



CARPENTARIA SHIRE

Outback by the Sea

***CONFIRMED
MINUTES***

19 & 20 June 2013

CONFIRMED MINUTES

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CONFIRMED MINUTES

1. OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at 9.25am.

2. RECORD OF ATTENDANCE

Mayor: Cr FC Pascoe.
Members: Cr AJ Gurney; Cr MD Johnson; Cr JC Zahner; Cr JD Beard;
Cr BS Schneekloth.

Staff:

Chief Executive Officer; Mr Bob Owen,
Director of Corporate Services; Mr Oliver Pring,
Executive Assistant; Ms Angeline Pascoe,

LEAVE OF ABSENCE

Moved Cr Gurney

Seconded Cr Zahner

That Council grant leave of absence to Cr Gallagher.

CARRIED

Resolution No.0613/001

CHANGE IN STANDING ORDERS

Moved Cr Gurney

Seconded Cr Zahner

That Council amend the Standing Orders to commence with an update and discussion on the current water investigations by PDR Engineers.

CARRIED

Resolution No.0613/002

PRESENTATION: Mr Peter DeRoma from PDR Engineers for a presentation, update and discussion on the current water investigations

CONFIRMED MINUTES

CITIZENSHIP CEREMONY: 10.30am The Mayor officiated and performed the Citizenship Ceremony and presented Mr Eugene Armas, Mrs Lorna Armas & Master Luis Armas with their Certificates and gifts.

Miss Chloe Mercer and Miss Michaela Pascoe who are currently doing their work experience at Council were also present. Following the Citizenship Ceremony all present were invited to morning tea.

RECESS: 10.30am – 11.00am The Mayor called a recess for morning tea.

CONDOLENCES

A minute's silence was held for the passing of the following community member:

Mr Lawrence Richardson

3. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

Confirmation of Minutes from the Ordinary Meeting of Council held on the 15 and 16 May 2013 as previously circulated to Councillors.

Moved Cr Beard

Seconded Cr Zahner

That the Minutes of the Ordinary Meeting held on 15 and 16 May 2013 be confirmed.

CARRIED

Resolution No. 0613/003

4. BUSINESS ARISING FROM PREVIOUS MINUTES

The CEO provided an update of the offer to M & N Gallagher to lease Lilyvale for the NAMP program. Further clarification was sought by the Gallaghers and they were advised that the offer was straight forward, either acceptance of the agreement to use Lilyvale for the next 12 months, or to agree to remove cattle from Lilyvale.

5. PUBLIC QUESTION TIME

No members of the public were present in the gallery.

CONFIRMED MINUTES

ATTENDANCE: 11.25am Mr Steve Houston, Director of Engineering Roads and Mr John Martin, Consultant Engineer entered the meeting.

6. DIRECTOR OF ENGINEERING ROADS REPORTS

6.1. Works Report

Budget areas for ongoing maintenance and construction works are performing generally within their specified variance range.

Moved Cr Beard

Seconded Cr Gurney

That Council seek an extension for 2012 flood damage works beyond June 2014 given the delay in the approval timeline and the water shortage in the Shire.

CARRIED

Resolution No.0613/004

Moved Cr Gurney

Seconded Cr Beard

That Council accepts the report as presented.

CARRIED

Resolution No.0613/005

MATERIAL PERSONAL INTEREST: 12.00pm Cr Johnson declared a material personal interest in the following matter as her daughter submitted a tender. Cr Johnson left the meeting and did not participate in the discussion or the vote.

This item to lie on the table.

6.2. Tender Assessment Report – Manufacture, Supply and Delivery of Road Base

Council has called for tenders for the manufacture, supply and delivery of Type 2.2 road base for Council to use in the 2012 program of Flood Damage Restoration works on State-Controlled Roads.

RECOMMENDATION

That Council accept the Tender from Lawlor Contracting for the Manufacture, Supply and Delivery of Type 2.2 Road Base for the tendered price of \$2,858,601.90 (subject to the execution of the contract by Council).

Council decided not to accept the recommendation as it requires that the Tenders be recalled for separate items and because of the uncertainty about the timing of the works.

ATTENDANCE: Cr Johnson returned to the meeting.

LUNCH: 12.43pm – 1.40pm The Mayor adjourned the meeting for lunch. Upon resumption all members were present.

