



CARPENTARIA SHIRE

Outback by the Sea

BUSINESS PAPER

19 AUGUST, 2020

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NOTICE OF MEETING

COUNCILLORS:

Mayor Jack Bawden	Chairperson
Cr Ashley Gallagher	
Cr Bradley Hawkins	
Cr Andrew Murphy	
Cr Peter Wells	
Cr Craig Young	
Cr Amanda Scott	

Please find attached the Agenda for the Ordinary Council Meeting to be held in the Council Chambers, Haig Street, Normanton commencing at 9:00am.

Mark Crawley
CHIEF EXECUTIVE OFFICER

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- 1 OPENING OF MEETING**
- 2 RECORD OF ATTENDANCE**
- 3 CONDOLENCES**
- 4 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held 15 July 2020 be confirmed.

- 5 BUSINESS ARISING FROM PREVIOUS MEETINGS**
- 6 RECEPTION OF PETITIONS & DEPUTATIONS**
- 7 MAYORAL MINUTES**

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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.

RECOMMENDATION

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 Rates Based Financial Assistance - Karumba Recreation Club

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 Request for Rates Based Assistance - Normanton Bowls Club

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.:

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9 REPORTS FROM THE CHIEF EXECUTIVE OFFICER

9.1 CEO REPORT

Attachments: 9.1.1. ROSI Briefing Minister Bailey [↓](#)
Author: Mark Crawley - Chief Executive Officer
Date: 7 August 2020

Key Outcome: 1.5 – Council has high quality governance
Key Strategy: 1.5.3 Council has good decision making processes in place.

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.

RECOMMENDATION:

That Council:

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

MEETINGS SCHEDULE

Date	Time	Event	Location
Council			
19 August 2020	9:00am	Ordinary Meeting of Council	Boardroom
20 August 2020	8:30am	Workshop – Councillors and Directors	Boardroom
16 September 2020	9:00am	Ordinary Meeting of Council	Boardroom
17 September 2020	8:30am	Workshop – Councillors and Directors	Boardroom
21 October 2020	9:00am	Ordinary Meeting of Council (may wish to change due to LGAQ Conference dates)	Karumba
22 October 2020	8:30am	Workshop – Councillors and Directors	Boardroom
NWQROC, FNQROC and LGAQ			
19-21 October		Annual Conference	Gold Coast

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Date	Time	Event	Location
4-5- November		LGx Conference	Brisbane
It is unsure if these conferences will be held due to the restrictions from COVID-19			
Annual Conference is back on (COVID – 19 conditions pending) for the Gold Coast in October 2020			
Local Government Professionals Australia			
		Until further advised all LG Professionals Australia meetings will be held via teleconference	
All interstate and international travel for LG Professionals has been cancelled. All future meeting will be via teleconference or Zoom. It is likely that the term for President will be extended until at least the end of the calendar year.			

FINANCIAL REPORT

Governance Income and Expenditure to 31 July 2020

INCOME – Operating			
Account #	Description	Budget	Year to Date
250111	Governance – Operating Grants	195,000.00	
250121	Governance – Operating Income		40.00
EXPENDITURE – Operating			
Account #	Description	Budget	Year to Date
150835	Roads – MIPP2 Pipeline Program Expns	0.00	0.00
250131	Governance – Op Expenses	1,082,000.00	663,246.42
250133	Governance - Depreciation	0.00	0.00
250231	Elected Members – Op Expenses	542,000.00	38,790.03
250331	Communications – Op Expenses	139,000.00	3,060.81
250333	Communications - Depreciation		0.00
250431	Major Op Expenses	0.00	0.00
INCOME – Capital			
Account #	Description	Budget	Year to Date
250151	Governance – Capital Grants	3,157,000.00	0.00
EXPENDITURE – Capital			
Account #	Description	Budget	Year to Date
250171	Governance – WIP – W4Q (Solar)	624,000.00	15,958.84
250371	Governance – WIP – Norman River Telec	85,000.00	0.00

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ACTIONS OUTSTANDING FROM PREVIOUS MEETINGS

Date:	Ref:	Action	Status	Comment
A0618-07		Prepare draft vehicular crossover policy for council consideration.	In Progress	Draft Policy circulated to Councillors for input
0918/0038		Lobby State Government to review the school bus subsidy eligibility criteria	Started	Arranging a deputation with Minister for Education and Transport
Feb-19	138	Include issues identified during flood event on agenda for next LDMG meeting.	Started	Local Disaster Management Group met on 30/01/2020
Sept 19		Review current gauges and include in Asset Register and Guardian IMS. Costs to raise those gauges that need to be raised	Noted	To be discussed and progressed further with work being done with NWQROC and QRA
June 20		Advised Preston Law of Council desire to conduct a session with Contractors.	Progressing	Working with Works Team to arrange a suitable date
July 20		Second Friday in June (11 June 2021) for the Normanton Show Holiday for 2021.	Completed	CEO advised in accordance with requirements for on-line notification

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MATTERS FOR COUNCIL CONSIDERATION

1. Covered in separate reports

A separate Report will be provided for all matters for Council consideration.

Recommendation: NIL

MATTERS FOR COUNCIL INFORMATION

2. Official Opening – Indigenous Rodeo Riders Display

Working to affect the official opening of the Indigenous Rodeo Riders Display in Normanton on Friday 28 August 2020 at 3pm. An invitation was provided to Hon Kate Jones MP Minister for State Development, Tourism and Innovation which has been declined.

Recommendation: For information

3. Outback by the Sea Festival – Official Invite

Invitations have been extended to Hon Anastacia Palaszczuk MP – Premier, Hon Stirling Hinchcliffe MP – Minister for Local Government, Racing and Multicultural Affairs and Hon Kate Jones MP – Minister for State Development, Tourism and Innovation. At the time of preparing the report only the Hon Kate Jones MP has responded, declining Council's invitation.

The Outback by the Sea Festival is scheduled to run from 26 September 2020 to 5 November 2020. The official opening of the Festival (Premier or Kate Jones) and the Hatchery were planned to coincide with the Festival program. The Hatchery was funded by the Department of Local Government and the Festival received funding through Tourism and the Premier's Department. Would have been nice to have Ministerial Representation at the event.

Recommendation: For information

4. Road Runs

We have started to do some planning in relation to the road inspections for the Councillors and senior executives.

We need to decide in relation to the best days in the week that suits most of the Councillors to conduct the inspections. Start or end of the week or best in the middle of the week (say a

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Tuesday/Wednesday or a Wednesday/Thursday) for the trip South with an Overnight at the Burke and Wills Roadhouse.

It is proposed to conduct the inspections as follows: -

Heading South (with an overnight)

- Magowra
- Inverleigh
- Inverleigh West (then O/night at B&W RH)
- Wernadinga
- Augustus Downs
- Lorraine

- Cowan Downs
- Donors Hill
- Talawanta
- Neumayer Valley
- Wondoola
- Surveyors
- Iffley
- Yappar River
- Broadwater

And North (yep a Big Day)

- Dunbar (leaving at 6:00am and head straight to the boundary and smoko at Dunbar)
- Koolatah
- Kowanyama
- Inkerman
- Dinah Island
- Dorunda / Vanrook
- Miranda

Extra Day

- Delta
- Stirling
- Mutton Hole
- Shady Lagoon

Recommendation: For information

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5. Preston Law – Information Session

Andrew Kerr from Preston Law has offered a free 2-hour session for Councillors and Senior Officers which would cover off on the following topics: -

- a) Balcarra Reforms
- b) Councillors, Social Media and Defamation
- c) Council as Road Manager – Recent Decision on Liability
- d) Native Title – impact on projects
- e) Cultural Heritage – recent decision on failure to comply with duty of care guidelines
- f) Climate Change Litigation – human rights and risks for Development Approvals
- g) Unprofessionalism in the Workplace – Code of Conduct for Employees and Contractors

We have scheduled 4 September at 9am as the start time for the information session.

Recommendation: For information

6. Western Queensland Alliance of Council (WQAC)

The event recently held in Longreach for the Inaugural Meeting of the WQAC was well attended, received and accepted. The MOA was signed by the three Regional Organisations of Councils in NWQ, CWQ (RAPAD) and SWQ and the WQAC is now written into the history books.

The WQAC has developed a series of publications and they are available on the website under the Assembly 2020 tab.

<https://wqac.com.au/>

The Prime Minister also provided a video message for the delegates in attendance and this was also well received. It highlights the impact the development of this Alliance has had and the attention that it has attracted.

Directors-General from the major State Government departments were in attendance along with State and Federal politicians and the LGAQ.

Recommendation: For information

7. Coastal Hazard Adaptation Study (CHAS)

Alluvium Consulting were on site during the week 3 – 7 August and met with Councillors and the community. They also spent time with the engineering staff to collect additional information that will be useful in the compilation of the current phases being work on.

CEO has contacted the LGAQ in relation to possible funding to complete the remaining two phases (7&8) and obtained an indicative figure from Alluvium Consulting, the indicative pricing is in the vicinity of \$85,000 – \$90,000 and CEO has provided an indicative figure to LGAQ in the range of \$100,000 to \$120,000 to allow for any incidentals.

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Recommendation: For information

8. Small Business Support

Still working with the Department of Employment, Small Business and Training to attend Karumba and Normanton to work with the small business operators in relation to economic recovery and support for the small business operators following the Monsoon Event and the recent Pandemic.

The Department has also been in contact with Yvonne Tunney from Gulf Chamber in relation to the proposed visit and engaging with the small business operators.

Will continue to keep Councillors informed of any proposed visits to the Region.

Recommendation: For information

9. Premier's Teleconference

On 5 August the Mayor and I sat in on the latest Premier's Queensland Mayor Teleconference. The State Government is concerned with the increase in Hot Spots and has closed the Borders to NSW, ACT and Victoria. Nine of the recent Queensland cases are all related to Victoria travel. Charges have been laid. Queensland are concerned and nervous, can't go backwards.

The message from the Chief Health Officer was very clear. If community members are unwell – stay home and get tested, maintain social distancing and good personal hygiene.

Queenslanders should not travel to NSW, ACT, Victoria or Overseas.

We need to comply with the rules.

Recommendation: For information

10. ROSI Funding – (attachment - Deputation for Mayor and Deputy Mayor for Minister Bailey meeting in Brisbane)

To best prepare Council to put forward the case for allocation of the ROSI funding we have commenced work on the following: -

- Prioritisation of the unsealed sections of the road
- Modified the Statement of Intent for the LRRS road (Doomadgee to Cairns highlighted)
- PPR for the sections of road
- Development of an investment strategy
- Compilation of a Capability Statement for the Works Department
- Development of an application for funding through the Main Roads Alliance Capability Fund for funding to obtain pre-qualification for works
 - Working to obtain Main Roads pre-qualification status for roadworks and bridges
 - Also working to obtain Federal Government WH&S pre-qual.

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Recommendation: For information



Deputation Request	Minister Hon Mark Bailey MP. Minister for Transport and Main Roads. Member for Miller	
Names & positions of attendees:	Mayor Jack Bawden (Mobile: 0427 459 424), Councillor Bradley Hawkins (Deputy Mayor)	
Purpose of meeting:	To discuss ROSI funding and the sealing of the dirt sections of the Savannah Way.	
Contact name:	Angeline Pascoe	
Contact number/s:	(07) 4745 2200	
Contact email:	EA@carpentaria.qld.gov.au	
Preferred contact method: Phone/Email/Other (please state):	Email	
Issue	Issue Statement:	<ol style="list-style-type: none"> 1. Allocation of the balance (\$40 million) of funding for the Savannah Way – ROSI Program 2. Provision of sealed road linking Doomadgee to Cairns
Scope/Background	Introduction	The last section of unsealed road between Doomadgee and Cairns is the unsealed section of the Normanton to Burketown road (part of Savannah Way) in the Carpentaria Shire.
	Details	<p>Carpentaria Shire Council prepared a Savannah Way Access Strategy for the Normanton to Burketown Road in December 2016. The estimate to complete the necessary works at that time was to the value of \$95.8 million, since 2016 Carpentaria Shire Council has undertaken various works on the Burketown to Normanton Road completing sealed sections of the road utilising funding received through Roads to Recovery and TIDS.</p> <p>Carpentaria Shire Council has a history of undertaking and completing roadworks on the extensive road network under the Councils control. We administer a significant road network across the 68,000 km² of the local government area. In most years our road network is damaged by flood and cyclonic events and Council works with the QRA to ensure the road network is restored and we have also been successful in obtaining betterment funding as we provide a value for money solution.</p> <p>To ensure Council is in the best position to be able to undertake the works proposed under the ROSI funding Council is in the process of obtaining pre-qualification status with Main Roads works for WH&S, QA and Environmental Systems.</p>



		<p>We are also working towards certification for Federal WH&S.</p> <p>We will also be working on the development of a PPR and an Investment Strategy for the unsealed section of the road within the Carpentaria Shire.</p> <p>The North West Queensland Regional Road and Transport Group has a policy of sealing roads that connect communities and this section of Savannah Way fits within the priority of the NWQRRTG and is fully supported by the group.</p> <p>Carpentaria Shire Council has the capacity and capability to undertake the necessary upgrade works required for the unsealed section of this important link. Council has a demonstrated commitment to this road as a priority through the allocation of its TIDS and R2R funding to undertake works sealing sections on a regular basis and the allocation of the remaining ROSI funding will enable Council to undertake and complete more of the unsealed sections providing value for money and a sealed connection from Doomadgee in the west with Cairns in the East in a more timely manner.</p>
	Attachments	<ul style="list-style-type: none"> • Overall Layout Plan – Savannah Way Access Strategy • Mayor’s letter to FNQ RRTG Chairman – Peter Scott • Deputy Prime Minister’s letter to NWQ RRTG Chair John Wharton • Minister Bailey’s letter to Advance Cairns • Copy of the NWQROC 6 Point Plan (Federal Election)
Objectives	Deputation Objective	Support from the Minister in relation to the consideration of allocating the remaining ROSI funding to the unsealed section of Savannah Way to link Doomadgee to Cairns with sealed access.
	Follow – Up (if necessary)	

CARPENTARIA SHIRE COUNCIL NORMANTON TO BURKETOWN ROAD SAVANNAH WAY ACCESS STRATEGY

PROJECT DRAWINGS LIST

DRAWING	DESCRIPTION
101-821.1-SK100	COVER SHEET & DRAWING INDEX
101-821.1-SK101	OVERALL LAYOUT & TYPICAL SECTION
101-821.1-SK102	NORMANTON - BURKETOWN ROAD CH0 - CH7000 WORKS PLAN
101-821.1-SK103	NORMANTON - BURKETOWN ROAD CH7000 - CH14000 WORKS PLAN
101-821.1-SK104	NORMANTON - BURKETOWN ROAD CH14000 - CH22000 WORKS PLAN
101-821.1-SK105	NORMANTON - BURKETOWN ROAD CH22000 - CH30000 WORKS PLAN
101-821.1-SK106	NORMANTON - BURKETOWN ROAD CH30000 - CH37000 WORKS PLAN
101-821.1-SK107	NORMANTON - BURKETOWN ROAD CH37000 - CH44000 WORKS PLAN
101-821.1-SK108	NORMANTON - BURKETOWN ROAD CH44000 - CH51000 WORKS PLAN
101-821.1-SK109	NORMANTON - BURKETOWN ROAD CH51000 - CH58000 WORKS PLAN
101-821.1-SK110	NORMANTON - BURKETOWN ROAD CH58000 - CH65000 WORKS PLAN
101-821.1-SK111	NORMANTON - BURKETOWN ROAD CH65000 - CH73000 WORKS PLAN
101-821.1-SK112	NORMANTON - BURKETOWN ROAD CH73000 - CH80000 WORKS PLAN
101-821.1-SK113	NORMANTON - BURKETOWN ROAD CH80000 - CH87000 WORKS PLAN
101-821.1-SK114	NORMANTON - BURKETOWN ROAD CH87000 - CH94000 WORKS PLAN
101-821.1-SK115	NORMANTON - BURKETOWN ROAD CH94000 - CH101000 WORKS PLAN
101-821.1-SK116	NORMANTON - BURKETOWN ROAD CH101000 - CH109000 WORKS PLAN
101-821.1-SK117	NORMANTON - BURKETOWN ROAD CH109000 - CH117000 WORKS PLAN
101-821.1-SK118	NORMANTON - BURKETOWN ROAD CH117000 - CH124000 WORKS PLAN
101-821.1-SK119	NORMANTON - BURKETOWN ROAD CH124000 - CH131000 WORKS PLAN
101-821.1-SK120	NORMANTON - BURKETOWN ROAD CH131000 - CH138000 WORKS PLAN
101-821.1-SK121	NORMANTON - BURKETOWN ROAD CH138000 - CH146000 WORKS PLAN
101-821.1-SK122	NORMANTON - BURKETOWN ROAD CH146000 - END WORKS PLAN
101-821.1-SK123	NORMANTON - BURKETOWN ROAD CAUSEWAY DETAILS



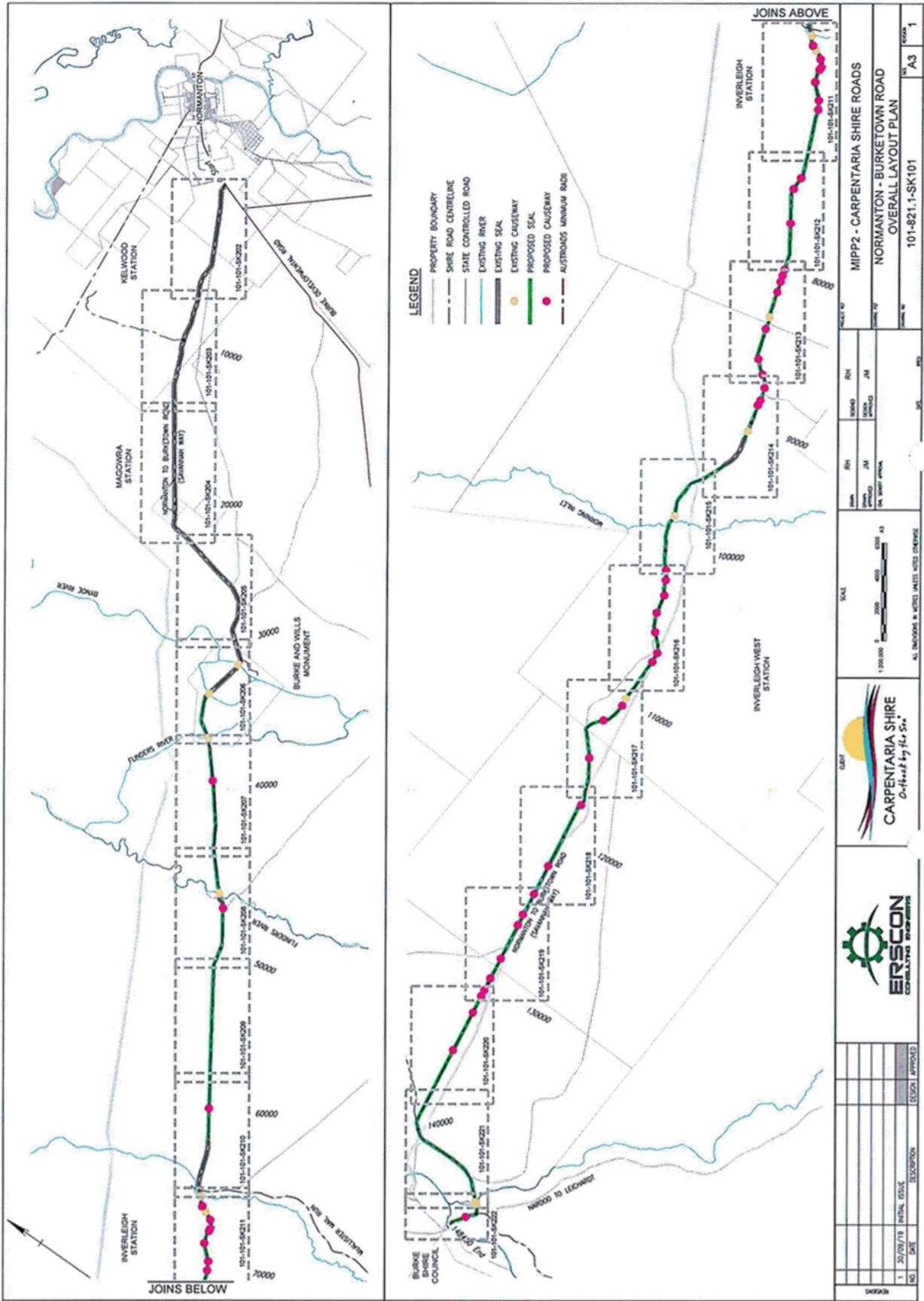
Client:



Prepared by:



101-821.1-SK100 REV 1



OFFICE OF THE MAYOR



CARPENTARIA SHIRE

Outback by the Sea®

Enquiries: Mark Crawley
AAP

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E council@carpentaria.qld.gov.au
W www.carpentaria.qld.gov.au

4 December 2019

Mr Peter Scott
Chairman
Far North Queensland Regional Road and Transport Group
Cook Shire Council
PO Box 3
COOKTOWN QLD 4895

Dear Peter

ROADS OF SIGNIFICANT IMPORTANCE (ROSI) FUNDING PROGRAM

Thank you for the opportunity to provide you with information in relation to the case for the upgrade to bitumen of the remaining gravel sections of the Savannah Way – Cairns to the Northern Territory Border (within Queensland). A project identified under the ROSI program.

Council is aware that \$62.5 million is the estimated project cost for the Cairns to Northern Territory Border Corridor Upgrade under the Roads of Significant Importance (ROSI) funding program and the Federal Government has allocated \$50 million for the project.

https://investment.infrastructure.gov.au/projects/ProjectDetails.aspx?Project_id=100531-18QLD-RSI

Last week the North West Queensland Regional Roads and Transport Group (RRTG) met in Brisbane and the group provided unanimous support for the sealing of this gravel section (Normanton to the NT Border). This group has a strong commitment to seal the remaining gravel sections of their main connector roads such as the road from Normanton to Burketown and the Northern Territory border. A letter from the NWQ RRTG will be forwarded in due course.

Some dot points for your consideration: -

- Advance Cairns visionary plan for increased tourism flow into Cairns and the East Coast from the West
 - Hence the advocacy from Advance Cairns to the Federal Government to seal the unsealed sections of the Savannah Way (Cairns to Broome), which is Normanton to the NT Border.
- Cairns to Normanton is sealed (albeit some sections are narrow bitumen)
 - Councils have an opportunity to negotiate with Main Roads for funding to widen narrow sections of the Main Roads network. Carpentaria Shire is currently



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discussing/negotiating to widen the remaining narrow sections of the Cloncurry to Normanton road.

- Doomadgee and Burke Shires rely on this road as their link to the East Coast as well as promoting more visits from the West to the East.
- Numerous cattle properties utilise the road to transport their cattle to their southern fattening paddocks.
- With well over 100kms to seal, \$62.5 million will make a good start to completing the sealing of the remaining gravel sections. Carpentaria and Burke Shires have a commitment to undertake this work over the next 10 years providing a boost to their works program. Allocations of TIDS funding from both Councils and supported by the NWQ RRTG will also assist with the sealing of this very important piece of the road network between the Northern Territory border and Cairns.
- Carpentaria Shire Council currently has just over 66% indigenous employment and our main consistency of employment for our workforce remains in road building, and we have a good record for building roads.
- NWQ RRTG has written supporting letters to various levels of Government. The reasons are the policy of connectivity between communities requiring sealed roads and also added values of tourism and the pastoral and mining industries in the North.
- Transport and Main Roads have approached the western Councils and NWQ RRTG at different times and have made it known that they want an agreement between the two groups, NWQ RRTG and FNQ RRTG.
- Other local governments along the Savannah Way have received funding and a boost to their economy through funding allocated to the Hann Highway in recent years.

The Cairns to Northern Territory Border corridor is a key economic freight route that supports major industries including mining, agriculture and tourism.

Upgrades to this corridor and in particular the Normanton to Northern Territory Border) will provide the following benefits:

- ensure key freight roads efficiently connect agricultural and mining regions to ports, airports and other transport hubs
- provide a more reliable and safe road network, especially during the wet season
- improve access for higher capacity vehicles
- facilitate other economic opportunities, especially tourism

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I request that the FNQ RRTG support the sealing of the unsealed sections of the Normanton to Northern Territory Border as the priority section of the Cairns to Northern Territory Border Corridor Upgrade and that the full allocation of the \$62.5 million be planned and allocated to this section to support the benefits identified under the funding program.

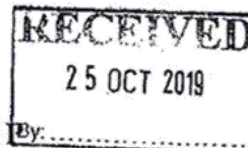
Awaiting your earliest confirmation.

Yours faithfully,



Lyall (Jack) Bawden
MAYOR

Cc: Ernie Camp
Mayor – Burke Shire Council
PO Box 90
Burketown QLD 4830



The Hon Michael McCormack M *By*.....

Deputy Prime Minister
Minister for Infrastructure, Transport and Regional Development
Leader of The Nationals
Federal Member for Riverina

Ref: MC19-004168

16 OCT 2019

Cr John Wharton
Chair
North West Queensland Regional Roads and Transport Group
50 Goldring Street
RICHMOND QLD 4822

John
Dear Mayor

Thank you for your letter of 28 August 2019 regarding the Australian Government's \$50 million commitment to the Cairns to Northern Territory Border Corridor (the Corridor) upgrade which is being funded under the Roads of Strategic Importance (ROSI) initiative.

The Australian Government understands the importance of investing in significant road networks and transportation corridors to support national and regional economic and social development. One of the primary objectives of ROSI is to make it easier for regional businesses to access local and international markets by ensuring that Australia's key freight routes efficiently connect regions to ports, airports and other transport hubs. ROSI will also deliver projects that improve safety and accessibility for communities and industries on the land transport network. Funding can be directed towards upgrades along the key arterial roads as well as feeder roads. Focusing on an entire corridor, including feeder roads, will maximise the impact of investments by targeting the areas of greatest need.

I note that the Australian Government undertook extensive consultation with the Queensland Government, Local Government Authorities and other industry stakeholders to identify the corridors across Northern Australia which were announced as part of the 2018-19 Budget.

At this stage, the Australian Government has not approved any projects to be funded under the Corridor. The Department of Infrastructure, Transport, Cities and Regional Development is currently working with the Queensland Department of Transport and Main Roads (TMR) to identify and prioritise potential projects along the Corridor. Councils along the Corridor will be consulted as part of this process. As such, I encourage you to engage with TMR in your efforts to inform prioritisation of projects.

The Hon Michael McCormack MP
Parliament House Canberra | (02) 6277 7520 | minister.mccormack@infrastructure.gov.au
Suite 2, 11-15 Fitzmaurice Street, Wagga Wagga NSW 2650 | michael.mccormack.mp@aph.gov.au

The Australian Government's investment in the ROSI initiative will provide significant employment opportunities for communities in regional Australia, including Councils' workforces. I note that section 24 of the *National Land Transport Act 2014* (the Act) provides that a recipient of Commonwealth funding who is a State or an authority of a State must call for public tenders for all work on a funded project. However, a proponent, whether that is TMR or a council, can request a tender exemption to award a contract by sole invitation if they can demonstrate that it meets one or more of the criteria under section 24 of the Act (e.g. the work will contribute to employment in the region). The proponent would need to seek an exemption to undertake the work after the Australian Government has approved the project under the Corridor.

Thank you for bringing your concerns to my attention and I trust this information is of assistance.

Yours sincerely



Michael McCormack

cc The Hon Scott Buchholz, Assistant Minister for Road Safety and Freight Transport
Senator the Hon Matthew Canavan, Minister for Resources and Northern Australia



Minister for Transport and Main Roads

Our ref: MC107510

10 SEP 2019

Mr Nick Trompf
Chief Executive Officer
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Dear Mr Trompf

Thank you for your letter of 7 March 2019 about the *Tropical North Queensland State Budget Submission 2019–2020* from Advance Cairns Limited (ACL), details of which were discussed at our meeting on 27 March 2019.

I am pleased to confirm that record investment is being delivered in transport and roads, as part of the recently released *Queensland Transport and Roads Investment Program 2019–20 to 2022–23* (QTRIP), including \$23 billion of works over the next four years that will support an estimated 21,500 direct jobs across the state. Importantly, approximately \$14.5 billion has been allocated to projects in regional Queensland that will support an estimated 13,720 direct jobs over the life of the program.

Priorities outlined in ACL's submission have been addressed as follows.

Cairns Ring Road

As outlined in QTRIP, the Palaszczuk Government continues to progress several upgrades to the Cairns Western Arterial Road (CWAR) and the Captain Cook Highway.

Following completion of the Bill Fulton Bridge duplication in December 2017, the Palaszczuk Government redirected savings from this project to accelerate a \$16.3 million upgrade to the intersection of CWAR and Harley Street to improve safety at this location. It is also investing \$12.4 million to progress detailed planning and early works for future duplication of CWAR between Redlynch Connection Road and the Captain Cook Highway.

Further, the Palaszczuk Government is funding the \$152 million Smithfield Bypass, a new 3.8-kilometre alternative link that will significantly improve safety and traffic flow on the existing Captain Cook Highway between McGregor Road roundabout and CWAR. Construction started on this project in December 2018, with works scheduled for completion in late 2020, weather permitting.

In the 2019 federal and state budgets, based on 80:20 funding arrangements, \$359 million was allocated over four years from 2021–22 for upgrades to the Captain Cook Highway and connecting roads between Smithfield and the corner of Comport and Draper Streets in the Cairns CBD.

The Queensland Government will work with the Australian Government over the next 12 months to confirm project details. This work will be informed by transport planning currently being undertaken by the Department of Transport and Main Roads for upgrades to the Captain Cook Highway at the Airport Avenue intersection and at the Holloways Beach and Machans Beach roundabouts.

Savannah Way

I note your submission seeks additional funding for local government-controlled sections of the Savannah Way. In Queensland, the Savannah Way includes state roads, such as the Kennedy Highway, Gulf Developmental Road and part of the Wills Developmental Road, as well as sections of local government roads between Normanton and the Northern Territory border.

Based on 80:20 (federal:state/local government) funding arrangements, \$62.5 million has been allocated in the 2019 federal and state budgets over 10 years under the Roads of Strategic Importance (ROSI) initiative for targeted upgrades in the Cairns to Northern Territory border corridor.

The intent is that priority candidates for funding under the ROSI initiative will be developed by federal and state road agencies for ministerial consideration, following consultation with relevant local governments, through the well-established Roads and Transport Alliance Regional Roads and Transport Groups framework, and key industry stakeholders.

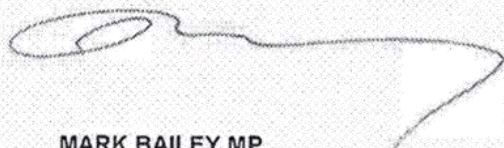
Bruce Highway

Further, in addition to the road network improvements sought in ACL's submission, Cairns and surrounding communities will benefit from the significant jointly funded commitments to the Bruce Highway, as part of the Cairns Southern Access upgrade package, including:


- Kate Street to Aumuller Street six-laning – \$104 million
- Edmonton to Gordonvale duplication to four lanes – \$481 million
- Foster Road intersection grade-separation – \$225 million.

I trust this information is of assistance.

Yours sincerely



MARK BAILEY MP
Minister for Transport and Main Roads

PS. Apols for the delay with a good budget for FNO - 



NWQROC STATEMENT

27 March 2019

STRATEGIC ROAD COMMITMENTS WELCOME

Mayors of North West Queensland welcome the Federal Government's announcement today to invest in a number of roads in our region as part of a \$730 million commitment to NQ strategic roads

This ticks off several projects in the roads platform of our communities' strategic Six-point Plan for the future. That Six-point plan covers needs across transport, water infrastructure, energy, communications and community facilities.

As our communities continue to recover from unprecedented flooding, we also acknowledge the valuable support we have received to help us in the initial recovery period.

Today's announcement, in addition to the essential flood recovery, provides much needed support in several corridors including the Flinders Highway, Townsville to Tennant Creek; Yeppoon to Mount Isa; and Cairns to the NT border (Savannah Way). We will be seeking for more detail on the commitment to the Hann more generally.

Labor previously announced \$500million to upgrade regional roads and bridges across the state and we await details of where this will be spent or if it meets our communities' needs as outlined in our strategic plan.

It is important to build on this and also see long term commitment from all parties in other vital areas.

We renew our call for all parties to look at the other essential areas in our Six-point Plan for a strong future for North West Queensland. After facing a battering from exceptional floods, the overdue need for a comprehensive regional deal and investment to build a stronger future is more important than ever.

We should never forget that when we are firing on all cylinders this region is very productive, with hardworking local contributing \$176,000 per capita to the national economy - almost three times that of elsewhere in Queensland.

That's why investing in these roads and the other aspects of our plan provides a benefit not just our remote communities but to the domestic tourists who visit our region, to the cattle and other freight operators and to the wider economy.

Our Six-point Plan clearly outlines – even before the disaster – a detailed way forward for our diverse region with reliable energy, roads, dams and water, first world communications and funding community services in a way that suits remote communities.

While we are yet to get the commitment to the broader deal, we note regional and city deals for southern cities that haven't had the same issues as our region.

So – well done today, but to ensure we aren't forgotten as the flood waters recede, we will be taking our fight to the marginal seat of Herbert - because a strong Townsville needs a strong neighbouring region and our friends and voters there might have some interest in whether a major feeder of their local economy is getting the right support from the respective parties.

Download the NWQROC Six-point Plan at: <https://www.nwqroc.com.au/fairregionaldeal/>

-- ENDS --

Contact: Greg Hoffman PSM - Executive Officer, NWQROC | 0418 756 005 | nwqroc@carpentaria.qld.gov.au





NWQROC 2019 FEDERAL ELECTION PLATFORM



AT A GLANCE

This Federal election and beyond, the Mayors, Councils and communities are asking political leaders to support the Northwest Queensland Regional Organisation of Councils' vision:

"Making North West Queensland a region attractive for people and businesses to live, work and invest"

Did you know that each hardworking local contributes \$176,000 per capita to the national economy compared to \$66,000 elsewhere in Queensland?

But, our local communities are only small and can't keep delivering this massive contribution without proper investment from Canberra and Brisbane in infrastructure, communications and community. While the Government has "City Deals" for selected urban areas, we are simply asking for a better "Regional Deal" for our local region.



Our Six Point Plan for a fairer “Regional Deal” for North West Queensland Communities.

- 1 Fair funding for our beef, freight and tourism roads and railways**
– that connect our communities to our markets and the rest of Australia.
- 2 Power policy for the real world including remote Australia** – harnessing a balanced mix of technologies so local families and businesses get reliable, affordable, local power solutions. That includes cleaner gas from our northern gas basins, solar farms for our plentiful sun, distributed solutions where unreliable SWER networks don't work and better networks where they do work.
- 3 Investing in water infrastructure and dams** so that our productive farmers and agribusinesses can harvest our plentiful water and continue to be profitable through floods and drought.
- 4 Build and sustain our productive regions with sustainable populations through immigration incentives and correct tax arrangements.**
- 5 First world telecommunications and connectivity** – increased access to affordable high-speed internet for councils, businesses and community.
- 6 Funding and delivering community services in a way that works for remote areas.** Giving local government the tools, funding and support to do what state and federal governments can't.

And we believe voters in the city and regional cities can actually help us.

Our group of remote country Mayors will let you know if our leaders are delivering, in an election report card.

We know that many people in urban and regional city communities want remote communities to get a fair go and fair share in return for the hard work and contribution we make. Because without it, our economy would be poorer, our community would be devalued and that not only hurts us locally, it hurts people and jobs right across Australia.

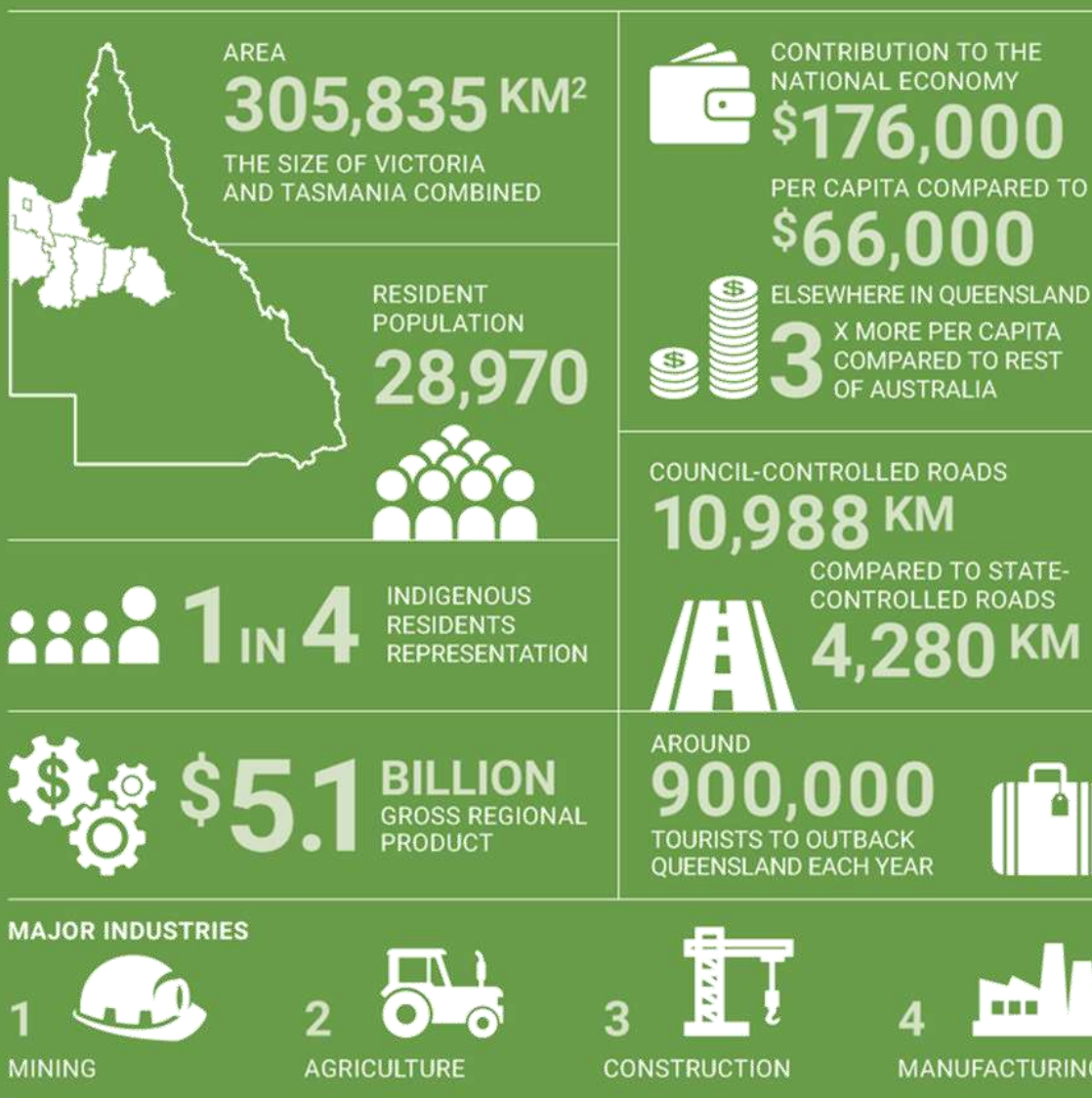
We know voters will decide who to vote for on their local interest. That's understandable.

But if they really can't decide in this difficult election, just maybe what we are asking – and reporting – might help them decide.

ABOUT US

The North West Queensland Regional Organisation of Councils (NWQROC) is the advocacy body for eight Mayors and their councils and communities of North West Queensland – representing Burke Shire, Carpentaria Shire, Cloncurry Shire, Doomadgee Aboriginal Shire, Flinders Shire, McKinlay Shire, Mount Isa City and Richmond Shire.

NWQROC plays a vital role in working with councils, industry, representative bodies and all levels of government to advocate for our region. This is being done by shaping strategic plans, promoting our assets, attracting investment and ensuring sustainable development across our diverse communities – to make North West Queensland a region attractive for people and businesses to live, work and invest.



With fewer than **a thousand** workers and only **11,000** rateable properties, our Councils have to manage **\$2.63 billion** in assets, **11,000 km** of roads, **35** water and sewerage treatment plants across **17** different communities as well as a number of childcare centres, regional airports and community services. All while having an annual operating expenditure of only **\$177 million**.

EXECUTIVE SUMMARY

North West Queensland is an economic powerhouse contributing to Australia's wellbeing out of the North West Minerals Province, massive and productive agricultural holdings and a burgeoning and stunning outback tourism industry hosting tens of thousands of caravanners and campers and other visitors.

Our region is a part of Australia's engine room but we barely get the smell of an oily rag in return.

Hard-working North-West Queenslanders contribute \$176,000 per capita to the national economy compared to \$ 66,000 elsewhere in Queensland. That's nearly three times more per capita compared to the rest of the country – but we don't get a fair share in return.

We understand why many people in Australia feel like they miss out and haven't got a voice. Like them, our locals want to take back control of our future and we won't be isolated.

Whether it's the life blood infrastructure for our economic produce, tourism and other economic infrastructure or dams and water and a real energy policy that works where we live – we need a better, sustainable ongoing commitment to our region.

