

LOCKHART RIVER ABORIGINAL SHIRE COUNCIL

ABN 55 631 460 952



Minutes of Ordinary Council Meeting

Date: 17 July 2014

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

1. Attendance

Cr. Wayne Butcher – Mayor
Cr. Norman Bally
Cr. Rebecca Elu
Cr. Paul Piva
Cr. Veronica Piva

CEO Ian Bodill

2. Opening

Mayor declared the meeting open at 9h18 and welcomed all.

3. Apology

Nil

4. Conflict of Interest: Material Personal Interest

Councillors Veronica Piva and Wayne Butcher declared an interest due to their roles as directors of PUUYA and did not vote.

5. Minutes of Ordinary Meeting held on 18th July 2014

RESOLUTION 01/07/2104 LRASC

That the minutes of the Ordinary Council meeting held on 18th June 2014 be confirmed as true and correct.

Moved: Cr Wayne Butcher

Seconded: Cr Paul Piva

Carried: 5/0

6. Business arising out of Minutes

RESOLUTION LRASC 02/07/2014

That the minutes be amended to reflect the CEO commencing employment on 14th July 2014 and that his contract be amended accordingly.

Moved: Cr Paul Piva

Seconded: Cr Veronica Piva

Carried: 5/0

7. Confidential Business

Nil

8. Reports from Chief Executive Officer

8.1 Department of Housing Collections Report

RESOLUTION LRASC 03/07/2014

That Council receives the rent collection information presented for the period 1/06/2014 to 30/06/2014

Moved: Cr Veronica Piva
Seconded: Cr Rebecca Elu
Carried: 5/0

8.2 Contract number 040FNR13

RESOLUTION LRASC 04/07/2014

That Council accepts the amount of \$36,960 (Incl GST) from DATSIM for minor plumbing works (water meter installations), contract number 040FNR13

Moved: Cr Paul Piva
Seconded: Cr Rebecca Elu
Carried: 5/0

8.3 Revenue Replacement Programme 2014-1015

RESOLUTION LRASC 05/07/2014

That Council accepts the funding amount of \$98,900 from the Department of Local Government, Community Recovery and Resilience.

Moved: Cr Paul Piva
Seconded: Cr Rebecca Elu
Carried: 5/0

8.4 Deanka Omeenyo Letter to Council

This matter will be dealt with by the CEO as it is a staff matter.

9. Director Engineering

Council dealt with all the information contained in the Director Engineering's Report en bloc.

RESOLUTION LRASC 06/07/2014

That Council accepts the report provided by the Director Engineering.

Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried: 5/0

10. Building Services

RESOLUTION LRASC 07/07/ 2014

That Council accepts the report provided by Building Services.

Moved: Cr. Veronica Piva
Seconded: Cr. Norman Bally
Carried: 5/0

11. Director Community Services

Council dealt with all the information contained in the Director Community Services Report en bloc.

RESOLUTION LRASC 08/07/ 2014

That Council accepts the report provided by the Director Community Services.

Moved: Cr. Wayne Butcher
Seconded: Cr. Rebecca Elu
Carried: 5/0

12. Councillor Reports

No reports were received this month. The Mayor looks forward to receiving written reports from councillors at the next meeting.

13. General Business

The following matters emerged during presentations with specific stakeholders and general discussion:

- 13.1 Council met with its Internal Auditor who presented Council with updates. It was considered appropriate that Council nominated representatives to sit on its Internal Audit Committee. Mayor Butcher mentioned that he would approach an independent member as required by the Act and Regulations.

RESOLUTION LRASC 09/07/ 2014

That Councillors Wayne Butcher, Paul Piva and Rebecca Elu be elected as Councils Representative on the Internal Audit Committee.

Moved: Cr. Veronica Piva
Seconded: Cr. Norman Bally
Carried: 5/0

- 13.2 Programme Office Presentation led by Colleen Golledge and Robert Zigterman to discuss their role and to seek council support for the 28 lot subdivision occurring at Lockhart Aboriginal Shire Council.

RESOLUTION LRASC 10/07/ 2014

1. That the CEO be authorised to approve the Development Permit subject to the conditions provided.
2. That a condition be placed on RILIPO for a provisional sum to be set aside for appropriate drain works.

Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried: 5/0

RESOLUTION LRASC 11/07/ 2014

That Council agrees to send a letter to the Minister as written notice that Council would accept a determination advising that Council may proceed to publicly consult on the proposed planning scheme (with or without conditions).

Moved: Cr. Wayne Butcher
Seconded: Cr. Veronica Piva
Carried: 5/0

In addition DATSIMA requested that the following three resolutions be considered and passed by council:

RESOLUTION LRASC 12/07/ 2014

Resolution 1

That Council, as Trustee, resolves and agrees to have the Remote Indigenous Land and Infrastructure Program Office, acting on behalf of the State of Queensland, prepare and issue a notification under S.24JAA of the Native Title Act 1993 which will allow them to apply to Council for 40 Year Social Housing Leases over the properties listed below.

Number	Street	Infrastructure	Construction date
203	Keeni Street	3 bedroom social house	01/06/2007
208	Keeni Street	3 bedroom social house	10/5/2007
200	Line Hill Road	5 bedroom social house	01/01/1997
134A	Piiramo Street	3 bedroom social house	01/01/2000
134B	Piiramo Street	3 bedroom social house	01/01/2000
81	Twin Peaks Road	4 bedroom social house	01/01/1999

Moved: Cr. Paul Piva
Seconded: Cr. Wayne Butcher
Carried: 5/0

RESOLUTION LRASC 13/07/ 2014

Resolution 2

That Council, as Trustee, resolves to enter into a Deed of Agreement to Lease and Deed of Agreement to Construct on the following social housing properties with the State, represented by the Department of Housing and Public Works.

By agreeing to enter into a Deed of Agreement to Lease over these properties Council is certifying their intention to formally lease the properties to the State for a period of 40 years for the provision of social housing.

Lot Reference	Street Name	Infrastructure	Construction date
14	Illa Street	3 Bedroom social house	01/01/1990
31	Ilway Street	3 Bedroom social house	01/06/2007
32	Ilway Street	3 Bedroom social house	01/06/2007
34	Ilway Street	3 Bedroom social house	01/12/2006
35	Ilway Street	4 Bedroom social house	01/12/2006
36	Ilway Street	3 Bedroom social house	01/06/2007
29	Kuttini Street	4 Bedroom social house	01/01/1990
22	Kuyumu Street	3 Bedroom social house	01/01/1998
24A	Kuyumu Street	3 Bedroom social house	01/01/1997
24B	Kuyumu Street	3 Bedroom social house	01/01/1997
26A	Pulmanun Street	3 Bedroom social house	01/01/1990
26B	Pulmanun Street	3 Bedroom social house	01/01/1990

Moved: Cr. Rebecca Piva

Seconded: Cr. Norman Bally

Carried: 5/0

RESOLUTION LRASC 14/07/ 2014

Resolution 3

That Council, as Trustee, resolves to seek the divestment of the reserves listed below from the Department of Communities, Child Safety and Disability Services to Council. These properties contain social housing which should be under the trusteeship of Council and Council is willing to take ownership of these properties and assets. In having these reserves transferred to Council's trusteeship and changing their purpose to an appropriate one, we will be able to deal with the land, including leasing the houses to the State for social housing. Council also resolves to seek the assistance of the Remote Indigenous Land and Infrastructure Program Office in seeking the relevant approvals.

Lot / Plan reference	Street Address	Infrastructure	Construction date	Current Trustee	Current Purpose
Lot 39 on SP246910	86 Ilway Street	4 bed social house	01/01/1999	DCCSDS	Departmental and Official
Lot 38 on SP246910	87 Ilway Street	4 bed social house	01/01/1999	DCCSDS	Departmental and Official
Lot 35 on SP246910	90 Ilway Street	4 bed social house	01/01/2000	DCCSDS	Departmental and Official
Lot 37 on SP246910	89 A & B Ilway Street	2 x 2 bedroom social housing (duplex)	01/01/1990	DCCSDS	Departmental and Official
Lot 42 on SP246910	92 Maathuy Street	4 bed social house	01/01/1990	DCCSDS	Departmental and Official
Lot 9 on SP246910	91 A, B, C, & D Maathuy Street	4 x 1 bedroom social housing (quadplex)	01/01/2003	DCCSDS	Departmental and Official
Lot 36 on SP246910	Next to 89 Ilway Street	N/A - Vacant land	N/A	DCCSDS	Departmental and Official

