



CARPENTARIA SHIRE

Outback by the Sea[®]

***ORDINARY MEETING
MINUTES***

18 & 19 FEBRUARY 2015

CONFIRMED MINUTES

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1 OPENING OF MEETING

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

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 D Amos.

Staff

Chief Executive Officer Mr Bob Owen

Director of Engineering Mr John Teague

Director Corporate Services Mr Oliver Pring

Manager Water and Waste Services Mr Dan Spooner

Executive Assistant Ms Angeline Pascoe.

CONDOLENCES

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

Baby Bee
Ms Marjorie Dalton
Mrs June De Sloovere
Mr George Toby

3 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

Confirmation of Minutes from the Ordinary Council Meeting held 21 January 2015 as previously circulated to councillors.

COUNCIL RESOLUTION

Moved Cr Beard

Seconded Cr Zahner

That the Minutes of the Ordinary Council Meeting held 21 January 2015 be confirmed.

CARRIED

Resolution No. 0215/001

CONFIRMED MINUTES

4 BUSINESS ARISING FROM PREVIOUS MEETINGS

Nil.

5 PUBLIC QUESTION TIME

There were no members of the public in the gallery.

CONFIRMED MINUTES

6 REPORTS FROM DIRECTOR OF ENGINEERING - ROADS & SERVICES

6.1 WORKS REPORT JANUARY 2015

Executive Summary:

The following report has been submitted for inclusion in Council's Ordinary Meeting and provides a summary of the works undertaken in January 2015.

CHANGE IN STANDING ORDERS

COUNCIL RESOLUTION

Moved Cr Zahner

Seconded Cr Gurney

That Council change the Standing Orders to postpone further dealings with Report 6.1 and to receive a deputation from the Gulf Christian College.

CARRIED

Resolution No. 0215/002

ATTENDANCE: 9.20am – 9.40am Mr Bruce Campbell, Chief Executive Officer of Gulf Christian College, addressed Council on their proposal for a sports field.

RESUMPTION OF STANDING ORDERS

COUNCIL RESOLUTION

Moved Cr Gurney Seconded Cr Johnson

That standing orders be resumed to commence consideration of Report 6.1.

CARRIED

Resolution No. 0215/003

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Beard

That Council accepts the report as presented.

CARRIED

Resolution No. 0215/004

CONFIRMED MINUTES

6.2 NDRRA REPORT - JANUARY 2015

Executive Summary:

Restoration and betterment works are generally on target for completion within the required construction period.

The closeout process is ongoing for the 2013 Northern and Southern Roads while the town streets are due for restoration over the wet season.

Claims for the 2014 Town Streets, Northern Roads and Southern Roads submissions have been approved with the total Recommended Value (Construction) of approximately \$27.7 million.

A separate claim for airport pavement repairs has been submitted and passed initial compliance and value for money assessment. It is currently undergoing a new federal government review for projects over \$1.0 million.

COUNCIL RESOLUTION

Moved Cr Beard

Seconded Cr Amos

That Council accepts the report as presented.

CARRIED

Resolution No. 0215/005

6.3 MARINE STRUCTURES REPORT - JANUARY 2015

Executive Summary:

The following report details the works associated with marine structures that have been completed up to the end of January 2015.

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Gallagher

That Council accepts the report as presented.

CARRIED

Resolution No. 0215/006

CONFIRMED MINUTES

RECESS: 10.00am – 10.30am The Mayor called a recess for morning tea. During morning tea a Citizenship ceremony was conducted for Mr Heikki Hakkinen.

6.4 FLOODWAY BETTERMENT - LITTLE BYNOE, BYNOE AND FLINDERS RIVERS

Executive Summary:

The following report has been submitted for inclusion in Council's Ordinary Meeting and details restoration works for the Betterment works for Little Bynoe, Bynoe and Flinders River concrete causeways.

