



CARPENTARIA SHIRE

Outback by the Sea

ORDINARY MEETING

MINUTES

17 FEBRUARY, 2021

CONFIRMED MINUTES

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CONFIRMED MINUTES

1 OPENING OF MEETING

The Mayor welcomed members and declared the meeting open at **9:07am**.

2 RECORD OF ATTENDANCE

Councillors

| | |
|-----------------|--------------|
| Cr LV Bawden | Mayor |
| Cr BJ Hawkins | Deputy Mayor |
| Cr AT Gallagher | |
| Cr AJ Scott | |
| Cr CJ Young | |
| Cr AM Murphy | |

Staff

| | |
|--------------------|-------------------------|
| Mr Mark Crawley | Chief Executive Officer |
| Ms Angeline Pascoe | Executive Assistant |
| Mr Michael Wanrooy | Director of Engineering |

The following officers attended the meeting as indicated in the minutes

| | |
|----------------------|--|
| Mrs Lisa Ruyg | Manager Human Resources |
| Ms Verena Olesch | General Manager - Tourism |
| Ms Jade Nacario | Manager Finance and Administration |
| Ms Kylie Snaith | Environmental Health Officer |
| Mr Ben Hill | Manager Water & Waste |
| Mrs Cherie Schafer | Manager Economic and Community Development |
| Mr Michael Pickering | Project Manager |
| Mr John Martin | Consultant Engineer – ERSCON |
| Mr Nick Lennon | Civil Engineer - ERSCON |

APOLOGY

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Young

That Council accept the apology from Cr Wells and leave of absence be granted.

CARRIED 6/0

Resolution No. 0221/001

3 CONDOLENCES

There were no condolences.

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4 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS

Confirmation of Minutes from the Ordinary Council Meeting held 20 January 2021, as previously circulated to Councillors.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Young

That the Minutes of the Ordinary Council Meeting held 20 January 2021 in the Council Chambers be confirmed.

CARRIED 6/0

Resolution No. 0221/002

5 BUSINESS ARISING FROM PREVIOUS MEETINGS

Nil.

6 RECEPTION OF PETITIONS & DEPUTATIONS

Nil.

7 MAYORAL MINUTES

FNQROC/RRTG Meeting – Cairns (8 February 2021)

The Mayor and Chief Executive Officer attended the FNQROC/RRTG meeting recently held in Cairns.

The Mayor informed that a Road Safety Audit will to be undertaken from Cairns to Carpentaria Shire boundary in relation to the allocation of ROSI Funding (Trip planned for Tuesday 2 March 2021)

Assistant Minister Teleconference

The Mayor informed of the teleconference with the Assistant Minister, Nikki Boyd, in regards to Financial sustainability of Queensland Councils and the impacts on our financial sustainability i.e. depreciation expense and how this is treated in our Financial Statements.

Leader of Opposition Discussion

The Mayor informed of discussions to be held with the Leader of the Opposition David Crisafulli in relation to ROSI Funding on 1st March 2021

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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.

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Hawkins

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 Application of Rates Discount - 53 to 55 Philp Street, Normanton
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 4 Carron Street, Karumba - Rates Review
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.
- 8.3 Request for Excess Water Concession - 44 Sutherland Street, Normanton
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.
- 8.4 Request for Rates Exemption by GGNTAC - Follow Up
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.
- 8.5 Flightech Pty Ltd - Debt Management
This item is classified CONFIDENTIAL under the provisions of clause 275(1)(f) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to starting or defending legal proceedings involving it.
- 8.6 Normanton Sports Centre Operations
This item is classified CONFIDENTIAL under the provisions of clause 275(1)(h) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

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8.7 Social Welfare Funding

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

8.8 Lilyvale Subdivision Update January 2021

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

8.9 Request for Additional Waste Collection and Bins

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.

8.10 Land Use and Heads of Agreement – Late Item

This item is classified CONFIDENTIAL under the provisions of clause 275(1)(f) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to starting or defending legal proceedings involving it.

CARRIED 6/0

Resolution No. 0221/003

CLOSURE OF MEETING:

The meeting was closed to the public at **9:26am**.

ATTENDANCE:

The Chief Executive Officer left the meeting room at **9:26am**.

The Chief Executive Officer re-entered the meeting room at **9:27am**.

The Senior Finance Officer entered the meeting room at **9:29am**.

DECLARATION OF INTEREST:

I, **Councillor Murphy**, inform this meeting that I have a prescribed conflict of interest in Agenda Item 8.3 – Request for Excess Water Concession (as defined in section 150EI (c) (ii) of the Local Government Act 2009). The nature of my interest is as follows:

- (i) I performed the work associated with the request on behalf of the Department of Housing.;

In accordance with section 150EM of the Local Government Act 2009 I will now leave the meeting and stay away from the meeting while this matter is discussed and voted on.

CONFIRMED MINUTES

ATTENDANCE:

Cr Murphy left the meeting room at **9:39am**.
Cr Murphy re-entered the meeting room at **9:45am**.

DECLARATION OF INTEREST:

I, **Councillor Gallagher**, inform this meeting that I have a prescribed conflict of interest in relation to Agenda Item 8.6 – Normanton Sports Centre Operations. The nature of my interest is as follows:

- (i) My relationship with an associate who is an employee of the applicant;
- (ii) Their interest in this matter is the organisation with whom they are employed will receive a financial benefit from the decision.

As a result of my conflict of interest, I will now leave the meeting room while this matter is discussed and voted on.

