

# LOCKHART RIVER ABORIGINAL SHIRE COUNCIL

ABN 55 631 460 952

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## Minutes of Ordinary Council Meeting

**Date:** 25 October 2013

**Venue:** Council Chambers  
Cairns Office  
Suite 8, 7 Anderson Street, Manunda Cairns

**1. Attendance**

Cr. Wayne Butcher – Mayor  
Cr. Norman Bally  
Cr. Rebecca Elu  
Cr. Paul Piva  
Cr. Veronica Piva  
Mr. Peter Opio-Otim – Chief Executive Officer

**Visitors:**

Mr. Greg O'Brien  
Black and More

Mr. Robert Wardle and Gary  
Building Assets Services

**2. Opening**

Mayor declared the meeting open at 09:00 am. A short prayer was said at the start of the meeting.

**3. Apologies**

Nil

**4. Conflict of Interest: Material Personal Interest**

Nil

**5. Minutes of Ordinary Council Meeting of 25 October 2013**

**RESOLUTION NO.: LRASC 01/10/2013**

That minutes of the Ordinary Council Meeting of 25 October 2013 be accepted and confirmed as true and correct.

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Wayne Butcher  
**CARRIED**

## 6. Business Arising out of Minutes

### 6.1 Guidance from Chief Executive Officer

#### **RESOLUTION NO.: LRASC 02/10/2013**

That Council CEO provides guidance to the council on all matters that require Council resolutions.

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Wayne Butcher  
**CARRIED**

### 6.2 Business Dealings

Council agreed to adopt a business model approach to the development of the land adjacent to the beach.

### 6.3 Speed Bumps

Council agreed to delay the construction of speed bumps until work on the new subdivision is completed.

### 6.4 Community focus group

Five community members have been appointed to be on the Community Reference Group in relation to the "My Pathway Program" in Lockhart River.

- Cr Norman Bally
- My Pathway Representative
- Dorothy (Dottie) Hobson – Representative of Women's Group
- Patrick Butcher – Representative of Men's Group
- Fr. Brian Claudia – Representative of Elders

The group will set a date for the first meeting.

### 6.5 Housing Officer

Council was advised that the Council Housing Officer has left the Community. Department of Housing and Public Works to be notified and a replacement found.

### 6.6 Re-employing Staff

#### **RESOLUTION NO.: LRASC 03/10/2013**

That the HR unit of the Council develop a policy on re-engagement of staff (employees) who leave Council employment and that the policy be tabled at the next Ordinary Council meeting.

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Wayne Butcher  
**CARRIED**

## 7. Action Sheet

### **RESOLUTION NO.: LRASC 04/10/2013**

That Council sighted the action sheet on resolutions passed at the last ordinary meeting.

**MOVED:** Cr. Norman Bally  
**SECONDED:** Cr. Paul Piva  
**CARRIED**

## 8. Department of Housing and Public Works

Council received the following information from the Department:

- Tenancy Management Summary report of the month of August 2013.
- Rental collections for the month of August 2013
- Statement of rental arrears that are 4 weeks or more.

### **RESOLUTION NO.: LRASC 05/10/2013**

That Council note the information provided on the rental collection statements as well as statement of rental in arrears.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

## 9. Demolition of House 23 Kuyumu Street: Revised Costs

### **RESOLUTION NO.: LRASC 06/10/2013**

That Council accept the revised cost of demolition for House No 23 Kuyumu St now to be Forty-five thousand dollars inclusive of GST and that the new revised cost be forwarded to the Department of as the approved costs of demolition of House No 23 Kuyumu Street.

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

**10. Department of Housing and Public Works: Lockhart River Fencing Program**

Department accepted Council's offer dated 11 October 2013 for the amount of *four hundred and sixty-three thousand, six hundred and thirty-seven and six cents* (\$463,637.06) inclusive of GST.

