



# CARPENTARIA SHIRE

*Outback by the Sea<sup>®</sup>*

## **ORDINARY MEETING MINUTES**

**15 OCTOBER 2014**

**CONFIRMED MINUTES**

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## CONFIRMED MINUTES

### 1 OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at 8.46am.

### 2 RECORD OF ATTENDANCE

#### Councillors

Mayor: Cr FC Pascoe

Members: Cr AJ Gurney; Cr MD Johnson; Cr JC Zahner; Cr JD Beard; Cr ATJ Gallagher; Cr DA Amos.

#### Staff

Acting Chief Executive Officer Mr Oliver Pring

Director of Engineering Mr John Teague

Manager Engineering Services Mr Dan Spooner

Consultant Mr Lew Rojahn

Executive Assistant Ms Angeline Pascoe.

#### APOLOGY

Mr Bob Owen – Chief Executive Officer

#### CONDOLENCES

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

Mr Sidney Casey

### 3 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

Confirmation of Minutes from the Ordinary Council Meeting held 17 September 2014 as previously circulated to councillors.

#### COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Gurney

***That the Minutes of the Ordinary Council Meeting held 17 September 2014 be confirmed.***

**CARRIED**

***Resolution No. 1014/001***

**4 BUSINESS ARISING FROM PREVIOUS MEETINGS**

Cr Beard  
Queried the grader tyres.  
*The Director of Engineering informed additional information is being sought from Hastings Deering and the Department of Transport and Main Roads.*

Cr Johnson  
Queried the Tender preference workshop.  
*The Acting Chief Executive Officer informed the workshop will be held next month.*

Cr Zahner  
Queried the Normanton Cemetery fence.  
*The Director of Engineering informed that this to be considered in the 2015/16 budget.*

Thanked staff for the clean up around the cross across the river.

Provided an update on the Police Remembrance Day event.

Queried the R4R funding status.  
*The Director of Engineering informed that an application for the raising of the Glenore Weir has been lodged and awaiting response from the Department as to whether Council has been successful.*

Cr Amos  
Apologised for his absence for the September meeting.

**5 PUBLIC QUESTION TIME**

9.08am Ms Brenda Schneekloth entered the public gallery.

**CONFIRMED MINUTES**

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**6 REPORTS FROM DIRECTOR OF ENGINEERING - ROADS**

**6.1 WORKS REPORT**

**Executive Summary:**

This report provides Council with a current update on general works being undertaken in accordance with the approved works program.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Zahner

***That Council accepts the report as presented.***

**CARRIED**

***Resolution No. 1014/002***

**6.2 NDRRA REPORT**

**Executive Summary:**

Restoration and betterment works are generally on target for completion within the required construction period. Closeout submissions have been issued for the 2011 and 2012 works program.

Assessment of the 2014 submission is underway within QRA and a workshop to expedite the approval process is scheduled in the week commencing 13 October 2014 and will occur on the Sunshine Coast with QRA compliance and "Value for Money" team members.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Gallagher

***That Council accepts the report as presented.***

**CARRIED**

***Resolution No. 1014/003***



**CONFIRMED MINUTES**

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**6.3 DTMR CONTRACT WORKS**

**Executive Summary:**

This report provides a brief update on Council's current Department of Transport and Main Roads (DTMR) contract works.

**COUNCIL RESOLUTION**

Moved Cr Amos

Seconded Cr Zahner

***That Council accepts the report as presented.***

**CARRIED**

***Resolution No. 1014/004***

**6.4 MARINE STRUCTURES REPORT**

**Executive Summary:**

The following report has been submitted for inclusion in Council's Ordinary Meeting and details the current status of the works associated with the various marine structures.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Johnson

***That Council accept the offer from NCH Civil and Construction for the civil construction of the Gilbert Street Boat Ramp and the Normanton Boat ramp in accordance with s5.10(f)(i) of Council's Procurement Policy due to time constraints and available contractors.***

**CARRIED**

***Resolution No. 1014/005***

**RECESS: 10.11am - 10.38am** The Mayor called a recess for morning tea.

**6.5 "LUCKSOME" ACCESS ROAD**

**Executive Summary:**

The following report detailing "Lucksome" Station's private access has been submitted for consideration at Council's Ordinary Meeting.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Beard

***That the Director of Engineering contact the owner of "Lucksome" Station to negotiate works required to be undertaken in order to bring the road up to Council's standards before it can be included on Council's Road Register.***

**CARRIED**

***Resolution No. 1014/006***

**GENERAL BUSINESS – DIRECTOR OF ENGINEERING**

Cr Gurney

Raised the matter of the house numbering system.

