



# MCKINLAY SHIRE COUNCIL

## ***UNCONFIRMED MINUTES***

OF THE

### **ORDINARY MEETING OF COUNCIL**

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

15<sup>th</sup> December 2020

## **ORDER OF BUSINESS**

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
4. Confirmation of Ordinary Meeting on 17<sup>th</sup> November 2020
- 4.1 Confirmation of Special Meeting on 1<sup>st</sup> December 2020
- 4.2 Business Arising out of minutes of previous Meeting

### **5. ENGINEERING REPORT**

- 5.1 Engineering Work Monthly Report

### **6. ENVIRONMENTAL & REGULATORY SERVICES REPORT**

- 6.1 Environmental & Regulatory Services Monthly Report
- 6.2 Trustee Lease to Geoscience Australia for Global Navigation Satellite System (GNSS) Earth Monitoring Station located at the McIntyre Park Racecourse
- 6.3 Heslin Application to purchase part of Pasturage Reserve Lot 57 on SP299144

### **7. COMMUNITY SERVICES REPORT**

- 7.1 Community Services Monthly Report
- 7.2 Julia Creek Early Learning Centre Fees
- 7.3 Caravan Park Fees 2021
- 7.4 Julia Creek Caravan Park Bookings and Cancellations Policy
- 7.5 Regional Arts Development Fund – Quick Response Application

### **8. CORPORATE SERVICES REPORT**

- 8.1 Corporate Services Report
- 8.2 Disposal of Assets Policy
- 8.3 Deferred Items from November meeting – Standing Orders and Model Meeting Procedures

### **9. CHIEF EXECUTIVE OFFICERS REPORT**

- 9.1 CEO Report
- 9.2 Deed of Assignment and Consent regarding Deed of Agreement (Pre-qualified Supplier for Hire of Plant) No. 181927
- 9.3 Performance Plan for CEO

### **10. WORKPLACE HEALTH AND SAFETY**

- 10.1 Workplace Health and Safety Report

### **11. CLOSE**

**1. OPENING BUSINESS** ▲

All Councillors having signed the Attendance Book, Mayor Philip Curr declared the meeting open at 8:54am.

**2. ATTENDANCE** ▲

**Mayor:** Cr. P Curr

**Members:** Cr. J Fegan, Cr. S Royes, Cr. J Lynch, Cr. T Pratt

**Staff:**

Chief Executive Officer, Mr. John Kelly

Executive Assistant, Mrs. Grace Armstrong

Director of Corporate & Community Services, Ms. Tenneil Cody

Director of Engineering, Environment and Regulatory Services, Mr. Cameron Scott

**Other people in attendance:**

Mr Ross Thinee, Acting of MITEZ

**Apologies:****3. DECLARATION OF CONFLICT OF INTEREST** ▲**Cr. P Curr**

1. I inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009). The nature of my interest is as follows:

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter reference item 6.3

**Particulars:**

(i) Name of related party: Jennifer Heslin

(ii) The nature of my relationship with this related party is Jennifer is my sister

(iii) The nature of the related party's interests in this matter is that she stands to gain access to public land.

I propose to leave and stay away from the meeting while this matter is discussed and voted on.

**4. CONFIRMATION OF MINUTES** ▲

Confirmation of Minutes of the Ordinary Meeting of Council held on 17<sup>th</sup> November 2020.

**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on 17<sup>th</sup> November 2020 be confirmed.

**Resolution No. 166/2021**

The Minutes of the Ordinary Meeting of Council held on 17<sup>th</sup> November 2020 are confirmed.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

Confirmation of Minutes of the Special Meeting of Council held on 1<sup>st</sup> December 2020.

**RECOMMENDATION**

That the Minutes of the Special Meeting of Council held on 1<sup>st</sup> December 2020 be confirmed.

**Resolution No. 167/2021**

The Minutes of the Special Meeting of Council held on 1<sup>st</sup> December 2020 are confirmed.

