



# MINUTES

**MINUTES FOR ORDINARY MEETING  
OF THE NORTHERN AREAS COUNCIL  
TO BE HELD IN THE COUNCIL CHAMBERS, 94 AYR STREET, JAMESTOWN  
ON 21 NOVEMBER 2023 - COMMENCING AT 6:00 PM**

## **Acknowledgement of Country:**

**We acknowledge and pay respect to the Nukunu and Ngadjuri people – Traditional Owners of the land the Northern Areas Council occupies – to their Elders past, present and emerging, and we extend that respect to other Aboriginal and Torres Strait Islander people who are present today.**

## **PRESENT:**

### Members:

Cr. S.V. Scarman (Mayor)  
Cr. D.J. Higgins (Deputy Mayor)  
Cr. J.C. Barberien  
Cr. F.M. Hockey  
Cr. H.J. Langes  
Cr. T.J. Malone  
Cr. G.C. Moore  
Cr. K.W. Pluckrose  
Cr. I.R. Pomeranke

### Staff

Kelly Westell David (Chief Executive Officer)  
Rattley Gabby (Manager Finance)  
Swearse Louise (Manager Development & Regulatory Services)  
Burford James (Manager Community & Growth)  
Lang Jenny Hillam (Senior Finance & Grants Officer)  
(Senior Governance Officer)

### Guest

Ian Swan  
(Chairperson of Audit & Risk Committee)

## **APOLOGIES:**

Nil

## **ABSENT:**

Nil

## **MEETING COMMENCED: 6:00pm**

## **1. CONFIRMATION OF PREVIOUS MINUTES**

### **Recommendations:**

**MOVED: Cr. Barberien**

**SECONDED: Cr. Hockey**

**Ordinary Council Meeting 17 October 2023**

That the minutes of the Ordinary Meeting held on 17 October 2023 as circulated, be taken as read and confirmed.

**CARRIED 11385**

**MOVED: Cr. Higgins**

**SECONDED: Cr. Malone**

**Audit & Risk Committee**

That the minutes of the Audit & Risk Committee held on 30 October 2023 as circulated, be taken as read and confirmed.

**CARRIED 11386**

**2. BUSINESS ARISING FROM THE MINUTES**

Nil

**3. PUBLIC QUESTION TIME**

Nil

**4. DECLARATION OF CONFLICTS OF INTEREST**

Nil

**5. QUESTIONS ON NOTICE**

Nil

**6. QUESTIONS WITHOUT NOTICE**

A question was asked in relation to the Spalding Swing Bridge being included in the budget. Managers have taken on notice.

**7. MOTIONS ON NOTICE**

Nil

**8. MOTIONS WITHOUT NOTICE**

**MOVED: Cr. Langes**

**SECONDED: Cr. Barberien**

That Council delete the Acknowledgement of Country and banner on correspondence.

**CARRIED 11387**

**9. PETITIONS**

Nil

**10. CORRESPONDENCE**

Nil

**11. DEPUTATIONS/VISITORS**

Nil

**12. RECOMMENDATIONS FROM COUNCIL COMMITTEES**

Nil

### 13. DECISION REPORTS

#### 13.1 Annual Report from the Audit & Risk Committee Performance for 2022/23

The Mayor sought and was granted leave of the meeting to suspend formal proceedings for 15 minutes at 6:06 pm for Ian Swan to talk on Audit & Risk Committee Performance.

Council resumed formal proceedings at 6:20 pm

**MOVED: Cr. Pluckrose**

**SECONDED: Cr. Langes**

That Council note the audit and risk committee annual performance report for 2022/23.

**CARRIED 11388**

#### 13.2 2022/23 Annual Financial Statements

**MOVED: Cr. Pomeranke**

**SECONDED: Cr. Higgins**

1. That Council notes that the Audit and Risk Committee has reviewed the draft 2022/23 Annual Financial Statements for the year ended 30 June 2023, including asking questions of the External Auditor and management, and has confirmed the Statements present fairly the state of affairs of the Council.
2. That Council receives and adopts the Financial Statements for the year ended 30th June 2023 and notes they will be included in the 2022/23 Annual Report.
3. Council authorises the Mayor and CEO to sign the Certification of Financial Statements for the year ended 30th June 2023.

**CARRIED 11389**

#### 13.3 2022/23 Report on Financial Results

**MOVED: Cr. Barberien**

**SECONDED: Cr. Hockey**

That Council note the contents of the report on financial results for the year ended 30 June 2023.

**CARRIED 11390**

#### 13.4 Council Member Allowances

**MOVED: Cr. Hockey**

**SECONDED: Cr. Moore**

That Council reviewed the allowances and benefits for 2023 and makes no changes.