**GENERAL MOTION**

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Gallagher

***That Council undertakes the house numbering program to be placed on adjacent kerb (where practical) by 30 June 2015.***

**CARRIED**

***Resolution No. 1014/007***

Cr Gurney

Disability access  
Council to review current disability access ramps and provide back to Council.

Cr Zahner

Gulf Christian College land  
Written request to Council for possible assistance.



Cr Beard

Queried truck accident

*The Director of Engineering informed that accident occurred outside of Council's worksite and was the responsibility of Hawkins Transport to report and investigate. Council inspected to ensure no hazards/dangers as per RMPC responsibilities.*

**ATTENDANCE 11:18am** Councillor Ashley Gallagher left the Meeting.

Cr Amos

Informed of issue on the Karumba Pipeline Access.

*The Acting Chief Executive Officer informed the meeting all staff have been directed to keep external gates closed whilst undertaking works on the Karumba Pipeline Access Road. The Director of Engineering to look into utilising mobile grids for future works.*

**ATTENDANCE 11:27am** Councillor Ashley Gallagher returned to the Meeting.

#### CHANGE IN STANDING ORDERS

##### COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Zahner

***That Council change the Standing Orders to commence dealing with Agenda Item 9.4.***

**CARRIED**

***Resolution No. 1014/008***

Mr Lew Rojahn – Addressed the meeting on the Transfer of the Normanton TAFE Campus to Council.

#### 9.4 MEMORANDUM OF UNDERSTANDING - TRANSFER OF NORMANTON TAFE CAMPUS TO COUNCIL

##### Executive Summary:

Council has been in negotiation with TAFE Queensland North to have the TAFE Campus in Normanton transferred to the ownership of Council. The Memorandum of Understanding is now complete and requires sign off by both parties.

**CONFIRMED MINUTES**

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**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Amos

***That Council approve the Memorandum of Understanding (MOU) for the transfer of the TAFE Campus in Normanton to the ownership of the Carpentaria Shire Council and that the Chief Executive Officer be authorised to sign the document on behalf of Council.***

**CARRIED**

***Resolution No. 1014/009***

**CHANGE IN STANDING ORDERS**

**COUNCIL RESOLUTION**

Moved Cr Zahner

Seconded Cr Gurney

***That Council change the Standing Orders to commence dealing with the Director of Engineering – Services Reports.***

**CARRIED**

***Resolution No. 1014/010***

**7 REPORTS FROM DIRECTOR OF ENGINEERING - SERVICES**

**7.1 BUILDING AND PLANNING REPORT**

The report is to advise Council of relevant planning and building activities within the Shire for the month of September.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Zahner

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

**CARRIED**

**Resolution No. 1014/011**

**7.2 WATER STATUS REPORT**

**Executive Summary:**

The purpose of this report is to provide Council with town water supply usage information to assist in ensuring that the water supply is available throughout the year and appropriately managed.

**COUNCIL RESOLUTION**

Moved Cr Zahner

Seconded Cr Johnson

*That Council receives and notes the Water Status report as presented for the period ending 30 September 2014.*

**CARRIED**

**Resolution No. 1014/012**

**ATTENDANCE: 12.19pm** The Manager Engineering Services left the meeting.



**8 REPORTS FROM THE CHIEF EXECUTIVE OFFICER**

**8.1 DROUGHT ASSISTANCE PEST ANIMAL MANAGEMENT FUNDING**

**Executive Summary:**

Biosecurity Queensland have been successful in obtaining some funding for Carpentaria Shire Council to help deal with Wild Dogs and Feral pigs

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Zahner

***That Council accepts the report as presented.***

**CARRIED**

***Resolution No. 1014/013***

**8.2 CORPORATE POLICY: COMPLAINTS ABOUT THE PUBLIC OFFICIAL: SECTION 48A OF THE CRIME AND CORRUPTION ACT 2001**

**Executive Summary:**

Carpentaria Shire Council is required to have a policy about how complaints are dealt with, that involves, or may involve, corrupt conduct by the public official and/or Chief Executive Officer (CEO), so that transparency and integrity are maintained

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Amos

***That Council adopt the Policy.***

**CARRIED**

***Resolution No. 1014/014***

**ADJOURNMENT: 12.28pm - 1.30pm** The Mayor adjourned the meeting for lunch.  
Upon resumption all members were present.

**CONFIRMED MINUTES**

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**8.3 PEST MANAGEMENT PLAN REVIEW**

