



CARPENTARIA SHIRE

Outback by the Sea

***CONFIRMED
MINUTES***

***21 & 22 August,
2013***

CONFIRMED MINUTES

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1. OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at 9.00.am.

2. RECORD OF ATTENDANCE

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

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

A Minute's silence was held for the following Community Members:

Mrs Yvonne Sailor
Baby Maria McNamara
Mr Siegfried Kunz
Mrs Gladys Edwards

3. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

Confirmation of Minutes from the Ordinary Meeting of Council held on the 17 and 18 July 2013 as previously circulated to Councillors.

Moved Cr Johnson

Seconded Cr Gurney

That the Minutes of the Ordinary Meeting held on 17 and 18 July 2013 be confirmed.

CARRIED

Resolution No. 0813/001

4. BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

5. PUBLIC QUESTION TIME

9.05am – 9.17am Mr Tony Haupt – addressed Council on the issue of free camping and the stockpile of dirt behind the Tourist Park not being watered and covered.

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ATTENDANCE: 9.54am Mr Steve Houston – Director of Engineering Roads and Mr John Martin – Consultant Engineer attended 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 Gurney

Seconded Cr Gallagher

That Council installs a give way sign or a stop sign near the southern end of Palmer Street at Karumba so that vehicles travelling along Palmer Street have the right of way into the Boat Ramp car parking area.

CARRIED

Resolution No.0813/002

Moved Cr Beard

Seconded Cr Gurney

That Council accepts the report as presented.

CARRIED

Resolution No.0813/003

RECESS: 10.00am – 10.30am The Mayor called a recess for morning tea.

6.2 Flood Damage Restoration Report

Negotiations with the Queensland Reconstruction Authority (QldRA) are progressing well. Work from the 2011 and 2012 submissions that have been re-damaged during the 2013 event are in the process of being transferred into the 2013 program of work.

Moved Cr Beard

Seconded Cr Gurney

That Council accepts the report as presented.

CARRIED

Resolution No.0813/004

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6.3 Naming of Rehabilitation Centre Access Road

The access road to the new Rehabilitation Centre beside the Normanton Hospital does not currently have an official name.

Moved Cr Gurney

Seconded Cr Johnson

That Council undertake public consultation on the renaming of the new access road to the Rehabilitation Centre at Normanton.

CARRIED

Resolution No.0813/005

GENERAL BUSINESS

Cr Beard

Queried the gutters on Caroline Street.

MATERIAL PERSONAL INTEREST:11.04am Councillor Schneekloth declared a material personal interest in the general discussion of road contract matters as Cr Schneekloth and her spouse are contractors, and her parents are contractors. Cr Schneekloth left the meeting and did not participate in the discussions. Cr Schneekloth did not return to the meeting until after the discussion ceased.

Cr Johnson declared a material personal interest in the general discussion of road contract matters as Cr Johnson and her spouse are contractors. Cr Johnson left the meeting and did not participate in the discussions. Cr Johnson did not return to the meeting until after the discussion ceased.

ATTENDANCE: 11.15am The Director of Engineering Roads and Consultant Engineer left the meeting. Mr Peter Watton – Director of Engineering Services entered the meeting.

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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 July 2013.

Planning Applications received

File	Address	Application Type	Status
I/0757	3 Beard Crescent, Normanton	MCU, Temporary Worker Accommodation	Pending

Planning Appeals received

File	Address	Application Type	Status
I/0746	1 Ward Street, (Cnr Palmer) Karumba	Reconfiguration of Lot (1 into 2)	Pending

Note, this Appeal was mentioned in the June Report. The actual Appeal documents were received at Council on 03 July 2013. Acting for Council, Preston Law and Town Planner, Liz Taylor.

Building Applications received

Nil.

Building Permits issued

IDAS No	Address	Type	Value
I/0755	24-30 Brown St, Normanton	Single story Prep School building	535,000

Applications pending waiting on further information (Applicants advised)

Nil.

Council noted and accepted the content of the report.

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7.2 Water Status Report for July 2013

During, June 2013, 62.4 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 on 31 July 2013 was 65.1 ML. This was more than last month.

Glenore Weir level on 31 July 2013 was 1.13 AHD, the level of the weir on 30 June 2013 was 1.44 AHD.

Consumption for Normanton was 2.00 kL/day per connection and Consumption for Karumba was 1.93 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 July 2013. No E-coli was detected.

Water restrictions in place on comparison with the same period July 2011 to July 2013 was a significant drop from 94.3ml to the current 65.1.ml. A total drop in supply of 29.2ml. However the level of the weir for the same period is approximately 440ml lower than the same period in July 2011. Figure for 2011 were used for comparison owing to late rains increasing weir height in 2012.