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

**4.2 BUSINESS ARISING FROM PREVIOUS MINUTES ▲**

Nil

**5. ENGINEERING SERVICES ▲**

**5.1 Engineering Works Report**

This report outlines the general activities for the Engineering Department for the month of November 2020.

**RECOMMENDATION**

That Council receives the Engineering Services monthly report for November 2020.

**Resolution No. 168/2021**

That Council receives the Engineering Services monthly report for November 2020.

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 5/0

**6. ENVIRONMENTAL AND REGULATORY SERVICES ▲**

**6.1 Environmental and Regulatory Services Report**

This report outlines the general activities, revenue and expenditure for the department for the period November 2020.

**RECOMMENDATION**

That Council receives the November 2020 Environmental and Regulatory Services Report.

**Resolution No. 169/2021**

That Council receives the November 2020 Environmental and Regulatory Services Report.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

## **6.2 Trustee Lease to Geoscience Australia for Global Navigation Satellite System (GNSS) Earth Monitoring Station located at the McIntyre Park Racecourse**

Council has received correspondence from the Senior Surveyor of Department of Natural Resources, Mines and Energy wishing to formalize the access arrangements for the Julia Creek Global Navigation Satellite System (GNSS) Earth Monitoring Station that is located at the McIntyre Park Racecourse.

Initial conversations for formalizing tenure arrangements for the site was for a Memorandum of Understanding (MOU) however after seeking Legal Advice the Department indicate that a Trustee Lease under the Land Act 1994 (s.57) would be the best approach to allow access to the site.

The department is currently transitioning the operational management, maintenance and future development of all of the QLD GNSS Earth Monitoring Sites to the Commonwealth Government through Geoscience Australia (GA) to also take over tenure access arrangements for these sites.

Therefore, the department is recommending that McKinlay Shire Council issue a Trustee Lease to Geoscience Australia for the site.

### **RECOMMENDATION**

That Council resolves to;

- advise the Department that it consents to a Trustee Lease being entered into between McKinlay Shire Council and Geoscience Australia for the Julia Creek Global Navigation Satellite System (GNSS) Earth Monitoring Station at McIntyre Park Racecourse; and
- advise the Department that a fence is required to be erected around the site with no cost to Council

### **Resolution No. 170/2021**

Council resolve to;

- advise the Department that it consents to a Trustee Lease being entered into between McKinlay Shire Council and Geoscience Australia for the Julia Creek Global Navigation Satellite System (GNSS) Earth Monitoring Station at McIntyre Park Racecourse; and
- advise the Department that a fence is required to be erected around the site with no cost to Council

Moved Cr. S Royes

Seconded Cr. T Pratt

CARRIED 5/0

**Attendance** – Having declared a conflict of interest Mayor Cr. Philip Curr left the meeting room at 9:27am. Deputy Mayor Cr. Janene Fegan assumed the Chair.

## **6.3 Heslin Application to purchase part of Pasturage Reserve Lot 57 on SP299144**

In response to a request from DNRME seeking Council's views regarding a permit to occupy and application to purchase part of pasturage reserve known as Lot 57 on SP299144, on 17<sup>th</sup> November 2020 Council adopted resolution #145/2021:

***“Council resolve to;***

- 1. Offer Colin Malone the continuation of existing arrangements for the paddock known as the “Ranger’s Horse Paddock”, as per Council’s Fees and Charges;***
- 2. Include the “Ranger’s Horse Paddock” in the proposed future land use audit of Julia Creek;***
- 3. Not consent to any revocation of the reserve for the potential purchase by Heslin as Council has recognized the need for additional land for potential future expansion of Julia Creek township for both residential and light industry;***
- 4. Not consent to any Trustee Lease or permit over the subject land until such time as the outcome of the land audit is determined; and***
- 5. Advise the Department of Natural Resources Mines and Energy accordingly.”***

On being advised of this decision CONNIENAVARRO Legal, acting on behalf of their client Jennifer Heslin has requested by email dated 4<sup>th</sup> December 2020 that “***Council pass a resolution to support Heslin’s request that consideration by the Department of the Heslin Application being kept on hold, but the application remain active, until such time as Council can complete their land audit investigation.***”

This report addresses this request and the other matters raised in the email of 4<sup>th</sup> December 2020.

