



CONFIRMED MINUTES

**GENERAL MEETING OF
ETHERIDGE SHIRE COUNCIL
HELD AT COUNCIL CHAMBERS, GEORGETOWN
ON WEDNESDAY, 18th SEPTEMBER 2024
COMMENCING AT 9.00AM**

**ETHERIDGE SHIRE COUNCIL
MINUTES OF THE GENERAL MEETING
HELD AT COUNCIL CHAMBERS, GEORGETOWN
ON WEDNESDAY, 18TH SEPTEMBER 2024
COMMENCING AT 9.00AM**

ATTENDANCE

Mayor Barry Hughes
Cr. Ian Carroll
Cr. Laurell Royes
Cr. Seven Ryan
Cr. Ian Tincknell

OFFICERS PRESENT

Mr. Ken Timms, Chief Executive Officer
Mr. Raju Ranjit, Director of Engineering Services
Mrs. Renee Bester, Director of Corporate Services
Miss. Gemma Bethel, Executive Assistant

OPEN GALLERY

Aaron Gallagher and Tony Gallagher entered the meeting at 9:01am.

DEPUTATION

A deputation was requested by Mr Aaron Gallagher and accepted by Council.

ATTENDANCE

Aaron Gallagher and Tony Gallagher left the meeting at 9:25am.

MEETING OPENNING

The Mayor declared the meeting open at 9:26am 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.”

PRAYER

“We ask that 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”.

DECLARATION OF CONFLICTS OF INTEREST

Cr Royes

- Prescribed interest in agenda item #13 - Tender for Gravel Screening for 2024-2026 DFRA Works ESC-029

Cr Ryan

- Declared conflict of interest in agenda item #12 – Tender for Sealing Work for Forsayth – Einasleigh Road Project – ESC 2024-021

APOLOGIES, CONDOLENCES AND CONGRATULATIONS

Condolences:

Nil

Congratulations:

Council wish to congratulate Harry and Christine Portas on the birth of their son Frank.
Council wish to congratulate Abbey Taylor on her recent appointment of Terrestrial Team Leader.

Apologies:

Nil

CONSIDERATION OF MINUTES

1. General Meeting Minutes – Wednesday 14th August 2024

RESOLUTION

That the Minutes of the General Council Meeting held at Georgetown on Wednesday 14th August 2024 be confirmed.

MOVED: Cr. Royes

SECONDED: Cr. Hughes

CARRIED
RESOLUTION #24.09.01
5/0

BUSINESS ARISING FROM GENERAL MINUTES

Cr Royes

#24.04.10 – Strategic Plan progress for existing floodways

CONSIDERATION OF OPEN SESSION REPORTS

Director of Corporate Services

1. Director of Corporate Services Briefing Report

RESOLUTION

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

MOVED: Cr. Hughes

SECONDED: Cr. Royes

CARRIED
RESOLUTION #24.09.02
5/0

2. Financial Performance as at 31st August 2024

EXECUTIVE SUMMARY

In accordance with section 204 of the Local Government Regulation 2012, a monthly finance report is required to be presented to Council stating the progress made in relation to the budget for the period of the financial year as near as practicable to the end of the month before the meeting held.

RESOLUTION

That Council receives the financial statements for the period ended 31st August 2024 pursuant, and in accordance with, the Local Government Regulation 2012 (s204).

MOVED: Cr. Tincknell

SECONDED: Cr. Royes

CARRIED
RESOLUTION #24.09.03
3/2

VOTE

Cr Royes and Cr Ryan requested that their vote be recorded against the above motion.

ADJOURNMENT

Council adjourned for Morning Tea at 10:19am

RESUMPTION

Council resumed the meeting at 10:40am

3. Policy Register Review – Repealing Redundant Policies

EXECUTIVE SUMMARY

The purpose of this report is for council to consider repealing redundant policies following a review of Council's Corporate Policy Register.

