

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

1. OPENING BUSINESS

Cr Edric Walden declared the meeting open at 10:04am

2. ATTENDANCE

Elected Members

Mayor Edric Walden

Cr Jason Ned

Cr Dean Jupiter

Cr Scharrayne Foster

Cr Tony Chong – Entered the Meeting at 10:05am

Staff

Lothar Siebert – Chief Executive Officer

Garry Jeffries – Director of Engineering

Richard Kelly – Director of Corporate Services – Entered the Meeting at 10:17am

Juanita Holden – Governance Manager

Attendance:

Cr Jason Ned and Garry Jeffries left the meeting at 10:05am

Attendance:

Cr Tony Chong entered the meeting at 10:05am

3 APOLOGIES WITH OR WITHOUT

Nil

Attendance:

Andrew Cunningham entered the meeting at 10:06am

4. CONFIRMATION OF MINUTES

Minutes of the Ordinary Meeting of Council held 22nd August 2017 are submitted to Council for confirmation that those minutes are a true and correct record of the meeting.

Resolution No 1-09/17

Moved **Cr Edric Walden**

Seconded **Cr Tony Chong**

That the minutes of the Ordinary Meeting of Council held 22nd August 2017 be taken as read and signed as correct. **Carried**

Attendance:

Leonie Florence entered the meeting at 10:17am and left the meeting at 10:18am

Attendance:

Cr Jason Ned and Garry Jeffries entered the meeting at 10:18am

4.1 BUSINESS ARISING FROM PREVIOUS MEETINGS

It is to be noted that a list of Action Items is to be presented from the previous Council Meeting to be included in all future Agendas.

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

Attendance:
Andrew Cunningham left the meeting at 10:20am

Attendance:
Richard Kelly left the meeting at 10:19am and returned at 10:21am

Attendance:
Garry Jeffries left the meeting at 10:21 and returned at 10:22am

Resolution No 2-09/17

Moved **Cr Edric Walden**

Seconded **Cr Scharrayne Foster**

That Council authorise the Chief Executive Officer and the Governance Manager to attend the Disaster Management Conference in Cairns 2nd November. **Carried**

Resolution No 3-09/17

Moved **Cr Scharrayne Foster**

Seconded **Cr Tony Chong**

That Council authorise the Mayor, Deputy Mayor, Councillor and Chief Executive Officers to attend meetings with Ministers in Brisbane last week of October. **Carried**

Resolution No 4-09/17

Moved **Cr Tony Chong**

Seconded **Cr Jason Ned**

That Council accepts the final concept drawings (Modified Option 3 with Mark Ups) as provided by DATSIP, furthermore Council approve of DATSIP to enter into the next phase (Engineering design and costings) of the project. **Carried**

Resolution No 5-09/17

Moved **Cr Jason Ned**

Seconded **Cr Edric Walden**

That Council acknowledge all outstanding action items. **Carried**

5. DISCLOSURE OF MATERIAL PERSONAL INTEREST AND CONFLICT OF INTEREST

Noted

Attendance:
Juanita Holden left the meeting at 10:48am and returned at 10:51am

6. DEPUTATIONS

It should be noted that deputations are a public process and as such the identity of persons making a deputation to Council will be on the public record.

- Warrgoobulginda Aboriginal Corporation
- Team Grit (Within Australia)

Attendance:
Mr Vernon Ned entered the Meeting at 11:00am and addressed the Council
Garry Jeffries, Richard Kelly and Juanita Holden left the meeting at 11:00am
Mr Vernon Ned left the meeting at 11:15am
Juanita Holden entered the meeting at 11:16am

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

Attendance:
Cr Scharrayne Foster left the meeting at 11:35am

Attendance:
Garry Jeffries and Richard Kelly entered the meeting at 11:38am

Attendance:
Ms Ellenor Logan and Ms Kayleen O'Keefe from the Warrgoobulginda Aboriginal Corporation entered the meeting at 11:40am for a deputation with Council in regards to the Lease Arrangements for the Day Care Centre and left the meeting at 11:58am.

Attendance:
Mr Andrew Cunningham, Kellie Kerin, Dr Sarah Mirams and Glenn Skyes from the Team Gritt (Within Australia) entered the meeting at 12:00pm for the deputation with Council in regards to Resilience and Mentoring Programs to assist workers in the Workforce and left the meeting at 12:15am.

Attendance:
Juanita Holden left the meeting at 12:02pm and returned at 12:12pm

Attendance:
Cr Scharrayne Foster entered the meeting at 12:19pm.

