

LOCKHART RIVER ABORIGINAL SHIRE COUNCIL

ABN 55 631 460 952



Minutes of Ordinary Council Meeting

Date: 19th & 20th March 2014

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

1. **Attendance**

Cr. Wayne Butcher – Mayor
Cr. Norman Bally
Cr. Paul Piva
Cr. Veronica Piva
Mr. Peter Opio-Otim – CEO

2. **Opening**

Mayor declared the meeting open at 9.45am and welcomed all.

3. **Apology**

Apology was received from Cr. Rebecca Elu.

RESOLUTION LRASC 01/03/2014

That apology from Cr. Rebecca Elu be accepted.

Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried:

All apologies must be in writing addressed to the Mayor/CEO.

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

Nil

5. **Minutes of Ordinary Meeting held on 19 & 20 February 2014**

RESOLUTION LRASC 02/03/2014

That the Minutes of the Ordinary Council Meeting held on 19 & 20 February 2014 be confirmed as true and correct.

Moved: Cr. Paul Piva
Seconded: Cr. Norman Bally
Carried:

6. **Business Arising Out of Minutes**

6.1 **My Pathway**

Minutes of the meeting to be provided the Council at the next meeting.

6.2 **New Subdivision**

Meeting on the New Subdivision project took place on 21 February 2014. Minutes of the meeting was provided. The project is likely to recommence in mid-March 2014.

6.3 **Aerodrome Company**

The Company has not yet appointed a Company secretary. An urgent board meeting will be organised to address the matter.

6.4 **Retail Store**

There are still long outstanding issues with the Retail Store – quality of products being sold – that needs to be addressed. A meeting of the Community Retail Committee is scheduled for late March 2014.

6.5 **Working on Country**

Mayor met with the representatives of Kuku Ya’u Group. Council needs to discuss the future of working arrangements of WOC with the Department.

6.6 **Local Disaster Management Plan**

Council resolved that the following action be taken:

RESOLUTION LRASC 03/03/2014

That Council purchase 12 two way hand held radio sets.

Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried

7. Action Sheet on Resolution passed at last Ordinary Meeting.

RESOLUTION LRASC 04/03/2014

That Council sighted and noted the actions taken on resolutions passed at the Ordinary Meeting held on 19 & 20 February 2014.

Moved: Cr. Paul Piva
Seconded: Cr. Wayne Butcher
Carried

8. Department of Housing and Public Works.

RESOLUTION LRASC 05/03/2014

That Council sighted and noted:

- Collections reports for the Months of January and February 2014
- Tenancy Management Report for the month of January 2013
- Deputy Director of Department of Housing and Public Works Letter of Introduction

Moved: Cr. Paul Piva
Seconded: Cr. Norman Bally
Carried

8.1 Vacant Housing Officer position

This Position was advertised and interview conducted. However, no appointment was made; the position will be re-advertised.

9. Department of Local Government, Community Recovery and Resilience. Application for funding under the Service Delivery Fund 2013-2014

Council application for funding under the Service Delivery Fund 2013-2014 was successful, and Council received \$83,956. Further the Minister wrote, "P.S The Contestable model will see your Community secure an extra \$40,000 through your good management, Well done."

Council to follow-up on this promise.

RESOLUTION LRASC 06/03/2014

That Council accept the \$83,956 funding provided by the Department of Local Government, Community Recovery and Resilience under the Service Delivery Fund 2013-2014.

**Moved: Cr. Wayne Butcher
Seconded: Cr. Veronica Piva
Carried**

10. Department of State Development, Infrastructure and Planning: Released draft Cape York Regional Plan.

Department wrote to Council seeking feedback on the draft Cape York Regional Plan. Council noted the letter. Consultation on the Cape York Regional Plan has not yet occurred with residents of Lockhart River. Consultation need to be undertaken first before a measured response can be provided.

11. Lockhart River Planning Scheme Information Sessions

Copies of the Draft Lockhart River Planning Scheme was provided to the Councillors ahead of the meeting. A two and half hour session was held with the project Consultant-Card no-HRP and Council provided some amendments to the proposed draft planning scheme.

