



CARPENTARIA SHIRE

Outback by the Sea

ORDINARY MEETING

MINUTES

15 APRIL, 2020

CONFIRMED MINUTES

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1 OPENING OF MEETING

The Mayor welcomed members to the first meeting of the new term and declared the meeting open at **10:37am**.

2 RECORD OF ATTENDANCE

Councillors

Cr LV Bawden	Mayor
Cr BJ Hawkins	Deputy Mayor
Cr AT Gallagher	
Cr AJ Scott	
Cr JC Young	
Cr AM Murphy	
Cr PF Wells	

Staff

Mr Mark Crawley	Chief Executive Officer
Ms Angeline Pascoe	Executive Assistant

The following officers attended the meeting as indicated in the minutes

Mr Justin Hancock	Director Corporate Services
Mr Michael Wanrooy	Director of Engineering

3 CONDOLENCES

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

❖ Mr Jack Richardson

4 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

Confirmation of Minutes from the Ordinary Council Meeting held 18 March 2020, as previously circulated to Councillors.

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Wells

That the Minutes of the Ordinary Council Meeting held 18 March 2020 be confirmed.

CARRIED 7/0

Resolution No. 0420/001

CONFIRMED MINUTES

5 BUSINESS ARISING FROM PREVIOUS MEETINGS

Nil.

6 RECEPTION OF PETITIONS & DEPUTATIONS

Nil.

7 MAYORAL MINUTES

COVID-19 Update

Cr Bawden informed that the discrete Indigenous Community request has been withdrawn.

This space left blank intentionally

CONFIRMED MINUTES

8 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 Young

Seconded Cr Scott

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

- 8.1 Request for write off of interest - 73 Karumba Development Road
This item is classified CONFIDENTIAL under the provisions of clause 275(1)(d) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to rating concessions.
- 8.2 Gulf District Enterprises - Lease Variation
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 7/0

Resolution No. 0420/002

CLOSURE OF MEETING:

The meeting was closed to the public at **10:50am**.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Gallagher

That Council open the meeting to the public

CARRIED 7/0

Resolution No. 0420/003

REOPENING OF MEETING:

The meeting was reopened to the public at **11:16am**

CONFIRMED MINUTES

8.1 REQUEST FOR WRITE OFF OF INTEREST - 73 KARUMBA DEVELOPMENT ROAD

Executive Summary:

The property located at 73 Karumba Development Road was sold and exchanged on 25 November 2019 which included a payment of 28,595.27 for rates and interest up until that date.

This cheque was received and receipted on 5/12/2019 (10 days after posting) at which point interest to the value of \$76.91 had accrued.

The Senior Finance Officer was contacted by the owner as to why there was any amount owing as it had been purchased on the condition that Rates were paid. The Senior Finance Officer suggested two options. That the new owner might:

- consider contacting their Solicitor as the extra interest was due to the delay in receiving payment.
- writing to Council and request that the interest be written off.

The Conveyancing Solicitor has written to Council requesting that the penalty interest be written off.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Murphy

That Council not accept the request to have the amount of \$76.91 in interest written off as this debt was not through any fault of Council.

CARRIED 7/0

Resolution No. 0420/004

8.2 GULF DISTRICT ENTERPRISES - LEASE VARIATION

Executive Summary:

Gulf District Enterprises entered into a Licence Agreement with Council as of 01/11/2017 for the hire of a room at the Normanton Aerodrome for Kiosk Purposes, this Licence is currently set to expire on 31/10/2020.

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Gallagher

That Council declines the request for the reduction in quarterly fee payments to \$300.00 per quarter for the periods 01/05/2020-31/07/2020 and 01/08/2020-31/10/2020, as Council considers the electricity costs would be greater than the proposed reduced quarterly payments; and

That Council pursuant to section 236(2) of the Local Government Regulation 2012 to

CONFIRMED MINUTES

apply the exemption set out in section 236(1)(c) and enter into negotiations with Gulf District Enterprises to extend the Licence Agreement at the Normanton Aerodrome for Kiosk Purposes; and

That Council delegates authority to the Chief Executive Officer to negotiate and finalise the terms of the Licence Agreement with Gulf District Enterprises.

CARRIED 7/0

Resolution No. 0420/005

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CONFIRMED MINUTES

9 REPORTS FROM THE CHIEF EXECUTIVE OFFICER

9.1 CEO REPORT

Executive Summary:

This report provides information and updates to Council on various activities and programs that are facilitated within the Chief Executive Officer's portfolio.