**RESOLUTION NO.: LRASC 07/10/2013**

That Council acknowledges the acceptance by the Department of \$453,637.06 GST inclusive for Contract QB110499 to carry out fencing upgrades as per attached documentation for Lockhart River various residences.

**MOVED:** Cr. Veronica Piva  
**SECONDED:** Cr. Wayne Butcher  
**CARRIED**

**RESOLUTION NO.: LRASC 08/10/2013**

That Maverick Rural Contracting be offered the contract to carry out fencing upgrades as per attached documentation for various residences in Lockhart River.

**MOVED:** Cr. Rebecca Elu  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

**11. Lockhart River refurbishment 41 Maathvy St and 54 Mawarra St**

**RESOLUTION NO.: LRASC 09/10/2013**

That Council receive and accept the quotes provided for the refurbishment of the following properties at:-

- 41 Maathvy St valued at \$188,320.00
- 54 Mawarra St valued at \$198,660.00

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

CIMA Meeting in Bamaga

**RESOLUTION NO.: LRASC 10/10/2013**

That Cr. Wayne Butcher be allowed to attend CIMA meeting in Bamaga

**MOVED:** Cr. Norman Bally  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

Davis Langdon provided a very detailed accurate and complete estimate on the cost of Lockhart River housing refurbishment for 41 Maathvy Street and 54 Mawarra Street.

**RESOLUTION NO.: LRASC 11/10/2013**

That Council use the services of Davis Langdon for estimation of repairs maintenance and refurbishment works on Council Houses.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

**12. Indigenous Knowledge Centre Grant \$14,600.00**

**RESOLUTION NO.: LRASC 12/10/2013**

That council receive and accept the grant of \$14,600 given by the State Library of Queensland towards meeting the staffing costs of the Lockhart River Aboriginal Shire Indigenous Knowledge Centre (IKC) for 2013 – 2014 financial year.

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Wayne Butcher  
**CARRIED**

**13. Department of Local Government Community Recovery and Resilience: Local Government Capacity Building Program, Improving Financial Management and Sustainability Scheme 2013 - 2013**

Council has prepared an application under the Local Government Building Program Improving Financial management and sustainability scheme 2013 – 2014.

**RESOLUTION NO.: LRASC 13/10/2013**

That Council receive and endorse the Lockhart River application under improving Financial Management and Sustainability scheme 2013 – 2014 for the project:

Improvement of *accounting operations and assets management planning* for a total cost of \$125,000 with \$100,000 being sought from the Department and the balance being Council's own contributions towards the Project costs.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Veronica Piva  
**CARRIED**

**14. Department of Health adjustment of Funds for 2013 – 14 Financial year**

**RESOLUTION NO.: LRASC 14/10/2013**

That Council sighted a letter from the Department of Health in relation to adjustment of funds for the 2013 – 2014 financial year, the amount now being \$188,815 for Primary Health Care activities in Lockhart River, further that the Mayor discuss this adjustment with the Department and report back to the Council at the next meeting.

**MOVED:** Cr. Rebecca Elu  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

**15. Lockhart River Refurbishment program**

BAS informed Council that received 4 responses from the private market for upgrades on 4 properties as part of the 13/14 Lockhart River upgrade program.

**RESOLUTION NO.: LRASC 15/10/2013**

That Council note the information provided and invite BAS representatives to meet with the Council to discuss the proposed upgrade program.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

**16. R2R Project**

A brief report from the project consultants; Black and More on the work to be done on R2R project was tabled.

**RESOLUTION NO.: LRASC 16/10/2013**

That Council receive and endorse the recommendations made by Black and More to engage ESW for the Construction of 3 sections of Community road within Lockhart River whilst the new sub-division is under construction.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

**17. Lockhart River Drainage Master Plan**

A report on stage 1 of the project was tabled.

