

CARPENTARIA SHIRE

*Outback by the Sea*

***CONFIRMED  
MINUTES***

***18 September, 2013***

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## **CONFIRMED MINUTES**

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### 1. OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at 8.39am.

### 2. RECORD OF ATTENDANCE

Mayor: Cr FC Pascoe.  
Members: Cr AJ Gurney; Cr MD Johnson; Cr JC Zahner; 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.

**DEPUTATION: 8.40am – 9.00am** Dr Rob Lawrence, Executive Director, Environmental Service and Regulation and Scott Sullivan, Regional Manager, from the Department of Environmental and Heritage Protection provided Council with an overview of their areas of operations.

Cr Schneekloth provided a verbal report on the visit by the Minister of Health to Normanton.

**DEPUTATION: 9.30am – 10.00am** Board Members of Central and North West Queensland Medicare Local – Mr Phil Barwick (Chair), Ms Debra Burden (Deputy Chair), Mr Mike Reynolds AM, Dr Rob Stable, Mr Eddie Fewings (Executive Board Member), Prof Sabina Night, Ms Evelyn Edwards (CEO), Ms Sandra Moore (Chief Operations Officer) and Ms Adrienne Whelan (Area Manager) attended the meeting and informed Council of Medicare Local's operations and service delivery goals.

**RECESS: 10.00am – 10.15am** The Mayor called a recess for morning tea.

### CONDOLENCES

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

Mr Allan Douglas  
Ms Renata Thimble

A minute's silence was also held for the passing of Cr Eddie Garde and his son Sandy. Cr Garde was the Deputy Mayor of Croydon Shire Council.

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### 3. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

Confirmation of Minutes from the Ordinary Meeting of Council held on the 21 and 22 August 2013 as previously circulated to Councillors.

*Moved Cr Beard*

*Seconded Cr Johnson*

*That the Minutes of the Ordinary Meeting held on 21 and 22 August 2013 be confirmed.*

**CARRIED**

*Resolution No. 0913/001*

### 4. BUSINESS ARISING FROM PREVIOUS MINUTES

Cr Johnson

Queried the progress of the temporary accommodation.

**MATERIAL PERSONAL INTEREST: 10.25am** 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.

Cr Schneekloth

Queried the meeting relating to agistment on Lilyvale.

**ATTENDANCE: 10.30am** Cr Pascoe returned to the meeting and resumed the role of Chair.

### 5. PUBLIC QUESTION TIME

No members of the public were present at the meeting.



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**ATTENDANCE:** The Consultant Engineer, Mr John Martin 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. A summary of the works that have been completed for the month of August 2013 was presented to Council.

**MATERIAL PERSONAL INTEREST:** *10.53pm* Cr Johnson declared a material personal interest in the general discussion for the manufacture, supply and delivery of Type 2.2 road base as Cr Johnson's daughter was a tenderer. Cr Johnson left the meeting and did not participate in the discussions. Cr Johnson did not return to the meeting until after the discussions ceased.

**ATTENDANCE:** *11.05am* Cr Johnson returned to the meeting.

*Moved Cr Gurney*

*Seconded Cr Beard*

*That Council accepts the report as presented.*

**CARRIED**

*Resolution No.0913/002*

#### 6.2 NDRRA Report

Budget areas for ongoing maintenance and construction works are performing generally within their specified variance range. A summary of the works that have been completed for the month of August 2013 was presented to Council.

*Moved Cr Schneekloth*

*Seconded Cr Zahner*

*That Council delegates the power to the Mayor, Cr Beard and Cr Gallagher to decide and award the tenders for the drilling of bores through NDRRA.*

**CARRIED**

*Resolution No.0913/003*

*Moved Cr Gurney*

*Seconded Cr Zahner*

*That Council accepts the report as presented.*

**CARRIED**

*Resolution No.0913/004*

**ADJOURNMENT:** *11.55pm – 1.00pm* The Mayor adjourned the meeting for lunch. Upon resumption all members were present.

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**MATERIAL PERSONAL INTEREST:** 11.35am Cr 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.

### 6.3 Late Tender Submission – Plant Hire

A late tender submission for the inclusion of a Semi Tanker water truck into the 2013 Preferred Supplier Pool has been received. Council has the option of accepting this late tender for inclusion in the Pool. However, as the tender was prepared six months after the closing of tenders and with full knowledge of all other tendered rates, this would give the late tenderer a significant advantage over all the other tenderers.

Due to a high demand for water trucks at the moment, this truck has already been engaged from outside the Pool (in accordance with Council's Plant Hire Policy) and will probably remain engaged by Council for most of the remainder of the 2013 Construction Season regardless of whether it is placed in the Pool or not.