COUNCIL RESOLUTION

Moved Cr Beard

Seconded Cr Amos

That Council delegate the contract approval for the Betterment works on the Little Bynoe, Bynoe and Flinders River causeways to a committee consisting of Councillors Pascoe, Beard, Zahner, Johnson, Gurney, Gallagher and Amos.

CARRIED

Resolution No. 0215/007

6.5 MOBILE CAMP ACCOMMODATION

Executive Summary:

The following report has been submitted for inclusion in Council's Ordinary Meeting and provides options for mobile camp accommodation during Council construction works.

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Zahner

That Council delegate the decision on the purchase of mobile camp accommodation to a committee comprising of all Councillors between meetings.

CARRIED

Resolution No. 0215/008

MATERIAL PERSONAL INTEREST: 11:14am Councillor Ashley Gallagher declared a Material Personal Interest in the discussion regarding the Glenore Weir and left the meeting. Cr Gallagher's parents own the lease on land surrounding Council's water reserve.

CONFIRMED MINUTES

6.6 GLENORE WEIR - WATER SUPPLY UPDATE

Executive Summary:

This report details the current status of the Glenore Weir Upgrade Project and provides details of the planning, design, procurement and construction of works that have occurred to the end of January 2015.

COUNCIL RESOLUTION

Moved Cr Amos

Seconded Cr Gurney

That Council:

- 1. accept the report as presented, and*
- 2. approve the additional allocation of \$650,000 out of the budgeted \$12,000,000.00 to complete the design and approval phase at the Glenore Weir Upgrade Project.*

CARRIED

Resolution No. 0215/009

ATTENDANCE 11:36am Councillor Ashley Gallagher returned to the meeting.

6.7 WATER APPLICATION LICENCE

Executive Summary:

The following report has been submitted for inclusion in Council's Ordinary Meeting and details the water application licence for the extraction of water from the Norman River.

RECOMMENDATION:

For Council information only.

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6.8 BUILDING AND PLANNING REPORT

The report is to advise Council of relevant planning and building activities within the Shire for the month of January 2015.

Planning Applications Received

Nil.

Planning Applications Approved

Nil.

Building Applications Received

Nil.

Building Permits Issued

Nil.

Applications pending waiting on further information (Applicants advised)

IDAS No	Address	Type	Date Received
I/0755	2 Riverview Drive, Karumba	Visitors Quarters	17/09/2013
I/0785	56 Karumba Development Road, Karumba	Portable Dwelling	04/03/2014

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Zahner

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

CARRIED

Resolution No. 0215/010

CONFIRMED MINUTES

6.9 WATER STATUS REPORT FOR JANUARY 2015

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 Beard

Seconded Cr Johnson

That Council accepts the report as presented.

CARRIED

Resolution No. 0215/011

6.10 ENGINEERING SERVICES REPORT

Executive Summary:

The following report has been submitted for inclusion in Council's Ordinary Meeting and provides a brief summary of works undertaken during the previous month.

COUNCIL RESOLUTION

Moved Cr Beard

Seconded Cr Amos

That Council accepts the report as presented.

CARRIED

Resolution No. 0215/012

CONFIRMED MINUTES

6.11 BURNS PHILP BUILDING REFURBISHMENT

Executive Summary:

This Report has been submitted for inclusion in Council's Ordinary Meeting to provide Council with an updated assessment of the current condition of the Burns Philp Building situated in Landsborough Street Normanton.

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Zahner

That Council approves:

- 1. the continued liaison and negotiation with the Department of Environment and Heritage Protection for the issue of a Certificate(s) of Exemption to carry out the urgent refurbishment of the Burns Philp Building; and*
- 2. funding for the completion of the recommended works as contained in this report over two financial years with the priority being roof, gutters and structural timber in year one, and piers and the balance of the works in year two.*

CARRIED

Resolution No. 0215/013

ADJOURNMENT: 12.30pm – 1.25pm The Mayor adjourned the meeting for lunch. Upon resumption all members were present.

