

LOCKHART RIVER ABORIGINAL SHIRE COUNCIL

ABN 55 631 460 952



Minutes of Council Meeting

Date: 19 & 20 February 2014

Venue: Council Chambers
Lockhart River
14 Maathvy Street
Lockhart River, QLD, 4892

1. Attendance

Cr. Wayne Butcher – Mayor
Cr. Norman Bally
Cr. Paul Piva
Cr. Veronica Piva
Ms Dora Acroom – Deputy Chief Executive Officer
Mr. Peter Opio-Otim – Chief Executive Officer

2. Opening

Mayor declared the meeting open at 09:45 am and welcomed all.

3. Condolences

Council received information on the passing away of Cr. Bert Button – Cherbourg Aboriginal Shire Council

Resolution LRASC 19|02|2014

That Council convey its deepest sympathy to the family, relatives, friends and the people of Cherbourg Community on the passing away of Cr. Bert Button.

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

4. Apologies

A written apology was received from Cr. Rebecca Elu.

Resolution LRASC 20|02|2014

That apology from Cr. Rebecca Elu be received and accepted.

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

5. Conflict of Interest: Material Personal Interest

Nil

6. Minutes of Ordinary Meeting held on 15 January 2014

Resolution LRASC 21|02|2014

That the minutes of Ordinary Council meeting held on 15 January 2014 be accepted and confirmed as true and correct.

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

7. Business Arising out of minutes

7.1 My Pathway

Council agreed to invite My Pathway to attend the next Ordinary meeting of the Council to explain the company budget support strategy for some council activities.

7.2 New sub-division

Meeting with RILIPO has been rescheduled to take place on Friday 21 February 2014. Council to prepare items to be included on the agenda for discussion.

7.3 Lockhart River Aerodrome Company

Secretary to the Company has not yet been appointed. This matter will be discussed at the next board meeting.

7.4 Retail Store Committee

A meeting of the Community Retail Committee occurred during the month. Minutes of the meeting was tabled at the meeting. Council agreed to discuss the report under item 27 of the Agenda.

7.5 Public Meeting

Resolution LRASC 22|02|2014

Council will hold public / community meeting on Wednesday 26 February 2014 in the Church hall.

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

7.6 Population Data

House to house collection of population data in Lockhart River community has been undertaken and completed. There are a total of 701 people residing in Lockhart River community.

Resolution LRASC 23|02|2014

That Council receive and note the population data as collected by Council staff and forward the information to Australia Bureau of Statistics, the Department of Housing and Public Works and post the information on the Council website.

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

7.7 Working on Country

Mayor to meet with representatives of Kuku Yau' Corporation and discuss possibility of the Corporation taking over the management of the Council Working on Country project.

8. Action Sheet

Resolution LRASC 24|02|2014

That Council sighted and noted the actions taken on the resolutions passed at the Ordinary meeting of Council on 15 January 2014.

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

9. Minutes – Special meeting 5 February 2014

Resolution LRASC 25|02|2014

That the minutes of the Special Council meeting held on 5 February 2014 be accepted and confirmed as true and correct.

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

10. Revised Councillor Portfolio

Resolution LRASC 26|02|2014

That Council note the revised portfolios for members of the Lockhart River Aboriginal Shire Council.

MOVED: Cr. Norman Bally
SECONDED: Cr. Veronica Piva
CARRIED

11. Register of Interests – Councillors and related persons

Resolution LRASC 27|02|2014

That all councillors and Senior Contract Staff complete the Register of Interest Forms in accordance with the requirements under the Local Government Act.

MOVED: Cr. Norman Bally
SECONDED: Cr. Veronica Piva
CARRIED

12. Department of Housing and Public Works

Resolution LRASC 28|02|2014

That Council sighted and noted:

- Collections report for the month of December 2013
- Tenancy Management report for November 2013
- Maintenance report for the period 01 October – 31 December 2013
- Request for removal of names for Agency appointment reporting

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

13. DATSIMA: Signing of leases for Lockhart River

Resolution LRASC 29|02|2014

That Council resolve to sign the lease document in relation of the description of premises being leased as per Clause 5 of the lease document and the lease will cover the premises detailed in Schedule B which affects 51 premises as identified.