RESOLUTION

That Council:

1. Note the ongoing comprehensive review and cleansing project of Council's Policy Register;
2. Repeal the following policies:
 - a. Grants to Community Organisations Policy S009
 - b. Community Town Infrastructure Policy C043
 - c. Economic Development Grant Policy C036
 - d. Enterprise Risk Management Policy C002
 - e. Debt Recovery Policy S011
 - f. Asset Policy (No policy number)
 - g. Einasleigh Common Agistment Policy - Etheridge Shire Council
 - h. Einasleigh Town Common Agistment & Land Management Policy C013
 - i. Acknowledgements of Traditional Owners (Welcome to Country) Policy C003
 - j. Road Classification for Grid width Purposes Policy C016
 - k. Bus Travel Assistance Community Groups Policy C020
 - l. Use of Student Hostel Outside of School Terms Times Policy C022
 - m. Insurance Requirements- Use of Public Facilities owned by Council Policy C023
 - n. Councillors Attendance Canberra Deputations Policy C024
 - o. Taking of Legal Action Policy C025
 - p. Year 7 Learning Facility Payments C032
 - q. Flexible Financial Hardship and Support Policy and Application C040
 - r. Inform Newsletter. Content and related charges C105
 - s. ESC – C011 Fees Policy (Child Care Centre)
 - t. ESC – C012 Priority of Access Policy (Childcare Services)
 - u. ESC – C038 Biting Policy
 - v. ESC – C026 Sustainable Environment Policy

MOVED: Cr. Ryan

SECONDED: Cr. Royes

CARRIED
RESOLUTION #24.09.04
5/0

4. RADF Advisory Committee Meeting Minutes Adoption

EXECUTIVE SUMMARY

Council's Regional Art's Development Fund (RADF) Advisory Committee Meeting was held 2nd September 2024, in Georgetown. The minutes of this meeting are tabled for Council's review.

RESOLUTION

That Council receive the unconfirmed minutes of the RADF Advisory Committee Meeting held 02/09/2024.

MOVED: Cr. Tincknell

SECONDED: Cr. Carroll

CARRIED
RESOLUTION #24.09.05
5/0

CONSIDERATION OF OPEN SESSION REPORTS

ATTENDANCE

Raju Ranjit entered the meeting at 11:04am

Director of Engineering Services

5. Director of Engineering Services Briefing Report

RESOLUTION

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

MOVED: Cr. Hughes

SECONDED: Cr. Ryan

CARRIED
RESOLUTION #24.09.06
5/0

ADJOURNMENT

Council adjourned for Lunch at 12:26pm

RESUMPTION

Council resumed the meeting at 1:00pm

ATTENDANCE

Renee Bester left the meeting at 1:01pm and returned at 1:05pm
Gemma Bethel left the meeting at 1:17pm and returned at 1:20pm
Renee Bester left the meeting at 1:48pm and returned at 1:51pm
Ken Timms left the meeting at 1:56pm and returned at 1:57pm

6. Forsyth Transfer Station Opening Hours

EXECUTIVE SUMMARY

This report relates to the consideration of the opening hours of the Forsyth Transfer Station and relevant signage.

RESOLUTION

Council resolves to defer the matter until after further Community Consultation is undertaken.

MOVED: Cr. Carroll

SECONDED: Cr. Tincknell

CARRIED
RESOLUTION #24.09.07
5/0

CONSIDERATION OF OPEN SESSION REPORTS

Chief Executive Officer

7. Commonwealth Savings Postal Bank

EXECUTIVE SUMMARY

Council received correspondence from Strathfield Council in relation to the support of all Councillors in Australia supporting the draft bill to establish a Commonwealth Savings Postal Bank (CPSB). The correspondence requested that Council pass a resolution in support of the new proposed establishment and forward a Letter of Support to Federal Representatives, Queensland State Representatives and to all Queensland Senators of all parties.

RESOLUTION

That Council provide a Letter of Support for the proposed Commonwealth Savings Postal Bank to the appropriate parties.

