



**AGENDA  
OF THE  
JUNE ORDINARY MEETING**

**HELD IN THE BOARDROOM  
DOOMADGEE ABORIGINAL SHIRE COUNCIL  
275 Sharpe Street  
Doomadgee Qld 4830**

**On Thursday 28<sup>th</sup> June 2018**

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## 1. OPENING

## 2. ATTENDANCE

### Elected Members

Acting Mayor Jason Ned  
Cr Dean Jupiter  
Cr Scharrayne Foster

### Staff

Lothar Siebert – Chief Executive Officer  
Garry Jeffries – Director of Engineering  
Juanita Holden – Acting Director of Corporate Services  
Leonie Florence – Director of Community Services  
Trudy Mellor – Governance Officer

## 3. DISCLOSURE OF MATERIAL PERSONAL INTEREST AND CONFLICT OF INTEREST

### Material Personal Interest (MPI) Section 172 Local Government Act 2009

Involves the ability for you or an associate to *gain a material benefit or suffer a material loss as a result of a decision that is made*. It includes interests that arise from personal or family relationships. These interests must be disclosed prior to the item to be discussed and you must leave the room. A record will be recorded at the item and in the MPI Register. Associate being Councillor, spouse, parent, child, sibling, partner, employer etc.

### Conflict of Interest (COI) Section 173 Local Government Act 2009

Exists whenever there is a *disparity between your personal interest (real or perceived conflict of interest) and the public interest*. e.g. office holder of a community group. These interests must be disclosed prior to the item to be discussed. A record will be recorded at the item and in the COI Register. The Councillor will then decide whether to stay or leave the meeting.

## 4. APOLOGIES / LEAVE OF ABSENCE

## 5. CONFIRMATION OF MINUTES

That the Minutes of the Ordinary Meeting of Council held 17<sup>th</sup> May 2018 to be taken as read and signed as correct.

### Recommendation:

That the minutes of the Ordinary Meeting of Council held 17<sup>th</sup> May 2018 be taken as read and signed as correct.

## 6. BUSINESS ARISING FROM PREVIOUS MEETINGS

## 7. PRESENTATIONS AND/OR ELECTED MEMBERS REPORTS

- Acting Mayor – Jason Ned
- Cr Dean Jupiter

## **8. CHIEF EXECUTIVE OFFICERS REPORT**

### **8.01 –Councillor Complaints Review Report**

#### **Summary**

In July 2017, the then Minister for Infrastructure, Local Government and Planning tabled in Parliament the Councillor Review Report and the Government's response to the Report. The Report made 60 recommendations of which 50 are supported by the Government. The Local Government (Councillor Complaints) and Other Legislation Amendment Act 2018, will amend the Local Government Act 2009 (LGA) to implement a new system for dealing with complaints about the conduct of Councillors on its commencement in December 2018.

A key recommendation of the Report was the establishment of a new consultative group, the Local Government Liaison Group which comprises of representatives from the Crime and Commission, the Office of the Queensland Ombudsman, The Auditor-General, the Local Government Association of Queensland, the Local Government Managers Association and the Department of Local Government, Racing and Multicultural Affairs.

The Department now seeks comments from Local Government on the attached documents, which are proposed to provide Local Government and Councillors with advice and assistance to implement the amendments to the LGA in practice.

The documents are attached for review:

- Example Investigation Policy
- Model Meeting Procedures and supporting Standing Orders for Council Meetings, including Standing Committees 'Best Practice Guide'
- Code of Conduct for Councillors in Queensland and supporting Councillor Conduct Examples.

In addition, the Department will conduct a capacity building program to assist Councils with the introduction of these new documents and amended legislation. The Department asks that Council provide any comments for consideration before seeking endorsement of the final suite of documents.

**Recommendation:  
For Council discussion.**

## 9. DIRECTOR OF ENGINEERING MONTHLY REPORT

**REPORT AUTHOR(S)**                **Garry Jeffries**  
**REPORT APPROVED BY**        **Lothar Siebert**  
**DEPARTMENT**                    **Engineering**

### **PURPOSE**

Presentation of the Monthly Activity report to Council.

### **ISSUES**

#### **NDRRA Works:**

The gravel preparation for Woollogarang West Road is now complete in preparation for bitumen sealing and the sealing Contractor will be on site in the week beginning 25 June 2018.

The flood damage restoration works on Old Doomadgee Road has now commenced and will progress from town to the DOGIT boundary.

#### **Roads to Recovery and TIDS Works:**

##### Woollogarang West Road:

The bitumen sealing of this road funded by TIDS will be completed as reported above by the end of the financial year as planned.

Preparations for the concrete floodway has commenced and construction will proceed over the next 4-6 weeks.

##### New Houses Building Project:

This project is progressing as planned with the first contract of five houses on track to hand over by 30 June 2018 and the other seven within the following four weeks.