ATTENDANCE: 1.25pm The Chief Executive Officer left the meeting as the Chief Executive Officer is an adjoining landowner to the land being dealt with in Report 6.12 and did not wish to influence Council's independent decision-making process.

CONFIRMED MINUTES

6.12 KARUMBA LODGE HOTEL, REQUEST FOR A NEGOTIATED DECISION NOTICE IN RELATION TO AN APPLICATION FOR MATERIAL CHANGE OF USE - TOURISM MAJOR - CARAVAN PARK/CAMPING AREA

Executive Summary:

Council is in receipt of a request for a Negotiated Decision Notice in relation to an Application for Material Change of Use (MCU) for Tourism Major – Caravan Park/Camping Area located at 40-44 Yappar Street, Karumba, described as Lots 1 and 2 RP733673 and Lot 3 RP734587.

The MCU Application was approved by Council at the November 2014 Council meeting.

By correspondence dated 28 January 2015, the applicant's town planner has requested that Council reconsider its position with regard to Conditions 2, 9, 10, 12, 15 and 21.

The Director of Engineering (DOE) and the son of the owner/applicant held a meeting on site in January 2015 to discuss the various conditions in dispute. Representations were then made by the applicant's consultant planner and discussed between Council officers and Council's consultant planner.

It is proposed to amend Conditions 2, 15 and 21 and to leave Conditions 9, 10 and 12 unchanged, for reasons outlined in the report below. In addition, and as a consequence of changes to Conditions 2, 15 and 21, amendments are required to Conditions 16 and 19.

Therefore, part approval of the request for a Negotiated Decision is recommended to Council.

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Amos

That Council approves, in part, the request for a Negotiated Decision relating to a Decision Notice dated 18 November 2014 for Material Change of Use (Code assessment) for Tourism Major (Caravan Park/Camping Area) located at 40 – 44 Yappar Street Karumba, subject to the following:

Part 1

CONDITION 2- amended as follows:

- 2. The Site Plan listed above is to be amended to reflect the requirements specified below and the amended Site Plan must be submitted to Council for the approval of the Chief Executive Officer or delegate, prior to work commencing on site to construct the Caravan Park/Camping Area.***
 - i. The Vehicular entry/exit driveway servicing the site Caravan Park/Camping Area is to be relocated to the Yappar Street site frontage.***
 - ii. All driveways are required to have a minimum width of 7 metres where two-way access is provided and a minimum width of 4 metres where one-way access is provided. Two holding bays, with a minimum length of 20 metres and a minimum width of 10 metres (including passing lane) must also be provided in convenient locations on site, as approved by the Chief Executive Officer or delegate. All weather bitumen sealed or concrete access must be provided for***

CONFIRMED MINUTES

all driveways on the site.

- iii. *The existing driveway entrance to and from the site in Gilbert Street is to be retained to service only the existing Unit development. No vehicular driveway connection is to be provided between the Caravan Park/Camping Area part of the site and the Unit development. Permanent closely-spaced bollards must be installed to ensure no vehicular connection between the two areas of the site.*

CONDITION 15- amended as follows:

15. *The following on-street works are required:*

- *One (1) Industrial crossover and apron/layback to be constructed to the site frontage in Yappar Street, to satisfaction of the Chief Executive Officer or delegate;*
- *Concrete driveway (minimum 7 metres in width and 100mm thick) from the kerb to the property boundary in Yappar Street, to the satisfaction of the Chief Executive Officer or delegate;*
- *The existing crossover and driveway in Gilbert Street is to be retained to service only the Unit development, to the satisfaction of the Chief Executive Officer or delegate; and*
- ~~*A 1.5 metre footpath is to be constructed in Gilbert Street to connect to the existing footpath adjacent to the site and extend for the full frontage of the site along Gilbert Street and Norman River, with Council constructing the footpath connection across the truncated corner of the site, to the satisfaction of the Chief Executive Officer or delegate.*~~