RESOLUTION LRASC 07/03/2014

That Card no HRP on behalf of the Lockhart River Aboriginal Shire Council – subject to the changes made by the Council prepare a written request to the Minister for Infrastructure and Planning requesting State Government review of the planning scheme; including a statement:

- About the extend and outcome of any Consultation undertaken with state agencies and the public and the public in preparing the proposed Planning Scheme;**
- About how the proposed Planning Scheme coordinates and integrates matters of state and regional interest;**
- About how the Key Elements of a planning scheme mentioned in S88 of SPA have been addressed;**
- addressing the State Planning Policy, describing;**
- (A) How they are integrated in the proposed planning scheme;**

**(B) Reasons why they are not integrated in the proposed planning scheme; and
(C) Those that are not relevant**

**Moved: Cr. Wayne Butcher
Seconded: Cr. Norman Bally
Carried**

11.1 Boundary adjustments between Cook Shire Council and Lockhart River Aboriginal Shire Council

RESOLUTION LRASC 08/03/2014

That a letter be sent to Cook Shire Council to recommence discussions on the transfer of parcels of land that are still in the Cook Shire Council area – to be transferred to Lockhart River Aboriginal Shire Council. This process had previously been agreed to by both parties, however, it was momentarily put on hold due to the de-amalgamation process that was in trail.

**Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried**

12. Department of Housing and Public Works: Building and Asset Services – New Maintenance Agreement.

A copy of the New Maintenance Agreement between the Building and Asset Services and Lockhart River Aboriginal Shire Council planned to come into effect on 1st of July 2014 was re-tabled and discussed.

RESOLUTION LRASC 09/03/2014

That Council accept the New Maintenance Agreement between the Department of Housing and Public Works – Building and Asset Services Division – subject to the following:

- Regularising and Standardising of Meetings between the two parties to be held on a bi monthly; and**
- Department acceptance of the, proposed scheduled of rates in Appendix B.**

**Moved: Cr. Norman Bally
Seconded: Cr. Paul Piva
Carried**

13. The Playgroup Association of Queensland: MOU

A proposed draft memorandum of Understanding between Lockhart River Aboriginal Shire Council and the Playgroup Association of Queensland was tabled and discussed.

RESOLUTION LRASC 10/03/2014

That Council enter into a two year rental agreement – at a rate to be determined by both parties – for the use of the Council Playgroup facilities in Lockhart River.

Moved: Cr. Paul Piva
Seconded: Cr. Norman Bally
Carried

14. Engineering Services Section

14.1 Appointment of Director of Engineering Services

Mr. Sangarapillai Rajanayagam (Raja) has been appointed and has accepted the appointment as the Council Director of Engineering Services. He will assume duties on 24 March 2014.

RESOLUTION LRASC 11/03/2014

That Council note the appointment of Mr. Sanagarapillai Rajanayagam (Raja) as the Council Director of Engineering Services.

Moved: Cr. Norman Bally
Seconded: Cr. Veronica Piva
Carried

14.2 Lockhart River Occasional Plant 2012-2014

RESOLUTION LRASC 12/03/2014

That a review meeting be held with internal and external stakeholders so as to as certain how well, the project was delivered during 2012-2014 period before any new model of operation can be considered.

Moved: Cr. Wayne Butcher
Seconded: Cr. Norman Bally
Carried

14.3 Council Store Upgrade project

RESOLUTION LRASC 13/03/2014

That expiry dates indicated in the Defects and Liabilities period for project 7010 – Council Store Upgrade be extended for a period to be determined by Black and More in Consultation with Council.

Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried

14.4 Tender for the Construction of 4 Houses in Lockhart River

RESOLUTION LRASC 14/03/2014

That Cr. Norman Bally and Mr. Regis Edmond, Building Services Supervisor represent the Council at the Tender Panel Meeting on 31st March 2014 in Cairns.

Moved: Cr. Paul Piva
Seconded: Cr. Wayne Butcher
Carried

14.5 Lockhart River Drainage Master Plan

RESOLUTION LRASC 15/03/2014

That the Council – subject to some minor changes – endorse the draft Lockhart River Drainage Master Plan; and use the outcomes from the project report to help with the identification of relevant projects in the future.

Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried

14.6 Council Annual Work Plan – Water Management Plan

RESOLUTION LRASC 16/03/2014

That Council endorse the Annual Work Plan as prepared by the Environmental Unit of the Council for the period 2013-2014.