ATTENDANCE:

The Senior Finance Officer left the meeting room at 9:57am.
Cr Gallagher left the meeting room at **9:58am**.
Cr Bawden left the meeting room at **9:58am**.
The Manager Economic Community Development entered the meeting room at 9:59am
Cr Bawden re-entered the meeting room at **10:00am**.
Cr Gallagher re-entered the meeting room at **10:13am**.
The Director of Engineering and Manager Economic and Community Development left the meeting room at 10:22am.
The Director of Engineering and Project Manager entered the meeting room at 10:23am.
The Manager Water and Waste entered the meeting room at 10:38am.
The Project Manager left the meeting room at 10:47am.
The Manager Water and Waste left the meeting room at 10:57am.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Young

That Council open the meeting to the public.

CARRIED 6/0

Resolution No. 0221/004

REOPENING OF MEETING:

The meeting was reopened to the public at **11:05am**.

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8.1 REQUEST FOR APPLICATION OF RATES DISCOUNT - 53 TO 55 PHILP STREET, NORMANTON

Executive Summary:

The owner of 53 and 55 Philp Street missed the prompt payment discount of \$209.81 for their rates in September as their PO Box had not been recorded by Council and the Rates Notices were addressed to a Normanton Street address. Council has no record of any request for the change of address and the owner implies that the initial request was not made correctly.

Council circulated two Public Notices through placement on noticeboards as well as on Council's Facebook page to advise the community that the Rates Notices were issued and to contact Council if they had not been received.

For Noting – Historically Council has not supported requests of this nature. The Public Notices have been successful and generally prompt a number of people to contact Council each levy.

RECOMMENDATION:

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Hawkins

Council does not support the request for the application of the prompt payment discount on the August rates levy for 53 and 55 Philp Street Normanton (A1272) as there was sufficient public notice given of the issue of the Rates Notices and the prompt payment discount.

CARRIED 6/0

Resolution No. 0221/005

8.2 4 CARRON STREET, KARUMBA - RATES REVIEW

Executive Summary:

Resolution 0217/030 passed in February 2017 provided that no interest would be charged on this property until review. Further that this arrangement was subject to a Payment Arrangement being entered into.

Resolution 0418/005 passed in the April 2018 Council Meeting provided for Council to apply the Council Pensioner Rebate although the property was in arrears.

Council seeks to review the provision of these concessions.

Council has accommodated the owner, Rodney Lucas, in his time of hardship with a cessation of interest as well as the provision of the Pensioner Rebate although he is not otherwise entitled.

No payment has been received since 7/12/2018 and the oldest debt is now over three years.

FOR NOTING – The age of the arrears is important as Council may seek to sell residential land for the payment of outstanding Rates where the debt is three years or greater. However the removal of the concessions does not mean that the sale of land must be pursued.

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Council was notified on 31/10/2019 that any correspondence regarding this property was to be through Debtfix. No correspondence other than the confirmation of debt has been received from Debtfix.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Murphy

As the owner of 4 Carron Street has not finalized a Payment Arrangement with Council as required by resolution 0217/030 and failed to clear or make regular payments towards the Rates arrears for 4 Carron street, Council will rescind the provision of the Pensioner Rebate effective 17/2/2021 and recommence the charging of interest as applicable with Council's policy effective 17/2/2021.

CARRIED 6/0

Resolution No. 0221/006

DECLARATION OF INTEREST:

I, **Councillor Murphy**, inform this meeting that I have a prescribed conflict of interest in Agenda Item 8.3 – Request for Excess Water Concession (as defined in section 150EI (c) (ii) of the Local Government Act 2009). The nature of my interest is as follows:

- (i) I performed the work associated with the request on behalf of the Department of Housing.;

In accordance with section 150EM of the Local Government Act 2009 I will now leave the meeting and stay away from the meeting while this matter is discussed and voted on.

ATTENDANCE:

Cr Murphy left the meeting room at **11:05am**.

8.3 REQUEST FOR EXCESS WATER CONCESSION - 44 SUTHERLAND STREET, NORMANTON

Executive Summary:

Assessment A1349 located at 44 Sutherland Street Normanton and owned by Dept Housing and Public Works recorded an excess water bill for the 2019/20 year. The owner is requesting a concession under the "Concealed Leak Policy". The policy, as written, allows Council to provide a concession to qualifying owners.

To qualify the owner must provide certain information to Council within specified timeframes.

The level of compliance is set out in the "Concealed Water Leak Compliance Form" as attached.

Council's Concealed Water Leak Concession Policy requires that after the issue of the Rates Notice for the period the owner has fourteen days to find the leak and sixty days to submit a

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claim. In this case the leak was not detected within the fourteen days nor was the claim made within sixty days which are both requirements of the Policy.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Gallagher

That Council does not support the application for a Concealed Water Leak Concession as the owner failed to find the leak or submit the claim in the required timeframes.

CARRIED 5/0

Resolution No. 0221/007

ATTENDANCE:

Cr Murphy re-entered the meeting room at **11.06am**.

8.4 REQUEST FOR RATES EXEMPTION BY GGNTAC - FOLLOW UP

Executive Summary:

In July 2020 Council considered a request by the Gangalidda and Garawa Native Title Aboriginal Corporation for a rates exemption for their property located at 11-13 Wurrup Street, Normanton. Council resolved (resolution 0720/007) to inform the applicant that for a Rates Exemption to be applied the property must be directly used for charitable purposes. Council also requested further information that would support that the property is being directly used for charitable purposes to aid in Council's considerations.

On 14 December 2020 Council received further information to consider.

