



CONFIRMED MINUTES

GENERAL MEETING OF

ETHERIDGE SHIRE COUNCIL

HELD

ST GEORGE STREET, GEORGETOWN

ON WEDNESDAY 21 AUGUST 2019,

COMMENCING AT 8.00AM

ETHERIDGE SHIRE COUNCIL

MINUTES OF THE GENERAL MEETING

HELD AT GEORGETOWN

ON WEDNESDAY 21 AUGUST 2019

COMMENCING AT 8.00AM

ATTENDANCE

Crs W Devlin, W Attwood, E Loudon, & T Gallagher

OFFICERS PRESENT

Mr David Munro, Chief Executive Officer
Mr. Ian Kuhn, Director Corporate and Community Services
Miss Sydney Ryan, Administration Officer

GALLERY

Mr Ian Carrol attended the Gallery

The Mayor declared the meeting open at 8:00 am and welcomed all in attendance.

ACKNOWLEDGEMENT TO COUNTRY

We respectfully acknowledge the Ewamian People - the traditional custodians of this land where we meet for the General Meeting. We pay our respects to the Ewamian People, especially the Elders, past and present and acknowledge their traditional customs and lores and recognize their continuing connection to this Country.

We look forward to a long and continuing relationship with the Ewamian People and value any opportunities in strengthening relationships and partnerships through collaboration by respecting their Country.

DECLARATIONS

Councillors discussed making declarations prior to each agenda item and agreed that this will be the best way forward.

APOLOGIES

RESOLUTION:

That Council:

Resolve to approve Cr Bethel a leave of absence for the August General Meeting of Council.

MOVED: Cr Attwood

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2699
4/0

CONSIDERATION OF MINUTES

General Meeting Minutes – Wednesday 19 June 2019

RESOLUTION:

That the Minutes of the General Council Meeting held at Georgetown on Wednesday 17 July, 2019 be confirmed.

MOVED: Cr Attwood

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2700
4/0

BUSINESS ARISING FROM GENERAL MEETING MINUTES

NIL

INFORMATION BULLETIN

Discussions regarding reports from the Chief Executive Officer, Engineering Services, Childcare Centre, Gilbert River Project Officer and the Terrestrial Centre and the Action Taken List from previous General Meetings.

Business arising from the Information Bulletin

Cr Attwood –

- Requested information on the details from the FNQ Regional Roads Meeting relating to the implementation of give way signs on the Gulf Development Road.

Cr Gallagher –

- Made note of Council's Finance Manager, Ms Jenni Alexander's resignation and suggested a thank you send off.

Cr Loudon –

- Discussed information from the latest Northern Alliance of Councils Conference held in Bowen, specifically the concept of using existing phone towers to bounce signal to more areas within the Shire.

Mayor –

- Requested more information on the blackspot mobile phone service area in Mt Surprise.
- Gave an update on the Charleston Dam Project.

Resolution

That Council:

Resolve for the Chief Executive Officer to investigate the possibility of networking all communication towers (mobile & repeater towers) in the Etheridge Shire to reduce Telecommunication Black spots.

MOVED: Cr Attwood

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2701
4/0

CONSIDERATION OF OPEN REPORTS

GMCCS1.

Local Road of Regional Significance (LRRS)

EXECUTIVE SUMMARY

To access funds through the Transport Infrastructure Development Scheme (TIDS), Council needs to identify and nominate Local Roads of Regional Significance (LRRS) and submit an application to the Local Regional Road Group (LRRG) for acceptance and approval.

TIDS funding is on a 50/50 basis and is allocated as a lump sum amount to the LRRG which is then distributed on a competitive ranking basis to Councils within that LRRG.

RESOLUTION

That Council:

Notes and receives the officer's report and furthermore that Council make an application to the Far North Queensland Regional Road Group to have part of Van Lee Road included as a Local Road of Regional Significance (LRRS) from Chainage 71.9 to Chainage 80.8.

MOVED: Cr Attwood

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2702
4/0

REASONS FOR DECISION

Tourism plays an important role in the local and regional economy, bringing tourist and economic benefits to the Shire. Continued exposure and ready access to Etheridge Shire's businesses and attractions is important for sustaining and enhancing tourism in the Shire.

GMCCS2.

Plant Procurement Budget 2019|2020

EXECUTIVE SUMMARY

Council has adopted the 2019/20 Plant Budget which is incorporated within Councils Capital Budget for the financial year ending June 2020. Councils 2019/20 Budget was adopted at the June General Meeting.

