



**CARPENTARIA SHIRE**

*Outback by the Sea<sup>®</sup>*

***ORDINARY MEETING  
MINUTES***

***16 SEPTEMBER 2015***

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**1 OPENING OF MEETING**

The Mayor welcomed members and declared the meeting open at 9.00am.

**2 RECORD OF ATTENDANCE**

**Councillors**

Mayor: Cr FC Pascoe

Members: Cr AJ Gurney; Cr MD Johnson; Cr JC Zahner; Cr JD Beard;  
Cr ATJ Gallagher; Cr DA Amos (attended 9.28am)

**Staff**

Chief Executive Officer Mr Bob Owen

Director of Engineering Mr John Teague

Director Corporate Services Mr Oliver Pring

Executive Assistant Ms Angeline Pascoe.

**3 CONFIRMATION OF MINUTES FROM PREVIOUS MEETINGS**

Confirmation of Minutes from the Ordinary Council Meeting held 19 August 2015 as previously circulated to councillors.

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Johnson

***That the Minutes of the Ordinary Council Meeting held 19 August 2015 be confirmed.***

**CARRIED**

***Resolution No. 0915/001***

**4 BUSINESS ARISING FROM PREVIOUS MEETINGS**

Cr Johnson

Queried the Show Holiday and asked if a response had been received.  
*The Chief Executive Officer informed that to date there was no response, but that usually the date applied for is approved.*

**CONFIRMED MINUTES**

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**5 PUBLIC QUESTION TIME**

Mr Mick Gallagher and Mr Peter Colahan sat in the public gallery.

Mr Gallagher addressed Council on the following issues:

1. Thanked Council for the good job on Kelwood Road, but expressed concern about a bump on one bend.  
*The Director of Engineering to investigate.*
2. The wheelie bin has been removed from near intersection of Gulf Developmental Road and Burke Developmental Road.  
*Council to replace bin and Mr Gallagher will empty it and keep the surrounding area clean.*
3. Fencing of the acquired land near the weir – Mr Gallagher does not want the area fenced as it will only wash away.  
*Council will install a gate, but will not fence the land at this stage in accordance with Mr Gallagher's wishes. Council reserves the right in future to fence the land if required by following the relevant dividing fence legislation.*
4. Grid on weir road - the fence has plain wire installed. Can Mr Gallagher install barbed wire?  
*Council agrees for Mr Gallagher to install barbed wire on the fence.*

Mr Colahan – Thanked Council for their work. Discussed his concerns about Queensland Health.

**ATTENDANCE: 9.20am** Mr Gallagher and Mr Colahan left the meeting.

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

**6.1 WORKS REPORT SEPTEMBER 2015**

**Executive Summary:**

Councillors were provided with a report on the summary of the works undertaken in August 2015.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Amos

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

**CARRIED**

***Resolution No. 0915/002***

**6.2 NDRRA REPORT**

**Executive Summary:**

All work for the 2013 restoration works is now finalised, including the causeway projects (practical completion). The closeout is being finalised following a detailed acquittal inspection and audit with QRA.

The 2014 restoration works are progressing well with the majority due for completion prior to Christmas 2015. There are some over expenditure investigations required on some assets which have been flagged for action.

The development approvals for construction of the artesian bores have been received. Daly Bro's have been engaged to mobilise to complete The McAllister Mail Run bore with construction anticipated to be completed mid-October to provide vital water supply to complete the construction works.

The Normanton Airport was approved for a restoration construction value of \$910,156 (excluding GST) and is programmed for commencement in April 2016. In order to complete a full width seal and additional stabilising works on the runway, an additional \$735,000 (excluding GST) is required.