Most of the information provided was previously provided and verifies the "Not for Profit" nature of the GGNTAC and their tenant (the CLCAC Normanton Rangers) there are two important letters for consideration (please see attachments):

- GGNTAC - Response to request for information – Stating the inclusion of verification of use for charitable use and other relevant information.
- CLCAC – Nature of use – stating the property is used as a base for the Rangers and to support the charitable purposes and activities of the CLCAC.

The following documents were provided to support the Charitable nature of the owner and the tenant but are not provided:

- CLCAC – ABN Extract
- CLCAC – Rule Book
- GGNTAC – Application for Exemption
- Wurrup street Lease
- Assignment of lease

Council has also sought and received legal opinion from King & Co (Letter attached). King & Co's response is that the current information does not support the direct use of the property

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for Charitable purposes as the Normanton Rangers engage in considerable commercial activity. The advice also states that it is up to Council to determine if the evidence warrants a rates exemption and the provision of such an exemption would carry low legal risks.

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Hawkins

Council is currently unable to support the request for Rates Exemption by the GGNTAC as the information provided, while indicating that the property is used to support charitable purpose, does not indicate that the property is used for charitable purposes as required by the Local Government Act 2009 (s93), and Local Government Regulation 2012 (s73).

CARRIED 6/0

Resolution No. 0221/008

8.5 FLIGHTTECH PTY LTD - DEBT MANAGEMENT

Executive Summary:

Council has contracted AVDATA to manage the billing and collecting of landing fees for the Normanton and Karumba Airports. AVDATA provides regular updates to Council regarding these accounts. Through AVDATA, Flighttech Pty Ltd is indebted to Council for use of the Normanton and Karumba Airports. As of 5 February 2021, these debts are \$36,616.66 for Karumba and \$9,015.35 for Normanton giving a total of \$45,632.01 with the last activity being dated November 2020.

Council's attempts to contact Flighttech were unsuccessful until Council emailed them in January 2019 and received a reply that they would look into the outstanding account within a week. After that week a further follow up was attempted but failed.

At this point the matter was turned over to Nicholas Carter at Recoveries and Reconstruction Legal (R&R) as Council's debt collection agency.

Council has only recently received a reply to its requests for an update from R&R and have learned that a "Letter of Demand" was sent and nothing further.

The next step in the process is to commence legal action through the courts which will entail initial fees of an estimated \$1,866.49 as well as staff time to collect and coordinate the information.

Council needs to acknowledge that the debt may not be recoverable in any measure but must also acknowledge that the debt will only grow if left.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Young

That Council proceed with commencing legal action against Flighttech Pty Ltd for the recovery of Airport fees for Normanton and Karumba. Council delegates responsibility in all matters of this debt recovery to the Chief Executive Officer

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including, for clarity, the appointment or change in the recovery agent and to terminate or delay proceedings if it is deemed appropriate.

CARRIED 6/0

Resolution No. 0221/009

DECLARATION OF INTEREST:

I, **Councillor Gallagher**, inform this meeting that I have a prescribed conflict of interest in relation to Agenda Item 8.6 – Normanton Sports Centre Operations. The nature of my interest is as follows:

- (i) My relationship with an associate who is an employee of the applicant;
- (ii) Their interest in this matter is the organisation with whom they are employed will receive a financial benefit from the decision.

As a result of my conflict of interest, I will now leave the meeting room while this matter is discussed and voted on.

ATTENDANCE:

Cr Gallagher left the meeting room at **11:07am**

8.6 NORMANTON SPORTS CENTRE OPERATIONS

Executive Summary:

This report provides information to Council around recent consultation with Bynoe CACS Ltd and options around future service delivery of the Normanton Sports Centre.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Hawkins

That Council accepts the report as presented and provide direction.

CARRIED 5/0

Resolution No. 0221/010

ATTENDANCE:

Cr Gallagher re-entered the meeting room at **11:08am**.

8.7 SOCIAL WELFARE FUNDING

Executive Summary:

This report provides information to Council on the Carpentaria Social Welfare Services currently being delivered by Council and the updates to service delivery effective 31 March 2021.

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COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Scott

That Council advise the Department that Council does not have the facilities to run a Neighbourhood Centre Model from Council premises as proposed by the Department. Council has for many years, through this funding, provided coordination of all agencies in Normanton which has been successful. Council's preference, on behalf of the community, is for this to continue. If the Department requires a full Neighbourhood Centre Model then Council wishes to advise it no longer needs the funding as it will not be able to provide the services outlined by the Department.

CARRIED 6/0

Resolution No. 0221/011

8.8 LILYVALE SUBDIVISION UPDATE JANUARY 2021

Executive Summary:

This report provides Council with an update on the progress to date of the proposed rural residential subdivision development at Lilyvale on the Burke Development Road via Normanton.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Murphy

That:

- 1. a further report be presented to a future Council meeting setting out a Development Analysis in accordance with the methodology outlined in the "Lilyvale subdivision Update report", authored by Michael Pickering and considered by Council at its meeting of 17 February 2021.***
- 2. that those matters not covered by resolution be noted.***

CARRIED 6/0

Resolution No. 0221/012

ATTENDANCE:

The Engineer entered the meeting room at 10:47am.

8.9 REQUEST FOR ADDITIONAL WASTE COLLECTION AND BINS

Executive Summary:

A request has been received by Council from a local resident for additional waste collection services to be provided to their property as they are currently undergoing home health treatment in Normanton. The request has been put forward for two additional bins to assist the patient with disposing of the additional general waste that the treatment will create. The extra bins would be collected and emptied during Council's scheduled weekly domestic waste collection cycle.