CONDITION 21- amended as follows:

21. *The site is to be amalgamated so that the Hotel, Motel and the Caravan Park/Camping Area are located on one lot.*

In addition, 15m² of the site in the south west corner, adjacent to the junction of Gilbert Street and Norman River/Sunderland Park is to be surrendered for road reserve to facilitate the future construction of footpaths by Council. The area to be surrendered is rectangular in shape and dimensioned, as follows: one (1) metre wide adjacent to the Norman River/Sunderland Park site frontage and 15 metres in length along the Gilbert Street site frontage.

Council will commission a Surveyor to prepare the Plan of Survey creating the amalgamation and surrender of land for road reserve and Council will endorse the Plan. The applicant is required to lodge the endorsed Plan with the State Government for registration and provide Council with a Dealing Number, issued by the Department of Natural Resources and Mines (DNRM) prior to commencement of the use.

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The amendments to Conditions 2, 15 and 21, necessitate amendment to Conditions 16 and 19.

CONDITION 16

Two (2) concrete/bitumen sealed visitor parking spaces are to be provided on site, in in a central location and setback a minimum of 6 metres from the site frontages. The car parks are to be line-marked or delineated by koppers logs or similar to the satisfaction of the Chief Executive Officer or delegate.

CONDITION 19

Signage associated with the Caravan Park/Camping Area development is only located in Yappar Street. Any sign located at Yappar Street frontage of the site to advertise the Caravan Park/Camping Area is required to comply with the Advertising Devices Code in the Carpentaria Shire Planning Scheme and must not contain any product advertising.

A sign with a minimum area of 1.0m² is to be located at the entrance to the Caravan Park/Camping Area on Yappar Street advising of the availability of visitor parking and holding area for caravans etc, specifying the speed limit on site of 10kmph and directing patrons to the reception area in the adjacent hotel.

Three (3) signs with a minimum area of 0.25m², advising of the 10kmph speed limit on site are to be located along the access driveway, one (1) in the two-way access, servicing sites 1 to 8 and two (2) in the one-way loop road, all to the satisfaction of the Chief Executive Officer or delegate.

CONDITION 9

(c) *A minimum distance of 10.3 metres from the Norman Street/Sunderland Park boundary.*

Part 2

Council does not support the amendment of Conditions 10 and 12.

CARRIED

Resolution No. 0215/014

ATTENDANCE: 2.24pm The Chief Executive Officer returned to the meeting after Council had finished dealing with Report 6.12

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GENERAL BUSINESS – ENGINEERING

Cr Beard	Karumba Point erosion.
Cr Johnson	Columbarium for Normanton Cemetery. Fenced off area at Depot.
Cr Gallagher	Toilet door at hall. <i>Waiting on PDR to look at structure to see if there is a solution.</i>
Director Corporate Services	Provided Council with a summary of costs for the Karumba Swimming Pool Precinct Project and Normanton Water Park

MOTION

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Gallagher

That Council endorse the revised estimates for the Normanton Water Park and Karumba Swimming Pool Precinct Project and confirm that Wren Constructions be formally awarded the tender for the construction works.

CARRIED

Resolution No. 0215/015

ATTENDANCE: 3.00pm The Director of Engineering left the meeting.

CONFIRMED MINUTES

7 REPORTS FROM THE CHIEF EXECUTIVE OFFICER

7.1 ASBESTOS MANAGEMENT AND ENFORCEMENT

Executive Summary:

A number of officers attended authorised persons' asbestos training at Townsville from 4-6 February 2015. A summary of the implications is provided below.

COUNCIL RESOLUTION

Moved Cr Zahner

Seconded Cr Gurney

That Council accepts the report as presented.

CARRIED

Resolution No. 0215/016

7.2 COUNCILLOR APPOINTMENTS

Executive Summary:

The Schedule of Councillor Appointments requires updating. Councillors are asked to give consideration to whether all appointments and committees/groups are still relevant to the way Council does business.