COUNCIL RESOLUTION

Moved Cr Wells

Seconded Cr Young

That Council:

- 1. receive and note the Chief Executive Officer's report; and***
- 2. that those matters not covered by resolution be noted.***

CARRIED 7/0

Resolution No. 0420/006

9.2 BUSINESS INCENTIVE OPTIONS - COVID - 19

Executive Summary:

The Novel coronavirus (COVID-19) has had an economic impact on the small businesses and tourism operators and facilities following the closures and reduction in trading. Council may wish to consider some options for providing relief.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Young

That Council, due to the economic impact of COVID-19 on business, authorise the following waivers as a stimulus for the 2020-2021 financial year

- Waiver of License Fees for Food Licenses***
- Waiver of Caravan and Camping Licenses***
- Waiver of Rates for Eligible Not for Profit Groups;***

and applies the following stimulus with immediate effect

- Waiver of Rates Interest on overdue rates***
- Suspension of Community Groups Loans; and***

That Council advise the business community of the measures to be introduced. Those with immediate effect and those considered for the new financial period 2020-2021.

CONFIRMED MINUTES

CARRIED 7/0

Resolution No. 0420/007

9.3 RATING REQUESTS - COVID - 19 RELATED

Executive Summary:

The Novel coronavirus (COVID-19) has had an economic impact on the small businesses and tourism operators and facilities following the closures and reduction in trading. Council may wish to consider some options for providing relief.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Hawkins

That Council in accordance with the Council officer report with respect to applications received from the relevant ratepayers referred to in the Council officer report, resolves:

- 1. to grant a concession pursuant to section 120 (1) (c) and section 121 (a) of the Local Government Regulation 2012 to issue a rebate of the rates and charges paid by the relevant ratepayers; and***
- 2. to grant a concession pursuant to section 120(1) (c) and section 121 (b) of the Regulation to enter into a deferral arrangement for payment of the rates and charges by instalment with the relevant ratepayers for a period of five months commencing from the date of this resolution; and***
- 3. that no interest or additional charges will be incurred because the Council has agreed to a deferral arrangement with the relevant ratepayers; and***
- 4. that the discount period for payment of rates and charges for the 2019/20 financial year remains unchanged and no discounts will apply for a deferral arrangement; and***
- 5. the rates and charges must be fully paid by the relevant ratepayers within the period of the deferral arrangement; and***
- 6. Council resolves pursuant to section 122 (1) (b) of the Regulation and delegates the authority to the Chief Executive Officer pursuant to section 257 of the Local Government Act 2009 to assess and approve the concessions in accordance with the criteria set out under the Natural Hardship section in the Revenue Statement.***

CARRIED 7/0

Resolution No. 0420/008

CONFIRMED MINUTES

9.4 ADOPTION OF CARPENTARIA SHIRE BIOSECURITY PLAN 2019

Executive Summary:

Community consultation has been undertaken with the landowners and others in relation to the Carpentaria Shire Biosecurity Plan 2019 and it is now ready for formal adoption by Council.

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Wells

That Council adopt the Carpentaria Shire Biosecurity Plan 2019 and associated Incentive Programs and note the comments provided from the recent consultation with landowners.

CARRIED 7/0

Resolution No. 0420/009

9.5 KARUMBA AIRPORT - LEASE

Executive Summary:

Council has received further interest from another party in relation to refuelling at the Karumba Airport.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Hawkins

That Council:

- 1. pursuant to section 262 of the Local Government Regulation 2012 repeal Resolution No. 0418/009 passed on Wednesday 18 April 2018 to recall tenders for the establishment and operation of the aviation fuel facility at Karumba Airport; and***
- 2. pursuant to section 236(2) of the Local Government Regulation 2012 to apply the exemption set out in section 236(1)(a) to enter into a lease of land at the Karumba Airport with IOR Aviation and/or World Fuel Services and Normanton Refueling because the tender for the lease of the land offered in January 2018 was unsuccessful, on the basis that the lease be entered into with IOR Aviation and/or World Fuels and Normanton Refueling in accordance with the independent market valuation obtained by Council for this purpose; and***
- 3. resolves to delegate authority to the Chief Executive Officer to obtain an independent market valuation and negotiate and finalise the terms of this lease with either or both parties.***

CARRIED 7/0

Resolution No. 0420/010

CONFIRMED MINUTES

ATTENDANCE:

The Director Corporate Services left the meeting room at 12:11pm.
The Director Corporate Services re-entered the meeting room at 12:15pm.

9.6 ESTABLISHMENT OF LTO - FOUR GULF COUNCILS

Executive Summary:

Correspondence received from Etheridge Shire Council in relation to the establishment of a local tourism organisation (LTO) for the four Gulf Councils.

COUNCIL RESOLUTION

Moved Cr Bawden

Seconded Cr Scott

That Council advise Etheridge Shire Council that if we are not to continue with Savannah Way Limited as the Local Tourism Organisation (LTO) to support the Gulf Councils the next suggested organization is through Gulf Savannah Development (GSD).

CARRIED 7/0

Resolution No. 0420/011

9.7 LGAQ POLICY EXECUTIVE POSITION - NORTH WEST DIVISION

Executive Summary:

Correspondence has been received from the LGAQ in relation to the nomination of Policy Executive Member for the North West District.