It would appear that the water restrictions are having a significant affect on consumption.

Moved Cr Gurney

Seconded Cr Beard

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

CARRIED

Resolution No.0813/006

Moved Cr Gallagher

Seconded Cr Schneekloth

That Council permanently close the section of Little Brown Street adjacent to the Water Treatment Plant and the CWA Park.

CARRIED

Resolution No.0813/007

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LATE REPORT

7.3 Town Planning Application IDAS-0757 - Material Change of Use – Temporary Worker Accommodation
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The Council is in receipt of an Application for Material Change of Use (MCU) for Temporary Worker Accommodation to be located at 3-5 Beard Crescent, Normanton, described as Lot 33 and Lot 34 on SP202656. The application is Impact Assessable and during the public notification period no submissions were received.

The application is recommended for approval, subject to conditions, to overcome any potential conflicts with the Carpentaria Shire Planning Scheme.

This item to lie on the table.

ADJOURNMENT: 12.25pm – 1.30pm The Mayor adjourned the meeting for lunch. Upon resumption all members were present.

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LATE REPORT

7.3 Town Planning Application IDAS-0757 - Material Change of Use – Temporary Worker Accommodation

The Council is in receipt of an Application for Material Change of Use (MCU) for Temporary Worker Accommodation to be located at 3-5 Beard Crescent, Normanton, described as Lot 33 and Lot 34 on SP202656. The application is Impact Assessable and during the public notification period no submissions were received.

The application is recommended for approval, subject to conditions, to overcome any potential conflicts with the Carpentaria Shire Planning Scheme.

Moved Cr Schneekloth

Seconded Cr Gallagher

That Council resolve:

In accordance with the Sustainable Planning Act 2009 as amended, the applicant be notified that the application for a Development Permit for a Material Change of Use for Temporary Worker Accommodation located at 3-5 Beard Crescent, Normanton, described as Lot 33 and Lot 34 on SP202656, is approved subject to the conditions detailed below as amended.

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

General

- 1. The development shall be undertaken substantially in accordance with the Site Layout Plans submitted with the application, except as modified by this approval:**
 - **Site Layout Plan, No Drawing Number or Date;**
 - **Floor Plan Kitchen ATCO Drawing No: OF-191-H-C2-01 C2;**
 - **Floor Plan Accommodation ATCO Drawing No: OF-191-H-C2-01 C2; and**
 - **Floor Plan Ablutions ATCO Drawing No: WC-025-H-C2-01 Reg C Cat 2.**
- 2. Any future building work on-site shall be carried out generally in accordance with any relevant Council requirements and the Building Code of Australia, including the provision of disabled facilities as applicable. Building Permits will be required for all buildings on the site and due to the re-locatable nature of the facility all building tie-downs must be inspected and approved by the Chief Executive Officer or delegate.**
- 3. All the ablution and kitchen facilities are required to be connected to the reticulated town sewerage and water supply systems, to the satisfaction of the Chief Executive Officer or delegate. The kitchen fit out is required to be of commercial quality, registered and licenced by Council's Environmental Health Unit prior to lawful commencement of the use.**
- 4. This approval, granted under the provisions of the Sustainable Planning Act 2009,**

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shall in accordance with section 346, lapse three (3) years from the day the approval takes effect.

5. *The applicant shall ensure the site is maintained, during and after development, in a clean and tidy condition at all times, to the satisfaction of the Chief Executive Officer or delegate.*
6. *The maximum height of all building must be less than 12.75 metres to protect the operations of the adjacent Normanton Aerodrome.*
7. *The external finishes of all buildings are required to be non – reflective, such as colour bond not zinc alum, and non- reflective glass is to be used in any glass windows to protect the operations of the adjacent Normanton Aerodrome.*
8. *The Temporary Worker Accommodation (including all buildings such as accommodation buildings, ablutions buildings and kitchen buildings) is required to be sited, as shown on the submitted Site Layout Plan and all facilities are to be in place, prior to lawful commencement of the use:*
 - *a minimum distance of 6 metres from all site frontages;*
 - *a minimum distance of 2.5 metres from the nearest side boundary; and*
 - *a minimum distance of 3 metres from the rear boundary.*
9. *To provide a level of amenity for short term occupants of the premises a concrete footpath link is required to be provided between the car parking, accommodation rooms, the ablution facilities and the kitchen building and concrete floors are to be provided to the covered dining/recreation areas. In addition, the covered dining/recreation areas are required to be provided with a minimum number of tables and chairs to accommodate the occupants on the site. In this regard each room is to be provided with one outdoor chair located outside the room and the central dining/recreation area is required to be provided with a minimum number of tables and chairs to accommodate 20 persons. All recreation/dining areas are to be covered by water proof sails. The recreation/dining facilities must be in place prior to lawful commencement of the use.*
10. *A maximum of 23 accommodation rooms are to be provided on site for both staff and temporary workers. The maximum number of persons accommodated on the site can only be achieved when both ablution blocks are on-site and fully connected to Council's reticulated water and sewerage systems. If there is only one ablution block for a period of time, then the maximum number of workers that can be accommodated is limited to ten (10) workers. For the purposes of this approval, "temporary workers" means workers employed on a road or other major construction project by a principal contractor (for example worker employed by RoadTek for a Main Roads project). The term does not include an operator employed by a contractor undertaking works for Council as part of Council's preferred supplier pool, or a worker engaged by another*