Moved: Cr. Wayne Butcher
Seconded: Cr. Norman Bally
Carried

14.7 Cairns Regional Council – Laboratory Water Test Results

RESOLUTION LRASC 17/03/2014

That Council sighted and noted the results of the Water Samples tested by the Cairns Regional Council – Laboratory Section.

Moved: Cr. Paul Piva
Seconded: Cr. Veronica Piva
Carried

Council also agreed that Mr. Morgan Hobson attend a water training course in Yarrabah.

14.8 Engineering Services Section Monthly Report

RESOLUTION LRASC 18/03/2014

That Council note the various reports including Project reports from the Engineering Section of the Council for the month of February 2014.

Moved: Cr. Wayne Butcher
Seconded: Cr. Norman Bally
Carried

15. Apunipima Health Council

Paul and Denise from Apunipima joined the meeting at 2.05pm. They briefed the Council on the role that Apunipima plays in indigenous communities. They particularly talked about:

- The feasibility of providing services that target men in Lockhart River;
- Interest in renting/leasing accommodation complex at the Men's Healing Centre.
- Using the middle office and expanding it to include kitchen facilities

Council agreed to allow Apunipima to use the current office space at the complex. However, Council declined to accept the offer to allow Apunipima lease the accommodation space at the centre.

Apunipima Health Council agreed to forward the Council its action plan for the Men's Healing Centre. Both guests left the meeting at 2.20pm.

16. Community Development Section

RESOLUTION LRASC 19/03/2014

That the following reports from the Community Development Section be received and noted:

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

Moved: Cr. Veronica Piva
Seconded: Cr. Paul Piva
Carried

17. Finance and Administration

Mr. Stanley Mugwiria joined the meeting at 3.45pm and took the Councillors through the financial reports for the period under review.

17.1 Lockhart River Aboriginal Shire Council Financial Statements

RESOLUTION LRASC 20/03/2014

That the Financial Statements for the period ended 28 February 2014 as presented be received and accepted.

Moved: Cr. Wayne Butcher
Seconded: Cr. Veronica Piva
Carried

Media Release Statement

“A media release on Far North Councils face threat of becoming financially unsustainable: report” was tabled and noted by Council. Council noted that Lockhart River Aboriginal Shire Council together with other fifteen Councils, was named in the report as being at a higher risk of becoming financially unsustainable. This matter will be discussed with the representatives from the Department of Local Government, Community Recovery and Resilience next week.

17.2 Lockhart River Aerodrome Company Pty Ltd: Profit and Loss Statement

Council noted a slight improvement in the operating results of the Company for the period under review; although the overall bottom line still showed a deficit at the end of the period under review.

RESOLUTION LRASC 21/03/2014

That Council sighted and noted the Profit and Loss Statement for the Lockhart River Aerodrome Company for the period ended February 2014.

Moved: Cr. Wayne Butcher
Seconded: Cr. Veronica Piva
Carried

17.3 Internal Audit Plan 2013-2014

Internal Audit Plan of the Council, prepared by Altus and discussed with the Council CEO and Finance Director, was tabled and noted.

RESOLUTION LRASC 22/03/2014

That Council note and endorse the proposed Internal Audit Plan for the 2013-2014 period.

Moved: Cr. Veronica Piva
Seconded: Cr. Norman Bally
Carried

17.4 CEO Contract Document of Employment

Lockhart River Aboriginal Shire Council "Contract of Employment" document for the position of CEO was tabled, discussed and endorsed with minor amendments. The amendment to include experience of working in the private sector.

RESOLUTION LRASC 23/03/2014

That Council endorse the Contract of Employment package document – for the position of the Council Chief Executive Officer – subject to inclusion of experience in working in the private sector.

Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried

17.5 Department of Local Government Voluntary Financial Report

Council will meet with the Senior Staff from the Department of Local Government, Community Recovery and Resilience to discuss the letter: "Voluntary Financial Reports". The Meeting is schedule to be held in Lockhart River on 25th March 2014.

17.6 Community Bus Driver

This matter was referred to the CEO to discuss with My Pathway and report back to Council on the outcome.

17.7 Co-ordinator: Men's Healing Centre

One application was received for the recently advertised position for the Co-ordinator of Men's Healing Centre. The applicant will be interviewed on Friday 21st March 2014.

18. Clarence Moses Retail Store

No information/report has been provided to the Council on the Future of the Stores in Six Indigenous Communities that are still managed and operated by the Queensland Government. No further information has been received from the LGAQ on the subject.

