



# MCKINLAY SHIRE COUNCIL

## ***CONFIRMED MINUTES***

OF THE

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

HELD AT THE

BOARDROOM, CIVIC CENTRE  
JULIA CREEK

20<sup>th</sup> February 2020

## **ORDER OF BUSINESS**

1. Opening
2. Attendance
3. Declaration of Conflict of Interest
4. Confirmation of Minutes – Ordinary Meeting January
- 4.1 Confirmation of Minutes – Special Meeting February
- 4.2 Business Arising out of minutes of previous Meeting

### **5. ENGINEERING SERVICES**

- 5.1 Engineering Works Monthly Report

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

- 6.1 Environmental & Regulatory Services Monthly Report
- 6.2 Material Change of Use – Julia Creek STP
- 6.3 CONFIDENTIAL STP Control Issues
- 6.4 Biosecurity Plan Adoption
- 6.5 LATE CONFIDENTIAL – Tenders on McKinlay Shire Paddock Trustee Leases

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

- 7.1 Community Services Monthly Report
- 7.2 Proposed Application for Permanent Road Closure
- 7.3 CONFIDENTIAL Smart Hub Construction – Request for Tender T1920020

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

- 8.1 Corporate Services Monthly Report
- 8.2 Amended Budget Adoption 2019/20
- 8.3 Decision to Acquire Land for Overdue Rates or Charges

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

- 9.1 CEO Status Report
- 9.2 CONFIDENTIAL Lot 53 SP107207, Water License 403927 Railway Bore
- 9.3 CONFIDENTIAL AECOM Project Management
- 9.4 CONFIDENTIAL Repair of Sealed Roads

### **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, Cr. Janene Fegan, Cr. P Curr (via teleconference)

**Staff:**

Chief Executive Officer, Dr. Edwina Marks (via teleconference)  
Environmental & Regulatory Services Team Leader, Ms. Megan Pellow  
Director of Corporate & Community Services, Ms. Tenneil Cody  
Interim Community Services Team Leader, Mr. John Kelly  
Corporate Services Team Leader, Aimie Athorn  
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 material personal interest in the matter of agenda item 7.2 as defined by section 175B of the Local Government Act 2009 as follows:

- a) My spouse Kevin Wayne Murphy and I 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 Kevin Wayne Murphy and I having put in the request to Council in regards to item 7.2.
- 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.

### Cr. P Curr

1. I declare that I have conflict of interest in the matter of confidential agenda item 9.2 as defined by section 175D of the Local Government Act 2009 as follows:

- a) My sister-in-law, Amanda Stevens stands 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 Council's decision on the confidential matter regarding item 9.2.
- c) My relationship with Amanda Stevens is she is my sister-in-law.

I will be dealing with the conflict of interest by leaving the meeting while the matter is discussed and voted on.

**Cr. S Royes**

1. I declare that I have material personal interest in the matter of late confidential agenda item 6.5 as defined by section 175B of the Local Government Act 2009 as follows:

- a) I 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 the decision on the Tenders of McKinlay Shire paddocks.
- c) My relationship is; I currently lease one of the McKinlay Shire paddocks up for tender.

I will be dealing with the material personal interest by leaving the meeting while the matter is discussed and voted on.

**Cr. J Fegan**

1. I declare that I have conflict of interest in the matter of agenda item 7.2 as defined by section 175D of the Local Government Act 2009 as follows:

- a) I share a border with KW & BM Murphy, which could be affected depending on the outcome of Council's consideration of this matter.
- b) The gain or loss is due to Council's decision on the matter regarding item 7.2.
- c) My relationship with KW & BM Murphy is that I share a border with them.

I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must determine, pursuant to section 175E(4) of the Local Government Act 2009:

- (a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (b) If so, whether: -
  - i. I must leave the meeting while this matter is discussed or voted on; or
  - ii. I may participate in the meeting in relation to the matter, including by voting on the matter.