### **RECOMMENDATION**

Council resolves to;

1. Inform CONNIENAVARRO Legal (Acting on behalf of Jennifer Heslin) that Resolution #145/2021 stands.

#### **Resolution No. 171/2021**

Council resolve to;

1. Inform CONNIENAVARRO Legal (Acting on behalf of Jennifer Heslin) that Resolution #145/2021 stands.

Moved Cr. J Lynch

Seconded Cr. S Royes

CARRIED 4/0

**Attendance** – Tenneil Cody Director Corporate & Community Services entered the meeting room at 9:28am.

**Attendance** – Cr Philip Curr entered the meeting room at 9:32am and assumed the Chair.

## **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: November 2020.

### **RECOMMENDATION**

That Council receives the Community Services monthly report for November 2020.

#### **Resolution No. 172/2021**

That Council receives the Community Services monthly report for November 2020.

Moved Cr. J FEGAN

Seconded Cr. J Lynch

CARRIED 5/0

### **7.2 Julia Creek Early Learning Centre Fees**

Council is presented with a review of the fees for the Julia Creek Early Learning Centre, with a proposal to increase the fees effective from 1 January 2021.

### **RECOMMENDATION**

That Council increase the daily attendance fee of the Julia Creek Early Learning Centre from \$81.60 per day per child to \$83.65 per day per child, and the half day fee increase from \$56.10 per day per child to \$57.50 per day per child, and the sessional kinder fee increase from \$61.20 per session (5 hours) to \$62.75 effective from 1st January 2021..

**Resolution No. 173/2021**

That Council increase the daily attendance fee of the Julia Creek Early Learning Centre from \$81.60 per day per child to \$83.65 per day per child, and the half day fee increase from \$56.10 per day per child to \$57.50 per day per child, and the sessional kinder fee increase from \$61.20 per session (5 hours) to \$62.75 effective from 1st January 2021.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 5/0

**7.3 Caravan Park Fees 2021**

Council's Director Corporate & Community Services and Community Services Team Leader have reviewed pricing for the Julia Creek Caravan Park in comparison to other nearby facilities which was presented to the December Briefing for discussion. Talks were also held regarding the pricing of the Artesian Bath Experience and their popularity and associated cleaning, maintenance, administration and purchasing of items for gift packs that also increase as a result. The price increases are aimed at ensuring Council remains in a stable financial position and can generate sufficient revenue to cover operational costs.

**RECOMMENDATION**

That Council resolves to accept a price increase for the following fees at Julia Creek Caravan Park effective January 1 2021:

<b>Donga Units (Two Beds)</b>	<b>\$ 75.00</b>	per night
<b>Donga Units (Two Beds) – Weekly Special (stay 7 nights, pay for 6)</b>	<b>\$ 450.00</b>	per week
<b>Replica Rain Water Tank Bathhouses</b>		
Guests of Caravan Park	<b>\$ 25.00</b>	per person
	<b>\$ 40.00</b>	per couple
Visitors to the Park (non guests)	<b>\$ 40.00</b>	per person
	<b>\$ 70.00</b>	per couple
<b>Propose to introduce premium 'Sunset' Pricing 2021</b>		
<b><i>*Sunset pricing would be for last scheduled bath at 6:30pm</i></b>		
Guests of Caravan Park	<b>\$ 35.00</b>	per person
	<b>\$ 60.00</b>	per couple
Visitors to the Park (non guests)	<b>\$ 50.00</b>	per person
	<b>\$ 90.00</b>	per couple
<b>Boundary Rider Hut Bathhouses</b>		
Guests of Caravan Park	<b>\$ 45.00</b>	per person
	<b>\$ 80.00</b>	per couple
Visitors to the Park (non guests)	<b>\$ 55.00</b>	per person
	<b>\$ 95.00</b>	per couple
<b>Propose to introduce premium 'Sunset' Pricing 2021</b>		
<b><i>*Sunset pricing would be for last scheduled bath at 6:30pm</i></b>		
Guests of Caravan Park	<b>\$ 60.00</b>	per person
	<b>\$110.00</b>	per couple
Visitors to the Park (non guests)	<b>\$ 70.00</b>	per person
	<b>\$130.00</b>	per couple
Cheese Platters	<b>\$ 30.00</b>	per platter