Moved: Cr. Paul Piva
Seconded: Cr. Rebecca Piva
Carried: 5/0

- 13.3 Council met with PUUYA Foundation Representatives Pat Thorne and Denise Hagan (Briefly until the bad quality of phone line led to her withdrawing) and received a presentation relating to the achievements of the Foundation and some of its requirements.

RESOLUTION LRASC 15/07/ 2014

That Council agrees to provide accommodation at the PUUYA centre for Denise Hagan.

Moved: Cr. Rebecca Elu
Seconded: Cr. Norman Bally
Carried: 3/0

Councillors Veronica Piva and Wayne Butcher declared an interest due to their roles as directors of PUUYA and did not vote.

RESOLUTION LRASC 16/07/ 2014

That Council not make a decision on the 10% Capacity Building allocation until it made further investigation into Government Policy.

Moved: Cr. Wayne Butcher
Seconded: Cr. Paul Piva
Carried: 5/0

RESOLUTION LRASC 17/07/ 2014

1. That Council formerly approves the relaxation of boundaries on lot 33, WWT47, Parish – Lloyd, County – Weymouth to be the most effective for the design of the Kuunchi Kakana (Families Together) Centre.
2. That Council formerly approves a peppercorn lease for a period of five years. Council will review the rental after 5 years where a higher lease payment and conditions will be determined for the remaining 94 years, totalling a 99 year lease.

Moved: Cr. Paul Piva
Seconded: Cr. Norman Bally
Carried: 5/0

There being no other business, Mayor thanked all and adjourned the meeting at 14h29 until tomorrow commencing 10am.

The mayor recommenced proceedings at 10h30 on Thursday 17th July 2014.

14. Reports from Director Corporate Service

The Director presented Council with the monthly reports for adoption.

14.1 Monthly financial Report of Council

RESOLUTION LRASC 18/07/ 2014

That the monthly financial report for June be adopted.

Moved: Cr. Wayne Butcher

Seconded: Cr. Paul Piva

Carried: 5/0

14.2 Aerodrome Report

RESOLUTION LRASC 18/07/ 2014

That the aerodrome report for June be adopted.

Moved: Cr. Norman Bally

Seconded: Cr. Wayne Butcher

Carried: 5/0

15. Operational Plan (s174)

RESOLUTION LRASC 19/07/ 2014

That the Operational Plan as required be adopted.

Moved: Cr. Paul Piva

Seconded: Cr. Rebecca Elu

Carried: 5/0

16. 2014-2015 Budget proposal incorporating:

- the 3 years budget (s169)
- 10 years forecast (s171)
- 10 Long Term asset management Plan
- Staff Structure

RESOLUTION LRASC 20/07/ 2014

That the 3 year budget, the 10 year budget, the 10 year long term Asset Management Plan and the Staff Structure and associated attachments be adopted.

Moved: Cr. Wayne Butcher

Seconded: Cr. Paul Piva

Carried: 5/0

17. Financial Delegation Register

RESOLUTION LRASC 21/07/ 2014

That the Financial Delegation Register for 2014/2015 be adopted.

Moved: Cr. Wayne Butcher

Seconded: Cr. Rebecca Elu

Carried: 5/0

18. Council Policies

RESOLUTION LRASC 22/07/ 2014

That the following policies as reviewed be adopted.

- Audit Committee (s210)
- Internal Audit (s207)
- Procurement(s198)
- Investment(s191)
- Revenue Statement(s172)
- Revenue Policy(s193)
- Reimbursement Policy
- Advertising Policy(s197)
- Debt (borrowing) policy (s192)
- Finance Regulations
- Community Grants (s195)
- Entertainment and Hospitality (s196)

Moved: Cr. Wayne Butcher

Seconded: Cr. Paul Piva

Carried: 5/0

19. Closure of meeting

There being no further matters to discuss, the Mayor closed the meeting at 13h00.