



# MCKINLAY SHIRE COUNCIL

## ***CONFIRMED MINUTES***

OF THE

## ***ORDINARY MEETING OF COUNCIL***

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

18<sup>th</sup> June 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 LATE – Modified Container Kitchen for Bush Dinners

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

- 6.1 Environmental & Regulatory Services Monthly Report
- 6.2 Trusteeship of Oorindi Cattle Yards

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

- 7.1 Community Services Monthly Report
- 7.2 Sedan Dip Sponsorship
- 7.3 GG Visit Budget

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

- 8.1 Corporate Services Monthly Report
- 8.2 Fraud Management

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

- 9.1 Revenue Policy 2019-2020 Review
- 9.2 Road Access Policy Review
- 9.3 Special and Show Holidays
- 9.4 LATE – Entertainment and Hospitality Policy Review
- 9.5 LATE – Advertising Spending Policy Review
- 9.6 LATE – Greenbank RSL Sub-Branch Donation
- 9.7 LATE – Tender Consideration Plan – Road Works
- 9.8 LATE – Disaster Recovery Funding Arrangements Program Services - 2019 Event

### **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 9:05am.

**2. ATTENDANCE** ▲

**Mayor:** Cr. B Murphy

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

**Staff:**

Chief Executive Officer, Mr. Des Niesler

Director of Engineering, Environmental & Regulatory Services, Mr. David McKinley

Executive Assistant, Ms. Maggie Rudolph

**Other people in attendance:**

Nil

**Apologies:**

Nil

**3. DECLARATION OF CONFLICT OF INTEREST** ▲**Cr. B. Murphy**

1. I declare that I have a Material Personal Interest in the matter of item 9.7 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 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 husbands company previously and intending in the future to apply for a position on the SOA for Plant Hire
- c) My relationship with Kevin Wayne Murphy is he is my husband

**Cr. J. Fegan**

1. I declare that I have a Material Personal Interest in the matter of item 9.7 as defined by section 175B of the Local Government Act 2009 as follows:

- a) My spouse Trevor Fegan and I Janene Fegan are directors of Marwill 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 our company previously and intending in the future to apply for a position on the SOA for Plant Hire
- c) My relationship with Trevor Fegan is he is my husband

**4. CONFIRMATION OF MINUTES** ▲

Confirmation of Minutes of the Ordinary Meeting of Council held on 21<sup>st</sup> May 2019.

**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on 21<sup>st</sup> May 2019 be confirmed.

**Resolution No. 194/1819**

The Minutes of Ordinary Meeting of Council held on 21<sup>st</sup> May 2019 are confirmed with the following changes:  
 - Amend Cr. Curr's Declaration for item 7.5 to be one of a Declaration of Conflict of Interest, not a Material Personal Conflict of Interest.

Moved Cr. N. Walker

Seconded Cr. P. Curr

CARRIED 5/0

#### 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 May 2019.

##### RECOMMENDATION

That Council receives the May 2019 Engineering Works Report.

##### **Resolution No. 195/1819**

Council receives the May 2019 Engineering Works Report.

Moved Cr. P. Curr

Seconded Cr. J. Fegan

CARRIED 5/0

#### 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 May 2019.

##### RECOMMENDATION

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

##### **Resolution No. 196/1819**

Council receives the May 2019 Environmental and Regulatory Services Report.

Moved Cr. N. Walker

Seconded Cr. S. Royes

CARRIED 5/0

**Attendance** – Cr. Philip Curr left the meeting room at 9:43am.

##### **5.2 LATE – Modified Container Kitchen and servery for the Bush Dinner events, Julia Creek Caravan Park**

The McKinlay Shire Council had requested quotations on the supply and delivery of a self-contained modified shipping container conversion for the purpose of operating the Bush Dinner events through the events period.

The requested requirements were based on a floor plan and inclusion list supplied by Council to the modification companies obtain a consistent or conforming quotation.