COUNCIL RESOLUTION

Moved Cr Johnson

Seconded Cr Beard

That Council endorse the attached Schedule of Councillor Appointments.

CARRIED

Resolution No. 0215/017

ATTENDANCE: Mr Phil Turner, Manager Governance and Executive Services entered the meeting.

CONFIRMED MINUTES

7.3 CONVERSION OF TERM LEASE TO FREEHOLD

Executive Summary:

Council has received correspondence from the Department of Natural Resources and Mines (DNRM) regarding an application submitted by Council for the renewal of Special Lease 34/49201 over Lot 9 on NM164 (Duplex in Karumba). The Department is seeking Council's views on whether it would be interested in converting the Special Lease to freehold and seeking information relating to works or dealings affecting the existence of Native Title over the lot.

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Zahner

That Council acquire freehold title over Lot 9 on NM164 and compulsorily acquire any native title rights over the lot if applicable.

CARRIED

Resolution No. 0215/018

7.4 CSSP

Executive Summary:

CSSP is a controversial pig baiting product that the Department of Agriculture, Fisheries and Forests (DAFF) do not support, although it is not banned in Queensland. It is available at certain stores for around \$69 per tin and directly from the manufacturer.

COUNCIL RESOLUTION

Moved Cr Amos

Seconded Cr Zahner

That Council not distribute CSSP under its Pest Management Program.

CARRIED

Resolution No. 0215/019

CONFIRMED MINUTES

7.5 RENEWAL OF LEASES FOR THE NORMANTON BOWLS CLUB AND THE NORMANTON GOLF CLUB

Executive Summary:

Normanton Bowls Club leased an area of land within Reserve R 141 on plan NM 61 of 0.2640 hectares which has expired on 30/06/2014.

Normanton Golf Club leased an area of land within Reserve R138 on plan NM63 which expired in 2013.

The leases on both properties need to be renewed. There are exceptions contained in *Local Government Regulation 2012*, relating to the disposal of a non-current asset to a community organisation.

COUNCIL RESOLUTION

Moved Cr Amos

Seconded Cr Gurney

That Council resolves that:

- *the exception contained in s236(1)(b)(i) Local Government Regulation 2012 applies in both of the circumstances; and*
- *the requirement to dispose of a valuable non-current asset by way of public auction or tender as prescribed in S227 Local Government Regulation 2012 does not apply; and*
- *it agrees to lease part of Reserve R141 on plan NM 61 to the Normanton Bowls Club; and*
- *the power to negotiate and finalise the Lease and the rental amount is delegated to the Mayor and the Chief Executive Officer.*

CARRIED

Resolution No. 0215/020

CONFIRMED MINUTES

7.6 APPROVAL OF FUNDS FOR CONSTRUCTION OF AN ABLUTION BLOCK FOR NORMANTON STATE EMERGENCY SERVICE (SES) BUILDING

Executive Summary:

The State Emergency Service (SES) Non-Recurrent Subsidy Program is currently available to local governments for 2015/16 for the purpose of providing facilities for the SES to ensure that the local SES has the capacity to perform the required functions and other operational roles. The subsidy is available for either SES accommodation or SES vehicles.

COUNCIL RESOLUTION

Moved Cr Johnson

Seconded Cr Zahner

That Council apply for a grant from the State Emergency Service Non-Recurrent Subsidy Program and approve a contribution of up to \$16,000 towards the cost of an ablutions block for the State Emergency Service shed located at 68 Thompson Street, Normanton, subject to the grant application being successful.

CARRIED

Resolution No. 0215/021

7.7 APPLICATION TO SUBDIVIDE LOT 1 ON CP838627

Executive Summary:

Council has received a request from the Department of Natural Resources and Mines (DNRM) seeking Council's view with regard to a proposed subdivision of lease over Lot 1 on CP838627.