*Moved Cr Gurney*

*Seconded Cr Zahner*

***That Council not accept the late tender submission for inclusion in the 2013 Preferred Supplier Pool due to the tender being received after the tendered rates had been made public.***

***CARRIED***

***Resolution No.0913/005***

**ATTENDANCE:** 1.15pm Cr Schneekloth and Cr Johnson returned to the meeting.

### 6.4 Tender Exemption for Marine Piling Works

The extension of the Gilbert Street Pontoon is currently being planned. The existing pontoon is a proprietary system installed by Superior Jetties and it is therefore impractical to go out to tender for the extension of the pontoon as any other tenderers would need to use units supplied by Superior Jetties to connect with the existing structure.

The extension of the pontoon involves installing new piles in the river, so Superior Jetties will need to establish a piling rig in Karumba. Council also has a number of other projects underway which involve piling (Replacement of piles at the Karumba Depot wharf, the pump intake pier for the Barramundi Hatchery and the Normanton boat ramp pontoon). Using one piling rig for all of these works represents a significant cost saving.

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*Moved Cr Gallagher*

*Seconded Cr Gurney*

*That Council engage Superior Jetties to carry out:*

- 1. the extension of the Gilbert Street pontoon in Karumba; and*
- 2. piling works at the Karumba Depot wharf, the pump intake pier for the Barramundi Hatchery and the Normanton boat ramp pontoon;*

*on the basis that Council is satisfied that there is only one supplier reasonably available and that because of the specialised nature of the services it would be impractical or disadvantageous for Council to invite quotes or tenders.*

**CARRIED**

*Resolution No.0913/006*

### GENERAL BUSINESS

Cr Gurney

Queried whether the Department of Main Roads is undertaking works that were designated for Council to complete.

*The Consulting Engineer confirmed that Council were still undertaking the works.*

**ATTENDANCE: 1.42pm** – The Manager Engineering Services, Mr Dan Spooner entered the meeting.



## **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 August 2013.

#### **Planning Applications received**

Nil.

#### **Planning Applications Approved**

<b>File</b>	<b>Address</b>	<b>Application Type</b>	<b>Status</b>
I/0757	3-5 Beard Crescent, Normanton	MCU, Temporary Worker Accommodation	Approved with Conditions

#### **Building Applications received**

<b>IDAS No</b>	<b>Address</b>	<b>Type</b>	<b>Value</b>
I/0760	58 Riverview Drive, Karumba	Shed	\$75,100
I/0761	12 Beard Crescent, Normanton	Shed	\$30,000

#### **Building Permits issued**

Nil.

#### **Applications pending waiting on further information (Applicants advised)**

Nil.

**Moved Cr Gallagher**

**Seconded Cr Schneekloth**

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

**CARRIED**

**Resolution No.0913/007**



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### 7.2 Water Status Report for August 2013

During, August 2013, 63.1 ML of water was pumped from Glenore Weir. Bore water pumped was a total of 0.4 ML. Total water received at the water treatment plant on 31 August 2013 was 63.5 ML. This was less than last month.

Glenore Weir level on 31 August 2013 was .82 AHD, the level of the weir on 31 July 2013 was 1.13 AHD.

Consumption for Normanton was 2.15 kL/day per connection and Consumption for Karumba was 1.81 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 August 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 89.5ML to the current 63.5ML. A total drop in supply of 26ML. However the level of the weir for the same period is approximately 440mm 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 effect on consumption.

*Moved Cr Beard*

*Seconded Cr Johnson*

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

**CARRIED**

*Resolution No.0913/008*

### 7.3 Karumba Water Main Replacement

The report is to request Council to consider approving funding for the replacement of the Karumba water main from the Water Treatment Plant to the Yappar Street water main.

*Moved Cr Beard*

*Seconded Cr Schneekloth*

*That Council approve and allocate an amount of up to \$625,000.00 to replace the Karumba rising water main from the Water Treatment Plant to the water main situated in the road reserve in Yappar Street.*

**CARRIED**

*Resolution No.0913/009*

**ATTENDANCE:** 2.07pm – The Manager Engineering Services left the meeting.

## CONFIRMED MINUTES

**CONFLICT OF INTEREST: 2.10pm** Cr Beard declared a conflict of interest in report 8.1 as Mr Wilson was his brother in-law. Cr Beard considered his private interests and the public interests and decided that he could act in the public interest. Cr Beard voted in favour of the name change.

### 8. CHIEF EXECUTIVE OFFICER REPORTS

#### 8.1 Naming of Barramundi Discovery Centre

Council advised the public through a notice published in The Gulf Chronicle on 11/09/2013 that it intended to name the Barramundi Discovery Centre as the "Les Wilson Barramundi Discovery Centre". Objections were called for with a closing date of 17 September 2013.