Additional funding is currently being sought for through the Regional Aviation Access Program to complete a full reconstruction of the Normanton runway and some minor works at the Karumba airport.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Amos

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

**CARRIED**

***Resolution No. 0915/003***

**RECESS: 10.10am - 10.26am** The Mayor called a recess for morning tea.

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**6.3 DTMR WORKS - SEPTEMBER 2015**

**Executive Summary:**

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

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Gallagher

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

**CARRIED**

***Resolution No. 0915/004***

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**6.4 MARINE STRUCTURES REPORT - SEPTEMBER 2015**

**Executive Summary:**

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

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Amos

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

**CARRIED**

***Resolution No. 0915/005***

**CONFIRMED MINUTES**

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**6.5 CONTRACT 15/0405 GLENORE WEIR UPGRADE - PROGRESS REPORT**

**Executive Summary:**

This report provides an update on the progress of the construction contract for the Glenore Weir Upgrade project as prepared by the Superintendent Andrew Armstrong from PDR Engineers.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Johnson

*That Council accepts the report as presented.*

**CARRIED**

**Resolution No. 0915/006**

**6.6 CONTRACT 14/0383 KARUMBA SWIMMING POOL - PROGRESS REPORT**

**Executive Summary:**

This report provides an update on the progress of the construction contract for the Karumba Swimming Pool project as prepared by the Superintendent Boipuso Samuel from PDR Engineers.

**COUNCIL RESOLUTION**

Moved Cr Amos

Seconded Cr Gallagher

*That Council accepts the report as presented.*

**CARRIED**

**Resolution No. 0915/007**



**6.7 BUILDING AND PLANNING REPORT**

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

**Planning Applications Received**

IDAS No	Address	Application Type	Status
I/1518	36 Yappar Street, Karumba	Material Change of Use – Motel/Tourism Minor	Approved

**Planning Applications Approved**

IDAS No	Address	Application Type	Status
I/1518	36 Yappar Street, Karumba	Material Change of Use – Motel/Tourism Minor	Approved

**Building Applications Received**

IDAS No	Address	Application Type	Value
I/1517	3 Balonne Street, Normanton	Carport	\$10,000

**Building Approvals Issued**

IDAS No	Address	Application Type	Value
I/1517	3 Balonne Street, Normanton	Carport	\$10,000
I/0765	2 Riverview Drive, Karumba	Visitors Quarters	\$2,999

**Applications pending waiting on further information (Applicants advised)**

IDAS No	Address	Type	Date Received
I/0785	56 Karumba Development Road, Karumba	Portable Dwelling	04/03/2014

**COUNCIL RESOLUTION**

Moved Cr Gallagher

Seconded Cr Johnson

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

**CARRIED**

***Resolution No. 0915/008***

**6.8 BURNS PHILP BUILDING - REPLACEMENT OF ROOF SHEETING TO BAYS 1 AND 3**

**Executive Summary:**

This report has been submitted to provide Council with sufficient information to approve a quotation received for the replacement of roof sheeting to Bays One and Three of the Burns Philp Building.

**COUNCIL RESOLUTION**

Moved Cr Gallagher

Seconded Cr Beard

***That Council approve the quotation received from A & E Murphy T/A Murph's Plumbing for the replacement of the roof over Bays One and Three of the Burns Philp Building, Normanton, for the amount of \$302,445.00.***

**CARRIED**

***Resolution No. 0915/009***

**6.9 INFORMATION SESSION - COASTAL PLANNING AND DEVELOPMENT MAPPING CHANGES - COASTAL MANAGEMENT DISTRICT - CAIRNS**

**Executive Summary:**

Consultant Planner, Liz Taylor attended an Information Session in Cairns on Tuesday 25 August 2015 on the proposed changes to the Coastal Planning and Development Mapping.

Mr Sel Sultmann, Principal Coastal Scientist of the Department of Environment and Resource Management (DERM) presented the Information Session. The following is a summary of the key issues and commentary raised at the Session.

**RECOMMENDATION:**

*For Council information only.*

**ATTENDANCE:** *11.30am* Councillor Amos left the meeting.

**6.10 WATER AND WASTEWATER REPORT - AUGUST 2015**

**Executive Summary:**

The purpose of this report is to provide Council with town water and wastewater supply, usage and quality information to assist in ensuring that the water and wastewater are being appropriately managed.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Zahner

*That Council accepts the report as presented.*

**CARRIED**

**Resolution No. 0915/010**

**ATTENDANCE:** *11.40am* Councillor Amos returned to the meeting.  
The Director of Engineering left the meeting.

## CONFIRMED MINUTES

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### 7 REPORTS FROM THE CHIEF EXECUTIVE OFFICER

#### 7.1 2016 QUADRENNIAL ELECTION

**Executive Summary:**

Councillors are provided with this overview relating to the 2016 local government quadrennial election which is to be conducted in March 2016.