**CARRIED 11391**

#### 13.5 Digital Projectors at Community Halls

**MOVED: Cr. Langes**

**SECONDED: Cr. Pluckrose**

1. That Council distribute the balance of the Northern Areas Council Youth Advisory Committee funding equally to the Gladstone Memorial Hall Committee, Jamestown Development Association and Laura Memorial Civic Centre Management Committee for the purpose of digital projection installation at the

Gladstone Memorial Hall, Jamestown Memorial Hall and Laura Memorial Civic Center, and;

2. That the Gladstone Memorial Hall Committee, Jamestown Development Association and Laura Memorial Civic Centre Management Committee be required to provide an acquittal summary to Council upon completion of the installation of the digital projection equipment and expenditure of the funds.

**CARRIED 11392**

### **13.6** Annual Report for adoption

**MOVED: Cr. Barberien**

**SECONDED: Cr. Hockey**

That, pursuant to Section 131 of the *Local Government Act 1999*, the Northern Areas Council Annual Report for the year ended 30 June 2023 be adopted and the CEO be authorised to make minor amendments, that do not alter the intent of the report, prior to its submission to prescribed people or bodies and release to the public.

**CARRIED 11393**

### **13.7** Appila/Boundary Road Intersection Upgrade

**MOVED: Cr. Barberien**

**SECONDED: Cr. Higgins**

That Council postpone the budgeted construction works for the intersection upgrade of Appila and Boundary roads and a further report be presented to Council by February 2024 that includes:

- Reassessment of the scope of works proposed to ensure alignment with Council's Strategic Plan and priorities, and;
- Options for a coordinated approach with the Department of Infrastructure & Transport to both the design and construction options.

**CARRIED 11394**

### **13.8** December / January arrangements

**MOVED: Cr. Hockey**

**SECONDED: Cr. Malone**

1. That the December 2023 Council meeting be moved one week from Tuesday 19 December to Tuesday 12 December.
2. That Council's Jamestown office be closed from noon on Thursday 21 December 2023 until 9am Tuesday 2 January 2024.
3. That Council's Gladstone office be closed from noon on Thursday 21 December 2023 until 9am Monday 8 January 2024 and, in line with past practice, open only two days a week in January 2024 and three days a week in February 2024.
4. That Council's Spalding office be closed from 5pm on Thursday 14 December 2023 until 9am Thursday 11 January 2024 and, in line with past practice, be open only one day a week in January and February 2024.
5. That Council approves the Chief Executive Officer's request for annual leave from Friday 22 December 2023 to Friday 5 January 2024 (inclusive).
6. That Manager Development & Regulatory Services Gabby Swearse be appointed to act in the office of the Chief Executive Officer from Friday 22 December 2023 to Friday 5 January (inclusive).

**CARRIED 11395**

**13.9** Main street project – Gladstone

**MOVED: Cr. Barberien**

**SECONDED: Cr. Pomeranke**

That the 2023/24 \$20,000 main street beautification budget be allocated to the engagement of a consultant to develop a concept design and cost estimate for redeveloping Three Gauges Park at Gladstone, subject to lease confirmation.

**CARRIED 11396**

**13.10** Resolution Register

**MOVED: Cr. Moore**

**SECONDED: Cr. Pluckrose**

That Council receives and notes the updated resolution / action table as attached to the report as a true and correct record, and confirms that it is satisfied that decisions marked 'complete' have been enacted to the satisfaction of Council.

**CARRIED 11397**

**14. INFORMATION REPORTS**

Nil

**15. MEMBERS AND COUNCIL DELEGATE REPORTS**

Cr. Scarman

- October Council Meeting
- Information/Briefing Session – High School Survey feedback & culture feedback
- Laura Community Development & Tourism Association planning and general meetings
- Meetings with CEO
- Local Government Association pre-AGM reception
- Local Government Association AGM
- Jamestown Hospital Auxiliary 75<sup>th</sup> birthday celebrations
- Audit & Risk Committee meeting
- Meet with CEO workshop
- Belalie Arts Society AGM & dinner
- Remembrance Day ceremony at Laura Cenotaph
- Laura Community Development & Tourism Association meeting
- Laura Memorial Civic Centre meeting

Cr. Higgins

- October Council Meeting
- Audit & Risk Committee meeting
- Information/Briefing Session - High School Survey feedback & culture feedback
- Stone Hut Gathering
- Remembrance Day Service
- Laura Caravan Park meeting
- Laura Community Development & Tourism Association meeting

Cr. Barberien

- October Council Meeting
- Stormwater Public Consultation, Laura
- Stormwater Public Consultation, Gladstone
- Community Opportunities Workshop, Gladstone
- Gladstone Public Space Development meeting with CEO
- Meeting with CEO & Shane Heness Re: Huddleston Road
- Combined Sports Committee Meeting CSAI
- Information/Briefing Session - High School Survey feedback & culture feedback
- Information meeting with CEO
- Gladstone Community Development & Tourism Association

#### Cr. Hockey

- October Council Meeting
- Information/Briefing Session - High School Survey feedback & culture feedback
- Swimming Pool Committee meeting

#### Cr. Langes

- October Council Meeting
- Information/Briefing Session - High School Survey feedback & culture feedback
- Jamestown Development Association meeting