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

14. Department of Housing and Public Works: New Maintenance Agreement

Resolution LRASC 30|02|2014

That Council will study the New Maintenance Agreement drafted by Building and Asset Services for the delivery of Maintenance work in Lockhart River community and provide a response to it in due course.

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

15. DATSIMA: Survey of LHA Sites within Lockhart River

Council noted the work that has commenced on the survey work that is being undertaken by RPS on the community.

16. DATSIMA: Program Office Visit

Visit by Programme Office to Lockhart River has been rescheduled; now to occur on Friday 21 February 2014

17. Department of Communities

Information on funding for FNQ Communities to help men's group run their activities was received by Council.

Resolution LRASC 31|02|2014

That Council will apply for funding under the FNQ Communities grant to support the Lockhart River Men's Group to run its operations.

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

18. Revised Council budget 2013 - 2014

Council's application for funding under Round Two of the Australian Government Regional Aviation Access Programme (RAAP) – Remote Airstrip upgrade (RAU) was successful. One of the conditions for the provision of funding is that Council must accept the offer.

Resolution LRASC 32|02|2014

That the Lockhart River Aboriginal Shire Council accept the offer of funding under Round Two of the Australian Government Regional Aviation Access Programme – Remote Airstrip upgrade Funding component for Six Hundred and Fifty Thousand (\$650,000.00)

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

19. Department of Prime Minister: Indigenous Programme and Service Delivery

A letter from the Deputy State Manager of the Department of Prime Minister and Cabinet on the changes to the Australian Government's Administration of Indigenous Programmes and Service delivery was received and tabled at the Council meeting. Council noted the changes to the service delivery.

20. Department of Local Government and Community Recovery and Resilience – 30 year Queensland Vision Plan

A letter from the Director General of the Department seeking Council reaction and feedback on the Queensland plan: a 30 year vision for Queensland. Our working draft was received and tabled at the meeting.

Council is still focussed on working on its planning scheme, which is still at the stage of preparation.

21. Regional and Remote Area Economic Development and Training Program (RRATP)

The workshop was held in Cairns in mid-February. Council was not represented at the workshop. Council will seek to obtain feedback on the outcomes from the workshop.

22. Australia Local Government Association: National General Assembly – Call for Motion

The Australia Local Government National General Assembly will be held from 15 – 18 June 2018 in Canberra. Councils have been invited to send motions to be reviewed by the National General Assembly Committee as well as by their State and Territory Local Government Associations to determine their eligibility for inclusions.

Council will discuss this matter with other Indigenous Councils and present a united front, if a motion or motions are to be submitted.

23. National Heavy Vehicle Regulator (NHVR) – Transitional arrangement

Information on NHVR transitional arrangements for local government consent to access request was received and noted. Council has already got an arrangement with the Department of Transport and Main Roads on this matter.

24. Cairns Regional Council: Certificate of Water analysis

Council received feedback on the samples of water taken from three sites in Lockhart River and sent to Cairns for test. All the samples met the NH&MRC (2011) guidelines for drinking water for the parameters tested.

Resolution LRASC 33|02|2014

That Council note the results of the water tests as provided by the Cairns Regional Council Laboratory.

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

25. Engineering Services Section

Resolution LRASC 34|02|2014

That the various reports from the Council Engineering section be received tabled and noted.

MOVED: Cr. Wayne Butcher
SECONDED: Cr. Paul Piva
CARRIED
26.

25.1 Interview for the position of Director Engineering Services

Resolution LRASC 35|02|2014

That the interview for the shortlisted applicants will be held on Thursday 27 February 2014 and the panel shall comprise of Mayor, Deputy Mayor and CEO

MOVED: Cr. Veronica Piva
SECONDED: Cr. Paul Piva
CARRIED

25.2 Ergon Energy: Offer for Network connecting services – Street Light, Park Council accepted the offer for the above named project.

Resolution LRASC 36|02|2014

That Council endorse the letter of acceptance made by Ergon Energy as signed by the Chief Executive Officer for network connections for \$16,387.00

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

25.3 Black and More: Council Store upgrade – Performance Report 13 Feb 2014

The performance report for the Council Store update for the period ended 13 February 2014 was tabled and noted. Council noted with concern that no real work had been done on the current issues of scouring and civil works

Building Services Manager to provide advice to the Council in the works completed to 16 September 2013 and any comments in the defects identified ahead of the expiration of the defect period timeline.