Our region is critical to the proposed Northern Australia Strategy. We are already contributors but need the local reinvestment. Our communities are lifters, not leaners and we want politicians to recognise that – because when our region is firing it helps everybody.

And we make this massive contribution to Australia's community and economy while overcoming droughts and floods, a small population base and ageing community infrastructure requiring large renewal investment. Our communities keep delivering despite considerably higher costs of living for goods and services that urban communities wouldn't tolerate. And we can't keep doing it without a fair share of investment in return.

And despite a smaller funding base, our Councils often have to deliver the sorts of services that State and Federal Governments routinely provide larger communities. However, the volatility of operating grants significantly impacts the provision of infrastructure and services to our communities.

Normally country people are very polite people, but we are prepared to be a pain right where it hurts. If politicians won't come to us or think we won't be heard – while they respond to more political calls in the city areas – we are coming to where we will count.

Our message to fed up Australians – if you really don't know which party is or isn't worth supporting – then think about not just what is happening near you, but what's affecting your mates up our way. If you can't decide, maybe our issues might help you make up your mind.

We aren't Liberal or National or Labor or Katter or Hanson – we are not very political at all. We are Australians and local communities who are often being ignored. So, we want to put every political leader on notice – we are prepared to stand with the other have-nots around the nation and be heard.

Our campaign won't have deep pockets and it won't be slick. We don't have the professional campaigners and wealthy charitable donors like some of the city activist groups – but we do know what's right and we are prepared to get around and make some noise. That might be some praise for things done well, or fair criticism for things not being done at all.

Either way, we've decided being quietly polite doesn't work and we hope our fellow Australians agree.



Our Ask

While the Government has done well and coordinated integrated investment packages for a number of Urban Communities in its "City Deals", this plan outlines some areas to address the funding disadvantages and the future investment platform for our local region in a North West Queensland Region Deal.

Some of the work is already underway and a number of related proposals are referenced as part of our 6-point plan.

It's time for a real plan, real ongoing commitment – and more importantly – real investment. This election and beyond, we will be asking Governments to show tangible commitment across these six points for a fairer go for our region.

Against these six points we will assess all parties and independents and we will let the broader community know.

Our Campaign Plan

The Mayors and supporters of our region will of course take a message to Canberra and to Brisbane. But we know from experience that is not enough. So, this election and in future, we will also go to a number of influential communities and media markets. Some with strong synergy and partnership to our region and some just because they are politically influential.

And we will ask local voters in those areas – as well as our own region – to consider not only who is offering the best deal for their area, but if they are struggling to decide who deserves their vote we are asking. If it helps, listen to what we have to say about who is genuinely trying to help their cousins in the bush as well. We don't even hope to persuade big numbers of people – but in places where just a handful of undecided voters might make the difference – our voice might just tip the scales.

We will be non-partisan, but in the interests of our local communities, we now need to be a bit more political. And we'd like your support.

"Our communities are lifters, not leaners and we want politicians to recognise that – because when our region is firing it helps everybody."



1 Fair funding for our beef, freight and tourism roads and railways that connect our communities to our markets and the rest of Australia.

Despite the massive export contribution and the burgeoning outback tourism trade in our region, the economic infrastructure is not up to scratch.

This isn't just important for locals, it's important for the safety of tourists, it keeps goods flowing to our markets here and overseas and it keeps income flowing to the broader economy.

Road deaths on this inland network is a staggering 200% higher than the rest of Australia and a criminal 470% higher than in urban communities.

The loss to the broader economy when these inland road networks are disrupted is massive.

That's why we will assess and report on the plans and actual and immediate commitments being made that contribute to safety, productivity, tourism and east-west port to port connectivity for North West Queensland.

This includes, but is not limited to:

- The priority road programs include:
 - Continue Northern Australia Roads Program – \$600m pa and Beef Roads Program – \$100m

- Continue Roads to Recovery, Black Spots and Bridges Renewal Program
- Proper funding for important road corridors and connectors like the Flinders Highway, Savannah Way, Gregory Connector Road, Gulf Development Road (west of Etheridge), Burketown to Normanton, Richmond to Croydon, Cloncurry to Dajarra – just to name a few.
- A real commitment and plan to Invest and upgrade the energy, road and rail infrastructure of Mount Isa to Townsville Corridor.
- Properly funding the priority economic roads and infrastructure outlined for NWQ in Inland Queensland Road Network Strategy (IQ-RAP):
 - The estimated additional investment required for the North West Queensland inland road network is nearly \$989 million in additional future investment, of which an additional \$100 million is urgently required over the coming term of Government.
- Properly funding the inland network will keep the economic heart of Queensland pumping even when the coastal Bruce Highway is cut.



2 Power policy for the real world including remote Australia

Despite the massive economic contribution of the mining industry, agriculture, tourism and other enterprises, communities and businesses in North West Queensland face poor networks, unreliable power and expensive power.

While urban communities rely on Government owned corporations to keep them connected, the major investors in the North West Minerals Province have to provide the baseload power for them and local communities. Many farmers and remote communities even have to pay for their own backups.

Increased power costs not only impact directly on households and business power bills, but also makes water treatment, pumping and reticulation more expensive for end users.

In this day and age, the fact that a number of our energy rich remote communities are reliant on higher polluting diesel generators run on imported fuel, is a sure sign of a failure of energy policy for our region.

The divided, ideological debates over this technology or that sort of baseload power – or coal versus solar – doesn't work for our communities and businesses. The fact is, whatever technologies the activists and politicians think work for the coastal and urban communities, there is insufficient investment in networks to connect our communities to reliable power, wherever it comes from.

Indeed, our region already hosts a number of major solar projects and we would be happy for more. However, we can't support anymore at the moment because the network capacity simply can't take them.

Some very remote communities connected to unreliable single-wire earth return (SWER) networks would be better off with more investment in distributed power solutions.

And some people might be surprised to learn that our regions aren't against renewable power. We actually would like more renewable projects, innovative distributed solutions and harnessing the untapped resources of the north western gas basins and geothermal opportunities. But, if it takes coal and a better investment in networks to give our

communities reliable and affordable power, we'd take it. So, the test put from our communities to every party in this pitched debate is who is proposing a real, funded plan that harnesses a balanced mix of technologies so local families and businesses get reliable, affordable, local power solutions. An acceptable mix of options would include:

- Real investment in reliable generation and realistic technology for now – not the promise of what might be – that keeps us operating day and night.
- Increased investment in improved networks to provide security of supply.
- Solar farms to capture and profit from our plentiful sunshine, provided it comes with improved investment in the distribution network
- Incentives for distributed solutions for remote properties and communities where unreliable SWER networks don't work and replacing the older diesel generation with cleaner hybrid generators that combine lower emitting fuels and renewables for 24-hour cleaner power
- Harnessing the economic value and energy opportunities of cleaner gas from our northern gas basins – that are away from the Great Artesian Basin – and developing our geothermal resources.



Image courtesy of BayWa i.e.

3

Investing in water infrastructure and dams so that our productive farmers and agribusinesses can harvest our plentiful water and continue to be profitable through floods and drought.

It comes as no surprise to people that water is vital to our inland communities, farming and enterprise. Because water is so valuable to us, our communities and businesses are excellent stewards of water resources. But in recent years, political correctness and a lack of understanding about remote communities and opportunities means that our governments have failed to invest in remote water infrastructure.

With the proper investment, our communities can live with and sustain our operations – through flood and drought – and not only continue to be productive, but to grow and contribute even more back to the economy than we already do.

Importantly, if well managed, there is plenty of water to be better harvested and used while still protecting our natural environment. 21% of all water for Australia flows through our region into the Gulf of Carpentaria and storing and using just a portion of that, ensures our region remains sustainable across the seasons.

However, this aspect of our six-point plan goes beyond the Federal Government alone. Therefore, we will:

- Seek the development of collaborative arrangements amongst the State Government, member Councils, the LGAQ and Queensland Water for regional water security including river catchments and the Great Artesian Basin – and the management and operation of water and sewerage infrastructure; and
- Assess the real and deliverable commitments of all parties and independents on the dams and water infrastructure needed to deliver on the respective visions for Northern Australia.

In the shorter to intermediate term, we need to see more commitment and funding to projects like:

1) Richmond Agricultural Project, Richmond Shire Council

This will provide off-stream and on-farm storages on O'Connell Creek to support the development of 10,000 hectares of irrigated farm land between Richmond and Julia Creek.

2) Cave Hill Dam, Cloncurry Shire Council

This dam will provide and secure affordable water to develop a new irrigated agricultural precinct on the Upper Cloncurry River to support food, fibre and biofuel crops.

3) 15 Mile Project, Flinders Shire Council

This project will provide a 120-hectare irrigated agricultural development on the Flinders River for table grapes, citrus crops and horticulture.

These projects require close collaboration between the State and Federal governments and are examples of initiatives needed to create economic diversification and jobs within Queensland's rural and remote North West.



4 Build and sustain our productive regions with sustainable populations through immigration incentives and correct tax arrangements.

While our region continues to be productive, there are many policy settings that deter workers and families settling in our region – even when they want to.

The NWQROC resident population declined by 4,050 persons between 2012 (33,023 persons) and 2017 (28,970 persons), equating to an average annual population decline of 2.6%.

Contributing factors include the use of Fly-In-Fly-Out workforces associated with multi-national mining sector activities, the absence of financial incentives for these workers to live and remain in the area and for younger professionals to start up businesses and set up home in rural/remote areas.

There are families who want to live and make a contribution, if the government made it a bit easier. For example, the Yu family in Cloncurry who came from Vietnam and set up their bakery business and have become a welcome part of the community. And there are many more others like them right across our region.

We welcome the announcement of the Government to create regional residency visas. This will encourage more people out of the congested enclaves in the city and to productive regions like ours where they can make a genuine difference – and have a healthy lifestyle as well.

To help this, we urge the parties to support a rethink of the remote area taxation system and an enlarged regional migration strategy to attract new arrivals from overseas to rural areas.

Some examples include:

- A reduced rate of personal income tax or increasing the zone rebate – calculated on remoteness and/or size of population – given to genuine locals who live and raise their families locally, which would encourage growth in these

areas. It provides the base on which to attract and retain workers to remote areas and importantly if it increases the regular take home pay of residential workers and families it is also likely to get spent locally – ensuring the benefit circulates around the local economy.

- Raise the Payroll Tax threshold for small and medium businesses in remote areas to encourage business investment and job creation. Increasing job opportunities in this way would also help reduce the welfare dependence and unemployment benefits paid to those currently unable to get a job locally. The actual savings to the Federal Government would help in offsetting the costs of the lower rate of tax.
- Addressing the gouging airfares. While urban families and business “commuters” can access fares of just a few hundred dollars between the major cities, return trips between our communities and the closest regional cities for family, business, school and health can often cost thousands of dollars. This is an unfair impost on our regional businesses, families and workers.



5

First world telecommunications and connectivity – increased access to affordable high-speed internet for councils, businesses and community.

Our communities are remote, but they trade with the world. We live in a first world country and carry our own weight, but at the moment we have to work through third world communications.

And that's not just important for commerce, it's critical for educating our children remotely, for safety and frankly, for social connection.

In a timely reminder of these issues, on the very day our Mayors were meeting to decide this strategy in Karumba on Queensland's Gulf of Carpentaria, we were visited by a Minister who was seeking our feedback. On his way between Normanton and Karumba he received a call from the former Prime Minister, but that call dropped out, which is a common occurrence.

The Mayors were pleased to report to the Minister that the Federal Government had only just notified the Carpentaria Shire that they had rejected a black spot funding application to support the Council's investment in trying to fix this problem and connect these two communities that are increasingly part of the grey nomad tourism industry and the Outback Tourism Strategy. The Minister experienced the failure of that funding application first hand.

The NBN is designed for the city not the country. But regardless of where we live we are sure urban voters also get the fact we need delivery in a way that suits local circumstances.

The North West Region has fibre optic cable running from Townsville to Mount Isa and some areas heading towards the Gulf of Carpentaria. However, there are gaps in the network that need to be filled. Also, the high cost of connecting infrastructure to the cables and operating costs are denying the economic development opportunities and access to improved e-health and on-line education services to the region's businesses and communities not only in the towns but also across the vast rural areas.

Unlike metropolitan and coastal communities where consumers have choice in a competitive market and don't have to directly invest in the necessary infrastructure, rural and remote businesses, communities and local governments have to outlay scant resources to gain a comparable level of service to their city cousins. This is not a fair go for the North West!

Richmond grazier and entrepreneur Will Harrington – in conjunction with the Richmond Shire Council – has established a "Wi-Sky" network through purchasing access to the cable and building the necessary infrastructure at considerable cost. They have demonstrated the value of high-speed internet connectivity for agri-business operations and government services. But they had to pay hundreds of thousands of dollars themselves for something that should be part of the national and state communications infrastructure.

If the Government and providers can't deliver affordable connectivity, then our regional deal should provide funding support for councils and local entrepreneurs to roll out more examples like Wi-Sky.

In this coming election, NWQROC will assess and report on the respective party plans to:

- Provide first world, affordable, high speed internet connectivity to the communities, councils and businesses of our region.
- Federal government commitment to work with NWQROC councils, their businesses and communities in pulling the policy levers to streamline access processes and fund the costs of connecting to the available cables and enabling service connections in towns and across the region.
- Support to develop and roll out an application that will assist domestic tourists and others to stay connected with local communities, events and safety updates as they travel through our region.
- Real – not simply "promised" – investment in mobile blackspots along the tourism roads.



6

Funding and delivering community services in a way that works for remote areas. Giving local government the tools, funding and support to do what state and federal governments can't.

It comes as no surprise that funding of community services has to be delivered in a different way in remote communities, compared to urban communities.

Where there is large departmental and community services infrastructure and funding provided directly by governments in the city, in our communities it is often unfunded or left to stretched local council to fill the void.

That includes running or subsidising of child care, operating regional airports, community care nursing, pre-school education, providing teacher's aids, aged care and many other services that are provided by others in urban areas, including with government support.

Not only is one of our member Councils (Doomadgee) an Indigenous Community Council, all of our Councils represent a range of regional indigenous communities and their needs. We strongly urge the proper funding and support of those communities in a way that reflects their remoteness and unique needs – particularly in the areas of Indigenous health and housing. There is currently significant uncertainty over the future of federal funding support for indigenous housing.

And regrettably in making up this shortfall, what limited grant funding our communities do get, does not provide certainty and continuity of funding. Imagine if inner city child care centres faced closure every year or local airports just didn't operate. Or if schools didn't get teachers aides because Councils simply can't afford it? Our communities deserve certainty of funding for these basic services.

Noting that our regions are highly productive to the national economy, recent analysis undertaken by the AEC Group for the NWQROC highlights the pressure faced by the region's eight councils.

These include:

- Small populations not helped by a range of government settings;
- Adverse weather conditions with three in drought since 2013 and others barely escaping the declaration; and
- Considerably higher costs of living for goods and services.

These factors are increasing the pressure on the councils' budgets because of:

- Limited rating and revenue raising capacity spread across large geographical areas
- Ageing community infrastructure requiring large renewal investment
- New infrastructure challenges to support increased resource sector activity, and
- Volatility of operating grants significantly impacting the provision of infrastructure and services to their communities.

This volatility in external funding simply cannot be carried or replaced by the councils because of their own limited revenue raising capacity. External funding – particularly from the Federal Government – is essential to the wellbeing and sustainability of their communities and their ability to continue their above average contribution to the nation's economy.

The AEC report concludes that in addition to a growth in external funding, greater certainty and predictability is required. Strategic infrastructure investment and service provision can only be achieved if there is certainty in long term funding sources and levels.

The funding of rural and remote councils is in serious need of reform.

There needs to be a longer-term vision for the funding of these areas so fundamentally important to the nation's economy through the supply of raw materials, and food and fibre for the nation's growing population.

Federal funding can be more strategically invested with better long-term planning, priority assessment and a collaborative regional approach to project timing and co-funding arrangements.

For too long rural and remote regions and their communities have been unfairly treated with the level of return they receive from the Federal government – against the value they create for the national economy.

We are calling on the respective parties to commit to a fundamental rethink of how the Federal Government funds rural and remote communities through councils including:

- The development of a longer-term special purpose community funding regime for rural and remote councils based on an allocative model like that used for the Roads to Recovery Program to achieve predictability and certainty of funding levels and to minimize the costly and lengthy delays involved in multiple bid-based programs. In the meantime, provide NWQ communities with an interim solution to provide certainty for community grants as part of our regional deal.

- Along with other councils across the country, return the local government Financial Assistance Grants Scheme funding levels to one percent of total Commonwealth taxation revenue. Originally at one percent it has dropped in recent years to .55 percent. This puts pressure on all local government services and particularly so in our already stretched remote communities.
- Continue other programs accessed by the councils or beneficial to their communities such as: Roads to Recovery, Black Spots, Heavy Vehicle Safety and Productivity, Bridges Renewal, Northern Australia Beef Roads, Northern Australia Roads and National Highways Upgrade.
- Increased funding for Indigenous health and Federal government investment in housing in discrete Indigenous communities equivalent to the previous 2008-2018 National Partnership Agreement for Remote Indigenous Housing.





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BUSINESS PAPERS

9.2 QWRAP - CONSIDERATION WITH CLONCURRY AND BURKE

Attachments:	NIL
Author:	Mark Crawley - Chief Executive Officer Ben Hill - Manager Water and Sewerage
Date:	11 August 2020
Key Outcome:	5.3 - A safe and sustainable water network
Key Strategy:	5.3.1 Plan, deliver and manage efficient and sustainable, high quality, water supply systems.

Executive Summary:

Council has been approached by Burke Shire Council to join with Cloncurry and Burke Shires and progress a Queensland Water Regional Alliance Program for the three Shires.

RECOMMENDATION:

That Council authorise the Chief Executive Officer to further the initiative with Burke and Cloncurry Shires.

Background:

Queensland Water Regional Alliance Program (QWRAP) is a program initiated and “owned” by Department of Natural Resources, Mines and Energy (DNRME). It is geared to promote regional based collaborative solutions between Councils relating to water and sewerage services. There is an opportunity to utilise some of the program funding that the Department currently has available to create a collaborative alliance. The agreed approach is to start with 3 Councils who are like minded (Burke, Carpentaria and Cloncurry), get some runs on the board and then leverage off the successes to then encourage other Councils (NWQROC member Councils) to be involved. The philosophy is especially relevant in remote and rural areas such as ours.

The benefits of participating are varied depending on the needs identified by the partnering Councils. Some of the benefits realised by other QWRAPs through funded projects are:

- Joint procurement activities producing direct savings – such as reservoir inspections and cleaning, smart water meters, sewer re-lining program.
- Skills gap analysis – leading to a formalised regional approach to joint operator training and support.
- SCADA review – leading to funding for SCADA and telemetry upgrades plus ongoing technical support.
- Sharing of support resources – assisting with backfilling while employees on leave.

Often, the supportive funding is for strategic initiatives which can then lead to tangible infrastructure projects.

The program receives funding in a couple of different ways:

- For facilitation/coordination and support from Queensland Water Directorate – removes the financial burden from Councils to coordinate
-

BUSINESS PAPERS

- Funding available for specific projects.

Consultation (Internal/External):

- Burke Shire Council
- Cloncurry Shire Council
- Mayor Jack Bawden

Legal Implications:

- Other similar programs have been taken up by Council. No legal implications identified.

Financial and Resource Implications:

- Not applicable

Risk Management Implications:

- Workplace Health and Safety Risk is assessed as low
- Financial Risk is assessed as low
- Public Perception and Reputation Risk is assessed as low

BUSINESS PAPERS

9.3 NATIVE TITLE DETERMINATION APPLICATION QUD29/2019

Attachments:	9.3.1. Preston Law - Report to Council ↓ 9.3.2. Annexure 1 - Preston Law Report to Council ↓ 9.3.3. Annexure 2 - Preston Law report to Council ↓
Author:	Mark Crawley - Chief Executive Officer
Date:	11 August 2020
Key Outcome:	7.1 - A Shire governed in consultation and partnership with the community
Key Strategy:	7.1.1 Ensure leadership and decision making is transparent, accountable and represents the current and future interests of the region's communities.

Executive Summary:

Council has received a report from Preston Law seeking approval from Council to the terms of a Consent Determination of Native Title in favour of the Gkuthaarn and Kukatj People.

RECOMMENDATION:

That Council: -

1. Consents to the proposed Determination of Native Title; and
2. Instructs Preston Law to execute the Minute of Consent Order and Section 87A Agreement; and
3. Authorises the Mayor and Chief Executive Officer to finalise any minor amendments to the Determination as are required

Background:

The background to this item is covered in the attached report from Preston Law.

Consultation (Internal/External):

- Gkuthaarn and Kukatj People
- Preston Law
- Chief Executive Officer

Legal Implications:

- Covered in the attached report

Financial and Resource Implications:

- Not applicable

Risk Management Implications:

- Workplace Health and Safety Risk is assessed as low
- Financial Risk is assessed as low

BUSINESS PAPERS

- Public Perception and Reputation Risk is assessed as low



CONFIDENTIAL NATIVE TITLE REPORT

**QUD 29 of 2019
Gkuthaarn & Kukatj People**

CARPENTARIA SHIRE COUNCIL

16 July 2020

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1. Purpose

- 1.1. The purpose of this Report is to seek approval from Council to the terms of a Consent Determination of Native Title in favour of the Gkuthaarn & Kukatj People.

2. Background

- 2.1. The Gkuthaarn & Kukatj Native Title Determination Application was lodged on 28 November 2012. The Application is registered and is currently being case managed by the Federal Court of Australia.
- 2.2. A copy of the Register Extract relating to the Application is **attached at Annexure 1**. A map identifying the land and waters to the Application is included in the Register Extract. Council should note that the determination of native title will only recognise non-exclusive native title over the Northern Area with native title being surrendered over the Southern Area in an ILUA between Gkuthaarn & Kukatj, Stanbroke and the State of Queensland.
- 2.3. The Application has been brought by Mr Phillip George and Ms Leanne Edwards on behalf of the Gkuthaarn & Kukatj People.
- 2.4. Council is a party to the Application. Other parties to the Application include the State of Queensland and the Commonwealth of Australia.
- 2.5. Council has successfully negotiated an Indigenous Land Use Agreement which deals with Council's interests which is currently in the notification period.
- 2.6. Council is also the benefactor of a State Tenure Resolution Indigenous Land Use Agreement which was negotiated between Gkuthaarn & Kukatj People and the State of Queensland however the State, represented by the Department of Natural Resources, Mines and Energy, have extensively consulted with Council in relation to a number of land and infrastructure issues in and around Normanton which are to be resolved under this Tenure Resolution Indigenous Land Use Agreement.

3. Determination

A copy of the Determination is **attached at Annexure 2**.

A Determination is a Federal Court Order made under section 225 of the *Native Title Act 1993* (Cth). A Determination of Native Title is a Determination as to whether or not native title exists. Where native title exists, the Determination must include the following details:-

- (a) a description of the native title holders;
- (b) details of the land and waters covered;

- (c) a description of the native title rights and interests;
- (d) a description of other interests in the Determination Area;
- (e) whether the native title is exclusive or non-exclusive;
- (f) the relationship between the native title rights and interests and the other interests.

3.1 Description of Native Title Holders

Order 6 provides that the native title is held by the Gkuthaarn & Kukatj People described in Schedule 1 (“the native title holders”).

Schedule 1 of the Determination provides that the native title holders are the Gkuthaarn & Kukatj People. The Gkuthaarn & Kukatj People are described as the biological descendants of one or more of the following people including those who have been adopted by them and their descendants in accordance with Gkuthaarn & Kukatj traditional law and custom:-

- (i) Sisters Nellie, Rosie, Alice and Mabel;
- (ii) Paddy and Lucy;
- (iii) Louie Richards;
- (iv) Harry Hayes;
- (v) Maggie Kukatj and Charlie B;
- (vi) Joker Jack; and
- (vii) Jock Inverleigh.

3.2 Description of Land and Waters

The Determination describes the Determination Area. Order 3 of the Determination provides that the Determination Area is the land and waters described in Schedule 4 and depicted in the maps attached to Schedule 6 to the extent those areas are within the external boundary and are not otherwise excluded by the terms of Schedule 5.

Specifically, native title exists in relation to that part of the Determination Area described in Parts 1 and 2 of Schedule 4 and native title does not exist in relation to that part of the Determination Area described in Part 3 of Schedule 4. There are basically two areas covered by the Determination – a northern area and a southern area. Native title is being recognised in the northern area which is the land and waters between the west bank of the Norman River to the east bank of the Leichhardt River including the inter-tidal zone along the Gulf Coast extending in a generally southerly direction to the junction of the Leichhardt River and Alexandra Creek and then generally back east to approximately the junction of Belmore Creek and the Norman River.

Schedule 3 of the Determination provides the external boundary of the Determination Area.

Schedule 4 of the Determination provides a written description of the Determination Area.

Schedule 5 identifies areas not forming part of the Determination Area.

Schedule 6 includes a map of the Determination Area.

3.3 Description of Native Title Rights and Interests

The Determination only recognises non-exclusive native title rights and interests.

The non-exclusive native title rights is being recognised within the areas identified in Part 1 and Part 2 of Schedule 4. We note that Part 2 of Schedule 4 is simply the inter-tidal area along the Gulf Coast.

The non-exclusive native title rights being recognised are as follows:-

- (a) access, be present on, move about on and travel over the area;
- (b) camp, and live temporarily on the area as part of camping, and for that purpose build temporary shelters;
- (c) hunt, fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;
- (d) take Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;

- (e) take Water of the area for personal, domestic and non-commercial communal purposes;
- (f) conduct ceremonies on the area;
- (g) be buried and bury Native Title Holders within the area;
- (h) maintain places of importance and areas of significance to the Native Title Holders under their traditional laws and customs and protect those places and areas from physical harm;
- (i) teach on the area the physical and spiritual attributes of the area; and
- (j) light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation.

Order 9 provides that the native title rights and interests are subject to and exercisable in accordance with:-

- (a) the laws of the State and the Commonwealth; and
- (b) the traditional laws acknowledged, and traditional customs observed by the native title holders.

The term “laws of the State and the Commonwealth” is defined as meaning “*the common law and the laws of the State of Queensland and the Commonwealth of Australia and includes legislation, regulations, statutory instruments, local planning instruments and local laws*”.

Order 10 confirms that the native title rights and interests referred to in Orders 7 and 8 do not confer possession, occupation, use or enjoyment to the exclusion of all others.

Order 11 provides that there are no native title rights in relation to minerals as defined by the *Mineral Resources Act 1989* (Qld) and petroleum as defined by the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).

3.4 Description of Other Interests

Order 12 identifies the nature and extent of any other interests within the Determination Area and are set out in Schedule 2.

Report – Determination



Specifically, in relation to Council's local government interests, paragraph 6 sets out the rights and interests of Carpentaria Shire Council as follows:-

- (a) *under the Local Government Act 2009 (Qld) ("LGA"), Local Government Regulations 2012 and 'Local Government Act' as defined in the LGA;*
- (b) *as the:-*
 - (i) *lessor under any leases which were validly entered into before the date on which these orders are made and whether separately particularised in these orders or not;*
 - (ii) *grantor of any licences or other rights and interests which were validly granted before the date on which these orders were made and whether separately particularised in these orders or not;*
 - (iii) *holder of any estate or interest in land, as trustee of any reserves, which exist in the Determination Area;*
 - (iv) *as the owner and operator of infrastructure, and those facilities and other improvements located in the Determination Area validly constructed or established on or before the date on which these orders are made, including but not limited to:-*
 - (A) *water pipelines and water supply infrastructure;*
 - (B) *drainage facilities;*
 - (C) *watering point facilities; and*
 - (D) *recreational facilities;*
- (c) *to enter the land for the purposes described in paragraph 7(a), 7(b) and 7(c) by their employees, agents or contractors to:-*
 - (i) *exercise any of the rights and interests referred to in paragraph 7;*
 - (ii) *inspect, maintain and repair the infrastructure, facilities and other improvements referred to in paragraph 7(c) above;*
 - (iii) *undertake operational activities in its capacity as local government such as feral animal control, weed control, erosion control, waste management and fire management.*

Council will note that the other interests clause does not include reference to undedicated roads. The reason that the other interests clause does not include a reference to undedicated roads is that the Determination confirms that all "current roads" are excluded from the Determination under Schedule 5, paragraph (b) which

Report – Determination



provides that current roads which are within the external boundary but do not fall within the southern area.

The term "current roads" means an area of land whether surveyed or unsurveyed, not on private property that is currently dedicated, notified or declared to be a road for public use or is currently maintained by the State or the Carpentaria Shire Council as a road for public use which includes:-

- (a) a street esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route;
- (b) a bridge, causeway, culvert or other works in, on, over or under a road; and
- (c) any part of a road;

not on private property.

Other interests relevant to Council which are dealt with in Schedule 2 includes the rights and interests of the parties under the Carpentaria Shire Council Gkuthaarn and Kukatj Indigenous Land Use (Area) Agreement and the Gkuthaarn and Kukatj People Tenure Resolution Indigenous Land Use (Area) Agreement.

Finally, paragraph 7 deals specifically with the rights and interests of the State of Queensland and Carpentaria Shire Council to access the Determination Area for the purposes of using, operating, maintaining and controlling the current roads in the Determination Area and the rights and interests of the public to use and access the roads.

Council will note that Schedule 2 deals with various other interests including the following:-

- (a) paragraph 2 deals with various pastoral interests;
- (b) paragraph 3 deals with the interests of Ergon Energy;
- (c) paragraph 4 deals with the interests of Century Mining Limited;
- (d) paragraph 5 deals with the interests of Far North Queensland Ports Corporation;
- (e) paragraph 8 deals with various interests granted by the State of Queensland under legislation;
- (f) paragraph 9 deals with the rights and interests of members of the public under common law including a public right to fish and a public right to navigate.

3.5 Relationship between Native Title Rights and Other Interests

Order 13 deals with the relationship between the native title rights and interests described in Orders 7 and 8 and the other interests described in Schedule 2.

Order 13 provides as follows:-

“The relationship between the native title rights and interests described in orders 7 and 8 and the other interests described in Schedule 2 (the Other Interests) is that:-

- (a) the Other Interests continue to have effect, and the rights conferred by or held under the Other Interests may be exercised notwithstanding the existence of the native title rights and interests;*
- (b) to the extent the Other Interests are inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests in relation to the land and waters of the Determination Area, the native title continues to exist in its entirety but the native title rights and interests have no effect in relation to the Other Interests to the extent of the inconsistency for so long as the Other Interests exist; and*
- (c) the Other Interests and any activity that is required or permitted by or under, and done in accordance with, the Other Interests, or any activity that is associated with or incidental to such an activity, prevail over the native title rights and interests and any exercise of the native title rights and interests.”*

Essentially the clause provides that the other rights and interests prevail over the native title rights and interests to the extent of any inconsistency.

3.6 Definitions

Order 14 provides some specific definitions for words or expressions used in the Determination. Where relevant we have referred Council to the relevant definitions in the course of explaining the operation of the particular order.

3.7 Prescribed Body Corporate

Orders 15 and 16 provide that the native title is not held in trust meaning that the native title will be held by the PBC as an agent.

Report – Determination



Order 16 confirms that the PBC which will hold the native title on behalf of the common law holders is the Gkuthaarn and Kukatj Aboriginal Corporation (ICN 8895).

4. Recommendations

4.1. It is recommended that Council resolve as follows:-

- (a) that Council consents to the proposed Determination of Native Title;
- (b) that Council instructs Preston Law to execute the Minute of Consent Order and Section 87A Agreement;
- (c) that the Mayor and Chief Executive Officer be authorised to finalise any minor amendments to the Determination as are required.

16 July 2020

A handwritten signature in black ink, appearing to read "AK", written over a horizontal line.

Andrew Kerr
Preston Law

Report – Determination



Annexure 1



National
Native Title
Tribunal

Extract from the Register of Native Title Claims

Application Information

Application Reference: Federal Court number: QUD29/2019
NNTT number: QC2012/019

Application name: Phillip George & Anor on behalf of the Gkuthaarn And Kukatj People and State of Queensland & Ors (Gkuthaarn And Kukatj People)

Registration History: Registered from 25/03/2013

Register Extract (pursuant to s. 186 of the *Native Title Act 1993*)

Application filed with: Cairns

Date application filed: 28/11/2012

Date claim entered on Register: 25/03/2013

Applicants: Phillip George, Leanne Edwards

Address for service: Ryan Ellis
p & e Law
211 Draper Street
PO Box 2337
CAIRNS QLD 4870
Phone: 0740417622
Fax: 0740417633

Additional Information:

Not Applicable

DESCRIPTION OF THE AREA COVERED BY THE CLAIM:

- (a) A description of the area covered by the application is provided at ATTACHMENT B.
- (b) Areas within the boundaries described in ATTACHMENT B that are NOT covered by the application are:
1. Any land covered by valid previous exclusive possession acts as defined by section 23B of the *Native Title Act (1993)* (Cth)
 2. Exclusive possession is not claimed over areas which are subject to valid previous non-exclusive possession acts

done by the Commonwealth, State or territory.

3. Where an act specified in paragraphs 1 and 2 affects land or waters referred to in Part 2 Division 4 (more specifically sections 47, 47A and 47B) of the *Native Title Act (1993)* (Cth) as amended from time to time, the area covered by the act is not excluded from the application.

4. The area covered by the application excludes land or waters where the native title rights and interests claimed have been otherwise extinguished.

More information is provided and labelled ATTACHMENT B

PERSONS CLAIMING TO HOLD NATIVE TITLE:

The members of the native title claim group on whose behalf the application is made are all the descendants of the following apical ancestors including those who have been adopted by them and their descendants in accordance with Gkuthaarn and Kukatj traditional law and custom:

- a. Sisters Nellie, Rosie, Alice and Mabel;
- b. Paddy and Lucy;
- c. Louie Richards;
- d. Harry Hayes; and
- e. Maggie Kukatj and Charlie B.

REGISTERED NATIVE TITLE RIGHTS AND INTERESTS:

The following Native Title Rights & Interests were entered on the Register on 28/02/2018

1. Over areas where a claim to exclusive possession can be recognised (including areas where there has been no prior extinguishment of native title and where section 238 and/or sections 47, 47A and 47B apply), Gkuthaarn and Kukatj People claim the right to possess, occupy, use and enjoy the lands and waters of the application area to the exclusion of all others.

2. Over areas where a claim to exclusive possession cannot be recognised, the following rights and interests are claimed:

- a. The right to access, to remain in and to use those areas for any purpose;
- b. The right to access and to take resources in those areas for any purpose; and
- c. The right to maintain and protect places and objects of significance in those areas.

3. The native title rights are subject to:

- a. the valid laws of the State of Queensland and the Commonwealth of Australia;
- b. the rights conferred upon persons pursuant to the laws of the Commonwealth and the laws of the State of Queensland.

REGISTER ATTACHMENTS:

1. External Boundary Description, Attachment B of the application, 2 pages - A4, 25/01/2018
2. Map of application area, Attachment C of the application, 1 page - A4, 25/01/2018

Note: The Register of Native Title Claims may, in accordance with s. 188 of the Native Title Act 1993, contain confidential information that will not appear on the Extract.

Attachment B

RNTC extract: QUD29/2019 (QC2012/019)
External Boundary Description, Attachment B of the application, Page 1 of 2, A4, 25/01/2018

QUD685/2012 - Gkuthaarn and Kukatj People (QC2012/019)



External boundary description

The application area covers all the land and waters within the external boundary described as:

Commencing at a point where the eastern bank of the Leichhardt River meets the Gulf of Carpentaria at the Low Water Mark and extending generally easterly and generally north easterly along that low water mark to its intersection with the western bank of the Norman River; then across the mouth of the Norman River to the centreline of the Norman River; then generally south easterly and generally southerly along the centreline of that river to Latitude 18.378960° South; then generally south westerly and generally north westerly passing through the following coordinate points:

Longitude ° East	Latitude ° South
141.196622	18.464687
141.152173	18.514674
141.100732	18.563214
141.057497	18.599389
141.015084	18.632340
140.999929	18.643416
140.987475	18.650819
140.955048	18.665735
140.903354	18.683657
140.821292	18.705361
140.761040	18.718654
140.709033	18.728313
140.547914	18.756225
140.522662	18.759303
140.276593	18.721826
140.150428	18.699548
140.048404	18.683002
139.941227	18.661993

Then again north westerly to the eastern bank of the Leichhardt River at Latitude 18.623255° South; then generally northerly along the eastern bank of that river back to the commencement point.

The application area excludes any areas subject to:

- Native title determination QUD66/2005 Gangalidda and Garawa People #2 (QCD2015/003) as determined in the Federal Court 1 April 2015.
- Native title determination QUD207/1997 Wellesley Islands Sea Claim (QCD2004/001) as determined 23 March 2004.

RNTC extract: QUD29/2019 (QC2012/019)
External Boundary Description, Attachment B of the application, Page 2 of 2, A4, 25/01/2018



Note

Data Reference and source

- Application boundary compiled by National Native Title Tribunal based on information or instructions provided by the applicants.
- Maritime boundaries data is © Commonwealth of Australia (Geoscience Australia) 2006. AMB 6th Edition released in February 2006
- Rivers/Creeks where available are based on Casement data sourced from the Department of Natural Resources and Mines, Qld (August 2012) – else Topographic vector data is © Commonwealth of Australia (Geoscience Australia) 2003.
- Non-Freehold data sourced from Department of Natural Resources and Mines, Qld (August 2017).

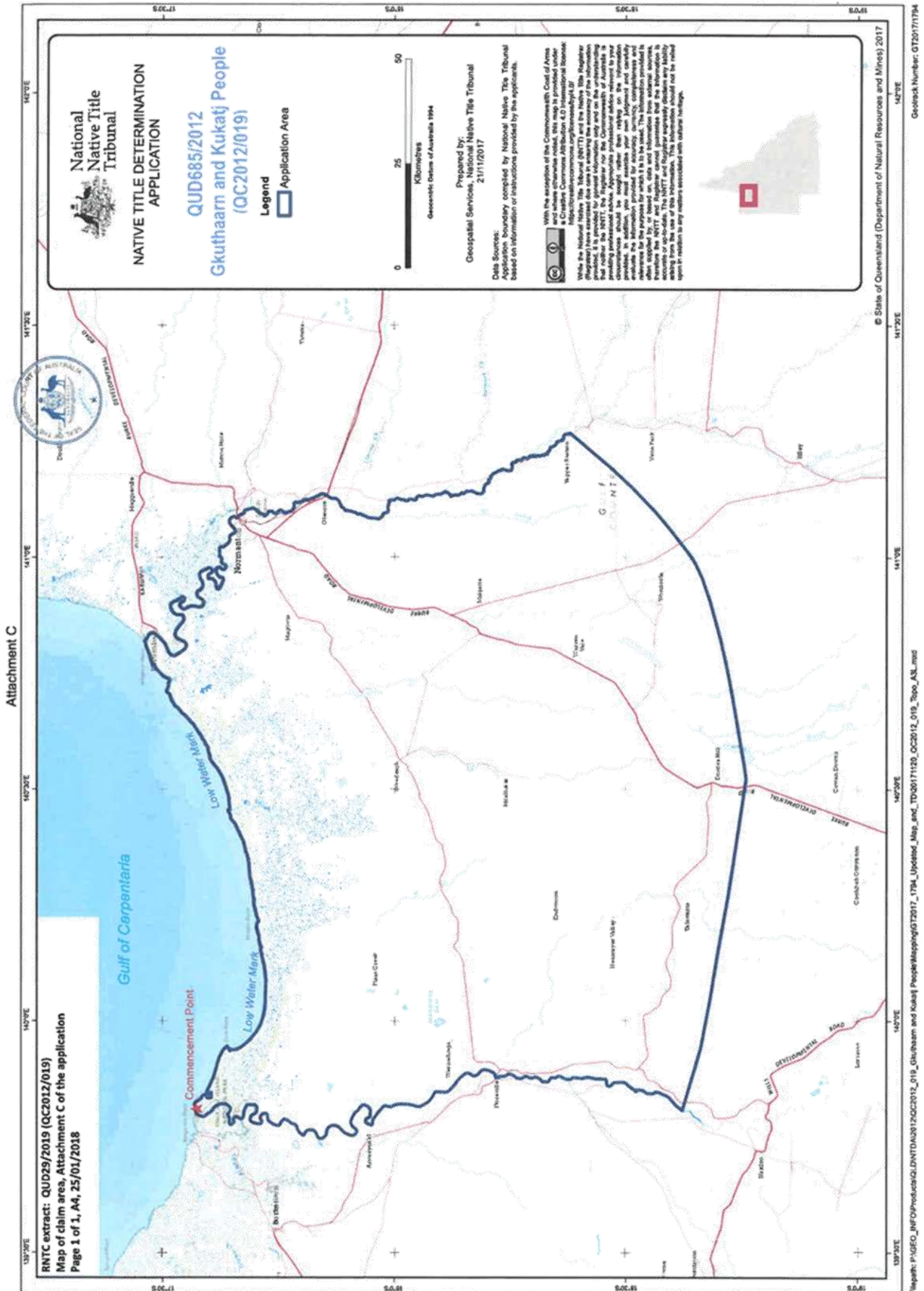
Reference datum

Geographical coordinates have been provided by the NNTT Geospatial Services and are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees and are based on the spatial reference data acquired from the various custodians at the time

Use of Coordinates

Where coordinates are used within the description to represent cadastral or topographical boundaries or the intersection with such, they are intended as a guide only. As an outcome of the custodians of cadastral and topographic data continuously recalculating the geographic position of their data based on improved survey and data maintenance procedures, it is not possible to accurately define such a position other than by detailed ground survey.