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Gurney

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

**CARRIED**

***Resolution No. 0915/011***

#### 7.2 CARETAKER PERIOD ARRANGEMENTS

**Executive Summary:**

The 2016 quadrennial Council election is set down for Saturday 19 March 2016. Prior to this time, legislated caretaker period arrangements come into force. This report provides Council with an overview of the arrangements in order to facilitate the making of major policy decisions given that only approximately 4 months remain prior to the caretaker period.

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Gurney

***That Council accept and note the report as presented***

**CARRIED**

***Resolution No. 0915/012***

**ATTENDANCE:** *11.52am* The Manager Governance & Executive Services, Mr Phil Turner and the Senior Projects Officer, Mrs Gillian Teague, entered the meeting.

### 7.3 LOCAL LAW REVIEW

#### Executive Summary:

At the March 2015 meeting, Council adopted a process for adopting new local laws. Council have now completed the review of anti-competitive provisions and public consultation regarding its proposed local laws and subordinate local laws. No properly made submissions were received by Council and no amendment of any proposed local law or subordinate local law is proposed. Council may resolve to proceed with the making of each proposed local law and subordinate local law. Hard copies of the local laws have previously been provided to Council and will be again provided to Councillors prior to the monthly meeting.

#### COUNCIL RESOLUTION

Moved Cr Amos

Seconded Cr Beard

#### *That Council—*

- (a) *having considered the content of a public interest test report in relation to anti-competitive provisions contained in each of Local Law No. 1 (Administration) 2015 and various subordinate local laws and Local Law No. 2 (Animal Management) 2015 and various subordinate local laws and Local Law No. 3 (Community and Environmental Management) 2015 and an associated subordinate local law—note the content of each public interest test report and implement the recommendations of each public interest test report; and*
- (b) *proceed with the making of, and make, each proposed local law listed in Schedule 1 as advertised; and*
- (c) *proceed with the making of, and make, each proposed subordinate local law listed in Schedule 2 as advertised.*

#### SCHEDULE 1

1. *Local Law (Repealing) Local Law (No. 1) 2015;*
2. *Local Law No. 1 (Administration) 2015;*
3. *Local Law No. 2 (Animal Management) 2015;*
4. *Local Law No. 3 (Community and Environmental Management) 2015;*
5. *Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015;*
6. *Local Law No. 5 (Parking) 2015;*
7. *Local Law No. 7 (Aerodromes) 2015.*

**CONFIRMED MINUTES**

**SCHEDULE 2**

1. ***Subordinate Local Law No. 1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2015;***
2. ***Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2015***
3. ***Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2015;***
4. ***Subordinate Local Law No.1.4 (Installation of Advertising Devices) 2015;***
5. ***Subordinate Local Law No. 1.5 (Keeping of Animals) 2015;***
6. ***Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2015;***
7. ***Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2015;***
8. ***Subordinate Local Law No. 1.9 (Operation of Cemeteries) 2015;***
9. ***Subordinate Local Law No. 1.10 (Operation of Public Swimming Pools) 2015;***
10. ***Subordinate Local Law No. 1.11 (Operation of Rental Accommodation) 2015;***
11. ***Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2015;***
12. ***Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2015;***
13. ***Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2015;***
14. ***Subordinate Local Law No. 1.15 (Carrying out Works on a Road or Interfering with a Road or its Operation) 2015;***
15. ***Subordinate Local Law No. 1.16 (Parking Contrary to an Indication on an Official Traffic Sign Regulating Parking by Time or Payment of a Fee) 2015;***
16. ***Subordinate Local Law No. 2 (Animal Management) 2015;***
17. ***Subordinate Local Law No. 3 (Community and Environmental Management) 2015;***
18. ***Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2015;***
19. ***Subordinate Local Law No. 5 (Parking) 2015.***

**CONFIRMED MINUTES**

CARRIED

**Resolution No. 0915/013**

**GENERAL BUSINESS – CHIEF EXECUTIVE OFFICER**

Cr Gallagher

Queried distance education at Karumba.  
*Council to invite parents to the October meeting to discuss the SDE arrangements.*

Queried the progress on the Lilyvale lots.