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business in town, such as a hotel or grocery store, which is not directly involved in road or other major construction projects.

11. *To ensure the safety, security and amenity of the facility and its occupants, any temporary female workers are to be accommodated in one area and in close proximity to the ablution facilities and staff residing on the site.*
12. *At no time are any workers to be accommodated continuously in the facility on a long term basis. In this instance "long term basis" means for a period of more than 12 weeks.*
13. *A level of residential amenity for both residents and for neighbours is required to be maintained at the facility. Prior to lawful commencement of the use the Chief Executive Officer or delegate is to endorse an Operational Management Plan, that:*
 - (a) *outlines how the facility will operate or be managed on a day to day basis;*
 - (b) *what measure will be put in place to control alcohol consumption and late night activities; and*
 - (c) *provides a list of contact persons and mobile phone numbers for emergency contact.*
14. *A minimum of 23 car parking spaces is required to be provided, prior to lawful commencement of the use, directly in front of the accommodation, as shown on the submitted Site Layout Plan, to facilitate easy access to rooms by occupants.*
15. *Machinery parking on the site is to be undertaken in an orderly/regulated manner and is to be screened from public view. Any machinery or equipment belonging to occupants of the Temporary Worker Accommodation is to be contained on site and must not be parked or left unattended on the adjacent street or nearby streets. Any requirement to tie down machinery on the site during cyclone season or other periods of extreme weather remains the responsibility of the operator of the facility. No mechanical repairs or servicing of vehicles, whether owned by the operator of the facility or belonging to occupants of the facility, are to be carried out on site at any time.*
16. *On-site landscaping is required to be provided as follows:*
 - (a) *The dense planting of hardy trees and shrubs native to the local area, such as acmena smithii, within a designated landscape strip one (1) metre in width along all boundaries of the premises;*
 - (b) *Hardy, native shrubs and trees are to be planted at 1 metre intervals along the entire length of the landscape strip and maintained to the satisfaction of the Chief Executive Officer or delegate; and*
 - (c) *The landscaping is to be established in full, within nine (9) months of the date of the approval, to allow for the easing of water restrictions.*

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17. ***Any security fencing associated with the development is required to be approved by the Chief Executive Officer or delegate.***
18. ***A screened area is to be designated on site for refuse disposal and is to be maintained in a clean and tidy condition at all times, to the satisfaction of the Chief Executive Officer or delegate.***
19. ***The site is required to drain to the street frontage to the satisfaction of the Chief Executive Officer or delegate.***
20. ***The applicant/proponent is to meet the cost of any connections or upgrades required to any urban services for the approved development and water supply and sewerage are to be constructed to relevant standards stated in Schedule 1, Part 3 of the Planning Scheme.***
21. ***The provision of power outlets/bollards to service the facility are required to be installed by a registered electrician and maintained at all times in a safe manner. No buildings are to be erected over the underground power line or the underground water line. The mains power is to be fitted with a generator change-over switch to enable the facility to operate during times of power outage. The location of the generator on site and the containment of noise associated with the operation of the generator must be to the satisfaction of the Chief Executive Officer or delegate.***
22. ***Any work associated with connecting to urban services shall be undertaken in accordance with an approved plan and shall be established and completed prior to the lawful commencement of the use and to the satisfaction of the Chief Executive Officer or delegate.***
23. ***Should any of the Council's assets be damaged during the construction of any associated works, the cost of the reinstatement of all such assets shall be met by the applicant/proponent and to the satisfaction of the Chief Executive Officer or delegate.***
24. ***Two (2) industrial crossovers and aprons are required to be constructed to the site frontage, in accordance with the submitted Site Layout Plan, and to extend to the bitumen seal in Beard Crescent. A free draining, hard stand driveway and car parking area constructed of gravel to a depth of 100mm to aid dust suppression are to be provided on site, in accordance with the submitted Site Layout Plan. The car parking spaces are to be delineated by copper logs or similar, to facilitate orderly parking adjacent to the accommodation. A compacted, profiled for free draining, machinery standing area, as shown on the submitted Site Layout Plan, is to be provided on site, all to the satisfaction of the Chief Executive Officer or delegate and prior to lawful commencement of the use.***
25. ***No industrial crossovers and aprons are required in association with the two other access points located to the site frontage and shown on the submitted Site Layout Plan, provide these two vehicular accesses are only used intermittently. Should these accesses be used more regularly in association with the facility, resulting in on-going***

