



# MCKINLAY SHIRE COUNCIL

## ***CONFIRMED MINUTES***

OF THE

**ORDINARY MEETING OF COUNCIL**

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

Friday 16<sup>th</sup> June 2017

CONFIRMED MINUTES

**ORDER OF BUSINESS**

1. Opening	3
2. Attendance	3
3. Confirmation of Minutes	3
4. Business Arising out of minutes of previous Meetings	3
<b><u>5. ENGINEERING REPORT</u></b>	<b>4</b>
5.0 Engineering Works Report	4
5.1 State Government Building Our Region Funding Round 3	4
<b><u>6. ENVIRONMENTAL &amp; REGULATORY SERVICES</u></b>	<b>5</b>
6.0 Environmental & Regulatory Services May Report	5
6.1 Disposal of Valuable non-current Assets – 4 Shaw & 69 Coyne Street	5
6.2 Submissions – Building & Construction Amendment Bill 2017	5
6.3 Shire Reserves & Trustee Lease Status	6
6.4 Laws Pertaining to Balloon Releases	6
6.5 Koa People	6
6.6 Stock Dip Reserve	7
<b><u>7. COMMUNITY SERVICES REPORT</u></b>	<b>7</b>
7.0 Community Services Monthly Report	7
7.1 Sponsorship Request – Combined Sporting Association	7
<b><u>8. CORPORATE SERVICES REPORT</u></b>	<b>8</b>
8.0 Corporate Services Monthly Report	8
8.1 Rates Correspondence	9
8.2 Review Fees & Charges Schedule	9
8.3 Revenue Policy Review 2017-2018	10
8.4 Request to write off General Debtor Account	10
8.5 Motor Vehicle Fleet Plant Equipment Policy Update	10
<b><u>9. CHIEF EXECUTIVE OFFICER REPORT</u></b>	<b>11</b>
9.0 CONFIDENTIAL - McKinlay Shire Council SWER Line Project	11
<b><u>10. WORKPLAVE HEALTH AND SAFETY</u></b>	<b>13</b>
<b><u>11. MEMBERS BUSSINESS</u></b>	<b>13</b>
<b><u>12. CLOSE</u></b>	<b>13</b>

CONFIRMED MINUTES

**1. OPENING BUSINESS**

All Councillors having signed the Attendance Book, the Mayor declared the meeting open at 8:00am.

**2. ATTENDANCE**

**Mayor:** Cr. B Murphy

**Members:** Cr. N. Walker, Cr. P. Curr, Cr. J. Fegan, Cr. S. Royes

**Staff:**

Chief Executive Officer Mr Peter Fitchat

Executive Assistant Mrs Amy Tinning

Director of Engineering, Environmental & Regulatory Services Mr Andrew Boardman

**Apologies:**

Nil

**Other people in attendance:**

Nil

**3. CONFIRMATION OF MINUTES**

Confirmation of Minutes of the Ordinary Meeting of Council held on Tuesday 16<sup>th</sup> May 2017.

**RECOMMENDATION**

That the minutes of the Ordinary Meeting of Council held on Tuesday 16<sup>th</sup> May 2017, be confirmed and adopted.

**Resolution No. 311/1617**

Council confirm and adopt minutes of the Ordinary Meeting of Council held on Tuesday 16<sup>th</sup> May 2017.

Moved Cr. N Walker

Seconded Cr. J Fegan

CARRIED 5/0

**4. BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

CONFIRMED MINUTES

**5. ENGINEERING SERVICES REPORT**

**5.0 Engineering Works Report**

Acting Director of Engineering, Andrew Boardman delivered the Engineering Services Report.

**RECOMMENDATION**

For Council information.

**Resolution No.312/1617**

Council receives the Engineering Services report as presented.

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 5/0

**5.1 State Government Building Our Region Funding Round 3**

McKinlay Shire Council has put an application in for the Queensland State Government's Building our Region Funding – Round 3. The guidelines of the funding application state that Council must support the application, is committed to the project (financially) and is committed to the ongoing maintenance.