COUNCIL RESOLUTION

Moved Cr Bawden

Seconded Cr Young

That Council advise the Chief Executive Officer – Jane MacNamara of Flinders Shire Council as Council's preferred candidate for the vacant position of Policy Executive Member – North West.

CARRIED 7/0

Resolution No. 0420/012

CONFIRMED MINUTES

9.8 HUMAN RESOURCES REPORT

Executive Summary:

This report provides information on the progress of SAFEPLAN, Council's safety management system, and an update on general human resource matters.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Scott

That Council accepts the Human Resources Report for information.

CARRIED 7/0

Resolution No. 0420/013

9.9 TOURISM REPORT - MARCH 2020

Executive Summary:

This report provides a summary of the operational and promotional activities surrounding the Les Wilson Barramundi Discovery Centre and visitor numbers, as well as activities in relation to the Visitor Information Centres.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Gallagher

That Council:

- 1. receive the Tourism Report; and***
- 2. that those matters not covered by resolution be noted.***

CARRIED 7/0

Resolution No. 0420/014

DECLARATION OF INTEREST:

Cr Gallagher declared a perceived conflict of interest in relation to discussion on the Normanton Rodeo and Horse Sports Facility Upgrade Grant. (Item 9.10)

"I declare that I have a perceived conflict of interest in this matter (as defined by Local Government Act 2009, section 175D) as follows:-*

- I am a member of the Normanton Rodeo Committee.*

I will be dealing with this perceived conflict of interest by participating in the meeting while this matter is discussed and voted on."

CONFIRMED MINUTES

9.10 NORMANTON RODEO AND HORSE SPORTS FACILITY UPGRADE GRANT PROPOSAL

Executive Summary:

Carpentaria Shire Council's grants officer in conjunction with the Normanton Rodeo and Horse Sports association have developed a proposal for a facility upgrade to the rodeo grounds, a Council owned and managed facility. The proposal is presented to Council for consideration of permanent infrastructure installation and pending approval will be submitted to relevant capital infrastructure funding bodies for funding support.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Young

- 1. That Council approves the submission of the Rodeo and Horse Sports Facility Upgrade proposal to one or more grant funding streams.***
- 2. That Council approves the installation of permanent infrastructure at their Rodeo Grounds Facility, pending endorsed funding.***
- 3. That Council approves to fund the ongoing maintenance costs of the upgrade once funded through a grant, as asset owners of the facility.***

CARRIED 7/0

Resolution No. 0420/015

ADJOURNMENT:

The meeting was adjourned for lunch at **12:57pm**.
The meeting resumed at **1:38pm**.

CONFIRMED MINUTES

10 REPORTS FROM DIRECTOR OF CORPORATE & COMMUNITY SERVICES

10.1 DCS REPORT - FEBRUARY 2020

Executive Summary:

This report provides information and updates to Council on various activities and programs that are facilitated within the Director of Corporate Services portfolio.

COUNCIL RESOLUTION

Moved Cr Wells

Seconded Cr Gallagher

That Council:

- 1. receive the Director of Corporate Services Report; and***
- 2. that those matters not covered by resolution be noted.***

CARRIED 7/0

Resolution No. 0420/016

10.2 MONTHLY FINANCIAL REPORT - MARCH 2020

Executive Summary:

The Monthly Financial Report has been prepared for the period ending 31 March 2020.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Young

That Council:

- 1. accepts the Monthly Financial Report for the period ending 31 March 2020 as presented; and***
- 2. that those matters not covered by resolution be noted.***

CARRIED 7/0

Resolution No. 0420/017

CONFIRMED MINUTES

10.3 BUDGET 2020 REVIEW

Executive Summary:

This report presents the review of the 2019/2020 Budget for the Carpentaria Shire Council as part of the 2019/2020 budget process and presents the amended budget as at 30 June 2020.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Murphy

That Council approve the amended budget as presented.

CARRIED

7/0 Resolution No. 0420/018

ATTENDANCE:

Cr Gallagher left the meeting room at **2:29pm**.

Cr Gallagher re-entered the meeting room at **2:31pm**.

10.4 INTERNAL AUDIT REPORT - PROPERTY AND LEASING MANAGEMENT REVIEW

Executive Summary:

Council is committed to continuous improvement within its business operations and recognises the importance of Internal Audit as an integral component of Council's corporate governance framework.

Council's independent Internal Auditors, Pacifica Chartered Accountants, utilises a risk management approach in delivering on projects detailed in Council's adopted annual internal audit plan.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Young

That Council note and accept the Property and Leasing Management Review Report.

CARRIED 7/0

Resolution No. 0420/019

CONFIRMED MINUTES

10.5 2019/2020 OPERATIONAL PLAN 3RD QUARTER REVIEW (MARCH 2020)

Executive Summary:

The *Local Government Act 2009* requires that a local government must for each financial year prepare and by resolution adopt an Annual Operational Plan. A report on the Operational Plan is to be prepared and presented to Council on a quarterly basis outlining the year to date progress against key performance indicators for all operational activities.