7. CHIEF EXECUTIVE OFFICERS REPORTS

Agenda Reference: 7.01
Title: Sorry Business

- The Chief Executive Officer will discuss Sorry Business and the legal responsibilities of an employer.

Recommendation:
For Council discussion.

Resolution No 6-09/17

Moved Cr Dean Jupiter

Seconded Cr Jason Ned

That Council will continue to respect and support Sorry Business in the Community. However, Council will remain open for business on these days, furthermore staff have the option to continue to work during Sorry Business or use leave entitlements or leave without pay as per the Queensland Local Government Industry Award – State 2017 and the Fairwork Ombudsman Guidelines. Staff must complete a leave application for each instance.

Carried

Agenda Reference: 7.03
Title: National Education Forum - Darwin

- The Chief Executive Officer wishes to discuss the forum in Darwin – October

Recommendation:
For Council discussion.

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

Resolution No 7-09/17

Moved **Cr Scharrayne Foster**

Seconded **Cr Edric Walden**

That Council authorise the Mayor, Deputy Mayor, Chief Executive Officer and the Governance Manager to attend the National Indigenous Education Forum in Darwin. **Carried**

Agenda Reference: **7.04**

Title: **Works for Queensland Program**

Summary

Council has been advised that the list of projects for Works for Queensland program have been endorsed. The funding allocation for Doomadgee Aboriginal Shire Council is \$1,440,000 and the projects are to be completed by June 2019.

Council is to be congratulated on its prompt identification of key projects, to enable the delivery of jobs through priority maintenance and minor infrastructure works.

Recommendation:

For Council Information

Noted

Agenda Reference: **7.05**

Title: **Indigenous Councils Critical Infrastructure Program (ICCIP)**

Summary

The key objective of the ICCIP is to support Indigenous Councils to implement projects and infrastructure works relating to critical water, wastewater and solid waste assets and provide a basis for the long term strategic management of essential assets. A further objective is for Indigenous Councils to own and deliver the ICCIP projects so that they can operate and maintain the assets into the future with reduced reliance on external support.

For the Doomadgee Aboriginal Shire Council, the current estimated total allocation is capped at \$6,700,000. The ICCIP funding is to be used for projects that were identified during the asset condition review process undertaken by the department in conjunction with council in 2016. The projects identified relate to assets requiring repair, maintenance or upgrade to improve the condition, quality or lifespan of council owned capital assets.

Recommendation:

For Council Information

Noted

8. DIRECTOR OF ENGINEERING

Agenda Reference: **8.01**

Title: **Monthly Report to Council – September 2017**

NDRRA Works:

The road crew have started grading of Woologarang West Road, commencing with an opening grade and will then prepare the gravel pavement of the next 2.5km for bitumen sealing.

Roads to Recovery and TIDS Works:

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

Woollogarang West Road:

Negotiations with concreting contractors is almost complete and the construction of the two floodways on this road will be coordinated with the building projects in the Community.

The re shaping of the next 2.5km of gravel pavement in preparation for bitumen sealing is being incorporated with the NDRRA works.

New Houses Building Project:

Work has commenced on these houses starting with the installation of the fences to secure the sites. Negotiations are underway with trades and subcontractors for the concreting and block laying.

Workshop:

Operations are continuing as per normal.

Mainly routine servicing and minor repairs have been required in the last month. There have been no major repairs required this month.

Road Gang:

The roads crew has been deployed to the Woollogarang West Road to commence NDRRA works as reported above.

General Gang:

Operations are continuing as per normal.

The open space crew and the general gang have been working together on keeping the community clean.

Airport:

Airport operations are continuing as per normal.

Airport inspections are carried out each day, airport lighting and electrical inspections are carried out monthly as per legislative requirements.

The New Terminal Building has been the victim of vandalism for the fourth time and several windows and a door were smashed

Water and Sewerage:

Operations are continuing as per normal.

We have had a visit from specialists from DILGP to assess the WTP with a view to scope and cost works required to upgrade the plant in line with the report from DEWS.

AECOM have been assisting with the review and audit of the Drinking Water Quality Management Plan as well as helping the DILGP representatives with the scoping of the plant upgrade.

Rodeo Ground Upgrade & Cultural Centre

Work at the Rodeo Ground has recommenced using a combination of Council staff and an outside contractor. It is intended to have the works completed in time to hold a rodeo on the weekend commencing 22 September 2017.