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damage to the road reserve, the Chief Executive Officer or delegate reserves the right to require these two vehicle access point to be upgraded with industrial crossovers and aprons to extend to the bitumen seal in Beard Crescent, within a six week period of the applicant /owner being notified in writing of the required upgrade.

26. Any external lighting proposed in association with the development must ensure there is no light spillage onto adjoining properties to the satisfaction of the Chief Executive Officer or delegate.
27. Any advertising signage associated with the development is required to comply with the Advertising Devices Code in the Carpentaria Shire Planning Scheme.
28. The applicant must keep and maintain a register of all persons staying in the accommodation and the register must be made available for inspection by Council officers upon request. Details to be kept in the register include person's name, address and employer.

B. REFERRAL AGENCY CONDITIONS

CONCURRENCE AGENCY Nil

SUBMISSIONS Nil

C. FURTHER DEVELOPMENT PERMITS REQUIRED

- carrying out building works; (note: all buildings require structural certification by a Registered Professional Engineer Queensland)
- carrying out drainage works; and
- carrying out plumbing works.

D. APPLICABLE CODES FOR SELF ASSESSABLE DEVELOPMENT

- Shire of Carpentaria Planning Scheme
- Standard Building Regulation 1993
- Building Act 1975
- Building Code of Australia
- Water and Sewerage Act 1949

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E. RIGHT OF APPEAL

Appeal Rights from the Sustainable Planning Act 2009 are attached.

CARRIED

Resolution No.0813/008

GENERAL BUSINESS

Cr Johnson

Queried the fence at the Aged Persons Unit in Thompson Street.

Rubbish at the Westpac Bank.

Cr Schneekloth

Queried resupply

ATTENDANCE: 1.50pm The Director of Engineering Services left the meeting.

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8. CHIEF EXECUTIVE OFFICER REPORTS

8.1 Pig Bounties

Council have received queries from the public regarding the proposal to increase the bounty on pig snouts. The Council officer has conducted research into the feasibility of increasing the bounty, predominately focusing on the effectiveness as a pest control measure which is consistent with the links to corporate plan in respect to environmental management. Damage caused by pests has impacts on industry and potential biosecurity risk through the spread of disease. This report canvasses studies and articles in relation to the use bounty schemes generally and provides and assessment of their effectiveness.

The 2008 publication by the Queensland Government provides the State Government's position on bounties and does not favour their use generally, however provides that local governments may determine the use and pecuniary limits of bounty schemes.

The information provided in this report is to allow Council to make an informed decision when determining whether to modify the current bounty scheme rates.

This matter will be the subject of a further report to the September 2013 meeting.

8.2 Councillor Remuneration

The *Queensland Independent Remuneration Tribunal Bill 2013* has been introduced to State Parliament. The Local Government Association of Queensland ("LGAQ") seeks feedback from Council on five principles adopted by the LGAQ Policy Executive.

Moved Cr Johnson

Seconded Cr Schneekloth

That Council endorses the five principles adopted by the Local Government Association of Queensland ("LGAQ") Policy Executive and provide a response to the LGAQ by 31 August 2013.

CARRIED

Resolution No.0813/009

8.3 Show Holiday 2014

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Council is able to nominate a day in 2014 as a special holiday pursuant to the *Holidays Act 1983*. Nominations must be submitted by 30 August 2013. If approved, notification will occur by publication in the Queensland Government Gazette.

Moved Cr Gallagher

Seconded Cr Beard

That Council requests the Attorney General and Minister for Justice to appoint Friday 6 June 2014, being for the Normanton Rodeo and Agricultural Show, as a special holiday for the Carpentaria Shire local government area.

CARRIED

Resolution No.0813/010

8.4 Local Government Association of Queensland ("LGAQ") Annual Conference Agenda

LGAQ has called for items for possible inclusion in the Annual Conference Agenda. The Annual Conference is to be held at Cairns in later October 2013. Agenda items must be submitted by 30 August 2013.