The final design and inclusions had to be functional and conform to food – health standards consist of materials and be of a construction type that would deliver low maintenance and a long service life.

Current quotation response,

Port Containers, supply and delivery as to requirements \$83585.00 excl GST + \$9300.00 excl GST for delivery, Total cost = **\$92885.00 +GST** \*please note that if a back load can be sourced the delivery price will be reduced.

Royal Wolf, supply and delivery as to requirements \$139443.00 excl GST+ \$6300.00 excl GST for delivery, Total cost = **\$145743.00 +GST**.

Gateway Containers have declined in writing.

Modified Container Company has not responded with a confirmed price.

Container Build Group has not responded with a price.

Port Shipping Containers has the capacity to undertake the works as they are a major modification company supplying full container kitchens and other container modifications, to the mining industry and other remote locations industries, their quotation response included the requirements of the inclusion list based on the quotation responses I submit the following recommendation

### **PROCEDURAL MOTION**

#### **Resolution No. 197/1819**

Council resolves to accept the 5.2 LATE – Modified Container Kitchen and server for the Bush Dinner events, Julia Creek Caravan Park.

Moved Cr. S. Royes

Seconded Cr. J. Fegan

CARRIED 4/0

**Attendance** – Cr. Philip Curr re-entered the meeting room at 9:45am.

### **RECOMMENDATION**

That Council accepts the quotation from the Port Shipping Containers, for the sum of \$102,173.50, and engages them for the supply and delivery of the modified container kitchen for the Bush Dinner events.

#### **Resolution No. 198/1819**

Council accepts the quotation from the Port Shipping Containers, for the sum of \$102,173.50, and engages them for the supply and delivery of the modified container kitchen for the Bush Dinner events.

Moved Cr. S. Royes

Seconded Cr. J. Fegan

CARRIED 5/0

## 6.2 Trusteeship of Oorindi Cattle Yards

Council were presented with a report (attachment 6.2.2) in January 2018 to see if Council were interested in accepting trusteeship of Lot 8 on BD107 also known as the 'Oorindi Cattle Yards'. Council resolved (Resolution No. 147/1718) to advise Queensland Rail that they were interested in accepting trusteeship pending advice on financial implications for Council.

Queensland Rail has advised Council that no costs would be incurred for this transfer as per email correspondence in attachment 6.2.1.

### **RECOMMENDATION**

That Council resolves to either;

- a) Advise Queensland Rail that Council wish to accept trusteeship of the Oorindi Cattle Yards or;
- b) Advise Queensland Rail that Council does not wish to accept trusteeship of the Oorindi Cattle Yards.

### **Resolution No. 199/1819**

Council resolves to advise Queensland Rail that Council wish to accept trusteeship of the Oorindi Cattle Yards.

Moved Cr. J. Fegan

Seconded Cr. S. Royes

CARRIED 5/0

**Attendance** – Director of Engineering, Environmental & Regulatory Services Mr. David McKinley left the meeting room at 10:05am.

**Attendance** – Cr. Philip Curr left the meeting room at 10:05am.

**Attendance** – CEO Mr. Des Niesler left the meeting room at 10:07am.

**Attendance** – CEO Mr. Des Niesler re-entered the meeting room at 10:11am.

## **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 May 2019.

### **RECOMMENDATION**

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

### **Resolution No. 200/1819**

Council receives the Community Services monthly report for May 2019.

Moved Cr. S. Royes

Seconded Cr. N. Walker

CARRIED 4/0

### **7.2 Sedan Dip Sponsorship**

Council is presented with a Sponsorship Request from Sedan Dip Sport and Recreation Club Inc. for consideration, in accordance with requirements of Council policy.

### **RECOMMENDATION**

That Council provisionally approve sponsorship of up to \$5,000.00 worth of water truck services to the Sedan Dip Sport and Recreation Club for their 2019 event. The provision relates to their public liability certificate.