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COUNCIL RESOLUTION

Moved Cr Bawden

Seconded Cr Gallagher

That Council authorises two wheelie bins and two additional waste collection services per week to the applicant, with charges to be calculated using the annual cleansing rate as set out in Council's Revenue Statement and re-negotiate with Queensland Health in accordance with the original request.

CARRIED 6/0

Resolution No. 0221/013

8.10 LAND USE AND HEADS OF AGREEMENT – LATE ITEM

Executive Summary:

Legal advice has been received from Council's Solicitors Preston Law in relation to a proposed Heads of Agreement with the Aboriginal Corporation and State Government.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Hawkins

That Council:

- 1. authorise the Mayor and Chief Executive Officer to enter into the Heads of Agreement including any minor amendments to the Heads of Agreement; and***
- 2. Council agrees to the proposed settlement terms set out in Schedule 1 of the Heads of Agreement; and***
- 3. Council agrees to the outline of the Indigenous Land Use Agreement contained in Schedule 2 of the Heads of Agreement.***

CARRIED 6/0

Resolution No. 0221/014

ADJOURNMENT:

The meeting adjourned for morning tea at **11:13am**.

The meeting resumed at **11:30am**.

Cr Young was not in attendance upon resumption of the meeting.

ATTENDANCE:

The General Manager – Tourism entered the meeting room at **11:30am**.

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CHANGE IN STANDING ORDERS

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Hawkins

That Council change the Standing Orders to commence dealing with Agenda Item 9.7 – Tourism Report and Agenda Item 10.7 – Karumba Library Service Centre Review.

CARRIED 5/0

Resolution No. 0221/015

ATTENDANCE:

Cr Young entered the meeting room at 11:34am.

9 REPORTS FROM THE CHIEF EXECUTIVE OFFICER

9.7 TOURISM REPORT - DECEMBER 2020

Executive Summary:

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

Regional Tourism Organisation

Discussions was held on the tourism services provided by Tourism Tropical North Queensland ("TTNQ"). The Outback Queensland Tourism Association ("OQTA") have been far more active in assisting to promote Carpentaria Shire and Council also always enter the Tourism Awards for OQTA rather than TTNQ. The move has been the topic for discussion for at least 2 years now and these discussions started under the two previous CEO's of the RTO's.

MOTION

Moved Cr Bawden

Seconded Cr Murphy

That Council lodge a formal request for Carpentaria Shire to be represented by OQTA as the Regional Tourism Organisation rather than TTNQ. Carpentaria is more Outback than it is Reef and Rainforest and OQTA is a far better fit. Carpentaria Shire is also featured on the Matilda Way.

CARRIED 6/0

Resolution No. 0221/016

CONFIRMED MINUTES

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Murphy

That Council:

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

CARRIED 6/0

Resolution No. 0221/017

ATTENDANCE:

The Manager Finance and Administration entered the meeting room at 12.15pm.
The Manager Economic Community Development entered the meeting room at 12.15pm.

10.7 KARUMBA LIBRARY AND SERVICE CENTRE - SERVICE REVIEWS AND RECOMMENDATION

Executive Summary:

As part of Council wide service reviews, changes to existing services (Karumba Library and Service Centre) have been identified that will benefit from immediate action.

Therefore, we have fast tracked the separate service reviews:

- Karumba Library
- Karumba Service Centre

with the view to relocate and restructure those services and to create a community hub at the Les Wilson Barramundi Discovery Centre.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Hawkins

That Council:

- 1. approves to move the Karumba Library as well as the Karumba Service Centre to the Les Wilson Barramundi Discovery Centre (conference room) effective 1 April 2021.***
- 2. services delivered through the Service Centre will be facilitated at Library counter (away from busy VIC counter) with VIC providing back up.***

CARRIED 6/0

Resolution No. 0221/018

ATTENDANCE:

The Manager Finance and Administration left the meeting room at 12.39pm.

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The Manager Economic Community Development left the meeting room at 12.39pm.
The General Manager – Tourism left the meeting room at 12:39am.

RESUMPTION OF STANDING ORDERS

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Hawkins

That Standing Orders be resumed.

CARRIED 6/0

Resolution No. 0221/019

9.1 CEO REPORT

Executive Summary:

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

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Hawkins

That Council:

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

CARRIED 6/0

Resolution No. 0221/020

9.2 AMNESTY FOR PLANNING AND BUILDING APPROVALS

Executive Summary:

Council is aware of instances in the communities of Normanton and Karumba where planning approvals have not been obtained and buildings constructed that do not have approvals. In preparation for the development of a new planning scheme we have an opportunity to rectify the previous non-conformances and provide the community with an opportunity to lodge the necessary applications.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Murphy

That this item lay on the table.

CONFIRMED MINUTES

CARRIED 6/0

Resolution No. 0221/021

Note:

That Officers further investigate the number of complaints received in relation to illegal planning and buildings and act on these and future complaints.

ADJOURNMENT:

The meeting adjourned for lunch at **1:25pm**.
The meeting resumed at **2:18pm**.

9.3 REQUEST FOR FILL

Executive Summary:

Correspondence received from Sturmfels Engineering and Agent requesting 500m³ of fill from Lot 91 N14864 - Old Croydon Road.

COUNCIL RESOLUTION

Moved Cr Bawden

Seconded Cr Young

That Council authorise the sale of 500m³ of fill from the Lilyvale pit at the current rate in fees and charges.