Moved Cr Beard

Seconded Cr Schneekloth

That Council propose the following motions for consideration at the NQLGA Conference at Cooktown and the LGAQ Annual Conference at Cairns in October 2013:

- 1. That LGAQ/NQLGA support a bounty scheme for feral animals (wild dogs, cats and pigs) across the North Queensland region.***
- 2. That LGAQ/NQLGA lobby the manufacturer of Caravans and Motor Homes to include a sticker on all new self-contained vehicles stating that the vehicles are self-contained.***
- 3. That LGAQ/NQLGA lobby the Minister for Transport and Main Roads to require the Department to consult with and consider the views of Local Governments in establishing the depth of water for road closures.***

CARRIED

Resolution No.0813/011

8.5 Boundary realignment applications

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Council occasionally receives applications to realign boundaries where adjoining lots are owned by the same person. Such applications are usually straightforward and are generally uncontroversial.

Council may wish to delegate the power to approve boundary realignments to the Chief Executive Officer.

Moved Cr Beard

Seconded Cr Schneekloth

That Council delegate the power to the Chief Executive Officer to approve applications for realignment of boundaries of properties within the Shire's towns.

CARRIED

Resolution No.0813/012

8.6 Survey Results: Karumba Commercial Crab Fishery Closure

A broad community survey was conducted to determine public support for a commercial crab fishery closure in the area indicated in Map 1.

The responses have been received and all comments collated in this report.

Moved Cr Gurney

Seconded Cr Beard

That Council take no further action from the commercial crab fishery closure survey and that Council publish the full results of the survey.

CARRIED

Resolution No.0813/013

CONFLICT OF INTEREST: 3.00pm – Cr Pascoe declared a Conflict of Interest and left the meeting during discussion of the Normanton Airport terminal as his employer is a lessee. Cr Pascoe remained out of the meeting and did not participate in the discussion or vote. The Deputy Mayor assumed the role of Chair.

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8.7 Airport Leases

Council has reached in principle agreement for several leases of Council properties including Bynoe CACS Ltd, Cloncurry Mustering Pty Ltd (formerly Tremain-Hill Helicopters Pty Ltd) and Mobil Oil Ltd. Generally, Council may not dispose of a valuable non-current asset without first going to auction or tender.

Valuable non-current asset includes land or an interest in land. Dispose of includes the granting of an interest such as a Lease (except Trust land).

Council may dispose of an interest in Land without first seeking tenders or (or public auction) pursuant to exceptions contained in the *Local Government Regulation 2012*.

These exceptions include circumstances where a Lease is to be granted to an existing tenant or where the land is used as an airport land or a similar purpose. Before entering into the agreement Council must resolve that the relevant exception applies.

Moved Cr Beard

Seconded Cr Schneekloth

That Council:

Lease to Bynoe CACS Ltd

- 1. Delegate the power to the Deputy Mayor and Chief Executive Officer to negotiate and finalise the Lease Agreement for the Lease of Office A of the Normanton Airport Terminal on Lot 50 on SP202656.**
- 2. the Lease is to be subject to Bynoe being the airport agent for Skytrans or its successors or assigns;**
- 3. obtain a reports from a valuer as to the market value for rent payable in respect to the proposed lease;**
- 4. The Lease is to be subject to Bynoe CACS holding the agency Contract with Skytrans or the carrier providing the primary flight services to Normanton;**
- 5. dispose of a valuable noncurrent asset being, Office A of the Normanton Airport Terminal on Lot 50 on SP202656, other than by tender or auction pursuant to the exception outlined in section 236(1)(c)(vii) of the Local Government Regulation 2012 in that it is for use as an airport or related purpose, and it is in the public interest to dispose of the land without a tender or auction for reasons including the following:**
 - a. Bynoe CACS operate the Airport agency for Skytrans which is an essential service for the Shire;**
 - b. It is essential that Office A be Leased to the entity who is the holder of the Airport agency agreement with Skytrans;**
 - c. Council will receive revenue under the Lease.**
- 6. The above factors benefits Council's operations and its ability to provide services to the community; and**
- 7. Improved operations and better services is a public benefit in the local government**

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area.

