



MCKINLAY SHIRE COUNCIL

CONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

19th November 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 Council Accommodation Expenditure
- 5.3 Julia Creek Aerodrome Pavement Upgrade
- 5.4 CONFIDENTIAL – Julia Creek Community Precinct Fit Out

6. ENVIRONMENTAL & REGULATORY SERVICES REPORT

- 6.1 Environmental & Regulatory Services Monthly Report
- 6.2 Drinking Water Quality Policy
- 6.3 Trade Waste Policy
- 6.4 Hickman Street Pump Station
- 6.5 Changes to Supply of 1080 in QLD

7. COMMUNITY SERVICES REPORT

- 7.1 Community Services Monthly Report
- 7.2 Donation Request – Kids of the Creek
- 7.3 RADF Quick Response November
- 7.4 SOTA Hire Fee Waiver

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Monthly Report
- 8.2 Expenses and Reimbursement Policy
- 8.3 First Quarter Review

9. CHIEF EXECUTIVE OFFICERS REPORT

- 9.1 Tender Consideration Plan

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, Deputy Mayor Neil Walker declared the meeting open at 9:10am.

2. ATTENDANCE ▲

Deputy Mayor: Cr. N Walker

Members: Cr. S Royes, Cr. Janene Fegan, Cr. P Curr (via Teleconference)

Staff:

Chief Executive Officer, Mr. Des Niesler

Director of Engineering, Environment and Regulatory Services, Mr. David McKinley

Community Services Team Leader, Mr. John Van Der Meer

Executive Assistant, Ms. Maggie Rudolph

Other people in attendance:

Nil

Apologies:

Mayor: Cr. B Murphy

Director of Corporate & Community Services, Ms. Tenneil Cody

PROCEDURAL MOTION

Cr. Belinda Murphy requests the acceptance of a leave of absence from the November 19th Ordinary Meeting of Council.

Resolution No. 104/1920

Cr. Belinda Murphy is granted a leave of absence from the November 19th Ordinary Meeting of Council.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

3. DECLARATION OF CONFLICT OF INTEREST ▲

4. CONFIRMATION OF MINUTES ▲

Confirmation of Minutes of the Ordinary Meeting of Council held on 21st October 2019.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 21st October 2019 be confirmed.

Resolution No. 105/1920

The Minutes of the Ordinary Meeting of Council held on 21st October 2019 are confirmed, after removing the “confidential” in the 5.2 item title.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

Confirmation of Minutes of the Special Meeting of Council held on 12th November 2019.

RECOMMENDATION

That the Minutes of the Special Meeting of Council held on 12th November 2019 be confirmed.

Resolution No. 106/1920

The Minutes of the Special Meeting of Council held on 12th November 2019 are confirmed.

Moved Cr. P Curr

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 October 2019.

RECOMMENDATION

That Council receives the October 2019 Engineering Works Report.

Resolution No. 107/1920

Council receives the October 2019 Engineering Works Report.

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 4/0

5.2 New Council Accommodation Expenditure

Previously; Council approved expenditure for new Council owned accommodation Lots 1 & 2 No. 9 Shaw Street and 3-4 Netterfield Street \$1,803,480.00. 2018/19 expenditure against these four accommodation units by the close of June 30 was \$1,587,101.69. The balance left \$216,378.31 this was to be earmarked for the tail works associated with the completion of the 4 Council owned accommodation properties.

After 1 July 2019 the intention would have been to carry over the \$216,378.31 to the 2019/20 financial Year to complete at least in part the tail works.

The carryover has not happened, moreover expenditure to date related to date for tail works is \$218,415.33 GST Excl. It is estimated that another \$70,200.00 is required to complete the tail works, bringing the total expenditure for tail works to \$288,615.33 thus completing the works for the Houses and units.

RECOMMENDATION

That Council resolves to allocate monies from the reserves to cover tail works expenditure both completed and outstanding to bring the Council owned new Netterfield Street and Shaw street accommodation projects to finality.

The amount needed excl. GST is **\$288,615.33**

Resolution No. 108/1920

Council resolve to hold over any discussion or decision to the 10th December Ordinary Council Meeting.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

Adjournment – Cr. N Walker adjourned the Ordinary Meeting of Council at 10:05am.

Adjournment – Cr. N Walker recommenced the Ordinary Meeting of Council at 10:25am.

Attendance – Cr. S Royes left the meeting room at 10:29am.

Attendance – Cr. S Royes re-entered the meeting room at 10:30am.

