

Etheridge Shire Council

CONFIRMED MINUTES

GENERAL MEETING OF ETHERIDGE SHIRE COUNCIL HELD AT COUNCIL CHAMBERS, GEORGETOWN ON WEDNESDAY, 19TH APRIL 2023 COMMENCING AT 9.00AM

	CONFIRMED MINUTES – GENERAL MEETING, 15 th APRIL 2023
ł	ETHERIDGE SHIRE COUNCIL MINUTES OF THE GENERAL MEETING HELD AT COUNCIL CHAMBERS, GEORGETOWN ON WEDNESDAY 15 TH APRIL 2023 COMMENCING AT 9.00AM
ATTENDANCE	Cr. Barry Hughes Cr. Laurell Royes Cr. Joe Haase Cr. Tony Gallagher Cr. Cameron Barns
OFFICERS PRESENT	Mr. Ken Timms, Chief Executive Officer Mr. Andrew McKenzie, Director Corporate Services Mrs. Renee Bester, Executive Assistant
APOLOGIES	

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."

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

Nil

APOLOGIES, CONDOLENCES AND CONGRATULATIONS

Congratulations to Muxith Habib and his family on the birth of their baby boy.

CONSIDERATION OF MINUTES

General Meeting Minutes – Wednesday 15th March 2023

Corrections: Nil

RESOLUTION:

That the Minutes of the General Council Meeting held at Georgetown on Wednesday 15th March 2023 be confirmed.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED RESOLUTION #23.04.01CEO 5/0

BUSINESS ARISING FROM GENERAL MINUTES

Cr. Haase

- #22.12.15 DES is in discussions with TMR. Discussions have been had with local policemen regarding the non-use of road signs.
- #22.07.22 De-maining the Georgetown-Forsayth Road still awaiting comprehensive report.

- #22.11.08 Send communications to purchasers of pavers regarding current progress.
- #22.04.08 Communications to Georgetown residents are still outstanding. Councillors expressed
- urgency to communicate to affected residents.

Cr. Royes

- #23.02.06 Request for confirmation that the Aged Care Advisory Committee been included within ILF funding/development process.
- #23.03.10 TMR Pit Endorsement Advise from DAF was that Council may want to reconsider taking over the pits. After discussions, our current 16 pits require Indigenous Land Use Agreements.
- #22.08.14 Rural addressing is a matter of urgency. Purchase order has been lodged. Councillors
 expressed urgency to get pegs in the ground.

Cr. Gallagher

· Nil

ADJOURNMENT

Council adjourned the meeting for Morning Tea at 10:06am.

RESUMPTION

Council resumed the meeting at 10:23am

CONSIDERATION OF OPEN SESSION REPORTS

Director Corporate Services

1. Briefing Report

RESOLUTION

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

MOVED: Cr. Royes

SECONDED: Cr. Hughes

CARRIED RESOLUTION #23.04.02DCS 5/0

2. Financial Performance (Actual vs. Budget) for the period 1 July 2022 31 March 2023

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 March 2023, as presented.

MOVED: Cr. Barnes

SECONDED: Cr. Hughes

CARRIED RESOLUTION #23.04.03DCS 5/0

3. Third Quarter 2022/23 Operational Plan Progress Report

EXECUTIVE SUMMARY

In accordance with s174(3) of the Local Government Regulation 2012, tabled for Council's reception is the Chief Executive Officer's third quarter (1 July – 31 March 2023) progress report on implementing Council's 2022/23 Operational Plan.

RESOLUTION

That Council receive the third quarterly progress report on Council's progress toward implementing its 2022 / 23 Operational Plan.

MOVED: Cr. Royes

SECONDED: Cr. Barnes

CARRIED RESOLUTION #23.04.04DCS 5/0

4. Endorsement of reviewed Staff Code of Conduct

EXECUTIVE SUMMARY

Etheridge Shire Council has an adopted Staff Code of Conduct, the Staff Code of Conduct is a set of standards and behaviors related to the way Council Employees and or Contractors do their work. It is best practice to review the Staff Code of Conduct frequently.