**RESOLUTION NO.: LRASC 17/10/2013**

That Council receive and note the site inspection report prepared by the Consultant to Lockhart River on the Lockhart River Drainage Master Plan.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

**18. New Sub-Division prestart meeting minutes**

**RESOLUTION NO.: LRASC 18/10/2013**

That the minutes of the new sub-division pre-start meeting be received and noted.

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

The meeting also agreed to have the next technical working group meeting will be held on 13 November 2013 in Lockhart River.

**1HB – New Sub-division**

**RESOLUTION NO.: LRASC 19/10/2013**

That Council receive and adopt the 1HB from the plumbing unit of the Council for work to be undertaken at the new sub-division; the 1HB is for \$692,557.85 excluding GST broken down as follows:

\$ 375,042.00 excluding GST  
\$ 317,515.85 excluding GST

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

Council also agreed to purchase sand for the project from the Traditional owners at a rate of \$20 per cubic metre.



**19. Pascoe River Cross Project**

Council noted the report and requested the CEO to follow up on the project implementation stages with CSC.

**20. Department of Aboriginal and Torres Strait Island and Multicultural Affairs: Development applications, reconfiguration of DOGIT Land for 28 long term housing leases**

A copy of a development application was provided to the Council. The program office is seeking a decision notice for a lot of configuration of DOGIT land, located on Part of Lot 1 on SP 246910 Corner of Line hill road and Kuttini Street; Lockhart River.

**RESOLUTION NO.: LRASC 20/10/2013**

That Council accept and sign the proposal by DATSIMA to arrange at no cost to the Council for the application to be assessed by Cardno-HRP (the planning consultant finalising the draft planning scheme).

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

**21. Plumping Irrigation and Machinery Services**

PIMS has indicated that it will travel to Lockhart on 4 November 2013 for two weeks to undertake routine maintenance of the Council water and sewerage Infrastructure systems.

**RESOLUTION LRASC 21/10/2013**

That all necessary arrangements be made, including the purchase of relevant spare parts to enable the routine maintenance work to occur smoothly.

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

**22. Lockhart River Paint Program**

Department provided Council with a list of properties that were not completed from the 12/13 FY as well as the 13/14 FY under Lockhart River 13/14 paint program

**RESOLUTION NO.: LRASC 22/10/2013**

Council resolved to accept the paint work allocated to it and engage the services of a qualified painter to work with the local persons.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

**23. QRA broad program**

Project consultant provided the council with a broad program showing the LRASC QRA works

- 2012 works that were completed by 30 June 2013
- Current 2013 works that were completed by end of October/November 2013 which will allow time to also do the R2R works.
- Betterment and remaining 2013 (including old site road etc.) works for next day.

**RESOLUTION NO.: LRASC 23/10/2013**

That Council receive and noted the report provided by the Consultant on QRA works.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

**24. Letter from the Minister of Local Government, Community Recovery and Resilience**

Council received a summary report on the final report of the Police and Community Safety Review.

**RESOLUTION NO.: LRASC 24/10/2013**

That Council note the major recommendations of the Police and Community Safety Review.

**MOVED:** Cr. Veronica Piva  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

## **25. Seaswift Agency**

The proposal has been discussed in previous Council meetings.

### **RESOLUTION NO.: LRASC 25/10/2013**

That Council is not yet ready to undertake the agency function now and thereby decline to accept the offer being made by Seaswift.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

## **26. Deputations with Local Government Remuneration and Discipline tribunal**

A planned meeting with the Council and the tribunal did not occur however the CEO attended the meeting.

The Tribunal requested that Council prepare justification as to why it needs to be considered separately and differently from the other indigenous groups under special category if it wants to change the remuneration benefit to Category 4 Councils.

## **27. CEO Report**

Progress report on the implementation of the 2013 – 2014 Operational Plan Quarter 1 July 2013 – September 2013.

### **RESOLUTION NO.: LRASC 26/10/2013**

That the progress report on the implementation of the Operational Plan for July – September 2013 be received and adopted.