**Executive Summary:**

Council's Pest Management Plan is due for renewal in 2015. The Biosecurity Act passed in July 2014 and due to be implemented no later than July 2016 will require different criteria to be addressed in the *Pest Management Plan*. Department of Agriculture, Fisheries and Forestry (DAFF) are currently working on a new set of procedures and clarifying the requirements. Consequently DAFF have advised that a simple review and updating of the current plan is all that is required at this time, given that a new plan under the new applicable legislation will be required to be developed next year

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Gallagher

***That Council approve the Chief Executive Office and Councillors Gallagher and Beard to review and update the current Pest Management plan in consultation with relevant stakeholders where required***

**CARRIED**

***Resolution No. 1014/015***

**8.4 AMENDMENT TO ILUA KOWANYAMA PEOPLE**

**Executive Summary:**

The Kowanyama People are amending their *Indigenous Land Use Agreement* (ILUA) on or around the 26 September 2014. The amendments are technical in nature and relate to the inclusion of updated lot and plan descriptions, and the substitution of the heading "*Former Fauna Sanctuary (Pelican Rookery)*" to "*Vanrook Pastoral Holding*" and the inclusion of "*That part of Lot 893 on Plan FK2 that is within the area described as..*" after the new heading.

The Applicant has agreed in-principle to execute the ILUA on the same terms as the previous ILUA. To ensure consistency across the ILUA and Determination Area written descriptions the Kowanyama People/Carpentaria Shire Council ILUA written descriptions need to be updated

**COUNCIL RESOLUTION**

Moved Cr Zahner

Seconded Cr Beard

***That Council approves the terms of the Indigenous Land Use Agreement in principle and delegates power to the Mayor and Chief Executive Officer to authorise any minor amendments and execute on behalf of Council***

**CARRIED**

***Resolution No. 1014/016***

**8.5 NATIONAL STRONGER REGIONS FUND**

**Executive Summary:**

The *National Stronger Regions Fund* is an initiative to boost social and economic development in Australia's regions by funding priority infrastructure projects in local communities. For discussion and whether Council wishes to nominate and consider if it wishes to apply for funding under this scheme

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Gallagher

***That Council accepts the report as presented and Council to progress with an application for the Barra Discovery Centre under the funding program.***

**CARRIED**

***Resolution No. 1014/017***



**CONFIRMED MINUTES**

**9 REPORTS FROM DIRECTOR OF CORPORATE SERVICES**

**9.1 MONTHLY FINANCIAL REPORT - SEPTEMBER 2014**

**Executive Summary:**

The Monthly Financial Report has been prepared for the period ending 30 September 2014.

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

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Gurney

***That Council accepts the following reports for the period ending 30 September 2014 as presented.***

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

**CARRIED**

***Resolution No. 1014/018***

**9.2 HUMAN RESOURCES REPORT**

**Executive Summary:**

The report provides information to Council on recent and upcoming activities within the Human Resources Section of Council.

**COUNCIL RESOLUTION**

Moved Cr Johnson

Seconded Cr Zahner

***That Council accepts the report as presented.***

**CARRIED**

***Resolution No. 1014/019***

**9.3 LOCAL GOVERNMENT LEGISLATION AMENDMENT ACT 2014**

**Executive Summary:**

The Queensland Parliament on 27 August 2014 passed the *Local Government Legislation Amendment Act 2014* (which amended the *Local Government Electoral Act 2011*) this amendment basically enables local governments to make a decision about how the upcoming 2016 quadrennial local government elections are conducted.

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Gallagher

***That Council noted the report as presented.***

**CARRIED**

***Resolution No. 1014/020***

**GENERAL MOTION**

**COUNCIL RESOLUTION**

Moved Cr Gurney

***That Council considers 'Divisions'.***

**CARRIED**

***Resolution No. 1014/021***

**FOR the motion: Cr Gurney**

**AGAINST the motion: Cr Amos, Cr Beard, Cr Gallagher, Cr Johnson, Cr Pascoe and Cr Zahner**

**MATERIAL PERSONAL INTEREST: 02:45pm** Cr AG Gallagher declared a material personal interest in this matter as both he and his parents are property owners on and around where the proposed works are to be undertaken. Cr Gallagher left the meeting and did not participate in the discussion or vote.



