



Etheridge Shire Council

CONFIRMED MINUTES

GENERAL MEETING OF
ETHERIDGE SHIRE COUNCIL
HELD ETHERIDGE SHIRE COUNCIL
CHAMBERS
ON WEDNESDAY 16 FEBRUARY 2022,
COMMENCING AT 9.00AM



ETHERIDGE SHIRE COUNCIL

MINUTES OF THE GENERAL MEETING

HELD AT COUNCIL CHAMBERS, GEORGETOWN

ON WEDNESDAY 16TH FEBRUARY 2022

COMMENCING AT 9.00AM

ATTENDANCE

Crs, Barry Hughes, Laurell Royes, Cameron Barns, Joe Haase and Tony Gallagher

Cr Royes attended the meeting via teleconference

OFFICERS PRESENT

Mr. Ken Timms, Chief Executive Officer
Mr. David Fletcher, Director of Engineering Services
Mr. Andrew McKenzie, Director of Corporate Services
Miss Logan Bethel, Executive Assistant to the Chief Executive Officer

GALLERY

The Chair declared the meeting open at 9.00am and welcomed all in attendance.

ACKNOWLEDGEMENT TO COUNTRY

We would like to acknowledge the traditional owners of this land and pay our respects to the Elders past, present and future for they hold the history, cultural practice and traditions, of their people."

DECLARATION OF CONFLICTS OF INTEREST

Cr Royes declared a prescribed conflict of interest for items 2 and 3 in the Closed Session Addendum regarding the Kennedy Developmental CN – 16827 Provision of Pipe Layers, Concreters & Form Setters – VP287984 and Kennedy Developmental Road CN – 16827 Supply and Deliver Concrete and Stabilized Sand – VP286933. Cr Royes will leave the meeting during the discussion of this matter and will not vote.

TELECONFERENCE ATTENDANCE

EXECUTIVE SUMMARY

Section 254K (*Participating in meetings by audio link or audio visual link*) of the Local Government Regulation 2012 states that:

(1)A local government may allow a person to take part in a meeting of the local government by audio link or audio visual link.

(2)A committee of a local government may allow a person to take part in a meeting of the committee by audio link or audio visual link.

(3)A councillor or committee member who takes part in a local government meeting under subsection (1) or (2) is taken to be present at the meeting if the councillor or member was simultaneously in audio contact with each other person at the meeting.

RESOLUTION

That Cr Royes be allowed to attend the meeting via teleconference.

MOVED: Cr. Gallagher

SECONDED: Cr. Barns

CARRIED
RESOLUTION #22.02.1
4/0

CONSIDERATION OF MINUTES

General Meeting Minutes – Wednesday 19th January 2022

RESOLUTION:

That the Minutes of the General Council Meeting held at Georgetown on Wednesday 19 January 2022 be confirmed.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED
RESOLUTION #22.02.2
5/0

BUSINESS ARISING FROM GENERAL MEETING MINUTES

Cr Gallagher- 21.9.12 Gilbert River Cemetery- Requested an update.
21.11.13 Railway Shed- Requested an update.
21.12.14 Opening of Charleston Dam- Requested an update.

Cr Barns- 21.9.15 Requested an update on the Town Common Policy.
22.01.9 Forsyth Waste Disposal Transfer Station- Requested an update.
21.05.12 Pavers- Requested another update.

CONSIDERATION OF OPEN REPORTS

DIRECTOR CORPORATE SERVICES

Briefing Report

RESOLUTION

That Council acknowledges and receives the Director of Corporate and Community Services' Briefing Report.

MOVED: Cr. Gallagher

SECONDED: Cr. Royes

CARRIED
RESOLUTION #22.02.3 DCS
5/0

ATTENDANCE

Cr Barns left the meeting at 9.34am and returned at 9.35am.

1

Financial Performance (Actual v Budget) for the period 1 July 2021 to 31st January 2022

EXECUTIVE SUMMARY

Section 204 of the Local Government Regulation 2012 requires the Chief Executive Officer to present a Financial Report of its accounts to the Local Government at least monthly.