Prepared by Geospatial Services, National Native Title Tribunal (20 November 2017)



Report – Determination



Annexure 2

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CONFIDENTIAL AND WITHOUT PREJUDICE

DRAFT: 30/06/2020

AGREEMENT UNDER S 87 OF THE NATIVE TITLE ACT 1993 (CTH)

No. QUD 29 of 2019

Federal Court of Australia

District Registry: Queensland

Division: General

Phillip George and Leanne Edwards on behalf of the Gkuthaarn and Kukatj People

Applicant

State of Queensland and others as named in Schedule 1

Respondents

1. Each party appearing below consents to the making of an order in terms of the draft Order annexed hereto and marked 'A'.

Ryan Ellis, p&e Law
on behalf of the Applicant

Date:

for G R Cooper, Crown Solicitor
on behalf of the Respondent, State of Queensland

Date:

Gordon Kennedy, Australian Government Solicitor
on behalf of the Respondent, Commonwealth of Australia

Date:

Andrew Kerr, Preston Law
on behalf of the Respondent, Carpentaria Shire Council

Date:

Jenny Humphris, Holding Redlich
on behalf of the Respondent, Ergon Energy

Date:

Jeremy Marshall, MacDonnells Law

on behalf of the Respondent, Far North Queensland Ports Corporation Limited (trading as Ports North) ACN 131 836 014

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondent Geoffrey Charles Fry

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondents, Ashley Thomas James, Calvin Edward, Edward Michael, Nola June & Troy Patrick Gallagher

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondent, Gambamora Industries Pty Ltd ACN 009 941 173

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondent Judith Ellen Heslin

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondents, Alister Robert & Joanne Therese McClymont

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondent, MDH Pty Ltd ACN 010 114 468

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondents, Marea & Melville Sellings

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondent, Alan James Webber

Date:

Mark Boge, Thynne & Macartney
on behalf of the Respondent, Wondoola Pty Ltd ACN 009 736 805

Date:

Clare Lawrence, Ashurst Australia
on behalf of the Respondent, Century Mining Limited (formerly known as MMG Century
Limited) ABN 59 006 670 300

Date:

DRAFT

Schedule 1

No. QUD 29 of 2019

Federal Court of Australia

District Registry: Queensland

Division: General

Respondents

- Second Respondent: Commonwealth of Australia
- Third Respondent: Carpentaria Shire Council
- Fourth Respondent: Ergon Energy Corporation Limited (ACN 087 646 062)
- Fifth Respondent: Far North Queensland Ports Corporation Limited (trading as Ports North) ACN 131 836 014
- Sixth Respondent: Geoffrey Charles Fry
- Seventh Respondent: Ashley Thomas James, Calvin Edward, Edward Michael, Nola June & Troy Patrick Gallagher
- Eighth Respondent: Gambamora Industries Pty Ltd ACN 009 941 173
- Ninth Respondent: Judith Ellen Heslin
- Tenth Respondent: Alister Robert & Joanne Therese McClymont
- Eleventh Respondent: MDH Pty Ltd ACN 010 114 468
- Fourteenth Respondent: Marea & Melville Sellings
- Sixteenth Respondent: Alan James Webber
- Seventeenth Respondent: Wondoola Pty Ltd ACN 009 736 805

Eighteenth Respondent: Century Mining Limited (formerly known as MMG Century Limited) ABN 59 006 670 300

DRAFT

'A'

DRAFT CONSENT DETERMINATION

No. QUD 29 of 2019

Federal Court of Australia

District Registry: Queensland

Division: General

Phillip George and Leanne Edwards on behalf of the Gkuthaarn and Kukatj People

Applicant

State of Queensland and others as named in Schedule 1

Respondents

Judge: JUSTICE GRIFFITHS

Date of Order:

Where made:

BEING SATISFIED that an order in the terms set out below is within the power of the Court, and it appearing appropriate to the Court to do so, pursuant to s 87 of the *Native Title Act 1993* (Cth)

BY CONSENT THE COURT ORDERS THAT:

1. There be a determination of native title in the terms set out below (the determination).
2. Each party to the proceedings is to bear its own costs.

BY CONSENT THE COURT DETERMINES THAT:

3. The determination area is the land and waters described in Schedule 4 and depicted in the map attached to Schedule 6 to the extent those areas are within the External Boundary and are not otherwise excluded by the terms of Schedule 5 (the Determination Area). To the extent of any inconsistency between the written description and the map, the written description prevails.
4. Native title exists in relation to that part of the Determination Area described in Parts 1 and 2 of Schedule 4 and depicted in green the map attached to Schedule 6.

8

Document No: 10574655

5. Native title does not exist in relation to that part of the Determination Area described in Part 3 of Schedule 4 and depicted in orange on the map attached to Schedule 6.
6. The native title is held by the Gkuthaarn and Kukatj People described in Schedule 1 (the Native Title Holders).
7. Subject to orders 9, 10 and 11 below, the nature and extent of the native title rights and interests in relation to the land and waters described in Part 1 of Schedule 4 are the non-exclusive rights to:
 - (a) access, be present on, move about on and travel over the area;
 - (b) camp, and live temporarily on the area as part of camping, and for that purpose build temporary shelters;
 - (c) hunt, fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;
 - (d) take Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;
 - (e) take Water of the area for personal, domestic and non-commercial communal purposes;
 - (f) conduct ceremonies on the area;
 - (g) be buried and bury Native Title Holders within the area;
 - (h) maintain places of importance and areas of significance to the Native Title Holders under their traditional laws and customs and protect those places and areas from physical harm;
 - (i) teach on the area the physical and spiritual attributes of the area; and
 - (j) light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation.
8. Subject to orders 9, 10 and 11 below, the nature and extent of the native title rights and interests in relation to the land and waters described in Part 2 of Schedule 4 are the non-exclusive rights to:
 - (a) access, be present on, move about on and travel over the area;
 - (b) camp, and live temporarily on the area as part of camping, and for that purpose build temporary shelters;
 - (c) hunt, fish and gather on the land and waters of the area for personal, domestic and non-commercial communal purposes;
 - (d) take Natural Resources from the land and waters of the area for personal, domestic and non-commercial communal purposes;
 - (e) take Water of the area for personal, domestic and non-commercial communal purposes;

- (f) conduct ceremonies on the area;
 - (g) maintain places of importance and areas of significance to the Native Title Holders under their traditional laws and customs and protect those places and areas from physical harm;
 - (h) teach on the area the physical and spiritual attributes of the area; and
 - (i) light fires on the area for domestic purposes including cooking, but not for the purpose of hunting or clearing vegetation.
9. The native title rights and interests are subject to and exercisable in accordance with:
- (a) the Laws of the State and the Commonwealth; and
 - (b) the traditional laws acknowledged and traditional customs observed by the Native Title Holders.
10. The native title rights and interests referred to in orders 7 and 8 do not confer possession, occupation, use or enjoyment to the exclusion of all others.
11. There are no native title rights in or in relation to minerals as defined by the *Mineral Resources Act 1989* (Qld) and petroleum as defined by the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld).
12. The nature and extent of any other interests in relation to that part of the Determination Area (or respective parts thereof) which does not include Part 3 of Schedule 4, are set out in Schedule 2.
13. The relationship between the native title rights and interests described in orders 7 and 8 and the other interests described in Schedule 2 (the Other Interests) is that:
- (a) the Other Interests continue to have effect, and the rights conferred by or held under the Other Interests may be exercised notwithstanding the existence of the native title rights and interests;
 - (b) to the extent the Other Interests are inconsistent with the continued existence, enjoyment or exercise of the native title rights and interests in relation to the land and waters of the Determination Area, the native title continues to exist in its entirety but the native title rights and interests have no effect in relation to the Other Interests to the extent of the inconsistency for so long as the Other Interests exist; and
 - (c) the Other Interests and any activity that is required or permitted by or under, and done in accordance with, the Other Interests, or any activity that is associated with or incidental to such an activity, prevail over the native title rights and interests and any exercise of the native title rights and interests;

DEFINITIONS AND INTERPRETATION

14. In this determination, unless the contrary intention appears:

"Current Roads" means an area of land whether surveyed or un-surveyed, not on private property that is currently dedicated, notified or declared to be a road for public use or is currently maintained by the State or the Carpentaria Shire Council as a road for public use which includes:

- (a) a street, esplanade, reserve for esplanade, highway, pathway, thoroughfare, track or stock route;
- (b) a bridge, causeway, culvert or other works in, on, over or under a road; and
- (c) any part of a road;
not on private property.

"External Boundary" means the area described in Schedule 3;

"High-water Mark" means the ordinary high-water mark at spring tides;

"land" and "waters", respectively, have the same meanings as in the *Native Title Act 1993* (Cth);

"Laws of the State and the Commonwealth" means the common law and the laws of the State of Queensland and the Commonwealth of Australia, and includes legislation, regulations, statutory instruments, local planning instruments and local laws;

"Low-water Mark" has the meaning given in the *Land Act 1994* (Qld);

"Natural Resources" means:

- (a) any animal, plant, fish and bird life found on or in the lands and waters of that part of the Determination Area described in Part 1 and Part 2 of Schedule 4; and
- (b) any clays, soil, sand, gravel or rock found on or below the surface of that part of the Determination Area described in Part 1 and Part 2 of Schedule 4,

that have traditionally been taken and used by the Native Title Holders, but does not include:

- (a) animals that are the private personal property of another;
- (b) crops that are the private personal property of another; and
- (c) minerals as defined in the *Mineral Resources Act 1989* (Qld); or
- (d) petroleum as defined in the *Petroleum Act 1923* (Qld) and the *Petroleum and Gas (Production and Safety) Act 2004* (Qld);

"Southern Area" is defined in Part 3(a) of Schedule 4;

"Water" means:

- (a) water which flows, whether permanently or intermittently, within a river, creek or stream;
- (b) any natural collection of water, whether permanent or intermittent;
- (c) to the extent that it exists in that part of the Determination Area described in Part 1 and Part 2 of Schedule 4 water from an underground water source; and
- (d) tidal water.

Other words and expressions used in this determination have the same meanings as they have in Part 15 of the *Native Title Act 1993* (Cth).

THE COURT DETERMINES THAT:

- 15. The native title is not held in trust.
- 16. The Gkuthaarn and Kukatj Aboriginal Corporation (ICN: 8895), incorporated under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006* (Cth), is to:
 - (a) be the prescribed body corporate for the purpose of s 57(2) of the *Native Title Act 1993* (Cth); and
 - (b) perform the functions mentioned in s 57(3) of the *Native Title Act 1993* (Cth) after becoming a registered native title body corporate.

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Schedule 1 – Native Title Holders

1. The Native Title Holders are the Gkuthaarn and Kukatj People. The Gkuthaarn and Kukatj People are the biological descendants of one or more of the following people including those who have been adopted by them and their descendants in accordance with Gkuthaarn and Kukatj traditional law and custom:
 - (a) Sisters Nellie, Rosie, Alice and Mabel;
 - (b) Paddy and Lucy;
 - (c) Louie Richards;
 - (d) Harry Hayes;
 - (e) Maggie Kukatj and Charlie B;
 - (f) Joker Jack*; and
 - (g) Jock Inverleigh*.

***[NOTE: Inclusion of additional apicals is on the basis that the Form 1 will be amended to reflect their inclusion]**

Schedule 2 – Other Interests in the Determination Area

The nature and extent of the Other Interests in relation to that part of the Determination Area described in Parts 1 and 2 of Schedule 4 are the following as they exist as at the date of the determination:

1. The rights and interests of the parties under the following agreements registered on the Register of Indigenous Land Use Agreements:
 - (a) QI2016/023 – Gkuthaarn and Kukatj People Commercial Fishers ILUA;
 - (b) [QI number to be inserted] – Gkuthaarn and Kukatj People Tenure Resolution Land Use Agreement (Area Agreement);
 - (c) [QI number to be inserted] – the Gkuthaarn and Kukatj People and Ergon Energy Indigenous Land Use Agreement (Area Agreement); and
 - (d) [QI number to be inserted] - Carpentaria Shire Council Gkuthaarn and Kukatj Indigenous Land Use (Area) Agreement.
2. The rights and interests of the holders of the following leases granted pursuant to the *Land Act 1962* (Qld) or *Land Act 1994* (Qld):
 - (a) pastoral holding lease PH 5562 over Lot 2 on CP838627 (also known as Inverleigh West);
 - (b) pastoral holding lease PH 5411 over Lot 1 on IF5 (also known as Milgarra);
 - (c) that part of pastoral holding lease PH 5415 over Lot 2 on NM108 (also known as Broadwater) that falls within the External Boundary;
 - (d) pastoral holding lease PH 2399 over Lot 78 on NM109 (also known as McDonalds Lagoon);
 - (e) pastoral holding lease PH 5520 over Lot 9 on NM143 (also known as Magowra North);
 - (f) pastoral holding lease PH 5534 over Lot 2461 on SP273186 (also known as Kelwood & Hesperus);
 - (g) that part of pastoral holding lease PH 5544 over Lot 4 on SP280675 (also known as Sawtell Creek) that falls within the External Boundary;
 - (h) term lease for pastoral purposes TL 240610 over Lot 2 on SP181805 (also known as Worgum/Wernadinga);
 - (i) term lease for pastoral purposes TL 240609 over Lot 3 on SP181805 (also known as Worgum/Wernadinga);
 - (j) term lease for pastoral purposes TL 239265 over Lot 1 on SP284255 (also known as Inverleigh East);
 - (k) term lease for pastoral purposes TL 239266 over Lot 3 on SP284255 (also known as Inverleigh East);

- (l) term lease for grazing purposes TL 212082 over Lot 21 on NM39; and
 - (m) term lease for grazing purposes TL 207889 over Lot 30 on NM70.
3. The rights and interests of Ergon Energy Corporation ACN 087 646 062:
- (a) as the owner and operator of any "Works" as that term is defined in the *Electricity Act 1994* (Qld) within the Determination Area;
 - (b) as an electricity entity under the *Electricity Act 1994* (Qld), including but not limited to:
 - (i) as the holder of a distribution authority;
 - (ii) to inspect, maintain and manage any Works in the Determination Area; and
 - (iii) in relation to any agreement or consent relating to the Determination Area existing or entered into before the date these orders are made; and
 - (c) to enter the Determination Area by its employees, agents or contractors to exercise any of the rights and interests referred to in this clause.
4. The rights and interests of Century Mining Limited as the holder of:
- (a) a licence granted by the Minister under the *Transport Infrastructure Act 1994* (Qld) on 19 September 1997, to construct, operate, maintain and use a mineral slurry pipeline, on certain parts of easements held by the Chief Executive within the Determination Area; and
 - (b) a licence granted by the Chief Executive under the *Transport Infrastructure Act 1994* (Qld) and the *Transport Planning and Coordination Act 1994* (Qld) on 19 September 1997, to occupy certain parts of easements held by the Chief Executive within the Determination Area.
5. The rights and interests of Far North Queensland Ports Corporation Limited (trading as Ports North) ACN 131 836 014:
- (a) as the port authority for the Port of Karumba within the Determination Area; and
 - (b) its functions and powers as a port authority and the provider of port services under Chapter 8 of the *Transport Infrastructure Act 1994* (Qld) and under the *Transport Infrastructure (Ports) Regulation 2016* (Qld) including:
 - (i) to establish, manage and operate effective and efficient port facilities and port services;
 - (ii) to make land available for the establishment, management and operation of effective and efficient port facilities and services by other persons or other purpose consistent with the operation of its ports;
 - (iii) to keep appropriate levels of safety and security in the provision and operation of its port facilities and services;

- (i) to provide other services incidental to the performance of its other functions or likely to enhance the usage of its ports;
- (ii) to perform any other functions conferred on it under this or another Act or under the regulation;
- (iii) to provide or arrange for the provision of ancillary services or works necessary or convenient for the effective and efficient operation of its ports;
- (iv) to provide port services relating to the establishment, operation and administration of its ports including pilotage services, dredging services, services relating to the reclamation of land and ancillary services to the provision of port services;
- (v) to dredge and otherwise maintain or improve navigational channels of its ports and to reduce or remove a shoal, bank or accumulation in its ports that, in the port authority's opinion, impedes navigation in its ports;
- (vi) to impose a charge for the use of port areas, for example a charge imposed by reference to a ship using its ports, or goods or passengers loaded, unloaded or transhipped from ships using port facilities;
- (vii) controlling activities in its port areas by issuing port notices and granting port approvals; and
- (viii) requesting information from vessels entering its port areas.

6. The rights and interests of Carpentaria Shire Council:

- (a) under the *Local Government Act 2009* (Qld) ('LGA'), Local Government Regulations 2012 and 'Local Government Act' as defined in the LGA;
- (b) as the:
 - (i) lessor under any leases which were validly entered into before the date on which these orders are made and whether separately particularised in these orders or not;
 - (ii) grantor of any licences or other rights and interests which were validly granted before the date on which these orders were made and whether separately particularised in these orders or not;
 - (iii) holder of any estate or interest in land, as trustee of any reserves, which exist in the Determination Area
- (c) as the owner and operator of infrastructure, and those facilities and other improvements located in the Determination Area validly constructed or established on or before the date on which these orders are made, including but not limited to:
 - (i) water pipelines and water supply infrastructure;
 - (ii) drainage facilities;

- (iii) watering point facilities; and
 - (iv) recreational facilities.
 - (d) to enter the land for the purposes described in paragraphs 7(a), 7(b) and 7(c) by their employees, agents or contractors to:
 - (i) exercise any of the rights and interests referred to in paragraph 7;
 - (ii) inspect, maintain and repair the infrastructure, facilities and other improvements referred to in paragraph 7(c) above;
 - (iii) undertake operational activities in its capacity as a local government such as feral animal control, weed control, erosion control, waste management and fire management.
- 7. The rights and interests of the State of Queensland and the Carpentaria Shire Council to access the Determination Area for the purpose of using, operating, maintaining and controlling the Current Roads in the Determination Area and the rights and interests of the public to use and access the roads.
- 8. The rights and interests of the State of Queensland or any other person existing by reason of the force and operation of the laws of the State of Queensland, including those existing by reason of the following legislation or any regulation, statutory instrument, declaration, plan, authority, permit, lease or licence made, granted, issued or entered into under that legislation:
 - (a) the *Land Act 1994* (Qld);
 - (b) the *Nature Conservation Act 1992* (Qld);
 - (c) the *Forestry Act 1959* (Qld);
 - (d) the *Water Act 2000* (Qld);
 - (e) the *Petroleum Act 1923* (Qld) or *Petroleum and Gas (Production and Safety) Act 2004* (Qld);
 - (f) the *Mineral Resources Act 1989* (Qld);
 - (g) the *Integrated Planning Act 1997* (Qld) or *Sustainable Planning Act 2009* (Qld);
 - (h) the *Transport Infrastructure Act 1994* (Qld);
 - (i) the *Fire and Rescue Service Act 1990* (Qld) or *Ambulance Service Act 1991* (Qld);
 - (j) the *Marine Parks Act 2004* (Qld);
 - (k) the *Fisheries Act 1994* (Qld);
 - (l) the *Coastal Protection and Management Act 1995* (Qld);
 - (m) the *Transport Operations (Marine Safety) Act 1994* (Qld); and
 - (n) the *Transport Operations (Marine Pollution) Act 1995* (Qld).

9. The rights and interests of members of the public arising under the common law, including but not limited to the following:
- (a) any subsisting public right to fish; and
 - (b) the public right to navigate.
10. Any other rights and interests:
- (a) held by the State of Queensland or Commonwealth of Australia; or
 - (b) existing by reason of the force and operation of the Laws of the State and the Commonwealth.

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Schedule 3 – External Boundary

The application area covers all the land and waters within the External Boundary described as: Commencing at a point where the eastern bank of the Leichhardt River meets the Gulf of Carpentaria at the Low Water Mark and extending generally easterly and generally north easterly along that low water mark to its intersection with the western bank of the Norman River; then across the mouth of the Norman River to the centreline of the Norman River; then generally south easterly and generally southerly along the centreline of that river to Latitude 18.378960° South; then generally south westerly and generally north westerly passing through the following coordinate points:

Longitude ° East	Latitude ° South
141.196622	18.464687
141.152173	18.514674
141.100732	18.563214
141.057497	18.599389
141.015084	18.632340
140.999929	18.643416
140.987475	18.650819
140.955048	18.665735
140.903354	18.683657
140.821292	18.705361
140.761040	18.718654
140.709033	18.728313
140.547914	18.756225
140.522662	18.759303
140.276593	18.721826
140.150428	18.699548
140.048404	18.683002
139.941227	18.661993

Then again northwesterly to the eastern bank of the Leichhardt River at Latitude 18.623255° South; then generally northerly along the eastern bank of that river back to the commencement point.

The Determination Area excludes any areas subject to:

- Native title determination QUD66/2005 Gangalidda and Garawa People #2 (QCD2015/003) as determined in the Federal Court on 1 April 2015.
- Native title determination QUD207/1997 Wellesley Islands Sea Claim (QCD2004/001) as

determined in the Federal Court on 23 March 2004.

Note

Data Reference and source

Application boundary compiled by National Native Title Tribunal based on information or instructions provided by the applicants.

Maritime boundaries data is © Commonwealth of Australia (Geoscience Australia) 2006. AMB 6th Edition released in February 2006

Rivers/Creeks where available are based on Casement data sourced from the Department of Natural Resources and Mines, Qld (August 2012) – else Topographic vector data is © Commonwealth of Australia (Geoscience Australia) 2003.

Non-Freehold data sourced from Department of Natural Resources and Mines, Qld (August 2017).

Reference datum

Geographical coordinates have been provided by the NNTT Geospatial Services and are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees and are based on the spatial reference data acquired from the various custodians at the time

Use of Coordinates

Where coordinates are used within the description to represent cadastral or topographical boundaries or the intersection with such, they are intended as a guide only. As an outcome of the custodians of cadastral and topographic data continuously recalculating the geographic position of their data based on improved survey and data maintenance procedures, it is not possible to accurately define such a position other than by detailed ground survey.

Schedule 4 – Description of Determination Area

The Determination Area comprises all of the land and waters described either by lot on plan, or relevant parts thereof, or otherwise described, and any rivers, streams, creeks or lakes, described in the first column of the tables in the Parts immediately below, and depicted in the maps in Schedule 6, to the extent those areas are within the External Boundary, and are not otherwise excluded by the terms of Schedule 5.

Part 1 – Areas where native title exists

All of the land and waters described in the following table and depicted in green on the determination map contained in Schedule 6:

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Part of Lot 96 on NM129		Part of this lot being the balance not described in Part 3 of Schedule 4 (areas where native title does not exist).
Part of Lot 102 on SP195710		Part of this lot being the balance not described in Part 3 of Schedule 4 (areas where native title does not exist).
Part of Lot 93 on NM151		Part of this lot being the balance not described in Part 3 of Schedule 4 (areas where native title does not exist).
Lot 111 on N14846		
Lot 112 on N14846		
Lot 113 on N14846		
Lot 115 on N14846		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 18 on CP898996		
Lot 19 on NM132		
Lot 84 on CP898995		
Lot 8 on CP898998		
Lot 78 on NM109		
Lot 1 on IF5		
That part of Lot 2 on NM108 that lies within the External Boundary		
Lot 9 on NM143		
Lot 2461 on SP273186		
That part of Lot 4 on SP280675 that lies within the External Boundary		
Lot 2 on CP838627		
Lot 30 on NM70		
Lot 21 on NM39		
Lot 1 on SP284255		
Lot 3 on SP284255		
Lot 3 on SP181805		
Lot 2 on SP181805		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
That part of Lot 442 on NPW906 that lies within the External Boundary		
Lot 182 on N14851		
Lot 3 on SK2		
Lot 64 on B15772		
Lot 6 on B15739		
Lot 95 on NM62		
Lot 2 on NM143		
That part of Lot 8 on NM142 that lies within the External Boundary		
Lot 12 on SP116569		
Lot 103 on N1481		
Lot 88 on N1483		
Lot 89 on N14825		
Lot 10 on NM152		
Lot 91 on N14864		
Lot 100 on NM2		
Lot 6 on SP235283		
Lot 1 on SP218122		
Lot 2 on N14852		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 53 on SP112715		
Lot 101 on SP195709		
Lot 85 on N14825		
Lot 9 on N14838		
Lot 1 on N1486		
Lot 101 on G4161		
Lot 1 on N14845		
Lot 101 on N14846		
Lot 102 on G4161		
Lot 102 on G4331		
Lot 2 on N14845		
Lot 102 on N14846		
Lot 103 on G4161		
Lot 103 on G4331		
Lot 103 on N14846		
Lot 104 on G4161		
Lot 104 on G4331		
Lot 105 on G4161		
Lot 105 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 106 on G4161		
Lot 106 on G4331		
Lot 107 on G4161		
Lot 107 on G4331		
Lot 108 on G4161		
Lot 108 on G4331		
Lot 109 on G4161		
Lot 109 on G4331		
Lot 110 on G4161		
Lot 110 on G4331		
Lot 111 on G4161		
Lot 111 on G4331		
Lot 3 on N14845		
Lot 112 on G4161		
Lot 112 on G4331		
Lot 4 on N14845		
Lot 113 on G4161		
Lot 113 on G4331		
Lot 114 on G4161		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 114 on G4331		
Lot 115 on G4161		
Lot 115 on G4331		
Lot 116 on G4161		
Lot 116 on G4331		
Lot 117 on G4161		
Lot 117 on G4331		
Lot 118 on G4161		
Lot 118 on G4331		
Lot 119 on G4161		
Lot 119 on G4331		
Lot 31 on NM75		
Lot 11 on N14845		
Lot 120 on G4161		
Lot 120 on G4331		
Lot 12 on N14845		
Lot 21 on N14845		
Lot 2 on N1486		
Lot 4 on N1486		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 11 on N14833		
Lot 21 on N14833		
Lot 22 on N14845		
Lot 31 on N14845		
Lot 12 on N14833		
Lot 14 on N14833		•
Lot 32 on N14845		
Lot 33 on N14845		
Lot 47 on N14833		•
Lot 1 on N14833		•
Lot 14 on USL165		
Lot 41 on N14845		
Lot 154 on USL131		
Lot 15 on USL165		
Lot 2 on N14833		
Lot 42 on N14845		
Lot 164 on N14851		
Lot 43 on N14845		
Lot 165 on N14851		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 51 on N14845		
Lot 166 on N14851		
Lot 167 on N14851		
Lot 168 on N14851		
Lot 169 on N14851		
Lot 170 on N14851		
Lot 171 on N14851		
Lot 3 on N14833		
Lot 17 on NM11		
Lot 172 on N14851		
Lot 52 on N14845		
Lot 173 on N14851		
Lot 61 on N14845		
Lot 174 on N14851		
Lot 4 on N14833		
Lot 71 on N14845		
Lot 72 on N14845		
Lot 186 on N14851		
Lot 16 on N14833		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 1 on AP5106		
Lot 17 on N14833		
Lot 81 on N14845		
Lot 201 on G4161		
Lot 201 on G4331		
Lot 82 on N14845		
Lot 202 on G4161		
Lot 202 on G4331		
Lot 203 on G4161		
Lot 203 on G4331		
Lot 204 on G4161		
Lot 204 on G4331		
Lot 205 on G4161		
Lot 205 on G4331		
Lot 206 on G4161		
Lot 206 on G4331		
Lot 207 on G4161		
Lot 207 on G4331		
Lot 208 on G4161		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 208 on G4331		
Lot 209 on G4161		
Lot 209 on G4331		
Lot 210 on G4161		
Lot 210 on G4331		
Lot 211 on G4161		
Lot 211 on G4331		
Lot 101 on N14845		
Lot 212 on G4161		
Lot 212 on G4331		
Lot 102 on N14845		
Lot 213 on G4161		
Lot 213 on G4331		
Lot 214 on G4161		
Lot 214 on G4331		
Lot 215 on G4161		
Lot 215 on G4331		
Lot 216 on G4161		
Lot 216 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 217 on G4161		
Lot 217 on G4331		
Lot 218 on G4161		
Lot 218 on G4331		
Lot 219 on G4161		
Lot 219 on G4331		
Lot 21 on AP9331		
Lot 111 on N14845		
Lot 187 on N14851		
Lot 188 on N14851		
Lot 21 on USL37		
Lot 220 on G4161		
Lot 220 on G4331		
Lot 189 on N14851		
Lot 112 on N14845		
Lot 190 on N14851		
Lot 191 on N14851		
Lot 25 on N14819		
Lot 34 on N14819		•

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 35 on N14819		
Lot 23 on N14841		
Lot 49 on N14833		•
Lot 121 on N14845		
Lot 122 on N14845		
Lot 24 on N14841		
Lot 22 on N14851		
Lot 26 on SP120080		
Lot 23 on N14851		
Lot 131 on N14845		
Lot 25 on N14841		
Lot 24 on N14851		
Lot 141 on N14845		
Lot 142 on N14845		
Lot 25 on N14851		
Lot 26 on N14841		
Lot 26 on N14851		
Lot 27 on N14851		
Lot 27 on N14841		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 28 on N14851		
Lot 29 on N14851		
Lot 18 on N14833		
Lot 19 on N14833		*
Lot 28 on N14841		
Lot 151 on N14845		
Lot 91 on N14833		
Lot 301 on G4161		
Lot 301 on G4331		
Lot 302 on G4161		
Lot 302 on G4331		
Lot 303 on G4161		
Lot 303 on G4331		
Lot 304 on G4161		
Lot 304 on G4331		
Lot 305 on G4161		
Lot 305 on G4331		
Lot 306 on G4161		
Lot 306 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 307 on G4161		
Lot 307 on G4331		
Lot 308 on G4161		
Lot 308 on G4331		
Lot 309 on G4161		
Lot 309 on G4331		
Lot 29 on N14841		
Lot 30 on N14851		
Lot 310 on G4161		
Lot 310 on G4331		
Lot 311 on G4161		
Lot 311 on G4331		
Lot 312 on G4161		
Lot 312 on G4331		
Lot 313 on G4161		
Lot 313 on G4331		
Lot 314 on G4161		
Lot 314 on G4331		
Lot 315 on G4161		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 315 on G4331		
Lot 316 on G4161		
Lot 316 on G4331		
Lot 317 on G4161		
Lot 317 on G4331		
Lot 318 on G4161		
Lot 318 on G4331		
Lot 319 on G4161		
Lot 319 on G4331		
Lot 31 on CP901584		★
Lot 171 on N14845		
Lot 31 on N14851		
Lot 25 on SP120079		
Lot 320 on G4161		
Lot 320 on G4331		
Lot 30 on N14841		
Lot 172 on N14845		
Lot 32 on N14851		
Lot 31 on N14841		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 173 on N14845		
Lot 33 on N14851		
Lot 32 on N14841		
Lot 33 on N14841		
Lot 34 on N14851		
Lot 34 on N14841		
Lot 35 on N14841		
Lot 35 on N14851		
Lot 36 on N14841		
Lot 36 on N14851		
Lot 36 on SP120079		
Lot 37 on N14841		
Lot 37 on N14851		
Lot 38 on N14851		
Lot 39 on N14851		
Lot 41 on N14833		
Lot 181 on N14845		
Lot 401 on G4161		
Lot 401 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 402 on G4161		
Lot 402 on G4331		
Lot 403 on G4161		
Lot 403 on G4331		
Lot 404 on G4161		
Lot 404 on G4331		
Lot 405 on G4161		
Lot 405 on G4331		
Lot 406 on G4161		
Lot 406 on G4331		
Lot 407 on G4161		
Lot 407 on G4331		
Lot 408 on G4161		
Lot 408 on G4331		
Lot 409 on G4161		
Lot 409 on G4331		
Lot 40 on N14841		
Lot 40 on N14851		
Lot 410 on G4161		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 410 on G4331		
Lot 411 on G4161		
Lot 411 on G4331		
Lot 412 on G4161		
Lot 412 on G4331		
Lot 413 on G4161		
Lot 413 on G4331		
Lot 414 on G4161		
Lot 414 on G4331		
Lot 415 on G4161		
Lot 415 on G4331		
Lot 416 on G4161		
Lot 416 on G4331		
Lot 417 on G4161		
Lot 417 on G4331		
Lot 418 on G4161		
Lot 418 on G4331		
Lot 419 on G4161		
Lot 419 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 43 on N14833		*
Lot 182 on N14845		
Lot 420 on G4161		
Lot 420 on G4331		
Lot 2 on AP5106		
Lot 191 on N14845		
Lot 42 on N14851		
Lot 44 on N14833		*
Lot 192 on N14845		
Lot 43 on N14851		
Lot 58 on N14833		
Lot 44 on N14851		
Lot 451 on RP705614		*
Lot 452 on RP705614		*
Lot 45 on N14851		
Lot 469 on RP705614		*
Lot 46 on N14841		
Lot 46 on N14851		
Lot 470 on RP705614		*

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 66 on SP120079		*
Lot 47 on N14841		
Lot 47 on N14851		
Lot 48 on N14841		
Lot 48 on N14851		
Lot 67 on N14833		*
Lot 49 on N14841		
Lot 49 on N14851		
Lot 59 on N14833		
Lot 201 on N14845		
Lot 68 on N14833		*
Lot 4 on PH1136		
Lot 501 on G4161		
Lot 501 on G4331		
Lot 502 on G4161		
Lot 502 on G4331		
Lot 503 on G4161		
Lot 503 on G4331		
Lot 504 on G4161		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 504 on G4331		
Lot 505 on G4161		
Lot 505 on G4331		
Lot 506 on G4161		
Lot 506 on G4331		
Lot 507 on G4161		
Lot 507 on G4331		
Lot 508 on G4161		
Lot 508 on G4331		
Lot 509 on G4161		
Lot 509 on G4331		
Lot 50 on N14841		
Lot 50 on N14851		
Lot 510 on G4161		
Lot 510 on G4331		
Lot 511 on G4161		
Lot 511 on G4331		
Lot 512 on G4161		
Lot 512 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 513 on G4161		
Lot 513 on G4331		
Lot 514 on G4161		
Lot 514 on G4331		
Lot 515 on G4161		
Lot 515 on G4331		
Lot 516 on G4161		
Lot 516 on G4331		
Lot 517 on G4161		
Lot 517 on G4331		
Lot 518 on G4161		
Lot 518 on G4331		
Lot 519 on G4161		
Lot 519 on G4331		
Lot 51 on N14841		
Lot 211 on N14845		
Lot 51 on N14851		
Lot 520 on G4161		
Lot 520 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 52 on N14841		
Lot 212 on N14845		
Lot 52 on N14851		
Lot 53 on N14841		
Lot 53 on N14851		
Lot 54 on N14841		
Lot 54 on N14851		
Lot 55 on N14841		
Lot 55 on N14851		
Lot 56 on N14851		
Lot 57 on N14851		
Lot 81 on N14833		
Lot 58 on N14851		
Lot 82 on N14833		
Lot 83 on N14833		
Lot 59 on N14851		
Lot 84 on N14833		
Lot 601 on G4161		
Lot 601 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 602 on G4161		
Lot 602 on G4331		
Lot 603 on G4161		
Lot 603 on G4331		
Lot 604 on G4161		
Lot 604 on G4331		
Lot 605 on G4161		
Lot 605 on G4331		
Lot 606 on G4161		
Lot 606 on G4331		
Lot 607 on G4161		
Lot 607 on G4331		
Lot 608 on G4161		
Lot 608 on G4331		
Lot 609 on G4161		
Lot 609 on G4331		
Lot 60 on N14851		
Lot 610 on G4161		
Lot 610 on G4331		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 611 on G4161		
Lot 611 on G4331		
Lot 612 on G4161		
Lot 612 on G4331		
Lot 613 on G4161		
Lot 613 on G4331		
Lot 614 on G4161		
Lot 614 on G4331		
Lot 615 on G4161		
Lot 615 on G4331		
Lot 616 on G4161		
Lot 616 on G4331		
Lot 617 on G4161		
Lot 617 on G4331		
Lot 618 on G4161		
Lot 618 on G4331		
Lot 619 on G4161		
Lot 619 on G4331		
Lot 261 on N14845		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 61 on N14851		*
Lot 620 on G4161		
Lot 620 on G4331		
Lot 62 on N14851		
Lot 63 on N14841		
Lot 63 on N14851		*
Lot 64 on N14851		
Lot 65 on N14851		
Lot 66 on N14851		
Lot 69 on N14833		*
Lot 70 on N14833		*
Lot 67 on N14851		
Lot 71 on N14833		*
Lot 68 on N14841		
Lot 68 on N14851		
Lot 72 on N14833		*
Lot 69 on N14841		
Lot 69 on N14851		
Lot 85 on N14833		*

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 701 on G4161		
Lot 702 on G4161		
Lot 703 on G4161		
Lot 704 on G4161		
Lot 705 on G4161		
Lot 706 on G4161		
Lot 707 on G4161		
Lot 708 on G4161		
Lot 709 on G4161		
Lot 75 on N14833		
Lot 70 on N14851		
Lot 710 on G4161		
Lot 711 on G4161		
Lot 712 on G4161		
Lot 713 on G4161		
Lot 714 on G4161		
Lot 715 on G4161		
Lot 716 on G4161		
Lot 123 on N14833		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 262 on N14845		
Lot 71 on N14851		
Lot 124 on N14833		
Lot 271 on N14845		
Lot 72 on N14851		
Lot 73 on N14851		
Lot 74 on N14851		
Lot 135 on N14833		*
Lot 75 on N14851		
Lot 76 on N14851		
Lot 77 on N14851		
Lot 78 on N14851		
Lot 79 on N14851		
Lot 2 on N14819		
Lot 7 on USL165		
Lot 5 on N14819		
Lot 281 on N14845		
Lot 6 on N14819		
Lot 282 on N14845		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 7 on N14834		
Lot 14 on N14834		
Lot 84 on N14851		
Lot 59 on N14834		*
Lot 85 on N14851		
Lot 86 on N14851		
Lot 87 on N14851		
Lot 88 on N14851		
Lot 89 on N14851		
Lot 8 on N14841		*
Lot 909 on N1481		*
Lot 90 on N14851		
Lot 140 on N14833		
Lot 91 on N14851		
Lot 92 on N14846		
Lot 93 on N14846		
Lot 93 on N14851		
Lot 94 on N14851		
Lot 95 on N14851		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 96 on N14851		
Lot 97 on N14851		
Lot 98 on N14846		
Lot 98 on N14851		
Lot 9 on USL165		
Lot 114 on N14846		
Lot 21 on N14846		
Lot 22 on N14846		
Lot 23 on N14846		
Lot 24 on N14846		
Lot 31 on N14846		
Lot 41 on N14846		
Lot 42 on N14846		
Lot 43 on N14846		
Lot 44 on N14846		
Lot 51 on N14846		
Lot 52 on N14846		
Lot 53 on N14846		
Lot 54 on N14846		

Area description (at the time of the determination)	Determination Map Sheet Reference	Note
Lot 62 on N14846		
Lot 63 on N14846		
Lot 71 on N14846		
Lot 72 on N14846		
Lot 73 on N14846		
Lot 81 on N14846		
Lot 82 on N14846		
Lot 83 on N14846		
Lot 22 on AP15763		
Lot 23 on AP15763		
<p>Save for any waters forming part of a lot on plan, all rivers, creeks, streams and lakes that fall within the External Boundary and are not included in Part 3 of Schedule 4 (areas where native title does not exist), including but not limited to:</p> <ul style="list-style-type: none"> (a) the Norman River; (b) the Bynoe River; (c) the Flinders River; (d) Morning Inlet; (e) Armstrong Creek; and (f) Alexandra River. 		

*denotes areas to which s 47B of the *Native Title Act 1993* (Cth) apply.

