



Etheridge Shire Council

CONFIRMED MINUTES

GENERAL MEETING OF

ETHERIDGE SHIRE COUNCIL

HELD COUNCIL CHAMBERS,
GEORGETOWN

ON WEDNESDAY 21 JULY 2021,

COMMENCING AT 9.00AM



ETHERIDGE SHIRE COUNCIL
MINUTES OF THE GENERAL MEETING
HELD AT COUNCIL CHAMBERS, GEORGETOWN
ON WEDNESDAY 21 JULY 2021
COMMENCING AT 9.00AM

ATTENDANCE

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

OFFICERS PRESENT

Mr. Ken Timms, Chief Executive Officer
Mr. Alan Clark, Director of Engineering Services
Mr. Ian Kuhn, Director of Corporate and Community Services

The Mayor 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."

APOLOGIES, CONDOLENCES & CONGRATULATIONS

Council passes on its deepest condolences to the family of Karen Jenkins.

CONSIDERATION OF MINUTES

General Meeting Minutes – Wednesday 16 June 2021

RESOLUTION:

That the Minutes of the General Council Meeting held at Georgetown on Wednesday 16 June 2021 be confirmed.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED
RESOLUTION #21.7.1CEO
5/0

Special Meeting Minutes – Wednesday 23 June 2021

RESOLUTION:

That the Minutes of the Special Council Meeting held at Georgetown on Wednesday 23 June 2021 be confirmed.

MOVED: Cr. Royes

SECONDED: Cr. Barns

CARRIED
RESOLUTION #21.7.2CEO
5/0

Special Meeting Minutes – Wednesday 14 July 2021

RESOLUTION:

That the Minutes of the Special Council Meeting held at Georgetown on Wednesday 14 July 2021 be confirmed.

MOVED: Cr. Royes

SECONDED: Cr. Barns

CARRIED
RESOLUTION #21.7.3CEO
5/0

BUSINESS ARISING FROM GENERAL MEETING MINUTES

N/A

ATTENDANCE

Cr Haase left the meeting at 9.50am and returned at 9.52am

CONSIDERATION OF OPEN REPORTS

DIRECTOR CORPORATE AND COMMUNITY SERVICES

Briefing Report

RESOLUTION

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

MOVED: Cr. Haase

SECONDED: Cr. Barns

CARRIED
RESOLUTION #21.7.4DCCS
5/0

ADJOURNMENT

Council adjourn for morning tea at 10:30am

RESUMPTION

Council resumed the meeting at 11:10am.

1

Financial Performance (Actual v Budget) for the period 1 July 2020 to 30 June 2021

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 30 June 2021.

MOVED: Cr. Gallagher

SECONDED: Cr. Haase

CARRIED
RESOLUTION #21.7.5DCCS
5/0

2

Operational Plan Review for the Quarter Ending June 2021

EXECUTIVE SUMMARY

In accordance with the Local Government Regulation 2012, the Chief Executive Officer is required to present a report on Council's progress towards implementing the annual "Operational Plan".

RESOLUTION

That Council:

Adopt the Operational Plan review for the June 2020/21 quarter in accordance with Section 174 (3) of the Local Government Regulation 2012.

MOVED: Cr. Gallagher

SECONDED: Cr. Royes

CARRIED
RESOLUTION #21.7.6DCCS
5/0

3

License – Bolwarra Enterprises Pty Ltd

Declarable conflict of Interest – Cr Gallagher declared a declarable conflict of interest due to his customer dealings with his private Butcher Shop.

Council voted 4/0 that Cr Gallagher stays in the room for discussion but cannot vote.

EXECUTIVE SUMMARY

Preston Law has provided additional information and recommendations in regards to the request from Bolwarra Enterprises Pty Ltd for a lease agreement with Etheridge Shire Council in regards to a private contractors' camp at the Kidston Racecourse Reserve.

RECOMMENDATION

That Council:

“That Council resolves to delegate the power to the Chief Executive Officer to:

1. *Make an application to Minister in accordance with section 236(1)(f) for an exemption to compliance with section 227 of the Local Government Regulation requiring a tender or auction process for a disposal of land;*
2. *Negotiate a Trustee Lease or Permit with the Lessee;*
3. *Progress Ministerial Approval to the Lease/Permit;*
4. *Concurrently, so as not to delay the Lease, make an application to the Minister to change the purpose of the Reserve.*

MOVED: Cr. Barns

SECONDED: Cr. Royes

LOST
RESOLUTION #21.7.7
1/3

RESOLUTION

That Council:

Resolve that Bolwarra Enterprises are to use the Reserve as per outlined in Council's original decision:

1. Term – 3 Years
2. Permitted Use – commissioning of transportable accommodation, kitchen and amenity facilities for a maximum 20 people

CARRIED
RESOLUTION #21.7.8DCCS
4/0

MOVED: Cr. Royes

SECONDED: Cr. Barns

ATTENDANCE

Ian Kuhn left the meeting at 12.05pm and returned at 12.10pm

4

Request for the Appointment of a Special Holiday for 2022 Under Section 4 of the Holidays Act 1983

EXECUTIVE SUMMARY

Council has been advised by the Office of Industrial Relations, that Council needs to submit its request for the appointment of a Special Holiday for 2022 under Section 4 of the Holidays Act prior to the 30th July 2021.