25.4 Quintell Beach Camp Project – Termination

A letter has been sent to the Chief Executive Officer of the Department of Local Government Community Recovery and Resilience on the Council decision to terminate the Quintell Camp Project was tabled and noted by the Council. Council also noted the brief letter of acknowledge by the Department of the project termination letter.

25.5 Lockhart River Drinking Water Quality Management Plan

After some amendments the Lockhart River Drinking Water Quality Management Plan document has been approved by the Department.

The Document provides Council's risk assessment and management process and provides a basis on which to maintain the Safety and Supply of Lockhart River Aboriginal Shire Council's drinking water.

Resolution LRASC 37|02|2014

That Council endorse and adopt the Lockhart River Aboriginal Shire Council Drinking Water Quality Management Plan Version 1.1, February 2014

MOVED: Cr. Norman Bally

SECONDED: Cr. Veronica Piva

CARRIED

Council agreed to send one employee from the Environment unit to attend water training course in Yarrabah.

25.6 Department of Environment and Heritage Protection Annual Notice

Council received Annual Notice from the environmental authority. Council hold Environmental Authority Number: EPPR00192513. Council is exempt from paying the fee; hence the fee of \$5,027.00 will not be paid.

A completed form of the annual report for the period 22 February 2013 to 21 February 2014 was tabled.

Resolution LRASC 38|02|2014

That Council endorse the duly completed and signed Annual Return by the Chief Executive Officer for the Environment Authority EPPR00192513 held by Lockhart River Aboriginal Shire Council.

MOVED: Cr. Veronica Piva

SECONDED: Cr. Norman Bally

CARRIED

26 Lockhart River Disaster Management Plan: Sub-plans

Consultant provided copies of Disaster Management Plans – sub-plans to the Lockhart River Disaster Management Team. The team reviewed the sub-plans and endorsed them. Council was provided with the sub-plan documents and passed the following resolution.

Resolution LRASC 39|02|2014

That Council endorse and adopt the Local Disaster Management Plan – Sub-plans, following endorsement by the Lockhart river Disaster Management team.

MOVED: Cr. Paul Piva
SECONDED: Cr. Veronica Piva
CARRIED

To operationalize the sub-plans and the Local Disaster Management plan, Council recommended that the following actions be taken among others:-

- Purchase of 2 way radio
- Training for SES volunteer be undertaken
- Review of the assets needed to undertake Local Disaster Management tasks

27 Lockhart River Planning Scheme: Meeting to discuss draft scheme

Cardno – HRP has prepared a draft planning scheme for Lockhart River. Council is now required to examine the draft scheme before it can be sent to the State Government for State Interest Review.

Resolution LRASC 40|02|2014

That Council meet with Cardno-HRP on the 13 March 2014 to discuss the draft scheme.

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

28 Lockhart River Community Safety Plan

Work on the Lockhart River Community Safety Plan was completed last year. Council has received a total of \$10,000 to be used in the project. An action plan has been developed, but no further action / activities have since occurred.

29 Community Development Section

Resolution LRASC 41|02|2014

That the following reports from the Community Development section of the Council:

- Directors Report
- Wulpumu Community Justice Group
- HACC
- Pytham Women Shelter
- Kids Club
- Family Get-Together
- Library
- Radio
- Centrelink

be received, tabled and noted.

MOVED: Cr. Veronica Piva
SECONDED: Cr. Norman Bally
CARRIED

29.1 Confirmation of Person of Aboriginality Decent

Resolution LRASC 42|02|2014

That Mr. Nguumpii Rocky is a person of Aboriginal decent.

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

29.2 Early Childhood facility in Lockhart River

Ms Denise Hagan, CEO of Puuya Foundation and Ms Dorothy Hobson; Director Community Development section of the Council joined the meeting at 3:40 pm.

Matters discussed included:-

- New building for Early Childhood education: Support in kind from the Council to complete the project.
- New troopie that will be purchased, and the support from Council to meet the running (operational) cost of the vehicle

Denise and Dorothy left the meeting at 4:20 pm

Cr. Veronica Piva suggested that there must be regular meetings among the Councillors themselves to discuss common issues that Community Members were facing.