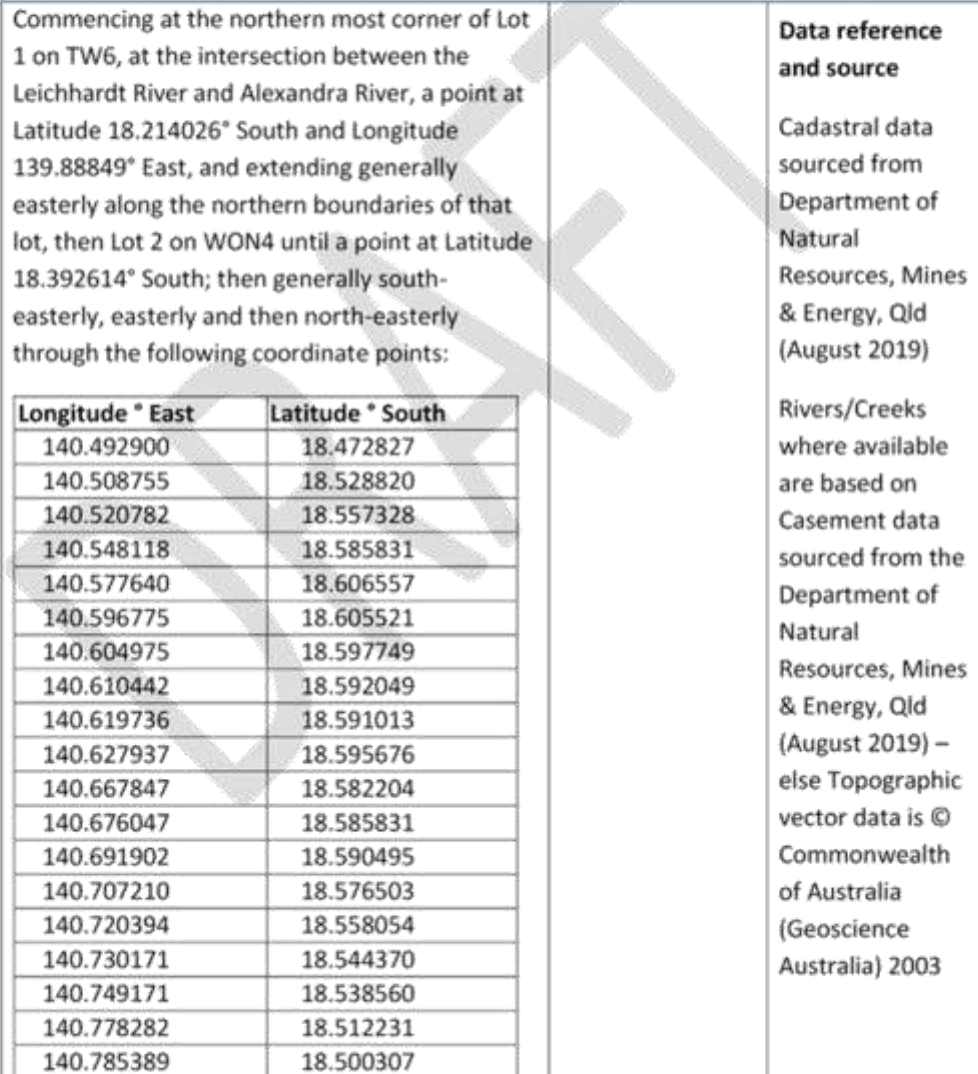
Part 2 - Inter-tidal zone areas

All the land and waters below the High-water Mark but above the Low-water Mark.

DRAFT

Part 3 — Areas where native title does not exist

All of the land and waters described in the following table and depicted in orange on the determination map contained in Schedule 6:

Area description (at the time of the determination)	Determination Map Sheet Reference	Note																																								
Part 3(a) – Southern Area																																										
Commencing at the northern most corner of Lot 1 on TW6, at the intersection between the Leichhardt River and Alexandra River, a point at Latitude 18.214026° South and Longitude 139.88849° East, and extending generally easterly along the northern boundaries of that lot, then Lot 2 on WON4 until a point at Latitude 18.392614° South; then generally south-easterly, easterly and then north-easterly through the following coordinate points:		Data reference and source Cadastral data sourced from Department of Natural Resources, Mines & Energy, Qld (August 2019) Rivers/Creeks where available are based on Casement data sourced from the Department of Natural Resources, Mines & Energy, Qld (August 2019) – else Topographic vector data is © Commonwealth of Australia (Geoscience Australia) 2003																																								
<table border="1" data-bbox="341 1003 890 1684"> <thead> <tr> <th data-bbox="341 1003 608 1039">Longitude ° East</th> <th data-bbox="608 1003 890 1039">Latitude ° South</th> </tr> </thead> <tbody> <tr><td>140.492900</td><td>18.472827</td></tr> <tr><td>140.508755</td><td>18.528820</td></tr> <tr><td>140.520782</td><td>18.557328</td></tr> <tr><td>140.548118</td><td>18.585831</td></tr> <tr><td>140.577640</td><td>18.606557</td></tr> <tr><td>140.596775</td><td>18.605521</td></tr> <tr><td>140.604975</td><td>18.597749</td></tr> <tr><td>140.610442</td><td>18.592049</td></tr> <tr><td>140.619736</td><td>18.591013</td></tr> <tr><td>140.627937</td><td>18.595676</td></tr> <tr><td>140.667847</td><td>18.582204</td></tr> <tr><td>140.676047</td><td>18.585831</td></tr> <tr><td>140.691902</td><td>18.590495</td></tr> <tr><td>140.707210</td><td>18.576503</td></tr> <tr><td>140.720394</td><td>18.558054</td></tr> <tr><td>140.730171</td><td>18.544370</td></tr> <tr><td>140.749171</td><td>18.538560</td></tr> <tr><td>140.778282</td><td>18.512231</td></tr> <tr><td>140.785389</td><td>18.500307</td></tr> </tbody> </table>			Longitude ° East	Latitude ° South	140.492900	18.472827	140.508755	18.528820	140.520782	18.557328	140.548118	18.585831	140.577640	18.606557	140.596775	18.605521	140.604975	18.597749	140.610442	18.592049	140.619736	18.591013	140.627937	18.595676	140.667847	18.582204	140.676047	18.585831	140.691902	18.590495	140.707210	18.576503	140.720394	18.558054	140.730171	18.544370	140.749171	18.538560	140.778282	18.512231	140.785389	18.500307
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140.785389	18.500307																																									

<p>Then north-easterly to the eastern bank of the Flinders River, a point at Latitude 18.486687° South; then generally north along the eastern boundaries of that river until the north-western most corner of Lot 1 on LA2, a point at Latitude - 18.230398 South; then easterly, northerly and again easterly along the northern boundaries of that lot to a point where it intersects the centreline of the Norman River at 141.141133° East; then generally south along the centreline of that river to a point at Latitude 18.378960° South; then generally south westerly and generally north westerly passing through the following coordinate points:</p> <table border="1" data-bbox="352 880 839 1525"> <thead> <tr> <th>Longitude ° East</th> <th>Latitude ° South</th> </tr> </thead> <tbody> <tr><td>141.196622</td><td>18.464687</td></tr> <tr><td>141.152173</td><td>18.514674</td></tr> <tr><td>141.100732</td><td>18.563214</td></tr> <tr><td>141.057497</td><td>18.599389</td></tr> <tr><td>141.015084</td><td>18.632340</td></tr> <tr><td>140.999929</td><td>18.643416</td></tr> <tr><td>140.987475</td><td>18.650819</td></tr> <tr><td>140.955048</td><td>18.665735</td></tr> <tr><td>140.903354</td><td>18.683657</td></tr> <tr><td>140.821292</td><td>18.705361</td></tr> <tr><td>140.761040</td><td>18.718654</td></tr> <tr><td>140.709033</td><td>18.728313</td></tr> <tr><td>140.547914</td><td>18.756225</td></tr> <tr><td>140.522662</td><td>18.759303</td></tr> <tr><td>140.276593</td><td>18.721826</td></tr> <tr><td>140.150428</td><td>18.699548</td></tr> <tr><td>140.048404</td><td>18.683002</td></tr> <tr><td>139.941227</td><td>18.661993</td></tr> </tbody> </table> <p>Then again north westerly to the eastern bank of the Leichhardt River at Latitude 18.623255° South; then generally northerly along the</p>	Longitude ° East	Latitude ° South	141.196622	18.464687	141.152173	18.514674	141.100732	18.563214	141.057497	18.599389	141.015084	18.632340	140.999929	18.643416	140.987475	18.650819	140.955048	18.665735	140.903354	18.683657	140.821292	18.705361	140.761040	18.718654	140.709033	18.728313	140.547914	18.756225	140.522662	18.759303	140.276593	18.721826	140.150428	18.699548	140.048404	18.683002	139.941227	18.661993		<p>Reference datum</p> <p>Geographical coordinates are referenced to the Geocentric Datum of Australia 1994 (GDA94), in decimal degrees.</p>
Longitude ° East	Latitude ° South																																							
141.196622	18.464687																																							
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<p>eastern bank of that river back to the commencement point.</p> <p>(the "Southern Area")</p> <p>For the avoidance of doubt, the Southern Area includes:</p> <p>Lot 1 on IF4</p> <p>That part of Lot 1 on LA2 that lies within the External Boundary</p> <p>That part of Lot 1 on TW5 that lies within the External Boundary</p> <p>Lot 1 on TW6</p> <p>Lot 1 on WON3</p> <p>Part of Lot 2 on WON4</p> <p>That part of Lot 166 on SP276509 that lies within the External Boundary</p> <p>Lot 3 on PH1136</p> <p>That part of Lot 2132 on PH654 that lies within the External Boundary</p> <p>That part of Lot 271 on CP847171 that lies within the External Boundary</p> <p>That part of Lot 4 on SP120452 that lies within the External Boundary</p> <p>That part of Lot 5262 on PH1850 that lies within the External Boundary</p> <p>That part of Lot 5274 on SP271683 that lies within the External Boundary</p>		
<p>Save for any waters forming part of a lot on plan, all rivers, creeks, streams and lakes</p>		

<p>that fall within the written description of the Southern Area above, including part of Flinders River and part of Saxby River.</p>		
<p>Part 3(b) – Areas where native title does not exist and that are not within the Southern Area</p>		
<p>Lot 59 on SP280700</p>		
<p>That part of Lot 2 on WON4 that falls within the External Boundary but not within the Southern Area</p>		
<p>Lot 5107 on SP287779</p>		
<p>That part of Lot 102 on SP195710 commencing at the northern most corner of the southern-most severance of Lot 102 on SP195710, also being a point on the south-western boundary of Lot 2 on N14852 at Latitude 17.665897 South, Longitude 141.071309 East; and extending south-easterly along the south-western boundary of Lot 2 on N14852 to the northern-most corner of Lot 93 on NM151; then south-westerly and then south-easterly along the western boundaries of that lot until the intersection with Henrietta Street; then north-westerly and southerly along the boundary of the southern-most severance of Lot 102 on SP195710 until a point at Latitude 17.672188 South, Longitude 141.069166 East; then south-westerly to a point on the south-western boundary of Lot 102 on SP195710 at Latitude 17.673598 South, Longitude 141.067445 East; then north-westerly, then north-easterly along the south-western and north-western boundaries of that lot back to the commencement point.</p>		

<p>That part of Lot 96 on NM129 commencing at a point on the south-eastern boundary of Lot 999 on SP280674, opposite the intersection of the Burke Developmental Road and Rodeo Drive, at Latitude 17.690385 South, Longitude 141.056576 East and extending north-westerly then north-easterly along the eastern boundary of that lot to a point at Latitude 17.683177 South, Longitude 141.057344 East; then south-easterly along a line to the intersection of the Burke Developmental Road at Latitude 17.685476 South; then south-westerly along the northern boundary of that road back to the commencement point.</p>		
<p>That part of Lot 93 on NM151 commencing at the eastern-most corner of Lot 37 on B15740, and extending south-easterly to the intersection with the north western boundary of Lot 2 on N14852 at Latitude 17.664808 South; then south-westerly and south-easterly along the boundary of that lot and to the north-western boundary of Lot 102 on SP195710, then south-westerly along the boundary of that lot to its western most corner; then north-westerly to a point on the north-western boundary of Lot 93 on NM151 at Latitude 17.669068 South; then north-easterly along the north-western boundary of that lot back to the commencement point.</p>		
<p>Lot 14 on SP196741</p>		
<p>Lot 15 on SP196741</p>		
<p>Lot 12 on N14846</p>		
<p>Lot 1 on RP902029</p>		

Lot 1 on RP902035		
Lot 1 on SP116577		
Lot 1 on SP146616		
Lot 20 on SP202656		
Lot 21 on SP202656		
Lot 22 on SP202656		
Lot 23 on SP202656		
Lot 24 on SP202656		
Lot 25 on SP202656		
Lot 26 on SP202656		
Lot 28 on SP136520		
Lot 29 on SP202656		
Lot 2 on RP902029		
Lot 2 on RP902035		
Lot 2 on RP906669		
Lot 2 on SP112901		
Lot 2 on SP116577		
Lot 2 on SP146616		
Lot 30 on SP202656		
Lot 31 on N14822		
Lot 31 on SP202656		
Lot 32 on SP202656		

Lot 35 on SP280660		
Lot 3 on RP902035		
Lot 3 on RP906669		
Lot 3 on SP112901		
Lot 3 on SP116577		
Lot 3 on SP146616		
Lot 4 on RP902035		
Lot 4 on SP112901		
Lot 4 on SP116577		
Lot 4 on SP146616		
Lot 50 on SP202656		
Lot 55 on SP287791		
Lot 5 on RP902035		
Lot 5 on SP116577		
Lot 5 on SP146616		
Lot 67 on SP196743		
Lot 6 on RP902035		
Lot 6 on SP116577		
Lot 6 on SP146616		
Lot 7 on RP902035		
Lot 7 on SP116577		
Lot 8 on RP902035		

Lot 8 on SP116577		
Lot 8 on SP146616		
Lot 12 on NM808172		
Lot 14 on NM808172		
Lot 1 on CP843298		
Lot 1 on NM808172		
Lot 1 on RP737048		
Lot 2 on NM808172		
Lot 2 on RP737048		
Lot 316 on RP747686		
Lot 34 on CP852642		
Lot 3 on NM808172		
Lot 4 on NM808172		
Lot 5 on NM808172		
Lot 5 on SP112914		
Lot 6 on NM808172		
Lot 7 on NM808172		
Lot 8 on SP112914		
Lot 9 on NM808172		
Lot 76 on CP908325		
Lot 18 on SP273194		
Lot 13 on SP116572		

Lot 11 on NM808172		
Lot 12 on N14878		
Lot 13 on NM808172		
Lot 15 on NM808172		
Lot 17 on N14848		
Lot 176 on N14851		
Lot 177 on N14851		
Lot 22 on N14839		
Lot 23 on N14839		
Lot 2 on CP818214		
Lot 2 on N14861		
Lot 4 on N14878		
Lot 63 on N14850		
Lot 1 on SP116572		
Lot 32 on CP901584		
Lot 33 on CP901584		
Lot 77 on SP146610		
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Lot 44 on N14812		
Lot 44 on N14841		
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Lot 49 on RP705614		
Lot 4 on N14819		
Lot 4 on N14821		
Lot 4 on N14824		
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Lot4 on N14841		
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Lot 4 on RP705614		
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Lot 4 on SP116584		
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Lot 50 on N14850		
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That part of Lot 56 on CP908326 that was subject to historical Portions 56 on B15757 and 60 on B15766		
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Lot 56 on N14850		
Lot 56 on RP705614		
Lot 57 on B15757		
Lot 57 on N1481		
Lot 57 on N14812		
Lot 57 on N14833		
Lot 57 on N14841		
Lot 57 on RP705614		
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Lot 52 on SP171560		
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Lot 711 on N1481		
Lot 71 on N14841		
Lot 71 on RP705614		
Lot 72 on N14822		
Lot 72 on RP705614		
Lot 73 on B15767		
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Lot 75 on N14822		
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Lot 75 on RP705614		
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Lot 76 on RP705614		
Lot 5 on RP894182		
Lot 76 on SP119108		
Lot 77 on N14812		
Lot 77 on N14822		
Lot 77 on RP705614		
Lot 77 on SP119108		
Lot 78 on RP705614		
Lot 79 on RP705614		
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Lot 7 on N14819		
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Lot 80 on RP705614		
Lot 81 on N14812		
Lot 81 on N14822		
Lot 81 on N14850		
Lot 81 on N14851		
Lot 81 on RP705614		
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Lot 85 on RP705614		
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Lot 86 on N14833		
Lot 86 on N14850		
Lot 86 on RP705614		
Lot 5 on SP112907		
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Lot 87 on N14833		
Lot 87 on N14850		
Lot 87 on RP705614		
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Lot 905 on N1481		
Lot 906 on N1481		
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Lot 90 on RP898390		
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Lot 911 on N1481		
Lot 912 on N1481		
Lot 913 on N1481		
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Lot 91 on N14846		
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Lot 91 on RP705614		
Lot 92 on N1481		
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Lot 62 on SP218124		
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Lot 75 on RP911678		
Lot 76 on RP911678		
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Lot 80 on RP903569		
Lot 86 on RP907232		
Lot 8 on SP136522		
Lot 999 on SP280674		

Lot 9 on RP809898		
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Lot 903 on N1481		
Lot 907 on N1481		
Lot 908 on N1481		
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Lot 54 on SP218124		
Lot 55 on SP218124		
Lot 56 on SP218124		
Lot 59 on SP218124		
Lot 60 on SP218124		
Lot 100 on CP901156		
Lot 101 on CP901156		
Lot 102 on NM131		
Lot 1 on NM112		
Lot 1 on SK1		
Lot 3 on N14892		
Lot 416 on CP901181		
Lot 44 on SP218124		
Lot 45 on SP218124		

Lot 6 on N14892		
Lot 8 on N14876		
Lot 87 on N14855		
Lot 1 on SP258869		
Lot 104 on SP249780		
Lot 101 on N14851		
Lot 102 on N14851		
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Lot 114 on N14851		
Lot 115 on N14851		
Lot 116 on N14851		
Lot 117 on N14851		
Lot 129 on N14851		
Lot 130 on N14851		
Lot 175 on N14851		
Lot 183 on N14851		
Lot 199 on SP116566		
Lot 200 on SP116566		
Lot 20 on NM149		
Lot 28 on N14811		
Lot 30 on N14811		
Lot 33 on N14811		

Lot 35 on N14822		
Lot 36 on N14822		
Lot 417 on CP901181		
Lot 46 on SP218124		
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Lot 49 on SP218124		
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Lot 51 on CP901159		
Lot 7 on N14837		
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Lot 9 on NM96		
Lot 75 on N14850		
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Lot 1 on AP4743		
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Lot 107 on N14851		
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Lot 110 on N14851		
Lot 111 on N14851		
Lot 194 on N14851		
Lot 10 on N14858		
Lot 41 on N14839		
Lot 42 on N14839		
Lot 43 on N14839		
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Lot 46 on N14839		
Lot 47 on N14839		
Lot 48 on N14839		
Lot 59 on N14839		
Lot 60 on N14839		
Lot 86 on N14854		
Lot 1 on AP15764		
Lot 2 on AP15764		
Lot 1 on B14473		
Lot 2 on N14846		

Lot 3 on AP5106		
Lot 4 on AP5106		
Lot D on AP22629		
Lot 15 on N14844		
Lot 16 on N14844		
Lot 11 on SP116569		

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Schedule 5 – Areas Not Forming Part of the Determination Area

The following areas of land and waters are excluded from the Determination Area:

1. The following areas were specifically excluded in the amended native title application filed on [insert date] being:
 - (a) The following lots:
 - (i) Lot 4 on B14467;
 - (ii) Lot 21 on SP112712;
 - (iii) Lot 31 on SP112713;
 - (iv) Lot 32 on SP112713;
 - (v) Lot 33 on SP112713;
 - (vi) Lot 34 on SP112713;
 - (vii) Lot 41 on SP112714;
 - (viii) Lot 51 on SP112715;
 - (ix) Lot 52 on SP112715;
 - (x) Lot 4 on SP112914;
 - (xi) Lot 6 on SP112914;
 - (xii) Lot 9 on SP112914;
 - (xiii) Lot 29 on SP139310;
 - (b) Current Roads which are within the External Boundary but do not fall within the Southern Area;
 - (c) Those land and waters within the External Boundary on which, at the time the native title determination application was made, public works were validly constructed, established or situated after 23 December 1996, where s 24JA of the *Native Title Act 1993* (Cth) applies, and which wholly extinguished native title; and
 - (d) Those land and waters within the External Boundary on which, at the time the native title determination application was made, were the subject of one or more Pre-existing Rights Based Acts, within the meaning of s 24IB of the *Native Title Act 1993* (Cth), which wholly extinguished native title, including but not limited to, the whole of the land and waters described as:
 - (i) Lot 1 on SP155683; and
 - (ii) that part of Lot 56 on CP908326 that was not subject to historical Portions 56 on B15757 and 60 on B15766.
2. Those land and waters which are the subject of one or more Previous Exclusive Possession Acts, within the meaning of s 23B(7) of the *Native Title Act 1993* (Cth). Specifically, and to avoid any doubt, the land and waters on which any public work

(excluding Current Roads), as defined in s 253 of the *Native Title Act 1993* (Cth), which is or was constructed, established or situated, and to which ss 23B(7) and 23C(2) of the *Native Title Act 1993* (Cth) and to which s 21 of the *Native Title (Queensland) Act 1993* (Qld) applies, together with any adjacent land or waters in accordance with s 251D of the *Native Title Act 1993* (Cth).

This paragraph only applies to Schedule 4 Parts 1 and 2. It does not apply to Schedule 4 Part 3.

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Schedule 6 – Map of Determination Area

[Map of determination area to be inserted]

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9.4 HUMAN RESOURCES REPORT

Attachments: NIL
Author: Lisa Ruyg - Manager Human Resources
Date: 12 August 2020

Key Outcome: 1.1 – Responsive and effective service delivery
Key Strategy: 1.1.1 Foster appropriate corporate culture that aligns with Council's Mission, Values and Behaviours.

Executive Summary:

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

RECOMMENDATION:

That Council accepts the Human Resources Report for information.

Work, Health and Safety Report

- Safeplan Progress Report June 2020

KPI	Average Group B Councils	CSC YTD June 2019	CSC YTD June 2020	CSC YTD	Safe Plan Target Annual
Lost Time Injuries	11.83	6	11	11	5
Lost Time Days per Injury	21.81 per injury	156 for total injuries	155 for total injuries	155	155
Hazard Inspections		100%	63.9%	Av.89.5 % p/mth	90% p/mth
Take 5's Completed		61.89%	80.65%	Av.84.35% p/mth	85% p/mth

Mechanism of Injury for Claims Submitted FYTD

i) Being hit by a moving object	1
ii) Hitting stationary objects	0
iii) Muscular stress while handling objects	2
iv) Muscular stress with no objects being handled	3
v) Muscular stress while lifting	0
vi) Falls from a height	0
vii) Being hit by a falling object	0
viii) Work related harassment and stress	2*

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**Both claims declined.*

Update – Certified Agreement 2020

An update will be given at the Council meeting.

Drug & Alcohol Testing

Random Drug & Alcohol Testing was conducted by the Drug Detection Agency from 8 July to 12 July 2020 and from 22 July to 26 July 2020.

Nil detections were recorded.

People Management Framework

Over the past few months, a comprehensive review of Council policies, including all Human Resources policies, has been conducted.

During the review, it was determined it would be advantageous to staff to collate all internal policies into a single document. This would include a single access point for staff for all Human Resources policy requirements and avoid any future oversight of policies being omitted when reviews are being undertaken.

As a result, the People Management Framework has been established. Not included in the Framework are the external policies requiring adoption by Council, these policies being the Staff Housing Policy, Drug and Alcohol Policy and the Code of Conduct.

Significant opportunity has been afforded to employees to engage in the internal and external policy review process and provide feedback.

Changes to the Working with Children Blue Card System

New blue card system laws will take effect from Monday, 31 August 2020. Changes that will impact Council include:

- a) In the past, paid employees have been allowed to start working with children while their blue card application was being processed. The new laws mean that, from 31 August 2020, paid workers must have a blue card (not a pending application) before they can work with children;
- b) The Mayor and Councillors will require a blue card if they are engaged in regulated activities for seven (7) days or more in a calendar year. Regulated activities include presenting awards at schools and sporting clubs or being an executive officer on the committee of a sporting club delivering programs to children;
- c) If required to hold a blue card, the Mayor and Councillors must complete a Blue Card Business (BCB) Application form, not a Volunteer Application Form;
- d) Members of the Executive Leadership Team providing operational direction to the Normanton Child Care Centre and Sports Complexes must hold a blue card (BCB).

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Consultation (Internal/External):

- Executive Leadership Team.
- Blue Card Services
- LGAQ
- Peak Services
- WHS Advisor
- The Drug Detection Agency.

Legal Implications:

- Within normal operational parameters.

Financial and Resource Implications:

- Within budget.

Risk Management Implications:

- Risks associated with non-compliance of *Working With Children (Risk Management and Screening) Act 2000*.

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9.5 DRUG & ALCOHOL POLICY

Attachments:	9.5.1. Drug & Alcohol Policy ↓
Author:	Lisa Ruyg - Manager Human Resources
Date:	12 August 2020
Key Outcome:	1.1 – Responsive and effective service delivery
Key Strategy:	1.1.1 Foster appropriate corporate culture that aligns with Council's Mission, Values and Behaviours.

Executive Summary:

The Drug & Alcohol Policy has been in effect for a number of years. By continually reviewing and updating the Policy, Council is reinforcing its commitment to minimising harm to the workforce and wider community through risks associated with drug and alcohol use in the workplace. The Drug & Alcohol Policy also provides the community with a responsible model of behaviour.

There has been extensive consultation undertaken in reviewing this policy with the entire workforce being given the opportunity to provide feedback. The Executive Leadership Team has reviewed the final draft prior to presentation to Council for adoption.

RECOMMENDATION:

That Council adopts the Drug & Alcohol Policy as presented.

Background:

There have not been any significant changes to the Drug and Alcohol Policy implemented in this review but minor changes to assist with interpretation of the policy and further identification of supporting documents associated with alcohol and drug testing.

The policy covers all aspects of random testing which include:

- The responsibilities of the organisation and workers;
- When testing will occur;
- The methodology and results of testing; and
- The consequences of breach of policy and the disciplinary process.

Council also has an Employee Assistance Program (EAP) that is available to all employees and is aimed at the early identification and/or resolution of both work and personal issues that may adversely affect performance.

Consultation (Internal/External):

- Extensive employee consultation has been undertaken with the review of the Drug and Alcohol Policy and a summary of this consultation follows:

<u>Date/Timeframe</u>	<u>Description</u>
29 November 2019	Staff advised that a review of all Human Resources Policies was being undertaken and their feedback would be sought.
2 to 16 December	First consultation period. All staff provided with copies of

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2019	policies including the Drug and Alcohol Policy to enable them to review content and provide any feedback.
16 to 30 July 2020	Second consultation period. All staff provided with a copy of the Drug and Alcohol Policy.

Legal Implications:

- In accordance with the *Industrial Relations Act 2016*, Council is required to consult employees prior to making a decision which is likely to be of significance to employees. Details of the consultation process undertaken is outlined above, therefore Council has complied with all necessary statutory obligations.

Financial and Resource Implications:

- Any financial and/or resource implications associated with the administration of the Drug & Alcohol Policy have been included in Council's Annual Budget.

Risk Management Implications:

- Council has a statutory obligation to provide a safe workplace and through the administration of the Drug & Alcohol Policy, it will ensure that all workers are fit for duty and therefore assist in the mitigation of personal injury risk.



Drug and Alcohol Policy

Policy Details

Policy Category	Council Policy
Date Adopted	19 August 2020
Endorsed by	Chief Executive Officer
Approval Authority	Council
Effective Date	19 August 2020
Policy Version Number	10
Policy Owner	Manager Human Resources
Contact Officer	Lisa Ruyg
Review Date	August 2022

Supporting documentation

Legislation	<ul style="list-style-type: none"> • Industrial Relations Act 2016 • Local Government Act 2009 • Local Government Regulation 2012 • Public Sector Ethics Act 1994 • Work Health and safety Act 2011
Policies	<ul style="list-style-type: none"> • Code of Conduct for Employees • People Management Framework • Workplace Health and safety Policy
Delegations	<ul style="list-style-type: none"> • Nil
Forms	<ul style="list-style-type: none"> • Nil
Supporting Documents	<ul style="list-style-type: none"> • AS3547 – Australian Standard for Alcohol Breath Testers • AS/NZS 4308:2008 – Urine Drug Testing Standard • AS/NZS 4760:2019 – Oral Fluid Drug Testing Standard • Specimen Collection Procedure

Version History:

Version	Adopted	Comment	eDRMS #
9	18/07/2018	Council Resolution No. 0718/029	
10	19/08/2020	Council Resolution No.	



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Intent

The purpose of this policy is to ensure systems and procedures are in place to promote and maintain a worker's ability to perform their tasks safely and efficiently.

Carpentaria Shire Council (Council) acknowledges that the adverse effects of illicit drug use and/or alcohol can be a significant factor in workplace incidents and injuries, therefore all workers must be fit for work at all times.

Scope

This policy applies to all workers including employees, contractors, employees of contractors, consultants, volunteers and work experience persons at all Council workplaces and work sites. This policy does not apply to elected representatives of Council.

This policy is not intended to apply to individuals consuming alcohol at authorised social events, functions and ceremonies conducted at Council workplaces.

Alcohol consumption is permitted in the accommodation blocks at Council's remote worksites. Alcohol consumption is not permitted in or around the actual worksite where machinery may be operating. Such sites are deemed high risk and have zero alcohol tolerance. Workers in high risk workplaces must have a breath alcohol concentration level of 0.00% at all times.

Policy Statement

Council is committed to minimising the harm to members of the Council workforce and the wider community associated with the use of alcohol and other drugs, and to provide the community with a responsible model of behaviour.

Council recognises that the inappropriate use of alcohol and other drugs can adversely affect workplace safety and performance and can significantly contribute to absenteeism and reduced morale.

Responsibilities

Council will:

- Ensure this policy and the procedures contained herein meet duty of care obligations and comply with legislation and best practice;
- Ensure this policy is appropriate, relevant and communicated to workers;
- Provide a confidential Employee Assistance Program to help workers deal with personal or work related issues that could impair fitness for work;
- Ensure any drug and alcohol testing equipment used by an authorised person is maintained in accordance with the relevant Australian Standard;
- Ensure any authorised Specimen Collector is qualified to implement this policy as required in the relevant Australian Standard;
- Consider refusal to undertake a Drug and Alcohol Test to be a breach of this policy and a breach of a condition of employment or contract.

Workers are responsible for:

- Reporting to work in a fit state. Where a worker feels they are not fit for duty they should immediately notify their supervisor or manager;
- Remaining in a fit state while on-call;



- Assessing their own fitness for duty prior to attending an emergency call-out;
- Consenting to drug and alcohol testing as part of a random testing program, where they have been involved in an incident or near miss in the workplace or where there is reasonable cause to believe they may not be in a fit state for work;
- Disclosing details of all medication being taken prior to undergoing drug and alcohol testing;
- Familiarising themselves with the contents of this policy and complying with the policy.

Drug and Alcohol Testing

Pre Employment Testing

A urine drug screen will be conducted prior to an individual being offered employment with Council.

Random Testing

Random drug and alcohol testing will take place on a regular basis without notice. A worker or group of workers may be requested to provide a breath sample and/or a saliva sample to an authorised person of Council at any time without notice.

Post Incident Testing

A worker will be required to provide a breath sample and/or a saliva sample to an authorised person of Council or law enforcement agency when they have been involved in any incident which causes a threat, near miss or actual harm to the health and safety of workers in the workplace.

Reasonable Cause

Where abnormal workplace behaviour has been observed, or if there is other information or circumstances which indicates that an individual may not be fit for work, the worker may be required to provide a breath sample and/or saliva sample to an authorised person of Council.

Drug and Alcohol Testing – Methodology and Results

Drug Testing

All workers at all work sites must test negative for illicit drugs and within prescribed levels for prescription and over the counter drugs.

- Initial Testing – a saliva sample will be taken from the worker to detect the presence of drugs. A Council employee producing a non-negative result will be required to take a confirmatory test.
A contract worker producing a non-negative result will be given the option of taking a confirmatory test. The contract worker, or their primary contractor, is responsible for all costs associated with the confirmatory test.
A consultant, volunteer or work experience student producing a non-negative result to the saliva test will be removed from the workplace.
- Confirmatory Testing – a confirmatory test will be taken via a second saliva test. If the second saliva test returns a negative result, the drug screening is deemed negative.
Should the confirmatory saliva test produce a non-negative result, two saliva test samples will be taken and these saliva test samples will be forwarded to a National Association of Testing Authorities accredited laboratory for further analysis and report. The worker will be given safe passage home. A Council employee will be stood down with pay until the laboratory report is received by Council. A contract worker will be removed from site until the laboratory report is received by Council.



Alcohol Testing

All workers in high risk workplaces must have a breath alcohol concentration level of 0.00% at all times. All workers in low risk workplaces must have a breath alcohol concentration level no more than that of being able to drive an ordinary vehicle in Queensland.

- i) Initial Testing – a breath sample will be taken from the worker to detect the presence of alcohol. Any worker producing a positive reading, above the applicable workplace requirement (Appendix A), will be required to undertake a confirmatory test. The confirmatory test will take place twenty (20) minutes after the initial test.
- ii) Confirmatory Testing – the confirmatory test will consist of a further breath sample being taken from the worker. A Council employee producing a positive confirmation reading, above the applicable workplace requirement (Appendix A), will be stood down with pay for the remainder of the day. A contract worker producing a positive confirmation reading will be stood down for the remainder of the day. Both Council employees and contract workers will be required to undergo a breath alcohol reading prior to commencing work the next day. The Council employee is now considered to be in breach of this policy and disciplinary action, as described below, will be taken against them.

Council employees located at a remote worksite will be required to remain in the accommodation blocks. Council employees located in Normanton or Karumba will be given safe passage home.

Consequences of a Breach of Policy – Discipline Process

Disciplinary action will be taken against anyone who breaches this policy. Discipline may involve counselling, formal warning, termination of engagement, termination of employment or other disciplinary action as set out in the Local Government Act 2009. Any worker found to be manufacturing, possessing, selling or distributing illicit drugs at any Council worksite or workplace will be referred to the appropriate law enforcement or regulatory agencies for independent investigation.

Refusal, Avoidance or Falsification of Tests

- i) Any worker refusing, avoiding or falsifying a test will be stood down immediately;
- ii) A Council employee will be requested to show cause as to why their employment should not be terminated. Termination may result in the employee being unable to work on any future Council projects for a period of up to two years;
- iii) A contract worker refusing, avoiding or falsifying a test may be unable to work on any future Council projects for a period of up to two years.

Over Prescribed Alcohol Limit

The following actions are a guide and the actual action taken when an "over prescribed alcohol reading" is recorded will depend on the individual circumstances, the risk posed to other workers and the public and the reading level.

- i) First Offence – Council Employees and Contract Workers
 - A Council employee will be issued with a formal warning;
 - A Council employee will be reminded of the availability of, and given access to, Council's Employee Assistance Program;
 - A contract worker, or their primary contractor, will be issued with a breach of policy notice.
- ii) Second Offence – Council Employees and Contract Workers
 - The Council employee will be issued with a final warning;
 - The Council employee will be strongly encouraged to access counselling and rehabilitation support services;



- A contract worker will be removed from site and may be unable to work on any Council projects for a period of up to two years.
- iii) Third Offence – Council Employees
- The Council employee will be requested to show cause as to why their employment should not be terminated. Termination may result in the employee being unable to work for Council or on any Council projects for a period up to two years.

Confirmed Positive Drug Test

- i) A Council employee will be requested to show cause as to why their employment should not be terminated. Termination may result in the employee being unable to work for Council or on any Council projects for a period of up to two years.
- ii) A contract worker will be removed from site and may be unable to work on any Council projects for a period of up to two years.

Definitions

TERM	DEFINITION
Abnormal Workplace Behaviour	In the context of this policy, means when other people notice that a person displays unusual workplace behaviour that is not the norm for that particular person.
Authorised Person	In the context of this policy, means a person authorised by the Chief Executive Officer or delegate to conduct a drug and alcohol test on Council's behalf. An authorised person may be a Council employee, who is qualified as a specimen collector, a drug and alcohol testing provider or a health practitioner.
Employee Assistance Program (EAP)	Work-based early intervention programme aimed at the early identification and/or resolution of both work and personal issues that may adversely affect performance.
High Risk Workplace	A workplace where activities in the opinion of Council are recognised to pose a high level of risk to the health and safety of workers and other people. High risk workplaces are zero drug and alcohol tolerance sites. Refer Appendix A.
Illicit Drugs	Includes, but is not limited to, heroin, cocaine, barbiturates, cannabis, amphetamines, methylenedioxy methamphetamine (MDMA, Ecstasy), non-prescribed pharmaceutical drugs including painkillers such as codeine, amphetamines, methadone, other opiates and steroids and the inappropriate use of volatile substances and other substances like ketamine or inhalants.
Low Risk Workplace	A workplace where activities in the opinion of Council do not pose a high level of risk to the health and safety of workers and other people. Low risk workplaces have an alcohol tolerance equivalent to being fit to drive an ordinary vehicle in Queensland. Low risk workplaces are zero drug tolerance sites. Refer Appendix A.



Adopted by Council "Date" by Resolution "Number"

Mark Crawley
Chief Executive Officer



APPENDIX A

<u>HIGH RISK WORKPLACES</u>	<u>LOW RISK WORKPLACES</u>
<ul style="list-style-type: none"> • Zero Drug Tolerance • Zero Alcohol Tolerance. 	<ul style="list-style-type: none"> • Zero Drug Tolerance • Alcohol Tolerance Equivalent to Driving an Ordinary Car in Queensland.
Road Work Sites – construction, maintenance, traffic control. All plant and equipment used in roads construction and maintenance.	Normanton Council Administration Offices.
Water and Waste Water Facilities – including all buildings and reservoirs. Any worksite where plumbing, trench work, confined spaces work or chemical usage is undertaken.	Karumba Customer Service Centre.
Aquatic Facilities.	Library and Visitor Information Centres Normanton and Karumba.
Works Depots Normanton and Karumba – any area within the Depot fence line.	
Airports Normanton and Karumba.	
Child Care Centre, Sports Centre or any location where child care activities are being undertaken.	
Barramundi Discovery Centre and Hatchery.	
Worksites and activities associated with Local Laws, Environmental Health, Building Surveying and Compliance functions.	
Waste Transfer Stations Normanton and Karumba.	

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9.6 TOURISM REPORT - JULY 2020

Attachments: 9.6.1. July stats [↓](#)
Author: Verena Olesch - General Manager - Tourism
Date: 11 August 2020

Key Outcome: 6.1 - A strong and diverse economy
Key Strategy: 6.1.4 Promote and develop Carpentaria Shire as a unique destination and to manage tourism in a sustainable way.

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.

RECOMMENDATION:

That Council:

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

1.1 Actions Outstanding from Previous Meetings

Reference	Action	Status
	Nil	

1.2 Visitor Information Centres:

- July tourism numbers:
 - Normanton VIC: 66 (178 July 19)
 - Karumba LWBDC & VIC: 3,321 (4320 last July)
- Guided Tours and feeding: 820 / \$15,390.89
1673 / \$22,731.82 in June 2019
- Other Revenue
 - Normanton: \$ 1,038.00 (merchandise and library)
 - Karumba: \$ 29,925.63 (merchandise)
\$ 15,292.34 in July 2019
- Donation Box \$ 590.00

BUSINESS PAPERS

1.3 LW Barramundi Discovery Centre:

Merchandise and tours:

- Great result and record sales again for July, overall, 20% up on last year
- Max people on tour are 12, compared to 25+ last July – number of visitors on tours half of last year, but as we increased the prices, the revenue is only down 30%
- Online merchandise platform work-in-progress, PayPal to be set up through accounts

LWBDC Entertainment Area

- BoR05 grant has been awarded for \$250,000 and work has started on the pontoons, concrete moorings are in place
- Umbrellas have arrived, installation imminent
- Target date for completion by the festival!

Visitor Information Centre

- Virtual Reality display to be installed end of August, filming done
- One VR clip will feature fishing with A4A, catching a Barra out at Delta Downs

1.4 Outback-by-the-Sea Festival - Karumba

We will be able to run the festival and fishing comp – but within Government guidelines.

- Additional grant application through QDEP approved at \$10k – will use this for professional event management, Julie at Tourism Tap confirmed through Vendor Panel
- First briefing meeting complete, program is being put together. NTN Rodeo and Races now on the 3 and 4 October, have approached them to include this in the program as a land based activity.
- Adam Harvey now confirmed, also Tim Griffin – final decision on Adam 1 Sep re border closures. Negotiating with David Hudson re performance, MC and arts workshop.

1.5 Tourism

- QLD border just closed again – we will see if that has any adverse results
- Normanton VIC also now open on Saturdays
- Feed a Barra tours nearly all full (max capacity 12 pax) – a lot of pre-bookings via website (up to 35% for some days)
- New brochure printed and distributed
- LGMA Awards – in-house ceremony Thursday 27 August 2020 with live streaming to Brisbane venue, 15:30-17:30

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invitees? i.e. Councilors, ELT, community? Location new hatchery? Large feeding tank should be up and running by then

- Normanton: Indigenous Rodeo Riders display installed in the BP as a draft, still waiting for proper panels
Official opening 3pm Friday 27 August 2020, Neil O'Brien A/Deputy Director General, GM Tourism Industry Development has confirmed his attendance
- Helloworld:
Getting busy again with bookings
Tour Operators:
Groups rebooking for 2021.