CONFIRMED MINUTES

7. DIRECTOR OF ENGINEERING SERVICES REPORTS

7.1. Planning and Building Report

The report is to advise Council of relevant Planning and Building Activities within the Shire for the month of May 2013.

Planning Applications received

Nil.

Building Applications received

IDAS No	Address	Type	Value
I/0748	99 Landsborough St, Normanton	Upgrade of Normanton Shire Hall	400,000
I/0749	31-33 Haig St, Normanton	Office Extension	190,000
I/0750	43 Dutton St, Normanton	Single Dwelling	231,188
I/0751	11 Little Brown St, Normanton	Shed, Carport, Fence	50,000
I/0752	WWTP, Karumba	Workshop	70,380

Building Permits issued

IDAS No	Address	Type	Value
I/0741	4 Esplanade, Karumba	Shed	50,000
I/0742	30 Thompson St, Normanton	Shed	32,000
I/0747	Karumba Recreation Club, Karumba	Ablution Block	60,000
I/0748	99 Landsborough St, Normanton	Upgrade of Normanton Shire Hall	400,000
I/0749	31-33 Haig St, Normanton	Office Extension	190,000
I/0750	43 Dutton St, Normanton	Single Dwelling	231,188
I/0751	11 Little Brown St, Normanton	Shed, Carport, Fence	50,000
I/0752	WWTP, Karumba	Workshop	70,380

Applications pending waiting on further information (Applicants advised)

Nil.

Moved Cr Gurney

Seconded Cr Zahner

That Council note and accept the content of the report as presented.

CARRIED

Resolution No.0613/006

CONFIRMED MINUTES

7.2. Water Status Report for May 2013

During May 2013, 61.5 ML of water was pumped from Glenore Weir. Bore water pumped was a total of 0 ML. Total water received at the water treatment plant was 61.5 ML. This was more than last month.

Treated water consumption for the same period last year (May 2012) was 81.3ml. With the current water restrictions water consumption has dropped by 25.6ml to 55.7ml.

Glenore Weir level on 31 May 2013 was 1.69 AHD. The level of the weir on 30 April 2013 was 1.93 AHD.

Consumption for Normanton was 1.83 kL/day per connection and consumption for Karumba was 1.85 kL /day per connection.

A total of 10 tests were conducted on water samples from the reticulation system for E-Coli during the month of May 2013. No E-coli was detected.

Moved Cr Gurney

Seconded Cr Johnson

That Council receives and notes the Water Status report as presented for the period ending 31 May 2013.

CARRIED

Resolution No.0613/007

7.3. Tender No: 13-333 Construction of a 3.0ML Reservoir

The report is to recommend to Council the assessment of Tender No.13-333 for the construction of a 3.0ML reservoir and the replacement of the steel roof for the existing No.3 reservoir at the Normanton Water Treatment Plant.

Moved Cr Schneekloth

Seconded Cr Zahner

That Council approve the Mayor, Chief Executive Officer & the Director of Engineering Services to assess and approve the letting of Tender No: 13-330 for the construction of a 3.0ML reservoir at the Normanton Water Treatment Plant, following a workshop with all available Councillors.

CARRIED

Resolution No.0613/008

CONFIRMED MINUTES

8. CHIEF EXECUTIVE OFFICER REPORTS

8.1. Advanced Fatigue Management

Council is currently accredited under Advanced Fatigue Management (AFM) for heavy vehicle operators.

Moved Cr Beard

Seconded Cr Gurney

That Council request a report be prepared on Advanced Fatigue Management and alternative options and that the report be presented to the July 2013 Meeting.

CARRIED

Resolution No.0613/009

8.2. Agreement to use Council's trademark "Outback by the Sea"

As directed by Council, the Chief Executive Officer placed a notice in a recent edition of the Gulf Chronicle requesting that people and organisations using Council's trademark "Outback by the Sea" cease using the trademark. Following publication of the notice, Council has received formal requests from organisations and businesses to be granted permission to use the Council trademark.

The matter is put to Council for its consideration. If Council is mindful of wanting to grant permission, a draft agreement is attached for Council's consideration.