**RECOMMENDATION**

In regards to the Queensland State Government's Building our Region Funding – Round 3 application to Upgrade the Julia Creek Airport Runway that Council:

- supports the submission of the detailed application for the Julia Creek Airport Upgrade;
- is committed to delivering the project and approves any applicant financial and/or in-kind contributions, and;
- is committed to the management and costs associated with ongoing operation and maintenance.

**Resolution No.313 /1617**

In regards to the Queensland State Government's Building our Region Funding – Round 3 application to Upgrade the Julia Creek Airport Runway that Council:

- supports the submission of the detailed application for the Julia Creek Airport Upgrade;
- is committed to delivering the project and approves any applicant financial and/or in-kind contributions, and;
- is committed to the management and costs associated with ongoing operation and maintenance.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

**ENVIRONMENTAL & REGULATORY SERVICES REPORT**

Acting Director of Engineering, Environmental & Regulatory Services, Andrew Boardman delivered the Environmental & Regulatory Services Report.

**6.0 Environment and Regulatory Services Report - May 2017**

CONFIRMED MINUTES

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

**RECOMMENDATION**

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

**Resolution No. 314/1617**

Council receives the May 2017 Environment and Regulatory Services Report.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 5/0

**6.1 Disposal of valuable non-current Assets - 4 Shaw and 69 Coyne Streets**

McKinlay Shire Council has two properties that are currently unliveable and is unviable to retain.

**RECOMMENDATION**

That Council resolves to dispose of valuable non-current Assets - 4 Shaw and 69 Coyne Streets, in accordance with section 227 of the Local Government Regulation 2012.

**Resolution No. 315/1617**

Council resolves to dispose of valuable non-current Assets - 4 Shaw and 69 Coyne Streets, in accordance with section 227 of the Local Government Regulation 2012.

Moved Cr. N Walker

Seconded Cr. J Fegan

CARRIED 5/0

**6.2 Submissions - Building and Construction Amendment Bill 2017**

McKinlay Shire Council has been invited to make a submission regarding the Building and Construction Legislation (Non-conforming Building Products – Chain of Responsibility and Other Matters) Amendment Bill 2017.

**RECOMMENDATION**

Council receives the Building and Construction Amendment Bill 2017 and resolves to not make a submission to the Building and Construction Amendment Bill 2017.

**Resolution No. 316/1617**

Council receives the Building and Construction Amendment Bill 2017 and resolves to not make a submission to the Building and Construction Amendment Bill 2017.

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 5/0

CONFIRMED MINUTES

Cr. S Royes declared conflict of interest and left the meeting room at 8:25am, taking no part in the meeting.

**6.3 Shire reserves and Trustee Leases Status**

Council have requested information on Council reserves and lease paddocks. This information has been gathered from Department of Natural Resources and Mines (DNRM), and Council to give a status of the current reserves/paddocks.

**RECOMMENDATION**

That Council receives the Shire reserves and Trustee Leases Status report and that a workshop is conducted in Council's next briefing meeting.

**Resolution No. 317/1617**

Council receives the Shire reserves and Trustee Leases Status report and that a workshop is conducted in Council's next briefing meeting.

Moved Cr. P Curr

Seconded Cr. N Walker

CARRIED 4/0

**Attendance** - Cr. S Royes re-entered the meeting room at 8:26am.

**6.4 Laws Pertaining Balloon Releases**

McKinlay Shire Council has received correspondence regarding laws pertaining to balloon releases.

**RECOMMENDATION**

That Council receives the laws pertaining to balloon release report and resolve for the Acting Director of Engineering and Regulatory Services to respond to Ms Motherwell stating that this is 'State Government matter whether balloon release constitute littering and whether a state-wide ban should be enforced'.

**Resolution No. 318/1617**

Council receives the laws pertaining to balloon release report and resolve for the Acting Director of Engineering and Regulatory Services to respond to Ms Motherwell stating that this is 'State Government matter whether balloon release constitute littering and whether a state-wide ban should be enforced'.