RESOLUTION

That Council pursuant Section 204 of the *Local Government Regulation 2012*, resolve to adopt the monthly Financial Report the period ending 31st January 2022, as presented.

MOVED: Cr. Barns

SECONDED: Cr. Haase

CARRIED
RESOLUTION #22.02.4 DCS
5/0

ADJOURNMENT

Council adjourn for morning tea at 10.10am

RESUMPTION

Council resumed the meeting at 10.35am

2

Budget Review

EXECUTIVE SUMMARY

Under s104 of the *Local Government Act 2009*, Council must have an annual budget as part of its suite of financial planning documents. Council's budget was adopted 28th July 2021, and complied with the requirements of s169 of the *Local Government Regulation 2012*.

A review of Council's budget has been completed. It is proposed that Council amend its budget to address issues that have emerged since its adoption. Section 170(3) of the *Local Government Regulation 2012* allows Council to amend its budget any time before the end of the financial year.

RESOLUTION

That Council defer the Budget Review to the General Meeting on the 16th March 2022 due to absence of complete set of financial documents.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED
RESOLUTION #22.02.5 DCS
5/0

3

Biosecurity Planning Advisory Committee

EXECUTIVE SUMMARY

Council at its January Meeting resolved to establish a Biosecurity Planning Advisory Committee to assist in providing feedback on the draft Regional Biosecurity Plan and developing a subordinate, Shire Biosecurity Plan.

A draft terms of reference for the Biosecurity Planning Advisory Committee has been developed, and is tabled for Council's consideration and adoption.

RESOLUTION

That Council adopt the Biosecurity Planning Advisory Committee Terms of References as tabled, and confirm the membership of the Advisory Committee as follows: -

- Chair: Cr Laurell Royes, Deputy Mayor;

- Members: Mr Tom Saunders
Mrs Katarina Keough
Mrs Lyn French
Mr Brendon Fry
Mr Michael Furber
Mr Warren Bethel

- Advisors: Mr Andrew McKenzie, Committee Secretary
Mr Loukas Elgey, Rural Lands Officer
Representative from Gulf Savannah
Representative from Southern Gulf NRM

MOVED: Cr. Gallagher

SECONDED: Cr. Barns

CARRIED
RESOLUTION #22.02.6 DCS
5/0

4

Internal Audit

EXECUTIVE SUMMARY

Section 207 of the Local Government Regulation, requires Council to establish an internal audit function. Most rural remote Councils appoint an external Accounting firm as their internal auditor. In the recent past, Council has used Arabon Audit & Assurance Pty Ltd (Brendan Mcrae) however, their contract expired December 2021. Preliminary discussions have been held with Pacifica Chartered Accountants (Cairns) to ascertain their interest in taking over as Council's Internal Auditor. Pacifica are interested and have forwarded a Firm Capability Statement for Council's consideration. Pacifica are registered with LocalBuy. To complement an internal audit function, the Regulation permits Councils to establish Audit Committees. It is proposed that Council consider re-establishing an Audit Committee to oversee Council's financial controls, governance, internal & external audits and end of year financial reporting.

RESOLUTION

That Council: -

1. Appoint Pacifica Chartered Accountants as Council's internal auditor for a period of 3 years, under LocalBuy contract No.BUS 272.

MOVED: Cr. Haase

SECONDED: Cr. Royes

CARRIED
RESOLUTION #22.02.7 DCS
5/0

RESOLUTION

That Council-

2. Adopt the attached Internal Audit Policy;
3. Re-establish an Audit Committee under s210 of the *Local Government Regulation 2012*;
4. Adopt the attached Audit Committee Charter;
5. Authorise the Director of Corporate Services to seek expressions of interest from suitably qualified people to become the 3rd member of the Internal Audit Committee

MOVED: Cr. Gallagher

SECONDED: Cr. Barns

CARRIED
RESOLUTION #22.02.8 DCS
5/0

RESOLUTION

That Council-

1. Appoint Mayor, Cr Hughes and Cr Royes as members of the Audit Committee.

MOVED: Cr. Gallagher

SECONDED: Cr. Barns

CARRIED
RESOLUTION #22.02.9 DCS
5/0

CONSIDERATION OF CLOSED REPORTS

RESOLUTION

That Council go into closed session at 11.20am to discuss rating concessions under section 254J of the Local Government Regulation 2012 which states that

- (1) A local government may resolve that all or part of a meeting of the local government be closed to the public.
- (2) A committee of a local government may resolve that all or part of a meeting of the committee be closed to the public.
- (3) However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss
- (d) Rating Concessions.