Moved Cr Zahner

Seconded Cr Gurney

That Council approve the use of the trademark "Outback by the Sea" by groups and individuals approved by the Chief Executive Officer, subject to the entering into of a formal licence agreement by all parties. The power to negotiate and approve the licence agreements for the use of the trademark is delegated to the Chief Executive Officer. The general conditions of use for all licences must include:

- 1. The payment of an annual fee for the use of the trademark;*
- 2. The right to waive fees at the absolute discretion of Council for not for profit community or charitable groups, or other groups promoting the region;*
- 3. A condition that the use of the trademark must not in the opinion of the Chief Executive Officer bring the Shire, Council or any other group or person into disrepute or otherwise reflect negatively on the Shire or region;*
- 4. That the registered trademark symbol ("®") be used on all signage, documents and materials and an acknowledgement be given that the trademark is owned by Council.*

CARRIED

Resolution No.0613/010

CONFLICT OF INTEREST: Cr Beard declared a conflict of interest in the following matter. Cr Beard left the meeting and did not participate in the discussion or the vote.

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8.3. Renaming a section of the Karumba Development Road as "Lloyd Clarke Way"

Council previously received a formal request from Mrs Barbara Brown to rename a section of the Karumba Development Road (from Maggieville to Karumba) as "Lloyd Clarke Way". Following the April 2013 Council Meeting, Council called for Expressions of Interest for the possible renaming of the road. No other Expressions of Interest were received other than the original request.

Moved Cr Gurney

Seconded Cr Zahner

That Council support the proposal to identify the section of Karumba Developmental Road from Maggieville to Karumba as "Lloyd Clarke Way" and refer the matter to the Department of Transport and Main Roads for a decision.

CARRIED

Resolution No.0613/011

Moved Cr Johnson

Seconded Cr Pascoe

That Council proposes to name the Barramundi Hatchery at Karumba as the "Les Wilson Barramundi Hatchery and Discovery Centre" and call for public submissions on the proposal.

CARRIED

Resolution No.0613/012

ATTENDANCE: 2.38pm Cr Beard returned to the meeting.

8.4. Document Signing Policy

The *Local Government Act 2009* (LGA) was amended to provide the power to the Chief Executive Officer (CEO) to delegate disciplinary powers to senior Council employees. Council have previously approved a Document Signing Policy which outlines the nature and type of Council documents that Directors may sign under powers delegated by the CEO. Under the Document Signing Policy, documents relating to the disciplinary action of employees are specifically excluded as documents which a director is not authorised to sign. This was accurate at the time the Policy was made, but the amendments to the LGA have changed the position.

Moved Cr Beard

Seconded Cr Zahner

That Council amends the Document Signing Policy to delete the restriction on the signing of documents related to the disciplinary action of employees and authorise the Chief Executive Officer to sub-delegate the power to sign such documents to Directors and Manager Human Resources on such conditions as the Chief Executive Officer sees fit.

CARRIED

Resolution No.0613/013

CONFIRMED MINUTES

8.5. Renewal of leases

Council receives regular requests for input from the Department of Natural Resources and Mines ("DNRM") in relation to the renewal of various leases around the Shire.

Two current requests have been received for Council's consideration.

Most of the renewal applications are uncontroversial and can be handled as an administrative function by the Chief Executive Officer.

Moved Cr Gurney

Seconded Cr Zahner

That Council delegate the power to the Chief Executive Officer to respond to lease renewal requests from the Department of Natural Resources and Mines, subject to any controversial or unusual applications being brought to the attention of the Mayor and/or Council before any response is provided, and that a copy of any response be brought to the next Council meeting.

CARRIED

Resolution No.0613/014

8.6. Recall of rates for Scraper tenders

After receiving a letter outlining concerns, Council wrote to the two contractors who were appointed to the pool of preferred suppliers for scrapers (rate per m³) requesting updated prices. The issue arose as one tenderer submitted the rates as requested in the tender documents, while the other submitted a rate for a "package" of plant to undertake the work.

The raising of the issue has highlighted a potential flaw in Council's methodology. Council is able to remove any doubt by recalling prices for the scraper alone. Only the two contractors are affected as no one else lodged a tender for this plant. It is considered reasonable to offer both contractors the opportunity to resubmit prices without the need to recall tenders. It is good governance to respond to potential issues in an open and timely manner and to ensure that any potential defects in process are rectified.

Once the issue was brought to Council's attention, it was decided, after consultation with the Mayor, to request the two successful tenderers to resubmit rates to ensure Council was comparing "apples with apples".

As the request for the revised rates closes after the June meeting, approval is sought to have the tender rates and priority pool ranking decided by the Mayor and Director of Engineering Roads. Notification of the decision would then be given to Council at the July 2013 meeting.