New Regional Waste Facility

AECOM have completed the preliminary design for the new facility as well as the closure strategy for existing facilities and it hoped to table these reports for Council's information

Workshop Redevelopment

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

Christopher Contracting have completed the installation of the water reticulation for this development; which also services the adjoining allotments in the vicinity.

The fabrication of the structural steel is well underway and is expected to be delivered in the next 3-4 weeks. The slab and footing steel has been delivered and the mobilisation of the concreting crew will be underway shortly. It is expected that the structural steel will be delivered by the time the concrete footings and slab are complete, so that erection of the shed can follow.

Government Employee Housing Project

Christopher Contracting has commenced on this project with the installation of the sewer reticulation. The stormwater drainage will follow the sewer and then the electrical and communications conduits and pits will be installed. The earthworks for the driveways and building pads will be integrated with these works.

The concrete driveways and footpaths will be left until after all building works are completed.

Strategic Builders Pty Ltd have been awarded the building contract for this project and have made a submission to Council to set up a 30-man camp within the Community to service this project.

Details of this submission will be tabled for Council's consideration and approval in principle.

Recommendation:

That the Director of Engineering's report as presented be received by Council.

Resolution No 8-09/17

Moved **Cr Jason Ned**

Seconded **Cr Dean Jupiter**

That Council authorise the Chief Executive Officer and the Director of Engineer to engage Subcontractors as needed for all Engineering Projects. **Carried**

Resolution No 9-09/17

Moved **Cr Jason Ned**

Seconded **Cr Dean Jupiter**

That Council approve the submission from Strategic Builders Pty in principle, furthermore that the Chief Executive Officer and the Director of Engineer be authorised to negotiate the submission further. **Carried**

It is noted that due to no members of the public in the Gallery, Council discussed and resolved in Open Session matters relating to the following:

Resolution No 10-09/17

Moved **Cr Edric Walden**

Seconded **Cr Dean Jupiter**

That Council authorise the Chief Executive Officer and the Director of Engineering to negotiate an offer to settle the account for the previous Building Contractor. **Carried**

Attendance:

Cr Edric Walden and Lothar Siebert left the meeting at 12:36pm and returned at 12:37pm.

Recommendation:

That the Director of Engineering's report as presented be received by Council.

Resolution No 11-09/17

Moved **Cr Jason Ned**

Seconded **Cr Tony Chong**

That the Director of Engineering's report be accepted. **Carried**

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

9. DIRECTOR OF CORPORATE SERVICES

Agenda Reference:	10.01
Title:	Monthly Report to Council – September 2017

Internal Audit (IA)

- Preliminary work has now begun on our FY17 IA program but is being delayed, due to staff shortages, and time constraints on existing resources.

Information Technology

- A detailed status report from Data Central is provided as an attachment to this report.

Insurance

Insurance claims currently pending include:

- Airport vandalism – awaiting finalisation.

Leases / Licence Agreements

An overall status report is attached for your perusal.

- The Memorandum of Understanding (MOU) for the Doomadgee Men's Shed is still deferred, pending further advice from Council. A separate lease is being negotiated for Office 2 at 15 Sharpe Street. NWQICSS is still awaiting the outcome. An Agreement has been drawn up, and executed by them, but not Council as yet.
- We are still awaiting a response from Warrgoobulginda Aboriginal Corporation (WAC), regarding the Women's Shelter and Day Care Centre. Representatives are scheduled to attend this meeting to discuss funding arrangements, and their ongoing occupation of the premises. Lease documentation, with a commencement date of 1 July 2017, has been sent to WAC with a covering letter. It should be noted that service charges are still outstanding (\$70,506 up to 30 June 2017). This does not include current charges for this financial year 2017-18 (\$15,477). Council has certain responsibilities here to ensure the continued operation of this facility, with particular reference to the National Quality Framework and access to qualified early childhood teachers. The facility is available to all residents working in the Community, and is an essential element to a stable and committed workforce.
- Australia Post have been approached about transferring their Agency agreement to a third party, and discussions are currently underway with CEQ Enterprises (the operators of the Doomadgee Retail Store) to facilitate this. Australia Post have no major issues with this proposal, and are prepared to negotiate with CEQ in due course. This will be further discussed and formalised with Council when CEQ management are here next.
- The Department of Human Services (DHS) have agreed to an offer to renew our Centrelink Agency Agreement in Doomadgee for a period of three months only, as it is not cost effective for Council to continue to provide these services indefinitely, but this will ensure it meets the needs of our Community in the short term. Council and DHS have now agreed to terminate our Agency Agreement, effective 27 October 2017. The DHS called for Expressions of Interest on the 28th August, which closed on the 11th September. My Pathways have been approached by Council on behalf of the DHS to take on this role in the Community, and have already submitted their expression of interest to the Department.
- Child Safety House: A letter and proposed lease was sent to the Department of Communities, Child Safety and Disability Services on the 14 August 2017. We have been advised that it has now progressed to Crown Law for review and advice, and we are awaiting their response.
- North West Hospital and Health Service (NWHHS): we are currently pursuing Queensland Health for a resolution to the final transfer of the old hospital site, and at the same time asking Crown Law for a reconsideration of their (on behalf of Queensland Health) refusal to pay for structural maintenance. As