COUNCIL RESOLUTION

Moved Cr Wells

Seconded Cr Hawkins

That Council accepts the review of the 2019 – 2020 Annual Operational Plan as of March 2020.

CARRIED 7/0

Resolution No. 0420/020

10.6 WORKS FOR QUEENSLAND (W4Q) 2019-2021 - PROJECT AMENDMENTS

Executive Summary:

Works for Queensland (W4Q) program supports regional Councils to undertake job-creating maintenance and minor infrastructure projects. The allocation is to be spent on job-creating maintenance and minor infrastructure projects relating to assets owned or controlled by Council. Eligible Council should place emphasis on providing jobs for young people (15 to 24 years) in the 'not in employment, education or training' (NEET) category.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Hawkins

That Council endorses the amendments to the Works for Queensland 2019-2021 program as follows:

<i>Project Title</i>	<i>Revised Budgets</i>
<i>Ablution Block - Normanton Water Park</i>	<i>\$ -</i>
<i>Ablution Block - Karumba Boat Ramp</i>	<i>\$ 75,000</i>
<i>School Dam Water/Family Precinct</i>	<i>\$ -</i>
<i>Staff Housing Upgrades</i>	<i>\$ 489,000</i>
<i>Administration Office Upgrades</i>	<i>\$ 150,000</i>
<i>Trades Shed - Refurbishment</i>	<i>\$ 200,000</i>

CONFIRMED MINUTES

Les Wilson Barramundi Discovery Centre - Feeding Facility Shade	\$ -
Office - Normanton Water Treatment Plant	\$ 125,000
Office - Karumba Sewerage Treatment Plant	\$ 100,000
Normanton Town Hall PA System	\$ 22,000
Normanton Showgrounds, Racecourse & Rodeo Grounds – Electrical Upgrade	\$ 40,000
Installation of Solar PV Sites	\$ 539,000
CARRIED 7/0	Resolution No. 0420/021

DECLARATION OF INTEREST:

Cr Murphy made the following declaration in relation to discussions on the Bounty Scheme for Wild Dogs, Feral Cats and Feral Pigs Policy.

"I declare that I have a material personal interest in this matter (as defined by section 175B of the Local Government Act 2009) as follows: -

- (a) My children regularly lodge scalps for the bounty; and*
- (b) My sons stand to gain a financial benefit from any consideration of the bounty.*

I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

ATTENDANCE:

Cr Murphy left the meeting room at 3:00pm.

CONFIRMED MINUTES

10.7 BOUNTY SCHEME FOR WILD DOGS, FERAL CATS AND FERAL PIGS POLICY

Executive Summary:

Council's Pest Management Plan was established to manage the adverse economic, environmental and social impacts of pest plants and animals across the Shire. This Pest Management Plan identified 3 High Priority Pest Animals being – Wild Dogs, Feral Cats and Feral Pigs.

In assisting the objectives of the Pest Management Plan, this policy provides the guidelines for a bounty scheme, on these high priority pest animals, which can be claimed by individuals who have the necessary written consent from land owners or managers.

This bounty scheme has been operating successfully for a number of years and the reviewed policy is presented to Council for re-adoption.

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Wells

That Council:

- 1. adopts the Bounty Scheme for Wild Dogs, Feral Cats and Feral Pigs Policy as presented; and***

- 2. approves the following bounty rates:***
 - o Dog Scalps - \$50.00 Per Scalp***

CARRIED 7/0

Resolution No. 0420/022

ATTENDANCE:

Cr Murphy re-entered the meeting room at 3:10pm.

CONFIRMED MINUTES

10.8 NON-CURRENT ASSET POLICY

Executive Summary:

Contained within the *Local Government Act 2009*, are the principles to ensure that the system of local government is accountable, effective, efficient and sustainable. One of these principles is – “*sustainable development and management of assets and infrastructure, and delivery of effective services*”.

The Non-Current Asset Policy has been developed to establish guidelines for consistent asset management accounting practices in Council operations and to ensure compliance with the Australian Accounting Standards and all relevant legislation.

It is a legislative requirement for Council to produce annual financial statements, which includes reporting of Council’s non-current assets and this policy establishes the process for the capture of meaningful data to enable timely and accurate reporting.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Scott

That Council adopts the Non-Current Asset Policy as presented.

CARRIED 7/0

Resolution No. 0420/023

10.9 COMMUNITY DEVELOPMENT

Executive Summary:

This report provides information and updates to Council on various activities and programs that are facilitated within the Community, Cultural Services and Economic Development portfolio of Council.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Hawkins

That Council:

- 1. receive the Community Development Report; and***
- 2. that those matters not covered by resolution be noted.***

CARRIED 7/0

Resolution No. 0420/024

ATTENDANCE:

The Director of Engineering entered the meeting room at 3.19pm.
The Director Corporate Services left the meeting room at 3.19pm.