MOVED: Cr. Royes

SECONDED: Cr. Ryan

CARRIED
RESOLUTION #24.09.08
5/0

8. Proposed Change to the December 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 on the local government's website. Any changes to these dates need to be adopted by Council and advertised to the community.

The North West Queensland Regional Organisation of Councils Meeting is being held from the 11th to the 12th of December 2024, which clashes with December's General Meeting date being the 11th December 2024. This meeting is important to the Etheridge Shire and should be attended.

RESOLUTION

That Council:

Resolve to amend the December 2024 General Meeting date from the 11th December 2024 to the 18th December 2024 in accordance with S.254B of the Local Government Regulation 2012.

MOVED: Cr. Tincknell

SECONDED: Cr. Royes

CARRIED
RESOLUTION #24.09.09
5/0

CONSIDERATION OF CLOSED SESSION REPORTS

CONFLICT OF INTEREST

Cr Hughes declared a conflict of interest at 2:49pm in agenda item #9- Lease of Savannah House.

CHAIR

Deputy Mayor, Cr Royes took over Chair of the meeting at 2:50pm.

RESOLUTION

After discussion, Council resolved to allow Cr Hughes to remain in the meeting and vote on Agenda Item 9.

MOVED: Cr. Royes

SECONDED: Cr. Carroll

CARRIED
RESOLUTION #24.09.10
4/0

CHAIR

Cr Hughes resumed Chair of the meeting at 2:52pm

RESOLUTION

That Council go into closed session at 2:53pm to discuss (g) 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 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 the sale of land.

MOVED: Cr. Ryan

SECONDED: Cr. Carroll

CARRIED
RESOLUTION #24.09.11
5/0

ATTENDANCE

Raju Ranjit left the meeting at 3:26pm and returned at 3:28pm
Gemma Bethel left the meeting at 3:32pm and returned at 3:34pm

CONFLICT OF INTEREST

Cr Ryan has a declared conflict of interest in agenda item #12 – Tender for Sealing Work for Forsayth – Einasleigh Road Project – ESC 2024-021 and left the meeting at 3:43pm.

ATTENDANCE

Ken Timms left the meeting at 3:47pm and returned at 3:50pm
Cr Ryan returned to the meeting at 4:15pm

CONFLICT OF INTEREST

Cr Royes has a prescribed conflict of interest in agenda item #13 - Tender for Gravel Screening for 2024-2026 DFRA Works ESC-029 and left the meeting at 4:28pm

ATTENDANCE

Cr Royes returned to the meeting at 4:55pm

RESOLUTION

Council resolve to come out of closed session at 4:59pm

MOVED: Cr. Ryan

SECONDED: Cr. Tincknell

CARRIED
RESOLUTION #24.09.12
5/0

9. Lease of Savannah House

EXECUTIVE SUMMARY

To consider and enable a decision regarding the application of section 236(1)(c)(iii) of the Local Government Regulation 2012 (Qld) (“LGR”) exempting Council from the requirement to go to tender for the disposal of a trustee lease over reserve land, with the intention of renewing the lease to an existing tenant.

RESOLUTION

That Council (as trustee) resolves:

Pursuant to section 257 of the Local Government Act 2009, to delegate to the Chief Executive Officer the power to negotiate matters related to the lease on lot 901 on crown plan G1884.

MOVED: Cr. Royes

SECONDED: Cr. Ryan

CARRIED
RESOLUTION #24.09.13
5/0

10. Write Off - Rates

EXECUTIVE SUMMARY

Council was advised of the following liquidations with regards to mining leases:

1. on 22nd August 2024 by the liquidator of assessment 00452-30231-000 & 00452-30232 that the leases were disclaimed by the liquidator on 28/07/2022.
2. on 20th November 2023 by the liquidator of assessment 00452-00900-000 that the leases were disclaimed by the liquidator on the 30/06/2023.

Council has exhausted all means of recovering the debt including internal debt recovery procedures and liaising with Department of Resources.