**Resolution No. 174/2021**

Council resolves to accept a price increase for the following fees at Julia Creek Caravan Park effective January 1 2021:

<b>Donga Units (Two Beds)</b>	<b>\$ 75.00</b>	per night
<b>Donga Units (Two Beds) – Weekly Special (stay 7 nights, pay</b>	<b>\$</b>	per week

for 6)	450.00	
<b>Replica Rain Water Tank Bathhouses</b>		
Guests of Caravan Park	\$ 25.00	per person
	\$ 40.00	per couple
Visitors to the Park (non guests)	\$ 40.00	per person
	\$ 70.00	per couple
<b>Propose to introduce premium 'Sunset' Pricing 2021</b>		
<i>*Sunset pricing would be for last scheduled bath at 6:30pm</i>		
Guests of Caravan Park	\$ 35.00	per person
	\$ 60.00	per couple
Visitors to the Park (non guests)	\$ 50.00	per person
	\$ 90.00	per couple
<b>Boundary Rider Hut Bathhouses</b>		
Guests of Caravan Park	\$ 45.00	per person
	\$ 80.00	per couple
Visitors to the Park (non guests)	\$ 55.00	per person
	\$ 95.00	per couple
<b>Propose to introduce premium 'Sunset' Pricing 2021</b>		
<i>*Sunset pricing would be for last scheduled bath at 6:30pm</i>		
Guests of Caravan Park	\$ 60.00	per person
	\$110.00	per couple
Visitors to the Park (non guests)	\$ 70.00	per person
	\$130.00	per couple
Cheese Platters	\$ 30.00	per platter

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 5/0

#### 7.4 Julia Creek Caravan Park Bookings and Cancellations Policy

Following a large number of no-shows and cancellations over the past 12 months at the Julia Creek Caravan Park, feedback from Park Manager's has indicated the implementation of a bookings and cancellations policy would be beneficial in ensuring the number no-shows and cancellations diminishes and supports the financial viability of the Park.

#### **RECOMMENDATION**

That Council adopts the Caravan Park Bookings and Cancellations Policy as presented.

#### **Resolution No. 175/2021**

Council adopts the Caravan Park Bookings and Cancellations Policy as presented.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

#### 7.5 Regional Arts Development Fund – Quick Response Application

Council has received one (1) application during the second round of advertising for the RADF program which the committee has recommended for approval.

#### **RECOMMENDATION**

That Council resolves to support the recommendations made by the RADF Committee to support:

- McKinlay Shire Cultural Association 'Finding the Beauty' Workshop - \$2,500

**Resolution No. 176/2021**

Council has received one (1) application during the second round of advertising for the RADF program which the committee has recommended for approval. Council resolves to support the recommendations made by the RADF Committee to support:

- McKinlay Shire Cultural Association 'Finding the Beauty' Workshop - \$2,500

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 5/0

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

The Corporate Services Report as of November 2020 which summarises the financial performance and position is presented to Council.

**RECOMMENDATION**

That Council receives the monthly Corporate Services Report for the period ending November 2020.

**Resolution No. 177/2021**

Council receives the monthly Corporate Services Report for the period ending November 2020.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

**8.2 Disposal of Assets Policy**

In order to provide a framework consistent with legislative requirements that provides clear guidelines relating to the sale or disposal of assets or material surplus to the requirement of Council. Council has developed a 'Disposal of Assets Policy'. The policy currently in place has been reviewed and is now presented for Council's consideration.