MOVED: Cr. Gallagher

SECONDED: Cr. Haase

CARRIED
RESOLUTION #22.02.10
5/0

5

Properties Outstanding Rates 3 Years Plus

EXECUTIVE SUMMARY

Current Properties in Etheridge Shire which have outstanding rates 3 Years or more. Outstanding amount as of 16 February 2022.

| Assessment No. | Property Description | Street Address |
|-----------------|----------------------|---------------------------------|
| 00021-50000-000 | L209 E5081 | Daintree Street, Einasleigh |
| 00068-70000-000 | L1766 CP846531 | 6 Sixth Street, Einasleigh |
| 00109-10000-000 | L5 MPH14048 | 9 Fourth Street, Forsayth |
| 00209-00000-000 | L71 GB111 | 2 North Street, Georgetown |
| 00210-00000-000 | L2 MPH22959 | 8 High Street, Georgetown |
| 00243-00000-000 | L11 GB112 | 9-13 Haldane Street, Georgetown |
| 00254-20000-000 | L4 MPH40897 | 17 Crampton Road, Georgetown |
| 00265-17000-000 | L22 SP217469 | 22 Collins Street |
| 00287-00000-000 | L1 MPH33279 | 4 Short Street |

RESOLUTION

That pursuant to section 140(2) of the *Local Government Regulation 2012*, Council resolve to commence proceedings to sell the following properties for arrears of rates: -

| Assessment No. | Property Description | Street Address |
|-----------------|----------------------|-----------------------------|
| 00021-50000-000 | L209 E5081 | Daintree Street, Einasleigh |
| 00068-70000-000 | L1766 CP846531 | 6 Sixth Street, Einasleigh |
| 00109-10000-000 | L5 MPH14048 | 9 Fourth Street, Forsayth |
| 00209-00000-000 | L71 GB111 | 2 North Street, Georgetown |
| 00210-00000-000 | L2 MPH22959 | 8 High Street, Georgetown |

CONFIRMED MINUTES – GENERAL MEETING, 16 FEBRUARY 2022

| | | |
|-----------------|--------------|---------------------------------|
| 00243-00000-000 | L11 GB112 | 9-13 Haldane Street, Georgetown |
| 00254-20000-000 | L4 MPH40897 | 17 Crampton Road, Georgetown |
| 00265-17000-000 | L22 SP217469 | 22 Collins Street |
| 00287-00000-000 | L1MPH33279 | 4 Short Street |

MOVED: Cr. Barns

SECONDED: Cr. Royes

CARRIED
RESOLUTION #22.02.11 DCS
5/0

6

Request for Discount on Rates & Waiver of Interest

EXECUTIVE SUMMARY

Council has received correspondence from the owner of rate assessment No. 00094-53000-000, property located at Sixth Street, Forsyth, advising that the owner had a medical episode and was in hospital for a number of days in October 2021 including 25 October (which was close of discount date), and subsequently missed discount. Interest is accruing over the overdue amount. The owner is now seeking Council's discretion in granting discount and waiving accrued interest.

RESOLUTION

That pursuant to section 130(10) of the *Local Government Regulation 2012*, Council determine not to grant discount and waive accrued interest on rate assessment No. 00094-53000-000, property located at Sixth Street, Forsyth.

MOVED: Cr. Gallagher

SECONDED: Cr. Haase

CARRIED
RESOLUTION #22.02.12 DCS
5/0

COMING OUT OF CLOSED SESSION

RESOLUTION

That Council come out of closed session at 11.40am.