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

we have agreed in principle to a lease valued at \$6,000 for each property, the issue of maintenance costs is a significant one for Council.

- Reserve R10 – Former Hospital Site Lot 32 (refer attached correspondence).

Recommendation:

Council instruct Preston Law to implement the agreement between Council and the former Department of Communities and Ethnic Affairs to seek the inclusion of Reserve R10 being the Old Hospital site more particularly described as Lot 32 into the Doomadgee Deed of Grant in Trust lands.

That the Mayor and Chief Executive Officer be authorised to execute any documentation required to implement this resolution.

Resolution No 12-09/17

Moved **Cr Jason Ned**

Seconded **Cr Dean Jupiter**

That Council authorise Preston Law to implement an agreement between Council and the former Department of Communities and Ethnic Affairs to seek the inclusion of Reserve R10 being the Old Hospital site more particularly described as Lot 32 into the Doomadgee Deed of Grant in Trust Lands.

That the Mayor and Chief Executive Officer be authorised to execute associated documentation required to implement this agreement. **Carried**

- North and West Remote Health (NWRH): Draft letters of offer are currently being prepared. Council should also give consideration to whether it should undertake the construction of the accommodation units on Lot 31 ourselves, if suitable funding can be arranged. Council Tendering and Procurement Obligations come into play here. NWRH may claim it is a “community organisation” under the Local Government Act and therefore Council is exempted from the need to invite tenders for the use of the vacant lot. However, this would need to be verified and Council would first need to pass a resolution.
- PCYC – yet to be resolved (refer attached correspondence).

Finance

- The Finance team is under-resourced at present, due to the impact of staff changes in the Cairns Office.
- A review has been undertaken to ascertain the best way forward, and the outsourcing of all high-end accounting tasks is now underway.
- The CEO & DCS have met with interested parties, and are awaiting estimates of costs after scoping of the project is completed. As the 2016-17 audit is now due to begin, DASC must avoid any further unnecessary delays in the publishing of our Annual Reports.
- Attached are Debtors and Creditors Aged reports.

Attendance:

Cr Scharrayne Foster entered the meeting at 12:19pm.

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

- Approximate Cash Balances are as follows:

CBA	\$1,902,547 (Actual 19 Sept 2017)
QTC	<u>\$7,022,953</u> (TBC)
	\$8,925,500
Less:	
	\$2,981,002 Restricted Cash (40 Year Leases) as at 30 June 2017
	<u>\$2,862,577</u> Unspent Tied Grants as at 30 June 2017
	<u>\$3,081,921</u> (TBC) Net Unrestricted Cash

IT Report

General Matters

Nothing to Report all systems running as scheduled – see October report if required

Internet and Communications

The Internet and VPN connections between both Doomadgee and Cairns and all other connections have been stable for some months with no reported outages.

Satellite NBN with speeds up to 25/5 MB is now available in Doomadgee.

Data Central is actively talking to providers of these types of services and have reported that there will more than likely be proposals to proceed prior to mid-October.

CCTV & Alarms

There are several locations that will require new installs, upgrades and Maintenance such as the Water Treatment Plant, The SES Building, MMG Building, with upgrades to take place at Head Office, Youth Hub etc. These upgrades will take place between September and October.

Doomadgee Website

I have recently had further discussions with Deepend Web developers and I am renegotiating a fixed price build of the Doomadgee website to reduce the cost of development to 25K if successful I will need a commitment from the council to proceed to lock it in.

The commencement of works relating to the new website is expected by mid-October.

The New Website will include a separate landing page for the Youth Hub, Internet Café, Guest House and Radio Station.

Computer Shop

Work still continues in this area as discussions for new and future funding with ADBT is ongoing and we hoping for an outcome by the end of October 2017.

Recommendation:

That the report from the Director of Corporate Services as provided be noted and received.