CONFIRMED MINUTES

11 REPORTS FROM DIRECTOR OF ENGINEERING - ROADS & SERVICES

11.1 DOE REPORT

Executive Summary:

This report provides information and updates to Council on various activities and programs that are facilitated within the Director Engineering's portfolio.

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Wells

That Council:

- 1. receive the Director of Engineering Report; and***
- 2. that those matters not covered by resolution be noted.***

CARRIED 7/0

Resolution No. 0420/025

ATTENDANCE:

Cr Scott left the meeting room at 3:51pm.

Cr Wells left the meeting room at 3:52pm.

Cr Scott re-entered the meeting room at 3:53pm.

Cr Wells re-entered the meeting room at 3:55pm.

The Chief Executive Officer left the meeting room at 3:53pm.

The Chief Executive Officer re-entered the meeting room at 3:57pm.

CONFIRMED MINUTES

11.2 NDRRA/QDRF REPORT

Executive Summary:

QRA18 REPA is currently 97% complete with only minor roads remaining to be constructed prior to the June 30, 2020 deadline. Works have been programmed to re-commence prior to Easter.

QRA19 REPA submissions 1-5 have all been approved with a total RV in excess of \$66 million. Submission 6 and project specific tenders are still under development.

QRA20 has been activated for CDO, EW and REPA. Damage pick-up is complete except for the northern roads where access is cut with submissions at approximately 30% complete

QRA have approved seven (7) betterment projects with a further seven (7) under consideration.

TMR19 REPA contract has been issued at less than 4% of Council's assessment.

TMR19 Betterment contract for 89B (\$5.5million) has been awarded to Council for construction commencing in July 2020.

TMR20 will be picked up in early April. No emergency work has commenced as directed by TMR.

Road construction is considered an essential service. Construction of QRA18 will commence in early April and QRA19 will commence immediately following the Easter long weekend. COVID-19 advice from the State and Federal Government will be monitored closely in the coming weeks to ensure all camps meet Council's requirements.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Hawkins

That Council:

- 1. accepts the NDRRA/QDRF Report as presented; and***
- 2. that those matters not covered by resolution be noted.***

CARRIED 7/0

Resolution No. 0420/026

CONFIRMED MINUTES

11.3 WATER AND WASTE REPORT - MARCH 2020

Executive Summary:

The report is to advise Council on the operations of the Normanton Water Treatment Plant (WTP), Karumba Sewage Treatment Plant (STP) and Normanton STP for the month of March 2020.

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Wells

That Council:

- 1. accepts the Water and Wastewater Report as presented for the period ending 31st March 2020; and*
- 2. that those matters not covered by resolution be noted.*

CARRIED 7/

0 Resolution No. 0420/027

11.4 BUILDING AND PLANNING REPORT

Executive Summary:

The report is to advise Council of relevant planning and building activities within the Shire for the month of March 2020.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Gallagher

That Council note and accept the content of the Building and Planning Report as presented.

CARRIED 7/0

Resolution No. 0420/028

DECLARATION OF INTEREST:

Cr Gallagher declared a material personal interest in Agenda item 11.5 – Application for Material Change of Use: Business (Café), Shop (Supermarket), Service Station and Caretaker's Residence.

"I declare that I have a material personal interest in this matter (as defined by section 175B of the Local Government Act 2009) as follows: -

(a) My wife is currently acting CEO of Bynoe at this time.

I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

CONFIRMED MINUTES

ATTENDANCE:

Cr Gallagher left the meeting room at 4:09pm.

11.5 APPLICATION FOR MATERIAL CHANGE OF USE: BUSINESS (CAFE), SHOP (SUPERMARKET), SERVICE STATION AND CARETAKER'S RESIDENCE

Executive Summary:

The Council is in receipt of an Application for Material Change of Use (MCU) for a new Shop (Supermarket), Business (Cafe), Service Station and Caretaker's Residence, located on a large site at the corner of Landsborough Street, Matilda Street and Dutton Street, Normanton, described as Lots 88 to 93 NR14812.

The application is Code Assessable and Public Notification is not required.

The Application required referral through the State Assessment Referral Agency (SARA) as the site has frontage to a State Controlled Road (SCR) and approval was granted subject to six (6) standard conditions.