Moved Cr. N Walker

Seconded Cr. J Fegan

CARRIED 5/0

**6.5 Koa People Native Title Claim**

McKinlay Shire Council has received correspondence from Gilkerson Legal seeking Council's position on the Koa People – Native Title claim.

**RECOMMENDATION**

That Council resolves to rely on the assessment made by the State Government and follow the State's position regarding the Native Title Claim for the Koa People.

**Resolution No. 319/1617**

Council resolves to rely on the assessment made by the State Government and follow the State's position regarding the Native Title Claim for the Koa People.

CONFIRMED MINUTES

Moved Cr. J Fegan

Seconded Cr. N Walker

CARRIED 5/0

**Attendance** – Mayor Belinda Murphy left the meeting room at 8:30am.

**Attendance** – Mayor Belinda Murphy returned to the meeting room at 8:32am

**6.6 Stock Dip Reserve**

The lease for the Stock Reserve has been extended until 31 June 2017. Council direction is sought for the future use of the area.

**RECOMMENDATION**

Council resolves to:

1. Leave the paddock known as the “Tick Spell Paddock” in line with the current use.
2. The remaining parcels to be held by Council with the intent to tender in February 2018 as one(1) entire paddock due to the current lack of available grass to allow the land to recover.
3. Council to apply to the Department of Natural Resources and Mines (DNRM) to obtain a lease over the Stock Route and to include in the one(1) entire paddock at time of tender ensuring all compliance and maintain the integrity of the stock route purpose.

**Resolution No. 320/1617**

Council resolves to:

1. Leave the paddock known as the “Tick Spell Paddock” in line with the current use.
2. The identified paddock on the boundary of the Tick Spell Paddock and the stock route be allocated as a horse spelling common, available to the McKinlay Shire community.
3. The remaining parcels to be held by Council with the intent to tender in February 2018 as one (1) entire paddock under Councils standardised lease agreement. The time frame delay is to go to tender is due to the current lack of available grass.
4. Council to apply to the DNRM to obtain a lease over the Stock Route and to include in the one (1) entire paddock at time of tender ensuring all compliance and maintain the integrity of the stock route purpose.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 5/0

**Attendance** – Acting Director of Engineering, Environmental & Regulatory Services, Andrew Boardman left the meeting room at 9:06am.

**Attendance** - Cr. N Walker left the meeting room at 9:06 returned at 9:07am.

**Attendance** – Cr. J Fegan left the meeting room at 9:06am and returned at 9:08am.

**Attendance** - Cr. P Curr left the meeting room at 9:07am and returned at 9:08am.

CONFIRMED MINUTES

**COMMUNITY SERVICES REPORT**

**Attendance** – Director of Corporate and Community Services Tenneil Cody entered the meeting room at 9:06am.

**7.0 Community Services Monthly Report**

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

**RECOMMENDATION**

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

**Resolution No. 321/1617**

Council receives the Community Services monthly report for May 2017.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 5/0

**7.1 Sponsorship Request – Combined Sporting Association**

Council has received a request for sponsorship from the Combined Sporting Association under the Community Grants Policy, for their upcoming Intrust Super Cup event. The group has requested in-kind support. The application is presented for Council's consideration.

**RECOMMENDATION**

That Council receives the report for information purposes.

**Resolution No. 322/1617**

Council receives the report for information purposes.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 5/0

**CORPORATE SERVICES REPORT**

**8.0 Corporate Services Monthly Report**

The Corporate Services Report as of 31<sup>st</sup> May 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 May 2017.

**Resolution 324/1617**

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

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0



CONFIRMED MINUTES

**8.1 Rates Correspondence**

Council has received correspondence from a solicitor on behalf of a ratepayer requesting that previous service charges be credited/waived based on the ratepayers circumstances and the current land services usage.

**RECOMMENDATION**

That Council resolves to:

- (a) Choose one credit / waiver or charge from the below options 1.1 to 1.3, 2.1 to 2.3 or 3.1 to 3.3

**Resolution 325/1617**

Council resolves to:

-Charge according to option 3.3 as presented to Council.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 5/0

**8.2 Review Fees & Charges Schedule**

Present to Council the proposed Fees and Charges Schedule for the financial year 2017/18.