Resolution No 13-09/17

Moved Cr Tony Chong

Seconded Cr Dean Jupiter

That the Director of Corporate Services report be accepted.

Carried

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

10. CHIEF EXECUTIVE OFFICERS REPORTS

Agenda Reference:	10.01
Title:	Working with Children Legislation (Indigenous Communities) Amendment Bill 2017

Summary

Mr Robbie Katter MP, Member for Mt Isa, introduced the Working with Children Legislation (Indigenous Communities) Amendment Bill 2017 on the 14th June 2017. The Committee of the Legal Affairs and Community Safety is required to report by 14 December 2017.

The legislation recognises the unique circumstances of indigenous communities, and would empower them to make decisions which best serve their interests in relation to child protection and employment of community members. Increasing the decision-making power of communities may assist in opening employment opportunities, while maintaining child safety standards. The Bill would enable a Community Justice Group to make a binding recommendation to the Chief Executive to issue a restricted positive notice due to previous criminal offences under the existing framework. A restricted positive notice would allow the person to work in the community in which the Community Justice Group has jurisdiction.

A Community Justice Group could not consider making a recommendation to issue a positive notice for people with offences classified as serious or disqualifying. This includes sexually based offences. If an applicant has a sexually based offence, the application would be considered through the standard blue card process. If the offence was classified as a serious or disqualifying offence, a blue card would not be issued.

The Queensland Parliament's Legal Affairs and Community Safety Committee is travelling to North Queensland from 25 to 27 September 2017 to consult with stakeholders on the Bill. Opportunities to talk to the committee about the Working with Children Legislation (Indigenous Communities) Amendment Bill 2017, and additional information about its inquiry will be made available in Doomadgee on the 27th September. It is recommended that stakeholders and members of the community be invited and the Community would like to put on a morning tea in conjunction with the visit to the Community.

Recommendation:

For Council discussion.

Noted – Councillors have been advised on the importance of attending this meeting. Local Stakeholders have been advised of the date and venue for this meeting.

Attendance:

Cr Tony Chong left the meeting at 12:56pm and returned at 12:57pm.

Agenda Reference:	10.02
Title:	LGAQ Annual Subscription

Summary

The annual Local Government Association of Queensland Subscription is due. With the rising costs and the need to tighten the budget, Council has asked that the subscription for LGAQ be reviewed with the option of not paying the annual subscription.

The current subscription is \$44, 524 a year.

This is detailed into the following areas:

• LGAQ Annual Membership Subscription	\$21,129.00
• Conference Delegates	\$ 2,860.00
• Member Services	\$19,221.00

**Minutes of the Ordinary Meeting of Council
held at the Doomadgee Aboriginal Shire Council Boardroom
on 20th September 2017**

- Qld Water Directive \$ 1,314.50

In the simplest terms, the costs for operating the Association each year are shared across all councils. The membership levies (the amount each council is asked to pay) is determined by formulas that take into account a council's size ensuring that council costs are shared fairly with bigger councils paying more than smaller councils. Fluctuations in the application of the levies year on year reflect councils' individual circumstances and most importantly its relative position in relation to the other 76 councils.

Council is still concerned about the value for money in this subscription and place this item on the floor for further discussion.

Recommendation:

That Council enter into discussions with LGAQ about the advantages of the annual subscription, furthermore ask for a more affordable model for this size Council.

That Council does not renew the annual subscription for 2017/2018 with LGAQ and furthermore utilise the services of the ROC and DILGP to Council's best advantage.

Resolution No 14-09/17

Moved Cr Tony Chong

Seconded Cr Edric Walden

That Council does not renew the Annual Subscription for 2017/2018 with LGAQ and furthermore utilise the services of the ROC and DILGP to Councils best advantage. Carried

13. PROPOSED MEETING CALENDAR

Thursday 21st September 2017	9:00am – 4:00pm	Doomadgee	Ordinary Meeting
Thursday 26 th October 2017	9:00am – 4:00pm	Doomadgee	Ordinary Meeting
Thursday 16 th November 2017	9:00am – 4:00pm	Doomadgee	Ordinary Meeting
Thursday 21 st December 2017	9:00am – 4:00pm	Doomadgee	Ordinary Meeting

Due to Sorry Business the Meeting was declared closed and all outstanding items to be passed over to the October Council Meeting.

14. CLOSURE OF MEETING

The Meeting closed at: 1:01pm

Edric Walden
Mayor
Doomadgee Aboriginal Shire Council