At the July 2019 General Meeting, Council has requested that the Chief Executive Officer provide Council with a report on the 2019/20 Plant Procurement Budget for 2019/20.

RECOMMENDATION

That Council:

Resolve to note and receive the officer's report and furthermore that Council resolve to amend the 2019/20 Plant Budget to reflect the following:

- 1. Delete the purchase of a 950 Loader;*
- 2. Replace the purchase of a 950 Loader with a 2nd hand D6T Dozer*

And furthermore that Council provides a detailed specification document with all attachments and safety obligations prior to the purchase of a 2nd Hand Dozer and furthermore that Council resolve to purchase the 2nd Hand Dozer pursuant to and in accordance with S.235(e) of the Local Government Regulation 2012 and delegate authority to the Chief Executive Officer and the Mayor to purchase the 2nd hand Dozer within a budget allocation of \$_____.

RESOLUTION

That Council:

Resolve to lay this matter on the table until further notice.

MOVED: Cr Gallagher

SECONDED: Cr Attwood

CARRIED
RESOLUTION NO.2019/GM2703
4/0

GMCCS3.

GET READY QUEENSLAND FUNDING 2019-20

EXECUTIVE SUMMARY

Etheridge Shire Council has been awarded \$6,780 (excluding GST) from the Queensland Reconstruction Authority to administer the 2019-20 Get Ready Queensland program. This program calls for Council to direct the funds towards activities that enhance community resilience and community knowledge of the requirements of disaster preparedness.

Council submitted the Plan of Activities that outlines the funds are to be used to “Install hard standing community information sign(s) to display road closures and warnings.”

In order to complete the activity above as specified by Council, quotes along with information regarding the site(s) of installation and the type of signage has been included in this report for further consideration.

RESOLUTION

That Council:

Notes and receives the officer's report and furthermore resolves that the Get Ready Queensland funding of \$6,780 be utilised to erect a 2500 x 1500 mm wind up Changeable Message Road board in the SES yard in Georgetown on the Gulf Development Road.

MOVED: Cr Loudon

SECONDED: Cr Attwood

CARRIED
RESOLUTION NO.2019/GM2704
3/1

Cr Gallagher voted against the resolution because Cr Gallagher preferred to purchase two signs for the Shire by choosing the cheaper alternative.

REASONS FOR DECISION

The resolved activity:

- Complies with the GRQ Funding Guidelines,
- Is within the allocated budget,
- Meets the terms of TMR's requirements and specifications for Roadside Signs,
- Is fit for the purpose of displaying short messages, for example – road closures and warnings.

GMCCS4.

Works for Queensland (W4Q) 2019-21 – Terrestrial Centre Upgrade

EXECUTIVE SUMMARY

The 2019-21 Works for Queensland (W4Q) program is a \$200 million Queensland Government funding program over two years, to support eligible Councils undertake job-creating maintenance and minor works.

The aim of the 2019-21 W4Q is to create and/or sustain jobs for Queenslanders with the primary objective of the 2019-21 W4Q program is to support eligible Councils undertake job creating and/or job sustaining maintenance and minor infrastructure projects relating to assets owned or controlled by Councils.

Council submitted an application to the Department of Local Government, Racing and Multicultural Affairs for the “Upgrade of the Terrestrial Centre”, with Council being notified by the Minister on the 16th May 2019 that the application was approved.

Council has conducted previous workshops regarding the upgrade to this Centre, however Council needs to provide additional input to narrow down the scope of works to enable detailed Tender Specifications to be developed to allow this project to commence.

RESOLUTION

That Council:

Notes and receives the officer's report and furthermore that Council endorses the following inclusions to be incorporated within the Tender Specification for the upgrade of the Terrestrial Centre:

- 1. Coffee Shop (specifications to include fit out)*
- 2. Theatre Room (to accommodate up to 25 patrons, specifications to include fit out and all IT & Digital requirements)*
- 3. The façade of the building to be similar to concept drawing No.2 (as attached)*
- 4. Open space to allow for free standing history boards, interactive boards and for static displays*
- 5. Fully air-conditioned*
- 6. Additional toilets to be included*
- 7. The building is to be compliant to incorporate two levels*
- 8. Accessible access to second floor*
- 9. AV displays showcasing what to see & do in Etheridge Shire*
- 10. Professional Lighting*
- 11. VR Simulator*
- 12. Solar Power*
- 13. Be creative and innovative to fully utilise the space available*

MOVED: Cr Loudon

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2705
4/0

REASONS FOR DECISION

Eligible Councils should ensure all necessary plans, documents, permissions, approvals, specifications and estimates of costs have been prepared prior to commencement of works and furthermore eligible Councils are required to cost projects accurately and must ensure, in delivery, normal procurement and value for money practices apply.