Chief Executive Officer

Submission to Remuneration Tribunal.  
*Council will not make a submission.*

**ATTENDANCE: 12.25pm** The Manager Governance and Executive Services and the Senior Projects Officer left the meeting.

**ADJOURNMENT: 12.25pm – 1.10pm** The Mayor adjourned the meeting for lunch. Upon resumption all members were present. The Deputy Mayor assumed the role of Chair in the absence of the Mayor.

**MOTION**

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Amos

***That Council approve leave of absence for Cr Zahner who was unable to attend the meeting after lunch due to illness.***

CARRIED

**Resolution No. 0915/014**

**ATTENDANCE: 1.28pm** The Mayor returned to the meeting and resumed the role of Chair.

**CONFIRMED MINUTES**

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**8 REPORTS FROM DIRECTOR OF CORPORATE & COMMUNITY SERVICES**

**8.1 MONTHLY FINANCIAL REPORT - AUGUST 2015**

**Executive Summary:**

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

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

**COUNCIL RESOLUTION**

Moved Cr Gallagher

Seconded Cr Gurney

***That Council accepts the following reports for the period ending 31 August 2015 as presented.***

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

**CARRIED**

***Resolution No. 0915/015***

**CHANGE IN STANDING ORDERS**

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Johnson

***That Council change the Standing Orders to commence dealing with the presentation on geothermal energy by LGIS***

**CARRIED**

***Resolution No. 0915/016***



**CONFIRMED MINUTES**

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**RESUMPTION OF STANDING ORDERS**

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Beard

*That Standing Orders be resumed.*

**CARRIED**

*Resolution No. 0915/017*

**ATTENDANCE** 3:28pm Councillor Duane Amos left the meeting.

**8.2 2015/2016 ANNUAL OPERATIONAL PLAN**

**Executive Summary:**

Council must prepare and adopt an operational plan for each financial year. The operational plan for 2015/2016 will be provided separately for Council's consideration.

**COUNCIL RESOLUTION**

Moved Cr Johnson

Seconded Cr Gallagher

*That Council adopt the 2015/2016 Operational Plan as presented*

**CARRIED**

*Resolution No. 0915/018*

**8.3 HUMAN RESOURCES REPORT**

**Executive Summary:**

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

**COUNCIL RESOLUTION**

Moved Cr Gallagher

Seconded Cr Beard

*That Council accepts the report as presented.*

**CARRIED**

*Resolution No. 0915/019*

**8.4 CHRISTMAS CLOSE DOWN PERIOD**

**Executive Summary:**

Carpentaria Shire Council usually closes during the period between Christmas and New Year. Closedown dates are set by Council on an annual basis to allow for advertising of the closedown and to provide staff with sixty (60) days notice of the closedown.

A skeleton staff will be rostered during the closedown to ensure essential and emergency services are maintained.

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Beard

***That Council:-***

**1. *Endorses the Christmas arrangements for closedown as presented***

<b><i>Division</i></b>	<b><i>Closedown Commencement</i></b>	<b><i>Recommencement</i></b>
<b><i>Works Staff (excluding RMPC and Town Crews)</i></b>	<b><i>Friday 11 December 2015 (half day)</i></b>	<b><i>Tuesday 5 January 2016</i></b>
<b><i>RMPC and Town Crews</i></b>	<b><i>Friday 18 December 2015 (half day)</i></b>	<b><i>Tuesday 5 January 2016</i></b>
<b><i>Office</i></b>	<b><i>Friday 18 December 2015 (half day)</i></b>	<b><i>Tuesday 5 January 2016</i></b>
<b><i>Child Care Centre</i></b>	<b><i>Provision of child care services to cease from 18 December 2015  Closedown for staff to commence Tuesday 22 December 2015 from 12noon</i></b>	<b><i>Monday 4 January 2016 for staff.  Provision of child care services to recommence Tuesday 5 January 2016.</i></b>
<b><i>Visitor Information Centres and Libraries</i></b>	<b><i>Wednesday 23 December 2015</i></b>	<b><i>Tuesday 5 January 2015</i></b>