MOVED: Cr. Barns

SECONDED: Cr. Haase

CARRIED
RESOLUTION #22.02.13 DCS
5/0

DIRECTOR ENGINEERING SERVICES

Briefing Report

RESOLUTION

That Council acknowledges and receives the Director Engineering Services' Briefing Report.

MOVED: Cr. Haase

SECONDED: Cr. Hughes

CARRIED
RESOLUTION #22.02.14 DES
5/0

ATTENDANCE

Cr Haase left the meeting at 12.00pm and returned at 12.01pm.

ATTENDANCE

Mr Ken Timms left the meeting at 12.04pm and returned at 12.04pm

1

Savannah Road

EXECUTIVE SUMMARY

Council has been requested to reconsider the policy and the resulting Resolution #21.12.13 DES regarding the Savannah Access Road that would see Council provide the access road.

RESOLUTION

That Council acknowledges the request to amend the Maintained and Unmaintained Unformed Roads Policy. However this request is denied and furthermore that council reconfirms its original resolution that council have no objection of construction of a new access at the landholders cost.

MOVED: Cr. Haase

SECONDED: Cr. Hughes

CARRIED
RESOLUTION #22.02.15 DES
5/0

ATTENDANCE

Mr Andrew McKenzie left the meeting at 12.50pm and returned at 12.54pm

ADJOURNMENT

Council adjourn for lunch at 12.58pm

RESUMPTION

Council resumed the meeting at 1.35pm

CONSIDERATION OF CLOSED ADDENDUM REPORTS

RESOLUTION

That Council go into closed session at 1.36pm under section 254J (1) and (3) which states that *negotiations relating to a commercial matter involving the local government, for which a public discussion would be likely to prejudice the interests of the local government.* To discuss Register of Preferred Suppliers for Wet & Dry Hire of Plant and Equipment.

MOVED: Cr. Gallagher

SECONDED: Cr. Haase

CARRIED
RESOLUTION #22.02.16
4/0

ATTENDANCE

Cr Royes declared a prescribed interest and left the meeting at 1.42pm

2

Kennedy Developmental CN – 16827 Provision of Pipe Layers, Concreters & Form Setters – VP287984

EXECUTIVE SUMMARY

A tender was place with Local Buy/Vendor Panel for Provision of Pipe Layers, Concreters and Form Setters Kennedy Developmental Road.

Tenders were assessed and ranked by price and performance on prior projects. NCH Civil Construction had worked on previous Kennedy Developmental projects and has provide a good service on those projects.

RESOLUTION

That Council resolves to accept the tender provided by NCH Civil Construction for the Provision of Pipe Layers, Concreters and Form Setters to the value of \$483,780.00 Incl GST

MOVED: Cr. Gallagher

SECONDED: Cr. Barns

CARRIED
RESOLUTION #22.02.17 DES
4/0

3

Kennedy Developmental Road CN – 16827 Supply and Deliver Concrete and Stabilized Sand – VP286933

EXECUTIVE SUMMARY

Tenders were assessed and ranked by price and previous performance on past projects.

Bolwarra Enterprises have provided the best price but there performance has been average on some of the projects. Due to the significant price difference between the two suppliers of \$50,875.00 Incl GST it would be hard to justify not using Bolwarra Enterprises for the project.

Performance will be monitored on this project to ensure they are meeting the project team's expectations and any issues raised will be addressed with Bolwarra Enterprises through the non-conformance process.

RESOLUTION

That Council resolves to accept the tender provided by Bolwarra Enterprises for the Supply and Delivery of Concrete and Stabilized Sand to the value of \$618,585.00 Incl GST

MOVED: Cr. Hughes

SECONDED: Cr. Haase

CARRIED
RESOLUTION #22.02.18 DES
4/0

COMING OUT OF CLOSED SESSION

RESOLUTION

That Council come out of closed session at 1.53pm

MOVED: Cr. Gallagher

SECONDED: Cr. Barns

CARRIED
RESOLUTION #22.02.19
4/0

ATTENDANCE

Cr Royes returned to the meeting at 1.56pm.