2. I declare that I have conflict of interest in the matter of confidential agenda item 7.3 as defined by section 175D of the Local Government Act 2009 as follows:

- a) My husband Trevor Fegan and I own Marwill Pty Ltd, which stands 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 Council's decision on the confidential matter regarding item 7.3.
- c) My relationship with Marwill Pty Ltd is that my husband and I own the business.

I will be dealing with the conflict of 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 28<sup>th</sup> January 2020.

**RECOMMENDATION**

That the Minutes of the Ordinary Meeting of Council held on 28<sup>th</sup> January 2020 be confirmed.

**Resolution No. 184/1920**

The Minutes of the Ordinary Meeting of Council held on 28<sup>th</sup> January 2020 are confirmed, with the amendment to John Kelly's title to be "Acting Community Services Team Leader".

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

Confirmation of Minutes of the Special Meeting of Council held on 7<sup>th</sup> February 2020.

**RECOMMENDATION**

That the Minutes of the Special Meeting of Council held on 7<sup>th</sup> February 2020 be confirmed.

**Resolution No. 185/1920**

The Minutes of the Special Meeting of Council held on 7<sup>th</sup> February 2020 are confirmed.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 5/0

**4.2 BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil

**PROCEDURAL MOTION**

That Council re-order the meeting to accept section "7. Community Services" and section "8. Corporate Services" before sections 5 and 6 of the Council Agenda.

**Resolution No. 186/1920**

Council resolves to re-order the meeting to accept section "7. Community Services" and section "8. Corporate Services" before sections 5 and 6 of the Council Agenda.

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 5/0

**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 January 2020.

**RECOMMENDATION**

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

**Resolution No. 187/1920**

Council receives the Community Services monthly report for January 2020.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

**Attendance** – Cr. B Murphy left the meeting room, having declared a Material Personal Interest in the matter of Agenda Item 7.2 as defined by *Section 175B* of the *Local Government Act 2009*, and left the meeting room at 9:39am taking no part in the meeting or discussion.

**Attendance** – Executive Assistant, Maggie Rudolph left and re-entered the meeting room at 9:39am.

**PROCEDURAL MOTION**

Cr. J Fegan declared conflict of interest in item 7.2, due to her property bordering the land in question, but has determined that this personal interest is not of sufficient significance that it will lead her to making a decision that is contrary to the public interest, in accordance with *Section 175D* of the *Local Government Act 2009*.

**Resolution No. 188/1920**

In accordance with *Section 175E(4)* of the *Local Government Act 2009*, Council resolves that it is fair for Cr. J Fegan to participate in the meeting in relation to the matter, including by voting on the matter.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 3/0

**Attendance** – Acting Community Services Team Leader, John Kelly entered the meeting room at 9:42am.

**7.2 Proposed Application for Permanent Road Closure & Part of Reserve Revocation – K W & B M Murphy**

K W & B M Murphy intend to make applications to the Department of Natural Resources, Mines and Energy (DNRME) for the:

- permanent closure of a section of road which is temporarily closed and held by Mr K W Murphy under Road Licence R.L. 234990 - Lot A on AP19916 issued by DNRME
- revocation of part of Pasturage Reserve Lot 57 on SP299144 which is severed by the registration of the road to Hilton Park in 2019 and which is contiguous to Lot 2 on SP229752 owned by W K Murphy, and
- to apply to DNRME to acquire both parcels of land.

**RECOMMENDATION**

That Council offers no objection to K W & B M Murphy submitting applications to Department Natural Resources, Mines and Energy seeking:

- permanent closure of land temporarily closed under road licence RL 34990 – Lot A on AP19916,
- revocation of a small parcel of Pasturage Reserve Lot 57 SP299144 which is located on the eastern side of the road leading to Hilton Park and contiguous to Lot 2 SP229752, and
- to W K & B M Murphy making application to acquire the land from DNRME,

subject to any closure, reserve revocation and land disposal being considered by DNRME under the Land Act including consultation and the processes for dealing with and disposal of surplus State lands.