CONFIRMED MINUTES

Moved Cr Pascoe

Seconded Cr Beard

That Council immediately accept the revised scraper tender rates from Tom's Tonkas and Norwest Plant and Pastoral Pty Ltd and rank the tenderers in the following priority order:

- 1. Tom's Tonkas - \$1.94m³; and*
- 2. Norwest Plant and Pastoral Pty Ltd - \$4.73m³ (4 scrapers).*

That Council continue to use Norwest Plant and Pastoral Pty Ltd as per the original tenders where a whole contingent of plant is required (dozer, scraper, grader and full camp including power and water).

CARRIED

Resolution No.0613/015

FOR the motion: 4 Councillors

AGAINST the motion: 2 Councillors

RECESS: 3.25pm – 3:40pm. The Mayor called a recess for afternoon tea

CONFIRMED MINUTES

9. CORPORATE SERVICES REPORTS

9.1. Monthly Financial Report for Period Ending 31 May 2013

The Monthly Financial Report has been prepared for the period ending 31 May 2013.
The following is a summary of major variances and points to note.

Moved Cr Beard

Seconded Cr Gurney

That the Finance Report for the period ending 31 May 2013, incorporating the following reports, be received:

- *Statement of Comprehensive Income*
- *Statement of Financial Position*
- *Statement of Cash Flow*
- *30 Day Cash Flow Estimates*

CARRIED

Resolution No.0613/016

9.2. Amended 2012/2013 Annual Budget

In accordance with Chapter 5, Part 2, Division 170 of the *Local Government Regulation 2012*, a local government may amend its current annual budget prior to 30 June 2013.

The 2012/2013 Amended Budget is now presented for adoption.

Moved Cr Gurney

Seconded Cr Zahner

That Council -

- *adopts the amended budget schedules for 2012/2013 financial year;*
- *authorise the changes as reflected in the capital expenditure for 2012/2013 financial year;*
and
- *adopts the proposed transfers to and from the reserves for 2012/2013 financial year.*

CARRIED

Resolution No.0613/017

CONFIRMED MINUTES

9.3. Public Interest Disclosure Policy

Under the *Public Interest Disclosure Act 2010* (the PID Act), public sector entities are required to develop reasonable procedures for managing public interest disclosures (PIDs). This includes the publication (on Council's website) of the PID procedures as well as Council's policy on managing PIDs.

The ADM_011 Public Interest Disclosure Policy is now presented for adoption.

Moved Cr Gurney

Seconded Cr Beard

That Council adopts the ADM_011 Public Interest Disclosure Policy as presented.

CARRIED

Resolution No.0613/018

9.4. Training & Professional Development/Probation & Performance Review Policies

Council regularly reviews and updates its policies to ensure, among other things, that policies remain current and incorporate best practice approaches.

The Manager Human Resources, after consultation with senior management and employees drafted an amended Training and Professional Development Policy (formerly Learning and Development Policy), and Probation and Performance Review Policy (formerly Employee Probation Policy) for consideration by Council.

The amended draft policies are now presented for adoption.

Moved Cr Johnson

Seconded Cr Schneekloth

That Council adopts the "Training and Professional Development Policy", and the "Probation & Performance Review Policy" as presented.

CARRIED

Resolution No.0613/019

CONFIRMED MINUTES

10. COMMUNITY AND CULTURAL SERVICES REPORTS

10.1. Monthly Report

The report provides information to Council on activities and programmes within the Community and Cultural Services portfolio.

Moved Cr Gurney

Seconded Cr Zahner

That Council note and accept the report as presented.

CARRIED

Resolution No.0613/020

10.2. Community Donations and Support (CDAS)

During the period since the May 2013 Ordinary Meeting of Council, the requests listed in this report have been received from the Carpentaria Shire community for Community Donations and Support.

Moved Cr Schneekloth

Seconded Cr Beard

That Council—

- 1. note and accept the report as presented; and*
- 2. note the Community Donations and Support Summary.*

CARRIED

Resolution No.0613/021

CONFIRMED MINUTES

11. CONFIDENTIAL REPORTS

Moved Cr Schneekloth

Seconded Cr Gurney

That Council resolved to, in accordance with Section 275 of the Local Government Regulation (2012), to close the meeting to the public to discuss confidential employment matters.