**CONFIRMED MINUTES**

**9.5 TOWN PLANNING APPLICATION - MATERIAL CHANGE OF USE - COMMUNITY INFRASTRUCTURE (RAISING GLENORE WEIR)**

**Executive Summary:**

The Council is in receipt of an Application for Material Change of Use (MCU) for Community Infrastructure (Raising Glenore Weir) located on Lot 8 NM142, being Reserve 175 for Local Government Purposes,

Lot 53 SP112715, being Reserve 44 for Strategic Land Management, adjacent road reserve and part of adjacent Lot 4 NM141. The application is Code Assessable against the relevant provisions of the Planning Scheme.

The Application is recommended for approval, subject to conditions.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Amos

***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 Community Infrastructure (Raising Glenore Weir) located on Lot 8 NM142, being Reserve 175 for Local Government Purposes, Lot 53 SP112715, being Reserve 44 for Strategic Land Management, adjacent road reserve and part of adjacent Lot 4 NM141, is approved subject to the conditions detailed below.*

**A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)**

**General**

1. *The development shall be undertaken substantially in accordance with the Site Layout Plan submitted with the Application, except as modified by this approval and any variations to the Plan and associated on-site works required to comply with Condition 3 below :*
  - *Site Plan- Raising of Glenore Weir, Drawing No: 13270-SK1 Revision A, dated September, 2014.*
2. *Any future construction work on-site shall be carried out generally in accordance with any relevant Council and State Government requirements.*
3. *In accordance with the Sustainable Planning Regulations (SPR), Schedule 3, Part 1, Table 4, Item 6 no construction works are to commence on-site until an Application for Operational Works for Constructing or Raising Waterway Barrier Works has been assessed and approved by the Assessment Manager, the State Assessment and Referral Agency (SARA);*

**AND**

*Subsequent approval is issued by the Federal Government under the Environment Protection and Biodiversity Conservation Act (EPBC Act).*

4. *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.*



**CONFIRMED MINUTES**

5. **Any security fencing associated with the development is required to be approved by the Chief Executive Officer or Delegate.**
6. **Should any of the Council's assets be damaged during the construction of the works, the cost of the reinstatement of all such assets shall be met by the applicant and to the satisfaction of the Chief Executive Officer or Delegate.**
7. **The intersection of the Gulf Developmental Road and Glenore Road and on-site road access to the construction site is required to be upgraded, if required, to accommodate heavy vehicles accessing the site, during the construction phase and all road works are to be maintained in a safe and functional condition to facilitate future site access, to the satisfaction of the Chief Executive Officer or Delegate.**

**REFERRAL AGENCY CONDITIONS**

*Nil*

**SUBMISSIONS**

*Nil*

**FURTHER DEVELOPMENT PERMITS REQUIRED**

- **Operational Works for Constructing or Raising Waterway Barrier Works**

**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**

**RIGHT OF APPEAL**

- **Appeal Rights from the Sustainable Planning Act 2009.**

**CARRIED**

**Resolution No. 1014/022**

**ATTENDANCE** 2:49pm Councillor Ashley Gallagher returned to the Meeting.

**CONFIRMED MINUTES**

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**9.6 ADMINISTRATION AND ENFORCEMENT OF DOMESTIC ASBESTOS: STATUTORY INDEMNITY (LOCAL GOVERNMENT)**

**Executive Summary:**

Findings stemming from the Queensland Ombudsman's *The Asbestos Report – An investigation into the regulation of asbestos in Queensland March 2013* called for a number of significant recommendations that aimed to ensure "that asbestos regulation occurs in a more coordinated and strategic fashion, with greater linkages between different regulatory agencies.."

**COUNCIL RESOLUTION**

Moved Cr Gallagher

Seconded Cr Zahner

***That Council accepts the report as presented.***

**CARRIED**

***Resolution No. 1014/023***

**9.7 MONTHLY MEETING**

**Executive Summary:**

This report provides information to Council on activities and programs within the Community and Cultural Services portfolio.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Amos

***That Council accepts the report as presented.***

**CARRIED**

***Resolution No. 1014/024***

**MOTION**

**COUNCIL RESOLUTION**

Moved Cr Zahner

Seconded Cr Gallagher

***That Council proceed with negotiations with the family of Lloyd Clarke in producing promotional materials including reproduction of the ABC documentary of Lloyd Clarke.***

**CARRIED**

***Resolution No. 1014/025***



**CONFIRMED MINUTES**

**RECESS: 3.05pm – 3.19pm** The Mayor called a recess for afternoon tea.

**9.8 COMMUNITY DONATIONS AND SUPPORT**

**Executive Summary:**

During the period since the September ordinary meeting of Council, the requests listed in this report have been received for consideration in the Carpentaria Shire Community Donations and Support program.