**RECOMMENDATION**

That Council adopts the Disposal of Assets Policy Version 2.0 as presented.

**Resolution No. 178/2021**

That Council adopt the Disposal of Assets Policy Version 2.0 as presented.

Moved Cr. T Pratt

Seconded Cr. J Lynch

CARRIED 5/0

**8.3 Deferred Items from November meeting – Standing Orders and Model Meeting Procedures**

At the meeting held on 17th November, Council was presented with two documents: Standing Orders for Council Meetings including Standing Committees and new Model Meeting Procedures. These documents followed as a consequence of the latest rolling local government reforms through the State Parliament and the Department of Local Government (DLGRMA).

On examination, it was agreed that the CEO would review both document with the aim of combining them into one document if possible, given these related to Council meeting procedures.

The combined document is now presented for Council consideration.

**RECOMMENDATION**

That Council adopt the Standing Orders and Model Meeting Procedures for Council Meetings including Standing Committees as presented.

**Resolution No. 179/2021**

Council adopts the Standing Orders and Model Meeting Procedures for Council Meetings including Standing Committees as presented.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0

**9. CHIEF EXECUTIVE OFFICER ▲****9.1 CEO Report**

This report provides an update on current matters for the information of Council

**RECOMMENDATION**

That Council receive and note the report from the Chief Executive Officer for the period 15 October – 13 November 2020 except where amended or varied by separate resolution of Council.

**Resolution No. 180/2021**

Council receives and notes the report from the Chief Executive Officer for the period 15 October – 13 November 2020 except where amended or varied by separate resolution of Council.

Moved Cr. S Royes

Seconded Cr. J Lynch

CARRIED 5/0

**9.1.1 Filling of Casual Vacancy in the position of Mayor & Councillor**

On 4 December 2020 Director-General, Department of State Development, Infrastructure, Local Government and Planning advised of changes to the process for filling mayoral and councillor vacancies that arise during the first 12 months of a local government's term.

Amendments to the process were contained in Part 5 of the COVID-19 Emergency Response and Other Legislation Amendment Bill 2020, which was passed by Parliament on Wednesday 2 December 2020.

Under the revised process, which commenced on Friday 4 December 2020, a **Mayoral** vacancy within the first 12 months of a local government's term will be filled by a by-election, rather than by appointment of a runner-up.

For a **Councillor** vacancy within the first 12 months of a local government's term, the local government will determine by resolution whether to fill the vacancy by a by-election or by appointing a runner-up. No changes have been made in relation to vacancies arising during the middle or final part of the term.

**Action:**        **Noted**

**9.1.2 Location of New Weather Radars**

Shortly after the 2019 monsoonal trough and resultant flooding hit North Queensland the Commonwealth announced support for two new Doppler radar installations to fill in blackspots in coverage and provide greater detail on rainfall and weather forecasting of catchment wide impacts. The mooted sites were in the vicinity of Julia Creek and Hughenden.

At the NWQROC meeting held on Friday 4<sup>th</sup> December 2020 Mr. Peter Stone, Group Executive – Business Solutions from the Australian BOM presented the case for BOM's favoured sites being near Richmond and Greenvale in the Charters Towers Regional Council area.

**Action:** Noted

### 9.1.3 2019 Monsoonal Trough – Long Term Recovery Strategy

Bruce Scott OAM, Regional and Local Government Advisor, and Tahna Jackson, Regional Recovery Officer – North Queensland; National Drought and North Queensland Flood Response and Recovery Agency presented to the NWQROC meeting held on Friday 4<sup>th</sup> December 2020 along similar lines to the advice provided by the Hon Shane Stone AC, QC when he visited Council on 3<sup>rd</sup> November 2020. Prior to Christmas Council can anticipate receiving correspondence and guidelines on the available funding of \$58M for the 14 impacted local governments covering:

- Economic Diversification - \$9M
- Telecommunications and Energy improvements - \$15M
- Managing Disaster Risk - \$12M
- Resilient Kids - \$2M
- Recovery & Resilience Grants - \$20M (\$858k per local government)

As soon as the advice and guidelines are received Councillors will be informed so that planning and responses can be prepared and submitted. Council consideration of "ready to go" projects is recommended – refer to list presented by CEO to Briefing held on 3<sup>rd</sup> November 2020.

