ▲

9.1 Lions Ladies McGrath Fundraising Letter

The CEO has received a thank you letter from the Lions Ladies President regarding Council's involvement in the fundraising activities, held on Friday 11th and Saturday 12th October 2019, to benefit the McGrath Foundation.

RECOMMENDATION

That Council receive the thank you letter from the Lions Ladies.

Resolution No. 099/1920

Council receives the thank you letter from the Lions Ladies.

Moved Cr. J. Fegan

Seconded Cr. N. Walker

CARRIED 5/0

9.2 CEO Topics Update

This report is a summary of topics the Chief Executive Officer would like to mention, as an update for Councillors information.

9.2.1 McIntyre Park Quote

CEO presents a quote from Gabbert Holdings Pty Ltd regarding McIntyre Park Races Mowing & Yard Care.

Council notes the quote from Gabbert Holdings Pty Ltd.

9.2.2 Engagement of Surveyor – Railway Bore

CEO presents a map regarding the engagement of a surveyor to excise the land adjacent to the railway bore.

Council notes the map regarding the engagement of a surveyor.

Attendance – Cr. B. Murphy left the meeting room at 11:12am.

Attendance – Cr. B. Murphy re-entered the meeting room at 11:14am.

9.2.3 Disposal of Land Exemptions

CEO presents an updated Contract of Sale, Annexure A – Special Conditions and Lease regarding Houses and Residential Land.

Council notes the updated Contract of Sale, Annexure A – Special Conditions and Lease regarding Houses and Residential Land.

Attendance – Cr. B. Murphy, having declared a material personal interest in the matter of agenda item 9.2.4, as defined by *Section 175B* of the *Local Government Act 2009*, left the meeting room at 11:18am taking no part in the meeting or discussion.

9.2.4 Tender Consideration Plan

CEO presents updated documents; Deed of Variation – Plan Hire Contract, Call for a review of Plant Hire Rates and Tender Consideration Plan, all regarding Council Plant Hire.

Council notes updated documents; Deed of Variation – Plan Hire Contract, Call for a review of Plant Hire Rates and Tender Consideration Plan, and takes no further action until additional information has been provided.

Attendance – Executive Assistant, Maggie Rudolph, left and re-entered the meeting room at 11:51am.

Attendance – Cr. B. Murphy re-entered the meeting room at 11:51am.

9.2.5 Water Supply Agreement

CEO discusses a recent Water Supply Agreement made regarding Kynuna common bore.

Council notes the Water Supply Agreement.

Attendance – Cr. S. Royes declared a material personal interest in the matter of agenda item 9.2.6 as defined by *Section 175A* of the *Local Government Act 2009*, and left the meeting room at 11:53am taking no part in the meeting or discussion.

Attendance – Cr. P. Curr left the meeting room at 12:01pm.

Attendance – Cr. P. Curr re-entered the meeting room at 12:02pm.

9.2.6 Trustee Leases

CEO to discuss terms for Trustee Leases.

Council notes CEO's request for terms to be included in Trustee Leases soon to be tendered.

Attendance – Cr. P. Curr left the meeting room at 12:05pm.

Attendance – Cr. S. Royes re-entered the meeting room at 12:08pm.

PROCEDURAL MOTION**Resolution No. 100/1920**

Council resolves to accept the late report 9.3 Julia Creek Aerodrome Regulatory & Compliance Rectification.

Moved Cr. N. Walker

Seconded Cr. S. Royes

CARRIED 4/0

9.3 LATE – Julia Creek Aerodrome Regulatory & Compliance Rectification

Julia Creek Aerodrome supports Regular Public Transport (RPT) aircraft operations and must meet the regulatory requirements of MOS 139.

Council engaged the Services of an Airport Pavement Engineering Specialist through Legal Practitioners Helix Legal in support of Council efforts to bring about defective works rectification and cost recovery.

The Regulatory Compliance and Rectification Report considers the following:

1. Regulatory compliance of the aircraft pavements and the associated flanks, at Julia Creek Aerodrome, against the requirements of the Civil Aviation Safety Authority's (CASA) Manual of Standards Part 139 (MOS 139);
2. Proposed and other remedial treatments to achieve compliance with MOS 139;
3. Preliminary assessment of potential causes of non-compliant items;
4. Contract brief to BEC from Council for the Julia Creek upgrade design and
5. Responsibility for Julia Creek Aerodrome upgrade project compliance with MOS139.

RECOMMENDATION

That Council consider the options in the report and proceed as necessary.

Resolution No. 101/1920

Council resolve based on the Julia Creek Aerodrome Regulatory Compliance and Rectification report the following;

- i. Council proceed to self-report to CASA,
- ii. Council commences legal proceedings for cost recovery against BEC for the rectification works described as option iii. in the report.

Moved Cr. B Murphy

Seconded Cr. J. Fegan

CARRIED 4/0

Attendance – Chief Executive Officer, Des Niesler left the meeting room at 12:18pm.

Attendance – Chief Executive Officer, Des Niesler re-entered the meeting room at 12:21pm.

10. WORKPLACE HEALTH AND SAFETY ▲

10.1 Workplace Health and Safety Monthly Report

Council is presented with the monthly Workplace Health and Safety report, which provides an overview of the operations for the month of September 2019.

11. MEMBERS BUSINESS ▲

- Cr. N. Walker**
- Recycling update based on other Councils setups
 - Prickly bush along roads getting overgrown
 - Maintenance of Flood Cameras
- Cr. J. Fegan**
- Reminder for general maintenance and cleaning in Council buildings
- Cr. S. Royes**
- Maintenance of McIntyre Park
 - Water pressure issues in Julia Creek
- Cr. B. Murphy**
- Congratulations to QFES, QFAS and SES for Emergency Services night on 17 October – very informative
 - Energy Pod update – made on site visit to Glenagra on 17 October with stakeholders and media
 - Attended LGAQ Annual Conference with CEO and Crs Royes and Fegan:
 - Meeting with Telstra – discussion of possible funding for Smart Hub technology and getting more ports for McKinlay Shire for better service
 - Meeting with State Development regarding NW Implementation Plan
 - Etta Plains update
 - Multicom Update
 - Combo Waterhole Overshots update – Cr. Walker to follow up progress
 - Look into displaying big town Christmas tree
 - Leave of Absence for November Council Meeting if cannot dial in
 - Will be attending MITEZ next week and Tourism Awards with Cr. Fegan in Winton and Sunshine Coast in coming weeks

12. CLOSURE OF MEETING ▲

The Chair of the meeting Mayor Belinda Murphy declared the meeting closed at 1:00pm.

UNCONFIRMED