5.3 Julia Creek Aerodrome Contract No: MSC2017.01.Pavement Upgrade

Council has received a request from the Contractor engaged for the Julia Creek Airport Pavement Upgrade works, for the release and return of the Final Bank Guarantee valued at \$36,449.50 and a formal Final Completion Certificate.

The Contractor ‘Hiway Stabilizers’ are of the opinion that the completion of the rectification works as listed in the Practical Completion Certificate (PC) relation to their project works has released them from any further obligations under the contract and a Final Completion Certificate would be issued to the Contractor by the Principal.

RECOMMENDATION

That the Council releases and returns the Final Bank Guarantee to the Contractor as an act of good faith and accordance with the original Contract.

And that the Final Completion Certificate beheld from the Contractor until;

1. Council’s Legal team engaged to address this issues advises that the certificate can be released.
2. That operational surfaces of the Julia Creek Airport have been recertified as to the Council’s original request to the Consulting Engineer ‘BE Collective’ and compliant with the requirements of the Codes and Standards for Airport operations e.g. MOS 139.

Resolution No. 109/1920

Council releases and returns the Final Bank Guarantee to the Contractor, Hiway Stabilizers, as an act of good faith and accordance with the original Contract.

And that the Final Completion Certificate be held from the Contractor until;

1. Council's Legal team engaged to address this issues advises that the certificate can be released and;
2. That operational surfaces of the Julia Creek Airport have been recertified as to the Council's original request to the Consulting Engineer 'BE Collective' and compliant with the requirements of the Codes and Standards for Airport operations e.g. MOS 139.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

5.4 CONFIDENTIAL – Julia Creek Community Precinct Fit Out

This report is CONFIDENTIAL in accordance with *Section 275 (1)(c)* 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 *(c) the local government's budget*.

PROCEDURAL MOTION

That the meeting be closed to the public in accordance with *Section 275 (1) (c)* of the *Local Government Regulation 2012*.

Resolution No. 110/1920

Council resolves to close the meeting to the public in accordance with *Section 275 (1) (c)* of the *Local Government Regulation 2012*.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 4/0

RECOMMENDATION

That Council resolve to allocate reserve monies to cover the additional unapproved proposed expenditure that will allow the final phase of the Julia Creek Community Precinct Fit Out – the attachment of the onsite containerized refrigerator room – amount 85k.

PROCEDURAL MOTION

Resolution No. 111/1920

Council resolves to re-open the Ordinary Meeting of Council to the public.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

Resolution No. 112/1920

Council resolve to hold over any discussion or decision to the 10th December Ordinary Council Meeting.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 4/0

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 October 2019.

RECOMMENDATION

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

Resolution No. 113/1920

Council receives the October 2019 Environmental and Regulatory Services Report.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 4/0

Attendance – Cr. S Royes left the meeting room at 11:17am.

Attendance – Cr. P Curr left the teleconference at 11:18am.

Attendance – Cr. S Royes re-entered the meeting room at 11:19am.

6.2 McKinlay Shire Council – Drinking Water Quality Policy

The McKinlay Shire Council is required under the Water Supply (Safety and Reliability) Act 2008 to have a Drinking Water Quality Policy as a companion document to the Drinking Water Management Plan.

The adoption of the proposed policy will allow the completion of the required Management Plan and the relevant document submissions to the Council's Drinking Water Regulator before the deadline has been reached.

RECOMMENDATION

That Council adopt the McKinlay Shire Council – Drinking Water Quality Policy 2019.

Resolution No. 114/1920

Council adopts the McKinlay Shire Council – Drinking Water Quality Policy 2019.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

6.3 McKinlay Shire Council – Trade Waste Policy

The McKinlay Shire Council does not currently have a Trade Waste Policy.

This limitation has restricted the Council's staff and its agents from applying trade waste operational conditions, undertaking inspection or direct corrective instructions to trade waste producers in the areas of trade waste management and their discharge practises.

The adoption of a policy in this area will allow the Council's contracted Food-Safe/ Health inspectors to include Grease and Oil interceptors/ arrestors into their inspections and issue report on non-conformances to the trade waste systems owner.

This is important in areas where the trade waste is intercepted upstream of an On-Site Treatment System, as the risk to public health and the environment is greater on a restricted volume treatment system.

The adoption of a policy will allow the Council's staff to assess the installation or modifications of trade waste systems, be able to set a sizing standard, undertake inspections, set trade waste agreements, issues corrective instructions, apply non-conformance procedures and undertake actions to protect the council's Sewer Network, Pump Stations, Treatment Works and processes.

RECOMMENDATION

That Council adopts the McKinlay Shire Council – Trade Waste Policy 2019.