The Department may seek additional information on Councils' submitted List of Projects as per the funding agreement and program guidelines.

ADJOURNMENT

Council Adjourn for morning tea at 9:55 am

RESUMPTION

Council resume the meeting at 10:15 am

GMCCS5.

Green Season Filming – TVC & Social Clips Review

EXECUTIVE SUMMARY

In March 2019, green season footage of the Etheridge Shire was captured to be incorporated with previous footage and developed into new Television Commercials and Social Media Clips that can be utilised to advertise the Etheridge Region.

RESOLUTION

That Council:

Notes and receives the officer's report and furthermore that Council endorses the Green Season footage and furthermore that Council requests some minor changes to the Green Season footage prior to the final editing of the Green Season footage and furthermore that the requested changes to

the Green Season footage is presented to Council at the September General Meeting for final acceptance and approval by Council.

MOVED: Cr Attwood

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2706
4/0

GMCCS6.

Etheridge Shire Council – University Scholarship Program

EXECUTIVE SUMMARY

In the 2013/14 financial year Council introduced a University / Tertiary Scholarship program for the Etheridge Shire. Within the 2019/20 Budget Council has continued to sponsor and support this Scholarship Program.

This report is to seek the endorsement of the said policy and to confirm the opening and closing dates for the Scholarship.

RESOLUTION

That Council:

Endorse the Etheridge Shire Council - University Scholarship Policy, Scholarship Agreement and Application Form and furthermore commence advertising from the 2nd September 2019 with a closing date being 20th December 2019 with the annual scholarship recipient being publicly announced as part of the 2020 Australia Day Award ceremony.

MOVED: Cr Gallagher

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2707
4/0

GMCCS7.

Australia Day Awards for achievements gained in 2019

EXECUTIVE SUMMARY

Etheridge Shire Council would like to invite its communities to ‘celebrate what’s great about Australia’ in preparation for our Australia Day activities and events in 2020. To help us prepare nominations are now sought for Etheridge’s annual Australia Day Awards. Council invites your nomination of individuals and/or groups who have made significant contributions to their community, and the Etheridge region, in 2019.

RESOLUTION

That Council:

Call nominations for 2020 Australia Day Awards in the following categories:-

- *The Citizen of the Year;*
- *The Junior Citizen of the Year;*
- *The Community Organisation of the Year or Community Event of the Year;*
- *Senior Sports Medallion;*
- *Junior Sports Medallion*

And furthermore that the nominations close 4.00pm on Friday 6th December 2019 with Council determining the recipients of the Awards at the General Meeting to be held Wednesday 18th December 2019 and furthermore that Council endorse an application under the Australia Day Ambassador Program delivered by the Department of Premier and Cabinet.

MOVED: Cr Gallagher

SECONDED: Cr Attwood

CARRIED
RESOLUTION NO.2019/GM2708
4/0

GMCCS8.

Georgetown Hostel Grand Reunion

EXECUTIVE SUMMARY

The Georgetown Hostel is celebrating 50 Years of operation in 2019 and whilst this was recognised as part of Etheridge Shire Council's Centenary Celebrations in March, Council and Community have indicated interest in the idea of a reunion as well.

RESOLUTION

That Council:

Notes and receives the officer's report and endorses the Georgetown Hostel Grand Reunion function, timeframe and contingencies and furthermore allocates up to \$10,000 for the event budget.

MOVED: Cr Gallagher

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2709
4/0

GMCCS9.

Etheridge Shire Council – Financial Statements FYE 2019

EXECUTIVE SUMMARY

Pursuant to Section 211 of the Local Government Regulation 2012, a completed set of the Local Governments financial statements for the preceding financial year before the statements are certified and given to the auditor-general under section 212 must be presented to the Audit Committee and in the event that Council does not have an Audit Committee it is taken to be a reference to the Chief Executive Officer in accordance with S.207 of the Local Government Regulation 2012.