**Resolution No. 189/1920**

That Council offers no objection to K W & B M Murphy submitting applications to Department Natural Resources, Mines and Energy seeking:

- permanent closure of land temporarily closed under road licence RL 34990 – Lot A on AP19916,
  - revocation of a small parcel of Pasturage Reserve Lot 57 SP299144 which is located on the eastern side of the road leading to Hilton Park and contiguous to Lot 2 SP229752, and
  - to W K & B M Murphy making application to acquire the land from DNRME,
- subject to any closure, reserve revocation and land disposal being considered by DNRME under the Land Act including consultation and the processes for dealing with and disposal of surplus State lands.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 4/0

**Attendance** – Acting Community Services Team Leader, John Kelly left the meeting room at 9:47am.

**Attendance** – Cr. B Murphy re-entered the meeting room at 9:47am.

**Attendance** – Cr. J Fegan left the meeting room, having declared a Conflict of Interest in the matter of Agenda Item 7.2 as defined by *Section 175D* of the *Local Government Act 2009*, and left the meeting room at 9:47am taking no part in the meeting or discussion.

**PROCEDURAL MOTION**

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

**Resolution No. 190/1920**

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

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

**7.3 CONFIDENTIAL Smart Hub Construction – Request for Tender T1920020****Confidentiality:**

This report is CONFIDENTIAL in accordance with *Section 275 1(e)* of the *Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councillor's consider it necessary to discuss *(e) contracts proposed to be made by it;*

**PROCEDURAL MOTION****Resolution No. 191/1920**

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

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 4/0

**RECOMMENDATION**

That Council award Request for Tender T1920020 – Smart Hub Construction to Strategic Builders Pty Ltd for tendered price of \$673,689.94 excluding GST, on the condition that positive referee checks are obtained.

**Resolution No. 192/1920**

Council awards Request for Tender T1920020 – Smart Hub Construction to Strategic Builders Pty Ltd for tendered price of \$673,689.94 excluding GST, on the condition that positive referee checks are obtained.

Moved Cr. S Royes

Seconded Cr. N Walker

CARRIED 4/0

**Attendance** – Director of Corporate and Community Services, Tenneil Cody left and re-entered the meeting room at 10:02am.

**Attendance** – Cr. J Fegan re-entered the meeting room at 10:02am.

**PROCEDURAL MOTION**

That Council accept late agenda item 7.4 Meeting with Dirt & Dust Committee.

**Resolution No. 193/1920**

Council resolves to accept late agenda item 7.4 Meeting with Dirt & Dust Committee.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 5/0

**Attendance** – Director of Corporate and Community Services, Tenneil Cody left and re-entered the meeting room at 10:03am.

**Attendance** – Director of Corporate and Community Services, Tenneil Cody left and re-entered the meeting room at 10:08am.

**7.4 LATE – Meeting with Dirt & Dust Committee**

A meeting was held with the Executive of the Dirt and Dust Committee on Monday 17 February 2020 at which a comprehensive range of matters were discussed including:

1. Drafting of a Memorandum of Understanding for the use of the Julia Creek Community Precinct by the Dirt & Dust Committee for the conduct of the annual Dirt & Dust Festival,
2. Matters for inclusion in the MOU,
3. Possible purchase by Council of lots 18 & 19 on JC55713 owned by D & D Committee,
4. Possible surrender by D & D of Lease dated 01/07/2012 over the whole of the site,
5. Completion of the new building, location for installation of the D & D cold room & constraints on use of the second level of the building, and
6. Matters pertaining to preparation for the 2020 Festival.

It was agreed that a synopsis of the meeting would be provided to the O.M. to be held 20 Feb 2020 and that a second draft would be presented to the Council Briefing on 3 March 2020 prior to further consideration by the D & D Committee on or around 18 March 2020.



**RECOMMENDATION**

That Council note the report relating to the preparation of a Memorandum of Understanding with the Dirt and Dust Festival Committee and that a further draft will be presented to the next briefing of Council.

**Resolution No. 194/1920**

Council notes the report relating to the preparation of a Memorandum of Understanding with the Dirt and Dust Festival Committee and that a further draft will be presented to the next briefing of Council.