Lease to Cloncurry Mustering Pty Ltd

1. ***Delegate the power to the Mayor and Chief Executive Officer to negotiate and finalise the Lease Agreement for the Lease of Part of Lot 48 on SP127905 (Karumba Airport)***
2. ***obtain a reports from a valuer as to the market value for rent payable in respect to the proposed lease;***
3. ***dispose of a valuable noncurrent asset being Part of Lot 48 on SP127905 (Karumba Airport) other than by tender or auction pursuant to the exception outlined in section 236(1)(c)(vii) of the Local Government Regulation 2012 in that it is for use as an airport or related purpose, and it is in the public interest to dispose of the land without a tender or auction for reasons including the following:***
 - a. ***The former tenant and the incoming tenants were both local suppliers of helicopter services during disaster management operations;***
 - b. ***Having a locally operated helicopter business in Karumba provides an essential service to the community during disaster management operations;***
 - c. ***There is space available for Lease should another operator wish to establish in Karumba;***
4. ***The above factors benefits Council's operations and its ability to provide services to the community; and***
5. ***Improved operations and better services is a public benefit in the local government area.***

Lease to Mobil Oil Ltd

1. ***Delegate the power to the Mayor and Chief Executive Officer to negotiate and finalise the Lease Agreement for the Lease C on Lot 50 on SP202656.***
2. ***dispose of a valuable noncurrent asset being Lease C on Lot 50 on SP202656 other than by tender or auction pursuant to the exception outlined in section 236(1)(c)(iii) of the Local Government Regulation 2012 in that it is for the purpose of renewing a Lease to an existing tenant.***

CARRIED

Resolution No.0813/014

ATTENDANCE: 3.06pm Cr Pascoe returned to the meeting after the discussion and vote and resumed the role of Chair.

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MATERIAL PERSONAL INTEREST: 3.18pm Cr Pascoe declared a Material Personal Interest in the following matter as the Mayor's business partner had lodged an expression of interest to run horses on Lilyvale. The Mayor left the meeting and did not participate in the discussions or vote. The Deputy Mayor assumed the role of Chair.

8.9 Lilyvale

Council received Expressions of Interest for the use of Lilyvale for agisting stock. Two interested parties have been contacted. Preliminary negotiations of price have been discussed based on the area of Land requested. Negotiations are still ongoing and price will be subject to confirmation of the area to be occupied by each party.

It is suggested that conditions be placed on the agreements to protect Council's interest and so as not to restrict Council's future use.

Moved Cr Beard

Seconded Cr Johnson

That Council delegate the power to the Deputy Mayor, Cr Gallagher, Cr Beard and Chief Executive Officer to enter into agreements for the short term use of part of Lilyvale, namely part of Lot 76 on CP908325.

The conditions of any agreement must include:

- *The term of the agreement must be no more than 12 months, but may be extended year by year at Council's absolute discretion;*
- *The agreement is to be in the form of a licence which will be revocable at will;*
- *All licences will be subject to an annual rental fee or agistment fee;*
- *Licence holders must obtain and maintain public liability insurance of at least \$10,000,000.00. Copies of the insurance certificates must be provided to Council prior to the use of the land commencing;*
- *Licence holders must indemnify Council for any loss, damage or injury arising directly or indirectly from the use and/or occupation of the land;*
- *No permanent structures must be placed or constructed on the land, including fences, unless with the prior written approval of Council;*
- *Licence holders must remove and keep the land free from weeds, rubbish or other materials as directed by the Chief Executive Officer;*
- *Licence holders must comply with all applicable laws;*

the maximum number of horses that may be run on the land.

CARRIED

Resolution No.0813/015

ATTENDANCE: 3.30pm The Mayor returned to the meeting and resumed the role of Chair.

CONFIRMED MINUTES

LATE REPORT

8.10 Fatigue Management

Since the introduction of fatigue management legislation in 2007, Council has sought exemptions from the legislative requirements on four occasions. These attempts have been to State and Federal Ministers directly, as well as through the Local Government Association of Queensland (LGAQ) and Regional Roads Group (RRG).

Exemption requests have been made at each step of the legislative process: at the introduction of the Transitional Fatigue Management Scheme (TFMS), the transition to Basic Fatigue Management (BFM), and the transition to Advanced Fatigue Management (AFM). These requests were unsuccessful.

With the transition to the National Heavy Vehicle Regulator (NHVR) in Queensland from 1 September 2013, any further requests can be directed to NHVR, but may require cooperation and input from the Department of Transport and Main Roads (DTMR). Both of these organisations have recently expressed a willingness to discuss the situation with Council in further detail.

The Regulations (2008) for Fatigue Management intentionally mirror WH&S legislation. As a safety issue, and regardless of any future exemptions, Council will have some form of fatigue management system. It is important for maximum productivity that the system – in whatever form it takes - does not interfere unnecessarily with Council's road construction program and Council's ability to deliver the works.