Again, as in previous months, the Department did not provide the Council with the Income Statement for the Clarence Moses Retail Store.

The Retail Store Committee Meeting is scheduled to take place towards the end of March 2014. Both the Mayor and CEO have been invited to attend.

Meeting adjourned at 5.15pm, to resume on Thursday 20 March 2014.

DAY 2

Mayor declared the meeting open at 9.45am and welcomed all.

19. Reports by Councillors

19.1 Cr. Wayne Butcher

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

- Lockhart River Think Tank meeting
- Beyond School meetings
- Brisbane Trip
- CIMA and CYTROC

19.2 Cr. Norman Bally

Cr. Bally apologised for not provided the meeting with a written report. He however, went ahead and presented a verbal report.

19.3 Cr. Rebecca Elu

Cr. Elu was not able to provide her report; she was not able to attend the meeting.

19.4 Cr. Paul Piva

Cr. Piva provided a written report at the meeting. The report covered the following areas:

- Students re-engaged in high school
- Grade 12 student wishing to progress to University
- Proposed list of students to go to Out Station North
- Work experience
- Contact with St. Teresa College – Abergowrie and Contact with Western Cape College, Weipa

19.5 Cr. Veronica Piva

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

- Law and Order – various meetings attended
- Education – visits undertaken

- Health – various meetings attended
HACC Forum in Cairns
HAT meeting at Clinic
TAFE meeting

RESOLUTION LRASC 24/03/2014

That the Mayor's report be received and noted.

Moved: Cr. Norman Bally
Seconded: Cr. Veronica Piva
Carried

20. Council Carpenter – Working Hours and Conditions

RESOLUTION LRASC 25/03/2014

Resolve that arrangements for the working hours/conditions of the Council Carpenters will be as follows:

- The existing hourly rates will be maintained;
- Carpenter will be required to work for 76 hours per fortnight as per Contract of engagement;
- All overtime work will be authorised by the building services supervisor and in the case of building services supervisor by his immediate supervisor;
- All hours worked – normal and overtime – will be supported by detailed timesheets of tasks undertaken, dates etc.
- the hours of work will be between 7.30am to 6.00pm; with NO WORK TO BE DONE ON SUNDAYS.

Moved: Cr. Wayne Butcher
Seconded: Cr. Veronica Piva
Carried

21. General Business

21.1 PCYC

Indigenous Community Sport and Recreation officer position has been advertised. This will be a part-time position – 20 hours a week – until 30 December 2015.

21.2 State Library of Queensland

State Library wrote to various IKC. Council will support the initiative.

21.3 Phoenix House

Phoenix House wrote to Council requesting letter of Support for Victims Assistance Project. Council declined to offer letter of support.

21.4 AMP Community Visitation

Representative from DATSIMA will be visiting Lockhart River from 25-28 March 2014 to assist with Community Consultation on the AMP Review.

21.5 Lockhart River School and Beyond Program

Letters of Support to various departments for the Lockhart River School and Beyond Program was tabled and endorsed.

RESOLUTION LRASC 26/03/2014

That Council endorsed the letters of Support sent to various organisations in favour of the Lockhart River School and Beyond program.

Moved: Cr. Norman Bally
Seconded: Cr. Veronica Piva
Carried

21.6 Government 2U

Council is considering holding some of its Ordinary Meetings in the Church Hall to allow Community members to attend. Council was reminded that all Council meetings – except under certain conditions – are open to the general public. This is a part of the five principles – transparency – under the Local Government Act.

21.7 Allocation of Vacant Staff Houses/Vehicles

- The incoming Director of Engineering Services will be accommodated at the house previously occupied by the Council bank employee.
- The plumber and his partner will move to the house that was previously occupied by the Council electrician.
- The painter will be accommodated in the house previously occupied by the Council plumber.

22. Vehicle Allocation

- The Incoming Director of Engineering Services will be allocated the vehicle previous allocated to Manager Building Services Unit.
- The Painter will be allocated the vehicle that was previously used by the Council electrician

The New Director of Engineering Services will operate out of the new Council Store Office.

23. Date and Venue for next Ordinary Meeting

The Meeting will take place on Wednesday 16 April 2014 in Lockhart River.

24. Vote of thanks and close of meeting

There being no other business, Mayor thanked all and declared the meeting closed at 5.15pm.