



MCKINLAY SHIRE COUNCIL

UNCONFIRMED MINUTES

OF THE

ORDINARY MEETING OF COUNCIL

HELD AT THE

BOARDROOM, CIVIC CENTRE
JULIA CREEK

17th September 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 Reallocation Capital Works Funding
- 5.3 LATE – CONFIDENTIAL Tender 1819005 – Julia Creek Artesian Bath Houses & Landscaping Project

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 Swimming Club Sponsorship Request

8. CORPORATE SERVICES REPORT

- 8.1 Corporate Services Monthly Report

9. CHIEF EXECUTIVE OFFICERS REPORT

- 9.1 Relocation Assistance Policy
- 9.2 Tender Consideration Plan - Plant Hire

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 9:10am.

2. ATTENDANCE ▲

Mayor: Cr. B Murphy

Members: Cr. N Walker, Cr. S Royes (via Teleconference), Cr. J Fegan

Staff:

Chief Executive Officer, Mr. Des Niesler

Director of Engineering, Environmental & 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:

Cr. P Curr

PROCEDURAL MOTION

Cr. Philip Curr requests the acceptance of a leave of absence from the September 17th Ordinary Meeting of Council.

Resolution No. 078/1920

Cr. Philip Curr is granted a leave of absence from the September 17th Ordinary Meeting of Council.

Moved Cr. N. Walker

Seconded Cr. J. Fegan

CARRIED 4/0

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.

4. CONFIRMATION OF MINUTES ▲

Confirmation of Minutes of the Ordinary Meeting of Council held on 27th August 2019.

RECOMMENDATION

That the Minutes of the Ordinary Meeting of Council held on 27th August 2019 be confirmed.

Resolution No. 079/1920

The Minutes of the Ordinary Meeting of Council held on 27th August 2019 are confirmed.

Moved Cr. J. Fegan

Seconded Cr. N. Walker

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 August 2019.

RECOMMENDATION

That Council receives the August 2019 Engineering Works Report.

Resolution No. 080/1920

Council receives the August 2019 Engineering Works Report.

Moved Cr. N. Walker

Seconded Cr. S. Royes

CARRIED 4/0

5.2 Reallocating of TIDS & R2R funding monies 2019/2020 FY Capital Works

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

RECOMMENDATION

That Council endorse the reallocation of \$200,000 to Gilliat McKinlay sealing works program 2019/20 (combined with the earlier \$300,000 gives a total of about 4.5km of new seal)

The table is the adjusted Capital Works Program 2019-2020 1.1 Infrastructure & Works and Roads.

| | Cost | R2R | TIDS |
|---|-----------------------|---------------------|---------------------|
| Gilliat McKinlay Road | \$500,000.00 | \$250,000.00 | \$250,000.00 |
| Burke Street reseal | \$300,000.00 | \$150,000.00 | \$150,000.00 |
| Byrimine Road | \$200,000.00 | \$100,000.00 | \$100,000.00 |
| Julia Creek truck stop stabilisation and reseal | \$200,000.00 | \$200,000.00 | |
| | | | |
| Total | \$1,200,000.00 | \$700,000.00 | \$500,000.00 |

Resolution No. 081/1920

Council resolves to endorse the adjusted Capital Works Program 2019-2020 1.1 Infrastructure & Works and Roads, as per the following table.

| | Cost | R2R | TIDS |
|---|-----------------------|---------------------|---------------------|
| Gilliat McKinlay Road | \$500,000.00 | \$250,000.00 | \$250,000.00 |
| Burke Street reseal | \$300,000.00 | \$150,000.00 | \$150,000.00 |
| Byrimine Road | \$200,000.00 | \$100,000.00 | \$100,000.00 |
| Julia Creek truck stop stabilisation and reseal | \$200,000.00 | \$200,000.00 | |
| | | | |
| Total | \$1,200,000.00 | \$700,000.00 | \$500,000.00 |

Moved Cr. J. Fegan

Seconded Cr. N. Walker

CARRIED 4/0

Adjournment – Cr. B. Murphy adjourned the meeting at 10:12am, to receive a short presentation from Ross Thinee of MITEZ.