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 5/0

**Attendance** – Acting Community Services Team Leader, John Kelly re-entered the meeting room at 10:09am.

**Attendance** – Acting Community Services Team Leader, John Kelly left the meeting room at 10:12am.

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

The Corporate Services Report as of 31<sup>st</sup> January 2020, 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> January 2020.

**Resolution No. 195/1920**

Council receives the monthly Corporate Services Report for the period ending 31<sup>st</sup> January 2020

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 5/0

**8.2 2019-2020 Amended Budget Adoption**

In accordance with section 170 (3) and (4) of the Local Government Regulation 2012 (Regs), Council may by resolution, amend the budget for a financial year at any time before the end of the financial year. The budget must continue to comply with section 169 of the Local Government Regulation 2012 in order for the amendment to take effect.

In accordance with the above sections an amended 2019-2020 Budget is presented for Council's consideration.

**RECOMMENDATION**

That the 2019-2020 Amended Budget; 2019-2020 Operational Plan Version 2 and the Capital Works Program Version 2 be adopted as presented.

**Resolution No. 196/1920**

Council adopts the 2019-2020 Amended Budget; 2019-2020 Operational Plan Version 2 and the Capital Works Program Version 2 as presented.

Moved Cr. B Murphy

Seconded Cr. J Fegan

CARRIED 5/0

**8.3 Acquisition of Land for Overdue Rates of Charges – Assessment Number 50-77 Goldring Street, Julia Creek, Lot 8 on JC55710**

In accordance with Section 140 (1) (c) (i) of the Local Government Regulation 2012 Council has the authority to sell the land at 77 Goldring Street, Julia Creek, more particularly described as Lot 8 on JC55710 for overdue rates or charges as some or all of the overdue rates and charges have been overdue for at least three (3) years.

In accordance with Section 148 (a) (i) and (ii) of the Local Government Regulation 2012 Council has the authority to acquire the land at 77 Goldring Street, Julia Creek, more particularly described as Lot 8 on JC55710 for overdue rates or charges as some or all of the overdue rates and charges have been overdue for at least three (3) years.

Through liaising with King & Company Solicitors, they have provided the recommendation and background below to acquire the land for the overdue rates and charges.

**RECOMMENDATION**

That Council resolve to:

- (a) acquire the land located at 77 Goldring Street, Julia Creek (described as Lot 8 on CP JC55710) for overdue rates and charges pursuant to section 149(1) of the Local Government Regulation 2012; and
- (b) delegate to the Chief Executive Officer its powers to give a Notice of Intention to Acquire the land to all interested parties, and power to take all further steps required under sections 149, 150 and 151 of the Local Government Regulation 2012 to effect the acquisition of the land.

**Resolution No. 197/1920**

Council resolves to:

- (a) acquire the land located at 77 Goldring Street, Julia Creek (described as Lot 8 on CP JC55710) for overdue rates and charges pursuant to section 149(1) of the Local Government Regulation 2012; and
- (b) delegate to the Chief Executive Officer its powers to give a Notice of Intention to Acquire the land to all interested parties, and power to take all further steps required under sections 149, 150 and 151 of the Local Government Regulation 2012 to effect the acquisition of the land.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 5/0

**PROCEDURAL MOTION**

That Council re-order the meeting to accept section “9. CEO Reports” sections 5 and 6 of the Council Agenda.

**Resolution No. 186/1920**

Council resolves to re-order the meeting to accept section “9. CEO Reports” before sections 5 and 6 of the Council Agenda.

Moved Cr. J Fegan

Seconded Cr. N Walker

CARRIED 5/0

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

Council is presented with a Status Report from the Chief Executive Officer, which provides an overview of ongoing items of Council business.

**RECOMMENDATION**

That Council receives the CEO's Status Report.