1.6 Hatchery Operations

New Hatchery Shed

- Large tank installed, filtration and plumbing work in progress
- Platform completed
- Golden, platinum and black & white barra doing well, naming competition done:

Golden: Sunshine (Summer and Zack Genever)
Panda: Magpie (Maggie) (Geoff Driodan)
White: Precious (BJ Tompkins)

- Funding received through ZandA grant approx – second round in progress, trying to get additional \$15 (\$10k already received into hatchery operating expenses)

Official Opening – Spawn to be Wild:

- Saturday 26 September as part of the Outback by the Sea festival – Fisheries Minister plus original hatchery founders to be invited (**Note: Not a Sitting Week – Parliament**)
- Grant application through YOOTEPE submitted, still pending
- Plumbing work going well, Dave and Emerson working hard to ensure everything is working and starting to think about a first spawn in the hatchery

1.7 Digital Platforms

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- Continue to have fantastic results on Facebook with posts averaging almost 3,000 views

Facebook: 01 March – 31 July 2020

Month	Followers (by EOM)	Likes (by EOM)	Reach (by EOM)	Engagement (by EOM)	Impressions (by EOM)
March 2020 (started with 518)	588	570	118 157	14 910	251 243
April 2020	666	643	241 007	36 152	660 306
May 2020	769	726	313 947	49 738	925 658
June 2020	854	803	404 626	59 871	1 251 395
July 2020*	924	843	509 910	48 305	1 387 117

Total Reach – 28 Days: The number of people who had any content from our Page or about our Page enter their screen. This includes posts, check-ins, ads, social information from people who interact with our Page and more. (Unique Users)

Total Engagement – 28 Days: The number of people who engaged with our Page. Engagement includes any click or story created. (Unique Users)

Total Impressions – 28 Days: The number of times any content from our Page or about our Page entered a person's screen. This includes posts, check-ins, ads, social information from people who interact with our Page and more. (Total Count)

- Steady increase in Instagram followers

Instagram: 01 March – 31 July 2020

Month	Followers (by EOM)	Likes (by EOM)	Comments (by EOM)	Reach (by EOM)	Engagement (by EOM)	Impressions (by EOM)
March 2020 (started with 69)	90	455	15	5 428	473	6 044
April 2020	108	361	2	4 529	368	5 009
May 2020	131	256	2	2 905	262	3 415
June 2020	157	237	1	2 947	239	3 542
July 2020*	160	248	1	2 578	250	3 090

Total Reach – the number of unique accounts that have seen any of our posts.

Total Engagement – the number of times that our posts were liked, saved and commented on.

Total Impressions – the total number of times that all of our posts have been seen.

Total Likes – the number of likes on each post.

Total Comments – the number of comments on each post.

Top posts (by engagement) –



- Weekly 'Barra Bites' from the Barra Centre are getting great following
- Website now live, working on integration of shop and newsletter

1.8 Other activities

- 90 sec promotional video through Vetta complete – link:
<https://youtu.be/Lfh7twwgEP0>

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- Savannah Way Arts Trail (Karumba & Normanton) – back on track after delay and staff changes
- Women’s stock workers display in planning to complement existing displays

LWBDC Performance 2020-21

	ACTUAL 2019-20			BUDGET 2020-21			ACTUAL 2020-21			
	Visitors	Tours #	Tours \$	Visitors	Tours #	Tours \$	Visitors	Tours #	Tours \$	Merchandise \$
JULY	4320	1673	\$ 22,731.82	3600	1067	\$ 16,000.00	3321	820	\$ 14,445.44	\$ 27,334.97
AUG	3469	1242	\$ 16,586.36	3060	907	\$ 13,600.00				
SEPT	2126	842	\$ 11,554.55	720	213	\$ 3,200.00				
OCT	1098	398	\$ 5,322.73	720	213	\$ 3,200.00				
NOV	419	79	\$ 1,136.36	360	107	\$ 1,600.00				
DEC	402	30	\$ -	360	107	\$ 1,600.00				
JAN	202	0	\$ -	360	107	\$ 1,600.00				
FEB	173	0	\$ -	180	53	\$ 800.00				
MAR	235	74	\$ 236.36	180	53	\$ 800.00				
APR	0	0	\$ -	2160	640	\$ 9,600.00				
MAY	99	0	\$ -	2880	853	\$ 12,800.00				
JUN	1107	279	\$ 5,473.39	3420	1013	\$ 15,200.00				
TOTAL	13650	4617	\$ 63,041.57	18000	5333	\$ 40,000.00	3321	820	\$ 14,445.44	\$ 27,334.97

COVID-19 impacted months

	% CHANGE TO ACTUAL			% CHANGE TO BUDGET			
	Visitors	Tours #	Tours \$	Visitors	Tours #	Tours \$	Merchandise
JULY	77%	49%	64%	92%	77%	90%	111%
AUG	0%	0%	0%	0%	0%	0%	0%
SEPT	0%	0%	0%	0%	0%	0%	0%
OCT	0%	0%	0%	0%	0%	0%	0%
NOV	0%	0%	0%	0%	0%	0%	0%
DEC	0%	0%	0%	0%	0%	0%	0%
JAN	0%	0%	0%	0%	0%	0%	0%
FEB	0%	0%	0%	0%	0%	0%	0%
MAR	0%	0%	0%	0%	0%	0%	0%
APR	0%	0%	0%	0%	0%	0%	0%
MAY	0%	0%	0%	0%	0%	0%	0%
JUN	0%	0%	0%	0%	0%	0%	0%
TOTAL	24%	18%	23%	18%	15%	18%	22%

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10 REPORTS FROM DIRECTOR OF CORPORATE & COMMUNITY SERVICES

10.1 DCS REPORT - JULY 2020

Attachments:	NIL
Author:	Justin Hancock - Director of Corporate Services
Date:	13 August 2020

Key Outcome:	6.1 - A strong and diverse economy
Key Strategy:	6.1.3 Plan and support local economic development.

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.

RECOMMENDATION:

That Council:

1. receive the Director of Corporate Services Report for the month of July 2020; and
2. that those matters not covered by resolution be noted.

Background:

1.1 Actions Outstanding from Previous Meetings [\[information\]](#)

Date:	Action	Status	Comment
A1017-014	Review the water allocation on all non-profit and sport and recreation users.	In Progress	Council are currently seeking quotes for contractors to undertake the review of General Rates and Utility Charges.
A0618-21	Liaise with Telstra to improve bandwidth at Normanton Rodeo Grounds	In Progress	Ongoing – reported fault with Telstra about service drop outs.
0918/0032	Implement weed control program to manage spread of noxious weeds in Karumba town area.	In Progress	Recruitment undertaken by NGRM under funding received, officer to commence soon.
April-19	That Council proceed with the upgrade to the lighting and that grant funds be sought to fund the upgrade.	In Progress	Grants Officer to work with Normanton Rodeo Association Inc to source grants.
Jan-20	Negotiations with IOR Aviation Pty Ltd to commence for the lease of a site at the Karumba Aerodrome.	In Progress	Draft lease provided to IOR Aviation Pty Ltd.
Jan-20	Local Laws Officer to follow up on return from leave	In Progress	LLO has issued warning for abandoned vehicles to be removed.

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May-20	Apply exemption to enter into a lease of land at Karumba Airport with applicants; and delegate authority to CEO to obtain an independent market valuation and negotiate and finalise terms of the lease.	Ongoing	Surveyor on ground in the middle of July to finalise Lease areas.
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1.2 W4Q/ LGGSP KNOF [information]

W4Q 2019/2021:

Council's variation request has been approved by the DLGRMA, the following projects and funding are required to be completed by 30 June 2021:

Project Name	Project Description	Project Budget
Ablution Block - Karumba Boat Ramp	Construction of an ablution block at the Karumba Boat Ramp, this project follows on from the W4Q 2017-19 Gilbert St Carpark project.	\$75,000
Staff Housing Upgrades	Undertake essential upgrades to staff housing to ensure that housing is compliant with upcoming tenancy reforms and refurbish housing currently uninhabitable.	\$489,000
Administration Office Upgrades	Refurbishment of current administration building including the air conditioning, UPS and repaint.	\$150,000
Trades Shed - Refurbishment	Refurbishment to the current Trades Shed including a roof replacement and concrete slab.	\$200,000
Office - Normanton Water Treatment Plant	New administration office at the Normanton water treatment plant to house kitchen facilities and offices.	\$125,000
Office - Karumba Sewerage Treatment Plant	New administration office at the Karumba sewerage treatment plant to house kitchen facilities and office.	\$100,000
Normanton Town Hall PA System	Installation of a permanent PA system at the Normanton Town Hall to allow for large scale community events to take place.	\$22,000
Normanton Showgrounds, Racecourse & Rodeo Grounds - Transformer Upgrade	Upgrades are required to the transformer at the Normanton Rodeo Grounds to allow for large scale community events to be undertaken. Currently, event sizes are limited due to restrictions with the current transformer.	\$40,000
Installation of Solar PV Sites	Installation of Solar PV Sites	\$539,000

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W4Q COVID:

The following projects have been accepted by the DLGRMA and are to be completed by 30 June 2021:

Project Name	Project Description	Project Budget
Drainage easement maintenance and improvement	Maintenance and improvement of drainage easement at the rear of residences located in Greenaway and Norman Streets to reinstate the orderly flow of water during periods of heavy rain	\$25,000
Yappar Street Water Valve Replacement	Replacement of water valves along Yappar Street, Karumba	\$80,000
Normanton Water Treatment Plant Upgrades and maintenance	Maintenance and upgrades at the Normanton Water Treatment Plant including refurbishment of two water filters, recoating of reservoir, replacement of clarifier and refurbishment of filter shed	\$1,465,000
Normanton Sewerage Treatment Plant Effluent Irrigation Replacement	Replacement of effluent irrigation located at the Normanton Sewerage Treatment Plant	\$20,000

Local Roads and Community Infrastructure Program

Council have been awarded \$711,924 in funding under the Local Roads and Community Infrastructure Program, these projects must be completed by 30 June 2021. The following projects have been identified under this funding:

Project Name	Project Description	Project Budget
Cemetery - Rodeo Grounds Footpath	Continuation of the footpath from the Normanton Township to the Cemetery by extending this onto the Rodeo Grounds	\$375,000
John Henry Oval Playground	Upgrade the existing playground located on the John Henry Oval.	\$275,000
LWBDC Hatchery Fence	Extension of the LWBDC fencing to include the new hatchery	\$31,924
Normanton Child Care Playground Soft Fall Replacement	Replace the existing soft fall of the playground at the Normanton Child Care.	\$30,000

Normanton to Karumba Optic Fibre Link Project

Construction works commenced on 07 July 2020, more than 50% of civil works complete - Ploughed cable is 45% complete, Horizontal Direction Drilling 70% complete & Trench P50 & P100 conduit 90% complete. Construction team was on a week's break and returned to site on 3 August for another 3-week period, currently tracking for an end of September completion.

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1.3 Innovation and Improvement Fund [information]

Council have expensed a total of \$56,074 of the \$67,011 budget for this project as at July 2020. Council have recommenced this project after delays faced from COVID-19, however Council have since had the employee assigned to this role resign, therefore are currently attempting to assign a replacement officer. Based on the remaining funding, it is estimated that there is 7 weeks of work remaining for the funding.

1.4 Dog Registrations and Approved Inspections [information]

Dog Registrations were issued on 22 June 2020, with the 14 day amnesty period ending on 6 July 2020. At the end of the renewal period, 298 dog registrations were renewed, 188 dog registrations lapsed, and 17 dogs were identified as deceased or left town. As at the end of July, 386 dogs were registered (30 new registrations), 63 dog registrations remained unregistered, and 24 dogs were identified as deceased or left town.

Council's Local Laws Officer will now commence the approved inspection program for a period of 3 months and will issue fines of 2 penalty units to those with unregistered animals or in breach of keeping of animals (more than 2 dogs).

1.5 Karumba Aerodrome Fuel Facilities [information]

Survey plans for the proposed sites have been finalised, Council are currently engaging a valuer to undertake a commercial valuation on the sites to establish lease fees. Once this has been completed, the draft leases and lease fees will be finalised.

1.6 Land Held for Resale [information]

Council have engaged a Valuer to undertake valuations of the vacant residential allotments with an estimate turnaround time of 3 weeks (depending upon availability of flights). These values will be presented at the September Council meeting.

1.7 Special Meeting - Tender [information]

Council currently has 3 tenders awaiting to be awarded, these include:

- 20-0514 - Desilting of the Normanton Waste Water (Sewage) Lagoons;
- 20-0515 - Construction of Normanton Raw Water Irrigation Network; and
- 20-0516 - Register of prequalified suppliers for Trade and Professional Services.

To ensure Council award tenders and commence works in a timely manner, it is recommended that a special meeting is held on Thursday 3 September or Friday 4 September to award the above tenders. Due to the increased works program and timeliness around completing projects within funding guidelines, it is essential that several special meetings are held in 2020/2021 to expedite the works through the awarding of tenders.

BUSINESS PAPERS

10.2 MONTHLY FINANCIAL REPORT - JULY 2020

Attachments:	10.2.1. Monthly Financial July 2020 ↓ 10.2.2. Capital Expenditures Report July 2020 ↓ 10.2.3. Summary Local Spend Report ↓
Author:	Jade Nacario - Manager Finance and Administration
Date:	13 August 2020
Key Outcome:	7.3 - Strategic management of Council
Key Strategy:	7.3.3 Implement sustainable financial management and effective procurement practices.

Executive Summary:

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

RECOMMENDATION:

That Council:

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

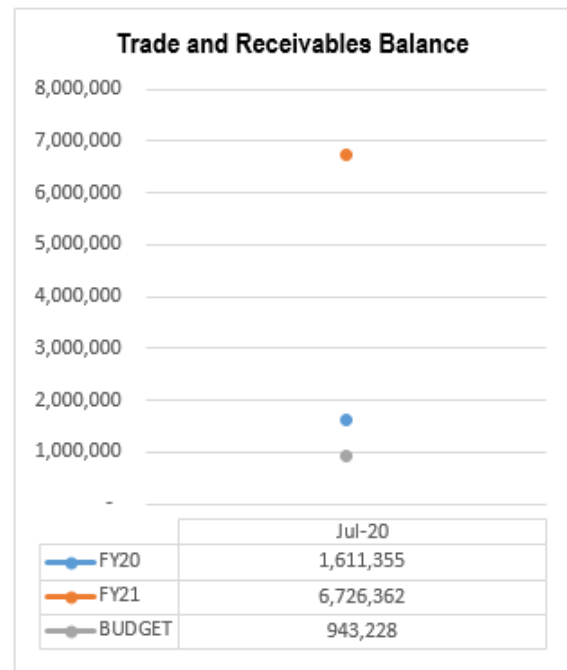
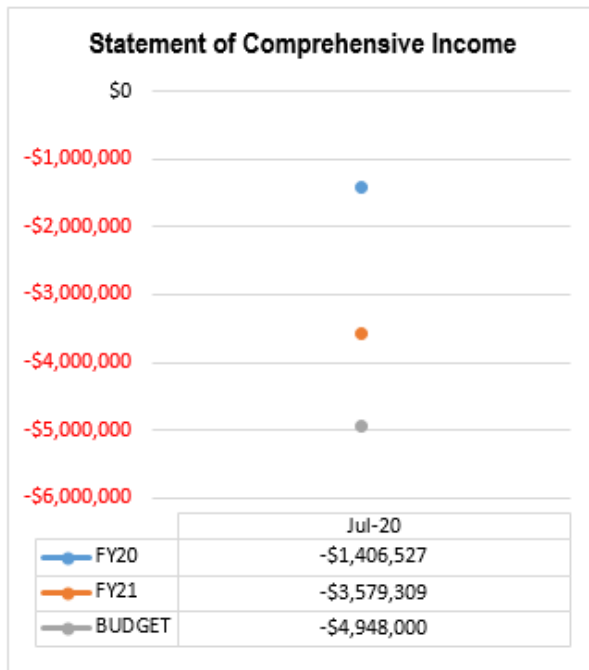
FINANCIAL REPORT

The Monthly Finance Reports are prepared in accordance with the reporting requirements of the *Local Government Act 2009* and *Local Government Regulation 2012*.

The Comprehensive Income Statement indicates a *Net Operating Deficit* result of \$3,579,309, for the first month of the current financial year.

Council has *Trade and Receivables* of \$ 6,726,632 as of 31 July 2020. This balance is made up of \$566,141 (in outstanding rates & utility charges – with the remaining balance comprising of debtors, community loans etc.)

BUSINESS PAPERS



Rates and Service Charges

Month	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20
Current Year	169,410.96	4,241,223.38	1,429,186.33	1,226,100	1,171,766.14	-	-
1 Year Arrears	84,097.79	90,477.97	92,897.17	91,268.71	\$89,755.97	\$1,128,673.14	\$ 292,675.36
2 Year Arrears	53,703.33	53,117.40	52,117.40	49,356.84	\$47,476.12	\$79,535.25	\$75,705.59
3+ Year Arrears	136,298.07	132,741.27	130,981.27	125,950	\$124,500.87	\$168,146.77	\$166,896.77
Interest	177,557.27	173,050.90	173,145.37	177,853.69	\$177,972.57	\$181,222.30	\$178,051.94
Credits	-90,732.39	-24,737.72	-55,817.73	-66,006.43	-\$97,861.74	-\$115,185.62	-\$147,188.25
Balance	\$530,335.03	\$4,665,873.20	\$1,822,509.81	\$1,604,522.81	\$1,513,609.93	\$1,442,391.84	\$566,141.41

Procurement

Local Spend

In accordance with Council Procurement Policy, all procurement activities were carried out in a manner which ensure a regard for the sound contracting principle when entering into a contract for either the supply of goods and/or services.

One of the five principles is the development of competitive local business and industry. Please refer to the attachments of this report, the table shows the monthly local spend on Council procurement activities since April 2019.

BUSINESS PAPERS

Capital Expenditures 2020-2021

Please see attachments for Council Capital Expenditures as of 31 July 2020.

Consultation (Internal/External):

- Westpac Banking Corporation
- Queensland Treasury Corporation

Legal Implications:

- Failure to meet regulatory reporting requirements is a breach of the *Local Government Act 2009*.

Financial and Resource Implications:

- As provided for in current adopted 2020/2021 Annual Budget.

Risk Management Implications:

- Risk is considered low and Council will be advised if major items deviate from the adopted budget and forecasts.



Statement of Comprehensive Income by Category
 for the period ended 31 July 2020

	Core \$	QRA \$	Non-Core \$	Total \$	Budget \$
Income					
Revenue					
Recurrent revenue					
Rates, levies and charges	-	-	-	-	7,867,000
Fees and charges	-	-	42,878	42,878	608,000
Rental income	-	-	24,110	24,110	531,000
Interest received	11,698	-	-	11,698	200,000
Sales revenue	122,082	-	-	122,082	10,061,000
Other income	9,915	-	-	9,915	7,000
Grants, subsidies, contributions and donations	28,888	-	43,374	72,262	60,698,000
	<u>172,584</u>	<u>-</u>	<u>110,362</u>	<u>282,945</u>	<u>79,972,000</u>
Capital revenue					
Grants, subsidies, contributions and donations	886,364	-	125,000	1,011,364	11,768,000
Total revenue	<u>1,058,947</u>	<u>-</u>	<u>235,362</u>	<u>1,294,309</u>	<u>91,740,000</u>
Capital income	14,727	-	-	14,727	-
Total income	<u>1,073,674</u>	<u>-</u>	<u>235,362</u>	<u>1,309,036</u>	<u>91,740,000</u>
Expenses					
Recurrent expenses					
Employee benefits	(801,204)	(222,105)	(145,181)	(1,168,490)	(11,720,000)
Materials and services	(764,739)	(2,893,473)	(28,364)	(3,686,577)	(70,340,000)
Finance costs	(33,280)	-	-	(33,280)	(399,000)
Depreciation	-	-	0	0	(14,229,000)
	<u>(1,599,223)</u>	<u>(3,115,578)</u>	<u>(173,545)</u>	<u>(4,888,346)</u>	<u>(96,688,000)</u>
Capital expenses	0	0	0	0	-
Total expenses	<u>(1,599,223)</u>	<u>(3,115,578)</u>	<u>(173,545)</u>	<u>(4,888,345)</u>	<u>(96,688,000)</u>
Net result	<u>(525,548)</u>	<u>(3,115,578)</u>	<u>61,817</u>	<u>(3,579,309)</u>	<u>(4,948,000)</u>
Other comprehensive income					
Items that will not be reclassified to net result					
Increase / (decrease) in asset revaluation surplus	-	-	-	-	-
Total other comprehensive income for the year	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total comprehensive income for the year	<u>(525,548)</u>	<u>(3,115,578)</u>	<u>61,817</u>	<u>(3,579,309)</u>	<u>(4,948,000)</u>



Statement of Comprehensive Income
 for the period ended 31 July 2020

	31 July 2020	2020.2021
	Actual	Adopted Budget
	\$	\$
Income		
Recurrent Revenue		
Rates and Charges	0	7,867,000
Fees and Charges	42,878	608,000
Rental Income	24,110	531,000
Interest Received	11,698	200,000
Sales & Recoverable Works Revenue	122,082	10,061,000
Other Recurrent Income	9,915	7,000
Grants, Subsidies and Contributions	72,262	60,698,000
Total Recurrent Revenue	282,945	79,972,000
Capital Revenue		
Grants, Subsidies and Contributions	1,011,364	11,768,000
Capital Income	14,727	0
Total Income	1,309,036	91,740,000
Expenses		
Recurrent Expenses		
Administration and Governance	(988,432)	(9,036,500)
Community	(145,967)	(3,494,500)
Engineering	(1,444,982)	(14,054,000)
Fleet and Plant	1,217,525	2,548,000
Environment	(104,817)	(1,889,000)
DRFA	(3,115,578)	(52,500,000)
Tourism	(133,835)	(1,376,000)
Water and Sewerage	(138,979)	(2,258,000)
Finance Costs	(33,280)	(399,000)
Depreciation	0	(14,229,000)
Total Expenses	(4,888,345)	(96,688,000)
Capital Expenses		
	-	-
Total Expenses	(4,888,345)	(96,688,000)
Net Operating Surplus / (Deficit)	(3,579,309)	(4,948,000)



Statement of Financial Position
 as at 31 July 2020

	31 July 2020	2020.2021
	Actual	Adopted Budget
	\$	\$
Current Assets		
Cash and Equivalents	12,668,763	11,865,705
Trade and Other Receivables	6,726,362	943,228
Inventories	651,137	535,632
Other Financial Assets	478,207	478,207
ATO Receivable	528,404	360,000
Investments	1,000,000	1,000,000
Total Current Assets	22,052,873	15,182,772
Non-Current Assets		
Receivables	159,534	159,534
Property, Plant and Equipment	351,766,158	346,984,156
Capital Works in Progress	10,266,987	18,016,000
Total Non-Current Assets	362,192,679	365,159,690
TOTAL ASSETS	384,245,552	380,342,462
Current Liabilities		
Trade and Other Payables	938,806	3,981,672
Interest Bearing Liabilities	509,431	539,998
Provisions	1,281,825	919,872
Other Accounts Payable	7,706,210	100,000
Total Current Liabilities	10,436,271	5,541,542
Non-Current Liabilities		
Interest Bearing Liabilities	7,399,229	7,057,920
Provisions	2,096,914	2,060,847
Other Accounts Payable	200,000	200,000
Total Non-Current Liabilities	9,696,144	9,318,767
TOTAL LIABILITIES	20,132,415	14,860,308
NET COMMUNITY ASSETS	364,113,137	365,482,153
Community Equity		
Asset Revaluation Reserve	268,161,543	268,161,543
Retained Surplus	95,951,594	97,320,610
TOTAL COMMUNITY EQUITY	364,113,137	365,482,153



Cash Flow Statement
 for the period ended 31 July 2020

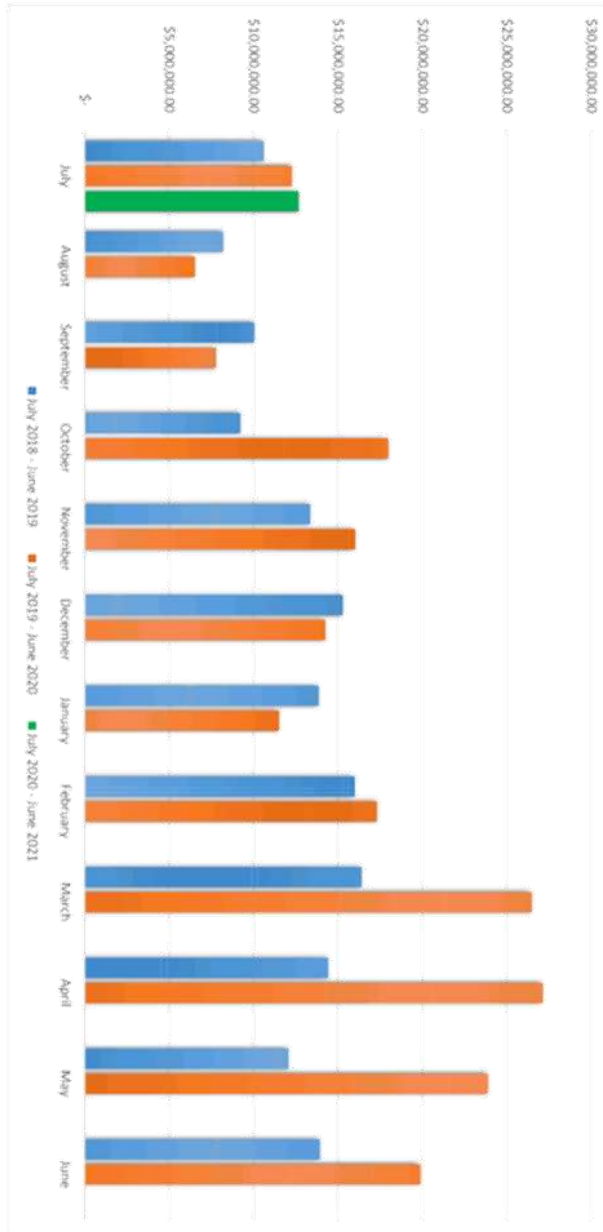
	31 July 2020	2020.2021
	Actual	Adopted Budget
	\$	\$
Cash Flows From Operating Activities:		
Receipts From Customers	2,590,779	26,666,954
Payments to Suppliers and Employees	(10,725,446)	(82,160,000)
	<u>(8,134,667)</u>	<u>(55,493,046)</u>
Interest Received	11,698	200,000
Rental Income	24,110	531,000
Non Capital Grant and Contributions	72,262	53,091,790
Borrowing Costs	(33,280)	(399,000)
Net Cash Flows From Operating Activities	<u>(8,059,876)</u>	<u>(2,069,256)</u>
Cash Flows From Investing Activities:		
Payments for Property, Plant and Equipment	(224,894)	(17,540,868)
Proceeds From Sale of Property, Plant and Equipment	0	276,000
Grants, Subsidies and Contributions	1,011,364	11,768,000
Net Cash Flows From Investing Activities	<u>786,470</u>	<u>(5,496,868)</u>
Cash Flows From Financing Activities		
Repayment of Borrowings	0	(463,212)
Net Cash Flows From Financing Activities	<u>0</u>	<u>(463,212)</u>
Net Increase (Decrease) in Cash Held	(7,273,407)	(8,029,336)
Cash at Beginning of Reporting Period	19,942,170	19,895,041
Cash at End of Reporting Period	<u>12,668,763</u>	<u>11,865,705</u>



Accounts Summary

	31 July 2020 \$	30 June 2020 \$
General Accounts		
Queensland Treasury Corporation	11,437,153	18,195,465
AMP Term Deposit	1,000,000	1,000,000
Westpac General Operating Accounts	1,226,860	1,741,455
Total balance held in banks	13,664,013	20,936,920
Trust Accounts		
Queensland Treasury Corporation	91,378	91,378
Westpac Bank	31,299	30,084
Total balance held in trust	122,677	121,462
Other Balances		
CSC Reserves	11,070,235	11,070,235
CSC Provisions	3,378,739	3,378,739
Total balance reserves and provisions	14,448,974	14,448,974
QTC Borrowings		
Karumba Sewerage	1,943,284	1,937,876
Normanton Water Upgrade	1,067,868	1,057,254
Raise Glenore Weir	4,897,509	4,880,867
Total balance QTC borrowings	7,908,660	7,875,998
Net Council Position	(8,693,621)	(1,388,051)

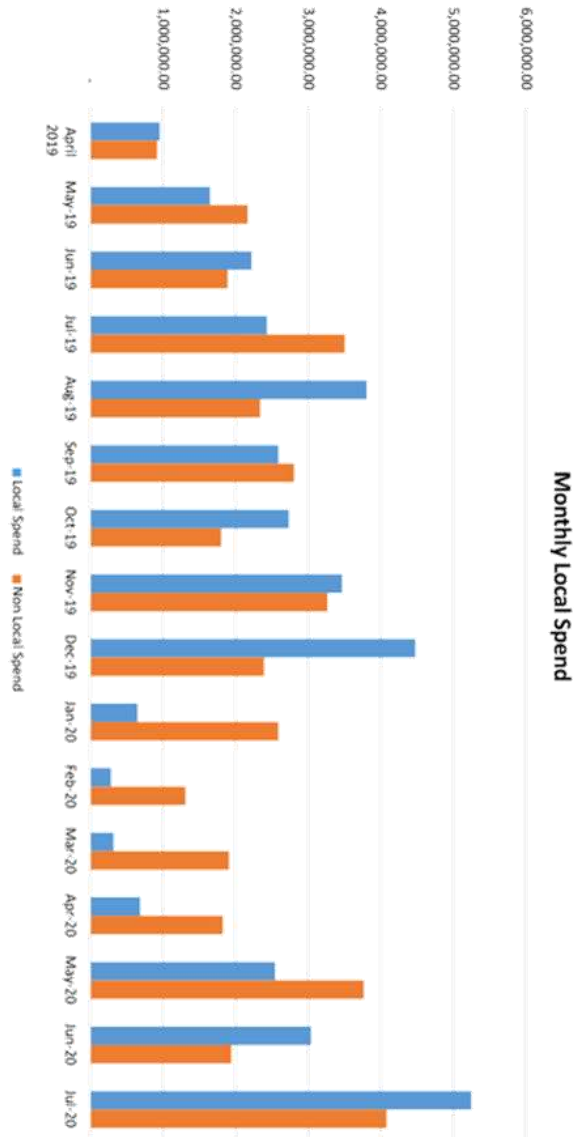
Cash	July	August	September	October	November	December	January	February	March	April	May	June
2019	\$10,624,212.00	\$8,210,979.00	\$10,052,874.00	\$9,220,314.00	\$13,365,287.00	\$15,294,953.00	\$13,866,629.00	\$16,004,746.00	\$16,408,721.00	\$14,428,103.00	\$12,076,778.00	\$13,940,881.00
2020	\$12,280,567.00	\$9,538,396.00	\$7,862,384.00	\$17,986,246.00	\$16,045,728.00	\$14,253,941.00	\$11,534,551.00	\$17,310,360.00	\$26,509,321.00	\$27,148,119.00	\$23,881,109.00	\$19,885,041.00
2021	\$12,668,763.00											



Particulars	LAMP	BALANCE B/F	2020/2021 EXPENSES YTD	TOTAL PROJECT COST	Capx/Exp. C/E	CAPITALISED / EXPENSED	TOTAL PROJECT BALANCE	%	2019/2020 BUDGET	2020 Capital Funding Through
LAMP (-\$11)										
IMPROVEMENTS (-\$58,000) <i>Records the purchase of land assets that not need for resale. Holdings are accounted for separately. Improvements include retaining walls, earth, large scale landscaping.</i>		531,444.66	0.00	531,444.66	0.00	0.00	531,444.66		0.00	
BUILDINGS (-\$10,000) <i>Records the first assets on the land which have a roof and walls. Examples include public conveniences, club houses.</i>										
W4Q - Administration Office Upgrades	132,943.46		20,124.34	153,067.80	0.00	0.00	153,067.80	19%	816,000.00	W4Q (500)
W4Q - Administration Office Upgrades	96,689.99		15,958.84	112,648.83			112,648.83	2%	85,000	W4Q (500)
W4Q - Office - Karamba Sewerage Treatment Plant	2,525.47		2,273.65	4,799.12			4,799.12	3%	125,000	W4Q (500)
W4Q - Office - Karamba Sewerage Treatment Plant	33,728.00		1,891.85	35,619.85			35,619.85	0%	67,000	W4Q (780)
W4Q - Installation Of Solar PV Sites	0.00		0.00	0.00			0.00	0%	539,000	Reserves
PLANT & EQUIPMENT (-\$5,000) <i>Records the first assets on the land which have a roof and walls. Examples include public conveniences, club houses.</i>										
Nomination Sports Centre Security Cameras	187,993.01		0.00	187,993.01	0.00	0.00	187,993.01	0%	527,000.00	
W4Q - Nomination town Hall PA System	6,030.93		0.00	6,030.93			6,030.93	0%	0	W4Q (38)
2.5 Inaug Mtp Response Plant 1302	20,378.69		0.00	20,378.69			20,378.69	0%	2,000	
Aquaculture tanks	129,964.75		0.00	129,964.75			129,964.75	0%	0	
Road floor - High flow angle beam	7,803.64		0.00	7,803.64			7,803.64	0%	0	
Printer - Epson 1730 DXP	8,620.00		0.00	8,620.00			8,620.00	0%	0	
Printer - Epson 1730 DXP	15,195.00		0.00	15,195.00			15,195.00	0%	0	
Graco Liner w 2505ps (linemarket)	0.00		0.00	0.00			0.00	0%	30,000	Reserves
P 3018 P 3131 Caterpillar 140M Motor Grader	0.00		0.00	0.00			0.00	0%	440,000	Reserves
P 1680 - Toyota Hilux Sr Dual Cab 4x4 Utility	0.00		0.00	0.00			0.00	0%	55,000	Reserves
ROAD INFRASTRUCTURE (-\$10,000) <i>Records the first assets on the land which have a roof and walls. Examples include public conveniences, club houses.</i>										
BIRDCIS & AIRRAILIC SR (-\$10,000) <i>Records the first assets on the land which have a roof and walls. Examples include public conveniences, club houses.</i>	4,418,598.46		5,767.99	4,424,366.45	0.00	0.00	4,424,366.45		1,325,000.00	
W4Q - Excavator Bore Crossing on Dunhill to Kowariyama Rd	2,063,741.76		0.00	2,063,741.76			2,063,741.76	0%	0	
SNIPF Litter Binsse Approaches to Carriway	299,833.35		0.00	299,833.35			299,833.35	0%	0	
Pathway & construction Project Kiva	209,205.04		0.00	209,205.04			209,205.04	0%	0	
P28 Borehole - Woodward St to Brodie St	29,198.32		0.00	29,198.32			29,198.32	0%	0	
PAV/P2K - Nomination to Inkerston Road	1,778,206.55		5,767.99	1,783,974.54			1,783,974.54	0%	0	
PAV/P2K - Karamba Airport Upgrade	53,005.44		0.00	53,005.44			53,005.44	0%	0	
2019 Nomination Inkerston Road Improvement Project	2,400.00		0.00	2,400.00			2,400.00	0%	925,000	ASN FIDS
Kan Jids Dunbar Kowariyama Road Roadway	0.00		0.00	0.00			0.00	0%	375,000	Local Reserves
CCP - Cemetery - Roders Grounds Footpath	0.00		0.00	0.00			0.00	0%	25,000	W4Q
Drainage/Inkerston Maintenance And Improvement	0.00		0.00	0.00			0.00	0%	0	

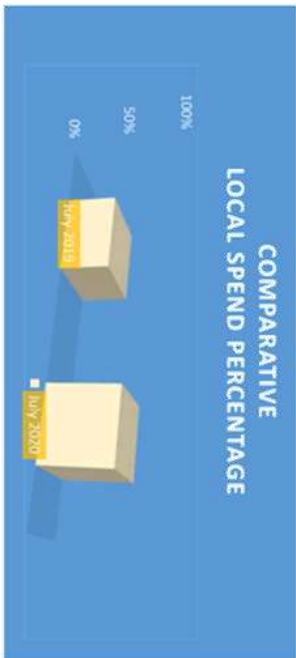
Particulars	BALANCE B/F	2020/ 2021 EXPENSES YTD	TOTAL PROJECT COST	Cap/Exp. C/E	CAPITALISED / EXPENSED	TOTAL PROJECT BALANCE	%	2019/ 2020 BUDGET	2020 Capital Funding Through
WAIR INRA (-\$10,000)	2,045,227.67	78,834.00	2,124,061.67	0.00	0.00	2,124,061.67	17%	465,000.00	
Sin Water Raining Investigation (funded in W/P)	9,165.15	0.00	9,165.15			9,165.15		0	
Edenmore Weir Rectification	1,287,909.95	76,464.00	1,364,373.95			1,364,373.95		0	
Extend Main to 105vane study (funded in W/P)	37,000.01	0.00	37,000.01			37,000.01		0	
CWP Design Cost Consultant 2016-17 (funded in W/P)	10,290.00	0.00	10,290.00			10,290.00		0	
Chemstation Upgrade KBA	96,032.72	0.00	96,032.72	C		96,032.72		0	
Water plant disconnection upgrade (c/cf CS3004)	105,000.00	0.00	105,000.00	C		105,000.00		0	
Water Plant Filter Rehabilitation Phase 1 Of 2	309,836.60	0.00	309,836.60	C		309,836.60		0	
Water Plant Filter Rehabilitation Phase 2 Of 2	77,208.74	0.00	77,208.74	C		77,208.74		0	
Chemstation Upgrade (2018/2019 recovery) (c/cf 1919)	18,346.96	0.00	18,346.96	C		18,346.96		0	
Water Meter Replacement	50,514.42	0.00	50,514.42			50,514.42		0	
BBP - Raw Water Irrigation	44,033.12	2,460.00	46,493.12			46,493.12	0%	0	
Sin Water Treatment Rebuildments	0.00	0.00	0.00			0.00		465,000	WAO
SMIRACRE INFRAStructure (-\$10,000)	154,035.22	0.00	154,035.22	0.00	0.00	154,035.22		0.00	
Kamuhia SIP	66,414.02	0.00	66,414.02	C		66,414.02		0	
Sanitation dosing upgrade and storage	66,414.02	0.00	66,414.02	C		66,414.02		0	
Sewerages - O&M Program 2020	15,752.00	0.00	15,752.00			15,752.00		0	
Normanton SIP	77,869.20	0.00	77,869.20	C		77,869.20		0	
Faecalcol Upgrade at NIN SPS	77,869.20	0.00	77,869.20	C		77,869.20		0	
OTHER STRUCTURES (-\$10,000)	2,140,572.51	66,365.34	2,206,937.85	0.00	0.00	2,206,937.85	2%	2,796,000.00	
<i>Structures are built assets which cannot be categorised as a building. Examples include groundwater, swimming pools and heritage assets such as hand stands and memorials.</i>									
WAO - Wihana Hatchery Upgrades	935,047.64	0.00	935,047.64			935,047.64		0	
WAO - Nelson Dam Water/Tammy Precinct	12,330.00	0.00	12,330.00			12,330.00		0	
WBRC Tr-O-M	372,555.83	0.00	372,555.83			372,555.83		0	
Sin Cemetery Counterpart	15,500.00	0.00	15,500.00			15,500.00	1%	0	943,000
Sin Cemetery Range Ramp	6,799.25	8,765.59	15,564.84			15,564.84		0	
Kamuhia - Keith Alexander Fence	60,446.20	0.00	60,446.20			60,446.20		0	
Stormwater Diversion - Normanton Landfill	17,503.50	4,499.06	22,002.56			22,002.56		0	
Stormwater Pumping Structure - Normanton Landfill	52,624.98	0.00	52,624.98			52,624.98		0	
Security Cameras - Kamuhia Transfer Station	17,423.00	0.00	17,423.00			17,423.00		0	
Solar PV System (Solar Energy)	9,000.00	0.00	9,000.00			9,000.00		0	
Kha Transfer Station, Ciro tower	52,924.73	0.00	52,924.73			52,924.73	1%	0	1,000,000
Kamuhia freshwater Sand Replacement	8,976.60	8,976.60	17,953.20			17,953.20		0	35,000
Normanton Aerobome line Marking	0.00	0.00	0.00			0.00	0%	25,000	Reserves
Kamuhia Aerobome line Marking	0.00	0.00	0.00			0.00	0%	15,000	Reserves
Clifton Street Position Repairs	0.00	0.00	0.00			0.00	0%	20,000	Reserves
Stoves Koller Dose	30,103.09	0.00	30,103.09			30,103.09	0%	75,000	WAO
WAO 19/21 - Aburton block - Kamuhia Boat Ramp	196,711.82	-1,717.35	194,994.47			194,994.47	-12%	14,000	WAO
WAO - Les Wilson Irrigation Discovery Centre - Testing Facility, Shunde	2,461.29	0.00	2,461.29			2,461.29		0	
WAO - Normanton Showgrounds, Racecourse & Koolen Grounds - Transfomer Upgrade	1,600.00	0.00	1,600.00	E		1,600.00	0%	38,000	WAO (75)
ODH - Carter's Camp Small Cell tower	153,934.56	0.00	153,934.56			153,934.56		0	
Bama Hatchery Upgrade Phase 2	159,467.72	2,423.44	161,891.16			161,891.16		0	
WBRC Pontoons And Shade - Feasibility Study (funded in W/P)	1,500.00	0.00	1,500.00			1,500.00	21%	210,000	building our regions
Building Our Regions - Entertainment Area Livable	49,661.40	43,218.00	92,879.40			92,879.40	0%	85,000	flexible funding
Norman River - Telecommunications towers - Hevbe T funding Grant	0.00	0.00	0.00			0.00	0%	275,000	local Roads and Comm. Inf
exp - John Henry Oval Playground	0.00	0.00	0.00			0.00	0%	31,000	local Roads and Comm. Inf
exp - Livable Hatchery fence	0.00	0.00	0.00			0.00	0%	30,000	local Roads and Comm. Inf
exp - New Soft Fall	0.00	0.00	0.00			0.00	0%	0	

Particulars	BALANCE B/F	2020/ 2021 EXPENSES YTD	TOTAL PROJECT COST	Cap/Exp. C/E	CAPITALISED / EXPENSED	TOTAL PROJECT BALANCE	%	2019/ 2020 BUDGET	2020 Capital Funding Through
HOUSING - €310,000	456,747.00	1,598.18	458,346.08	0.00	0.00	458,346.08	5%	35,000	
WAO 19/20 - 18 Woodford St Normanon	11,464.81	1,598.18	13,062.99			13,062.99	11%	14,000	WAO 543
WAO 19/20 - 26 Woodford St Normanon	73,571.90	0.00	73,571.90			73,571.90	0%	8,000	WAO 730
WAO 19/20 - 23 Woodford St Normanon	191,000.42	0.00	191,000.42			191,000.42	0%	0	0
WAO 19/20 - 2 Norman St Normanon	136,147.67	0.00	136,147.67			136,147.67	0%	13,000	WAO 1458
WAO 2019/2021 - 140 Yappow St Rosl And Kitchen Replacement	44,563.10	0.00	44,563.10			44,563.10		0	0
Other/OPEx	0.00	26,525.00	26,525.00	0.00	0.00	26,525.00		0.00	
<i>Other Operating Expenses and Intangibles</i>									
Training Courses	0.00	26,525.00	26,525.00			26,525.00		0	
TOTAL CAPITAL	10,085,054.89	172,519.85	10,257,634.74	0.00	0.00	10,257,634.74		5,964,000	
TOTAL MAJOR OPERATING	0.00	26,525.00	26,525.00	0.00	0.00	26,525.00		0	
TOTAL FINDING APPLICATIONS	10,085,054.89	199,104.85	10,284,159.74		0.00	10,284,159.74	3%	5,964,000	p



Suppliers	Jul-19	Jul-20
Local Spend Percentage	41%	61%

Suppliers	Jul-19	Jul-20
Local Spend	2,435,047.95	3,038,797.15
Non Local Spend	3,504,271.95	1,942,837.52
Total Spend	5,939,319.90	4,981,634.67
Local Spend Percentage	41%	61%





Monthly Local Spend Report

	AUG 2019	SEP 2019	OCT 2019	NOV 2019	DEC 2019	JAN 2020	FEB 2020	MARCH 2020	APRIL 2020	MAY 2020	JUNE 2020	JULY 2020	TOTAL
Total Local Spend	\$2,591,735.32	\$2,732,821.69	\$3,466,267.27	\$4,475,434.01	\$646,479.63	\$284,444.49	\$320,338.96	\$684,359.34	\$2,544,195.77	\$3,038,797.15	\$5,247,013.47	\$5,247,013.47	\$29,844,380.93
Total Non Local Spend	2,806,454.98	1,799,909.29	\$3,262,274.17	\$2,392,138.80	\$2,588,440.17	\$1,310,940.07	\$1,909,257.98	\$1,826,660.54	\$3,764,949.07	\$1,954,086.58	\$4,082,517.33	\$4,082,517.33	\$30,032,257.05
Grand Total	\$5,398,190.30	\$4,532,730.98	\$6,728,541.44	\$6,867,572.81	\$3,234,919.80	\$1,595,384.56	\$2,229,596.94	\$2,511,019.88	\$6,309,144.84	\$4,992,883.73	\$9,329,530.80	\$9,329,530.80	\$59,876,637.98
Local Spend Percentage	48%	60%	52%	65%	20%	18%	14%	27%	40%	61%	56%	56%	50%
Total Local Spend	\$2,435,047.95	\$5,247,013.47											
Total Non Local Spend	\$3,504,271.95	\$4,082,517.33											
Grand Total	\$5,939,319.90	\$9,329,530.80											
Local Spend Percentage	41%	56%											

BUSINESS PAPERS

10.3 ANNUAL VALUATION - 2021

Attachments: 10.3.1. Consultation – Annual Valuation effective 30 June 2021 Letter [↓](#)

Author: Justin Hancock - Director of Corporate Services

Date: 11 August 2020

Key Outcome: 7.3 - Strategic management of Council

Key Strategy: 7.3.3 Implement sustainable financial management and effective procurement practices.