The application is generally in accordance with the Carpentaria Shire Planning Scheme and is recommended for approval, subject to conditions.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Scott

That Council resolves:

In accordance with the Planning Act 2016, as amended, the applicant be notified that the application for a Development Permit for a Material Change of Use for a new Shop (Supermarket), Business (Cafe), Service Station and Caretaker's Residence, located on the corner of Landsborough Street, Matilda Street and Dutton Street, Normanton, described as Lots 88 to 93 NR14812 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 submitted Plans:***

CONFIRMED MINUTES

PLAN	AUTHOR	DRAWING NUMBER & DATE
Concept Plan and Car Parking Layout	RPS	PR144964-3 Issue B, dated March 2020
Supermarket Floor Plan	Bud Brannigan Architects	DA 102-A, dated November 2019
Supermarket - Elevations	Bud Brannigan Architects	DA 200-A, dated November 2019
Supermarket - Sections	Bud Brannigan Architects	DA 300-A dated, November 2019

and all supporting documentation, except as modified by this approval and to the satisfaction of the Chief Executive Officer or delegate.

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 and to the satisfaction of the Chief Executive Officer or delegate.*
3. *This approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect, in accordance with the provisions of Section 85 of the Planning Act 2016, if the development has not been commenced.*

Maintenance of the Site

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.*

Building Façade

5. *The extensive blank facade of the building along the Landsborough Street frontage is to be improved, by either:*
 - *using different coloured colourbond panels to create a pattern and visual*

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interest along the blank facade; or

- *providing fixed large planter boxes on the footpath along the blank façade, with native shrubs that will grow to a maximum height of approximately 3 metres, located at 2 metre intervals, to provide a visual screen; or*
- *some other proposal to break up the blank façade of the building along the Landsborough Street frontage, agreed to in writing by Council, following lodgement with Council of information and a plan outlining the proposal;*

The agreed option is to be shown on the approved building plans and implemented to the satisfaction of the Chief Executive Officer or delegate.

Planting Plan

6. *A Planting Plan is to be submitted to Council for approval, showing the following details:*
- *2-metre-wide landscaping of native trees and shrubs along the Matilda Street frontage, as shown on the Approved Concept Plan, with the addition of landscaping in the unsealed island area adjacent to the vehicular accessed driveway; and*
 - *2-metre-wide landscaping of native trees and shrubs along the Landsborough Street frontage, as shown on the Approved Concept Plan, with the addition of landscaping in the unsealed island areas (2) adjacent to the vehicular accessed driveway; and*
 - *2-metre-wide landscaping of native trees and shrubs along the Dutton Street frontage, from the intersection with Landsborough Street to the common property boundary with the adjoining Church site; and adjacent to the vehicular access driveway, as shown on the Approved Concept Plan; and*
 - *The retention, where practicable, of any existing mature trees, located in proximity to the new Caretaker's residence, to improve the amenity for residents.*

The landscaping is to be in place, prior to commencement of the use; and maintained at all times, to the satisfaction of the Chief Executive Officer or

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delegate.

Containment of Contaminants and Service Station Safety

- 7. The hardstand bowser area is required to drain to a central stormwater collection pit for treatment, prior to discharging into Council's stormwater drainage system, to the satisfaction of the Chief Executive Officer or delegate.***
- 8. The underground fuel storage is to be constructed with a leak detection system and operate in accordance with an Environmental Management Plan, including a record keeping system, in compliance with regulations for the storage of flammable and combustible liquids, to the satisfaction of the Chief Executive Officer or delegate.***

Drainage

- 9. The site is required to drain to a lawful point of discharge, to the satisfaction of the Chief Executive Officer or delegate.***

Urban Services

- 10. The development is required to be connected to all urban services. 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 and to the satisfaction of the Chief Executive Officer or delegate.***
- 11. Any work associated with connecting to or upgrading of urban services shall be undertaken in accordance with an approved plan and shall be established and completed prior to the commencement of the use; and to the satisfaction of the Chief Executive Officer or delegate.***
- 12. 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.***

On-Street Works

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13. The following on-street works are required:

- **closure of any existing vehicular access/es to the site frontages, excluding any vehicular crossover which will service the new Caretaker's Residence; and the reinstatement of kerb and channel and any damage to the road pavement made good, to Council's specifications and standards;**
- **the construction of a two (2) metre wide concrete footpath to all site frontages, where required, to Council's specifications and standards;**
- **the repair of any existing footpath/s, to Council's specifications and standards;**
- **The construction of three (3) crossovers and aprons, as shown on the approved Concept Plan, connecting to the existing road pavement, to Council's specifications and standards;**
- **the construction of bitumen seal between the kerb and channel and the existing road pavement to all site frontages, where required, and the line-marking of on-street car parking spaces, as required in Condition 15 below and generally in accordance with the approved Concept Plan and to Council's specifications and standards.**

All on-street works are to be completed, prior to commencement of the use, to the satisfaction of the Chief Executive Officer or delegate.