Recommended – Cr. B. Murphy recommended the meeting at 10:30am.

Attendance – Cr. S. Royes left the phone at 10:32am.

Attendance – Cr. S. Royes returned to the phone at 10:36am.

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 August 2019.

RECOMMENDATION

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

Resolution No. 082/1920

Council receives the August 2019 Environmental and Regulatory Services Report.

Moved Cr. J. Fegan

Seconded Cr. N. Walker

CARRIED 4/0

PROCEDURAL MOTION**Resolution No. 083/1920**

Council resolves to accept late agenda item 5.3 – Tender 1819005 – Julia Creek Artesian Bath Houses & Landscaping Project.

Moved Cr. J. Fegan

Seconded Cr. S. Royes

CARRIED 4/0

5.3 LATE CONFIDENTIAL– Tender 1819005 – Julia Creek Artesian Bath Houses & Landscaping Project

This report is CONFIDENTIAL in accordance with *Section 275 1(e)* of the *Local government Regulation 2012*, which provides or 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 had released Tender 1819005 for the purpose of obtaining;

Two additional Artesian Bath Houses, the construction of approximately 4000 sq. meters of landscaped gardens and pathways conforming to concept design supplied by Council, a covered timber deck area and the supply and installation of all service connections to make the area functional.

Council had received three (3) Tender returns by the closing date, and each of these returns has exceeded the projects estimated/current funding levels by a significant amount.

Council instructed the project team to approach the Tenders with the intension of decreasing the Tender amounts by decreasing the obtaining alternative design options.

This resulted in the loss of one Tender and a return from the other Tenders that was still beyond the current budget for the project.

The process of negotiation has reduced the Tenders return by a significant amount with the reduction of Separable Portion 3 to a fixed \$80,000.

The Tender returns currently stand at \$321,940 5% retention to be added to \$338,120 excluding GST.

Also one of the Tenders has removed the retention and maintenance section of their bid; this will require a readjustment to their bid for Council contractual security this would place both bids in the \$338,000 range.

Attendance – Executive Assistant, Maggie Rudolph, left and re-entered the meeting room at 10:55am.

Item 5.3 is deferred to later in the meeting.

Attendance – Director of Engineering, Environmental & Regulatory Services, David McKinley, left the meeting room at 11:00am.

Adjournment – Cr. B. Murphy adjourned the meeting at 11:00am, to receive a cattle business presentation from Vaughn Johnson.

Recommended – Cr. B. Murphy recommenced the meeting at 11:50am.

Attendance – Community Services Team Leader, John Van Der Meer, entered the meeting room at 11:50am.

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 August 2019.

RECOMMENDATION

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

Resolution No. 084/1920

Council receives the Community Services monthly report for August 2019.

Moved Cr. J. Fegan

Seconded Cr. N. Walker

CARRIED 4/0

7.2 Julia Creek Swimming Club Sponsorship Request

The Julia Creek Swimming Club has kindly asked for a Community Sponsorship from Council to support the organization for their annual Ball: Gold & Black Ball 2019.

The event will provide live entertainment, food and bar facilities and the opportunity for attendees to have a fun night out, whilst raising important funds for the JC Swimming Club.

The Club requests \$5,000 towards organizing the event from the community Sponsorship Program.

RECOMMENDATION

That Council determines an appropriate level of sponsorship for the event.

Resolution No. 085/1920

That Council resolves to grant sponsorship, for the Julia Creek Swimming Club Gold & Black Ball 2019, of the amount of \$5,000.

Moved Cr. N. Walker

Seconded Cr. J. Fegan

CARRIED 4/0

Attendance – Community Services Team Leader, John Van Der Meer, left the meeting room at 12:32pm.