Executive Summary:

The purpose of this report is to advise that correspondence has been received from the Valuer-General seeking Council's opinion on whether a valuation of the Carpentaria Shire should be undertaken this year

The last valuation of the Shire was effective as of 30 June 2017.

RECOMMENDATION:

A review of Council rates records indicates that whilst there has been minimal movement in the Rural rating category, whilst sales in the Urban categories have averaged from 1 to 2 sales per month over the past 24 months.

Whilst low number of sales in the rural sector often have a tendency to cause some problems with determining new valuations, the significant number of sales in the urban sector is believed to warrant a request for a revaluation to reflect current land values.

It is recommended that the Valuer-General be requested to undertake a valuation of the Carpentaria Shire to be effective on 30 June 2021.

RESOLUTION:

That Council request the Valuer-General to undertake a valuation of the Carpentaria Shire area to be effective on 30 June 2021.

Background:

The *Land Valuation Act 2010* (the Act) requires the Valuer-General to undertake an annual statutory valuation of all rateable land in Queensland except in unusual circumstances or after consideration of:

- a market survey report of the Local Government Area which reviews sales of land since the last valuation and the probable impact of the sales on the value of land since the last annual valuation; and
- the results of consultation with the local government for the area, and appropriate local and industry groups.

Under the Act, annual valuations are required to be issued prior to 31 March in the year the valuation is to take effect.

BUSINESS PAPERS

In line with the requirements of the Act, the Valuer-General is now seeking Council's opinion on whether a valuation of Carpentaria Shire should be undertaken to be effective on 30 June 2021.

The Valuer-General has requested a response by Friday 21 August 2020.

The last valuation of the Carpentaria Shire was undertaken in 2016 with an effective date of 30 June 2017 and the valuations taking effect in the 2017/2018 financial year.

Council are currently undertaking a review of Council's General Rates and Utility Charges to be effective as of the 2021/2022 Financial Year, aligning this review with a revaluation of land will allow Council to adjust the General Rates as necessary if values were to significantly change.

Consultation (Internal/External):

- Nil

Legal Implications:

- Land Valuation Act 2010
- Local Government Act 2009
- Local Government Regulation 2012

Financial and Resource Implications:

- Any financial impact would have effect in the 2021/2022 financial year

Risk Management Implications:

- Nil



Department of
**Natural Resources,
Mines and Energy**

21 July 2020

Mr Mark Crawley
Carpentaria Shire Council
PO Box 31
NORMANTON QLD 4890

Dear Mr Crawley

Consultation – annual valuation effective 30 June 2021

The *Land Valuation Act 2010* (the Act) requires the Valuer-General to undertake an annual statutory valuation of all rateable land in Queensland except in unusual circumstances or after consideration of:

- a market survey report of the Local Government Area which reviews sales of land since the last valuation and the probable impact of the sales on the value of land since the last annual valuation; and
- the results of consultation with the local government for the area, and appropriate local and industry groups.

Under the Act, annual valuations are required to be issued prior to 31 March in the year the valuation is to take effect.

In line with the requirements of the Act, I seek your local government's opinion on whether a valuation of your local government should be undertaken to be effective on 30 June 2021.

Please provide your response in writing by Friday, 21 August 2020 to the Office of the Valuer-General via the email or postal address details below.

When deciding if an annual valuation will be undertaken in your Local Government Area, I will consider the opinion of your local government, together with the other criteria as specified in this letter, and will advise you in due course.

Should you have any further enquiries, please do not hesitate to contact Brett Bowen, Area Manager of the department on telephone 4222 5500.

Yours sincerely

A handwritten signature in black ink, appearing to read "Neil Bray".

Neil Bray
Valuer-General

Level 8
1 William Street, Brisbane
PO Box 15216 City East, Brisbane
Queensland 4002 Australia
Telephone +61 7 3199 7770
valuation.enquiries@dnrme.qld.gov.au
www.qld.gov.au/landvaluation
ABN 59 020 847 551

BUSINESS PAPERS

10.4 2020-2021 INTERNAL AUDIT PLAN

Attachments:	10.4.1. Annual Internal Audit Plan FY2021 ↓
Author:	Justin Hancock - Director of Corporate Services
Date:	11 August 2020
Key Outcome:	7.3 - Strategic management of Council
Key Strategy:	7.3.2 Implement integrated strategic planning approaches across Council, including efficient and effective risk management.

Executive Summary:

Internal Audit is the assessment and evaluation of the control measures that the local government has adopted, or is to adopt, to manage the operational risks to which the local government's operations are exposed.

Internal Audit is an independent function that reviews, evaluates and reports upon activities, operations, information and records as a service to Council, Executive Management and all levels of Management.

The overall objective of the Internal Audit function is to assist the Council and the Chief Executive Officer to discharge financial and operational responsibilities imposed under the *Financial Accountability Act 2009*, the *Local Government Act 2009* and other relevant legislation.

RECOMMENDATION:

That Council endorse the 2020-2021 Annual Internal Audit Plan.

Background:

Council engaged the services of Pacifica Chartered Accountants in June 2018 as Council's Internal Auditor. Pacifica Chartered Accountants and Council undertake this function in accordance with S207 of the Local Government Regulation 2012, Council endorsed an internal audit plan in June 2018, this plan has subsequently been reviewed for the remaining 2 years of this plan. In line with this review, the following internal audit reports have been undertaken or are forecasted to be undertaken:

2018-2019

- Contract Management and Procurement, incl Tender Evaluation and Probity Assessment (Completed).
- Payroll and HR Entry & Exit Procedures (Completed).

2019-2020

- Property & Leasing Management (Council as Lessor) (Completed).
 - Customer Request Management (and Complaints handling) (Completed).
-

BUSINESS PAPERS

2020-2021

- Corporate Cards, Standing Accounts, Staff Reimbursement & Fuel Cards (October 2020).
- Stores & Inventory Management (October 2020).
- Works Programme Development & Budgeting (December 2020).

2021-2022

- User Access Controls & Information Security Management (TBA).
- Asset Management & Asset Accounting (TBA).

Consultation (Internal/External):

- Chief Executive Officer – Mark Crawley
- Manager Finance and Administration – Jade Nacario
- Pacifica Chartered Accountants – Carolyn Eagle

Legal Implications:

- Local Government Regulation 2012 – Section 207.

Financial and Resource Implications:

- Provision provided in 2020/2021 Budget.

Risk Management Implications:

- Low Risk

CONFIDENTIAL



**Annual Internal Audit Plan
FY2020-2021**

Carpentaria Shire Council

August 2020



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1. Background

The Internal Audit function is one component of Carpentaria Shire Council's (CSC) governance framework. In addition to key management controls and the organisation-wide risk assessment process, the Internal Audit function provides the organisation's stakeholders with a level of assurance that business processes are operating appropriately and effectively in accordance with organisational and legislative requirements.

Supported by legislation, the Internal Audit function is directed to examine, assess and evaluate the operational and financial control measures the Council has adopted, or plans to adopt, to manage business risks that have the potential to impact the achievement of Council's strategic objectives. In doing so, the Internal Audit planning process must consider the strategic risks to the organisation, in consultation with management, and identify areas that require or would benefit from internal audit activity.

2. Internal Audit planning approach

The outputs of the Risk process are best utilised by Internal Audit to develop an Internal Audit Plan that assesses the effectiveness of the existing systems, processes and controls that are implicitly relied upon by the Executive Team.

By assessing the application and effectiveness of existing systems and controls (Risk Treatments) as they operate in the organisation, Internal Audit provides independent and objective information to the Leadership Team (Council & Executive Team) about the level of reliance they should place on existing systems and processes and will also identify improvements required.

Equally, Management is best placed to continue to progress actions that strengthen existing systems and controls where there are known deficiencies, lower than expected (or unacceptable) effectiveness ratings, or further initiatives/management actions are required to move the risk to a level that is tolerable.

It is important that Internal Audit is cognisant of the work being undertaken and planned by Management to reduce or mitigate risks, and leave sufficient time for these initiatives, systems and controls to be embedded before Internal Audit assess their effectiveness. Exceptions to this may be reviews designed to establish a baseline position as a guide to future Management initiatives, or to provide assurance that the implementation status or progress of an initiative is sufficient and can achieve the desired objectives.

3. Alignment and prioritisation of Internal Audit projects to the and Corporate Risk Register (auditable risk areas)

The outputs of the Risk process were referenced, at a high level, in the development of the Strategic Internal Audit Plan 2018-2021. We considered the movement in risk rating between Inherent Risk and Residual Risk to indicate the perceived effectiveness of the existing systems, processes and controls that are relied upon by the Executive Team. By assessing the application and effectiveness of these existing systems and controls, as they operate in the organisation, Internal Audit provides independent and objective assurance the Leadership Team over business practices and controls.

In developing this Annual Internal Audit Plan, we focussed on those risks where the effectiveness of systems and controls are integral to reducing the severity of the risk; and where internal controls were expected to be in place and operating. The most significant risks identified from our review of the Carpentaria Shire Council Risk Registers, and discussions with management, capture the rationale for Internal Audit activity and are included below.

4. Summary of Past Internal Audit Projects

The following represents the Internal Audit Projects that have been completed by Council's Internal Audit function in previous years:

- | | | |
|---|--|--|
| <p>FY2018:</p> <ul style="list-style-type: none"> ▪ 2017-2017 Shell Financial Statements review | <p>FY2019:</p> <ul style="list-style-type: none"> ▪ Contract Management & Procurement review ▪ Payroll & HR Entry and Exit Procedures | <p>FY2020:</p> <ul style="list-style-type: none"> ▪ Property & Leasing Management review ▪ Customer Request Management & Complaints Handling review |
|---|--|--|



5. Risk Alignment Map – Proposed Internal Audit Projects - Aligned to the Carpentaria Shire Council Corporate Risk Register

This diagram shows the alignment between the risks to which the organisation is exposed, and the proposed Internal Audit projects identified during consultation with management. Not all the key risks identified are auditable, or suitable for assessment by Internal Audit in the short-term as further management action is required. Where auditable, we have provided our view of the type of Internal Audit coverage that will be provided over key functions, processes and systems.

IA Coverage: ■ Direct | ■ Indirect

Alignment to Carpentaria Shire Council Corporate Risk Register		Residual Risk Severity	2018 - 19 Plan			2019 - 20 Plan		2020 - 21 Plan		2021 - 22 Plan	
			1. Contract Management and Procurement, incl Tender Evaluation and Probity Assessment	2. Payroll and HR Entry & Exit Procedures	3. Draft Shell Financial Statement Review (Cancelled by management)	1. Property & Leasing Management (Council as Lessor)	2. Customer Request Management (and Complaints handling)	1. Corporate Cards, Standing Accounts, Staff Reimbursement & Fuel Cards	2. Stores & Inventory Management	3. Works Programme Development & Budgeting	1. User Access Controls & Information Security Management
1	Potential for poor governance	Moderate	✓		✓			✓		✓	✓
2	Poor operational management	Moderate	✓	✓		✓		✓		✓	✓
3	Indefective corporate and operational planning	Moderate								✓	✓
4	Failure to comply with statutory and/or organisational obligations and responsibilities	Moderate	✓	✓	✓	✓	✓	✓	✓	✓	✓
5	Inability to effectively engage with the community; Community's perception of Council's direction and values poor	Low	✓	✓		✓	✓			✓	
6	Inability to effectively coordinate response to disaster	Moderate						✓			
7	Loss of political influence or poor relationships with State and Federal governments, or other Councils	Moderate							✓		✓
8	Political influence impacting on operational management of organisation	Moderate							✓		
9	Lack of capacity, skills or capabilities to meet emerging needs, and impacts service delivery	Moderate				✓	✓			✓	✓
10	Absence of essential records (contractual, required by legislation, corporate knowledge)	High	✓	✓	✓	✓	✓			✓	✓
11	Fraud	Low	✓	✓		✓	✓	✓	✓	✓	
12	Poor financial management	Low	✓	✓		✓	✓	✓	✓	✓	✓
13	Diminished income from development and investment	Moderate				✓					✓
14	Fluctuating demand for services not typically delivered by Council	Moderate				✓					✓
15	Poor environmental performance	High									
16	Inadequate compliance with WH&S systems	Moderate		✓							
17	Infrastructure planning and delivery fail to meet community and service standards, or essential service failure	Moderate	✓					✓			✓
Number of Risks covered by the IA Project			8	7	3	8	5	4	6	9	7

3



6. Summary of Internal Audit effort for FY 2020-2021 and beyond

The following presents an overview of the Internal Audit activity to be performed each year from FY 2020 onwards:

Internal audit activity - type	Description of activity	TOTAL DAYS			
		FY 2019 Year 1	FY 2020 Year 2	FY 2021 Year 3	FY 2022 Year 4
Designated Project Reviews	This Internal Audit Plan sets out the designated Internal Audit projects to be undertaken in each year. The specific projects are detailed to be performed each year are included in Section 6.1 onwards, of this document.	30	33	28	33
Audit Issues Register – Progress validation	Council maintains the Audit Issues Register to track and monitor the implementation status of Management actions in response to findings raised by Internal and External Audit. Internal Audit has not performed any validation of the status of previously raised findings to provide assurance that the status of Management's actions is fairly reported. An estimate of the time required to complete this task can be provided if required, however in addition we can provide management with suggested approaches used by other Councils that could be explored. Management may prefer other attestation protocols that do not require Internal Audit involvement.	To Be Deferred			
Ad hoc Projects & Hot Topics	Hot topics are small reviews or investigations into specific activities/areas that are carried out at short notice. Management from time to time may request that Internal Audit provide assurance or information on a specific topic. For Council, no internal audit effort has been budgeted for Hot Topic type projects in this Strategic Internal Audit Plan. If required, it is acknowledged that such activity will either be redirected from existing budgeted days (as a substituted project) or be performed as an additional project. Management will determine the appropriate method of engaging Internal Audit for any Hot Topics required.	If Required			
Internal Audit Planning and Coordination	The following activities are required to deliver an effective, integrated and credible Internal Audit function at Carpentaria Shire Council: <ul style="list-style-type: none"> Formation of the Strategic Internal Audit Plan and Annual Internal Audit Plans in accordance with S 207 LGR2012 and the Professional Standards of the Institute of Internal Auditors (and revision annually from FY2020 onwards); Preparation for, and attendance at (in person or teleconference) Council Meetings, including Internal Audit Status Reporting; Liaison with External Auditors and/or third-party assurance providers where appropriate; Meetings with Internal Audit Sponsor or Executive Management as required; Annual Internal Audit Professional Standards Declaration, where required. 	6	3	3	3
Summary of Total Days allocated to proposed Internal Audit activity		36	36	31	36



6.1 Projects – FY2021 Annual Internal Audit Plan – Year 3

The following table represents each of the proposed project areas that management and Internal Audit support for delivery over FY2021. We have included an overview of the project objective, the link to relevant key risks within Council's Corporate Risk Register, and an estimate of the number of days for each project. The projects that were included in Years 2 to 4 of the Strategic Internal Audit Plan 2018-2021 are subject to an annual review process. This may involve revision of planned projects and re-prioritisation, where appropriate, to meet the changing needs of the organisation.

YEAR 3 (FY2021)	Department	Overview of project scope	Risks within CSC Risk Register	Est. Days
1. Corporate Cards, Standing Accounts, Staff Reimbursements & Fuel Cards	All Departments	Internal Audit will examine, on a sample basis, the nature of corporate transactions to determine whether cardholders (credit and fuel) and other reimbursable and supplier standing account arrangements are compliant with Council policy.	<ul style="list-style-type: none"> Potential for poor governance Failure to comply with statutory and/or organisational obligations and responsibilities Fraud Poor financial management 	5 Q2 (Oct)
2. Stores & Inventory Management	Council Stores and Finance	A review of the Stores & Inventory Management practices has not been performed for some time and typically the value of inventory on hand at year-end is not a material balance requiring deep review by external audit. Due to the importance of available inventory and stores items to the ability of Council to deliver infrastructure works, management believe this area is worthy of assessment. The proposed review will examine the: <ul style="list-style-type: none"> Processes for ordering, receiving, recording, and updating inventory movements within the Stores system. Adequacy, accuracy and completeness of inventory records. Effectiveness of physical security controls over inventory. Controls over issuing items to employees, including portable and attractive items such as generators, standpipes, fuel etc. 	<ul style="list-style-type: none"> Poor operational management Failure to comply with statutory and/or organisational obligations and responsibilities Inability to effectively coordinate response to disaster Fraud Poor financial management Infrastructure planning and delivery fail to meet community and service standards; or essential services failure 	10 Q2 (Oct)
3. Works Program budget development (Capital & Maintenance budgets) (deferred by management to FY2021)	Infrastructure Services; Finance	Assess the effectiveness of processes in place to identify, prioritise, forecast, report upon and monitor the planning and delivery of capital and maintenance projects/activities in Council's works programmes (current year and future periods). The review will incorporate an assessment of the capacity planning and modelling processes used to align works programme budget with workforce capacity and contractor utilisation. The extent and treatment of carry-forward projects will also be examined.	<ul style="list-style-type: none"> Potential for poor governance Poor operational management Ineffective corporate and operational planning Loss of political influence or poor relationships with State and Federal governments, or other Councils Political influence impacting on operational management of organisation Absence of essential records (contractual, required by legislation, corporate knowledge) Fraud Poor financial management Infrastructure planning and delivery fail to meet community and service standards; or essential services failure 	13 Q2 (Dec)
Total				28



6.2 Proposed projects – FY2022 Annual Internal Audit Plan – Year 4

YEAR 4 (FY2022)	Department	Overview of project scope	Risks within CSC Risk Register	Est. Days
1. User Access Controls and Information Security Management	Organisation-wide	The stability and effectiveness of Council's Information Systems environment is critical to the organisations ability to operate and deliver on community expectations. Internal Audit will examine the protocols in place to secure and protect Council's information and systems, including back-up protocols, business continuity procedures, physical security measures, supplier performance and network stability. Additionally, inappropriate or unauthorised access to systems by personnel presents a serious risk to the organisation. Internal Audit will examine the controls in place to create, amend, restrict, remove and monitor user access rights to key business and financial systems, including super-user accounts and third-party access permissions for the network and any remote access functionality.	<ul style="list-style-type: none"> Potential for poor governance Poor operational management Failure to comply with statutory and/or organisational obligations and responsibilities Inability to effectively engage with the community; Community's perception of Council's direction and value is poor Lack of capacity, skills or capabilities to meet emerging needs and impacts service delivery Absence of essential records (contractual, required by legislation, corporate knowledge) Fraud 	18
2. Asset Management & Asset Accounting (identification and recognition)	Infrastructure Services; Finance	Council has a large and diverse existing asset base that requires continual renewal and replacement at a significant cost to Council. Maintaining the accuracy and completeness of the asset registers and the process needed to identify, record and recognise assets across various departments is complex. There are significant adverse impacts for Council if deficiencies exist in work practices, and an Internal Audit will consider the adequacy, suitability and effectiveness of workflows, processes, systems and procedures.	<ul style="list-style-type: none"> Potential for poor governance Poor operational management Ineffective corporate and operational planning Failure to comply with statutory and/or organisational obligations and responsibilities Loss of political influence or poor relationships with State and Federal governments, or other Councils Lack of capacity, skills or capabilities to meet emerging needs and impacts service delivery Absence of essential records (contractual, required by legislation, corporate knowledge) Poor financial management Diminished income from development and investment Fluctuating demand for services not typically delivered by Council Infrastructure planning and delivery fail to meet community and service standards; or essential services failure 	15
Total				33

7. Alternative Internal Audit projects – available for substitution

The following represent projects that were considered in the formation of this Strategic Internal Audit Plan 2018-2021. However, for various reasons have not been prioritised at this time. These are recorded below as possible alternative projects if Council and/or Management wish to substitute areas of interest:

- Review of Water Management Practices
- Plant and Fleet Management Practices
- Project Management Practices
- Cash Handling Practices
- Review of Grants & Subsidies Application and Acquittal Processes
- Recoverable Works and Debtor Management

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10.5 COMMUNITY DEVELOPMENT

Attachments:	10.5.1. Normanton Sports Centre monthly report ↓ 10.5.2. July 2020 Library Statistics ↓ 10.5.3. Interagency Minutes ↓
Author:	Cherie Schafer - Manager Economic & Community Development
Date:	11 August 2020

Key Outcome:	2.3 – Supporting and growing our tourism industry
Key Strategy:	2.3.1 Operate the visitor information centres at Normanton and Karumba.

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.

RECOMMENDATION:

That Council:

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

1. MATTERS FOR INFORMATION:

1.1 Normanton Sports Centre

- Statistics have been provided on the stats and general information for the Normanton Sports Centre for the month of July (attached).

1.2 Karumba and Normanton Swimming Pool Precinct

- Both pools are currently closed and due to be re-opened first week of September.

1.3 Normanton and Karumba Library Statistics

- Statistics have been provided on the stats and general information for the Normanton and Karumba Libraries for the month of July (attached).

1.4 Normanton Childcare

- The childcare is currently running at full capacity.
 - The childcare staff are fully aware of the COVID guidelines and have been following the strict cleaning requirements.
 - Free childcare has been lifted and Council has re-commenced charging fees.
-

BUSINESS PAPERS

- There have been some changes in staffing, with one staff member stepping back in her role and another leaving childcare.

1.5 Interagency meeting

- Minutes from the July meeting attached.

1.6 Economic Development Strategy

The Draft Economic Development Strategy (EDS) back paper has been supplied to the Mayor and Councillors for review prior to the Council meeting. The back paper contains information around the current history of the Shire, the purpose of the back paper and the enabling project identified by Council.

- Council is to adopt the EDS or provide changes.
- Once the EDS has been adopted it will be published on Council website for the public to view.
- Council will establish an EDS advisory committee who will work on the action plans identified to grow the Shire.
- Another community consultation will take place to update the residence/ businesses and agencies.

Action: Council approves the Draft Economic Development Strategy back paper.

Grant Applications and Outcomes 2020:

Saluting Their Service Commemorative Grants

The Saluting Their Service Commemorative grant is to preserve Australia's wartime heritage which could be by restoring, changing or adding to sites up to \$1500000.

Council has previously approved the idea of two life-size sculptures to be placed at the current cenotaphs.

- Quote for two life size sculptors \$165000 includes travel and assistance to install.
- Does not include a platform to be installed on and Council would be required to supply.

Action: Council approve the additional \$15000 to purchase the two life size sculptures and supply platform of choice for the sculptures to be installed on.

Manager Community Services

- RADF 2020/2021 funding -Pending
- SOTN funding – Council Ball – Approved \$2500 for the 2021 Ball
- Community Gambling – replace heritage signs - pending

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Council Grant Officer

- Community Gambling Fund – Normanton Athletics Club - Approved
- SOTN funding- Gulf Junior Rugby League – Approved
- Sport and Recreation kickstart funding:
 - Normanton Swim Club
 - Karumba Gun Club
 - Normanton Gun Club
 - Normanton Horse Sports
 - Barramundi Restocking Group

Consultation (Internal/External):

- Chief Executive Officer – Mark Crawley
- Director Corporate Services – Justin Hancock

Legal Implications:

- Nil

Financial and Resource Implications:

- Within budget.

Risk Management Implications:

- Risks are relatively low - supports Council's aim of engaging with the community as well as providing key activities and facilities.



Normanton Sports Centre

MONTHLY REPORT – JULY 2020

EXECUTIVE SUMMARY

Here at the Normanton Sports Centre we have had a huge month! With the COVID restrictions lifting we see the Normanton Sports Centre numbers grow and grow, with up to 50 people allowed to use this great facility at one time. The children are super excited to see their favorite contact sports being allowed to be played again, seeing the smiles on their faces when it's time to play edor, touch football and football is great to see! Every afternoon after school, we run 2 - 3 activities to try and include everyone to join in and burn off a little excess energy.

This month we were lucky enough to hold a family movie night out under the stars on the John Henry Oval to watch Jumanji the next level being a huge success with over 70 people signing in for a great evening.

The Sports Centre is still getting some much-needed work done and should be finished by the end of August.

With July in full swing we have seen some sporting activities starting up with the Gulf United Rugby League Club (Jr Muddies) playing every Saturday from 9am. If you are keen you can join in every Saturday afternoon at 4pm for a fun and friendly game of Top end vs Bottom end cricket on the John Henry Oval and Soccer with Fola, is getting a nice little turn out every Saturday from 3.30pm also on the John Henry Oval.

ATTENDANCES

Total Attendances for the Month: Approx. 1489

Total Attendances for Last Month: Approx. 630 (due to COVID)

Total Attendances for Centre Programs Weekdays: Approx. Total with an average of people per day 65

Total Attendances for Centre Programs Weekends: Approx. Total 0 with an average of people per day **Closed weekends**

Centre closed for a total of 0 days this month 0

Total Attendances for Partnership Programs: 0

CALENDAR – Upcoming Events

PHOTOS FROM EVENT



Statistics - Carpentaria Library Services	Normanton			Karumba		
	Jul-18	Jul-19	Jul-20	Jul-18	Jul-19	Jul-20
Number of Library Visitors	61	131	74	1780	371	177
Number of library loans	205	228	251	142	130	226
Number of people utilising the internet	51	29	15	67	17	41
Number of new members	17	6	7	11	13	3
Total public internet hours usage	11	12	7.5	34	3.5	2
Total hours open to the public	202.5	69	69	202.5	92	92



CARPENTARIA SHIRE

Outback by the Sea®

Interagency Meeting Minutes

Date: Tuesday, 14th July 2020

Venue: Council Boardroom

Commencement: 3.30pm

Chairperson: Cherie Schafer

Apologies:

Mayor Jack Bawden, Cr Amanda Scott

Present:

Lavenia Tuibua PCYC, Liamon Mudd PCYC, Chris Georgalli NDIS, Nadine Thomas Gidgee Healing, Deon Barritt COFC, Louise King COFC, Candice Hill Normanton Sports Centre, Patricia Taylor Gidgee Healing, Tonia Smerdon Normanton State School, Peter Lehmann QLD Health, James Cripps QLD Health, Chris Ruyg Save the Children, Linda Youth Justice, Fola Adeboye Centrecare

Tonia Smerdon:

The school has been focusing on school attendance as it has been poor.

Continue to run monthly at-risk meetings
Concerned about families in the community around their children's attendance

Candice Hill:

Renovations are currently been completed at the sports Centre. The kitchen has been fully renovated and the internal areas are receiving a paint.

There will be a community movie night on the 31st July following the current COVID restrictions
Partnering with Bynoe to run school holiday activities in September/October. Flip Side Circus will also be coming to the community in a few months to work with the youth.

Patricia Taylor:

COVID testing and temp checks are still currently being performed.
Allied health is back to monthly visits
Next month the bus run will re-commence between Normanton and Karumba
There have been several positions advertised in the community

Nadine Thomas:

Slowly taking on new referrals at the centre following the COVID guidelines and spacing requirements.

Peter Lehmann:

Role is funded through the Disaster Recovery flood funding from 2019.
Provide clinical direct services and Community capacity building.

Peter discussed Small Talk Big Difference. This was to be a roadshow event however with COVID it is now virtual. Flyers provided and Cherie to email out.

Peter covers Cloncurry, Julia Creek and Normanton and can provide assistance at events.

James Cripps:

Currently working on COVID funding for men's group under an eight-week pilot focusing on physical, culture and health.

Fola Adeboye

Looks after RAFS Counselling and youth support 8 to 21.

Has several ongoing projects e.g. homework group, mums and bubs, weekend soccer, woman's programs.

Fola has also been working with the children at both schools.

Looking at starting up an arts and music program

Works closely with child safety.

Lavenia Tuibua

PCYC run VAC for 10 weeks of the year in both Normanton and Karumba.

Currently looking for a new space to run programs out of in Normanton as they can no longer use the Bynoe Hall.

1 to 8 attendance over the last school holiday focusing on 5 to 11-year-old age group.

Liam PCYC:

Previously from Normanton and recently joined PCYC. Has his certificate 3 and in Community Services.

Dion/Louise:

Fostering team support and recruit new carers. There is currently a real shortage of carers in our community which means at times youth children are being taken out of the community.

Will be visiting each month going forward.

Would like to start holding information sessions so that people in the community have a better understanding around what is needed to be a carer.

Chris Geogalli:

New to the role for NDIS and is based in permanently based in Normanton however also services Karumba, Croydon and Georgetown.

Linda Youth Justice:

The team has recently visited Normanton and will start to visit fortnightly in line with cover court dates.

Chris Ruyg:

Runs the men's groups and currently visits fortnightly.

Recruiting for new positions and currently has a worker on the ground in Normanton.

Meeting closed: 4:15pm

NOTE – next meeting will be held 4th August, 2020

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10.6 COMMUNITY DONATIONS AND SUPPORT

Attachments: NIL
Author: Cherie Schafer - Manager Economic & Community Development
Date: 11 August 2020

Key Outcome: 2.2 – Council supports our community organisations
Key Strategy: 2.2.2 Council provides support for local community organisations.

Executive Summary:

Council receives numerous requests for donations throughout the year. The applications listed in the recommendation are applications that have been received outside of the grant funding round.

RECOMMENDATION:

That Council approves the following requests for donation and support:

1. Normanton State School – Swim Classes: requests the fee be reduced from \$2 per child to \$1 per swim class.
 2. Gulf Christian College – Hockey Day: requests the use of the John Henry Oval 16th September.
 3. Gulf Christian College – Swim Carnival: requests the use of the pool and waiver of fees for children 20th November 2020.
 4. Gulf Christian College – Cross Country: request the use of the Golf Club 27th and 28th August and a generator.
 5. Gulf Christian College – Swim Classes: requests waiver of the children's fees.
 6. Gulf Christian College – Awards Night: request community donation trailer, 6 bins and delivery of all items 3rd December 2020.
 7. Gulf Christian College – Graduation: requests community donation trailer 30th November 2020.
 8. Carpentaria Land Council – Determination Hearing (Court): request fee waiver for use of the Shire Hall and tables and chairs to live stream court hearings for the 2nd and 29th September 2020.
 9. Bynoe CACS Ltd – Kick Start fitness: requests use of the CWA Park to run fitness classes for youth 4th and 6th August.
 10. Bynoe CACS Ltd – Kick Start fitness: requests use of the CWA Park to run fitness
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classes for youth from August to December during school term.

11. Bynoe CACS Ltd – Commando Challenge obstacle course: requests use of Council gravel pit across from the dump from the 21st – 29th September (9 days), Golf Club toilets, supply of water truck and driver for the duration of the event, tyres and any other equipment needed to run the obstacle course. Bins and possible cleaning track used for obstacle course.
12. Normanton Stingers – Oztag: requests use of the oval and lights for six weeks.

Background:

Council advertised its first round of the 2020/2021 Community Donations and Support funding program for events held between July and December 2020. The below applications have been received outside the donation round:

1. Normanton State School – Swim Classes: requests the fee be reduces from \$2 per child to \$1 per swim class. **Recommend waiving fees (Estimated cost to Council \$400)**
2. Gulf Christian College – Hockey Day: requests use of the John Henry Oval 16th September. **(Estimated cost to Council \$250)**
3. Gulf Christian College – Swim Carnival: requests the use of the pool and waiver of fees for children 20th November 2020. **(Estimated cost to Council \$250)**
4. Gulf Christian College – Cross Country: request the use of the Golf club 27th and 28th August and a generator. **(Estimated cost to Council \$600)**
5. Gulf Christian College – Swim Classes: requests waiver of the children’s fees. **(Estimated cost to Council \$400)**
6. Gulf Christian College – Awards Night: request community donation trailer, 6 bins and delivery of all items 3rd December 2020. **(Estimated cost to Council \$970)**
7. Gulf Christian College – Graduation: requests community donation trailer 30th November 2020. **(Estimated cost to Council \$580)**
8. Carpentaria Land Council – Determination Hearing (court): request fee waiver for use of the Shire Hall and tables and chairs to live stream court hearings for the 2nd and 29th September 2020. **Does not fit the community donation policy (Estimated cost to Council \$)**

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9. Bynoe CACS Ltd – Kick Start fitness: requests use of the CWA park to run fitness classes for youth 4th and 6th August. **Approved by CEO (Estimated cost to Council \$500)**

10. Bynoe CACS Ltd – Kick Start fitness: requests use of the CWA park to run fitness classes for youth from August to December 3 times a week during school term. **Approved by CEO (Estimated cost to Council \$12750)**

11. Bynoe CACS Ltd – Commando Challenge obstacle course: requests use of council gravel pit across from the dump from the 21st – 29th September (9 days), Golf Club toilets, supply of water truck and driver for the duration of the event, bins, tyres and any other equipment needed to run the obstacle course. Possible cleaning track for obstacle course. **(Estimated cost to council \$7100) estimation based on list of items supplied. No cost estimation included for “any other items council deem suitable to run an obstacle course”**

12. Normanton Stingers – Oztag: requests use of the oval and lights for six weeks. **Approved by CEO (Estimated cost to Council \$1500)**

Consultation (Internal/External):

- Mark Crawley - Chief Executive Officer
- Justin Hancock - Director Corporate Services
- External Stakeholders (applicants)

Legal Implications:

- Nil

Financial and Resource Implications:

- Within budget.

Risk Management Implications:

- Risks are within normal operational parameters.

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10.7 ADVISORY COMMITTEE TERMS OF REFERENCE

Attachments:	10.7.1. Committe Member Declaration - template ↓ 10.7.2. Terms Of Reference Advisory Committee ↓
Author:	Cherie Schafer - Manager Economic & Community Development
Date:	11 August 2020
Key Outcome:	2.2 - An active and healthy community
Key Strategy:	2.2.3 Establish partnerships with stakeholders to increase opportunity for participation in sport, recreation and community activity.

Executive Summary:

Council places a high priority on the health and well-being of its residents and recognises the importance of delivering events and other initiatives that support the community's aspirations and assists in boosting the local economy.

To increase the likelihood of success, Council calls for expression of interest from the community for members of advisory committees that are responsible for the delivery of these events and initiatives. By having community members involved it ensures that Council is securing the best information available which leads to informed decision making.

For consistency purposes and to ensure all advisory committees are managed appropriately, a standard Terms of Reference Advisory Committees has been established and is presented to Council for adoption. In addition, a Committee Member Declaration Form has been created for each Committee Member to acknowledge their role and responsibilities as a Committee Member.

RECOMMENDATION:

That Council adopts the Standard Terms of Reference Advisory Committee and the Committee Member Declaration Form as presented.

Background:

The primary purpose of the advisory committees is to establish a group of stakeholders from the community who are interested in delivering events and other initiatives to the Shire and achieve the objectives of Council.

To formalise meetings, roles and responsibilities it has been deemed beneficial for Council to adopt a standard Terms of Reference for these advisory committees so that there is a consistent approach to the management of the various working groups.

These Terms of Reference cover off on matters, which include but not limited to:

- Scope of Authority
 - Purpose
 - Guiding Principles
 - Membership
 - Key Responsibilities of Members
 - Meetings
-

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- Conflict of Interest
- Confidentiality
- Risk Management

In addition, a Committee Member Declaration Form has also been created for each member to understand and acknowledge their responsibilities and role as a committee Member.

Consultation (Internal/External):

- The Terms of Reference Advisory Committees and Committee Member Declaration Form have been reviewed and endorsed by Senior Management prior to presentation to Council for adoption.

Legal Implications:

- There are no legal implications in adopting these documents and it actually enhances sound corporate governance in having a standard term of reference for all advisory committees.
- Establishing committees with external stakeholders demonstrates that Council is delivering on the principle in the *Local Government Act 2009* being “democratic representation, social inclusion and meaningful community engagement”.

Financial and Resource Implications:

- The Committees established under these Terms of Reference assist Council in delivering events and initiatives that are already included in Council’s Annual Budget and/or Operational Plan therefore there are no financial or resource implications in adopting the documents presented to Council.

Risk Management Implications:

- Council can be faced with a wide variety of risks which, if not appropriately managed, can impact on the ability to achieve desired outcomes with community events and initiatives. The Terms of Reference now includes the responsibility of the Advisory Committees to establish, maintain, monitor and review a risk register. This will assist in mitigating potential risks that could impact adversely on Council objectives and the reputation of Council and the Committee.



I (the undersigned) hereby declare that I am duly appointed Committee Member of the **<name of committee>** Advisory Committee and I have been informed of the expectations of my role and have the confidence in my ability to fulfil the role and discharge my obligations in a professional manner. I also declare:

- I have been given a copy of the Terms of Reference for Advisory Committees that has been adopted by Carpentaria Shire Council and agree to abide by these terms and conditions;
- I am fully aware that as a member of the advisory committee that I do not have any decision making authority (apart from voting at Committee Meetings);
- I am fully aware that as a member of the advisory committee that I cannot incur expenditure or commit Council to any contractual arrangements (written or otherwise) without the express approval of Council;
- I am fully aware as a member of the advisory committee that I cannot interact with the media (means all forms of media including social media) under the guise as a representative of Council unless I have been given the express approval of Council.
- I will work collaboratively with other Committee Members and Council to successfully achieve the objectives of the Committee;
- I will conduct myself in a professional and respectful manner at all times;
- Upon identifying any potential conflicts of interest will promptly notify the Chairperson and remove myself from any discussions on that matter.
- I will ensure that any information that I am privy to, that is not in the public realm, will remain confidential and will not discuss this information with anyone who is not a Committee Member.