Furthermore, in accordance with Section 212, a local government's general purpose financial statements and current-year financial sustainability statement for a financial year must be given to the auditor-general for auditing plus its local government's long-term financial sustainability statement for the financial year must be given to the auditor-general for information.

The financial statements must be given to the auditor-general by a date agreed between the Chief Executive officer and the auditor-general and furthermore the date agreed must allow the audit of the financial statements, and the auditor-general's audit report about the statements, to be completed no later than 4 months after the end of the financial year to which the statements relate.

Council has prepared the FYE 2019 Statements in accordance with the requirements contained within the Local Government Act & Regulations and in accordance with Australian Accounting Standards, Australian Accounting Interpretations and other authoritative pronouncements issued by the Australian Accounting Standards Board.

RESOLUTION

That Council:

Notes and receives the Officers Report and furthermore that Council endorses Etheridge Shire Council's 2018/2019 Financial Statements for presenting to the Auditor General's (representative) and furthermore that Council has prepared the FYE 2019 Statements in accordance with the requirements contained within the Local Government Act & Regulations and in accordance with Australian Accounting Standards, Australian Accounting Interpretations and other authoritative pronouncements issued by the Australian Accounting Standards Board.

That Council acknowledge the work of the Finance Manager in relation to the preparation and timely completion of the 2018/19 financial statements.

MOVED: Cr Devlin

SECONDED: Cr Attwood

CARRIED
RESOLUTION NO.2019/GM2710
4/0

REASONS FOR DECISION

In accordance with S.211 & S.212 of the Local Government Regulation 2012 a completed set of the Local Governments financial statements for the preceding financial year before the statements are certified and given to the auditor-general under section 212, must be presented to the Audit Committee and in the event that Council does not have an Audit Committee it is taken to be a reference to the Chief Executive Officer in accordance with S.207 of the Local Government Regulation 2012.

GMCCS10.

Human Rights Act 2019

EXECUTIVE SUMMARY

A letter dated 18 July 2019 has been received from the Queensland Human Rights Commission in regards to preparation for the commencement of the Human Rights Act 2019. The Human Rights Act 2019 (HRA) commences for the majority of Queensland public entities, including local councils on 1 January 2020. General awareness of the HRA is now available via an online training module or face-to face training can also be delivered on a fee for service basis.

RESOLUTION

That Council:

Consider the information and training offered by the Queensland Human Rights Commission in preparation for the commencement of the Human Rights Act 2019 which commences on 1 January 2019.

MOVED: Cr Attwood

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2711
4/0

REASONS FOR DECISION

As from 1 January 2020 Council's complaint handling policy and processes will need to recognise and deal with human rights complaints. Council will need to recognise and apply the relevant legislation in regards to these matters.

GMCCS11.

Public Interest Disclosure Policy, Procedures and Standards

EXECUTIVE SUMMARY

The State Government's Public Interest Disclosure Act 2010 requires public entities in Queensland, including local government, to develop and implement procedures for dealing with public interest disclosures. The PID Act provides unique protections from reprisal for public officers disclosing information in the public interest to an appropriate entity about: official misconduct; maladministration; waste of public funds; negligent or improper management; or a danger to public health, safety or the environment.

The Office of the Queensland Ombudsman is the oversight agency for the Public interest Disclosure Act 2010. The Public Interest Disclosure standards, issued by the Ombudsman under section 60 of the PID Act detail the actions public entities must take when preparing for and responding to a public interest disclosure. These standards are:

- *Public Interest Disclosure Standard No. 1/2019 – Public Interest Disclosure Management Program*
- *Public Interest Disclosure Standard No. 2/2019 – Assessing, Investigating and Dealing with Public Interest Disclosures*
- *Public Interest Disclosure Standard No. 3/2019 – Public Interest Disclosure Data Recording and Reporting*

Council's Public Interest Disclosure Policy and Procedures require a review to indicate and reflect any necessary amendments.

RESOLUTION

That Council:

Resolve to adopt the reviewed Public Interest Disclosure Policy and Procedures.

MOVED: Cr Loudon

SECONDED: Cr Attwood

CARRIED
RESOLUTION NO.2019/GM2712
4/0

REASONS FOR DECISION

Outdated policies might result in risks that Council's activities are not aligned with current objectives and practices.

It is always good governance to review existing policies to ensure that the policy is deliverable and easy to implement plus to investigate any changes that may need to be made to the existing policy.

GMCCS12.