CHIEF EXECUTIVE OFFICER

Briefing Report

RESOLUTION

That Council acknowledges and receives the Chief Executive Officer's Briefing Report.

MOVED: Cr. Royes

SECONDED: Cr. Haase

CARRIED
RESOLUTION #22.02.20 CEO
5/0

ATTENDANCE

Cr Barns left the meeting at 2.15pm and returned at 2.17pm

CONSIDERATION OF OPEN ADDENDUM REPORTS

1

Community Support Policies

EXECUTIVE SUMMARY

Financially some organisations within the shire / region are unable to host successful events or maintain their facilities to an appropriate standard. It is Councils desire to support these associations as per the Corporate Plan. As per Local Government Regulation, if Council wish to assist a fair and transparent process needs to be adopted.

Attached are 3 policies to assist Council in supporting local organisations to hold events and or assist them in maintaining their facilities to an appropriate standard. Implementing these polices enables Council to assist local organisations fairly, whilst maintaining transparentness throughout the process. These polices will be supported by funding in Councils budget.

RESOLUTION

That as per section 194 of the Local Government Regulations 2012, Council adopt the following polices:-

1. Etheridge Shire Council In-Kind Support Policy
2. Etheridge Shire Council Grants to Community Organisations Policy
3. Etheridge Shire Council Sponsorship Policy

MOVED: Cr. Barns

SECONDED: Cr. Hughes

CARRIED
RESOLUTION #22.02.21 CEO
5/0

ADJOURNMENT

Council adjourn for afternoon tea at 2.53pm

RESUMPTION

Council resumed the meeting at 3.00pm

2

Council Meeting Procedure

EXECUTIVE SUMMARY

A request has been received from Councillor Haase, that Council commence their general meeting with a Prayer.

The Prayer is of no particular faith, it is simply a time to reflect on your roles prior to making decisions on behalf of the shire and the community as a whole.

RESOLUTION

That Council amend the General Meeting procedure to include a prayer at commencement of the Meeting. Further the prayer to be read is:-

"We ask the today you give us wisdom to make good decisions to benefit our communities. Help us see what will benefit our shire and give us hearts to serve others. Amen".

MOVED: Cr. Haase

SECONDED: Cr. Barns

CARRIED
RESOLUTION #22.02.22 CEO
3/2

Cr Hughes & Cr Gallagher recorded that they voted against this Resolution.

GENERAL BUSINESS

Cr Gallagher

- Propose pipeline to the Georgetown cemetery to put water on for people to use to maintain their graves.
- Propose we have a minute in silence to pay our respects to people that have passed on when we offer our condolences.
- Bitumen the road to cemetery
- Question flood damage - Mt Talbot Road.
- Does Council give out chemicals to residents of shire to kill weeds
- Drainage problems in First Street photos sent to CEO at recent rain event.

Cr Barns

- Hook bin truck for dump transfer, can it have a pump out unit put on it to cater for RV dump points?
- Road Safety Audit, Pits at KDR is it currently being done?
- Have the costings been done for Travellers Tavern crossover?
- Carpentaria bridge update, what was the result of inspection last week?
- Can Liability protection for private landowners/contractors to do their own road sections be handled in a more accommodating way?
- Requested an update on Forsayth intersection/ Cul De sac.
- Requested an ERA 16 pit application update.

Cr Haase

- Defibrillators, discussion about one for the sports centre?
- Forsayth Tennis Court- has not had any treatment since wrongfully sent out a upkeep yard notice.
- Requested an update Zabels letter

Cr Royes

Nil

Cr Hughes

Nil

ATTENDANCE

Cr Royes left the meeting at 4.17pm.

ATTENDANCE

Cr Haase left the meeting at 4.25pm.

CONCLUSION

There being no further business the Mayor declared the Meeting closed at 4.34pm.

These minutes will be confirmed by Council at the General Meeting held on the Wednesday the 16th March 2022.

B. G. Hughes
.....
MAYOR

17 / 3 / 2022
.....
DATE