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Gallagher

That Council advises the Department of Natural Resources and Mines that:

- 1. Council has no objections to the proposed subdivision over Lot 1 on CP838627; and***
- 2. Council requires a condition on each of the proposed leases requiring the regularisation of any off-alignment and or undedicated public roads transecting Lot 1 on CP838627 prior to the registration of the dealings.***

CARRIED

Resolution No. 0215/022

CONFIRMED MINUTES

ATTENDANCE: 4.25pm The Manager Governance and Executive Services left the meeting.

7.8 COUNCIL'S INTERNAL AUDIT

Executive Summary:

All local governments are now obliged under State legislation to establish an efficient and effective internal audit function. Along with the internal audit function, each 'large' local government must establish an audit committee. (*A large local government is a local government with a remuneration category of three or higher*).

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Johnson

1. ***That Council adopts the following:***

- ***Internal Audit Policy;***
- ***Audit Committee Policy;***
- ***Internal Audit Charter; and***

2. ***That Council nominates following Councillor representatives on the Audit Committee:***

- ***Cr Amos***
- ***Cr Gallagher***

CARRIED

Resolution No. 0215/023

CONFIRMED MINUTES

8 REPORTS FROM DIRECTOR OF CORPORATE & COMMUNITY SERVICES

8.1 MONTHLY FINANCIAL REPORT - JANUARY 2015

Executive Summary:

The Monthly Financial Report has been prepared for the period ending 31 January 2015.

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

COUNCIL RESOLUTION

Moved Cr Zahner

Seconded Cr Amos

That Council accepts the following reports for the period ending 31 January 2015 as presented:

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

CARRIED

Resolution No. 0215/024

8.2 HUMAN RESOURCES REPORT

Executive Summary:

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

COUNCIL RESOLUTION

Moved Cr Beard

Seconded Cr Gallagher

That Council accepts the report as presented.

CARRIED

Resolution No. 0215/025

CONFIRMED MINUTES

8.3 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 Beard

Seconded Cr Johnson

That Council accepts the report as presented.

CARRIED

Resolution No. 0215/026

8.4 COMMUNITY DONATION AND SUPPORT

Executive Summary:

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

COUNCIL RESOLUTION

Moved Cr Beard

Seconded Cr Gurney

- 1. That Council accepts the report as presented.***
- 2. That Council approve the donation request received from Normanton State School for Gulf Sports and District Athletics including line marking for all running tracks, discus, shot-put, and javelin. Toilets on the oval to be cleaned and unlocked daily. Long jump and triple jump sandpits to be dug up and filled with new sand. Cost to Council last year without digging up and supplying new sand for sandpit was \$3,754.00.***
- 3. That Council not approve a cash donation of \$2,000.00 as requested by Croydon Rodeo and Camp Draft .***

CARRIED

Resolution No. 0215/027

CONFIRMED MINUTES

8.5 DRUG AND ALCOHOL TESTING PROVIDER TENDER

Executive Summary:

Three (3) selected providers were invited to submit tenders for the provision of Drug and Alcohol Testing Services to Council for 2015. The purpose of this report is to provide Council with a recommendation on the preferred tenderer.

COUNCIL RESOLUTION

Moved Cr Johnson

Seconded Cr Zahner

That Council accepts the tender offer from The Australian Drug Detection Agency to provide drug and alcohol testing services for 2015.

CARRIED

Resolution No. 0215/028

ADJOURNMENT FOR NEXT DAY

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Gallagher

That Council adjourn the meeting at 5.10pm to resume on Thursday 19 February 2015 at 9.00am.

CARRIED

Resolution No. 0215/029

CONFIRMED MINUTES

Thursday 19 February 2015

1 OPENING OF MEETING

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

2 RECORD OF ATTENDANCE

Councillors

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

Staff

Chief Executive Officer Mr Bob Owen
Manager Governance and Mr Phillip Turner
Executive Services
Director Corporate Mr Oliver Pring
Services
Executive Assistant Ms Angeline Pascoe.