Annual LGAQ Conference

EXECUTIVE SUMMARY

The 123rd LGAQ Annual conference is to be held at the Cairns Convention Centre 14th -16th October 2019. As a member of the LGAQ, Council is entitled to 2 delegates, with additional representatives attending as observers.

RESOLUTION

That Council:

Resolve to approve the attendance of Cr Devlin and Cr Gallagher as Delegates to the 123rd LGAQ Annual conference; and furthermore approve the attendance of all Cr's as Observers and also authorise the Chief Executive Officer to attend.

MOVED: Cr Loudon

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2713
4/0

REASONS FOR DECISION

Attendance at the LGAQ Annual Conference provides delegates and observers with the opportunity to learn from other Councillors and Councils, together with providing personal development opportunities to achieve Council's stated strategic priorities and corporate objectives.

GMCCS13.

Financial Performance (Actual v Budget)

EXECUTIVE SUMMARY

It is a statutory requirement under Section 204 of the Local Government Regulation 2012 that the Chief Executive Officer must present a Financial Report of its accounts to the Local Government at least monthly.

RESOLUTION

That Council:

Resolve to adopt the monthly Financial Report which incorporates the monthly statutory financial statements (Statement of Comprehensive Income, Statement of Financial Position & Statement of Cashflows) pursuant to and in accordance with Section 204 of the Local Government Regulation 2012 for the period ending 31 July 2019.

MOVED: Cr Attwood

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2714
4/0

REASONS FOR DECISION

Section 204 of the Local Government Regulation 2012 states that the Chief Executive Officer must present a Financial Report of its accounts to the Local Government and furthermore that the financial statements must be presented if the local government holds its ordinary meetings monthly or less frequently to each meeting and the Financial Report presented to a meeting must be for the period of the financial year up to a day as near as practicable to the end of the previous month.

GMCCS14.

Proposed Change to the October 2019 General Meeting Date

EXECUTIVE SUMMARY

At least once in each year, Council must publish a notice of the days and times when its ordinary meetings will be held and furthermore Council must publish this notice in a newspaper circulating generally in the Local Government area in accordance with Section(s) 277 (1) & (2) of the Local Government Regulation 2012. In addition, if Council decides to change its published meeting dates, the local government must immediately notify any change to the days and times mentioned in Section 277 (1) or (3) in the same way as the days and times were previously notified.

The Annual LGAQ Conference is being held from the 14th to 16th October 2019 which clashes with the October's General Meeting date being the 16th October 2019.

RESOLUTION

That Council:

Resolve to amend the October 2019 General Meeting date from the 16th October 2019 to the 18th October 2019 in accordance with S.277(4) of the Local Government Regulation 2019

MOVED: Cr Gallagher

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2715
4/0

REASONS FOR DECISION

The Annual LGAQ Conference is being held from the 14th to 16th October 2019 which clashes with the October's General Meeting date being the 16th October 2019.

GMCCS15.

Proposed Amendments to the Local Government Regulation 2012 (Rates & Finance)

EXECUTIVE SUMMARY

The Department of Local Government has developed five (5) discussion papers based on recommendations made by the Queensland Audit Office with the Department seeking feedback from the Local Governments.

The matters are:

- *Reporting Budget V Actuals in Financial Statements*
- *Rates and Charges QAO Audit Recommendations*
- *Consultation on Budgets*
- *Sale of Land for Arrears of Rates*
- *Controlled Entities Publishing of Financial Statements*

RESOLUTION

That Council:

Resolve to note and receive the officer's report.

MOVED: Cr Attwood

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2716
4/0

SUSPENSION OF STANDING ORDERS

RESOLUTION:

That Council suspends standing orders at 11:40 to move into closed session.

MOVED: Cr Attwood

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2717
4/0

CLOSURE OF MEETING

RESOLUTION:

That in accordance with Section 275(1) (c) (d) (e) and (h) of the Local Government Regulation 2012, the meeting be closed to the public to discuss the following matters;

- Charleston Dam – Spillway
- Etheridge Shire Councils – Gravel Pits
- Application for Rates Exemption

MOVED: Cr Attwood

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2718
4/0

ATTENDANCE

*Miss Sydney Ryan, Administration Assistant, left the meeting at 11:40 am
Mr Ian Carroll left the meeting at 11:40 am and did not return*

ATTENDANCE

*Cr Loudon left the meeting at 11.44am
Cr Loudon returned to the meeting at 11.58am*

ATTENDANCE

Miss Sydney Ryan, Administration Assistant, returned to the meeting at 1:05 pm

RESUMPTION OF MEETING

RESOLUTION:

That Council re-open the meeting to the public at 1:10 pm

MOVED: Cr Attwood

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2719
4/0

CONSIDERATION OF CLOSED REPORTS

GMCCS16.

