



ORDINARY MEETING LATE ITEMS AGENDA

Tuesday 17 December 2024
commencing at 9:30 AM
Quilpie Shire Council Boardroom
50 Brolga Street, Quilpie

Ordinary Meeting of Council

16 December 2024

The Mayor and Council Members
Quilpie Shire Council
QUILPIE QLD 4480

Dear Members

Reference is hereby made to the Ordinary Meeting of the Quilpie Shire Council scheduled to be held at the Council Chambers, on **Tuesday 17 December 2024**, commencing at **9:30 AM**.

An agenda for the Ordinary Meeting was forwarded to all Members on 10 December 2024. In addition to the agenda, please find attached a summary of "Late Items".

Yours faithfully

Justin Hancock
Chief Executive Officer





ORDINARY MEETING OF COUNCIL AGENDA

Tuesday 17 December 2024
Quilpie Shire Council Boardroom
50 Broлга Street, Quilpie

TABLE OF CONTENTS

15	CONFIDENTIAL ITEMS.....	1
15.4	CHIEF EXECUTIVE OFFICER - CONTRACT OF EMPLOYMENT ERROR! BOOKMARK NOT DEFINED.	
16	LATE ITEMS	2
16.1	2024 ASSET MANAGEMENT PLANS	2
16.2	STAFF HOUSING TENDER 41-43 PEGLER	4

15 CONFIDENTIAL ITEMS

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2012:

15.4 Chief Executive Officer - Contract of Employment

This matter is considered to be confidential under Section 254J(3) - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the appointment, discipline or dismissal of the chief executive officer.

16 LATE ITEMS**16.1 2024 ASSET MANAGEMENT PLANS****IX: 257719****Author: Janelle Menzies, Manager Governance and Compliance****Attachments:**

1. **Asset Management Strategy (under separate cover)**
2. **Asset Management Plan - Transport Services (Roads) (under separate cover)**
3. **Asset Management Plan - Water Infrastructure (under separate cover)**
4. **Asset Management Plan - Sewerage Infrastructure (under separate cover)**
5. **Asset Management Plan - Building & Other Structures (under separate cover)**
6. **Asset Management Plan - Plant & Equipment (under separate cover)**
7. **Asset Management Plan - Other Infrastructure (under separate cover)**

KEY OUTCOME

Key Outcome: 4. Strong Governance

Key Initiative: 4.3 Maintain good corporate governance
4.5 Optimal asset management practices

EXECUTIVE SUMMARY

To formally consider and adopt the Asset Management Plans.

RECOMMENDATION

That Council adopt the updated Asset Management Plans as follows:-

- a) Asset Management Strategy
- b) Asset Management Plan – Transport Services (Roads)
- c) Asset Management Plan – Water Infrastructure
- d) Asset Management Plan – Sewerage Infrastructure
- e) Asset management Plan – Building & Other Structures
- f) Asset Management Plan – Plant & Equipment
- g) Asset Management Plan – Other Infrastructure

BACKGROUND

Section 104(5)(ii) of the *Local Government Act 2009* states that “the system of financial management established by a local government must include a long-term asset management plan. The asset management plans should align with the budget and the long-term financial forecast.

The last review of the asset management plans was in 2016. This current review of the asset management plans is to ensure that the Council is complying with the *Local Government Act 2009*.

The asset management plans should have a minor review every year to ensure that it still aligns with the long-term financial forecast and a major review every 5 to 10 years to ensure that all the technical data is correct.

It is planned to have major review of the technical data be undertaken during 2025.

OPTIONS

1. That Council adopt the updated Asset Management Plans.
2. That -Council does not adopt the updated Asset Management Plans.

CONSULTATION (Internal/External)

Leadership Team

Councillors

LEGAL IMPLICATIONS

N/A

POLICY AND LEGISLATION

Local Government Act 2009

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

RISK MANAGEMENT IMPLICATIONS

N/A

16.2 STAFF HOUSING TENDER 41-43 PEGLER**IX: 258111****Author: Janelle Menzies, Manager Governance and Compliance****Attachments: Nil****KEY OUTCOME**

Key Outcome: 1. Great Place to Live

Key Initiative: 1.1 Well-planned and highly liveable communities

Key Outcome: 2. Flourishing Economy

Key Initiative: 2.1 Reach the Q1000 population target

Key Outcome: 4. Strong Governance

Key Initiative: 4.5 Optimal asset management practices

EXECUTIVE SUMMARY

To advise council of the outcome of the Section 326 Exemption for the disposal of 41 Pegler Street to staff.

RECOMMENDATION

1. That the Council re-tender 41 Pegler Street to staff with the other properties once they become available.

BACKGROUND

At the Council meeting on 11 June 2024, Council resolved to apply for a Section 326 Exemption to dispose of assets other than tender or auction of staff housing to staff.

The Ministerial exemption was approved on 9 September 2024 and council progressed to offer the property at 41-43 Pegler for by Tender Sale to Staff for no less that the valuation received by Council.

The criteria for the sale of the property was as follows:-

- a. the respondent must remain an employee of Council as at settlement;
- b. the respondent must:

1. occupy the Property from settlement as its principal place of residence; and

2. must not sell, transfer, dispose of, lease or in any other way part with possession of the Property, within two years of the settlement date (**the Retention Period**), other than in accordance with special condition 4 of the Contract.

If the respondent wishes to sell the Property during the Retention Period, it must offer the Property to Council in accordance with special condition 4 of the Contract. Council's interest in the Property pending the expiry of the Retention Period will be secured by way of a caveat lodged at settlement pursuant to special condition 4 of the Contract.

- c. the respondent does not have an interest in any other property at the time of settlement;

The terms of the Contract include that the respondent shall have 60 days to obtain finance approval from the date of contract.

The Tender closed on Friday 13 December 2024 and no tenders were received.

OPTIONS

1. That the Council put the property out to public tender with similar conditions as those set for the staff tender except for the employment provision.
2. That the Council re-tender 41 Pegler Street to staff with the other properties once they become available.

CONSULTATION (Internal/External)

Local Government Division – Department of Housing, Local Government, Planning and Public Works.

Mayor and Councillors

Justin Hancock – Chief Executive Officer

LEGAL IMPLICATIONS

Nil

POLICY AND LEGISLATION

Section 236(1)(f) of the Local Government Act 2009 – Exemption of valuable non-current asset contracts.

(1) Subject to subsections (2) to (4), a local government may dispose of a valuable non-current asset other than by tender or auction if—

(f) the Minister exempts the local government from complying with [section 227](#)

(2) An exception mentioned in subsection (1)(a) to (e) applies to a local government disposing of a valuable non-current asset only if, before the disposal, the local government has decided, by resolution, that the exception may apply to the local government on the disposal of a valuable non-current asset other than by tender or auction.

(3) A local government may only dispose of land or an interest in land under this section if the consideration for the disposal would be equal to, or more than, the market value of the land or the interest in land, including the market value of any improvements on the land.

(4) However, subsection (3) does not apply if the land or interest in land is disposed of under subsection (1)(b), (1)(c)(ii) or (1)(f).

Section 227 of the Local Government Act 2009 – Valuable non-current asset contract – tenders or auction needed first

(1) A local government can not enter into a valuable non-current asset contract unless it first—

(a) invites written tenders for the contract under [section 228](#); or

(b) offers the non-current asset for sale by auction.

(2) This section is subject to [division 4](#)

FINANCIAL AND RESOURCE IMPLICATIONS

Revenue will be received by Council and a profit or loss on sale of the disposed assets.

RISK MANAGEMENT IMPLICATIONS

Nil