Moved Cr Gurney

Seconded Cr Gallagher

That Council:

- 1. Apply for exemption on the work/rest requirements under Advanced Fatigue Management;**
- 2. Lobby the Premier and Minister for Transport and Main Roads to amend legislation to exclude water and gravel trucks from the fatigue management requirements when the trucks are being used by local government for road construction purposes in remote areas within 100 km of the road construction site;**
- 3. If the above actions are not successful or not concluded by 31 October 2013, seek reaccreditation of Council's Advanced Fatigue Management program with amendments to ensure that:**
 - o each of the 10 working days are extended to 14 hours to allow for repairs and maintenance to be undertaken on vehicles;**
 - o exemptions are provided to allow for repairs, maintenance and limited operation of trucks during the 4 day break to promote the safe operation of vehicles; and**
 - o record keeping and work diary requirements are reduced or exempted.**

CARRIED

Resolution No.0813/016

CONFIRMED MINUTES

GENERAL BUSINESS

Cr Johnson	Requested a get well card be sent to John Page's partner, Cheryl.
Cr Gurney	Karumba Sports Complex – water fountain <i>DCS informed that water coolers were being sourced.</i>
Chief Executive Officer	Normanton TAFE letter to the Minister. Letter to the Minister regarding pre-paid meters DTMR inspectors in Thursday to talk to Council. Go Kart track Letter from Medicare Local advising of visit 16-18 September. (9.30am Thursday) Letter from LGAQ – Certificates of Services

ADJOURNMENT:

Moved Cr Gurney

Seconded Cr Gallagher

That Council adjourn the meeting to commence on Thursday 22 August at 9.00am.

CARRIED

Resolution No.0813/017

CONFIRMED MINUTES

Thursday 22 August 2013

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 ATJ Gallagher.

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

PRESENTATION: 9.30am – 9.45am Officers from the Department of Transport and Main Roads, Kym Farquharson-Jones (Transport Inspector – Northern Region); Stephen Bennett and Belinda Adams attended the meeting and provided Council with a presentation on the Chain of Responsibility with Advanced Fatigue Management and a Compliance Notice.

CONFIRMED MINUTES

9. CORPORATE SERVICES REPORTS

9.1 Monthly Financial Report for Period Ending 31 July 2013

The Monthly Financial Report has been prepared for the period ending 31 July 2013.

The following is a summary of major variances and points to note.

Income Statement:

As at 31 July 2013, 8.33% of the financial year has elapsed, and whilst the Income Statement indicates a deficit in the *Net Operating Surplus*, this is negated by the fact that ongoing Council Capital Expenditure programs and NDRRA Flood Damage Restoration works are continuing and no claims are yet to be submitted for the period.

General Notes:

Year end reconciliations are still being undertaken and the finalisation of the financials for the year ended 30 June 2013 will be reflected into the revised budget (tabled to Council at a later date)

Moved Cr Gurney

Seconded Cr Gallagher

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

- *Income Statement*
- *Statement of Financial Position*
- *Statement of Cash Flow*
- *30 Day Cash Flow Estimate*

CARRIED

Resolution No.0813/018

9.2 Annual Report & Audited Financial Statements

Pursuant to Section 108 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, a Local Government must prepare an annual report and must be presented to Council for adoption by the 30 November annually (unless upon receipt of approval by the Minister for extension). The content of the Annual Report is made up of a number of documents including the Mayor and Chief Executive Officer reports and the audited Annual Financial Statements for the year ended 30 June 2012 along with the Independent Auditors Report.

CONFIRMED MINUTES

Moved Cr Gallagher

Seconded Cr Beard

That Council endorses the General Purpose Financial Statements for the year ended 30 June 2012 and Independent Auditors Report and adopts the Carpentaria Shire Council Annual Report for 2011/2012 as presented.

CARRIED

Resolution No.0813/019

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 Gallagher

That Council note and accept the report as amended noting that Cr Schneekloth is the Deputy Chair of the Carpentaria Health Committee.

CARRIED

Resolution No.0813/020

10.2 Community Donations and Support (CDAS)

During the period since the July 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 Beard

Seconded Cr Johnson

That Council—

- 1. approve the request from Karumba Children's Centre for the waiver of garbage, water and sewerage charges of \$3,021.58 for the 2013/2014 financial year;**
- 2. note and accept the report as presented; and**
- 3. note the Community Donations and Support Summary for 2013-14.**

CARRIED

Resolution No.0813/021

CONFIRMED MINUTES

10.3 Karumba State School Memorandum of Understanding for the operation of Karumba Swimming Pool as a Public Swimming Pool

Carpentaria Shire Council makes an annual contribution towards the operation of the Karumba Swimming Pool as a public swimming pool. This Memorandum of Understanding (MOU) set out the terms of funding to assist the Karumba State School with providing public swimming pool services to the Karumba Community at the swimming pool located at the Karumba State School. The MOU is for a term of 3 years from 1 September 2013 to 31 August 2016. The annual contribution of \$18,000 plus GST has been provided for in the 2013-14 operational budget.