The schedule contains fees and charges relating to all other services provided by Council.

**RECOMMENDATION**

That Council accepts and adopts the proposed Fees and Charges Schedule 2017/18 Version 1 as presented.

**Resolution 326/1617**

Council resolves to accept and adopt the proposed Fees and Charges Schedule 2017/18 Version 1 as presented to be effective 1 July 2017.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 5/0

**8.3 Revenue Policy Review 2017-2018**

In accordance with Section 193 of the Local Government Regulations 2012, Council must prepare a revenue policy for each financial year.

The 2017/18 Revenue Policy version 1 has been prepared in accordance with relevant legislation and is presented for Councils consideration.

**RECOMMENDATION**

That Council accept and adopt the 2017/2018 Revenue Policy Version 1 as presented.

**Resolution 327/1617**

Council resolve to accept and adopt the 2017/2018 Revenue Policy Version 1 as presented.

Moved Cr. P Curr

Seconded Cr. J Fegan

CARRIED 5/0

CONFIRMED MINUTES

**8.4 Request to write off General Debtor Account**

Request to Council to write off, the outstanding general debtor account of \$2,459.00.

**RECOMMENDATION**

That Council resolves to write off the outstanding general debt of \$2,459.00 for invoice number 18244. Council review the process to ensure this does not happen in the future.

**Resolution 328/1617**

Council resolves to write off the outstanding general debt of \$2,459.00 for invoice number 18244. Council review the process.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

**8.5 Motor Vehicle Fleet Plant Equipment Policy Update**

McKinlay Shire Council Motor Vehicle Fleet Plant Equipment Policy v1.3 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 Motor Vehicle Fleet Plant Equipment Policy.

**Resolution 329/1617**

Council resolves to adopt the reviewed version (version 2.0) of the Motor Vehicle Fleet Plant Equipment Policy.

Moved Cr. J Fegan

Seconded Cr. N Walker

CARRIED 5/0

**Attendance** – Director of Corporate and Community Services Tenneil Cody left the meeting room at 9:57am.

**Adjournment** – The Ordinary Meeting of Council was adjourned for morning tea at 9:57am.

**Adjournment** - The Ordinary Meeting of Council re-opened at 10:39am.

**CHIEF EXECUTIVE OFFICER REPORT**

**PROCEDURAL MOTION**

Council resolves that the meeting be closed to the public under section 217 1(g) of the Local Government Regulation 2012.

**Resolution No. 330/1617**

Council resolves that the meeting be closed to the public under section 275 1(g) *any action to be taken by the local government under the Planning Act, including deciding applications made to it under the Act; or (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* according to the Local Government Regulation 2012.

Moved Cr. N Walker

Seconded Cr. J Fegan

CARRIED 5/0

CONFIRMED MINUTES

Closure of meeting occurred at 10:39am.

**PROCEDURAL MOTION**

That Council resolves to re-open the meeting to the public.

**Resolution No. 331/1617**

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

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 5/0

Re-opening of meeting at 10:45am.

**9.0 CONFIDENTIAL - McKinlay Shire Council SWER Line Project**

As part of Council's Economic Development Strategy we are looking at options for more reliable power solutions for Outback Australia with MITEZ and ERGON.

**RECOMMENDATION**

That Council receives this report and resolves that;