RESOLUTION

That Council:

As per section 15 of the Public Service Ethics Act 1994, Council adopt the following reviewed policy: Staff Code of Conduct.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED RESOLUTION #23.04.05DCS 5/0

5. Audit Committee Meeting Minutes

EXECUTIVE SUMMARY

In accordance with s211(1)(b)(iv), Council's Audit Committee met on the 23rd March 2023 to receive the Queensland Audit Office's audit report on Council 2021/22 annual general purpose financial statements. In accordance with s211(1)(c), a copy of the Committee Meeting minutes are provided as a written report about the matters reviewed at the meeting.

RESOLUTION

That Council receive the Minutes of the Audit Committee Meeting held 23rd March 2023, and adopt the recommendations made therein.

MOVED: Cr. Hughes

SECONDED: Cr. Royes

CARRIED RESOLUTION #23.04.06DCS 5/0

6. Georgetown Walking Network Plan

EXECUTIVE SUMMARY

Council was successful in its grant application under the Department of Main Roads Walking Local Government Grant program. Shepherd Services was engaged to develop the Plan. After an initial round of public consultation, together with Council's workshop, Shepherd Services have forwarded the final draft of the Georgetown Walking Network Plan for Council's receipt, and upon receipt, a final round of public consultation.

Council has since applied to the Department of Main Roads for funding to develop similar Walking Network Plans for Mt Surprise, Einasleigh and Forsayth.

RESOLUTION

That Council receive the draft Georgetown Walking Network Plan and place the Plan on display for a final round of public consultation.

MOVED: Cr. Haase

SECONDED: Cr. Hughes

CARRIED RESOLUTION #23.04.07DCS 5/0

7. Request for Community Assistance

EXECUTIVE SUMMARY

Council has received a late request for Community Assistance for an Easter Event in Mt Surprise on Saturday 8 April. Applications for Community Assistance for 22/23 year closed Monday 4 October 2022.

RESOLUTION

That Council sponsor the 2023 Mt Surprise Easter event by reimbursing the organisers' actual costs to an amount of \$414.15

MOVED: Cr. Gallagher

SECONDED: Cr. Royes

CARRIED RESOLUTION #23.04.08DCS 4/1

RESOLUTION

That Council go into closed session at 11.53am to discuss 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. Hughes

SECONDED: Cr. Royes

CARRIED RESOLUTION #23.04.09 5/0

ATTENDANCE

Cr Royes left the meeting at 12:00 pm and returned at 12:03pm Cr Haase left the meeting at 12:01pm and returned at 12:02pm

RESOLUTION

Council resolve to come out of closed session at 12.04pm.

MOVED: Cr. Gallagher

SECONDED: Cr. Barnes

CARRIED RESOLUTION #23.04.10 5/0

8. Material Change of Use – Green Street

EXECUTIVE SUMMARY

In February 2023, an Application for Material Change of Use was lodged with Council. The Application is Impact Assessable against the Planning Scheme and Public Notification of the Application was required.

During Public Notification one (1) submission was received.

The Application is reported to Council and recommended for approval, subject to conditions.

RESOLUTION

That the Council resolve to approve the development application in accordance with the Planning Act 2016 as amended and that the application for a Development Permit for Material Change of Use – (Multiple Dwellings 6 x 2-bedroom units) on a site located at 8 Green Street Georgetown, being Lot 105 SP295139, is approved subject to the conditions detailed below.