Recommendation 1 below is made on the assumption that no objections will be received. If objections are received, Recommendation 2 is submitted.

*Moved Cr Gallagher*

*Seconded Cr Johnson*

- 1. If no objections are received: "That Council name the Barramundi Discovery Centre as the "Les Wilson Barramundi Discovery Centre";"*
- 2. If objections are received: "For Council's consideration".*

**CARRIED**

**Resolution No.0913/010**

#### 8.2 Purchase of land by Council - Normanton

Council previously sold low-lying land to the Gulf Christian College ("GCC") at Normanton for the development of a sporting field. Three lots remained in the adjoining areas that were owned by the State. Council has received an offer from the State to purchase the remaining three lots and Council, if it accepts the offer, has the option of on-selling the lots to GCC for the sports field.

*Moved Cr Zahner*

*Seconded Cr Gurney*

*That Council accepts the offer from the State to purchase Lots 28, 30 and 33 on Plan N14811.*

**CARRIED**

**Resolution No.0913/011**

**MATERIAL PERSONAL INTEREST: 2.30pm** Cr Pascoe declared a material personal interest in report 8.3 as he is a director of Morr Morr Pastoral Company and Kurtijar Aboriginal Corporation is the shareholder. Cr Pascoe left the meeting and did not participate in the discussions. Cr Pascoe did not return to the meeting until after the discussion ceased.



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### 8.3 Kurtijar Aboriginal Corporation (KAC) – Request for Rate Adjustment

Council received correspondence from Kurtijar Aboriginal Corporation (KAC) dated 22 August 2013 requesting the Council increase its daily rate of pay for Aboriginal Cultural Heritage Monitors from \$420 per day per monitor to \$462 (excluding GST) per day per monitor. The new rate has purportedly been proposed to account for KAC's administrative costs with rate comprising of \$420 for the monitor and \$42 for administration.

*Moved Cr Beard*

*Seconded Cr Zahner*

*That Council confirm the rates for cultural heritage monitoring in accordance with its current Aboriginal Cultural Heritage Policy.*

**CARRIED UNANIMOUSLY**

**Resolution No.0913/12**

**MATERIAL PERSONAL INTEREST: 2.25pm** Cr Gallagher declared a Material Personal Interest in the following report as his brother is a tenderer. Cr Gallagher left the meeting and did not participate in the discussions. Cr Gallagher did not return to the meeting until after the discussion ceased.

Report 8.4 was left to lie on the table while further advice was sought.

**MATERIAL PERSONAL INTEREST:** Cr Gallagher declared a Material Personal Interest in the following report as his brother is a tenderer. Cr Gallagher left the meeting and did not participate in the discussions. Cr Gallagher did not return to the meeting until after the discussion ceased and the vote was taken.

### 8.4 Tender for the Sale of Land (Tender No. 13/0342) – LATE ITEM

Council sought tenders for the sale of six (6) residential lots of land in Normanton. A total of eight tenders were received from five parties (the "tenderers"). Under the terms of the tender, Council is not obliged to accept the highest or any tender.

The conditions of tender require the successful tenderers to agree to construct a residential dwelling on the lot within two years of sale. A further condition requires the obtaining of a building approval with 12 months. These conditions will be inserted as covenants to any contract of sale entered into with a successful tenderer. Default with either covenant will allow Council to have the land transferred back to Council.



## CONFIRMED MINUTES

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*Moved Cr Gurney*

*Seconded Cr Johnson*

**That Council:**

1. **Accepts the following tenders for land at Normanton:**
  - a. **Bernice Dash: 3 Noel Street West, Lot 21 on SP136532 for \$12,800.00; and**
  - b. **Tiffany Coulter & Leah Mumberson: 5 Noel Street West, Lot 20 on SP136532 for \$8,300.00.**
2. **That Council rejects the offers on 13 and 15 Greenaway Street Normanton but negotiates with the highest tenderers for sales at Council's reserve price of \$15,000 per lot with the same covenants and conditions.**
3. **Delegate the power to the Mayor and Chief Executive Officer to enter into and negotiate contracts for the abovementioned lots.**
4. **Delegate the power to the Mayor and Chief Executive Officer to place the unsold lots being 18 Norman Street (Lot 49 on SP218124) and 20 Norman Street (Lot 50 on SP218124) on the market and to enter into contracts for the sale of these lots to any prospective buyer on the same terms and covenants as the tender offer, with the reserve price to be set by the Mayor and Chief Executive Officer.**

**CARRIED**

**Resolution No.0913/013**

**ATTENDANCE: 2.40pm** Cr Gallagher returned to the meeting.

## CONFIRMED MINUTES

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### 9. CORPORATE SERVICES REPORTS

#### 9.1 Monthly Financial Report for Period Ending 31 August 2013

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

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

#### **Income Statement:**

As at 31 August 2013, 16.67% 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. First half rate levy has been processed and notices issued on the 26 August 2013, payments are only starting to come in and the majority will be received prior to the discount closing on the 24 September 2013.