Meeting was closed at 4:25 pm and to restart on Thursday 20 February 2014 at 09:30 am.

DAY 2

Mayor declared the meeting open at 09:30 am and welcomed all. Apology received from Cr. Rebecca Elu was carried forward from yesterday's proceedings.

30 Financial Management Report

Mr. Stanley Mugwiria joined the meeting at 09:30 am and presented the Financial report of the Council and the Aerodrome and the section report for the period under review.

30.1 Lockhart River Aboriginal Shire Council – Financial Statement for the period ended 31 January 2014

Resolution LRASC 43|02|2014

That the Financial Statements for the period ended 31 January 2014 be received and accepted.

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

30.2 Lockhart River Aerodrome Company Pty Ltd – Income Statement

Resolution LRASC 44|02|2014

That Council receive and note the Aerodrome Income Statement for the period ended January 2014.

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

30.3 Debts to be written off

Director of Finance will prepare and forward to the Council, a list of debtors that will be reviewed by the Council before being written off, however Council decided to write off the following debts:

Resolution LRASC 45|02|2014

That debts owed by the following community members be written off:

- Charles Giblet \$953.98
- Cecillia Accoom \$698.29
- Susie Pascoe \$3,178.18

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

30.4 HACC – Accommodation

After some discussions on the current practice where by HACC is being used as an alternative accommodation for visitors coming to Lockhart River, Council passed the following resolution.

Resolution LRASC 46|02|2014

That with effect from 01 July 2014, HACC will no longer be used as an accommodation outlet for visitors to Lockhart River; however that in the event that there is an overflow of guests looking for accommodation, HACC will charge \$150.00 per day per bed while Puuya Centre Accommodation will charge at a rate of \$200 per night.

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

30.5 Close of EFPOS Bank Account

Council EFPOS account is no longer active hence should not continue attracting account fees. This account is no longer required by the Council.

Resolution LRASC 47|02|2014

That Council EFPOS Bank Account be closed immediately.

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

30.6 Valuation and depreciation Methodology exercise

This is one of the two high risk areas that was identified in the last audit report. To deal with the challenge, Council passed the following resolution

Resolution LRASC 48|02|2014

That Council engage the services of Mr Peter Savage – CT Management Consultant to undertake the work on Council Asset Registers and that the Council seek funding from the Department of Local Government Community Recovery and Resilience to pay the Consultant's fees / costs.

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

30.7 Write-off of 3 solar panels

Resolution LRASC 49|02|2014

That Council write-off three (3) solar panels valued at \$10,363.64 as a loss from the Council books.

MOVED: Cr. Wayne Butcher

SECONDED: Cr. Norman Bally

CARRIED

30.8 Youth Issues / Challenges

To deal with the issues and challenges being faced by Youth of Lockhart River Community, Council proposed the following actions to be taken:

- Justice Unit to run course on re-offending
- Justice Group need to introduce more activities that focus on Youth
- Council will meet the Justice Group and the Men's Group next week
- Justice Coordinator to operate out of the Men's Healing Centre 2 days a week and the balance of the days from the Puuya Centre.

Council passed the following resolution in relation to the unspent \$54,000 under the Alcohol Management Reform program

Resolution LRASC 50|02|2014

That the unspent funds (\$54,000) from the Alcohol Management Reform Program be used by the Men's Healing Centre to cover its operational costs.

MOVED: Cr. Wayne Butcher

SECONDED: Cr. Veronica Piva

CARRIED

30.9 Radio Station – Capital Grant

Resolution LRASC 51|02|2014

That the unspent Radio Station Capital Grant of \$19,490 be used for the improvement of the Radio Station facilities including purchasing of office furniture.

MOVED: Cr. Wayne Butcher

SECONDED: Cr. Norman Bally

CARRIED

30.10 DATSIMA – Cultural Diversity Economic Participation Grants

Resolution LRASC 52|02|2014

That Council apply for funding under the Economic Participation Grant to the tune of \$40,000 to be used for kick-starting the operations of the concrete making business on the Community.