Car Parking and Vehicular Circulation

- 14. A minimum of 46 car parking spaces are required to be provided on-site, in association with the development, in compliance with the approved Concept Plan and Car Parking Layout and prior to commencement of the use, to the satisfaction of the Chief Executive Officer or delegate.**
- 15. All car parking on site is to be clearly line-marked for use by customers and demarcation arrows, directing vehicular circulation on site are to be provided, in compliance with Condition 15 below and generally in accordance with the approved Concept Plan and Car Parking Layout and installed prior to commencement of the use, to the satisfaction of the Chief Executive Officer or delegate.**
- 16. To off-set the shortfall of on-site car parking 24 on-street car parking spaces are to be line marked to the Landsborough Street frontage, 4 spaces are to be line-marked to the Matilda Street frontage and the Dutton Street frontage, generally in compliance with the approved Concept Plan and Car Parking Layout and prior to commencement of the use, to the satisfaction of the Chief Executive Officer or delegate.**

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Lighting

17. ***Any lighting proposed in association with the development must ensure there is no light spillage onto adjoining properties or roads, to the satisfaction of the Chief Executive Officer or delegate.***

Signage

18. ***The Supermarket signage, shown on the approved Elevation Plans, is approved; no other signage, other than a Community Notice Board, located in proximity to the entrance to the Supermarket, is permitted. Any additional signage for the Service Station is required to comply with the Advertising Devices Code in the Carpentaria Shire Planning Scheme and must not contain any product advertising, to the satisfaction of the Chief Executive Officer or delegate.***

Caretaker's Residence

19. ***The Caretaker's Residence is only approved for occupation by a caretaker and his/her family who are employed to maintain and safeguard the commercial premises. At no time is the accommodation to be used for short term overnight accommodation or similar, to the satisfaction of the Chief Executive Officer or delegate.***
20. ***The floor level of habitable rooms in the new Caretaker's Residence is 9.1 metres AHD, to the satisfaction of the Chief Executive Officer or delegate.***

Environmentally Relevant Activities

21. ***Any activities on the site required to operate under an Environmental Authority (EA) must not commence operation until a current EA Permit is in place, to the satisfaction of the Chief Executive Officer or delegate.***

Fencing

22. ***A solid 1.8 metre high screen fence is required to be erected along the common boundary with adjacent Residential zoned land and along the vehicular access driveway servicing the site from Matilda Street to the on-site car parking area and return to the common boundary to the north, to provide safety, privacy and amenity for the residents of the Caretaker's Residence, to the satisfaction of the Chief Executive Officer or delegate.***

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23. ***A Plan for a Refuse Collection Area, sufficient in size to accommodate all refuse generated by the mix of commercial uses on the site and located in proximity to the Supermarket with the location to be shown on a plan, is required to be submitted to Council for approval, prior to the issue of a Building Permit. The Refuse Collection Area must be screened from public view and have a concrete floor and a hose connection to allow hosing out on a regular basis, to the satisfaction of the Chief Executive Officer or delegate.***

Café/Take Away

24. ***The Café/take away area/s of the Supermarket to be used for the storage, preparation, handling, packing and/or service of food must comply with the requirements of the Food Act 2006 and Food Safety Standards and AS 4674-2004 – Design, construction and fit-out of food premises; as amended or updated.***

Prior to construction of any premises used for storage, preparation, handling, packing and/or service of food, application must be made to Council's Health Section and be accompanied by two (2) copies of plans drawn to a scale, not smaller than 1:100. Such plans are to include details of ventilation (including mechanical exhaust ventilation systems), finishes to walls, floors and ceilings, details of the proposed layout and materials to be used in the construction of all fixtures, fittings and equipment. The plans should include detailed cross sections of all areas to be included in the construction. All works must be carried out in accordance with the requirements of the Food Act 2006, Food Safety Standards and AS 4674 – 2004 – Design, construction and fit-out of food premises.

Prior to operation of the food business, the operator must hold a current Food Licence issued by Council under the Food Act 2006. Every licensed food business is required to have a Food Safety Supervisor who has met specified competencies and is reasonably available at all times the business is operating.

The Café/take away is required to operate at all times, in accordance with the Food Licence, to the satisfaction of the Chief Executive Officer or delegate.

Site Amalgamation

25. ***The site is to be amalgamated so that the development is located on one (1) lot.***

A Plan of Survey is to be lodged with Council for endorsement, prior to registration by the State. A Dealing Number, issued by the Department of Natural Resources, Mines and Energy (DNRME) is to be provided to Council, prior to commencement of construction, to the satisfaction of the Chief Executive Officer or delegate.

CONFIRMED MINUTES

Cr Hawkins assumed the role of Chair.

11.6 CONTRACT 20-0509 PRE-QUALIFIED SUPPLIER OF DRY HIRE PLANT – LATE ITEM

Executive Summary:

Tenders for Contract 20-0509 (Pre-Qualified Supplier of Dry Hire Plant) were issued via Vendor Panel on 20 March 2020 and closed at 4:00pm on 10 April 2020.