By signing this declaration I attest to discharging by responsibilities as a Committee Member to the very best of my ability and in accordance the Committee's Terms of Reference.

Name:

DATED this day of 2020.



CARPENTARIA SHIRE

Outback by the Sea[®]

Terms of Reference

***Carpentaria Shire Council
(Insert event) Advisory Committee***

Council Ref: #?????

Document control sheet

Version History

Version No.	Date	Changed by	Nature of Amendment	Review Date
1			Initial Draft	
2			Approved document	
3			Final for Approval	
4				

Document sign off

The Committee Terms of Reference was adopted by Carpentaria Shire Council on 19th August 2020 and has been endorsed by: Members of the <name of committee> Advisory Committee



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1 Name

The committee will be known as the **<name of committee>** Advisory Committee.

2 Scope of Authority

In general, the Committee's role and responsibility is limited to advice, advocacy and community feedback. As an advisory committee, recommendations and key information is to be provided to Council for consideration however, it is at Council's sole discretion whether these recommendations are adopted or an alternative solution is enacted. Accordingly, members must respect and abide by any subsequent decision of Council.

For clarity purposes, the Committee and/or Committee Members:

- Do not have any decision making authority (exception being a Council Officer acting within their delegated powers);
- Do not have the authority to incur expenditure (exception being a Council Officer acting within their financial delegation and budget constraints);
- Do not have the authority to bind Carpentaria Shire Council into any sort of contractual arrangement (written or otherwise) without the express approval of Council; and
- Are not permitted to provide information or speak to the media (means all forms of media including social media) in the guise of a representative of Council without the express approval of Council.

3 Purpose

The purpose of the Committee is to:

- **<list the purpose of the committee in dot point>**.

4 Guiding Principles

All members agree to and will abide by the following:

- We are inclusive, open minded and respectful of everyone's perspective
- We will act impartially and represent the interests of the broader community within the Carpentaria Shire Council, above our own personal interests
- We represent and commit to the value of the Committee
- We proactively participate and engage in the work of the Committee
- We are punctual, well prepared and timely with all aspects of the Committee's functions
- We are realistic about what the Committee can achieve with resources available
- We demonstrate a strong focus on beneficial outcomes



5 Membership

Listing of the members and agency represented:

Agency	Representative/s
Council	Councillor Mayor Chief Executive Officer Relevant Director

From the Committee Membership listed above, <who> will be the chairperson.

6 Key Responsibilities of Members

All members are responsible for being an active committee member by:

- i. providing guidance, advice and innovative ideas to enable Council to successfully coordinate the event and achieve its objectives;
- ii. maximise the exposure of the event to the community and assist in optimising any economic benefits that are generated;
- iii. having a broad understanding of community and cultural issues;
- iv. working collaboratively with other Committee Members and Council to accomplish desired outcomes
- v. raising public awareness of the event to foster increased support and improve opportunities for Council and the community;
- vi. notifying the Chairperson of a conflict of interest, perceived or otherwise, and take no part in the meeting when that matter is discussed.
- vii. attendance and active participation in all required meetings.

In addition, the Chairperson will be responsible for:

- a) convening and conducting meetings in accordance with the agenda and standard meeting protocols;
- b) ensuring the Council Officer/s (members) provide the status reports, committee recommendations and minutes of the Advisory Committee Meetings to Council in a timely manner.

7 Meetings

Meetings will generally be held at least once in every month <, or as otherwise determined>.



Meetings will be held at the Board Room, Carpentaria Shire Council, 29-33 Haig Street Normanton QLD 4890 unless advised of an alternate venue.

Out of session meetings between specific members are encouraged to progress actions and take advantage of opportunities for presentation of reports for the consideration of the Committee.

When a matter arises, in between meetings or as an urgency, that require direction from the Committee Members to resolve, this can be achieved through email correspondence and the record of voting by individual members. This will allow for the expediency in the management of issues without the need to convene a special meeting to determine matters.

A quorum will exist if at have the membership plus 1 member are in attendance and the chair deems there is adequate representation. Recommendations to Council will not be made without a quorum.

Where the membership is unable to reach a majority decision on any particular issue (the vote is tied), the chairperson will have a casting vote to obtain a final determination.

From time to time, the committee may need to consult with other agencies, staff and Council on specific issues. In these instances the Secretariat will organise suitable representative/s to attend a working group meeting.

8 Members Unable to Attend Meetings

Should a member be unable to attend a meeting, they are required to promptly advise the Chair and/or Secretariat of their non-attendance.

If a member is on leave and a nominated person is an acting position, that person may attend on the members behalf as a proxy.

The member is responsible to ensure their proxy is adequately prepared for meetings by providing all relevant documentation, comprehensive advice about current activities and this terms of reference.

In the instances of the Chairperson being unable to attend the meeting, they will nominate a suitably experienced Committee Member or Council Officer to undertake the role of Chair for that meeting.

9 Secretariat

Secretariat support will be provided by Council.

10 Agendas and Minutes

The secretariat will be responsible for the following:

- Distributing the agenda and any relevant papers to all members at least two full working days prior to the meeting date.



- Accurately minuting meetings, including key discussion points, recommendations and actions which will be distributed to all members as soon as practically possible after the meeting date.
- Copies of the minutes and any recommendations from the meeting are presented to Council by way of a Committee Report.

11 Conflict of Interest

It is imperative that this Committee conducts their business in line with Council operations which are conducted with accountability, honesty and transparency. To ensure that the Committee maintains the confidence of the community and Council, Committee Members must identify and notify the Chairperson of any conflict of interests.

A conflict of interest occurs where it appears that a Committee Member's personal interest has or could have the potential to improperly influence the performance of that person in their role as a Committee Member.

In all cases where a Committee Member identifies a conflict of interest, perceived or otherwise, they should immediately inform the Chairperson and have no involvement with that matter. If this is a matter listed on a meeting agenda then they should leave the room and not participate in any discussion on that matter.

Failure to adequately identify and report conflict of interests may result in the Committee Member having their membership relinquished.

12 Confidentiality

It is envisaged that Committee Members may be presented with information, from time to time, that is not available publicly. Accordingly it is essential that the Committee can be seen as a group that can be trusted with maintaining the confidentiality of these matters.

Therefore Committee Members should ensure that any discussions with stakeholders or members of the public should be limited to information already available in the public.

13 Risk Management

The Committee will establish a register to record potential risks that if not suitably managed may impact on the ability to successfully deliver on objectives.

The risk register will be regularly reviewed by the Committee to ensure:

- mitigation strategies employed to effectively reduce the risks are appropriate and working as expected; and
- identify any new or emerging risks and implement mitigation measures to effectively reduce any consequences.

This register will conform with Council's Risk Management Policies and Guidelines.



14 Review

The operation of the committee, this Terms of Reference and the overall effectiveness of the committee will be reviewed annually to ensure efficiency is maintained. This review will be carried out by the committee. The review will include, but is not limited to:

- effectiveness of the committee
- effectiveness of this Terms of Reference
- a review of the committee membership

15 Contact Details

All communications should be addressed to:

Secretariat
<name>
<title>
PO Box 31
Normanton, Queensland, 4890
Telephone: 4745 2200
Facsimile: 4745 1340
Email: <email address>



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10.8 HIRE OF COMMUNITY FACILITIES POLICY

Attachments:	10.8.1. Hire of Community Facilities Policy ↓
Author:	Cherie Schafer - Manager Economic & Community Development
Date:	11 August 2020
Key Outcome:	2.4 - A connected and inclusive community
Key Strategy:	2.4.1 Build social capital through provision of accessible community infrastructure and programs.

Executive Summary:

In its normal business operations, Council allows the hire/use of community facilities to a range of entities and the purpose of the hire can be for a diverse range of uses.

To ensure an effective and consistent approach is applied to all hire applications, the Hire of Community Facilities Policy has been established and is presented to Council for adoption.

RECOMMENDATION:

That Council adopts the Hire of Community Facilities Policy as presented.

Background:

The Hire of Community Facilities Policy covers all aspects of any hire arrangement with Council, including:

- User categories
- Hire Fees
- Bonds
- Booking confirmations
- Insurance
- Other terms and conditions of hire

Having a public policy ensures transparency and consistency will apply to all hire applications and hirers will have a full understanding of what is required by them when hiring a Council controlled facility.

Consultation (Internal/External):

- This policy has been reviewed and endorsed by Senior Management prior to presentation to Council for adoption.

Legal Implications:

- There are no legal implications in adopting this policy.

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Financial and Resource Implications:

- All costs associated with the hire of community facilities are factored into Council's annual budget.

Risk Management Implications:

- By establishing a policy which documents the terms and conditions of hiring community facilities, reduces the risk of misunderstanding requirements and responsibilities of all parties involved in the hire arrangements.



Hire of Community Facilities Policy

Policy Details

Policy Category	Council Policy
Date Adopted	19 August 2020
Endorsed by	Chief Executive Officer
Approval Authority	Council
Effective Date	19 August 2020
Policy Version Number	1
Policy Owner	Manager Economic and Community Development
Contact Officer	Cherie Schafer
Review Date	August 2023

Supporting documentation

Legislation	<ul style="list-style-type: none"> Local government Act 2009 Local Government Regulation 2012
Policies	<ul style="list-style-type: none"> Council's Local Laws
Delegations	<ul style="list-style-type: none"> Nil
Forms	<ul style="list-style-type: none">
Supporting Documents	<ul style="list-style-type: none"> Council Fees and Charges

Version History:

Version	Adopted	Comment	eDRMS #
1	19/08/2020	Council Resolution No.	



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Intent

To establish guidelines for the hire of Council facilities and to ensure a consistent application of Council's terms and conditions of hire.

Scope

This policy will apply to all of Council facilities that are available for hire and to all persons/entities who have obtained approval to hire.

Policy Statement

Council maintains a variety of facilities that are available for hire and the size, function and amenity of these facilities do vary. This policy has been established to assist Council Officers and its customers in the effective and consistent management of hiring available facilities.

Disclaimer

The refusal of use of any facility in any case may be authorised by the Chief Executive Officer, or their delegate, at their discretion.

Notwithstanding that a booking of a facility may have been entered into in accordance with this policy and any other agreement, with the hire charge having been paid, the Chief Executive Officer, or their delegate, may cancel any booking and refund the hire charge to the Hirer. In this instance, the Hirer will have no claim at law or in equity for loss or damage in consequence thereof.

Where Council is unable to provide a venue or facility due to an unforeseen reason, Council will provide full venue hire refund if an alternative venue or facility cannot be provided. If, in the opinion of the Chief Executive Officer, or their delegate, a facility is not in a condition suitable for any performance or use by the Hirer at any date or at any time previously requested, then Council may revoke or discontinue the permission granted in respect of any such day or time by giving notice to the Hirer in writing. Upon receipt of such notice, the permission granted shall be at an end and Council shall repay to the Hirer all sums previously paid for hire of the facility. Should the Hirer have used the facility for any period, then at the discretion of the Chief Executive Officer, or their delegate, an amount apportioned to the balance only may be repaid by Council.

User Categories

Facility hirers will fall into one of the following categories and will be required to pay the relevant fee as determined in Council's Fees and Charges.

- Category 1** Commercial, Government or Corporate Function
- Category 2** Community Group, Not-for- Profit or Private use (alcohol consumption)
- Category 3** Community Group, Not-for-Profit or Private Use (no alcohol consumption)



Hire Fees

Hire fees shall be calculated in accordance with the schedule of Fees & Charges adopted by Council and shall be payable, together with any applicable bond, at least ten (10) business days prior to the hire date.

Hire Bookings will not be confirmed until all applicable monies have been paid.

Payment of fees constitutes the hirer's understanding and agreement to all terms and conditions of hire as detailed in this policy.

Bonds

Council reserves the right to impose a bond which is to be paid at least ten (10) business days prior to the hire date. This bond is to cover or partially cover any costs associated with Council having to undertake rectification works caused through the hire of the facility.

Any bond imposed will be retained by Council until such times as all conditions of hire have been met and/or any rectification works having to be undertaken by Council have been finalised.

Where the bond is insufficient to cover the costs of any rectification works undertaken by Council to have the venue returned to a similar state/condition prior to hire, an invoice will be issued to the hirer for the difference.

Booking Confirmations

A booking confirmation to hire the venue will be issued upon full payment of all fees and charges, including any applicable bond, provided all associated terms and conditions of venue hire have been met.

The hirer will use the venue for the use/activity stated on application form and not for any use or activity unless the hirer has the express written approval by Council.

The hire of the facility is restricted to the day/s and time/s specified in the booking confirmation.

The booking confirmation should be carried by the hirer during the use of the facility and is to produce the booking confirmation should they be requested so by any Council authorised person.

Insurance

Council reserves the right to have any hirer obtain public liability insurance prior to obtaining booking confirmation for the hire of the Council facility. In these circumstances, the hirer, at their own expense, will insure and keep insured in the name of the hirer with the Carpentaria Shire Council as an interested party for an amount, determined at the sole discretion of Council, against public liability in the form of a standard public liability policy.

The hirer shall produce to Council, at least ten (10) business day prior to the hire date, required evidence of the Insurance Policy obtained by the hirer as per the preceding condition.

Should Council impose upon the hirer the need to obtain public liability insurance, the hire will not be confirmed until evidence of insurance is produced to the satisfaction of Council, regardless whether or not all applicable fees and charges (including bonds) have been paid.

Furthermore, non-production of evidence of insurance to Council's satisfaction could result in cancellation of the booking, regardless whether or not all applicable fees and charges (including bonds) have been paid.



Other Terms and Conditions of Hire

- The hirer is required to obtain any other necessary approval, lease, licence or permit under any other Local Law, Act or Regulations that is required for the use or activities.
- If food is to be sold or supplied, the hirer must ensure all necessary licenses or permits are obtained.
- Consumption of alcohol in public spaces is prohibited unless the event complies with liquor licencing regulations and has the appropriate permit in place.
- Smoking is not permitted in any Council building, site or within 5m of public entrances including bathrooms and kitchens. If any smoke alarms are activated during occupancy of the venue and the Queensland Fire and Rescue Service (QFRS) is required to attend, the hirer will be liable for any call out fees.
- With the exception of designated parking areas, driving and parking is strictly prohibited on all grassed areas unless otherwise approved by Council.
- All electrical cords, fittings, switches and other electrical equipment used must comply with the appropriate Australian Standards and display a current electrical test tag.
- The hirer will ensure that no glass or glass receptacles will be used at the venue unless otherwise approved by Council.
- The hirer is to ensure that the use or activity authorised under the booking confirmation/permit does not cause a nuisance.
- The hirer is to take specific measures to protect the safety of persons who may be involved in, or affected by, the use or activity authorised under the approval.
- The hirer will observe, perform and fulfil all the requirements of Council's Policies and Local Laws not limited to but including noise and waste.
- The hirer is required to remove any rubbish created by the use or activity, and to ensure that the area used is kept in the same condition as before the use or activity commenced.
- The hirer is responsible for the security of the venue and the security and safety of any property of Council in or around the venue.
- The hirer shall conform with all other statutory rules, provisions and regulations of the Commonwealth of Australia or State of Queensland in force and ensure any relevant notices are provided to Council.
- Hirers granted permission to use any a Council facility shall not assign the right of use to any other person, organisation or body.
- The hirer agrees to indemnify, and keep indemnified, and to hold harmless the Council, its servants and agents, and each of them from and against all actions, costs, charges, expenses and damages whatsoever which may be brought, or made, or claimed against them, or any of them, arising out of, or in relation to the hiring engagement.
- Neither Council nor its servants shall be liable for any loss or damage sustained by the hirer or any person, firm or corporation entrusting to or supplying any article or thing to the hirer by reason of any such article or thing being lost, damaged or stolen. The hirer hereby indemnifies the Council against any claim by any such person, firm or corporation in respect of such.
- Council does not warrant that the area or venue is fit, suitable or adequate for the activity authorised under the approval.
- Council reserves the right to terminate the event, either before or during the event, if the hirer is in breach of the terms of any approval.



- Council reserves the right to cancel the booking or re-locate, if applicable, the event, if weather or facility conditions dictate. If cancellation is necessary then Council will endeavour to involve the customer in this decision and no venue hire fees will be payable.
- In the event of any dispute or difference arising as to the interpretation of these conditions, or of any matter or thing contained therein, the decision of the Council shall be final and conclusive.

Adopted by Council "Date" by Resolution "Number"

Mark Crawley
Chief Executive Officer

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11 REPORTS FROM DIRECTOR OF ENGINEERING - ROADS & SERVICES

11.1 DOE REPORT

Attachments: NIL

Author: Michael Wanrooy - Director of Engineering

Date: 14 August 2020

Key Outcome: 5.1 - Integrated and timely provision and management of sustainable infrastructure and assets

Key Strategy: 5.1.3 Plan and implement urban improvement works which enhance local character and identify, conserve and improve the region's streetscapes and provide iconic parkland.

Executive Summary:

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

RECOMMENDATION:

That Council:

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

1. Actions Arising from Previous Meetings

Reference	Action	Status
A0318-18	Liaise with TMR to obtain approval to install a pedestrian crossing on Landsborough Street in the vicinity of the Stop Shop ➤ TMR sourcing funding	In Progress
1/11/2018	Relocate and extend tie-downs to northern side of a aircraft parking area. ➤ Complete	Complete
1/11/2018	Investigate and prepare a report including scope of works and estimate of costs to reinstate the grid on the Old Croydon Road for Councils consideration. ➤ Put in budget June 2020 - 2021	Not Started
	Look at the line marking at Karumba business district ➤ Quotes received	In Progress

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2. Miscellaneous Projects

- 2.1. Wayne Miller (Monkey) has been dismissed from Council. The concrete crew is dissolved, and Ryan is with another crew
- 2.2. Terry Casey's RMPC crew have completed shoulder works at the Karumba point Road using traffic control and are currently undertaking reseal preparation works on State Controlled Roads for TMR's next reseal program.
- 2.3. Shelton Turner's Crew – Undertaking 15km TMR sealed Betterment Work on 89B. They have completed most of the subgrade works and are currently cement stabilizing 5km of 200mm thick pavement carted in from the Lilyvale Pit. Council is expecting to seal the first 5km this month.
- 2.4. Gibson Charger is back. We have moved Gibson and Jenno from the Middle Camp to the Dunbar camp where they have begun roadworks between Dunbar and the Boundary (Chillagoe Road) to repair bulldust patches, some at 1km long. The water trucks and rollers assigned to the Koolatah camp are assisting with gravel being carted out from Clarkes Pit.
- 2.5. Karumba Point Sand Erosion Project. Sand has been carted to the Point.
- 2.6. Hatchery – Completed mooring points for the pontoons at the LWBDC.
- 2.7. Barge Ramp at Normanton. Excavation works have started behind the Burns Phillip building to construct the barge ramp. We have hit rock that a D8 Dozer could not rip out.

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Table: TMR Projects to date for 2020 – 2021

Projects	Value	Progress
89B TMR 2020 DRFA Emergent Works	\$ 200,000.00	Completed
89B TMR 2019 Special DRFA REPA Works	\$ 975,000.00	95%
89B TMR 2019 DRFA Betterment Works	\$ 4,560,000.00	25%
2019 TMR DRFA REPA Works on 84A, 89A, and 89B	\$ 1,761,000.00	20%
Grid Replacement at the Flinders River 89A	\$ 85,000.00	100%
2020-2021 RMPC	\$ 1,965,000.00	
Additional Weed Herbicide Variation	\$ 20,000.00	100%
ATSI TIDS - Dunbar Creek - New Causeway and approach on the Kowanyama Road	\$ 925,000.00	Design under way
TMR Contribution to 2020-2021 TIDS on the Normanton Burketown Road	\$ 910,000.00	
92A Glenore 2019 DRFA repair - Still being approved by QRA -Will be offered as a variation by TMR	\$ 385,000 Approx	Estimate and contract documents sent to TMR - awaiting project approval.
2020 DRFA REPA Works - Being prepared by TMR		
Rehabilitation Works on 89A	\$ 900,000	New – Sent estimate to TMR
89B Additional Works – TMR is planning 5 - 5.5 million new sealing works for this financial year. Council will work with TMR for scoping and location of works.		Not officially confirmed as yet, but in the pipeline
Total	\$ 12,686,000.00	

Description	Actual Revenue	Budget Revenue	19 20 EXP	20 21 Exp	Actual Expenses	Budget Expenses	Actual Profit
Burke Dev Rd 89B Betterment	\$215,346	\$1,199,660	\$69,220	\$30,472	\$99,693	\$1,099,660	\$115,654
Burke Dev Rd 89B Restoration	\$1,432,551	\$4,617,961	\$859,704	\$676,862	\$1,536,566	\$4,117,961	-\$104,016
TMR Grid Replacement	\$84,515	\$84,616	\$33,040	\$34,854	\$67,894	\$75,616	\$16,621
TMR Culvert Replacement 84A	\$621,709	\$621,709	\$770,906	\$0	\$770,906	\$621,709	-\$149,197
TMR Wills Creek Floodway	\$321,055	\$321,055	\$317,363	\$0	\$317,363	\$321,055	\$3,692
2020 Emergency Works	\$0	\$200,000	\$103,385	\$0	\$103,385	\$200,000	-\$103,385

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DRFA Event 19H 84A	\$0	\$330,171	\$0	\$0	\$0	\$330,171	\$0
DRFA Event 19H 89A	\$0	\$338,076	\$0	\$0	\$0	\$338,076	\$0
DRFA Event 19H 89B	\$293,197	\$1,093,316	\$2,273	\$780	\$3,053	\$1,093,316	\$290,144
RMPC 19-20	\$2,077,878	\$1,928,000	\$1,594,798		\$1,594,798	\$1,777,000	\$483,080
RMPC 20-21		\$1,965,000		\$5,179	\$5,179	\$1,777,000	-\$5,179
	\$5,046,250	\$12,699,564	\$3,750,691	\$748,147	\$4,498,838	\$11,751,564	\$547,412

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Photo: Spreader Truck spreading cement powder on road base on 89B.

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Photo: Stabiliser dry mixing cement powder into the base pavement on 89B.

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Photo: Sand replacement at Karumba Point.



Photo: Excavation works on the Barge Ramp.

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3. Update on Shire Flood Damage Works

3.1. Colin Charger / Stirling Camp (changed with Karl Pickering):

- 2019 Restoration Works - Glencoe to Miranda Road
- 4 x days cart left to finish Glencoe to Miranda Road
- 2 x swings to complete Glencoe to Miranda
- Carting to Delta Road a couple of swings away

3.2. Ronnie Kerr shifted to Alexandra Camp:

- 2019 Restoration works on the Normanton Burketown Road working M Creek to Alexandria
- Carting out of Washpool Pit
- They have completed the approach to Leichhardt with singles and Traffic Control this swing

3.3. Gavin Delacour / Augustus Camp:

- 2019 Restoration Works - Working Nardoo to Augustus Rd
- Three Quads carting to Lorraine to complete from Bullock Paddock
- Continue cart on Nardoo Road
- When cart is finished swap from Nardoo to complete Lorraine access

3.4. Dave Atu / Shifted to Koolatah Camp:

- 2019 Restoration Works Koolatah Road
- Wondoola Crew shift to Koolatah
- Carting out of Alice pit for Koolatah works
- Koolatah crew assisting with works between Dunbar and the Chillagoe Boundary on 89B.

3.5. Brenton Murray / Pioneer Camp shift to Deadcalf 5th August

- 2019 Restoration Works - Completed Trenton Road on 4th and 5th of August.
- Set up new camp at Deadcalf
- 3 x Triples carting out of Iffley
- They are working from Iffley towards Broadwater

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- 3.6. Karl Pickering / change over from Stirling to the Broadwater Camp:
- 2019 Restoration - Working on the Broadwater to Croydon Road
 - 4 x Quads carting from Lillyvale Pit

4. Trades Report

- 4.1. 38 Woodward Street: 100% complete.
- 4.2. Repaired new burst mains.
- 4.3. Standard housing, electrical and plumbing maintenance.
- 4.4. Busy moving camps.

5. New Projects/Grant Applications

- 5.1. Nil

6. Reports

- 6.1. Nil

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11.2 NDRRA/QDRF REPORT

Attachments: 11.2.1. Appendix A - QRA19 Expenditure Summary [↓](#)
11.2.2. Appendix B - QRA19 Completion Sketch [↓](#)
11.2.3. Appendix C - EOT Approvals [↓](#)

Author: John Martin - Consultant Engineering

Date: 12 August 2020

Key Outcome: 5.2 - A safe and sustainable road network

Key Strategy: 5.2.1 Plan and deliver a safe, sustainable and efficient road network.

Executive Summary:

QRA18 REPA reached practical completion on 30 June 2020 with \$21million expended. The project is awaiting final invoices prior to acquittal.

QRA19 REPA Submissions 1-6 have all been approved with a total RV in excess of \$66 million plus gravel delivery to Dunbar – Kowanyama Road. Construction is approximately 40% complete with six (6) crews and approximately \$18million expended. An extension of time for all requested roads has been approved by QRA.

QRA20 has been activated for CDO, EW and REPA. An “In-field Assessment” has been completed with QRA with a current total RV of \$53million. The submissions are still subject to a QRA second review before final approval. CDO Submissions 1 and 2 have been acquitted and paid to Council.

QRA have approved six (6) betterment projects for completion in 2020/21.

Road construction is considered an essential service. Construction of the QRA19 project is underway and COVID-19 advice from the State and Federal Government will be monitored closely to ensure all camps meet the health and safety requirements.

RECOMMENDATION:

That Council:

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

Background:

2018 QRA Restoration

1. The QRA18 REPA Program (\$13million construction value) reached practical completion on 30 June 2020.
2. \$21million has been expended with a final expenditure to RV ratio of 1.61. Updated benchmarking rates have been approved for the QRA19 program of works based on the QRA18 actual costs. Applying these approved rates to the QRA18 project there is a final expenditure to Forecast Budget ratio of 0.99.

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3. The QRA18 project is currently being closed out and all acquittal documents will be supplied to QRA prior to the 30 September 2020 deadline.
4. QRA have agreed to increase the maximum progress payment to 95% of the RV (up from 90%) to reduce the value which Council is currently holding and assist with cash flow.

2019 QRA Event

1. Six (6) QRA19 REPA submissions have been approved with a total RV of approx. \$67million with a 30% prepayment paid to Council.
2. Council is currently seeking approval from QRA for the transport of gravel to Dunbar – Kowanyama Road.
3. The approved construction budget for the works program is approximately \$63million.
4. Six (6) crews are currently constructing QRA19 projects. The project is currently 40% complete with a forecast final construction cost of \$48million and estimated expenditure to RV ratio of 0.90. Refer Appendix A and B for construction progress.
5. Local contractors are having difficulties finding operators due to COVID-19 travel restrictions. Many operators from surrounding districts have now relocated for the construction season. QRA have been advised that time delays and additional costs are to be expected due to COVID-19.
6. An extension of time has been approved on five (5) QRA19 REPA submissions and three (3) QRA betterment projects. The full list of projects is provided in Appendix C. Notably the following projects have been approved within the EOT:
 - Dunbar to Kowanyama, Dunbar to Koolatah and Rutland Plains Access – 3-month extension to 30 September 2021.
7. QRA has approved the following betterment projects for construction in 2020/21:
 - Normanton to Burketown Pavement Improvements and Sealing CH37.458 – 43.185 – Project RV \$3.1million, Construction value \$2.5million.
 - Normanton to Burketown Pavement Improvements and Sealing CH53.218 – 55.742 – Project RV \$0.96million, Construction value \$0.76million.
 - Burke and Wills Monument Road pavement improvements (\$138,000).
 - Monsoon Trough Flood Impact Study (\$60,000).
 - Desludging of the Normanton Sewerage Lagoon (\$734,508).
 - Glenore Weir Scouring Rectification (\$66,487).

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8. The Little Bynoe approach betterment project has been completed and is open to traffic. Upon receipt of final invoices, the project report will be submitted to QRA for acquittal.
9. QRA have met with Council to review Council plant eligibility rates. Ineligible costs have reduced from 27% to 0%.

2020 QRA Event

1. Due to significant rainfall and flooding from the Queensland Monsoonal Flooding event (23 January to 3 February 2020), Carpentaria Shire has been “activated” for Counter Disaster Operations (CDO), Emergency Works (EW) and Reconstruction of Essential Public Assets (REPA).
2. Four (4) submissions have been lodged following the “In-field Assessment” and are in second review before final approval from QRA. The current submission value after the “In-field Assessment” is \$53million split into four submissions as follows:
 - Submission 1 – Southwest Roads – RV approx. \$17million
 - Submission 2 – Southeast Roads – RV approx. \$19million
 - Submission 3 – Northern Roads – RV approx. \$10million
 - Submission 4 – Far Northern Roads – RV approx. \$7million
3. Emergency work on all Shire roads has been completed. Approximately \$325k has been expended and is currently being acquitted.
4. The two CDO claims for resupply and search and rescue operations have been acquitted and paid by QRA for a total value of \$5,117.12.
5. Four (4) projects have been submitted for the 2019/20 Queensland Resilience and Risk Reduction Fund (QRRRF):
 - SES Shed Construction, Normanton Council Depot – RV \$376,259
 - Armstrong Creek Causeway, Normanton to Burketown Road – RV \$696,927
 - Floodway, Normanton - Burketown Road – RV \$292,316
 - Poingdestre Creek Causeway, Normanton - Burketown Road – RV \$486,167
6. QRA have met with Council to review benchmarking rates for the 2020 project. The approved QRA20 RV rates are approximately 10% higher than the QRA19 RV rates.

Consultation (Internal/External):

- Chief Executive Officer – Mark Crawley
 - Director of Engineering – Michael Wanrooy
 - ERSCON Consulting Engineers – John Martin and Nick Lennon
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Legal Implications:

- Nil.

Financial and Resource Implications:

- QRA 18 Trigger Point contribution - \$29,085
- QRA 18 10% Council contribution to day labour - \$181,180.34
- QRA 19 Trigger Point contribution - \$32,408
- QRA 19 10% Council contribution to day labour - \$91,821.70
- QRA 20 Trigger Point contribution - \$29,363

Risk Management Implications:

- Low – QRA 19 – An extension of time has been granted for requested submissions due to productivity losses from COVID-19
- Low – QRA 20 – Submissions currently in the approval phase, not expected to be approved for construction until late 2020 or early 2021.

CARPENTARIA SHIRE COUNCIL
 SUMMARY OF QRA19 EXPENDITURE

CURRENT

31/07/2020

Project Completed

40.5%

Forecast Project Expenditure to RV Ratio

0.90



Submission 1 - CSC.0004.1819E.REC					
Road Name	Construction Recommended Value	Expenditure	Complete (%)	Expected Expenditure Ratio	Notes
Hffley Road	\$ 7,965,253.97	\$ 3,688,147.72	52%	0.90	
Normanton to Burketown Road	\$ 8,345,264.72	\$ 4,374,876.66	57%	0.92	Accrued costs processing. Road currently under construction.
Donors Hill to Augustus Downs Road	\$ 1,235,778.13	\$ 129,742.67	0%	1.00	
Dunbar Koolatah Road	\$ 40,500.00	\$ 34,092.32	85%	1.30	Costs incurred to order flood camera parts, camera not yet installed.
TOTAL	\$ 17,586,796.82	\$ 8,226,859.37			

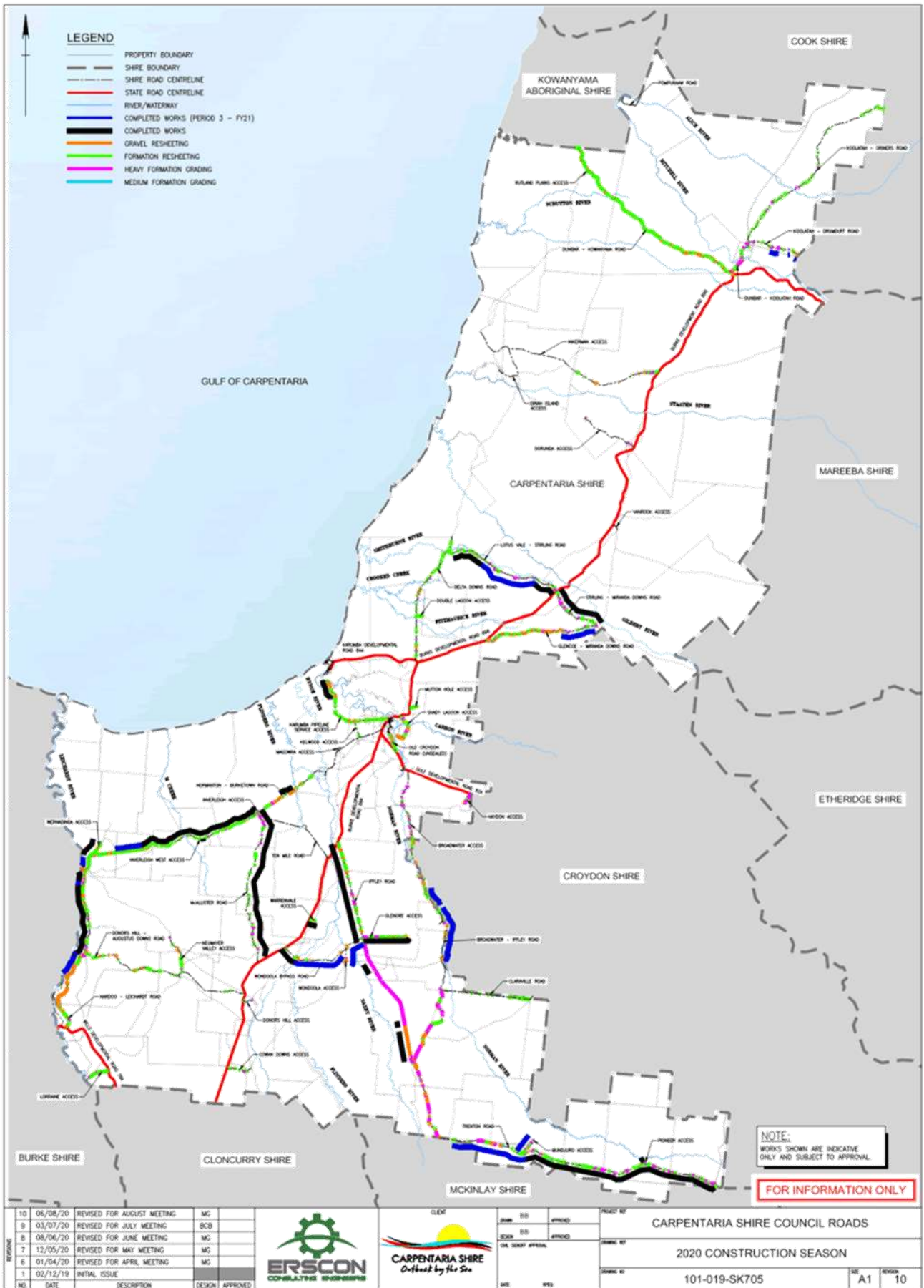
*Expected expenditure ratio is the ratio of final expenditure divided by the recommended value. (i.e. 1.5 is 50% over budget, 0.8 is 20% under budget)

Submission 2 - CSC.0010.1819E.REC					
Road Name	Construction Recommended Value	Expenditure	Complete (%)	Expected Expenditure Ratio	Notes
Dunbar to Kowanyama Road	\$ 5,772,450.47	\$ 37,010.55	0%	1.00	
TOTAL	\$ 5,772,450.47	\$ 37,010.55			

Submission 3 - CSC.0009.1819E.REC					
Road Name	Construction Recommended Value	Expenditure	Complete (%)	Expected Expenditure Ratio	Notes
Trenton Road	\$ 3,087,067.71	\$ 2,675,564.55	98%	0.88	Accrued costs processing. Road currently under construction.
Nardoo to Leichardt Road	\$ 5,457,880.01	\$ 1,931,699.44	59%	0.60	Accrued costs processing. Road currently under construction.
Koolatah to Dixie Road	\$ 1,037,879.19	\$ 20,284.95	0%	1.00	
TOTAL	\$ 9,582,776.91	\$ 4,627,548.94			

Submission 4 CSC.0015.1819E.REC					
Road Name	Construction Recommended Value	Expenditure	Complete (%)	Expected Expenditure Ratio	Notes
Stirling to Miranda Downs	\$ 714,067.74	\$ 1,361,046.22	100%	1.91	Costs for pit establishment, pushing up of gravel and stockpiling for Glencoe to Miranda and Lotusvale to Stirling booked to this road. When assessing all roads together the expenditure aligns closer to the RV.
Lotusvale to Stirling	\$ 886,520.02	\$ 653,620.25	100%	0.74	Cost savings as pit costs were booked to Stirling to Miranda Downs Road.
Glencoe to Miranda Downs	\$ 2,336,152.96	\$ 150,105.24	16%	0.41	Accrued costs processing. Road currently under construction. Push up of gravel and delivery of gravel were booked to Stirling to Miranda Downs.
Delta Downs Road	\$ 1,234,193.09	\$ 78,041.38	0%	1.00	
Dorunda Access	\$ 61,616.91	\$ -	0%	1.00	
Double Lagoon Access	\$ 152,240.02	\$ -	0%	1.00	
Dunbar to Koolatah	\$ 621,749.80	\$ -	0%	1.00	
Inkerman Access	\$ 575,844.83	\$ 2,728.67	0%	1.00	
Koolatah to Drumduff	\$ 400,021.44	\$ 66,801.26	24%	0.69	Accrued costs processing. Road currently under construction.
Mutton Hole Access	\$ 197,091.65	\$ -	0%	1.00	
Rutland Plains Access	\$ 62,784.92	\$ -	0%	1.00	
Shady Lagoon Access	\$ 706,726.20	\$ -	0%	1.00	
TOTAL	\$ 7,949,231.58	\$ 2,312,343.02			

Submission 5 CSC.0019.1819E.REC					
Road Name	Construction Recommended Value	Expenditure	Complete (%)	Expected Expenditure Ratio	Notes
Glencoe Access	\$ 909,509.81	\$ 810,855.72	100%	0.89	
Inverleigh West Access	\$ 26,659.05	\$ 2,164.49	100%	0.08	Construction complete. Costs booked to adjacent Normanton to Burketown road as construction was completed in less than one day.
McAllister	\$ 917,701.37	\$ 926,878.41	100%	1.01	
Mundjuro Access	\$ 249,585.23	\$ 128,640.73	100%	0.52	Cost savings as camp and mobilisation costs booked to adjacent Trenton Road.
Pioneer Access	\$ 43,036.66	\$ 11,208.82	100%	0.26	Cost savings as camp and mobilisation costs booked to adjacent Trenton Road.
Warrenvale Access	\$ 155,485.20	\$ 70,190.75	100%	0.45	Cost savings as construction was completed simultaneously with QRA18 scope of work with overlapping camp and mobilisation costs.
Wernadiga Access	\$ 358,899.18	\$ 181,585.39	100%	0.51	Cost savings from simultaneous construction with QRA18 Wernadiga Access Scope of work.
Wondoola Bypass	\$ 164,937.20	\$ 140,815.11	100%	0.93	
KBA Pipeline Service Access	\$ 1,631,989.21	\$ 348,083.89	28%	0.77	Road partially constructed, remaining works to be completed later in the year.
Broadwater to Hffley	\$ 3,317,286.59	\$ 615,918.30	18%	1.05	
Broadwater Access	\$ 7,458.24	\$ -	0%	1.00	
Claraville	\$ 631,331.54	\$ -	0%	1.00	
Cowan Downs Access	\$ 192,966.61	\$ -	0%	1.00	
Donors Hill Access	\$ 72,667.33	\$ -	0%	1.00	
Haydon Access	\$ 195,907.01	\$ -	0%	1.00	
Inverleigh Access	\$ 5,671.11	\$ 1,006.35	0%	1.00	
Inverleigh Access (Secondary)	\$ 6,592.06	\$ -	0%	1.00	
Kelwood Access	\$ 63,632.75	\$ -	0%	1.00	
Lorraine Access	\$ 603,515.79	\$ 70,934.33	0%	1.00	
Neumayer Valley Access	\$ 346,224.08	\$ -	0%	1.00	
Old Croydon (Unsealed)	\$ 407,664.35	\$ -	0%	1.00	
Wondoola Access	\$ 224,681.17	\$ 149,344.86	94%	0.71	
TOTAL	\$ 10,733,401.54	\$ 3,657,626.95			



Submission Reference	Funding Type	Project	Previous Time Limit	EOT Duration (months)	EOT approval
CSC.0010.1819E.REC	QRA19 REPA	Submission 2	30-Jun-21	3	30-Sep-21
CSC.0009.1819E.REC	QRA19 REPA	Submission 3	30-Jun-21	3	30-Sep-21
CSC.0019.1819E.REC	QRA19 REPA	Submission 4	30-Jun-21	3	30-Sep-21
CSC.0015.1819E.REC	QRA19 REPA	Submission 5	30-Jun-21	3	30-Sep-21
CSC.0025.1819E.REC	QRA19 REPA	Submission 6	30-Jun-21	6	31-Dec-21
CSC.0016.1819E.REC	2018-19 Betterment	Normanton to Burketown Sealing P11/12	30-Jun-21	3	30-Sep-21
CSC.0017.1819E.REC	2018-19 Betterment	Normanton to Burketown Sealing P13	30-Jun-21	3	30-Sep-21
CSC.0011.1819E.DWS	2018-19 Betterment	Desilting of the Normanton Sewer Lagoons	30-Jun-21	3	30-Sep-21

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11.3 WATER AND WASTE REPORT - JULY 2020

Attachments: NIL
Author: Ben Hill - Manager Water and Sewerage
Date: 13 August 2020

Key Outcome: 5.3 - A safe and sustainable water network
Key Strategy: 5.3.1 Plan, deliver and manage efficient and sustainable, high quality, water supply systems.