CARRIED

Resolution No.0613/022

Moved Cr Schneekloth

Seconded Cr Gurney

That Council resolve to open the meeting to the public.

CARRIED

Resolution No.0613/023

Moved Cr Beard

Seconded Cr Zahner

That Council offer Mr Oliver Pring appointment to the renamed position of Deputy Chief Executive Officer/Director Corporate Services.

CARRIED

Resolution No.0613/024

CONFIRMED MINUTES

12. GENERAL BUSINESS

Cr Gurney

Requested an update on the boat ramps at Karumba and Normanton and also the
The Chief Executive Officer informed that Queensland Transport has approved the latest plans for the boat ramp at Karumba Point.

Queried the opening of Barra Farm.
The Chief Executive Officer advised that repairs are currently being undertaken.

Asked about the Footpath program in Karumba, which is in next year's budget.

Cr Johnson

Requested leave of absence from the Budget Workshop

Moved Cr Gurney

Seconded Cr Beard

That Council grant leave of absence to Cr Johnson for the Budget Workshop.

CARRIED

Resolution No.0613/0025

Cr Beard

Queried the rubber mats from the kitchen at the rodeo grounds.
The Director Community and Cultural Services to investigate

Requested an extension to the Show shed.
Cr Pascoe stated that a meeting with the Rodeo, Show and Race committees be convened.

Cr Schneekloth

Queried an update on TAFE
The Chief Executive Officer will provide an update on the feasibility study conducted by Enmark.

Chief Executive Officer

Informed the meeting a letter was received stating an interest in purchasing land in Greenaway Street.
The meeting agreed to go to tender for the sale of land.

A letter received from the RACQ NQ Rescue Helicopter thanking Council for the continued support of this service. A renewal invoice was attached for the next financial year.

CONFIRMED MINUTES

Moved Cr Beard

Seconded Cr Zahner

That Council sponsor the NQ Rescue Helicopter for another year

CARRIED

Resolution No.0613/026

An update was provided on:

- Transfer station
- Geotechnical engineer awaiting information on what size pylons are required for Pontoon for Normanton
- Pam Otto: parking at Karumba Point Tourist Park & Seafood Market
- Ports North
- Professional development for councillors
- LDMG PLAN

Moved Cr Johnson

Seconded Cr Beard

That Council delegate the power to the Mayor, Deputy Mayor and CEO to adopt the revised Local Disaster Management Plan.

CARRIED

Resolution No.0613/027

Moved Cr Gurney

Seconded Cr Beard

That Council write to Education Queensland expressing its disappointment in the flawed selection process for the position of Principal at Karumba State School.

CARRIED

Resolution No.0613/028

Cr Pascoe

Informed the meeting of RRG & NWQROC
GSD

Cr Gurney at Doomadgee

LGAQ Policy Executive in Brisbane next week.

ADJOURNMENT: 6.30pm

Moved Cr Gurney

Seconded Cr Beard

That Council adjourn the meeting at 6.30pm to resume on Thursday 20 June 2013 at 9.00am.

CARRIED

Resolution No.0613/029

CONFIRMED MINUTES

Thursday 20 June 2013

13. OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at 9.05am.

14. RECORD OF ATTENDANCE

Mayor: Cr FC Pascoe.
Members: Cr AJ Gurney; Cr JC Zahner; Cr JD Beard; Cr BS Schneekloth.

Staff:
Director of Corporate Services; Mr Oliver Pring,
Director of Engineering Roads; Mr Steve Houston,
Executive Assistant; Ms Angeline Pascoe.

14.1 Tender Assessment Report – Manufacture, Supply and Delivery of Road Base

Council has called for tenders for the manufacture, supply and delivery of Type 2.2 road base for Council to use in the 2012 program of Flood Damage Restoration works on State-Controlled Roads.

Moved Cr Gurney

Seconded Cr Schneekloth

That Council not accept the recommendation and resolves to recall tenders and directed the re-issue of the tenders to allow for gravel supply for the four separate roads to be awarded separately.

CARRIED

Resolution No.0613/030

15. CLOSURE OF MEETING

The Chair of the meeting, Cr Fred Pascoe, Mayor, declared the meeting closed at 9.30am.

CONFIRMED MINUTES

MINUTES CERTIFICATE

These Minutes are Confirmed.

A. Pascoe

.....
Councillor FC Pascoe
Mayor

20.6.13

.....
Date