Resolution No. 115/1920

Council adopts the McKinlay Shire Council – Trade Waste Policy 2019.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 3/0

6.4 McKinlay Shire Council – Hickman St Pump Station – Operational & Asset Management Plan

The Hickman St Pump Station is the primary pump station for the McKinlay Shire Council's Sewer Network.

The pump station is in poor condition and an upgrade of its operational equipment and structures is required within the next 5 years.

The way that council currently operates the pump stations must be modified to include a greater level of inspection and servicing until a rectification/ refurbishment project can be undertaken.

Additional information can be found in the body of the plan and its proposed upgrade proposal.

RECOMMENDATION

That Council assess the attached proposal and plans for future works at the Hickman St Pump Station.

Resolution No. 116/1920

Council assesses the attached proposal and plans for future works at the Hickman St Pump Station.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

Attendance – CEO, Des Niesler left the meeting room at 11:34am.

Attendance – CEO, Des Niesler re-entered the meeting room at 11:35am.

6.5 Changes to the Supply of 1080 (sodium fluoroacetate)

Here in Queensland the responsibility for the procurement of sodium fluoroacetate (1080) for the purpose of reducing pest animal incursion will now be borne by respective Land Holders and Local Governments throughout Queensland.

Previously; the supply and distribution of 1080 to Land Holders and Local Government within Queensland has been the responsibility of Department of Agriculture and Fisheries (DAF) at no cost to Council.

The fiscal responsibility will now switch from DAF to Land Holders and Local Government alike for the future procurement of 1080, this will come into effect sometime in 2020 which is estimated to be when the current 1080 stock pile held by DAF will be depleted and thus 1080 will only be available from commercial suppliers Australia wide.

RECOMMENDATION

That Council advise how to proceed in the future of 1080 baiting supply.

Resolution No. 117/1920

Council resolve to leave current 1080 baiting programs as is and continue to source 1080 concentrate, from applicable sources.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

Attendance – Executive Assistant, Maggie Rudolph left and re-entered the meeting 11:41am.

Attendance – Community Services Team Leader, John Van Der Meer entered the meeting room at 11:43am.

Attendance – Director of Engineering, Environment and Regulatory Services, David McKinley left the meeting room at 11:45am.

Attendance – CEO, Des Niesler left and re-entered the meeting room at 11:59am.

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 October 2019.

RECOMMENDATION

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

Resolution No. 118/1920

Council receives the Community Services monthly report for October 2019.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

7.2 Donation Request – Kids of the Creek

Council is presented with a Donation Request from Kids of the Creek, in accordance with requirements of Council policy.

RECOMMENDATION

That Council approve a donation of \$908.38 for Kids of the Creek.

Resolution No. 119/1920

Council approves a donation of \$908.38 for Kids of the Creek.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

7.3 Regional Arts Development Fund – Quick Response

Council have received a Quick Response application for funding through the Regional Arts Development Fund (RADF). The RADF Committee have assessed the application 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: Crack Up Sister Workshops \$2,000.

Resolution No. 120/1920

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

- McKinlay Shire Council: Crack Up Sister Workshops \$2,000.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 3/0

7.4 Hire Fee Waiver Request – Mount Isa School of the Air

Council is presented with a request for waiver of hire fees in accordance with requirements of Council policy.

RECOMMENDATION

That Council decline the request to waiver the fees.

Resolution No. 121/1920

Council declines the request to waiver the fees.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

Attendance – Community Services Team Leader, John Van Der Meer left the meeting room at 12:08pm.

Attendance – Cr. S Royes left and re-entered the meeting room at 12:18pm.

8. CORPORATE SERVICES ▲

8.1 Corporate Services Report

The Corporate Services Report as of 31st October 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 31st October 2019.

Resolution No. 122/1920

Council receives the monthly Corporate Services Report for the period ending 31st October 2019.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

8.2 Expenses and Reimbursement Policy

Council is required by the provisions of the Local Government Regulation 2012 to adopt an expenses and reimbursement policy. Council has previously adopted the Expenses and Reimbursement Policy in August 2014. In line with practices of good governance, a review of the policy has been carried out, and Council is presented with version 3.0 for consideration.

RECOMMENDATION

That Council adopt the Expenses and Reimbursement Policy Version 3.0 as presented.

Resolution No. 123/1920

Council adopts the Expenses and Reimbursement Policy Version 3.0.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 3/0

8.3 First Quarter Review of the 2019-2020 Operational Plan

In accordance with *section 174 (3) of the Local Government Regulation 2012*, a written assessment of Council's progress towards implementing the annual operational plan for the quarter July to September 2019 is presented to Council.