MATERIAL PERSONAL INTEREST: 9.05am Councillor Ashley Gallagher rang the Mayor prior to the meeting to declare a material personal interest as both he and his parents are property owners on and around where the proposed works are to be undertaken. Councillor Gallagher did not participate in the discussion or vote. Cr Gallagher was not in attendance upon resumption of the meeting due to his material personal interest in both Confidential Reports.

CONFIRMED MINUTES

9 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 Beard

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

9.1 Proposed Compulsory Acquisition Part Lot 4 on NM141

This item is classified CONFIDENTIAL under the provisions of clause 275(1)(h) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

9.2 Tenure Regularisation - Glenore Weir-Normanton Water Supply Pipeline & Normanton-Karumba Water Supply Pipeline

This item is classified CONFIDENTIAL under the provisions of clause 275(1)(h) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.:

CARRIED

Resolution No. 0215/030

MATERIAL PERSONAL INTEREST: 9:40am Councillor Fred Pascoe declared a material personal interest in Report 9.2 and left the meeting. Councillor Pascoe is a Director of Morr Morr Pastoral Company which Council will need to negotiate with in relation to an easement over Council's water supply pipeline between Normanton and Karumba. Councillor Pascoe remained out of the meeting while the discussions and vote was completed on Report 9.2. Cr Pascoe attended the meeting for discussions and voting on Report 9.1. The Deputy Mayor assumed the role of chair.

CONFIRMED MINUTES

GENERAL MOTION

COUNCIL RESOLUTION

Moved Cr Zahner

Seconded Cr Johnson

That Council open the meeting to the public.

CARRIED

Resolution No. 0215/031

CHANGE IN STANDING ORDERS

COUNCIL RESOLUTION

Moved Cr Zahner

Seconded Cr Johnson

That Council change the Standing Orders to commence dealing with Confidential Item 9.2.

CARRIED

Resolution No. 0215/032

9.2 TENURE REGULARISATION - GLENORE WEIR-NORMANTON WATER SUPPLY PIPELINE & NORMANTON-KARUMBA WATER SUPPLY PIPELINE

Executive Summary:

The purpose of the project is to rectify land tenure issues and secure essential public assets, namely the water supply pipeline and associated infrastructure.

COUNCIL RESOLUTION

Moved Cr Amos

Seconded Cr Zahner

That Council:

- 1. Make a final attempt to obtain voluntary agreement from the affected leaseholders for the creation of a 30 metre wide easement over Council's water pipeline along Old Croydon Road.*
- 2. If voluntary agreement is not reached, to proceed with compulsory acquisition of land to create the easement.*
- 3. Enter into negotiations with affected leaseholders between Normanton and Karumba for the creation of an easement over Council's water pipeline.*

CARRIED

Resolution No. 0215/033

CONFIRMED MINUTES

CHANGE IN STANDING ORDERS

COUNCIL RESOLUTION

Moved Cr Zahner

Seconded Cr Johnson

That Council change the Standing Orders to commence dealing with Confidential item 9.1.

CARRIED

Resolution No. 0215/034

9.1 PROPOSED COMPULSORY ACQUISITION PART LOT 4 ON NM141

The purpose of this report is to:-

- (a) update Council on progress in relation to the acquisition of part of Sawtell Creek being undertaken by the State at Council's request;
- (b) address the matters raised by the State in its email dated 15 January 2015;
- (c) confirm Council's decision to request the State to resume part of Lot 4 on CP NM 141.

Council has requested that the State resume part of the Sawtell Lease more particularly described as Lot 4 on NM 141 for the purposes of expanding the existing water reserve at the Glenore Weir.