**2. *That the Christmas Party be held on Friday 11 December 2015 at the Normanton Shire Hall.***

**CARRIED**

**Resolution No. 0915/020**

**8.5 COMMUNITY DEVELOPMENT**

**Executive Summary:**

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

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Gurney

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

**CARRIED**

***Resolution No. 0915/021***

**ATTENDANCE: 3.58pm** The Director of Engineering left the room.

**CONFIRMED MINUTES**

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

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

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Gallagher

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

**9.1 Purchase of Land at Karumba - Native Title Dealings**

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

**9.2 Application to Purchase Area Currently Held as Permit to Occupy**

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

**CARRIED**

**Resolution No. 0915/022**

**ATTENDANCE:** 4.05pm The Manager Governance and Executive Services entered the meeting.

**MOTION**

**COUNCIL RESOLUTION**

Moved Cr Gallagher

Seconded Cr Beard

*That Council open the meeting to the public.*

**CARRIED**

**Resolution No. 0915/023**

**CONFIRMED MINUTES**

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**MATERIAL PERSONAL INTEREST:** 4:21pm Councillor Fred Pascoe declared a material personal interest in the native title land dealings report. Councillor Pascoe is the Chair of Morr Morr Pastoral Company Ltd and has native title interests in the area. Councillor Pascoe remained out of the meeting until the discussion and voting was completed. Councillor Alan Gurney assumed the role of Chair.

**9.1 PURCHASE OF LAND AT KARUMBA - NATIVE TITLE DEALINGS**

**COUNCIL RESOLUTION**

Moved Cr Beard

Seconded Cr Johnson

***That Council:***

- 1. Proposes to compulsorily acquire any and all native title and non-native title rights and interests over Lot 52 on NM21 and Lot 119 on K3646 being an area of approximately 1.19 hectares situated at Karumba for the purpose of alienating the land in fee simple by the State of Queensland to Carpentaria Shire Council pursuant to the Land Act 1994 for the purposes specified in a draft Notice of Intention to Compulsorily Acquire Native Title and Non-Native Title Rights and Interests tabled at Council's ordinary meeting on 16 September 2015 and authorises service of a Notice of Intention to Acquire Native Title and Non-Native Title Rights and Interest in order to commence the compulsory acquisition process; and***
- 2. Delegates authority to the Chief Executive Officer or delegate(s) to attend, on Council's behalf, the objection meeting to be held in relation to the proposed native title compulsory acquisition initiated by way of the Notice of Intention to Compulsorily Acquire Native and Non-Native Title Rights and Interests considered in draft at Council's ordinary meeting on 16 September 2015.***

**CARRIED**

**Resolution No. 0915/024**

**ATTENDANCE:** 4.30pm Councillor Pascoe returned to the meeting and resumed the role of Chair.

**9.2 APPLICATION TO PURCHASE AREA CURRENTLY HELD AS PERMIT TO OCCUPY**

**COUNCIL RESOLUTION**

Moved Cr Gurney

Seconded Cr Beard

***That Council advise Department Natural Resources and Mines that the appropriate tenure for the balance area contained within P013/7057 being Lot 3 on AP5106 is town reserve and that Council has no knowledge of any encroachments nor has it approved any encroachments.***

**CARRIED**

***Resolution No. 0915/025***

**10 GENERAL BUSINESS**

Cr Beard

Request that the fence be fixed at the town common.  
*The Works Manager to check and action.*

Cr Gurney

Attended the following meetings:

- North West Queensland Region of Councils (NWQROC) meeting in Mount Isa
- Ports North meeting
- Gulf Savannah meeting

Director Corporate Services

Informed the meeting the Fuel Tender was put out last Friday.

Cr Pascoe

Provided an update on the Gulf Savannah Development Planning weekend.

Informed Council of the following:

- Weir inspection will be conducted on Thursday 17 September 2015 at 9.00am.
- The Mutton Hole Wetlands Handover Ceremony will take place in the Boardroom at 10.00am on Friday 18 September 2015

- The Karumba Water park soft opening is being held on Friday 18 September 2015.
- The next NWQROC meeting will be held at Karumba.

**11 CLOSURE OF MEETING**

*The Chair of the meeting, Cr Fred Pascoe, Mayor, declared the meeting closed at 5.00pm.*

**MINUTES CERTIFICATE**

*These Minutes are Confirmed*



Councillor FC Pascoe  
Mayor



Date