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

30.11 Temporary Bank Agency Back-up position

Resolution LRASC 53|02|2014

That Council remove the existing freeze on employment and advertise for a temporary bank agency back-up position.

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

31 QAO – Results of Local Government Audit Financial Statements for 2012 - 2013

A letter from the Queensland Auditor General (QAO) on the results of audit Local government financial statements 2012 – 2013 was tabled and noted. Council will not provide a response to the letter as it is generic and very general in nature. Council will work towards improving the results on the three ratios:

- Operating surplus ratio
- Net financial liabilities ratio
- Asset sustainability ratio

as part of its internal audit support improvement strategy.

32 Provision of Office Space for ROCY – Chief Executive Officer

Resolution LRASC 54|02|2014

That Council will provide an office space to the appointed CEO of ROCY based on a 20 hour working week at the Cairns Council Office and further that ROCY will pay rent to the Council for the office space.

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

33 Clarence Moses Retail Store

Retail Store Income Statement

No income statement for the operations of the Clarence Moses Retail Store was provided. Council again expressed disappointment for failure on the part of the Department to make available the Retail Store Income Statement.

Progress report on the future of Government controlled and operated store.

- No progress report was provided to the Council despite the promise to do so in January 2014

Retail Store Income Statement

A report on the meeting of the Lockhart River Clarence Moses Retail Store Committee was tabled. Council resolved to send the minutes to the Department.

Resolution LRASC 55|02|2014

That the minutes of the Clarence Moses Retail Store Committee be sent to the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs and feedback on issues raised in the minutes be provided to the Council.

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

34 Reports by Councillors

34.1 Mayor Cr. Wayne Butcher

Mayor tabled a written report at the meeting. The report covered the following areas:

- Lockhart River Leaders report
- Lockhart River Palliative Care
- Puuya Foundation
- Economic participation grant – concrete plant and materials

Resolution LRASC 56|02|2014

That the Mayor's report be received and noted.

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

34.2 Cr. Norman Bally

Cr. Norman Bally raised the issue of technology support services at the Men's Healing Centre. The need to have the Centre connected with landline phone as well as internet services.

34.3 Cr. Veronica Piva

Cr. Veronica Piva provided a verbal report at the meeting. Her report was noted.

35 General Business

35.1 Public Meeting

The next public / community meeting will be held on Wednesday 26 February 2014 in the Church Hall. Items to be included in on the agenda include:

- Introduction of new service rates
- New dog registration fee
- Local Law endorsement
- Remove of dead vehicles
- Gambling
- Training etc.

35.2 Removal of dead vehicles

Progress has been made by Council in removing some dead vehicles from the community. Community members who have not cooperated with the exercise have been told to remove the vehicles from road sides and relocate them into their yards.

This issue will be discussed at the forthcoming community meeting.

35.3 Fleas and ticks problems in houses

Council discussed the problems of fleas and ticks reported by many households in Lockhart River:

Resolution LRASC 57|02|2014

That Council use some of the rental money to purchase lime to be used in the fight against fleas and ticks in social houses on the Community.

MOVED: Cr. Wayne Butcher

SECONDED: Cr. Norman Bally

CARRIED

35.4 Working with MyPathway

The meeting has been schedule to occur next week between the Council and MyPathway to discuss the budget support to a variety of Council identified projects.

35.5 Youth Issues / Challenges

This item was discussed under item 30.8. Council agreed to meet with the Community Justice Group to work out strategies of dealing with the challenges.

35.6 Have your say

Council will attempt to implement this model of *Government 2 u* approach. Details of this approach will be discussed at the public meeting.

35.7 Cape York Natural Resource Management - Membership

A letter was received from Cape York Natural resource Management, inviting Council to become a member of the Local Government sector in the organisation

Resolution LRASC 58|02|2014

That Council nominates Cr. Wayne Butcher Councillor responsibility for this activity to represent the Council on the Cape York Natural Resource Management Board.

MOVED: Cr. Paul Piva
SECONDED: Cr. Veronica Piva
CARRIED

36 Date and venue of next ordinary meeting

All ordinary Council meetings are held on the third Wednesday of each month. The next meeting will be held on Wednesday 19 March 2014.

37 Vote of thanks and close of meeting

There being no other business, Mayor thanked all and declared the meeting closed at 12:05 pm