COUNCIL RESOLUTION

Moved Cr Gurney

Seconded Cr Zahner

That Council resolves to:

- 1. confirm its resolution dated 17 October 2012 to request the State to resume leasehold interests in part of Lot 4 on NM 141 as identified in the resumption plan prepared by Ausnorth Consultants (Drawing 13027/AOL/01).*
- 2. exclude Peterson's Waterhole from the area to be acquired.*
- 3. endorse the infrastructure plan prepared by the Engineering Department and amended background information statement.*
- 4. request the State to continue to resume all interests in the resumption area including any native title interests and geothermal exploration interests in addition to the leasehold interests for the purposes of reticulation and conservation of water as detailed in the notices of intention to resume issued by the Department of Natural Resources and Mines.*

CONFIRMED MINUTES

5. *confirm that the public need for secure access and tenure over community water supply infrastructure (the proposed pump sites and access) to extend water supply capacity for the communities of Normanton and Karumba outweighs private interests being leasehold, native title and geothermal gas exploration interests.*
6. *specifically note that it has considered all submissions made by the Leaseholder and the information provided in response through Council's solicitors on advice from the Engineering Department throughout the resumption process.*
7. *confirm that the entirety of the proposed resumption area identified in the resumption area plan is required for Council's proposed water supply works and access. Council has considered the lessee's alternative proposals set out in their various submissions including the easement proposal and the reduced resumption area outlined in the Lessee's Solicitors letter's dated 22 August 2013, 13 October 2014 and 18 December 2014.*
8. *confirm and endorse the information provided by Council's solicitors dated 2 December 2014 and the advice provided by Council's engineering Department included in that letter.*
9. *instruct Council's solicitors to confirm to the State that all objections (including the substance of the objections), information and alternative proposals have been properly considered by Council.*

CARRIED

Resolution No. 0215/035

RECESS: The Mayor called a recess for morning tea.

ATTENDANCE: 10.18am Councillor Ashley Gallagher entered the meeting.
The Executive Assistant left the meeting.

CONFIRMED MINUTES

10 GENERAL BUSINESS

Cr Gurney	Update on hatchery.
Cr Johnson	Letter to be sent to the Department of Transport and Main Roads about requirements for Air Users Group meetings.
Director Corporate Services	Budget planning has commenced. No change in valuations this year.
Cr Zahner	Show Shed

MOTION

COUNCIL RESOLUTION

Moved Cr Zahner

Seconded Cr Johnson

That Council construct an extension to the existing Show Shed at the Normanton Rodeo Grounds.

CARRIED

Resolution No. 0215/036

Cr Zahner	ALGWA Conference
Cr Gallagher	Informed Councillors that the Secretary's Box at Rodeo Grounds will be built before 2015 Rodeo. Why does the Ambulance have a key to the Normanton Swimming Pool?
Cr Johnson	Apology for Councillor training on 5 March. Accommodation at Palm Island for NQLGA Conference.
Cr Gurney	Queried staffing matters at the Child Care Centre, Normanton
Cr Johnson	Requested an update on the planning for Anzac Day.
Cr Amos	Digital TV reception, Telephones and Internet. Plans for town entry Gravel stockpile across from the Council depot

CONFIRMED MINUTES

Cr Gallagher and Cr Amos	and people driving across train tracks. Commended town crews on the way the townships look.
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MOTION

COUNCIL RESOLUTION

Moved Cr Beard

Seconded Cr Gurney

That Council grants leave of absence for Cr Amos for the April 2015 meeting.

CARRIED

Resolution No. 0215/037

Chief Executive Officer	Asked if Councillors wanted the Building covenants for Lilyvale to be same as for other subdivisions. <i>Councillors confirmed that the same covenants would be used.</i>
Cr Pascoe	Better Councils, Better Communities update.

11 CLOSURE OF MEETING

The Chair of the meeting, Cr Fred Pascoe, Mayor, declared the meeting closed at 11.50am.

MINUTES CERTIFICATE

These Minutes are Confirmed

A. Pascoe

Councillor FC Pascoe

Mayor

19.02.2015

Date