CARRIED 6/0

Resolution No. 0221/022

9.4 REQUEST FOR ACCESS TO WHARF ACROSS COUNCIL RESERVE

Executive Summary:

Request received from Karumba Resident in relation to permission to access across a Council reserve to Wharf on Norman River.

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Murphy

That Council approve the request subject to the conditions outlined in the Subordinate Local Law No. 1.2 Commercial use of LG controlled areas and roads.

CARRIED 6/0

Resolution No. 0221/023

CONFIRMED MINUTES

9.5 NWQROC - REGIONAL BIOSECURITY PLAN

Executive Summary:

Correspondence has been received in relation to a proposal to develop a Regional Biosecurity Plan for the Councils within the NWQROC Region.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Scott

That Council authorise the \$4,000.00 for its contribution towards the development for the Regional Biosecurity Plan with this funding to be included in the 2021-2022 budget year for payment in July/August 2021.

CARRIED 6/0

Resolution No. 0221/024

ATTENDANCE:

The Manager Human Resources entered the meeting room at 2:30pm.

9.6 HUMAN RESOURCES REPORT

Executive Summary:

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

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Hawkins

That Council accepts the Human Resources Report for information.

CARRIED 6/0

Resolution No. 0221/025

ATTENDANCE:

The Manager Human Resources left the meeting room at 2:42pm.
The Environmental Health Officer entered the meeting room at 2:43pm.

CONFIRMED MINUTES

9.8 VECTOR CONTROL

Executive Summary:

Council currently has a contractor engaged to do fogging of the Shire. However, there are a lot more cost effective ways to treat the problem of mosquitos which is kinder to the environment and a lot more effective in the reduction of them.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Hawkins

That Council:

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

CARRIED 6/0

Resolution No. 0221/026

Note:

That a trial be undertaken for mosquito control as suggested in the officer's report.

ATTENDANCE:

The Environmental Health Officer left the meeting room at 2:56pm.

The Manager Finance and Administration entered the meeting room at 2:57pm.

10 REPORTS FROM DIRECTOR OF CORPORATE & COMMUNITY SERVICES

10.1 MONTHLY FINANCIAL REPORT - JANUARY 2021

Executive Summary:

The Monthly Financial Report has been prepared for the period ending 31 January 2021 in accordance with Section 204 of the Local Government Regulations 2012.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Hawkins

That Council:

- 1. accepts the Monthly Financial Report for the period ending 31 January 2021 as presented; and***
- 2. that those matters not covered by resolution be noted.***

CARRIED 6/0

Resolution No. 0221/027

CONFIRMED MINUTES

10.2 FINANCE AND ADMIN REPORT

Executive Summary:

The purpose of this report is to provide Council with updates on the Finance and Administration section.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Gallagher

That Council receive and note the Finance and Admin Report for the month of January 2021.

CARRIED 6/0

Resolution No. 0221/028

10.3 MATTERS FOR COUNCIL INFORMATION - GKUTHAARN AND KUKATJ PEOPLE TENURE RESOLUTION UPDATE

Executive Summary:

As part of the outcomes of the Gkuthaarn and Kukatj People Tenure resolution, some property currently entrusted to Carpentaria Shire Council is being entrusted to the Department of Natural Resources, Mining and Energy.

Council has now received the first advice of a related transfer being a "Water Reserve" lot on Old Croydon Road.

For Noting – Council has yet to receive official transfer documentation from the DNRME.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Young

For Council's information only.

CARRIED 6/0

Resolution No. 0221/029

ATTENDANCE:

The Manager Economic Community Development entered the meeting room at 3:32pm.

CONFIRMED MINUTES

10.4 COMMUNITY DEVELOPMENT REPORT

Executive Summary:

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

COUNCIL RESOLUTION

Moved Cr Hawkins

Seconded Cr Young

That Council:

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

CARRIED 6/0

Resolution No. 0221/030

ATTENDANCE:

The Manager Water and Waste entered the meeting room at 4:04pm.

The Consultant Engineers from ERSCON entered the meeting room at 4:11pm.

DECLARATION OF INTEREST:

I, **Councillor Gallagher**, inform this meeting that I have a declarable conflict of interest in relation to Agenda Item 10.5 – Community Donations and Support. The nature of my interest is as follows:

- (i) My relationship with an associate who is an Board Member of one of the applicants;
- (ii) Their interest in this matter is the school will benefit from the decision.

I have determined that this declarable conflict of interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

MOTION

COUNCIL RESOLUTION

Moved Cr Bawden

Seconded Cr Murphy

That Cr Gallagher remain in the meeting room for the discussion and decision on Item 10.5 Community Donations and Support.

CARRIED 6/0

Resolution No. 0221/031

CONFIRMED MINUTES

10.5 COMMUNITY DONATIONS AND SUPPORT

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.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Young

That Council approves the following requests for Donation and Support:

- 1. Normanton State School – Swim Classes: approves the request that the fee be reduced from \$2 per child to \$1 per swim class for term 1 and 4.***
- 2. Normanton State School – Swim Carnival 24th November: approves the requests for the pool to be pre-cleaned, lane ropes in, extra bins, use of the toilets, and use of kitchen area of the Sports Centre.***
- 3. Normanton State School – Athletics Carnival 16th July: approves the requests for the oval to be mowed, lines marked, sprinklers turned off, long jump pit prepared, toilets cleaned and opened for the day.***
- 4. Normanton State School – Fete 20th August: approves the requests for the use of the community donations trailer, delivery of extra tables and chairs and stage. The Normanton State School to pick up the community donations trailer and return upon completion of event.***
- 5. Normanton State School – Gulf Teachers Aide workshop 24th to 26th August: approves the request to use the Shire Hall for three days (reasonable charge to cover electricity to apply), extra bins, all the tables and chairs available. School to collect information for the conference bag i.e. tourist brochures for the Shire.***
- 6. Normanton State School – Gulf District Cross Country 5th June: approves the requests for the Golf Club area, mowing and cleaning of the toilets. School will need to liaise with Gulf Christian College due to new agreement being developed between Council and the Gulf Christian College***
- 7. Normanton State School – Gulf Districts Athletics Day 21st to 23rd July: approves the requests for the oval to be mowed, line marked, sprinklers turned off, long jump pit prepared, toilets cleaned and opened.***
- 8. Normanton State School – Cross Country 24 April: approves the request for the use of the Golf Club area mowing and cleaning of the toilets. School will need to liaise with Gulf Christian College due to new agreement being developed between Council and the Gulf Christian College***

CONFIRMED MINUTES

9. ***Gulf Christian College – Swim Classes Term 1: approve the request to use the pool and toilets 4 days a week to run swim classes with the reduced fee of \$1 per child.***
10. ***Gulf Christian College – Athletic Carnival 17th to 18th June: approves the requests for the community donation trailer and bins. The Gulf Christian College to pick up the community donations trailer and return upon completion of event.***
11. ***Gulf Christian College – Cross Country 6th and 7th May: request community donation trailer and bins. The Gulf Christian College to pick up the community donations trailer and return upon completion of event.***
12. ***Mount Isa School of the Air – Mini school 25th to 30th July: Approve the request for the Community donation trailer, use of rodeo grounds and kitchen area, toilets and showers and bins. The Mount Isa School of the Air to pick up the community donations trailer and return upon completion of event.***

CARRIED 6/0

Resolution No. 0221/032

10.6 USER AGREEMENT - NORMANTON SWIMMING CLUB

Executive Summary:

The current two-year Agreement between Council and the Normanton Swimming Club has expired and is open for review. Preston Law has reviewed the Agreement which has been sent to the Normanton Swimming Club for review. Feedback from both parties are listed below for consideration of inclusion.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Murphy

That Council endorse the agreement, as amended, and authorise the Chief Executive Officer to sign the agreement and arrange for the Normanton Swimming Club to sign also.

CARRIED 6/0

Resolution No. 0221/033

ATTENDANCE:

The Manager Economic Community Development left the meeting room at 4:25pm.

Cr Gallagher left the meeting room at 4:26pm.

Cr Gallagher re-entered the meeting room at 4:27pm.

CONFIRMED MINUTES

11 REPORTS FROM DIRECTOR OF ENGINEERING - ROADS & SERVICES

11.1 DOE REPORT

Executive Summary:

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

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Gallagher

That Council:

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

CARRIED 6/0

Resolution No. 0221/034

ATTENDANCE:

The Manager Water and Waste left the meeting room at 4.55pm.

The Manager Water and Waste re-entered the meeting room at 5:00pm.

This space left blank intentionally

CONFIRMED MINUTES

11.2 NDRRA/QDRF REPORT

Executive Summary:

QRA19: The QRA19 project is approximately 81% complete. Work will recommence once road conditions allow heavy vehicles access. Deadlines for the QRA19 works are between June 30 and December 30, 2021. QRA19 works will be prioritised over QRA20 works to ensure deadlines are met.

QRA20: REPA submissions have all been approved with a total RV of \$52.8million. Council has received the 30% pre-payment of \$15.8million.

QRA21: Carpentaria Shire was activated for REPA and CDO relief measures in response to Tropical Cyclone Imogen. Emergency work commenced on 5 January 2021 and is currently underway on accessible roads. Access is still restricted to many roads throughout the Shire due to flood waters.

Pre-qualified Suppliers for 2021 Construction Season: The tenders for Pre-qualified Suppliers of Wet Hire Plant, Dry Hire Plant and Civil Construction Material closed on 29 January 2021. Fifty (50) tenders were received for Wet Hire Plant, twelve (12) for Dry Hire Plant and six (6) for Civil Construction Material. The tenders are currently under assessment with an updated report to be tabled at the meeting.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Hawkins

That Council:

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

CARRIED 6/0

Resolution No. 0221/035

11.3 WATER AND WASTE REPORT - JANUARY 2021

Executive Summary:

The report is to advise Council on the operations of the Normanton Water Treatment Plant (WTP), Karumba Sewage Treatment Plant (STP) and Normanton STP for the month of January 2021.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Scott

That Council:

- 1. accepts the Water and Wastewater Report as presented for the period ending*

CONFIRMED MINUTES

31st January 2021; and

2. that those matters not covered by resolution be noted.

CARRIED 6/0

Resolution No. 0221/036

ATTENDANCE:

The Manager Water and Waste left the meeting room at 5:22pm.

11.4 WORKSHOP REPORT

Executive Summary:

This report provides information and updates to Council on various maintenance and repairs that are facilitated within the Workshop.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Hawkins

That Council:

- 1. accepts the Workshop Report as presented.**
- 2. that those matters not covered by resolution be noted.**

CARRIED 6/0

Resolution No. 0221/037

11.5 TOWN PLANNING APPLICATION MCU INDUSTRY (VEHICLE WORKSHOP AND VEHICLE STORAGE) AND AN ACCOMMODATION BUILDING FOR 4 STAFF – LATE ITEM

Executive Summary:

In 2012 the Council approved an Application for Material Change of Use (MCU) for an Industrial Shed and a Caretaker's Residence at 12 Beard Crescent, Normanton, described as Lot 25 on SP 202656. This development proceeded with the construction of the industrial shed; however, the Caretaker's Residence is yet to be built.