RESOLUTION

That Council resolve to write off the following amounts for a total of \$168,375.02:

- Assessment #00452-00900-000 for the amount of \$156,669.21
- Assessment #00452-30231-000 for the amount of \$4656.98
- Assessment #00452-30232-000 for the amount of \$7048.83

MOVED: Cr. Royes

SECONDED: Cr. Tincknell

CARRIED
RESOLUTION #24.09.14
5/0

11. Write Off – Debtors

EXECUTIVE SUMMARY

Council has undertaken a review of the outstanding debts greater than 90 days and has identified a debtor in arrears, and given the circumstances, should be considered by Council to be written off.

RESOLUTION

That Council resolve to write off the outstanding balance for invoice 12082 for the value of \$329.51.

MOVED: Cr. Ryan

SECONDED: Cr. Carroll

CARRIED
RESOLUTION #24.09.15
5/0

ATTENDANCE

Cr Ryan has a declared conflict of interest in agenda item #12 – Tender for Sealing Work for Forsayth – Einasleigh Road Project – ESC 2024-021 and left the meeting at 5:02pm

12. Tender for Sealing Work for Forsayth – Einasleigh Road Project – ESC 2024-021

EXECUTIVE SUMMARY

This report relates to the consideration of tenders received for sealing for Forsayth Einasleigh Road from chainage 32.267 km to 37.10 km.

RESOLUTION

That Council upon receiving only two conforming tenders, Council award the tender to Koppen Pty Ltd for traffic management, design, supply, seal the two coats of seal on the Forsayth – Einasleigh Road from chainage 32.267 km to 37.10 km to the value of \$ 592,096 (ex GST).

MOVED: Cr. Royes

SECONDED: Cr. Hughes

LOST
1/3

VOTE

Cr Royes, Cr Carroll and Cr Tincknell requested that their vote be recorded against the above motion.

RESOLUTION

Council resolve to defer the matter until the October General Meeting pending further information and costings associated with the Forsayth – Einasleigh Road TIDS Project to date.

MOVED: Cr. Royes

SECONDED: Cr. Carroll

CARRIED
RESOLUTION #24.09.16
3/1

ATTENDANCE

Cr Ryan returned to the meeting at 5:13pm

CONFLICT OF INTEREST

Cr Royes has a prescribed conflict of interest in agenda item #13 - Tender for Gravel Screening for 2024-2026 DFRA Works ESC-029 and left the meeting at 5:15pm

13. Tender for Gravel Screening for 2024-2026 DRFA Works – ESC 2024- 029

EXECUTIVE SUMMARY

This report relates to the consideration of tenders received for the gravel screening for 2024 -2026 DRFA works ESC 2024_029 for Zone 1,2 and 3.

RESOLUTION

That Council accept the tender of Terry Family Developments Pty Ltd to screen the gravel on ground to the values of \$1,056,035.75 (Ex. GST)

Zone 1: 104,753 tons @ \$435,307.95

Zone 2: 82,625 tons @343.350.70

Zone 3: 66748 tons @ \$ 277.377.10

MOVED: Cr. Hughes

SECONDED: Cr. Carroll

LOST
1/3

VOTE

Cr Tincknell and Cr Ryan requested that their vote be recorded against the above motion.

RESOLUTION

Council resolve to defer the matter until a future General Meeting pending further information relating to:

1. Confirmation from the funding body regarding this process.
2. Location of intended extraction sites
3. Rehabilitation plans for existing and proposed road corridors
4. Cost comparison for other methods

MOVED: Cr. Tincknell

SECONDED: Cr. Ryan

CARRIED
RESOLUTION #24.09.17
3/1

ATTENDANCE

Cr Royes returned to the meeting at 5:24pm

14. Supply & Delivery of One New Multi Tyre Roller and Trade of One Multi Tyre Roller #4138

EXECUTIVE SUMMARY

The 2024/2025 budget provides for the procurement of One New Multi Tyre Rollers. In accordance with relevant legislation and the Etheridge Shire Council Procurement Policy, Quotations for this item of plant were invited August 2024 and closed September 2024. Tenders for this plant were sourced though Local Buy tender and quotation arrangements Heavy Plant Machinery Equipment NPN 2.15-2.