**MOVED:** Cr. Norman Bally  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

## **28. Engineering Services Section**

### **28.1 Civil Works**

Lockhart River Project Status report. The consultant provided summary reports on the following projects:-

- Quintell Beach Camp Site
- Council Store upgrade
- Lockhart River NDRRA
- TIDS Projects:
  - Link slab for Pascoe crossing
  - Additional signage
- Line hill culvert
- Lockhart River lighting upgrade

- R2R funded projects
- Drainage master plan
- Lockhart River sub-division
- Burnt out pipes Taylor road
- Town streets maintenance going into wet.

**RESOLUTION NO.: LRASC 27/10/2013**

That the summary reports provided by the consultant be received and noted.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Veronica Piva  
**CARRIED**

**29. Lockhart River Aboriginal Shire Council: Drinking water quality management plan Version 1 October 2013.**

The Drinking Water Quality Management Plan (DWQMP) documents Lockhart River Aboriginal Shire Council's risk assessment and risk management process and provide a basis upon which to maintain (and improve) for Safety of the supply of Lockhart River Aboriginal Council drinking water.

It describes what is actually undertaken and must be updated when practices changes.

The DWQMP has been developed to meet the requirements of the Water Supply (Safety and Reliability Act 2008). Lockhart River is registered as the service provider.

**RESOLUTION NO.: LRASC 28/10/2013**

That Council receive and note and accept the Drinking Water Quality Management Plan document that describes the Council risk assessment and risk management process as well as provide a basis upon which to maintain the safety of the water supply of Lockhart River Aboriginal Shire Council drinking water.

**MOVED:** Cr. Norman Bally  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

**30. Engineering Services – Reports September 2013**

**RESOLUTION NO.: LRASC 29/10/2013**

That Council receive, note the various reports from the Engineering services section for the month of September 2013.

**MOVED:** Cr. Norman Bally  
**SECONDED:** Cr. Paul Piva  
**CARRIED**

### **31. Community Development Section – Reports September 2013**

The following reports were received:-

- Pytham Women's Shelter
- YARI
- Library
- Kids Club
- Kuunchi Kakana Family together.

#### **RESOLUTION NO.: LRASC 30/10/2013**

That Council receive and note the reports from the Community Development services section for the month of September 2013.

**MOVED:** Cr. Veronica Piva

**SECONDED:** Cr. Rebecca Elu

**CARRIED**

Council expressed concerns over the lack of reports from some units in particularly it noted that this was the fourth month in a row that no report had been forthcoming from the Men's Group.

### **32. Finance and Administration Section – Reports September 2013**

Director of Finance and Administration provided a written report on the operations of the section. The report contained the following information:

#### Financial Services

- Operating results at a glance
- New assets
- Audit
- Lockhart River Aerodrome company

#### Financial Services

#### ICT, Library and Radio Station

#### Housing Services

#### Human Resources Services

#### Bank Agency and Post Office

#### Centrelink Services

#### **RESOLUTION NO.: LRASC 31/10/2013**

That the Financial statements for month ending September 2013 be received and accepted.

**MOVED:** Cr. Paul Piva

**SECONDED:** Cr. Veronica Piva

**CARRIED**

**33. Lockhart River Aerodrome Company**

Income statement for the Lockhart River Aerodrome Company for the month of September 2013 was tabled. Council noted the operating deficit as reported at end of September 2013.

**RESOLUTION NO.: LRASC 32/10/2013**

That Council sighted the income statement for the Aerodrome Company for the period ended 30 September 2013.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

Council recommended that the Aerodrome Company should access the services of a business consultant.

**34. Goldacove Company services provided**

Goldacove Company has undertaken some work in Lockhart River; however the scope of work done exceeded what was authorised in the work order from the Department.