Charleston Dam - Spillway

IDENTIFICATION OF POSSIBLE CONFLICTS OF INTEREST OR MATERIAL PERSONAL INTERESTS RELATED TO THIS ITEM:

Declarations:

MATERIAL PERSONAL INTEREST

Cr Loudon declared that he has a material personal interest (as defined by Local Government Act 2009, section 175B) in Item GMCCS16 as Cr Loudon is a contractor working for one of the approved contractors (LDI), as he stands to gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter

He dealt with this declared material personal interest by leaving the meeting at 11.44am while this matter was discussed. Cr Loudon returned to the meeting at 11.58am and did not participate in the voting of this matter.

CONFLICTS OF INTEREST

Cr Devlin declared that he may have a conflict of interest (as defined the Local Government Act 2009, section 175D) in Item GMCCS16 as Cr Devlin is the owner of the local roadhouse which some of the contractors who have been approved to construct the Dam have arranged accounts and purchase fuel and supplies as and when required and in addition a business operator has submitted a quote for the construction of the Spillway who operates a quarry on Cr Devlin's rural property known as Routh Station. Cr Devlin determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and advised that he will best perform his 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, he acknowledged that the remaining councillors must now determine, pursuant to section 175E(4) of the Local Government Act 2009: - (a) Whether he has a real conflict of interest in this matter or a perceived conflict of interest in this matter; and (b) If so, whether: -

- i. he must leave the meeting while this matter is discussed or voted on; or*
- ii. he may participate in the meeting in relation to the matter, including by voting on the matter:*

RESOLUTION

That Council:

Pursuant to section 175E(4) of the Local Government Act 2009, resolve that Cr Devlin does not have a real conflict of interest in Item GMCCS16 and Cr Devlin may participate in the meeting in relation to the matter, including by voting on the matter.

MOVED: Cr Attwood

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2720
2/0

Cr Loudon had declared a Material Personal Interest in this matter and had left the meeting therefore taking no part in the voting of this matter.

Cr Devlin did not vote on this matter as Cr Devlin is not permitted to in accordance with Section 175E(4) of the Local Government Act 2009.

CONFLICTS OF INTEREST

Cr Gallagher declared that he may have a conflict of interest (as defined the Local Government Act 2009, section 175D) in Item GMCCS16 as Cr Gallagher is the owner of the local butcher shop which some of the contractors who have been approved to construct the Dam have arranged accounts and purchase goods as and when required and in addition a business operator has submitted a quote for the construction of the Spillway who has an account with the Butcher Shop. Cr Gallagher determined that this personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and advised that he will best perform his 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, he acknowledged that the remaining councillors must now determine, pursuant to section 175E(4) of the Local Government Act 2009: - (a) Whether he has a real conflict of interest in this matter or a perceived conflict of interest in this matter; and (b) If so, whether: -

- i. he must leave the meeting while this matter is discussed or voted on; or
- ii. he may participate in the meeting in relation to the matter, including by voting on the matter:

RESOLUTION

That Council:

Pursuant to section 175E(4) of the Local Government Act 2009, resolve that Cr Gallagher does not have a real conflict of interest in Item GMCCS16 and Cr Gallagher may participate in the meeting in relation to the matter, including by voting on the matter.

MOVED: Cr Attwood

SECONDED: Cr Devlin

CARRIED
RESOLUTION NO.2019/GM2721
2/0

Cr Loudon had declared a Material Personal Interest in this matter and had left the meeting therefore taking no part in the voting of this matter.

Cr Gallagher did not vote on this matter as Cr Gallagher is not permitted to in accordance with Section 175E(4) of the Local Government Act 2009.

EXECUTIVE SUMMARY

As part of its consideration of the Dam Contract and Pricing, Council decided to remove the Spillway component from the original Tender (Part A) and call for separate quotes through LGAQ's Local Buy's Preferred Supplier arrangement under Contract BUS270 - Road, Water, Sewerage & Civil.