Holidays appointed in respect of an annual agricultural, horticultural or industrial show are public holidays and those appointed for an event which has significance to a particular district are bank holidays.

Upon receiving Ministerial approval, the holidays will be published in the Queensland Government Gazette.

RESOLUTION

That Council:

Resolve to advise the Office of Industrial Relations, that Etheridge Shire will apply for a Special Holiday pursuant to Section 4 of the Holidays Act 1983 for the Etheridge Show / Forsyth Turnout – Friday 5th August 2022.

MOVED: Cr. Haase

SECONDED: Cr. Royes

CARRIED
RESOLUTION #21.7.9DCCS
5/0

ADJOURNMENT

Council adjourn for lunch at 12:35pm

RESUMPTION

Council resumed the meeting at 1:06pm.

DIRECTOR ENGINEERING SERVICES

Briefing Report

RESOLUTION

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

MOVED: Cr. Royes

SECONDED: Cr. Gallagher

CARRIED
RESOLUTION #21.7.10DES
5/0

DIRECTOR ENGINEERING SERVICES ADDENDUM REPORTS

1

Sealing and Reseal Works at Various Locations throughout the Etheridge Shire

EXECUTIVE SUMMARY

In May 2021 multiple quotations were sought from Local Buy Suppliers for the sealing and reseal works at various locations throughout the Etheridge Shire. These locations include Mount Surprise, North Head Road, Charleston Dam Access and Recreation Area (Forsayth Cemetery Road) and Airstrip Road (Forsayth).

Council now seeks to award the supply of Seal and Reseal works.

RESOLUTION

That Council resolves to accept the quote by Boral Asphalt for the supply of reseal and seal to various location through the Etheridge Shire

MOVED: Cr Royes

SECONDED: Cr Gallagher

CARRIED
RESOLUTION #21.7.11DES
5/0

2

Register of Preferred Suppliers for Wet & Dry

CONSIDERATION OF CLOSED REPORTS

RESOLUTION

That Council go into closed session at 1:45pm 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. Barns

SECONDED: Cr. Haase

CARRIED
RESOLUTION #21.7.12
5/0

RESOLUTION

That Council come out of closed session at 2:25pm.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED
RESOLUTION #21.7.13
5/0

RESOLUTION

That Council direct DES to reconvene the evaluation panel to reassess the wet and dry tenders and report back to the next Council meeting.

MOVED: Cr Barns

SECONDED: Cr Gallagher

CARRIED
RESOLUTION #21.7.14DES
5/0

Claim against Council by the Liquidators of LDI Constructions

CLOSURE OF MEETING

RESOLUTION

That Council go into closed session at 2:27pm am under section 254J (1) and (3) which states that *legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;*. To discuss Dam Contracts.

MOVED: Cr. Royes

SECONDED: Cr. Haase

CARRIED
RESOLUTION #21.7.15
/0

RESOLUTION

That Council come out of closed session at 4:30pm

MOVED: Cr. Barns

SECONDED: Cr. Royes

CARRIED
RESOLUTION #21.7.16
5/0

RESOLUTION

That Council resolve to:

- (a) Reject the settlement proposal from the Liquidators of LDI Constructions (Qld) Pty Ltd (In Liq.) dated 9 July 2021; and
- (b) Delegate authority to the Chief Executive Officer to progress all matters associated with the dispute between LDI Constructions (Qld) Pty Ltd (In Liq.), its Liquidators, and Council, in a manner consistent with the discussion in the Closed Session of this Council meeting.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED
RESOLUTION #21.7.17CEO
5/0

ATTENDANCE

Ian Kuhn left the meeting at 2.27pm and returned at 4.30pm

Alan Clarke left the meeting at 2.27pm and returned at 4.30pm

CHIEF EXECUTIVE OFFICER

Briefing Report

RESOLUTION

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

MOVED: Cr. Royes

SECONDED: Cr. Barns

CARRIED
RESOLUTION #21.7.18CEO
5/0

CHIEF EXECUTIVE OFFICER ADDENDUM REPORTS

1

Financial Assistance – Forsayth QCWA

EXECUTIVE SUMMARY

Correspondence has been received from Forsayth QCWA Branch in relation to assistance and financial from Council to contribute to improving their QCWA Hall in Forsayth.