- 1) Council supports the installation of Hybrid Power Pod/s.
- 2) CEO continues the negotiation with Intech to secure the DENA Grant from the German Institute for Energy.
- 3) Council will enter into a tripartite agreement with Intech and Ergon Energy under which the parties each agree to undertake the necessary obligations, which would likely include:
  - a) Council to pay \$75,000 to Intech (which includes the \$50,000 from MITEZ, and \$25,000 from McKinlay Shire Council);
  - b) Intech to provide the following services to Council:
    - i) conducting a transparent process to identify an appropriate land owner within the McKinlay Shire Council Local Government Area to which the Pod/s will be provided;
    - ii) entering into an agreement with the landowner for the supply, installation and (possibly) maintenance and/or removal of the asset;
    - iii) installation of one or more Hybrid Power Pod/s within the McKinlay Shire Council Local Government Area;
    - iv) reporting as agreed with Council;
    - v) participation in promotional events and assistance with promotional materials; and
    - vi) such other activities as Council requires;
  - c) Ergon to undertake the agreed investigations and provide the agreed reports.
- 4) Council is satisfied that Intech Clean Energy is the only supply who is reasonably available to provide the services described in paragraph 3)b) above.
- 5) Because of the specialized nature of the services described in paragraph 3)b) above being sought to be provided by Intech Clean Energy, it would be impractical or disadvantageous for Council to invite quotes or tenders to provide those services.
- 6) The Mayor will work with McKinlay Shire staff and CEO to promote the project with Intech Australia and Germany.
- 7) Council delegates to the CEO the authority to finalise all required documentation including the tripartite deed and the funding arrangement with MITEZ and Intech.

**Resolution No. 332 /1617**

Council receives this report and resolves that;

- 1) Council supports the installation of Hybrid Power Pod/s.

CONFIRMED MINUTES

- 2) CEO continues the negotiation with Intech to secure the DENA Grant from the German Institute for Energy.
- 3) Council will enter into a tripartite agreement with Intech and Ergon Energy under which the parties each agree to undertake the necessary obligations, which would likely include:
  - a) Council to pay \$75,000 to Intech (which includes the \$50,000 from MITEZ, and \$25,000 from McKinlay Shire Council);
  - b) Intech to provide the following services to Council:
    - i) conducting a transparent process to identify an appropriate land owner within the McKinlay Shire Council Local Government Area to which the Pod/s will be provided;
    - ii) entering into an agreement with the landowner for the supply, installation and (possibly) maintenance and/or removal of the asset;
    - iii) installation of one or more Hybrid Power Pod/s within the McKinlay Shire Council Local Government Area;
    - iv) reporting as agreed with Council;
    - v) participation in promotional events and assistance with promotional materials; and
    - vi) such other activities as Council requires;
  - c) Ergon to undertake the agreed investigations and provide the agreed reports.
- 4) Council is satisfied that Intech Clean Energy is the only supply who is reasonably available to provide the services described in paragraph 3)b) above.
- 5) Because of the specialized nature of the services described in paragraph 3)b) above being sought to be provided by Intech Clean Energy, it would be impractical or disadvantageous for Council to invite quotes or tenders to provide those services.
- 6) The Mayor will work with McKinlay Shire staff and CEO to promote the project with Intech Australia and Germany.
- 7) Council delegates to the CEO the authority to finalise all required documentation including the tripartite deed and the funding arrangement with MITEZ and Intech.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 5/0

## WHS REPORT

Council receives the WHS report.

## 11. MEMBERS BUSINESS

**Cr. N Walker** – Fossil has been found and identified as a new species. For Council information.

**Cr. J Fegan** – Hospital construction commencement will occur in the new financial year. For Council information.

CONFIRMED MINUTES

**Cr. J Fegan** – Civic Centre defects require attention. Council have advised that defects will be rectified before the end of 2017.

**Cr. S Royes** – Council minutes from May Ordinary Council Meeting were noted as being delayed.

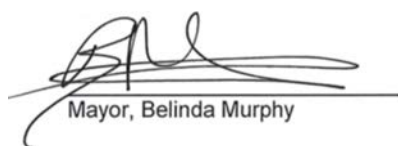
**Cr. S Royes** – Community concerned about access to medical services, in particular Doctors 7 days a week. Cr. J Fegan to lease NWHS regarding communications to the community. Mayor Belinda Murphy has suggested a page in the McKinlay Shire Council Newsletter be dedicated to Health updates.

**Mayor Belinda Murphy** – LGAQ Innovation Road Show update.

**Mayor Belinda Murphy** - ALGA, meetings with Minister Fiona Nash & Natalie Heazlewood.

**12. CLOSURE OF MEETING**

The Chair of the meeting, Mayor Belinda Murphy declared the meeting closed at 11:40am.



Mayor, Belinda Murphy