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

1. The development shall be undertaken substantially in accordance with the submitted documentation and submitted Plans, prepared by CA Architects, except where modified by any conditions below, to the satisfaction of the Chief Executive Officer or delegate:

Masterplan Concept – Site Plan	CA Architects	Drawing Number: 2226-PD SK 02	Dated 22/02/23
Internal Layout Plan – 2 Bed Unit	CA Architects	Drawing Number: 2130-PD A-01	Dated 17/11/22
Elevations – 2 Bed Unit	CA Architects	Drawing Number: 2130-PD A-02	Dated 17/02/22
Sections – 2 Bed Unit	CA Architects	Drawing Number: 2130-PD A-03	Dated 17/11/22

- 2. Any future work on the site shall be carried out generally in accordance with any relevant Council requirements and State legislation and to the satisfaction of the Chief Executive Officer or delegate.
- **3.** If unactioned, this development approval lapses six (6) years after the day that the development approval takes effect, unless extended under the Planning Act 2016.
- 4. Should any of the Council's assets be damaged during the construction of any new associated works the cost of the reinstatement of all such assets shall be met by the applicant/proponent, to the satisfaction of the Chief Executive Officer or delegate.
- 5. The connection of the development to an on-site effluent disposal system is required to be undertaken in compliance with the Site Classification and Wastewater Management System report, prepared by Earth Test, dated December 2022 and any other relevant State legislation or requirements, to the satisfaction of the Chief Executive Officer or delegate.
- 6. The site and the development are required to discharge stormwater to a lawful point of discharge, to the satisfaction of the Chief Executive Officer or delegate.
- 7. The water tank, shown on the Site Plan, encroaching into the front 6.0 metres setback, is required to be re-sited, clear of the 6 metre setback, to the satisfaction of the Chief Executive Officer or delegate.
- **8.** The access driveway and 6 visitor parking spaces are to be hardstand/sealed and a hardstand/sealed apron connection is required to the sealed carriageway of Green Street, to the satisfaction of the Chief Executive Officer or delegate.
- **9.** Landscaping of 10% of the site area, being 299m² is required, to the satisfaction of the Chief Executive Officer or delegate.
- **10.** All units are to be connected to the reticulated urban services, to the satisfaction of the Chief Executive Officer or delegate.

Perimeter fencing of the site to side and rear boundaries is permitted, if considered warranted, to the satisfaction of the Chief Executive Officer or delegate.

MOVED: Cr. Haase

SECONDED: Cr. Royes

CARRIED RESOLUTION #23.04.11DCS 5/0

9. Material Change of Use – High Street

EXECUTIVE SUMMARY

In February 2023, an Application for Material Change of Use was lodged with Council. The Application is Impact Assessable against the Planning Scheme and Public Notification of the Application was required.

During Public Notification one (1) submission was received.

The Application is reported to Council and recommended for approval, subject to conditions.

RESOLUTION

That the Council resolve to approve the development application in accordance with the Planning Act 2016 as amended and that the application for a Development Permit for Material Change of Use – (Multiple Dwellings 3×1 -bedroom units) on a site located at 51 High Street Georgetown, being Lot 6 SP194675, is approved subject to the conditions detailed below.

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

1. The development shall be undertaken substantially in accordance with the submitted documentation and submitted Plans, prepared by CA Architects, except where modified by any conditions below, to the satisfaction of the Chief Executive Officer or delegate:

			-
Proposed Site Plan	Dileigh Civil/Structural Design & Project Management	D22.539 -AO1	Undated
3D Views	Dileigh Civil/Structural Design & Project Management	D22.539 – AO2	Undated
I Bedroom Cabin	WeBuildUm	Not Stated	Undated
Floor Plan	WeBuildUm	Drawing Number: A101- Revision B	Undated
Elevations	WeBuildUm	Drawing Number: A102- Revision B	Undated

2. Any future work on the site shall be carried out generally in accordance with any relevant Council requirements and State legislation and to the satisfaction of the Chief Executive Officer or delegate.

3. If unactioned, this development approval lapses six (6) years after the day that the development approval takes effect, unless extended under the Planning Act 2016.

4. Should any of the Council's assets be damaged during the construction of any new associated works the cost of the reinstatement of all such assets shall be met by the applicant/proponent, to the satisfaction of the Chief Executive Officer or delegate.