**Resolution No. 199/1920**

Council receives the CEO's Status Report.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 5/0

**Council defers item 9.2 to later on in the meeting.**

**Attendance** – Cr. P Curr left the meeting via telephone at 10:30am.

**Attendance** – Cr. P Curr re-entered the meeting via telephone at 10:35am.

**PROCEDURAL MOTION**

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

**Resolution No. 200/1920**

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

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

**9.3 CONFIDENTIAL AECOM Project Management****Confidentiality:**

This report is CONFIDENTIAL in accordance with *Section 275 1(e) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councillor's consider it necessary to discuss *(e) contracts proposed to be made by it;*

**Attendance** – Director of Corporate and Community Services, Tenneil Cody left the meeting room at 11:08am.

**Attendance** – Director of Corporate and Community Services, Tenneil Cody re-entered the meeting room at 11:09am.

**9.4 CONFIDENTIAL 2019 DRFA – Sealed Roads****Confidentiality:**

This report is CONFIDENTIAL in accordance with *Section 275 1(e) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councillor's consider it necessary to discuss *(e) contracts proposed to be made by it;*

**PROCEDURAL MOTION****Resolution No. 201/1920**

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

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 5/0

**RECOMMENDATION**

That Council;

- a) Acknowledge its current commitment of \$1.2m to 2019 REPA works to AECOM under the Local Buy contract 254-1215
- b) Acknowledge that AECOM have completed submissions for all of the 2019 REPA activities including the tender preparation for the Seals program which is a separate report to this agenda
- c) Support the decision not to utilize AECOM for any further project management or delivery of the 2019 REPA or betterment program that have been approved after December 2019
- d) Acknowledge that Council will project manage the remaining delivery of these works and that AECOM will deliver the existing 2019 works already approved in 2019.

**Resolution No. 202/1920**

That Council;

a) receive and note the report

b) have the CEO, the Director of Corporate Services, the Deputy Mayor and the Roads Portfolio Councillor - P Curr meet with AECOM to negotiate future delivery of 2019 works.

Moved Cr. P Curr

Seconded Cr. S Royes

CARRIED 5/0

**RECOMMENDATION**

That Council resolve to award the tender to Koppens Developments Pty Ltd for the tendered price of \$5,206,942.90 excl GST.

**Resolution No. 203/1920**

That Council resolve to award the tender to Koppens Developments Pty Ltd for the tendered price of \$5,206,942.90 excl GST.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 5/0

**Attendance** – Executive Assistant, Maggie Rudolph left the meeting room at 11:26am.

**Attendance** – Executive Assistant, Maggie Rudolph re-entered the meeting room at 11:27am.

**Council returns to order of the Agenda.**

## 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 January 2020.

#### **RECOMMENDATION**

That Council receives the January 2020 Engineering Works Report.

#### **Resolution No. 204/1920**

Council receives the January 2020 Engineering Works Report.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 5/0

**Attendance** – Environmental and Regulatory Services Team Leader, Megan Pellow entered the meeting room at 11:31am.

## 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 January 2020.

#### **RECOMMENDATION**

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

#### **Resolution No. 205/1920**

Council receives the January 2020 Environmental and Regulatory Services Report.

Moved Cr. N Walker

Seconded Cr. S Royes

CARRIED 5/0

### 6.2 Material Change of Use – Julia Creek STP

SLR Consulting Pty Ltd on behalf of McKinlay Shire Council has made an application for a Code Assessable Development Approval for a Material Change of Use for a Utility Installation (sewage treatment plant) and Material Change of Use for Environmentally Relevant Activities (ERA). The development permit is for the existing STP infrastructure that is located on Lot 37 on EN116 and extends to Lot 6 on SP229811 and Lot 57 SP299144. A copy of the planning assessment is attached to this report.

#### **RECOMMENDATION**

That Council advise SLR Consulting Pty Ltd on behalf of the McKinlay Shire Council that the application for a Development Permit for a Code Assessable Material Change of Use for Utility Installation (sewage treatment

plant) and Material Change of Use for Environmentally Relevant Activities (ERA) is approved subject to the conditions within the submission.