The site recently sold and in late 2020 a second MCU Application was lodged seeking to erect an additional industrial shed on the site for a vehicle workshop and vehicle storage and to install three (3) dongas on the site for staff accommodation, associated with the landowners earthmoving business.

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

COUNCIL RESOLUTION

Moved Cr Young

Seconded Cr Gallagher

CONFIRMED MINUTES

That Council in accordance with the Planning Act 2016 as amended, the applicant be notified that the application for a Development Permit for a Material Change of Use for an Industrial Shed and Accommodation Building for staff accommodation, located at 12 Beard Crescent, Normanton, described as Lot 25 on SP202656, is approved subject to the conditions detailed below and subject to any submission received from owners at 14 Beard Crescent, Normanton.

A. ASSESSMENT MANAGER CONDITIONS (COUNCIL)

- 1. The development shall be undertaken substantially in accordance with the Submitted Plans, except as modified by this approval.***
- 2. Any future building work on-site shall be carried out generally in accordance with any relevant Council requirements and the Building Code of Australia.***
- 3. This approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect, if the development has not been commenced.***
- 4. The applicant shall ensure the site is maintained, during and after development, in a clean and tidy condition at all times, to the satisfaction of the Chief Executive Officer or delegate.***
- 5. The maximum height of all building must be less than 12.75 metres to protect the operations of the adjacent Normanton Aerodrome.***
- 6. The external finish of all buildings is required to be non – reflective, such as Colourbond not zinc alum, and non- reflective glass is to be used in any glass windows to protect the operations of the adjacent Normanton Aerodrome to the satisfaction of the Chief Executive Officer or delegate.***
- 7. The Industrial Shed and the Accommodation Buildings are required to be sited, to the satisfaction of the Chief Executive Officer or delegate:***
 - a minimum distance of 6 metres from the site frontage;***
 - a minimum distance of 2.4 metres from the nearest side boundary; and***
 - a minimum distance of 2 metres from the rear boundary.***
- 8. The site is required to drain to the street frontage, to the satisfaction of the Chief Executive Officer or delegate.***
- 9. The applicant/proponent is to meet the cost of any new connections or upgrades required to any urban services for the approved development and water supply and sewerage are to be constructed to relevant standards stated in Schedule 1, Part 3 of the Planning Scheme.***
- 10. Any work associated with connecting to urban services shall be undertaken in accordance with an approved plan and shall be completed prior to the lawful commencement of the use and to the satisfaction of the Chief Executive Officer***

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or delegate.

11. *Should any of the Council's assets be damaged during the construction of any associated works, the cost of the reinstatement of all such assets shall be met by the applicant/proponent and to the satisfaction of the Chief Executive Officer or delegate.*
12. *If not already in place, two (2) industrial crossovers and aprons are required to be constructed to the site frontage and to extend to the bitumen in Beard Crescent to the satisfaction of the Chief Executive Officer or delegate.*
13. *If not already in place, a hard stand driveway and vehicle standing areas are to be constructed from the site frontage, to the new Industrial Shed and the Accommodation buildings to the satisfaction of the Chief Executive Officer or delegate.*
14. *Any lighting proposed in association with the development must ensure there is no light spillage onto adjoining properties, to the satisfaction of the Chief Executive Officer or delegate.*
15. *The maintenance of vehicles must occur in the new industrial shed, which has a graded concrete floor to control any spills. In addition, a spill kit is required to be stored in the shed and a dedicated large waste disposal bin is required to be stored within the shed or adjacent to the shed on a concrete slab, if securely covered, to the satisfaction of the Chief Executive Officer or delegate.*
16. *Any advertising signage associated with the development is required to comply with the Advertising Devices Code in the Carpentaria Shire Planning Scheme, to the satisfaction of the Chief Executive Officer or delegate.*
17. *If not already in place, trees native to the local area are to be densely planted and maintained along the frontage of the site, so as to screen the premises from the road, to the satisfaction of the Chief Executive Officer or delegate.*
18. *The Accommodation Building component of the development is limited to accommodating a maximum of four (4) staff members and is comprised of three (3) dongas, as follows, to the satisfaction of the Chief Executive Officer or delegate:*
 - i. *Donga 1- Staff accommodation comprising four (4) single bedrooms with a minimum area of 36m²; and*
 - ii. *Donga 2–Ablutions, comprising male and female toilet and male and female showers and laundry facilities (unless the existing on-site laundry is made available for staff); and*
 - iii. *Donga 3 – Kitchen and living/dining area with a minimum area of 36m².*

The Dongas shall be sited generally as shown on the submitted Plan with the following variation:

CONFIRMED MINUTES

- I. *Donga 1 and Donga 3 are to be sited a minimum of 4 metres apart and the area between the two Dongas is to be covered with an impervious shade cover or roof structure to provide protection from the weather and the ground is to be paved/hardstand, to be available as an outdoor sitting/recreation area for staff; and*
- II. *The impervious shade cover or roof structure is required to extend to Donga 2 to provide all-weather covered pedestrian access direct from the staff accommodation in Donga 1 to the ablution facilities in Donga 2.*

Four (4) car parking spaces for staff are to be provided near the Accommodation buildings. The car spaces are to be provided on hardstand and delineated by coppers logs, or similar, to the satisfaction of the Chief Executive Officer or delegate.