COUNCIL RESOLUTION

Moved Cr Wells

Seconded Cr Murphy

That Council accepts the report for Contract 20-0509 for the Pre-Qualified Supplier of Dry Hire Plant as presented:

- ***Vibrating Single Drum Rollers***
- ***Multi Tyre Rollers***
- ***Vibrating Pad-Foot Rollers***
- ***4 Door 4x4 V8 Landcruisers with tray back***
- ***4 Door 4x4 Ute with tray back (4 cylinder)***
- ***Skid Mounted Generators***
- ***Standpipes***
- ***Trailer Mounted Water Pumps***
- ***3-Man Ablution Block/Laundry Block including Showers and Toilets***
- ***2-Man Accommodation Dongas***
- ***Miscellaneous***

CARRIED 7/0

Resolution No. 0420/030

ATTENDANCE:

Cr Bawden re-entered the meeting room at 4:48pm.

Cr Bawden resumed the role of Chair.

This space left blank intentionally

CONFIRMED MINUTES

12 GENERAL BUSINESS

Fred Pascoe Community Fishing Bridge

Cr Gallagher again raised concerns in regards to the amount of rubbish on the Fred Pascoe Community Fishing Bridge.

Action: Town crew to clean up and signage to be put out. Public notice to be developed and promoted.

Local Government Election 2020

Cr Gallagher congratulated all Councillors and welcomed Amanda and is looking forward to the next 4 years

ADJOURNMENT FOR NEXT DAY

COUNCIL RESOLUTION

Moved Cr Bawden

Seconded Cr Wells

That Council adjourn the meeting at 4:58pm to resume on Thursday 16 April 2020 at 9:00am.

CARRIED 7/0

Resolution No. 0420/031

CONFIRMED MINUTES

**Thursday
16 April 2020**

1 OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at **9:13am**.

2 RECORD OF ATTENDANCE

Councillors

Cr LV Bawden	Mayor
Cr BJ Hawkins	Deputy Mayor
Cr AT Gallagher	
Cr AJ Scott	
Cr JC Young	
Cr AM Murphy	
Cr PF Wells	

Staff

Mr Mark Crawley	Chief Executive Officer
Mr Justin Hancock	Director Corporate Services
Mr Michael Wanrooy	Director of Engineering

DECLARATION OF INTEREST:

Cr Bawden made the following declaration in relation to Late Item 11.6 – Contract 20-0509 Pre-Qualified Supplier of Dry Hire Plant -

"I declare that I have a material personal interest in this matter (as defined by section 175B of the Local Government Act 2009) as follows: -*

(a) I undertake works for Council.

I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

ATTENDANCE:

Cr Bawden left the meeting room at 9:25pm.
Cr Hawkins assumed the role of Chair.

CONFIRMED MINUTES

CLOSED SESSION

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Gallagher

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

11.6 Contract 20-0509 Pre-Qualified Supplier of Dry Hire Plant

This item is classified CONFIDENTIAL under the provisions of clause 275(1)(e) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for contracts proposed to be made by it.

CARRIED 7/0

Resolution No. 0420/032

CLOSURE OF MEETING:

The meeting was closed to the public at **9:15am**.

MOTION TO OPEN

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Hawkins

That Council open the meeting to the public.

CARRIED 7/0

Resolution No. 0420/033

REOPENING OF MEETING:

The meeting was reopened to the public at **9:23am**

CONFIRMED MINUTES

11 REPORTS FROM DIRECTOR OF ENGINEERING - ROADS & SERVICES

11.6 CONTRACT 20-0509 PRE-QUALIFIED SUPPLIER OF DRY HIRE PLANT - LATE ITEM

Executive Summary:

Tenders for Contract 20-0509 (Pre-Qualified Supplier of Dry Hire Plant) were issued via Vendor Panel on 20 March 2020 and closed at 4:00pm on 10 April 2020.

MOTION

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Gallagher

That Council not award Tender for Pre-Qualified Supplier of Dry Hire Plant from TIE Construction Pty Ltd at this point in time and may consider when further details are presented to Council.

CARRIED 7/0

Resolution No. 0420/034

ATTENDANCE:

Cr Bawden re-entered the meeting room at 9:23am.

Cr Bawden assumed the role of Chair.

CLOSED SESSION

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Gallagher

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

(e) contracts proposed to be made by it

CARRIED 7/0

Resolution No. 0420/035

CONFIRMED MINUTES

NOTATION:

No resolution required at this time in relation to the discussions about contracts.

MOTION TO OPEN

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Hawkins

That Council open the meeting to the public.

CARRIED 7/0

Resolution No. 0420/036

REOPENING OF MEETING:

The meeting was reopened to the public at **9:45am**

13 CLOSURE OF MEETING

*The Chair of the meeting, Cr Lyall Bawden, Mayor, declared the meeting closed at **9:46am**.*

MINUTES CERTIFICATE

These Minutes are Confirmed.



Councillor LV Bawden
Mayor



Date