**COUNCIL RESOLUTION**

Moved Cr Zahner

Seconded Cr Amos

**That Council:-**

- 1. Accepts the report as presented; and**
- 2. Council agreed to provide monetary contribution of \$500 to the Gulf Cattleman's Association**
- 3. Waive the fees for the Karumba Town Christmas Tree on the hire of the Civic Centre for the night of the event as well as the nights leading up to the event (booking dependant).**

**CARRIED**

**Resolution No. 1014/026**

**GENERAL BUSINESS**

Cr Gurney

Vacation Care for Karumba  
*Council to revisit and look at partnership between PCYC and Scott Jones.*

Issue with illegal campers in Karumba.  
*The Acting Chief Executive Officer advised that Council will review current systems. Noting that new Local Laws Officer had just started and was still finding his feet.*

Informed that Heritage signs at Raptis fence and B Block have been damaged.  
Sign at B Block has bent leg and other sign is ok.  
*Signs to be re-instated once all works had been completed.*

Car wash will be held on Saturday 18 October.



**CONFIRMED MINUTES**

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	<p>Queried the Karumba Recreation Club shed. <i>The Acting Chief Executive Officer to follow up and provide feedback.</i></p> <p>Provided an update of his meeting with Ross Byers of MMG.</p>
Acting Chief Executive Officer	<p>Changes in disaster management. LDMG meeting (via teleconference) to be held 28 October 2014.</p> <p>Look at inviting Minister Crisafulli to formally open the funded projects including Karumba Transfer Station, Normanton Reservoir, Normanton Airport Carpark Upgrade, Flood Cameras, Flood Gauging Stations and also turn the first sod on the Normanton Water Park.</p> <p>Gulf Savannah Development have advised that they have secured the Minister for Agriculture, Barnaby Joyce to open the new Normanton office on Tuesday 4 November. Minister Joyce will be accompanied by Senator Matthew Canavan and Senator James McGrath.</p> <p>Burn offs commenced in Karumba last night.</p> <p>Informed that the proposal for the steam train was knocked back for QR's 150<sup>th</sup> anniversary.</p> <p>Northern Gulf Resource Management query to any Councillor willing to nominate to become a northern Gulf director.</p>
Cr Pascoe	<p>Attended the Gulf Savannah Development meeting in Georgetown</p> <p>Informed he will be attending the Policy Executive Meeting and the 118<sup>th</sup> Annual LGAQ Conference with Cr Gurney this month.</p>

**CONFIRMED MINUTES**

**10 CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION**

In accordance with the *Local Government Act 2009*, and the *Local Government Regulation 2012*, in the opinion of the General manager, the following business is of a kind as referred to in clause 275(1) of the Regulation, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Zahner

***That Council adjourn into Closed Session and members of the press and public be excluded from the meeting of the Closed Session, and access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution. This action is taken in accordance with clause 275(1) of the Local Government Regulation 2012 as the items listed come within the following provisions.***

**CARRIED**

**Resolution No. 1014/027**

**GENERAL MOTION**

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Beard

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

**CARRIED**

**Resolution No. 1014/028**

**GENERAL MOTION**

Moved Cr Beard

Seconded Cr Gurney

***That Council approves the proposal from Charlie and Kathryn Burns to undertake the works on the proviso they had written evidence of no objections from neighbouring landowners.***

**CARRIED**

**Resolution No. 1014/029**

**10.1 APPLICATION FOR CONVERSION OF TERM LEASE TL210153**

**COUNCIL RESOLUTION**

Moved Cr Gallagher

Seconded Cr Gurney

*That Council advise the Department of Natural Resources and Mines that it has no objection to the conversion of Term Lease TL210153 to freehold.*

**CARRIED**

**Resolution No. 1014/030**

**10.2 EXTENSION OF TIME TO FULFIL COVENANTS**

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Amos

*That Council not approve any extension as per existing covenants.*

**CARRIED**

**Resolution No. 1014/031**

The Executive Assistant left the meeting.

**11 GENERAL BUSINESS**

Nil.

The Executive Assistant returned to the meeting.



**CONFIRMED MINUTES**

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**12 CLOSURE OF MEETING**

*The Chair of the meeting, Cr Fred Pascoe, Mayor, declared the meeting closed at 4.47pm.*

**MINUTES CERTIFICATE**

***These Minutes are Confirmed***

*F. Pascoe*  
.....

**Councillor FC Pascoe  
Mayor**

*15. 10. 2014*  
.....

**Date**