RECOMMENDATION

That Council accepts the first quarter review of the 2019-2020 Operational Plan.

Resolution No. 124/1920

Council accepts the first quarter review of the 2019-2020 Operational Plan.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 3/0

Adjournment – Cr. N Walker adjourned the Ordinary Meeting of Council at 1:00pm.

Adjournment – Cr. N Walker recommenced the Ordinary Meeting of Council at 1:10pm.

9. CHIEF EXECUTIVE OFFICER ▲**9.1 Tender Consideration Plan – Plant Hire**

The proposed Tender Consideration Plan for the update and extension of the current Register of Pre-Qualified Suppliers – Plan Hire for a further 12 months until 31 December 2020 is presented to Council.

RECOMMENDATION

That Council resolves to:

1. prepare a Tender Consideration Plan pursuant to section 230 of the Local Government Regulation 2012 to:
 - a. update the current Register of Pre Qualified Suppliers – Plant Hire to include new local suppliers who qualify for appointment; and
 - b. to extend the term of the Register of Pre Qualified Suppliers - Plant Hire (Register) for a further 12 months to expire on 31 December 2020; and
 - c. to give the opportunity to the existing Pre-Qualified Suppliers to review their current tendered rates and to submit new plant hire rates for the additional 12 month period if they choose to do so.
2. to adopt the Tender Consideration Plan as prepared and recommended in this Report; and
3. to delegate the authority to the Chief Executive Officer to:
 - a. appoint new suitably qualified local Suppliers to the Register; and
 - b. to update and extend the term of the Register for a further 12 month period; and
 - c. to notify the Suppliers of the Council decision to extend the term of the Register until 31 December 2020.
4. subject to the current financial delegation of the Chief Executive Officer, to negotiate, make, vary and discharge any contracts entered into with the Suppliers under this extended Register and to sign all relevant documentation as necessary or required.

Resolution No. 125/1920

That Council resolves to:

1. prepare a Tender Consideration Plan pursuant to section 230 of the Local Government Regulation 2012 to:
 - a. update the current Register of Pre Qualified Suppliers – Plant Hire to include new local suppliers who qualify for appointment; and
 - b. to extend the term of the Register of Pre Qualified Suppliers - Plant Hire (Register) for a further 12 months to expire on 31 December 2020; and
 - c. to give the opportunity to the existing Pre-Qualified Suppliers to review their current tendered rates and to submit new plant hire rates for the additional 12 month period if they choose to do so.
2. to adopt the Tender Consideration Plan as prepared and recommended in this Report; and
3. to delegate the authority to the Chief Executive Officer to:
 - a. appoint new suitably qualified local Suppliers to the Register; and
 - b. to update and extend the term of the Register for a further 12 month period; and
 - c. to notify the Suppliers of the Council decision to extend the term of the Register until 31 December 2020.
4. subject to the current financial delegation of the Chief Executive Officer, to negotiate, make, vary and discharge any contracts entered into with the Suppliers under this extended Register and to sign all relevant documentation as necessary or required.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

9.2 LATE – Donation of Dongas**RECOMMENDATION**

That Council donate the ownership of three dongas, located in the sand yard depot to QFS for training purposes, in accordance with *Section 236 1(b)(i)* of the *Local Government Regulation 2012*.

Resolution No. 126/1920

Council donate the ownership of three dongas, located in the sand yard depot to QFS for training purposes, in accordance with *Section 236 1(b)(i)* of the *Local Government Regulation 2012*.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 3/0

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 October 2019.

11. MEMBERS BUSINESS ▲

Cr. J. Fegan - Visitor Information Centre won gold at State Tourism Awards, make us finalists for National Awards in March 2020
 - general regional discussions with Premier on 18 November
 - her and Mayor presented at the Art of Attraction Summit focused on Grey nomads & Street Art Awards – their presentation was well received

Cr. S. Royes - Mental Health Disaster Recovery Team has presented Birdy's Tree books for the kids of the shire, locations where books can be found; Council, Library, ELC
 - Robyn Smith and Denise Price of the Mental Health Disaster Recovery Team also promoted mental health awareness at the Beach Races

Cr. N. Walker - New Government Pest Strategy 2018-2023 has been released
 - Biosecurity Plan for Shire is ongoing
 - National Drought Strategy has released funding, but no further details
 - Attended MITEZ in Townsville 29 October, where Mayor Belinda Murphy was recognised for her contribution to Tourism across the MITEZ Region

12. CLOSURE OF MEETING ▲

The Chair of the meeting Deputy Mayor Neil Walker declared the meeting closed at 1:45pm.



Deputy Mayor Neil Walker