#### **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 Zahner*

*Seconded Cr Johnson*

*That the Finance Report for the period ending 31 August 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.0913/014*

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**9.2 2013/2014 Schedule of Fees & Charges (Addendum)**

The attached document entitled 2013/2014 Schedule of Fees & Charges (Addendum) provides a summary of changes to the originally adopted 2013/2014 Schedule of Fees & Charges.

Under Section 98 of the *Local Government Act 2009*, Council must adopt and maintain a register of its cost recovery fees.

**Moved Cr Beard**

**Seconded Cr Gurney**

**That Council adopts the 2013/2014 Schedule of Fees and Charges (Addendum) as amended.**

**CARRIED**

**Resolution No.0913/015**

**RECESS: 3.20pm - 3.30pm** The Mayor called a recess for afternoon tea.

**ATTENDANCE:** The Manager Economic and Community Development, Ms Cherie Crossland entered the meeting.



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### 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 Schneekloth*

*That Council note and accept the report as presented.*

**CARRIED**

*Resolution No.0913/016*

#### 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 Gurney*

*Seconded Cr Schneekloth*

*That Council—*

- 1. note and accept the report as presented; and*
- 2. note the Community Donations and Support received for the period stated.*

**CARRIED**

*Resolution No.0913/017*

### GENERAL BUSINESS

Cr Zahner

camping at river  
Minister's visit  
Attended the Open Day at Bynoe CACS Ltd –  
well presented

**ATTENDANCE: 4.08pm** The Manager Economic and Community Development left the meeting.

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### 11. CONFIDENTIAL REPORTS

Nil.

### 12. GENERAL BUSINESS

Cr Gurney	Thanks to Phil Turner
Cr Zahner	Informed the meeting of Police Remembrance Day on Friday 27 September at 9.00am.
Cr Johnson	Queried the solar energy <i>CEO advised that Phil Turner had been speaking with the developer, but that Council had received no written notification of any agreement with Ergon.</i>
	Fencing at Pensioner units <i>Waiting on prices</i>
Chief Executive Officer	Informal enquiry from the Manager at Gone Fishin' at Karumba whether Council would object to them approaching Department of Natural Resources and Mines to purchase the old well and water reserve. <i>Advised that it is a public asset and could be used by Council in the future.</i>

**Moved Cr Beard**

**Seconded Cr Zahner**

***That Council applies to acquire tenure over the water reserve located on the corner of Palmer and Ward Streets Karumba.***

**CARRIED**

**Resolution No.0913/018**

Chief Executive Officer

Provided an update on the Lilyvale planning progress.

**MATERIAL PERSONAL INTEREST: 4.30pm** – Cr Pascoe declared a material personal interest and left the meeting. Cr Pascoe is the Chief Executive Officer of Bynoe CACS Ltd. Cr Pascoe remained out of the meeting until the discussion was completed. Cr Gurney assumed the role of Chair.

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Chief Executive Officer

Letter of support sought by Bynoe CACS Ltd.

**ATTENDANCE: 4.40pm** Cr Pascoe returned to the meeting and resumed the role of Chair.

Chief Executive Officer

Blocks of land in Greenaway Street  
Letter from Department of Transport and Main  
Roads advising of their support regarding the  
naming of the Lloyd Clarke Way.  
Confirm signage instead of re gazettal.

Cr Pascoe

Informed that Jo Pyne from TAFE would be at  
Normanton on 23/09/2013.

**ATTENDANCE: 5.00pm** The Executive Assistant left the meeting.

*Moved Cr Gallagher*

*Seconded Cr Gurney*

*That Council close the meeting to the public pursuant to the Local Government Regulation  
2010 to discuss confidential matters.*

**CARRIED**

*Resolution No.0913/019*

*Moved Cr Gallagher*

*Seconded Cr Gurney*

*That Council resolve to open the meeting to the public.*

**CARRIED**

*Resolution No.0913/020*

### 13. CLOSURE OF MEETING

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*The Chair of the meeting, Cr Fred Pascoe, Mayor, declared the meeting closed at 5.20pm.*



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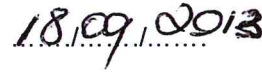
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### MINUTES CERTIFICATE

*These Minutes are Confirmed.*



.....  
Councillor FC Pascoe  
Mayor



.....  
Date