**Resolution No. 201/1819**

Council provisionally approves sponsorship of up to \$5,000.00 worth of water truck services to the Sedan Dip Sport and Recreation Club for their 2019 event. The provision relates to their public liability certificate.

Moved Cr. N. Walker

Seconded Cr. J. Fegan

CARRIED 4/0

**Attendance** – Cr. Philip Curr re-entered the meeting room at 10:12am.

**7.3 Governor-General Visit 12 July - Budget**

Council are presented with a request from the internal event team to use available funds up to a maximum of \$60,000; including the catering, invitations of locals and ticket sales for the Governor-General (“GG”) visit and thank you dinner.

**RECOMMENDATION**

That Council approves and makes available a budget of up to a maximum of \$60,000 to be spent on the GG visit and thank you dinner for flood heroes.

**Resolution No. 202/1819**

Council approves and makes available a budget of up to a maximum of \$60,000 to be spent on the GG visit and thank you dinner for flood heroes.

Moved Cr. J. Fegan

Seconded Cr. S. Royes

CARRIED 5/0

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

The Corporate Services Report as of 31<sup>st</sup> May 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 31<sup>st</sup> May 2019.

**Resolution No. 203/1819**

Council receives the monthly Corporate Services Report for the period ending 31<sup>st</sup> May 2019.

Moved Cr. N. Walker

Seconded Cr. P. Curr

CARRIED 5/0

**8.2 Fraud Management**

Council is presented with Fraud Policy and Fraud Control Plan which will assist Council to prevent and detect fraud in the organisation.

**RECOMMENDATION:**

That Council adopts the Fraud Policy and Fraud Control Plan version 1.1 as presented.

**Resolution No. 204/1819**

Council adopts the Fraud Policy and Fraud Control Plan version 1.1 as presented.

Moved Cr. N. Walker

Seconded Cr. J. Fegan

CARRIED 5/0

**9. CHIEF EXECUTIVE OFFICER ▲****9.1 Revenue Policy Review 2019/2020**

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

The 2019/20 Revenue Policy version 1 has been prepared in accordance with relevant legislation and is presented for Councils consideration.

**RECOMMENDATION**

That Council adopt the 2019/20 Revenue Policy Version 1 as presented.

**Resolution No. 205/1819**

Council adopts the 2019/20 Revenue Policy Version 1 as presented.

Moved Cr. S. Royes

Seconded Cr. P. Curr

CARRIED 5/0

**9.2 Road Access Policy Review**

Council is presented with its Road Access Policy, last updated March 2011.

**RECOMMENDATION**

That Council reviews its Road Access Policy.

**Resolution No. 206/1819**

That Council refers the Road Access Policy back to the CEO for further review.

Moved Cr. P. Curr

Seconded Cr. N. Walker

CARRIED 5/0

**9.3 Special and Show Holidays**

Council is presented with a request to nominate a day for a show or a special holiday, from the Office of Industrial Relations.

**RECOMMENDATION**

That Council decline nominating any day for a show or special holiday, and advise the Office of Industrial Relations by Friday 19 July 2019.



**Resolution No. 207/1819**

Council declines nominating any day for a show or special holiday, and advise the Office of Industrial Relations by Friday 19 July 2019.

Moved Cr. N. Walker

Seconded Cr. P. Curr

CARRIED 5/0

**PROCEDURAL MOTION**

**Resolution No. 208/1819**

Council resolve to accept the following late items:

- 9.4 LATE – Entertainment and Hospitality Policy Review
- 9.5 LATE – Advertising Spending Policy Review
- 9.6 LATE – Greenbank RSL Sub-Branch Donation
- 9.7 LATE – Tender Consideration Plan – Road Works
- 9.8 LATE – Disaster Recovery Funding Arrangements Program Services – 2019 Event

Moved Cr. S. Royes

Seconded Cr. N. Walker

CARRIED 5/0

**9.4 LATE – Entertainment and Hospitality Policy Review**

Council is presented with its Entertainment and Hospitality Policy V2, last updated August 2014.