5. The connection of the development to an on-site effluent disposal system is required to be undertaken in compliance with the Site Classification and Wastewater Management System report, prepared by Earth Test, dated February 2023 and any other relevant State legislation or requirements, to the satisfaction of the Chief Executive Officer or delegate.

6. The site and the development are required to discharge stormwater to a lawful point of discharge, to the satisfaction of the Chief Executive Officer or delegate.

7. Building setback encroachments are limited to those shown on the submitted Plans and specifically:

a. 6.0 metre Front Boundary Setback – Southern unit, maximum encroachment of 2.8 metres, Northern unit, maximum encroachment of 3.2 metres;

All to the satisfaction of the Chief Executive Officer or delegate.

8. The access driveway is to be hardstand/sealed and a hardstand/sealed apron connection is required to the sealed carriageway of High Street, to the satisfaction of the Chief Executive Officer or delegate.

9. Landscaping of 10% of the site area, being 87m2, is required with trees and shrubs native to the local area, to the satisfaction of the Chief Executive Officer or delegate.

10. All units are to be connected to the reticulated urban services, to the satisfaction of the Chief Executive Officer or delegate.

11. Perimeter fencing of the site to side and rear boundaries is permitted, if considered warranted, to the satisfaction of the Chief Executive Officer or delegate.

MOVED: Cr. Haase

SECONDED: Cr. Gallagher

CARRIED RESOLUTION #23.04.12DCS 5/0

RESOLUTION

That Council go into closed session at 12.05am to discuss 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. Royes

SECONDED: Cr. Haase

CARRIED RESOLUTION #23.04.13 5/0

ATTENDANCE

Mr. Ken Timms left the meeting at 12:09 pm and returned at 12:11pm

RESOLUTION

Council resolve to come out of closed session at 12.56pm.

MOVED: Cr. Barnes

SECONDED: Cr. Gallagher

CARRIED RESOLUTION #23.04.14 5/0

10. Supply & Install 6 Independent Living Homes

EXECUTIVE SUMMARY

To meet the need of affordable housing, ESC has the opportunity to increase the numbers of affordable housing for an aging population in the Shire. In accordance with relevant legislation and the Etheridge Shire Council Procurement Policy. Tenders for these works were sourced though Local Buy tender arrangements LB304 Public Areas Facilities, Parks & Amenities Under the Local Buy arrangement, three suppliers Asset Cabins & Homes, Oly Homes and Ausco Modular, were invited to submit tenders against Council's scope of works. Tenders have been assessed, with the following recommendation against the LGR's purchasing principles."

11. Supply & Install 6 x 2 bedroom Staff Homes

EXECUTIVE SUMMARY

To meet the needs of staff housing, ESC has the opportunity to increase the numbers of staff housing to attract staff into the Shire.

In accordance with relevant legislation and the Etheridge Shire Council Procurement Policy. Tenders for these works were sourced though Local Buy tender arrangements LB304 Public Areas Facilities, Parks & Amenities Under the Local Buy arrangement, three suppliers Asset Cabins & Homes, Oly Homes and Ausco Modular, were invited to submit tenders against Council's scope of works. Tenders have been assessed, with the following recommendation against the LGR's purchasing principles."

RESOLUTION

That Council resolves to hold a special meeting on Friday 5th May 2023 commencing at 1pm to ratify the proposed tenders for Independent Living Facility & Staff Housing Precinct.

MOVED: Cr. Gallagher

SECONDED: Cr. Hughes

CARRIED RESOLUTION #23.04.15DCS 5/0

ADJOURNMENT

Council adjourned the meeting for Lunch at 1:00pm.

RESUMPTION

Council resumed the meeting at 1:27pm.