**RESOLUTION NO.: LRASC 33/10/2013**

That Council pay for the cost of the following:

- New assets bought on behalf of the Council validated by the Council
- Training costs incurred by the Company for Council employees
- Costs of trees that were cut and removed from 18 properties by Goldacove

**MOVED:** Cr. Norman Bally  
**SECONDED:** Cr. Wayne Butcher  
**CARRIED**

**35. Audit Matters**

No outstanding issues for 2012 – 2013 financial statement.

**RESOLUTION NO.: LRASC 34/10/2013**

That there is nothing that the Council is aware of about subsequent events that will affect the financial picture of the Council for the year 2012 – 2013.

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

### **36. Auditors Report**

#### **RESOLUTION NO.: LRASC 35/10/2013**

That Council receive and adopt the auditor's report on the Financial Statements of the Council for 2012 – 2013 period.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

### **37. Continuing engagement of APV as asset valuers**

#### **RESOLUTION NO.: LRASC 36/10/2013**

That APV Valuers be appointed to carry out the asset valuation for the next three (3) years.

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Paul Piva  
**CARRIED**

### **38. Aerodrome Company**

Please refer to the report of Aerodrome Company in the Finance and Administration report section.

### **39. Retail Store Income Statement**

Again like previous month, no report was provided by the Department on the operation of the store in Lockhart River.

### **40. Staff**

Closed Meeting

#### **RESOLUTION NO.: LRASC 37/10/2013**

That Council move into a closed meeting under the Local Government Regulation 2012 Section 275 (1)

(a) The appointment, discussion or discipline of employees

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Norman Bally  
**CARRIED**

**RESOLUTION NO.: LRASC 38/10/2013**

That Council move out of a closed meeting under the Local Government Regulation 2012 Section 275 (1)

**MOVED:** Cr. Wayne Butcher  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

**41. Elected Members Report**

41.1 Mayor's Report – Cr. Wayne Butcher

Mayor tabled a verbal report. He reported on the following:-

- His presentation at the LGAQ Annual Conference meeting
- CIMA meeting in Bamaga
- CIMA intention to set up a Cape York Bank
- Next CIMA meeting to be held in Kowanyama
- FNAQLGA meeting held in Cooktown and trip to Hopevale to look at the Banana Plantation
- Work in the new sub-division
- Discussion with MyPathyway and setting up of 5 Directors
- Meeting with DTR
- Meeting with ESW

41.2 Deputy Mayor's Report – Cr. Norman Bally

Cr. Norman Bally provided a verbal report at the meeting. He covered:

- CDEP Operation
- Housing matters
- Attendance of LGAQ conference

41.3 Cr. Rebecca Elu's Report

Cr Rebecca Elu provided a verbal report on:-

- Activities that youth have been involved in
- That kids are still fighting on the streets.



41.4 Cr. Paul Piva's Report

Cr. Paul Piva provided a verbal report on:-

- Transporting high school kids back to school and meeting with teachers from school where Lockhart River students are attending.
- \$1,000 donation to school and indicated that he may have to make more donations to school to purchase books.
- Planned BBQ with Rural Fire Brigade to recruit volunteers.

41.5 Cr. Veronica Piva's Report

Cr. Veronica Piva has been away for most of the month on medical grounds. She reported on her meeting with Safety and ART Centre issues.

**RESOLUTION NO.: LRASC 39/10/2013**

That Council receive and note the report by the Mayor

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Rebecca Elu  
**CARRIED**

**42. General Business**

42.1 Removing employees

Council agreed that a 3 member panel be set up to deal with disciplinary issues

42.2 School DOGIT Day

**RESOLUTION NO.: LRASC 40/10/2013**

That the school will be closed on DOGIT Day Holiday

**MOVED:** Cr. Paul Piva  
**SECONDED:** Cr. Wayne Butcher  
**CARRIED**

**43. Date and Venue of the next ordinary Council meeting**

The date and venue will be decided in early November 2013.

**44. Vote of thanks and close of meeting**

There being no other business, Mayor thanked all and declared the meeting closed at 3:45 pm.