##### 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.

##### General Gang:

Operations are continuing as per normal.

The General Gang have been working on keeping the community clean as well as assisting with maintenance at the airport and sewage effluent lagoons.

##### 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.

Repairs of the vandalism damage is a work in progress pending delivery of materials.

##### Water and Sewerage:

Operations are continuing as per normal. Glen Ziph of Trility has visited site as part of the joint training and mentoring program to assist staff with improvements for our water and sewer infrastructure.

AECOM Consulting Engineers are in the process of finalising tender documents for works on the Water & Sewer upgrade works.

##### Rodeo Ground Amenities Buildings

Work on this project has commenced with the fabrication of the foundation materials and siting of the buildings will follow in the near future.

New Regional Waste Facility

This project is part of AECOM's brief, with the scoping of the work and construction documents being prepared.

Workshop Redevelopment

The shed is now to lock up stage and internal fit will follow in coming weeks as the housing project reaches completion.

Government Employee Housing Project

No change

Disposal of Redundant Assets

The auction was held on Saturday, 16 June 2018 as planned and almost all the items presented for sale were taken up by a good number of keen bidders.

Tenders/Quotations

A number of tenders/quotations have been called in recent weeks and a full report on each of these will be tabled for Council's consideration and endorsement.

The subject of these works is:

- Bitumen Sealing Works;
- Removal of the Old Piggery;
- Construction of the Fencing for the New Workshop Site;
- Purchase of Side Tipping Trailers; and
- Purchase of a Step Deck Trailer.

**STRATEGIC IMPLICATIONS (Legislative, Financial, Risk, Environmental and Social)**

- Local Government Act 2009
- Local Government Regulations 2012

**REFERENCE TO CORPORATE PLAN**

Goal 8: Environment - Waste Management - Effective Waste Management Collection and Disposal Service

Goal 9: Infrastructure - Development, Maintenance and Replacement - To maintain and upgrade essential infrastructure to maximise the utility of existing assets and provide for their long term improvement and/or replacement

Goal 12: Planning and Development - To develop and implement planning controls that ensure and encourage balanced and sustainable development and to promote the Shire as a desirable place to live, work, invest and to visit

**CONSULTATION**

Regular updates have been provided to the Department of Local Government, Racing and Multicultural Affairs.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**That the Monthly Report from the Director of Engineering be received.**

## 10. ACTING DIRECTOR OF CORPORATE SERVICES

### 10.01 – Financial Report

#### Summary

To provide Council with the Financial Management Reports for the period ending 31<sup>st</sup> May 2018.

#### Cash Position:

##### April:

##### Commonwealth Bank:

General Account	\$ 458,283.74
Lease Account	\$ 1,100.19
Trust Account	\$ 426.25
<b>Total</b>	<b>\$ 459,910.18</b>

##### QTC:

Cash Fund	\$9, 584,099.84
Sports CF	\$ 92,767.50
<b>Total</b>	<b>\$9,676,867.34</b>

**Total Cash \$10,136,777.52**

##### May

##### Commonwealth Bank:

General Account	\$
Lease Account	\$
Trust Account	\$
<b>Total</b>	<b>\$</b>

##### QTC:

Cash Fund	\$
Sports CF	\$
<b>Total</b>	<b>\$</b>

**Total Cash \$**

#### Current Outstanding Debtors - As at 31<sup>st</sup> May 2018

Fees and Charges -	\$
Avdata (Landing Fees)	\$
Service Fees 2017/2018	\$
<b>Total</b>	<b>\$</b>

#### Committed Funds – As at 31<sup>st</sup> May 2018

Purchase Orders	\$
<b>Total</b>	<b>\$</b>

#### Attached – Operational Summary to 31<sup>st</sup> May 2018

#### Recommendation:

That the Financial Report from the Acting Director of Corporate Services be noted and received.

**10.02 – Risk Management Policy**

**REPORT AUTHOR(S)** Juanita Holden  
**REPORT APPROVED BY** Lothar Siebert  
**DEPARTMENT** Corporate Services

**PURPOSE**

This report is to seek a resolution of Council to approve a Risk Management Policy, Risk Management Framework, Risk Register and Business Continuity Plan.

**ISSUES**

Council does not currently have up-to-date policy documents to ensure that it meets its obligations to identify and manage its risks effectively. Draft documents have been prepared for consideration by Council to approve and implement policy and procedures to cover risk management and business continuity.

**STRATEGIC IMPLICATIONS (Legislative, Financial, Risk, Environmental and Social)**

The *Local Government Regulation 2012* states that councils must comply with certain requirements relating to the management of risks. The attached documents meet these requirements and, if implemented, will assist Council in achieving effective management of its risks; and legislative compliance. Implementation of risk management practices will enable Council to better understand and mitigate financial, environmental, political and social risks.