The Quotation evaluation process has been completed and the details of each quote are provided in this report along with tender assessment carried out by the review panel.

RESOLUTION

That Council resolves to accept the following Tender from Hastings Deering for supply of one New Multi Tyre Roller and the trade of one multi tyre roller plant number 4138.

Plant #	Recommended Tender	Purchase Price GST Excl
New	Hastings Deering CW34 Multi Tyre Roller	\$165,000.00
Plant #	Recommended Trade Tender	Trade Purchase Price GST Excl
Trade 4138	Hastings Deering CW34 Multi Tyre Roller	\$100,000.00

MOVED: Cr. Ryan

SECONDED: Cr. Carroll

CARRIED
RESOLUTION #24.09.18
5/0

CONSIDERATION OF OPEN SESSION ADDENDUM

Director Of Corporate Services

15. Audit Committee Meeting Minutes – 13th September 2024

EXECUTIVE SUMMARY

In accordance with section 211, Council's Audit Committee met on 13th September 2024 to receive the draft 2023/2024 Financial Statements prior to being sent to the Queensland Audit Office. A copy of the meeting minutes are provided as a written report about the matters reviewed at the meeting.

RESOLUTION

That Council receive the unconfirmed minutes of the Audit Committee Meeting held 13th September 2024, and adopt the recommendations made therein.

MOVED: Cr. Hughes

SECONDED: Cr. Royes

CARRIED
RESOLUTION #24.09.19
5/0

Chief Executive Officer

16. Chief Executive Officer Briefing Report

RESOLUTION

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

MOVED: Cr. Carroll

SECONDED: Cr. Royes

CARRIED
RESOLUTION #24.09.20
5/0

ATTENDANCE

Renee Bester left the meeting at 5:27pm

Raju Ranjit left the meeting at 5:27pm

RESOLUTION

Council resolve to confirm the appointment of Mark Watt as the Chief Executive Officer, commencing 21st October 2024.

MOVED: Cr. Hughes

SECONDED: Cr. Royes

CARRIED
RESOLUTION #24.09.21
5/0

ATTENDANCE

Renee Bester returned to the meeting at 5:34pm

Raju Ranjit returned to the meeting at 5:34pm

Renee Bester left the meeting at 6:06 and returned at 6:07pm

GENERAL BUSINESS

CONFIRMED MINUTES – GENERAL MEETING 18TH SEPTMEBER 2024

Cr Tincknell	Cobbold Road. (Forsayth air strip to Sawpit Creek)
Cr Tincknell	TIDS job Einasleigh to Forsayth.
Cr Tincknell	KDR Seal
Cr Tincknell	Working Without Hours
Cr Tincknell	Council wet & dry hire processes
Cr Tincknell	Fencing/River Walk
Cr Tincknell	Drainage Hayman Street
Cr Tincknell	AFM/Council Structural Change
Cr Tincknell	Torlinga Road
Cr Royes	Northern Gulf Resilience Profile - a very valuable tool for Council
Cr Royes	Administration of the Emergency Management Levy (Compulsory State Levy)
Cr Royes	Strategic consideration of "community benefit" in all future development application/ industry developments
Cr Royes	Economic Development - considered for each community, ensuring opportunity and progress is evident in each community.
Cr Carroll	EML
Cr Carroll	Riverine clearing
Cr Carroll	Forsayth transfer station
Cr Carroll	Bitumen damage First St Forsayth

CONCLUSION

There being no further business the Mayor declared the meeting closed at 7:10pm. These minutes will be confirmed by Council at the General Meeting held on Wednesday 16th October 2024.

Cr. Barry Hughes
MAYOR