19. *The conversion of the existing shed to a Caretaker's Residence is to be undertaken so that it achieves a residential character and a level of residential amenity for the occupant/s.*

In this regard the Caretaker's Residence is required to incorporate the following design elements:

- *a covered verandah/outdoor area orientated away from the new Industrial Shed and a covered car parking area.*

These two (2) areas can be provided as one dual-use space in the area shown on the submitted Site Plan, as "carport area", provided residential character is introduced into the building and residential amenity for occupants is achieved, to the satisfaction of the Chief Executive Officer or delegate.

The upgrading of the industrial shed to a Caretaker's Residence must comply with the necessary building Classification standards under the Building Code of Australia.

B. REFERRAL AGENCY CONDITIONS

CONCURRENCE AGENCY Nil

C. SUBMISSIONS Nil

D. FURTHER DEVELOPMENT PERMITS REQUIRED

- *carrying out building works;*
- *carrying out drainage works; and*
- *carrying out plumbing works.*

E. APPLICABLE CODES FOR SELF ASSESSABLE DEVELOPMENT

CONFIRMED MINUTES

- **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.

CARRIED 6/0

Resolution No. 0221/038

DECLARATION OF INTEREST:

I, **Cr Hawkins**, inform the meeting that I have a prescribed conflict of interest in Agenda Item 11.6 – 20-0521 Wet Hire Plant Assessment Report and Agenda Item 11.8 – 20-0523 Preferred Supplier Arrangement for Civil Construction Material and my interest in this matter is as follows:

- (i) I own plant and equipment and undertake works for Council.
- (ii) I own the plant that produces material proposed for supply to Council

As a result of my conflict of interest, I will now leave the meeting room while this matter is discussed and voted on.

ATTENDANCE:

Cr Hawkins left the meeting room at **5:42pm**.

DECLARATION OF INTEREST:

I, **Cr Scott**, inform the meeting that I have a prescribed conflict of interest in Agenda Item 11.6 – 20-0521 Wet Hire Plant Assessment Report and my interest in this matter is as follows:

- (i) I own plant and equipment and undertake works for Council.

As a result of my conflict of interest, I will now leave the meeting room while this matter is discussed and voted on.

ATTENDANCE:

Cr Scott left the meeting room at **5:42pm**.

CONFIRMED MINUTES

11.6 20-0521 WET HIRE PLANT ASSESSMENT REPORT – LATE ITEM

Executive Summary:

A request for tenders for the ROPS Wet Hire Plant 2021 Construction Season (Contract No: 20-0521) closed on 29 January 2021 with fifty-one (51) tenders received. Tenderers for each item of Wet Hire Plant have been assessed and placed on a Local and Non-Local list with their hire rate provided.

COUNCIL RESOLUTION

Moved Cr Murphy

Seconded Cr Gallagher

That Council:

- 1. approve the suppliers of Wet Hire Plant as presented.***
- 2. an RFI is to be sent to tenderers that have minor non-conformances with information to be provided prior to engagement.***

CARRIED 4/0

Resolution No. 0221/039

ATTENDANCE:

Cr Scott re-entered the meeting room at **6:02pm**.

11.8 20-0523 PREFERRED SUPPLIER ARRANGEMENT FOR CIVIL CONSTRUCTION MATERIAL – LATE ITEM

Executive Summary:

A request for Tenders for the Supply and Delivery of Civil Construction Materials (Contract No: 20-0523) closed on 29 January 2021 with six (6) tenders received. The tenders have been assessed with an 80% price weighting and 20% non-price weighting. Each material type has been assessed separately with tenderers ranked based on their overall score against the assessment criteria.

COUNCIL RESOLUTION

Moved Cr Gallagher

Seconded Cr Young

That Council approve the list of Material Suppliers as presented.

CARRIED 5/0

Resolution No. 0221/040

ATTENDANCE:

Cr Hawkins re-entered the meeting room at **6:06pm**.

CONFIRMED MINUTES

11.7 20-0522 PRE-QUALIFIED SUPPLIERS OF DRY HIRE PLANT – LATE ITEM

Executive Summary:

A request for tenders for the Pre-qualified Suppliers of Dry Hire Plant (Contract No: 20-0522) closed on 29 January 2021 with twelve (12) tenders received. Tenderers for each item of Dry Hire Plant have been assessed and placed on a conforming and non-conforming list with their hire rate provided.

COUNCIL RESOLUTION

Moved Cr Scott

Seconded Cr Murphy

That Council approve the Conforming Suppliers of Dry Hire Plant as presented.

CARRIED 6/0

Resolution No. 0221/041

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CONFIRMED MINUTES

12 GENERAL BUSINESS

True Cost of Flood Damage

Cr Gallagher asked about costings that are not captured for flood damage works, i.e. the time for the Chief Executive Officer, Director of Engineering and the finance teams to name a few.

Drainage in Henry Street, Karumba

Cr Young informed of a drainage issue in Henry Street that is backing up and may need to be cleaned out.

Dripping Tap

Cr Bawden informed of a dripping tap
The Chief Executive Officer advised that an inspection was carried out by the Manager Water and Waste.

13 CLOSURE OF MEETING

The Chair of the meeting, Cr Lyall Bawden, Mayor, declared the meeting closed at 6:26pm.

MINUTES CERTIFICATE

These Minutes are Unconfirmed.



.....

Councillor LV Bawden

Mayor

17, 02, 2021
.....

Date