**REFERENCE TO CORPORATE PLAN**

The Risk Management Policy and associated documents are designed to support the achievement of the Corporate Plan outcomes.

**CONSULTATION**

Consultation has occurred with the Mayor and Directors.

**Policy 17 ATTACHMENTS**

Attachment 1 – Risk Management Policy  
Attachment 2 – Risk Management Framework  
Attachment 3 – Risk Register  
Attachment 4 – Business Continuity Plan

**RECOMMENDATIONS**

**That the Risk Management Policy – Policy 17, as presented, be adopted.**  
**That the Risk Management Framework, as presented, be adopted.**  
**That the Risk Register, as presented, be adopted.**  
**That the Business Continuity Plan, as presented, be adopted.**



### 10.03 – Audit Committee

**REPORT AUTHOR(S)** Juanita Holden  
**REPORT APPROVED BY** Lothar Siebert  
**DEPARTMENT** Corporate Services

#### **PURPOSE**

To consider the establishment of an audit committee and to adopt an audit committee charter.

#### **ISSUES**

The recent Governance compliance review conducted by Mead Perry Group identified the need to establish an audit committee. Recommendation 23 stated “That Council establish an audit committee and establish an appropriate and compliant internal audit function.”

#### **STRATEGIC IMPLICATIONS (Legislative, Financial, Risk, Environmental and Social)**

##### **Legislative.**

The relevant sections of the Local Government Act and the Local Government Regulations are shown below. To establish best practice in the area of oversight of both internal and external audit Council should adopt an audit committee charter and appoint an audit committee.

##### **Risk**

One of the main functions of the audit committee is to have oversight of Council's identification of organisational risks and review the operations and findings of the internal audit function of Council. Establishing an audit committee should be a mechanism for mitigating and managing risk in the organisation.

##### **Social**

If Council is able to demonstrate effective oversight and audit of Council functions, it is more likely to build confidence in the Community and funding bodies that operations are being managed appropriately.

#### **Local Government Act 2009**

##### **105 Auditing, including internal auditing**

- (1) Each local government must establish an efficient and effective internal audit function.
- (2) Each large local government must also establish an audit committee.
- (3) A **large local government** is a local government that belongs to a class prescribed under a regulation.
- (4) An **audit committee** is a committee that—
  - (a) monitors and reviews—
    - (i) the integrity of financial documents; and
    - (ii) the internal audit function; and
    - (iii) the effectiveness and objectivity of the local government's internal auditors; and
  - (b) makes recommendations to the local government about any matters that the audit committee considers need action or improvement.

#### **Local Government Regulation 2012**

##### **Part 11 Auditing**

##### **Subdivision 2 Audit committee**

##### **208 Application of sdiv 2**

This subdivision applies to an audit committee whether it is established by a large local government or another local government.

##### **209 Prescribed class for large local government—Act, s 105**

For the Act, section 105(3), definition *large local government*, a large local government is a local government belonging to a remuneration category of 3 or a higher number mentioned in the remuneration schedule.

*Note—*

Under section 105(2) of the Act, a large local government is required to establish an audit committee.

##### **210 Audit committee composition**

- (1) The audit committee of a local government must—
  - (a) consist of at least 3 and no more than 6 members; and
  - (b) include—
    - (i) 1, but no more than 2, councillors appointed by the local government; and
    - (ii) at least 1 member who has significant experience and skills in financial matters.
- (2) The chief executive officer can not be a member of the audit committee but can attend meetings of the committee.
- (3) The local government must appoint 1 of the members of the audit committee as chairperson.

##### **211 Audit committee meetings**

- (1) The audit committee of a local government must—
- (a) meet at least twice each financial year; and
  - (b) review each of the following matters—
    - (i) the internal audit plan for the internal audit for the current financial year;
    - (ii) the internal audit progress report for the internal audit for the preceding financial year including the recommendations in the report and the actions to which the recommendations relate;
    - (iii) a draft of the local government's financial statements for the preceding financial year before the statements are certified and given to the auditor-general under [section 212](#) ;
    - (iv) the auditor-general's audit report and auditor-general's observation report about the local government's financial statements for the preceding financial year; and
  - (c) as soon as practicable after a meeting of the committee, give the local government a written report about the matters reviewed at the meeting and the committee's recommendations about the matters.
- (2) At a meeting of the audit committee—
- (a) a quorum is at least half the number of members of the committee; and
- Examples—*
- 1 If the committee consists of 4 members, a quorum is 2.
  - 2 If the committee consists of 5 members, a quorum is 3.
- (b) either—
- (i) the chairperson presides; or
  - (ii) if the chairperson is absent, the member chosen by the members present as chairperson for the meeting presides.
- (3) The audit committee may, for performing its functions under subsection (1)(b), seek information or advice from the person who has carried out the internal audit.
- (4) The chief executive officer must present the report mentioned in subsection (1)(c) at the next meeting of the local government.