CONSIDERATION OF OPEN SESSION REPORTS

Director Of Engineering Services

12. Briefing Report

RESOLUTION

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

MOVED: Cr. Haase

SECONDED: Cr. Barnes

CARRIED RESOLUTION #23.04.16DES 5/0

13. Grant for Bridge over Queenslander

EXECUTIVE SUMMARY

Council has received notification of a successful grant application to construct a bridge over the Queenslander on the Cobbold Gorge Road. The grant is for \$800,000 and is on an 80/20 basis, thus Council's contribution will be \$200,000 as part of the overall \$1M project.

RESOLUTION

That Council directs the CEO to complete all necessary paperwork to accept the grant and to program the works.

MOVED: Cr. Barnes

SECONDED: Cr. Haase

CARRIED RESOLUTION #23.04.17DES 5/0

14. Mt Surprise Long Distance Coach Stop

EXECUTIVE SUMMARY

The need for a new coach stop at Mount Surprise has been raised by community members. Council has requested support from Transport and Main Roads (TMR) who have advised that all such infrastructure projects are supported on a 50/50 co-funding partnership arrangement between TMR and Councils. TMR further suggested that such a project would likely cost in the vicinity of \$80,000 and that Council could apply at any time.

RESOLUTION

- 1. That Council consider allocating \$40,000 in the up-coming 2023/2024 financial year budget, and
- 2. Council immediately apply for approval and grant assistance from the TMR.

MOVED: Cr. Gallagher

SECONDED: Cr. Hughes

CARRIED RESOLUTION #23.04.18DES 5/0

15. Percyvale Station Access Road

EXECUTIVE SUMMARY

The owners of Percyvale Station wrote to Council in 2022 requesting that Percyvale Road be re-aligned to remove a dangerous bend and to improve access for heavy vehicles. This request was supported by the owner of the adjoining station, 'Old Robin Hood'. Council resolved that the Engineering Department put forward a Budget proposal for Council's consideration, the CEO wrote to the owners of Percyvale Station advising them of this. This report provides a preliminary estimate to complete the works.

RESOLUTION

That at the next Budget meeting, Council considers allocating a sum of \$40,000 in the 2023/2024 financial year budget to complete these works.

MOVED: Cr. Royes

SECONDED: Cr. Haase

CARRIED RESOLUTION #23.04.19DES 5/0

16. Supply & Delivery of One Grader

EXECUTIVE SUMMARY

The 2023/2024 budget provides for the procurement of One New Grader with replacement budget of \$460,000. Due to delays in delivery of plant a decision was made to call tender for this grader in March 2023 with delivery July August 2023.

In accordance with relevant legislation and the Etheridge Shire Council Procurement Policy. Tenders for this plant were sourced though Local Buy tender arrangements Heavy Plant Machinery Equipment NPN2.15-2.

Caterpillar is one of the world's leading brands, which has a reputation for its support services and parts availability. An important feature of the recommendation is that the workshop is geared up to maintain and service Cat equipment.

The tender evaluation process was completed and the detail of each Tender is provided in this report.

RESOLUTION

That Council resolves to accept the following Tender from Hasting Deering for Supply of One Graders delivery July next financial year 23/24

Items for Trade	Recommended Tender	Purchase Price GST Excl
6078 12M Motor Grader	Hastings Deering (150-14A Motor Grader)	\$460,000.00

MOVED: Cr. Gallagher

SECONDED: Cr. Royes

CARRIED RESOLUTION #23.04.20DES 5/0

17. Expressions of Interest for the Sale of Isuzu D-Max & Toyota Landcruiser

EXECUTIVE SUMMARY

Ian Croker, Ray Wieland and David Walker submitted expression of interests for the Isuzu D-Max. Ian Croker submitted the best EOI for the Isuzu D Max of \$6,250.00

Ray Weiland, Russell and Janell Zahner were the only two who submitted expression of interest for the Toyota Landcruiser. R.J Zahner submitted the best EOI for the Toyota Landcruiser Tray Back of \$31,500.00

Both expressions of interest were well above the reserves set for each vehicle and the trade values that we received.