They have specifically asked for assistance and financial with the following:

- Purchase and installation of air-conditioning
- Purchase and installation of disable ramp on north side of hall
- Purchase and installation to completion of current fence structure to keep animals out and make a safer environment whilst events are being held when children are in attendance

RESOLUTION

That Council:

Acknowledge the request from the Forsayth QCWA and further acknowledge the importance of this community hall for the township of Forsayth and the greater region.

Following the adoption of the Budget, Council will consider at the following General Meeting, you application taking into consideration Council's Policy for Grants & Donations to Community Organisations.

MOVED: Cr. Royes

SECONDED: Cr. Barns

CARRIED
RESOLUTION #21.7.19DCCS
5/0

1

Rob and Lyn French, Gilberton Station

EXECUTIVE SUMMARY

Requesting consideration with regard to the ongoing maintenance of the old Town Reserve and the proposal that it be extinguished.

RESOLUTION

That Council advise Rob and Lyn French that they have no objections to the reserve being extinguished and further that Council advise the Department of Resources of same.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED
RESOLUTION #21.7.20CEO
5/0

GENERAL BUSINESS

Cr Gallagher

- Update of request from Garry Camp in regards to 2 connection fees
- Where will the new sign at the Swimming Pool be erected?
- Legal aspect of the walking track. Refer mater to a Councillor workshop
- Update of Telstra pits and complaints. Telstra are attending to this matter
- Update on stairs and surrounds as mentioned last month on the River Walk.

Cr Barns

- Bindii burrs at the Recreation Centre: The flow of burrs over the bowling green, Can a concrete strip be placed on its northern side (of Green) to stop them?
- What is council doing with the control of burrs and Bindi in the shire towns?
- Road Crossings at Ortona, Percy River need to be maintained, as the mailman isn't crossing them due to their deterioration. When will council maintain these?
- What is the timeline for grade of the Gilberton/ Perryvale/Ortona/ Agate Creek Section of roads?
- Causeway on Gilberton Road 67.1

Cr Haase

- Does council offer freedom camping for overflow at the rodeo rec grounds in Georgetown?
- Has there been a request to purchase the tennis court in Forsayth?
- Removing burrs from and sprinkling grass inside playground area at heritage park?
- Elevator not working properly at sports centre, I got stuck in it.
- Mt surprise hall lights, is there lighting to the toilets?

Cr Royes

- Apply to TMR and/ or relevant authorities to establish truck pads (dust) on the Eastern side of the Einasleigh township.
- Renewal of faded/damaged speed signs entering the Einasleigh township.
- Ensure future community consultation are held outside business hrs in ALL communities throughout the shire, to enable residents to participate in vital consultation meetings. Evening consultation meetings are only offered in Georgetown at present.
- Rural Addressing needs to become a priority project. The risk to rural residents in the Shire (in terms of Emergency response) is very significant and the issue was raised as urgent 13 months ago!
- Einasleigh Clinic & Hall keys.....where are they kept/ who is responsible for them? In the case of an emergency & needing access to these facilities.
- RADF Funding.....can we please get a detailed report presented to a future workshop/meeting. Including all funding allocated since 2019. Councillors need to have more input into future programs to ensure even & fair distribution of the funding across the shire. It is the role of councillors to ensure that such programs meet the expectations of ALL communities and residents
- Proposal: compile a register of community groups throughout the Shire. This could alleviate communication concerns that have been raised. For example; Mt Surprise has established an active Progress Association and should be utilised by council officers regularly to reach members of that community.
- The Lynd Community Clinic, when will it become operational. Will the community shed be utilised in conjunction with the clinic and if so, who will ensure these assets are available, functional and maintained/cleaned when required. (Budget allocation?)
- Signage on narrow bridges/crossings "NO STOPPING" Several incidents across the Shire of tourists parking vehicles amid theses crossing, fishing sightseeing etc.
- Request a review of "Road Use Agreement" with the proponents of Kidston renewable energy project.

CONFIRMED MINUTES – GENERAL MEETING, 21 July 2021

- Concerns raised over the risk the “fly in fly out” workforce at Kidston’s new Hydro project poses to our community. Locals are seeking assurance that the Qld Health regulations are adhered to fully and more significantly what role council can play in ensuring management is compliant. “Local Government Areas” seem to be the prevalent measure used in terms of COVID risk assessment/analysis, so recognising this “soon to be regular influx of people” as a risk in our Shire seems inevitable.

Cr Hughes

CONCLUSION

There being no further business the Mayor declared the Meeting closed at 6.20pm.

These minutes will be confirmed by Council at the General Meeting held on the Wednesday the 18th August 2021.

B. G. Hughes
MAYOR

31 / 08 / 2021
DATE