**RECOMMENDATION**

That Council adopt its Entertainment and Hospitality Policy as reviewed.

**Resolution No. 209/1819**

Council adopts its Entertainment and Hospitality Policy as presented.

Moved Cr. J. Fegan

Seconded Cr. P. Curr

CARRIED 5/0

**9.5 LATE – Advertising Spending Policy Review**

Council is presented with its Advertising Spending Policy, last updated May 2014.

**RECOMMENDATION**

That Council adopt its Advertising Spending Policy as reviewed.

**Resolution No. 210/1819**

Council adopts its Advertising Spending Policy as presented.

Moved Cr. P. Curr

Seconded Cr. S. Royes

CARRIED 5/0

**9.6 LATE – Greenbank RSL Sub-Branch Donation**

Council is presented with a cheque from the Greenbank RSL Sub-Branch to the value of \$2500 to be utilized as flood relief funding to ex-Service Personnel. The members of Sub-Branch explain in the attached letter, the desire that the funds are distributed to ex-Service persons, in need of assistance in McKinlay Shire.

**RECOMMENDATION**

That Council resolve to distribute the money to ex-Service persons in need of assistance within McKinlay Shire.

**Resolution No. 211/1819**

Council resolve to distribute the money to the RSL.

Moved Cr. S. Royes

Seconded Cr. J. Fegan

CARRIED 5/0

**Attendance** – Cr. Belinda Murphy and Cr. Janene Fegan, having declared a material personal interest in the matter of agenda item 9.7 as defined by *section 175B* of the *Local Government Act 2009*, left the meeting room at 11:05am taking no part in the meeting or discussion.

**9.7 LATE – Tender Consideration Plan – Road Works**

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

**RECOMMENDATION**

That Council resolves to 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 updated Register of Pre-Qualified Suppliers – Plant Hire (Register) for a further 12 months to expire on 31 December 2020

**Resolution No. 212/1819**

Council resolves to 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 updated Register of Pre-Qualified Suppliers – Plant Hire (Register) for a further 12 months to expire on 31 December 2020

Moved Cr. P. Curr

Seconded Cr. S. Royes

CARRIED 3/0

**Attendance** – Cr. Shauna Royes left and re-entered the meeting room at 11:18am.

**Attendance** – Executive Assistant, Maggie Rudolph left and re-entered the meeting room at 11:18am.

**Attendance** – Cr. Janene Fegan re-entered the meeting room at 11:22am.

**Attendance** – Cr. Belinda Murphy re-entered the meeting room at 11:22am.

### **9.8 LATE – Disaster Recovery Funding Arrangements Program Services – 2019 Event**

AECOM Australia is seeking additional funds to the order of \$172,000 to complete the initial stages of the 2019 DRFA program of works. They note that only the time and expenses actually incurred will be costed against the project.

#### **RECOMMENDATION**

That Council resolves to release additional funds equaling \$172,000 to close out the initial phase of the 2019 program of works, required as part of the Disaster Recovery Funding Arrangements 2018 (DRFA).

#### **Resolution No. 213/1819**

Council resolves to release additional funds equaling \$172,000 to close out the initial phase of the 2019 program of works, required as part of the Disaster Recovery Funding Arrangements 2018 (DRFA).

Moved Cr. N. Walker

Seconded Cr. J. Fegan

CARRIED 5/0

## **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 May 2019.

## **11. MEMBERS BUSINESS ▲**

**J. Fegan** – Access to morgue key when the DON is away  
- Signage for faded signs on buildings and roads

**N. Walker** - Letter for Greenbank RSL  
- New section of museum is open

## **12. CLOSURE OF MEETING ▲**

The Chair of the meeting Mayor Belinda Murphy declared the meeting closed at 11:35am.



Mayor Belinda Murphy