Executive Summary:

Normanton Water Treatment Plant (WTP), Karumba Sewage Treatment Plant (STP) and Normanton STP are operating effectively. The following items of interest are discussed in further detail within the report:

- Glenore Weir is currently at the approximate height of 2.56m AHD.
- Total treated water was 87.0ML for the month.
- One burst was repaired on the Glenore supply line.
- The new assistant for the Karumba water and waste crew has commenced with Council.
- The funded illegal dumping compliance officer has also commenced in the role.
- Carpentaria are continuing to assist Burke Shire Council with water sampling.
- Many upcoming funded projects to be delivered during the new financial year.
- Nine E-one pumps were replaced in Karumba during the month.

RECOMMENDATION:

That Council:

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

Background:

Glenore Weir

The river level at Glenore Weir was estimated to be 6.86m (AHD 2.56m) on the 31st of July 2020, a decrease of approximately 0.35m in the past month (see Figure 1). The Bureau of Meteorology recorded 0.2mm of rainfall at Normanton Airport during the month.

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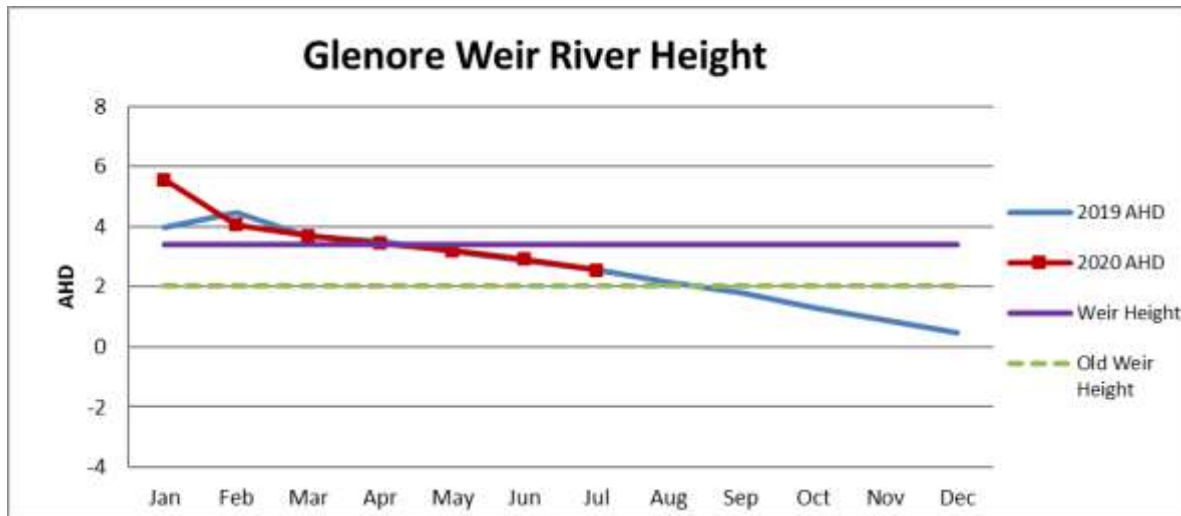


Figure 1: River height on last day of the month

Normanton Water Treatment Plant

For the month, 82.5ML was pumped from Glenore Weir and 4.5ML from the Normanton bore for a total of 87.0ML of raw water. As can be seen in Figure 2, water consumption has increased in comparison to the previous month but remains consistent with the same period last year.

Normanton consumed 48.1ML (55.3%) and 32.6ML (37.5%) was pumped to Karumba, 6.3ML (7.2%) was used for backwashing and bulk water supply.

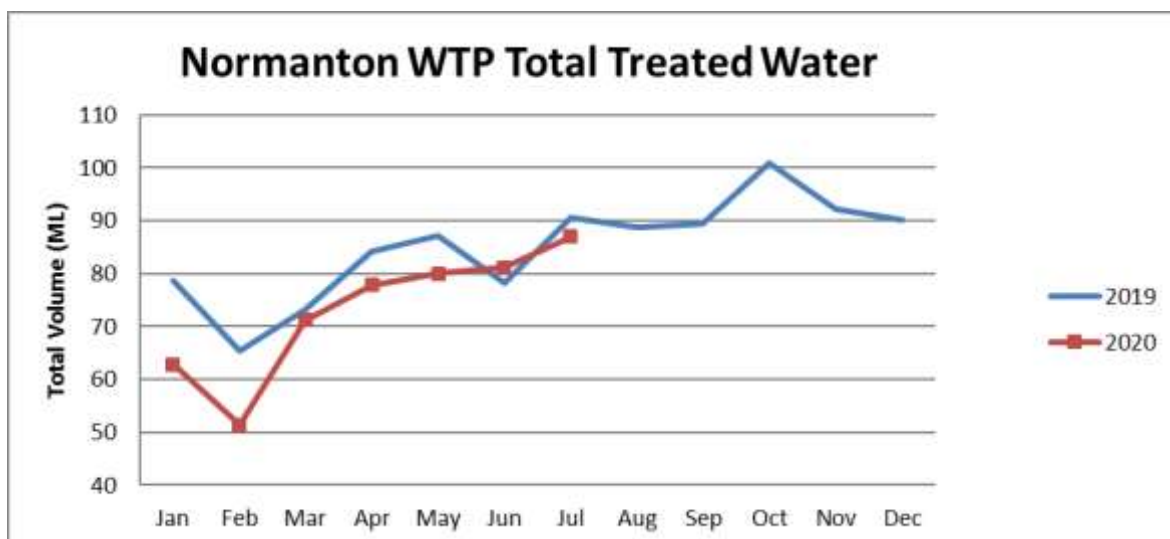


Figure 2: Total raw water treated

Maintenance and Upgrades

Another repair was carried out on the Glenore raw water pipeline out near the control room shed near the weir. The section that had split was a length of 75mm galvanized pipe, it was replaced with a 150mm section in order to match the surrounding pipe. As reported

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previously, the pipe has been splitting with regularity over the past couple of years when increased flow rates are required. The incoming pipe has been surveyed and Council officers are investigating the way the pipes deliver water to the treatment plant. Currently there are two pipes (300mm and 150mm) that pump to around Green Street which then reduces to a single pipe of unknown size until it reaches the water plant - the inlet at the water plant is a single 200mm pipe.

Water meter readings were completed in July and at the time of writing this report, officers are awaiting the finance department to provide a list of excess water charges to confirm all of the readings. All meters were photographed and have been stored on Council's cloud for reference for future readings.

Normanton Sewage Treatment Plant and Reticulation Network

Normanton Sewerage Treatment Plant (STP) received an estimated 10.5ML (see Figure 3) of wastewater in July which was evaporated or used for irrigation.

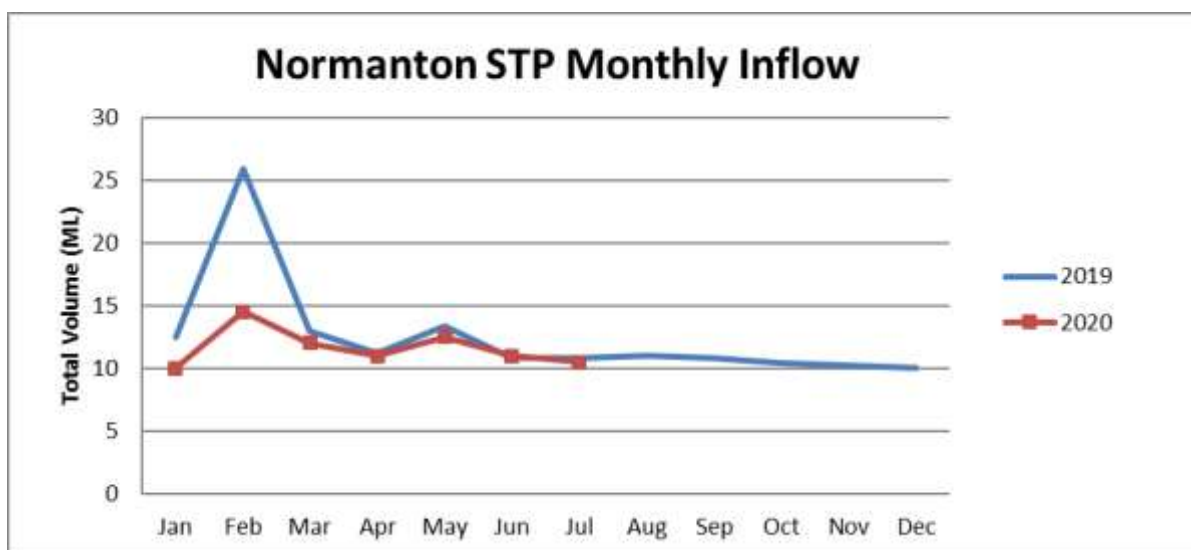


Figure 3: Total volume treated at Normanton STP

Maintenance and Upgrades

General maintenance tasks and repairs were carried out by operations staff members throughout the month. Repairs to the effluent irrigation pipework are being carried out and additional works are scheduled throughout the next few months such as replacing valves, fittings and damaged irrigation flumes.

Additional rafts are being built to tie to the floating pontoons for additional vetiver grass wetlands. This will make maintenance tasks easier and allow for more regular trimming of the vetiver plants.

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Karumba STP and Low Pressure Network

Karumba sewage treatment facility treated approximately 5.8ML (see Figure 4) for July. This is a significant increase to previous months indicating an increase of tourist numbers to the area.

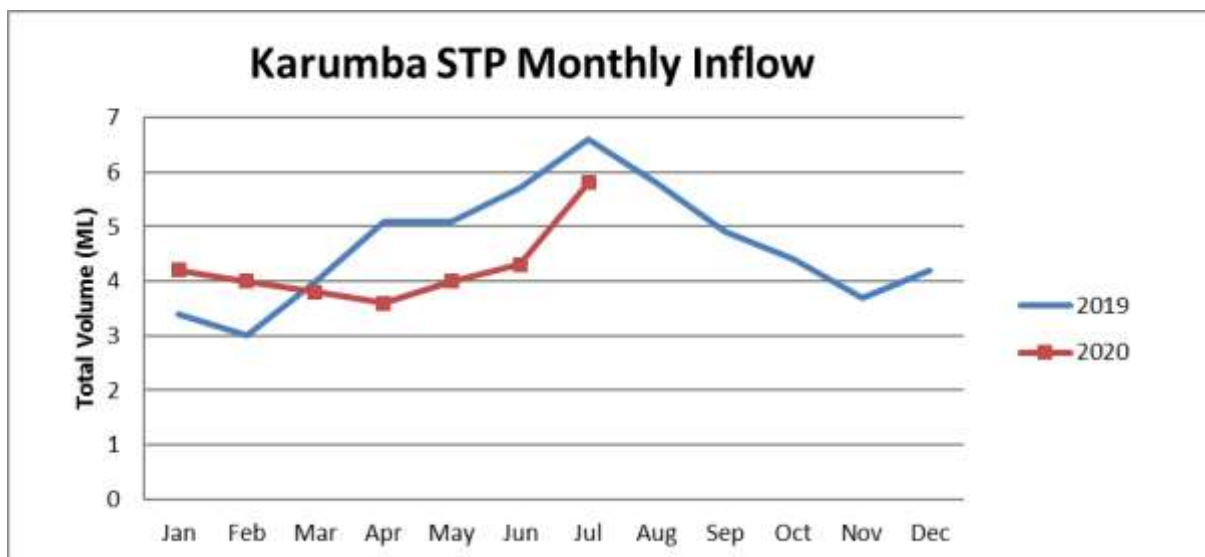


Figure 4: Total Monthly inlet flow for Karumba STP.

Compliance

Samples from the treatment plant were analysed and found to be within range of all parameters as set out in the Environmental Authority.

Maintenance and Upgrades

Karumba STP had general maintenance carried out as necessary. For the month, nine E-one pumps were replaced. Dried bio-solids are scheduled to be carted away to Normanton Landfill in August.

Karumba Waste Transfer and Normanton Landfill

General operations and maintenance continue within the waste facilities, with the Normanton Landfill continuing to clean up and treat leachate. The landfill compactor is scheduled to be delivered in the second week of August by North West Services as decided by Council resolution 0720/009.

Both waste facilities have had CCTV security cameras installed with the equipment at Karumba Transfer Station funded by the Department of Environment and Science. Desktop computers have been ordered for each facility for monitoring and recording of waste disposal and improved record keeping.

The successful applicant for the position assisting the Karumba Water and Waste crew started with Council on the 6th of July. He is undergoing immunisations in order to be taught how to repair Karumba's sewer pumps with the intent being to set up a lockable workshop at the transfer station to maintain a larger on-site presence. The new operator has a

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background in local laws and compliance, so will be able to assist the new funded compliance who is now working with the Water and Waste department.

Projects

There are many upcoming and ongoing projects in Water and Waste, with a summary provided in the table below.

Table 1: Project summary for Water and Waste

Area	Description	Funding body	Budget	Status
Water	Yappar Street valve replacement	W4Q	\$ 80,000.00	Planning
	Recoat Reservoir #3 at Ntn WTP	W4Q	\$ 120,000.00	Needs to be completed before the wet season, but cannot be during the filter upgrade project as we will require the storage
	Office/control building at Ntn WTP	W4Q	\$ 125,000.00	Currently being built off-site and due for arrival early September
	Installation of second clarifier	W4Q	\$ 950,000.00	Project managers engaged (LocalBuy) and about to proceed to tender
	Conversion/upgrade of PLC	W4Q	\$ 50,000.00	coupled with above project
	Filter upgrade at Ntn WTP	W4Q	\$ 200,000.00	media on site, contractors engaged
	Repair and upgrade Ntn WTP shed	W4Q	\$ 145,000.00	seeking quotes for upgrade - Gulf Construction to complete initial repairs
	Repair scouring on left hand weir embankment	QRA	\$ 60,000.00	Erscon to undertake
Raw water irrigation project	BBRF	\$712,000/ \$238,000	Erscon to get tender out early August	
Sewage	Ntn STP de-silting project	QRA	\$ 734,000.00	about to go out to tender for main project. Ablution block 90% completed, inlets screen on site and manholes to be repaired by Council builder.
	Ntn STP irrigation repairs	QRA	\$ 20,000.00	initial materials ordered, to be installed by operations staff as time allows
	Kba STP inlet screen replacement	CSC	\$ 60,000.00	ordered in 19/20 FY - COVID holding up delivery as it is being shipped from Europe
	Kba STP Office/control building	W4Q	\$ 100,000.00	Currently being built off-site and due for arrival early September
Waste	Tyre recycling project	DES	\$200,000/ \$130,000	in discussion with tyre recyclers and Hawkins Transport
	Karumba CCTV tower	DES	\$ 60,000.00	tower complete, additional electronics/monitoring equipment to be purchased using funding
	Illegal dumping compliance officer	DES	\$ 123,182.00	staff member seconded and attending required training.

Consultation (Internal/External):

- Director of Engineering - Michael Wanrooy.
- Manager Water and Waste - Ben Hill.

Legal Implications:

- Low – within normal operational parameters.

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Financial and Resource Implications:

- Medium – upgrades required for 2020/21 financial year to remain compliant.

Risk Management Implications:

- Nil.

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11.4 WORKSHOP REPORT

Attachments: NIL
Author: William Bollen - Workshop Foreman
Date: 13 August 2020

Key Outcome: 5.1 - Integrated and timely provision and management of sustainable infrastructure and assets

Key Strategy: 5.1.1 Develop a Strategic Infrastructure and Asset Management Plan to guide the provision, maintenance, decommissioning, replacement and enhancement of Council assets and infrastructure.

Executive Summary:

This report provides information and updates to Council on various maintenance and repairs that are facilitated within the Workshop.

RECOMMENDATION:

That Council:

1. accepts the Workshop Report as presented;
2. that those matters not covered by resolution be noted; and
3. provide automotive air-con training to obtain R134a handling license for fitters.

Background:

The Giga Water Truck is currently having the new Diff tubes installed along with new trunnion housings, bushes and traction arms.

Jobs completed between the list mentioned below includes major and minor services to Landcruiser and Hilux's, replacement of multi and drum roller tyres, small plant repairs and services, operating forklift for outside crews, parts ordering and call outs to breakdowns that turn out to be operator error e.g. emergency stop and Admin tasks etc.

The current COVID-19 situation has made it extremely difficult with regards to parts and delivery where we are unable to have every task completed in a timely fashion. However, we were able to get most of the plant to work with what resources we had available.

Plant maintenance and repairs – For Council's Information	
P3131 140M Grader	Machine Hours approx. 10,000hrs and issues/faults are creeping in. This grader has lengthy downtime. Steering malfunction is a common issue along with transmission fill calibration reaching its limits
P3018 140M Grader	Machine has approx. 10,000hrs and is starting to become an expensive to repairs along with lengthy down times. The last parts requested total approx. \$15000 excluding labour.
P4531 Slasher Gason	This slasher spends most of its life in the workshop and is unable to withstand the Gulf conditions.

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Twin Rotor	The splines and clutches are not heavy enough for big blows while slashing.
P4138 Graco LineLazer IV 250SPS (linemarker).	The line marker has reached the end. The pump, steering and hydraulic system are now rapidly failing. The time that it sits between uses is most likely the cause of failures.
P3134 CAT Drum Roller	Developed an oil leak and a cracked radiator and has possibly been over heated more than once. Approximate Hours 3688
P3406 CAT Drum Roller	High pressure side of the fuel pump isn't putting out the required pressure to start the machine and the common rail is showing signs of fatigue. Approximate Hours
All the CAT multi rollers are developing electrical failures particularly around the engine bay along with the common steering link and hose failures. Hours are between 2000hrs and 3500hrs.	
P1653 Hilux Electricians	This Hilux has had repairs done to the Chassis/Steering components and the suspension system is not holding up to our roads
Majority of the Foremen's Hilux's have approx. 200,000klm on the odometer.	
P1665 and P1608	In need of replacing considering the importance of the reliability

Plant currently on the waiting list for repairs for either parts or diagnosing:

Plant not currently being used:

P3131	Grader parts for the chain box
P3406	Injector lines, fuel pump, common rail
P3134	radiator
P2036	window

Consultation (Internal/External):

- Nil

Legal Implications:

- Nil

Financial and Resource Implications:

- Nil

Risk Management Implications:

- Within normal operating parameters

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11.5 BUILDING AND PLANNING REPORT

Attachments:	NIL
Author:	Elizabeth Browning - Engineering Records Operator
Date:	13 August 2020
Key Outcome:	4.1 - Sustainable urban and rural development
Key Strategy:	4.1.1 Ensure development accords with Carpentaria Shire Council's planning scheme, planning instruments, codes and legislation.

Executive Summary:

The report is to advise Council of relevant Planning and Building activities within the Shire for the month of July 2020.

RECOMMENDATION:

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

Background:

Planning Applications Received

DA No.	Applicant	Address	Application Type	Status
I/1816	Carpentaria Shire Council (c/- Hughes Consulting)	Lilyvale	Other Change (OC) Application for Lilyvale Quarry/Pit	Pending

Planning Applications Approved

DA No.	Applicant	Address	Application Type	Status
I/2009 I/1819	Carpentaria Shire Council (c/- Hughes Consulting)	Happy Valley	Minor Change Application to DP2 Extractive Industry	Approved
I/2010	Carpentaria Shire Council (c/- Hughes Consulting)	Stapleton Tank	Minor Change Application to DP5 Extractive Industry	Approved

Building Applications Received

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DA No.	Applicant	Address	Application Type	Value
I/2012	Patrick Wren & Kristyn Kelleher	16 Yappar Street Karumba	Plumbing Application	Pending

Building Permits Issued

DA No.	Applicant	Address	Application Type	Value

Applications pending waiting on further information (Applicants advised)

DA No.	Applicant	Address	Application Type	Date Received
I/2011	Patrick Wren & Kristyn Kelleher	16 Yappar Street Karumba	Building	Pending
I/2012	Patrick Wren & Kristyn Kelleher	16 Yappar Street Karumba	Plumbing Application	31/07/2020 Awaiting payment

Consultation (internal/external)

- Liz Taylor - Consultant Town Planner
- Peter Watton – Building Certifier
- Glenn Chambers - Emergent Building Certifiers
- Mareeba Shire Council

Legal implications

- N/A

Policy Implications

- N/A

Financial and Resource Implications

- N/A

Risk Management Implications

- Low – risks are within normal operational parameters

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11.6 LILYVALE PIT - OTHER CHANGE OF USE APPLICATION TO DP1 EXTRACTIVE INDUSTRY

Attachments:	11.6.1. Attachment - ERA Lilyvale OC ↓
Author:	Elizabeth Browning - Engineering Records Operator
Date:	14 August 2020
Key Outcome:	4.1 - Sustainable urban and rural development
Key Strategy:	4.1.1 Ensure development accords with Carpentaria Shire Council's planning scheme, planning instruments, codes and legislation.

Executive Summary:

The Council is in receipt of an Application for Other Change (OC) in relation to the Lilyvale Pit, approved under DP 1- Extractive Industry in September 2018.

The OC relates to an additional ERA threshold to facilitate an increase in extraction from the Lilyvale Pit.

The Application required referral to the State and Public Notification. The State issued an approval dated 13 July 2020 and during Public Notification no submissions were received.

The OC Application is recommended for approval.

RECOMMENDATION:

That Council resolves:

In accordance with the *Planning Act 2016*, as amended, the applicant be notified that the application for a Development Permit for an Other Change for Extractive Industry – DP1 – Lilyvale Pit, located on land described as Lot 76 C908325 is approved, subject to the addition of condition 3A, detailed below:

[Additional Condition shown in bold]

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

In accordance with the *Planning Act 2016*, the applicant be notified that the Application for a Development Permit for a Material Change of Use for Extractive Industry at:

- Site 1: Lily Vale – Lot 76 C908325;
- Site 2: M Creek – Lot 2 CP838627;
- Site 3: Washpool – Lot 1 TW6;
- Site 4: Reaphook – Lot 9 NM143;

Co-ordinates:

Longitude(s)	Latitude(s)	Datum
-17.693920	141.015626	GDA94
-17.700421	141.029593	
-17.694300	141.035344	

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-17.705813	141.048521	
-17.713607	141.036036	
-17.724403	141.013195	

is approved subject to the conditions detailed below.

General

- The development shall be undertaken substantially in accordance with the approved Plans and the approved GPS Coordinates, except as modified by this approval:

PLAN NAME	DRAWING NUMBER	DATE	PREPARED BY
Lily Vale Quarry Operations Area	C014	26 March 2018	Hughes Consulting
M Creek Quarry Operations Area	C015	26 March 2018	Hughes Consulting
Washpool Quarry Operations Area	C016	26 March 2018	Hughes Consulting
Reaphook Quarry Operations Area	C017	26 March 2018	Hughes Consulting

- 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(1) of the *Planning Act 2016*, if the development has not been commenced.

Permits and Fees

- The quarry operator is required to apply for an Extractive Industry Permit/Licence and pay all relevant Council fees required to operate an Extractive Industry in the Shire.

- 3A Lilyvale Pit is approved to operate under Environmental Authority – EA0002270, with the following additional thresholds:**

Environmentally relevant activity/activities	Location(s)
ERA 16 – Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	Lot 76 on Plan CP908325
ERA 16 – Extraction and Screening 3: Screening, in a year, the following quantity of	

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material (b) more than 100,000t but not more than 1,000,000t	
--	--

4. The quarries are required to operate in compliance with the conditions of the Environmental Authorities issued by the State of Queensland.

Cultural Protection and Maintenance of the Site

5. The new quarry areas on each existing quarry site are to be inspected by representatives of Council and the Gkuthaarn and Kukatj People prior to commencement of the new use. If any cultural heritage items, Aboriginal or European, are found and validated then a Cultural Heritage Management Plan is required to be prepared by the applicant and any recommendations of the Plan adopted, prior to any quarry work taking place in the new areas, to the satisfaction of the Chief Executive Officer or delegate.
6. The applicant shall ensure the quarry sites and the immediate surrounds are maintained, during and after operations commence, in a clean and tidy condition at all times, to the satisfaction of the Chief Executive Officer or delegate.
7. Upon cessation of quarry activities rehabilitation is to be completed in accordance with an approved Rehabilitation Plan, within a one (1) year period from the date of cessation, or other timeframe specified in the Rehabilitation Plan, whichever is the lesser, to the satisfaction of the Chief Executive Officer or delegate.

Vehicle Access

8. Haul routes and on-site access roads/tracks to quarry sites are to be maintained at all times by the proponent in a serviceable and trafficable condition and to an acceptable standard:
 - be regularly graded and maintained by the quarry operator;
 - any damage to the internal road/s caused by heavy machinery is to be repaired and made good on a regular, 2 monthly bases; and
 - upon cessation of the quarry use on the site the internal access road/s used to access the quarry are/is to be graded and left in an acceptable and trafficable condition suitable for rural purposes;

to the satisfaction of the Chief Executive Officer or delegate.

Storage of Fuel

9. A maximum of 10,000 litres of diesel can be brought to a quarry site for the operation of plant and equipment. Fuel must be stored in a self-bunded

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containment system and handled in accordance with Australian Standard AS 1940 – 2004. The fuel tank and any refuelling must be located at least 100 metres away from any drainage line, to the satisfaction of the Chief Executive Officer or delegate.

Hours of Operation

10. Quarry operations are carried out between 6am and 6pm seven (7) days per week, unless an emergency necessitates out of hours operations, to be authorised by the Chief Executive Officer or delegate.
-

B. REFERRAL AGENCY CONDITIONS

CONCURRENCE AGENCY TRIGGERS:

- Clearing Native Vegetation;
- Infrastructure – State transport Infrastructure;
- State transport corridors and future state transport corridors; and
- Environmentally relevant activities.

C. SUBMISSIONS

None

D. FURTHER DEVELOPMENT PERMITS REQUIRED

N/A

E. 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

F. RIGHT OF APPEAL

Appeal Rights from the *Planning Act 2016* are attached.

TOWN PLANNING REPORT

This report has been prepared by Council's Town Planning Consultant, Liz Taylor, in consultation with Council Officers.

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OTHER CHANGE APPLICATION

An OC Application is required when a change involves substantially different development.

In this instance the State was not prepared to accept that the proposed change in the extraction and screening threshold for the Lilyvale Pit was a Minor Change and so an OC Application was required.

The proposed change relates to a change to the extraction threshold under the Environmental Authority from a maximum of 100,000 tonnes per annum, up to a maximum of 1,000,000 tonnes per annum, as follows:

Environmentally relevant activity/activities	Location(s)
ERA 16 – Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	Lot 76 on Plan CP908325
ERA 16 – Extraction and Screening 3: Screening, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	

The Lilyvale Pit is located 5km south-west of Normanton and provides an excellent local source of road construction and maintenance materials.

The 2019 floods, road construction and maintenance programs being undertaken by both Council and the State necessitates an increase in the original EA threshold for the Lilyvale Quarry/Pit of up to 1,000,000 tonnes per annum with a figure of up to 300,000 tonnes per annum being expected to be required. In order to ensure availability of the resource the EA threshold sought is up to 1,000,000 tonnes per annum, however it is unlikely to be reached.

The change in EA threshold does not necessitate any changes to the approved extraction area or the overall area approved as the Lilyvale Quarry/Pit.

The land is zoned Rural and Extractive industry is an accepted form of development. It is also a crucial economic activity in the Shire, where road maintenance and construction are ongoing programs of work, undertaken by both Council and the State and provide vital road transport links for residents, tourists and all businesses in the Shire.

The State approved the additional thresholds for Lilyvale under the EA and during public notification no Submissions were received.

The increase in the EA thresholds for Lilyvale Pit can be supported and is recommended for approval.

Legal Implications:

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- *Planning Act (2016)*
- Council's Planning Scheme.

Policy Implications:

- Nil

Financial & Resource Implications:

- Nil

Permit

Environmental Protection Act 1994

Environmental authority EA0002270

This environmental authority is issued by the administering authority under Chapter 5 of the Environmental Protection Act 1994.

Environmental authority number: EA0002270

Environmental authority takes effect on the date the related development approval **SDA- 2003-15767** is granted. The payment of the annual fee will be due each year on this day. An annual return will be due each year on the 1st of March.

Environmental authority holder(s)

Name(s)	Registered address
Carpentaria Shire Council	Burketown Developmental Road, Normanton, Queensland

Environmentally relevant activity and location details

Environmentally relevant activity/activities	Location(s)
ERA 16 - Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	Lot 76 on Plan CP908325
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	

Additional information for applicants

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).

Permit

Environmental authority EA0002270

Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days)

that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website www.qld.gov.au, using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise- one the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

The anniversary day of this environmental authority is the same day each year as the effective date. The payment of the annual fee will be due each year on this day. An annual return will be due each year on 01 March.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Permit

Environmental authority EA0002270

Obligations under the *Mining and Quarrying Safety and Health Act 1999*

If you are operating a quarry, other than a sand and gravel quarry where there is no crushing capability, you will be required to comply with the *Mining and Quarrying Safety and Health Act 1999*. For more information on your obligations under this legislation contact Mine Safety and Health at www.dnrm.qld.gov.au, or phone 13 QGOV (13 74 68) or your local Mines Inspectorate Office.

Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the EP Act, and the regulations made under the EP Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing **prescribed water contaminants** in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Natural Resources, Mines and Energy (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Environment and Science to ensure that you have the most current version of the environmental authority relating to this site.

Permit

Environmental authority EA0002270

Dorota Rosiak
Department of Environment and Science
Delegate of the administering authority
Environmental Protection Act 1994

Enquiries:
Utilities and Government Organisations Assessment
Department of Environment and Science

Phone: 1300 130 372
Email: palm@des.qld.gov.au

Date issued: 29 April 2020

Permit

Environmental authority EA0002270

Conditions of environmental authority

Environmentally relevant activities	Location
ERA 16 - Extraction and Screening 2: Extracting, other than by dredging, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	Burketown Developmental Road, Normanton, Queensland Lot 76 on Plan CP908325
ERA 16 - Extraction and Screening 3: Screening, in a year, the following quantity of material (b) more than 100,000t but not more than 1,000,000t	

The environmentally relevant activities conducted at the location as described above must be conducted in accordance with the following site-specific conditions of the approval.

Agency interest: General	
Condition number	Condition
G1	The extractive activities authorised by this environmental authority must be conducted in accordance with: <ol style="list-style-type: none"> 1. the site boundaries specified within <i>Appendix 1: Table 1 - GPS Locations for Lily Vale Site</i>; and 2. within the footprint of <i>Appendix 1: Map 1 - Approved Extraction Areas Lily Vale</i>.
G2	All reasonable and practicable measures must be taken to prevent or minimise environmental harm caused by the activities.
G3	Any breach of a condition of this environmental authority must be reported to the administering authority as soon as practicable within 24 hours of you becoming aware of the breach. Records must be kept including full details of the breach and any subsequent actions taken.
G4	Other than as permitted by this environmental authority, the release of a contaminant into the environment must not occur.
G5	Environmental monitoring results must be kept until surrender of this environmental authority. All other information and records that are required by the conditions of this environmental authority must be kept for a minimum of five (5) years. All information and records required by the conditions of this environmental authority must be provided to the administering authority , or nominated delegate upon request, within the required timeframe and in the specified format.
G6	An appropriately qualified person(s) must monitor, record and interpret all parameters that are required to be monitored by this environmental authority and in the manner specified by this environmental authority.



Permit

Environmental authority EA0002270

G7	When required by the administering authority, monitoring must be undertaken in the manner prescribed by the administering authority, to investigate a complaint of environmental nuisance arising from the activity. The monitoring results must be provided within 10 business days to the administering authority upon its request.
G8	The activity must be undertaken in accordance with written procedures that: <ol style="list-style-type: none"> 1. identify potential risks to the environment from the activity during routine operations, closure and an emergency; 2. establish and maintain control measures that minimise the potential for environmental harm; 3. ensure plant, equipment and measures are maintained in a proper and effective condition; 4. ensure plant, equipment and measures are operated in a proper and effective manner; 5. ensure that staff are trained and aware of their obligations under the <i>Environmental Protection Act 1994</i>; and 6. ensure that reviews of environmental performance are undertaken at least annually.
G9	Chemicals and fuels in containers of greater than 20 litres must be stored within a secondary containment system .
G10	All waste generated in carrying out the activity must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
Agency interest: Air	
Condition number	Condition
A1	Odours or airborne contaminants which are noxious or offensive or otherwise unreasonably disruptive to public amenity or safety must not cause nuisance to any sensitive place or commercial place .
A2	Dust and particulate matter emissions must not exceed the following concentrations at any sensitive place or commercial place: <ol style="list-style-type: none"> 1. dust deposition of 120 milligrams per square metre per day, when monitored in accordance with <i>Australian Standard AS 3580.10.1</i> (or more recent editions); or 2. a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with <i>Australian Standard AS 3580.9.6</i> (or more recent editions) or any other method approved by the administering authority.



Permit

Environmental authority EA0002270

Agency interest: Land	
Condition number	Condition
L1	Land that has been disturbed for activities conducted under this environmental authority must be rehabilitated in a manner such that: <ol style="list-style-type: none"> 1. suitable native species of vegetation for the location are established and sustained for earthen surfaces; 2. potential for erosion is minimised; 3. the quality of water released from the site, including seepage, does not cause environmental harm; 4. potential for environmental nuisance caused by dust is minimised; 5. the water quality of any residual water body does not have potential to cause environmental harm; and 6. the final landform is stable and protects public safety.
L2	Rehabilitation of disturbed areas required under condition L1, must take place progressively as works are staged and new extraction areas are commenced.
Agency interest: Noise	
Condition number	Condition
N1	Noise generated by the activity must not cause environmental nuisance to any sensitive place or commercial place.
N2	Blasting or the generation of substantial low frequency noise is not permitted.
Agency interest: Water	
Condition	
WT1	The stormwater runoff from disturbed areas of the site, generated by (up to and including) a 24 hour storm event with an average recurrence interval of 1 in 5 years must be retained on site or managed to remove contaminants prior to released.
WT2	Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.



Permit

Environmental authority EA0002270

Definitions

Note that where a term is not defined, the definition in the *Environmental Protection Act 1994*, its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

Activity means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

Administering authority means the Department of Environment and Science or its successor or predecessors.

Appropriately qualified person(s) means a person or persons who has professional qualifications, training, skills or experience relevant to the EA requirement and can give authoritative assessment, advice and analysis in relation to the EA requirements using the relevant protocols, standards, methods or literature.

Commercial place means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

Disturbed areas includes areas:

1. that are susceptible to erosion;
2. that are contaminated by the activity; and/or
3. upon which stockpiles of soil or other materials are located.

Environmental nuisance as defined in Chapter 1 of the *Environmental Protection Act 1994*.

Environmental value –

1. a quality or physical characteristic of the environment that is conducive to ecological health or public amenity or safety; or
2. another quality of the environment identified and declared to be an environmental value under an environmental protection policy or regulation.

Groundwater means water that occurs naturally in, or is introduced artificially into, an aquifer.

Land means any land, whether above or below the ordinary high-water mark at spring tides (i.e. includes tidal land).

Nominated delegate means another government agency that provides services to the administering authority.

Noxious means harmful or injurious to health or physical well-being.

Offensive means causing offence or displeasure; is unreasonably disagreeable to the senses; disgusting, nauseous or repulsive.

Records include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

Release of a contaminant into the environment means to:

- deposit, discharge, emit or disturb the contaminant
- cause or allow the contaminant to be deposited, discharged, emitted or disturbed
- fail to prevent the contaminant from being deposited, discharged emitted or disturbed

Permit

Environmental authority EA0002270

- allow the contaminant to escape
- fail to prevent the contaminant from escaping.

Secondary containment system means a system designed, installed and operated to prevent any release of contaminants from the system, or containers within the system, to land, groundwater, or surface waters

Sensitive place includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2019.

Substantial low frequency noise means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurement, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a sensitive place exceeding 55 dB(Z).

Waters includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

You means the holder of the environmental authority

24 hour storm event with an average recurrence interval of 1 in 5 years means the maximum rainfall depth from a 24 hour duration precipitation event with an average recurrence interval of once in 5 years. *For example, an Intensity-Frequency-Duration table for a 24 hour duration event with an average recurrence interval of 1 in 5 years, identifies a rainfall intensity of 7.09mm/hour. The rainfall depth for this event is therefore 24 hour x 7.09mm/hour = 170.16mm*

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Appendix 1:

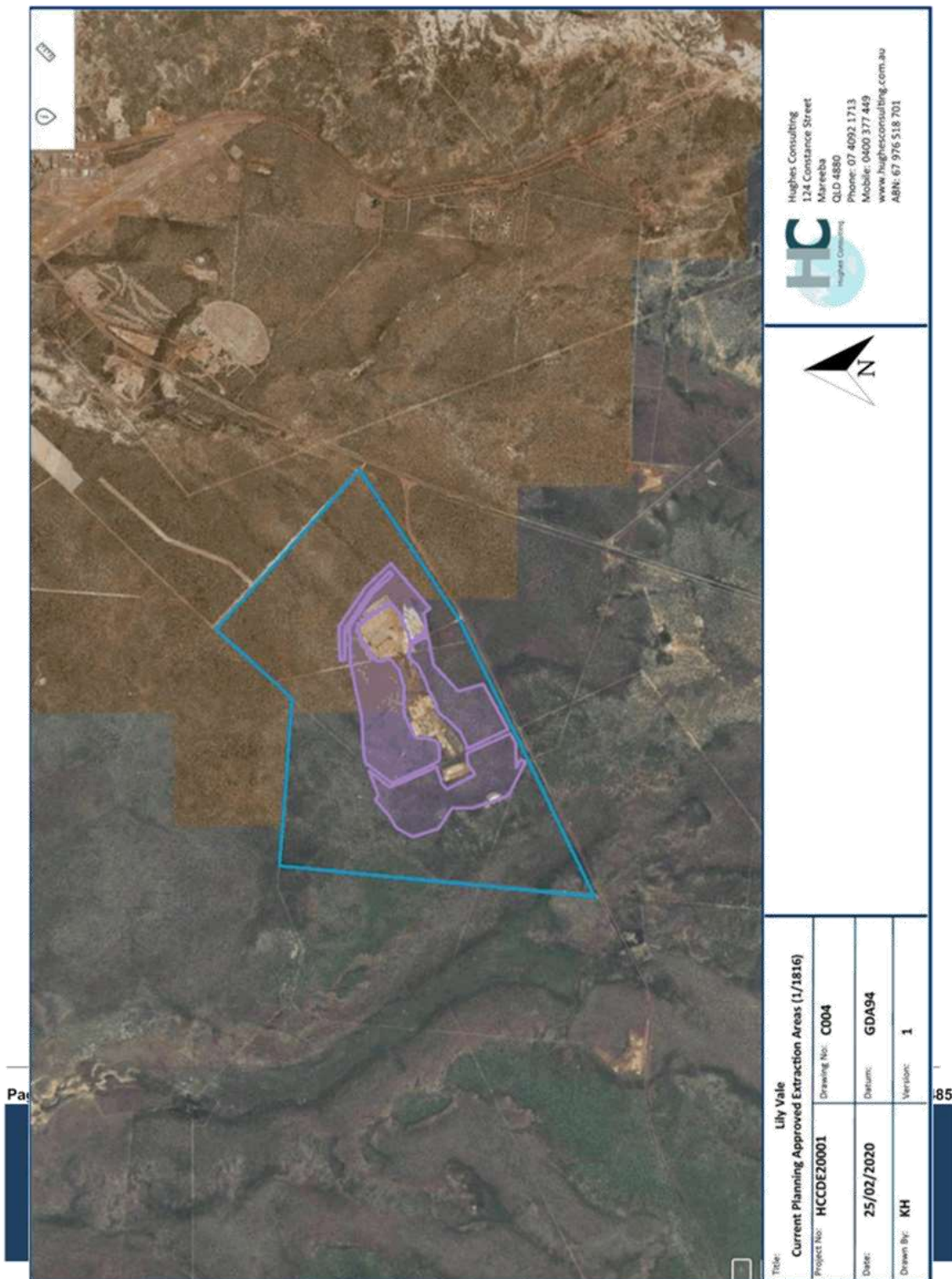
Table 1 - GPS Locations for Lily Vale Site

Point ID	Latitude	Longitude
LV1	-17.693920	141.015626
LV2	-17.700421	141.029593
LV3	-17.694300	141.035344
LV4	-17.705813	141.048521
LV5	-17.713607	141.036036
LV6	-17.724403	141.013195
LV Access 1	-17.713734	141.036206
LV Access 2	-17.717875	141.026926

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Map 1 Approved Extraction Areas - Lily Vale



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END OF PERMIT

BUSINESS PAPERS

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