#### Cr. Malone

- October Council Meeting
- Information/Briefing Session - High School Survey feedback & culture feedback

#### Cr. Moore

- October Council Meeting

#### Cr. Pluckrose

- October Council Meeting
- Information/Briefing Session - High School Survey feedback & culture feedback

#### Cr. Pomeranke

- Information/Briefing Session - High School Survey feedback & culture feedback

**16. CONFIDENTIAL ITEMS**

**16.1 Electoral Representation Review**

**MOVED: Cr. Moore**

**SECONDED: Cr. Pomeranke**

1. Pursuant to section 90(2) and 90(3)(d) of the Local Government Act 1999 the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item 16.1 Electoral Representation Review, except the following persons:

- Kelly Westell (Chief Executive Officer)
- David Rattley (Manager of Finance)
- Gabby Swearse (Manager Development & Regulatory Services)
- Louise Burford (Manager Community & Growth)
- James Lang (Senior Finance & Grants Officer)
- Jenny Hillam (Senior Governance Officer)

to enable the Council to consider Item 16.1 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 16.1:

- Commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and which would, on balance, be contrary to the public interest, being methodology and pricing to undertake the Electoral Representation Review.
2. The disclosure of this information would, on balance, be contrary to the public interest because the public interest in Council being able to secure services to deliver such activities would be compromised as third parties would be dissuaded from partnering with Council if their confidential commercial information were disclosed.
  3. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

**CARRIED 11398**

Confidential Resolution Number 11399

**MOVED: Cr. Higgins**

**SECONDED: Cr. Pomeranke**

**Section 91(7) Model Order**

1. Pursuant to Section 91(7) of the Local Government Act 1999, the Council orders that the following document(s) relating to Agenda Item 16.1 Elector Representation Review shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(d) of the Act:

- Minutes
- Agenda Report
- Attachments

On the grounds that the document(s) relates to commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to prejudice the commercial position of the person who supplied the information and would, on balance, be contrary to the public interest, being methodology and pricing to undertake the Electoral Representation Review.

2. The disclosure of this information would, on balance, be contrary to the public interest because third parties would be dissuaded from partnering with Council if their confidential commercial information were disclosed.
3. This order shall operate for a period of 5 years and be reviewed every 12 months.
4. Pursuant to section 91(9)(c) of the Local Government Act 1999, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.

**CARRIED 11400**



**16.2** Wood Chipper and Truck Replacement

**MOVED: Cr. Moore**

**SECONDED: Cr. Malone**

1. Pursuant to section 90(2) and (3)(k) of the Local Government Act 1999 the Council orders that the public be excluded from attendance at that part of this meeting relating to Agenda Item 16.2 Chipper and Truck Replacement except the following persons:

- Kelly Westell (Chief Executive Officer)
- David Rattley (Manager of Finance)
- Gabby Swearse (Manager Development & Regulatory Services)
- Louise Burford (Manager Community & Growth)
- James Lang (Senior Finance & Grants Officer)
- Jenny Hillam (Senior Governance Officer)

to enable the Council to consider Item 16.2 in confidence on the basis the Council considers it necessary and appropriate to act in a meeting closed to the public (excepting those persons listed above) in order to receive, discuss or consider in confidence the following information or matter relating to Item 16.2 which relates to quotes for the supply of a new wood chipper and truck.

2. Accordingly, on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information or matter confidential.

**CARRIED 11401**

Confidential Resolution Numbers

1. 11402
2. 11403
3. 11404
4. 11405
5. 11406

**MOVED: Cr. Malone**  
**Section 91(7) Model Order**

**SECONDED: Cr. Pomeranke**

1. Pursuant to Section 91(7) of the *Local Government Act 1999*, the Council orders that the following document(s) relating to Agenda Item 16.2 Wood Chipper and Truck Replacement shall be kept confidential, being document(s) relating to a matter dealt with by the Council on a confidential basis under Sections 90(2) and 90(3)(k) of the Act:

- Minutes
- Agenda Report
- Attachments

on the grounds that the document(s) relates to quotes for the supply of replacement plant, being information relating to quotes to supply Wood Chipper and Truck.

2. This order shall operate for a period of (12) months or until the quote has been finalised, whichever is the earlier.
3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, the Council delegates to the Chief Executive Officer the power to revoke this order in whole or part.

*Note: This order is subject to section 91(8)(b) of the Act which provides that details of the identity of the successful tenderer must be released once Council has made a selection. In addition, section 91(8)(ba) of the Act requires details of the amount(s) payable by the Council under the contract must be released once the contract has been entered into by all concerned parties.*

**CARRIED 11407**

- 17. NEXT ORDINARY MEETING OF COUNCIL**  
12 December 2023 at 6:00pm – Council Chambers, 94 Ayr Street,  
Jamestown
- 18. MEETING CLOSURE**

**Confirmed at the Ordinary Meeting held on Tuesday 12 December 2023.**

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**Mayor**