Quotes were to be received by Friday 9th August 2019

RESOLUTION

That Council:

Resolve to award a contract for the Construction of a cut rock Spillway including material Stockpile under LGAQ's Local Buy's Preferred Supplier arrangement under Contract BUS270 - Road, Water, Sewerage & Civil which is pursuant to and in accordance with S.234 of the Local Government Regulation 2012 to Bolwarra Enterprises and furthermore that Council delegate authority to the Chief Executive Officer to enter into a contract for this scope of works and furthermore that Council amend the 2019/20 Budget to reflect the revised pricing for the construction of:

- 1. Element A - Dam Construction - \$7,301,540;***
- 2. Element B – Fish Ladder - \$440,000;***
- 3. Element C – Reticulation - \$3,963,893***
- 4. Element D – Spillway - \$1,111,000***

MOVED: Cr Attwood

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2722
3/0

Cr Loudon did not participate in the voting of this matter due to a declared Material Personal Interest

GMCCS17.

Etheridge Shire Councils – Gravel Pits

EXECUTIVE SUMMARY

Council has in place an approved Sales Permit for getting quarry material from State Land which is used for Councils purposes in its road work activities. At present, Council has a number of gravel pit sites located within the Shire that are too small in area, or have insufficient and inferior material for long term use.

In addition, the Department of Agriculture & Forestry has undertaken an audit of Councils Gravel Pits and has uncovered a number of pits that are not approved and not shown on Councils Sales Permit. Therefore, Council needs to undertake a major review of Councils Gravel Pits.

This report provides Council with an overview of where Councils Gravel Pits are located within the Shire (both approved and non-approved sites).

RESOLUTION

That Council:

Resolve to note and receive the officers report and furthermore that Council conduct a workshop on identifying new gravel pit locations in consultation with senior works staff and furthermore that a report be prepared on the Cost Benefit & Analysis on relevant plant that may be utilised for pushing and extracting gravel as part of the workshop.

MOVED: Cr Gallagher

SECONDED: Cr Attwood

CARRIED
RESOLUTION NO.2019/GM2723
4/0

GMCCS18.

Application for Rates Exemption

EXECUTIVE SUMMARY

Council has received correspondence from the Ewamian Aboriginal Corporation seeking to apply to Council to exempt Talaroo Station as rateable land. The property is located at Vanlee Road and is described as Lot 2909 on PH1368 and has an area of 31,500ha.

RESOLUTION

That Council:

Resolve to note and receive the officer's report and furthermore that Council resolve to provide a written reply to the applicant based on Councils legal advice and options in relation to this matter.

MOVED: Cr Loudon

SECONDED: Cr Gallagher

CARRIED
RESOLUTION NO.2019/GM2724
4/0

REASONS FOR DECISION

Council is required to be satisfied that the request is in accordance with Council's Revenue Policy (Part B Principles used for granting concessions for rates and charges); and in accordance with the Local Government Act 2009 Section 93(3)(i) land that is exempted from rating, by resolution of a local government, for charitable purposes; and in accordance with Sections 119 to 122 of the Local Government Regulation 2012.

GENERAL BUSINESS

Cr Gallagher

- Made note of the works completed on the Forsayth Einasleigh road and suggested the implementation of more warning signs at Flags Lookout.
- Suggested that Etheridge Shire follow concepts of Normanton Shire by constructing Council built self-contained duplexes for the aged community.

Cr Loudon

- Requested details pertaining to rumours that a crew of contractors have been stood down this shift.

Mayor Devlin

- Gave details of his recent trip to Bowen for the Northern Alliance of Councils Conference and made note of the substantial works and projects that Etheridge Shire is undertaking in the areas of tourism, infrastructure and agriculture when compared to other Councils.
- Stated that TTNQ has reached out to the North West Region to have images of the outback featured on their website.

Cr Attwood

- Requested more information on notices and advertisement for the 150 years Celebration.

RESOLUTION

That Council:

Resolve to request the Chief Executive Officer to investigate the possibility of implementing adequate safety signage along the Einasleigh-Forsayth Road (including Flags Lookout).

MOVED: Cr Gallagher

SECONDED: Cr Loudon

CARRIED
RESOLUTION NO.2019/GM2725
4/0

CONCLUSION

There being no further business the Mayor declared the Meeting closed at 1:30pm.

These minutes will be confirmed by Council at the General Meeting held on the Wednesday 18 September 2019.

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MAYOR

...../...../.....
DATE