**Action:** Staff will proceed to develop the list with notional values for future reference

**Attendance** – Mr Ross Thinee, A/CEO of MITEZ, entered the meeting room at 10.09am and addressed the Mayor and Councillors on a feasibility study into the viability and best location for a potential Cotton Gin and other potential economic development opportunities in the north west region.

### Resolution No. 181/2021

That Mr Ross Thinee, A/CEO of MITEZ, be thanked for his presentation regarding a feasibility study into the viability and best location for a potential Cotton Gin and note that the Mayor and CEO will participate in the reference group.

Moved Cr. J Lynch

Seconded Cr. J Fegan

CARRIED 5/0

**Attendance** – Mr Ross Thinee, A/CEO of MITEZ, left the meeting room at 10:47am.

### 9.1.4 NWQROC – Report on Other Business and Next Meeting

In addition to items 2 & 3 above the ROC meeting was productive and informative with presentations and discussion on the following matters:

- a. North West Queensland Regional Weed and Pest Animal Management Strategy 20 – 24 by Geoff Penton CEO & Pru Wharton Reg Landcare Facilitator, Southern GULF NRM
- b. Research into the Health of Gulf Rivers by Dr Michelle Burford PhD
- c. QRA Flood Warning Infrastructure Project installation by Michael Eddie, Director CurryPM
- d. NWW Regional Resilience Strategy & Action Plan by Steve Dredge QRA
- e. Wild Dog Bounties Workshop by Brett Carlsson Snr QLD Wild Dog Coordinator Agforce & Kristy Gooding – Natural Assets & Natural Resources Management LGAQ
- f. Health Service Across the north west in the aftermath of the down grade of the Julia Creek MPHS.
- g. WQAC – Western Qld Housing Study – RAI Proposal
- h. Engagement with new State Government Ministers & Directors General

The next meeting is set down for 25/26 February 2021 in Julia Creek with McKinlay Shire Council as the host venue. The Regional Roads Group meeting would be held on Thursday 25<sup>th</sup> Feb immediately prior to the ROC. It can be expected that several State Government senior public servants would be present.

**Action:** For Noting and staff to make reservations for the Civic Centre Hall for these dates.

#### 9.1.5 National General Assembly of Australian Local Government Association

This will be held in Canberra on 20 – 23rd June 2021 and notice of any proposed motions to be submitted to the Assembly must be lodged by 23rd March 2021. Unless Council has simultaneously the need to seek deputations to Federal Ministers and Departments in Canberra, it would not be normal that Council would send delegates to the Assembly.

**Action:** Noted.

**Attendance** – Mr Robbie Katter MP, Member for Traeger, entered the meeting room at 11am. He thanked Council for granting him time to speak without prior notice, on current issues.

#### Resolution No. 182/2021

That Mr Robbie Katter MP, Member for Traeger, be thanked for his attendance at the Ordinary Meeting and his update on the situation regarding the downgrade of the Julia Creek MPHS and that he recommends Council continue to apply pressure on the State Government.

Moved Cr. P Curr

Seconded Cr. T Pratt

CARRIED 5/0

**Attendance** – Mr Robbie Katter MP, Member for Traeger, left the meeting room at 11:34am

#### 9.1.6 Julia Creek Aerodrome Rectification Works

Dispute Resolution discussions with one party occurred on Monday 14<sup>th</sup> December 2020 after several cancellations. A verbal report was presented to the meeting and further negotiations will occur in early 2021..

**Action:** Council noted that further negotiations will be held in late January with the objective of reaching a successful outcome.