Moved Cr Gurney

Seconded Cr Gallagher

That Council approve the contribution of \$18,000 plus gst for the operation of the pool at the Karumba State School and negotiate a new Memorandum of Understanding between Council and the School for the operation of the pool.

CARRIED

Resolution No.0813/022

RECESS: 10.15am – 10.25am The Mayor called a recess for morning tea.

10.4 Carpentaria Youth Drink Smart Initiative Memorandum of Understanding

In 2012 Carpentaria Shire received \$493,000 from the Australian National Preventative Health Agency to fund the Carpentaria Youth Drink Smart Initiative (CYDSI). This Initiative is delivered to the Carpentaria Community through a collaborative partnership approach of the Carpentaria Inter Agency forum.

The Memorandum of Understanding (MOU) set out the terms of funding to sponsor high profile community events and organisations which can assist in delivering the CYDSI message and embedding the philosophy in the community.

The MOU are each for a term of 3 years with the contributions being wholly funded from the CYDSI operational budget.

Moved Cr Johnson

Seconded Cr Gurney

That Council approve the amended Memorandum of Understanding between the Normanton Rugby League Football Club, the Normanton Rodeo Association Incorporated and the Normanton Rugby League Football Club for the Normanton Bush Races Committee and Carpentaria Shire Council.

CARRIED

Resolution No.0813/023

CONFIRMED MINUTES

GENERAL BUSINESS

Cr Gallagher

Normanton Sports Centre

Moved Cr Gurney

Seconded Cr Schneekloth

That the meeting be closed to the public pursuant to the Local Government Regulation 2010 to discuss confidential matters.

CARRIED

Resolution No.0813/024

Moved Cr Beard

Seconded Cr Gurney

That Council resolve to open the meeting to the public.

CARRIED

Resolution No.0813/025

11. CONFIDENTIAL REPORTS

11.1 Purchase of House

Council has budgeted for the purchase of a house at Karumba. The Chief Executive Officer ("CEO") has been in negotiations with the owners of the premises and has reached in-principle agreement for the purchase of the house, together with a land swap as part of the consideration.

The house was previously inspected by the Director of Engineering Services and the Mayor. The inspection confirmed that the house was suitable for purchase.

CONFIRMED MINUTES

Moved Cr Gurney

Seconded Cr Schneekloth

That Council:

1. **delegate the power to the Mayor and Chief Executive Officer to negotiate the purchase and sale of Lot 21 and Lot 23 on CP901180 and enter into contracts for these lots; and**
2. **agree to the consideration being \$240,000.00 for Lot 21 plus the exchange of land described as Lot 23 on CP901180 under the ownership of Council; and**
3. **obtain a report from a valuer as to the market value of the lots; and**
4. **dispose of a valuable noncurrent asset (being Lot 23) other than by tender or auction pursuant to the exception outlined in section 236(1)(c)(v) of the Local Government Regulation 2012 in that all or some of the consideration for the disposal is consideration other than money, and it is in the public interest to dispose of the land without a tender or auction for reasons including the following:**
 - a. **Council is improving the nature of its land stocks by disposing of a lot with overhead power lines and acquiring one with an existing dwelling;**
 - b. **Council will be able to reduce its outlays on leased premises for staff;**
 - c. **The property provides an immediate increase to Council's housing stocks;**
 - d. **The availability of suitable housing will assist Council in recruiting and retaining skilled staff;**
 - e. **The above factors benefits Council's operations and its ability to provide services to the community; and**
 - f. **Improved operations and better services is a public benefit in the local government area.**
5. **agree to the existing tenants being able to lease the purchased house from Council up to and including 15 November 2013 in order to allow the tenants ample time to find other accommodation.**

CARRIED

Resolution No.0813/026

CONFIRMED MINUTES

12. GENERAL BUSINESS

Cr Gurney	Queried the operation of the Normanton Childcare Centre.
Cr Beard	Commercial Fishermen wharf Footpath along Thompson Street Queried the 1080 baiting program – baits should be mixed on the property.
CEO	Road trip – 14 & 15 September 2013.

13. CLOSURE OF MEETING

The Chair of the meeting, Cr Fred Pascoe, Mayor, declared the meeting closed at 12.30pm.

MINUTES CERTIFICATE

These Minutes are Confirmed.

F. Pascoe

.....
Councillor FC Pascoe
Mayor

02.08.2013

.....
Date