#### **Resolution No. 206/1920**

Council advise SLR Consulting Pty Ltd on behalf of the McKinlay Shire Council that the application for a Development Permit for a Code Assessable Material Change of Use for Utility Installation (sewage treatment plant) and Material Change of Use for Environmentally Relevant Activities (ERA) on Lot 6 on SP229811, Lot 37 on EN116 and Lot 57 SP299144, is approved subject to the conditions within the submission.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 5/0

### **6.3 Julia Creek STP Control Issues**

Council currently has a long-term program for the introduction of a Clear Scada telemetry network across its critical infrastructure network. The STP project and other satellite project have been addressing the issues around information transfer and recording.

The Scada program is currently designed to be introduced over a 5 year period at a rate of \$25,000 to 50,000 per year and would have reached maturity once the control network of the network was fully remote.

Additional information is held within the Background section of this report.

#### **RECOMMENDATION**

That Council resolve to reassess the levels and timeframe involved in the installation of a Clear Scada System and its additional network requirement to obtain; external controls, recording, reporting and redundancies.

#### **Resolution No. 207/1920**

Council resolves to receive and note the report.

Moved Cr. J Fegan

Seconded Cr. N Walker

CARRIED 5/0

**Attendance** – Acting Community Services Team Leader re-entered the meeting room at 11:53am.

**Attendance** – Acting Community Services Team Leader left the meeting room at 11:54am.

**Attendance** – Director of Corporate and Community Services, Tenneil Cody left the meeting room 11:54am.

### **6.4 Biosecurity Plan Adoption**

It is a requirement under the Biosecurity Act 2014 for Local Government to have a biosecurity plan for the management of invasive biosecurity matter within its Local Government Area. A final Biosecurity Plan has been developed along with McKinlay Shire Council Invasive Pest Animals Incentive Program, McKinlay Shire Council Invasive Pest Plants Incentive Programs for Councils' consideration and adoption.

#### **RECOMMENDATION**

That Council adopt the Biosecurity Plan 2019 and associated McKinlay Shire Council Invasive Pest Animals Incentive Program, McKinlay Shire Council Invasive Pest Plants Incentive Program.

#### **Resolution No. 208/1920**

Council adopts the Biosecurity Plan 2019 and associated McKinlay Shire Council Invasive Pest Animals Incentive Program, McKinlay Shire Council Invasive Pest Plants Incentive Program.

Moved Cr. N Walker

Seconded Cr. J Fegan

CARRIED 5/0

**Attendance** – Cr. S Royes left the meeting room, having declared a Material Personal Interest in the matter of Agenda Item 6.5 as defined by *Section 175B* of the *Local Government Act 2009*, and left the meeting room at 11:56am taking no part in the meeting or discussion.

### **PROCEDURAL MOTION**

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

### **Resolution No. 209/1920**

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

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 4/0

**Attendance** – Director of Corporate and Community Services, Tenneil Cody left the meeting room at 12:03pm.

### **6.5 Trustee Leases**

#### **Confidentiality:**

This report is CONFIDENTIAL in accordance with *Section 275 1(e) of the Local Government Regulation 2012*, which provides for a local government to resolve that a meeting be closed to the public if its Councillor's consider it necessary to discuss *(e) contracts proposed to be made by it;*

### **PROCEDURAL MOTION**

### **Resolution No. 210/1920**

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

Moved Cr. J Fegan

Seconded Cr. P Curr

CARRIED 4/0

### **RECOMMENDATION**

That Council;

- a) not accept any of the tenders,
- b) re-commence the tender process after the CEO obtains legal advice on the tender evaluation criteria and after Council has reviewed the proposed tender document before it is released for tender,
- c) pursuant to *Local Government Regulation s236 (1) (c) (iii)*, extend the trustee permits of the McKinlay Shire paddocks under the existing conditions for a period of four months from 1 March 2020 until 30 June 2020 by using the exception contained in this section of the regulation for not having to tender or auction the non-current asset.