#### 9.1.7 Improved Tele-communications for the Residents and Landholders of McKinlay Shire Council

Key Council staff will meet with a north-west telecommunications service provider on Thursday 10<sup>th</sup> December 2020 to gain a better understanding of what is available in the market place and cost structures.

This item was also discussed at NWQROC on 4th December 2020 and a baseline study is being proposed to identify:

- a. Available technology,
- b. Emerging technology,
- c. Existing Service Providers,
- d. What are the gaps.

In short, there is a lot happening in this space and Council is well advised to ensure a comprehensive information gathering exercise including the findings of the baseline study, prior to committing to any one or more providers.

**Action:** Council noted that further information gathering will be undertaken in the first quarter of 2021 and a report will be presented to Council in due course recommending the preferred way forward. This report will also address a request to install telecommunications equipment on the Julia Creek Water Tower.

#### 9.1.8 Consideration of Tenders for Livestock Transit Centre Extensions of Yards and new Dip

A report will be tabled at the meeting following receipt of alternate options for the dip component of the contract to better fit the available budget.

**Cr. J Fegan**

1. I inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009). The nature of my interest is as follows:

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

**Particulars:**

- (i) Name of related party: Marwill Pty Ltd
  - (ii) The nature of my relationship with this business is that I and my husband Trevor Fegan own the business
  - (iii) The nature of the interest in this matter is that Marwill Pty Ltd has provided a quotation for the supply of goods and/or services to one of the tenderers and that I stand to gain a benefit or a loss depending on the outcome of Council's consideration of this matter.
- I propose to leave and stay away from the meeting while this matter is discussed and voted on.

**Cr. J Lynch**

1. I inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009). The nature of my interest is that I stand to gain a benefit or a loss depending on the outcome of Council's consideration of this matter.

This declarable conflict of interest arises because I have provided a quotation for the supply of goods and/or services to one of the tenderers.

I propose to leave and stay away from the meeting while this matter is discussed and voted on.

**Cr. S Royes**

1. I inform this meeting that I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009). The nature of my interest is as follows:

This declarable conflict of interest arises because a person who is a related party of mine has an interest in this matter.

**Particulars:**

- (i) Name of related party: Booth Rural
  - (ii) The nature of my relationship with this related party is that I am an employee of Booth Rural.
  - (iii) The nature of the related party's interests in this matter is that Booth Rural have provided a quotation for the supply of goods and/or services to one of the tenderers and that Booth Rural stand to gain a benefit or a loss depending on the outcome of Council's consideration of this matter which may or may not impact on me.
- I propose to leave and stay away from the meeting while this matter is discussed and voted on.

**Ruling by the CEO:**

The Chief Executive Officer advised the meeting that the purpose of the discussion was at a budget level to deal with a shortfall of funds available for the construction of the livestock yards extension and new dip due to all tenders exceeding the available funds. The discussions will NOT consider and decide on the acceptance of any of the tenders.

Until such time as the discussions move to the matter of considering the detail of each tender and to the acceptance one or other of the tenders, Councillors Fegan, Royes and Lynch are entitled to remain in the meeting.

**Report by Director Engineering & Regulatory Services.**

The DERS reported that the tenders received exceeded the available budget allocation by a significant amount. If the dip was removed from the proposal, it raises the question on what is the advantage of proceeding at all. Likewise there is the problem of connectivity to the rail corridor as the land between Council's yards and the rail is owned by a third party

**Resolution No. 183/2021**

That with respect to the tender for the proposed Livestock Transit Centre extension of yards and dip, Council:

1. Thank the two tenderers and advise that Council has decided not to accept any tender due to the tenders exceeding the available funds.
2. Advise DAF of the Councils inability to proceed due to the tenders exceeding available funds and seek their advice on a way forward given the potential for access issues to the rail corridor if a new livestock haulage contractor is negotiated by TMR for the movement of livestock on the Great Northern Rail Corridor (Mt Isa to Townsville), and
3. The Mayor advise Mr Neil Scales, Director-General TMR of this dilemma.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

**9.1.9 Appointment of Acting CEO**

In the absence of the CEO on Annual Leave commencing 24<sup>th</sup> December 2020 – 15<sup>th</sup> January 2021 it is desired that the Council appoint an acting CEO.