RESOLUTION

That Council resolves to accept the following two Expression of Interest from

- 1. Ian Croker for the sum of \$6,250.00 for the Isuzu D-Max
- 2. Russell and Janelle Zahner for the sum of \$31,500 for the Toyota Landcruiser

MOVED: Cr. Hughes

SECONDED: Cr. Gallagher

CARRIED RESOLUTION #23.04.21DES 5/0

CONSIDERATION OF OPEN SESSION REPORTS

Chief Executive Officer

18. Local Government Quadrennial Elections – Postal Voting

EXECUTIVE SUMMARY

The Department of Local Government and Planning (DLGP) is requesting Council to advise if it wishes to apply to the Minister to conduct the next Local Government Elections in Etheridge Shire by Postal Vote.

RESOLUTION

That Council advise the Minister that it wishes to have the next Local Government Elections for the whole of the Etheridge Shire conducted by Postal Ballot.

MOVED: Cr. Barnes

SECONDED: Cr. Haase

CARRIED RESOLUTION #23.04.23CEO 5/0

ATTENDANCE

Ken Timms left the meeting at 2:40pm and returned at 2:42pm Renee Bester left the meeting at 2:49pm and returned at 2:53pm

Cameron Barnes left the meeting at 2:53pm and returned at 2:58pm Ken Timms left the meeting at 2:56pm and returned at 2:56pm Laurell Royes left the meeting at 3:06pm and returned at 3:10pm Les Edmiston from Shepherd Services joined the meeting at 3:10pm and left at 3:24pm Joe Haase left the meeting at 3:41pm and returned at 3:42pm Tony Gallagher left the meeting at 3:46pm and returned at 3:49pm Cameron Barns left the meeting at 3:47pm and returned at 3:49pm Joe Haase left the meeting at 4:26pm Cameron Barns left the meeting at 4:28pm and returned at 4:30pm

Cameron Barns left the meeting at 4:28pm and returned at 4:30pm Cameron Barns left the meeting at 4:33pm and returned at 4.37pm

GENERAL BUSINESS

Cr. Gallagher

- Einasleigh Town Common Water Points
 - o Water Points have declined over the last 4 years.
 - Water Points be shifted onto good ground and a cement and rock apron built around it
 - Cattle walking over the pipe line as it is burst it off its connection and hence all the water drains out of the tank.
 - Can the tank, trough and pipeline running from the river with a spear in the river be made operational (as backup/secondary water option)
 - o Why are the DPI paddocks on the eastern side of the river not agisted?
 - Possibility of increasing rate of agistment to \$2.00 per head.
- Fire at the Town Dump recently a water truck had to be deployed to keep topping up the fire truck. Could council put an access to the pipeline as the pipe going so close to the dump so a fire fighting pump could be connected to it to fight fire?

Cr. Barnes

- Issue of the water supply at Mt Surprise
- Amounts of gravel loss on shire network roads and ergonomic practices

Cr. Royes

- Budget allocation/grant application to ensure all cemeteries in the Shire are adequately maintained and graves correctly located/marked. A resident has expressed interest in working with Council to hire and utilise a "grave finding" device to locate and mark graves in existing cemeteries.
- Ongoing request for an overgrown allotment in Einasleigh to be tidied up. It poses a vermin and fire risk to neighbouring properties who have lodged numerous work requests/SSS reports to no avail
- Mt Surprise water contamination Significant concern in the community that the full extent of the situation is not being effectively communicated.
- Review of procedure and process that ensures granted community assistance & support is actually delivered (a simple calendar)

Cr. Haase

- Perryvale Unhappy with road access and response from council to their previous letters.
- Einasleigh drop in biggest issue communication in relation to road issues.
- Common yards undivided paddock not well received

CONCLUSION

There being no further business the Mayor declared the meeting closed at 4:39pm. These minutes will be confirmed by Council at the General Meeting held on Wednesday 17th May 2023.

B & Datus 2915 123. MAYOR