**Resolution No. 211/1920**

That Council;

- a) not accept any of the tenders,
- b) re-commence the tender process after the CEO obtains legal advice on the tender evaluation criteria, and after Council has reviewed the proposed tender document before it is released for tender,
- c) pursuant to Local Government Regulation s236 (1) (c) (iii), extend the trustee permits of the McKinlay Shire paddocks under the existing conditions for a period of four months from 1 March 2020 until 30 June 2020 by using the exception contained in this section of the regulation for not having to tender or auction the non-current asset.

Moved Cr. N Walker

Seconded Cr. P Curr

CARRIED 4/0

**Attendance** – Environmental and Regulatory Services Team Leader, Megan Pellow left the meeting room at 12:50pm.

**Attendance** – Cr. N Walker left the meeting room at 12:50pm.

**Attendance** – Cr. P Curr left the meeting room at 12:51pm.

**Attendance** – Cr. N Walker re-entered the meeting room at 12:51pm.

**Attendance** – Cr. S Royes re-entered the meeting room at 12:54pm.

**Council returns to item 9.2 of the Agenda.**

**PROCEDURAL MOTION**

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

**Resolution No. 212/1920**

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

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

**9.2 CONFIDENTIAL Lot 53 SP107207, Water License No. 403971 Railway Bore****Confidentiality:**

This report is CONFIDENTIAL in accordance with Section 275 1(h) of the Local Government Regulation 2012, which provides for a local government to resolve that a meeting be closed to the public if its Councillor's consider it necessary to discuss (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;

**Attendance** – Cr. S Royes left the meeting room at 1:19pm.

**Attendance** – Cr. S Royes re-entered the meeting room at 1:21pm.



**PROCEDURAL MOTION****Resolution No. 213/1920**

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

Moved Cr. S Royes

Seconded Cr. J Fegan

CARRIED 4/0

**RECOMMENDATION**

That Council receive and note the report.

**Resolution No. 214/1920**

Council receives and notes the report, and request the CEO to seek further information.

Moved Cr. J Fegan

Seconded Cr. S Royes

CARRIED 4/0

**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 January 2020.

**Attendance** – Cr. B Murphy left the meeting room at 1:36pm

**Attendance** – Cr. B Murphy re-entered the meeting room at 1:39pm.

**Attendance** – Acting Community Services Team Leader, John Kelly left the meeting room at 2:02pm

**Attendance** – Acting Community Services Team Leader, John Kelly re-entered the meeting room at 2:04pm

**11. MEMBERS BUSINESS ▲**

<b>Cr. N Walker</b>	<ul style="list-style-type: none"> <li>- MITEZ in Cloncurry</li> <li>- Copperstring 2.0</li> <li>- Update on the project at Combo Waterhole Overshot</li> </ul>
<b>Cr. J Fegan</b>	<ul style="list-style-type: none"> <li>- Can Council formally write to QLD Health regarding an agreement for access to the Morgue Key?</li> <li>- Asks about the trees for McKinlay garden beds</li> <li>- Are Council's generators accounted for?</li> <li>- Get spare coldroom to McIntyre Park?</li> <li>- Suggestions for Newsletter</li> </ul>
<b>Cr. S Royes</b>	<ul style="list-style-type: none"> <li>- Can Council discuss when things are graded at McIntyre Park, requests other updates for McIntyre Park</li> <li>- Asks about the fences around council houses</li> </ul>
<b>Cr. B Murphy</b>	<ul style="list-style-type: none"> <li>- Raises: can Council, through operations, ensure that all policies around children and buses have been reviewed?</li> <li>- National Tourism Awards 6<sup>th</sup> March</li> </ul>

- Thank you for PM
- ROSI (Roads of Strategic Importance) update regarding future roads
- NWQROC/RRG – State election platform
- Updates on Belcarra 3
- Telstra update regarding more ports for shire
- Request to change Council Meeting from 17 March to 18 March

## 12. CLOSURE OF MEETING



The Chair of the meeting Mayor Belinda Murphy declared the meeting closed at 2:15pm.

A handwritten signature in black ink, appearing to be 'BM' with a flourish.

Mayor Belinda Murphy