**RECOMMENDATION**

Council appoint Ms. Tenneil Cody as Acting CEO for those dates.

**Resolution No. 184/2021**

Council appoint Ms. Tenneil Cody as Acting CEO for the period 24<sup>th</sup> December 2020 – 15<sup>th</sup> January 2021.

Moved Cr. J Fegan

Seconded Cr. J Lynch

CARRIED 5/0

**9.2 Deed of Assignment and Consent regarding Deed of Agreement (Pre-qualified Supplier for Hire of Plant) No. 181927**

Council has received an application from Kaylene Lapworth as Executor for the Estate of Maree Lapworth seeking to transfer the Deed of Agreement for the operation of a water tanker to Desmond Poole and Tania Cowie under their own company – D & T Contracting Qld Pty Ltd pursuant to Section 18.14 of the Deed of Agreement (Pre-qualified Supplier for Hire of Plant) No. 181927.

**RECOMMENDATION**

That Council consent to the assignment of plant (a truck and water tanker) owned by the Estate of Maree Lapworth to Desmond Poole and Tania Cowie trading as D & T Contracting Qld Pty Ltd subject to the completion and execution of a Deed of Assignment and Consent by both parties and the Mayor and CEO be authorized to sign the Deed.

**Resolution No. 185/2021**

That Council consent to the assignment of plant (a truck and water tanker) owned by the Estate of Maree Lapworth to Desmond Poole and Tania Cowie trading as D & T Contracting Qld Pty Ltd subject to the completion and execution of a Deed of Assignment and Consent by both parties and the Mayor and CEO be authorized to sign the Deed.

Moved Cr. T Pratt

Seconded Cr. J Fegan

CARRIED 5/0

### 9.3 Performance Plan for CEO

It is a good management practice that Council have in place a performance plan for the Chief Executive Officer to set goals and monitor performance against that plan. Periodic discussions should be held throughout the year to provide feedback to the CEO on performance against the Plan.

#### **RECOMMENDATION**

Council adopt the performance plan for the Chief Executive Officer 2020/2021 as discussed and amended at the Ordinary Meeting.

#### **Resolution No. 186/2021**

Council adopts the performance plan for the Chief Executive Officer 2020/2021 detailed in the CEO report to the Ordinary Meeting 15<sup>th</sup> December 2020 and as discussed and amended at the Ordinary Meeting.

Moved Cr. S Royes

Seconded Cr. P Curr

CARRIED 5/0

## 10. WORKPLACE HEALTH AND SAFETY ▲

### 10.1 Workplace Health and Safety

This report outlines the general status of Work Health and Safety at McKinlay Shire Council for the period of November 2020.

#### **RECOMMENDATION**

That Council receives the November 2020 Work Health and Safety Report.

#### **Resolution No. 187/2021**

That Council receives the November 2020 Work Health and Safety Report.

Moved Cr. J Lynch

Seconded Cr. T Pratt

CARRIED 5/0

### General Business – Councillor Requests

- T Pratt –** REX Airline airport security – the community is worried that REX Airline will stop coming to Julia Creek – The CEO will provide an update to the Community in the next Council newsletter of where things are at.
- J Fegan –** Is the J.C. Caravan Park Bush kitchen all good for next year – T.C to follow up.
- Standby roster over Christmas holidays – after hours phone numbers – T.C and Grace to produce a list of numbers and staff movements and circulate.
- S Royes –** CEO to send a letter of thanks to Work Camp for the work they have done over the year.

## 11. CLOSURE OF MEETING ▲

The Chair of the meeting Mayor Philip Curr thanks Councillors and all staff for the work over the past 12 months and wished them and their families all the very best for the festive season. He then declared the meeting closed at 12:34pm.

UNCONFIRMED