Attendance – Director of Engineering, Environmental & Regulatory Services, David McKinley, re-entered the meeting room at 12:33pm.

8. CORPORATE SERVICES ▲

8.1 Corporate Services Report

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

Resolution No. 086/1920

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

Moved Cr. S. Royes

Seconded Cr. N. Walker

CARRIED 4/0

9. CHIEF EXECUTIVE OFFICER ▲

9.1 Relocation Assistance Policy

Council is presented with the Relocation Assistance Policy V4.

RECOMMENDATION

That Council resolve to adopt the Relocation Assistance Policy V4, as presented.

Resolution No. 087/1920

That Council resolve to adopt the Relocation Assistance Policy V4, as presented.

Moved Cr. J. Fegan

Seconded Cr. S. Royes

CARRIED 4/0

CEO has withdrawn 9.2 Tender Consideration Plan as an agenda item.

Item 5.3 - LATE CONFIDENTIAL– Tender 1819005 – Julia Creek Artesian Bath Houses & Landscaping Project is brought back to the table.

Attendance – Chief Executive Officer, Des Niesler, left the meeting room at 12:38pm.

Attendance – Director of Engineering, Environmental & Regulatory Services, David McKinley, left the meeting room at 12:40pm.

Attendance – Chief Executive Officer, Des Niesler, re-entered the meeting room at 12:41pm.

Attendance – Chief Executive Officer, Des Niesler, left the meeting room at 12:43pm.

Attendance – Director of Engineering, Environmental & Regulatory Services, David McKinley, re-entered the meeting room at 12:49pm.

Attendance – Chief Executive Officer, Des Niesler, re-entered the meeting room at 12:54pm.

Attendance – Executive Assistant, Maggie Rudolph, left the meeting room at 12:55pm.

Attendance – Cr. N. Walker left the meeting room at 12:56pm.

Attendance – Executive Assistant, Maggie Rudolph, re-entered the meeting room at 12:57pm.

Attendance – Cr. N. Walker re-entered the meeting room at 12:58pm.

RECOMMENDATION

That Council resolves to;

a) request that the tender panel undertake an assessment of the Tender returns and make a new recommendation based on the returning bids.

OR

b) authorize the CEO to undertake direct negotiations with the responding Tenderers, in accordance with the “Principal’s rights after Tenders received” contained within the Tender documents, and via direct negotiations appoint a suitable contractor.

Resolution No. 088/1920

Council resolves to defer this item to a Special Meeting of Council, to be held within the next 14 days.

Moved Cr. J. Fegan

Seconded Cr. N Walker

CARRIED 4/0

Attendance – Director of Engineering, Environmental & Regulatory Services, David McKinley, left the meeting room at 1:40pm.

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 August 2019.

11. MEMBERS BUSINESS ▲

CEO Des Niesler

- mentions a request regarding swimming lessons at the Julia Creek Swimming Pool
- Council noted the correspondence of a request by Bec Climie
- Council has asked for a formal report to be provided for the next Council meeting from the responsible officer

Cr. N. Walker

- Attended the QRA Flood Mapping Meetings in Cloncurry with Ray Fleming, CEO, and Mayor

Cr. B. Murphy

- Attended the meeting held by DAF, Aurizon & Biosecurity QLD Meeting regarding the Julia Creek Dip and Yards - went well, clarified direction for improvement of Dip and Yards
- Direction needs to be given for Stage 2 of the current business case detail design for the new Child Care Centre
 - o a block of land needs identified for the new Centre
 - o land near the Footy Oval is a possibility

The date has been changed for the October Ordinary Council Meeting from 15th October to 21st October at 9:00am.

A Local Disaster Management Group meeting is set to be held 1st October at 1:00pm.

12. CLOSURE OF MEETING



The Chair of the meeting Mayor Belinda Murphy declared the meeting closed at 2:05pm.

UNCONFIRMED