#### **REFERENCE TO CORPORATE PLAN**

The relevant provisions of the Corporate Plan support the establishment of an audit committee.

Goal 1: Key Governance – Financial Management

Outcome: To achieve maximum community benefit from available financial resources

Strategies

- Effective and efficient management of all financial matters
- Effective grants management
- Accurate and timely financial reporting
- Maximise revenues in accordance with Council's Revenue Policy
- Effective management of the replacement and expansion of Council service
- Effective and appropriate Council enterprises

#### **CONSULTATION**

Consultation has occurred with all relevant Council Staff, in conjunction with the Mead Perry Group Governance review.

#### **ATTACHMENTS**

1. Audit committee Charter

#### **RECOMMENDATIONS**

**Recommended that Council adopt the audit committee charter as presented.**

**Recommended that pursuant to section 210 of the Local Government Regulation 2012, Council establish an audit committee. Further, that the committee shall consist of three members as follows.**

**Chairperson - an invited external person appropriately qualified.**

**The deputy Mayor**

**The Director of Corporate Services.**

**10.04 –Refuse Tip Restoration Provision**

**REPORT AUTHOR(S)**                    **Juanita Holden**  
**REPORT APPROVED BY**            **Lothar Siebert**  
**DEPARTMENT**                        **Corporate Services**

**PURPOSE**

The adoption of a change in estimate to the provision for the restoration of the Doomadgee Landfill and Unauthorised Tipping Areas in the 2016/17 year.

**ISSUES**

A provision must be made for the cost of restoring refuse dumps where it is probable that the Council will be liable, or required, to do this when the use of the facilities is complete.

Council's finance consultants have advised that they consider the adoption of the provision for the restoration of the Doomadgee Landfill and Unauthorised Tipping Areas in the 2016/17 year to be a change in estimate. In the past, the Council was aware of the restoration requirements and their responsibilities to ensure the restoration of these landfills but were not in a position to be able to make a reasonable estimate as to the costs of restoration and believed the costs to be minimal. As such, no provisions had been raised in prior financial years. During the 2016/17 financial year, the Council engaged Aecom to inspect a number of locations within Doomadgee and to report back to the Council on the extent of the damage, the estimated timeframes and costs involved in restoring the various landfills and tipping areas and the restoration strategies available to the Council.

Aecom finalised the report on 31 July 2017, subsequent to the finalisation of the 2015/16 financial statements and prior to the Council's adoption of their chosen restoration strategy.

Council is now in a position where it needs to confirm that full remediation and closure is required and to adopt a provision to acknowledge this liability.

**STRATEGIC IMPLICATIONS (Legislative, Financial, Risk, Environmental and Social)**

**Legislative.**

As per AASB 108 (Accounting Policies, Changes in Accounting Estimates and Errors), the Council is required under section 39 of the standard to disclose the nature and amount of a change in an accounting estimate that has an effect in the current period or where it is expected to have an effect in future periods.

**Risk**

The failure of Council to adequately report future significant financial obligations may make it non-compliant with the relevant accounting standards.

**Financial**

A provision is made for the cost of restoring refuse dumps where it is probable the Council will be liable, or required, to do this when the use of the facilities is complete.

The provision for refuse restoration is calculated as the present value of anticipated future costs associated with the closure of the dump sites, decontamination and monitoring of historical residues and leaching on these sites. The calculation of this provision requires assumptions such as application of environmental legislation, site closure dates, available technologies and engineering cost estimates. These uncertainties may result in future actual expenditure differing from amounts currently provided. Because of the long-term nature of the liability, the most significant uncertainty in estimating the provision is the costs that will be incurred. The provision recognised for dump sites is reviewed at least annually and updated based on the facts and circumstances available at the time. Management estimates that the site will close in 2020 and that the restoration will occur progressively over the subsequent three years.

As refuse dumps are on DOGIT land which the Council does not control, the provision for restoration is treated as an expense in the year the provision is first recognised. Changes in the provision are treated as an expense or income.

<b>Refuse restoration</b>	<b>2017</b>	<b>2016</b>
Balance at beginning of financial year	-	-
Additional provisions made in the period	1,950,864	
Increase in provision due to unwinding of discount	-	-
Increase (decrease) in provision due to change in discount rate	-	-
Balance at end of financial year	<b>1,950,864</b>	-

This is the present value of the estimated cost of restoring the refuse disposal site to a useable state at the end of its useful life. The projected cost is \$1,951,435 and this cost is expected to be incurred in between 2017 - 2020 after closing the site in 2020 and allowing a period for settlement.

#### **REFERENCE TO CORPORATE PLAN**

Goal 8: Environment - Waste Management - Effective Waste Management Collection and Disposal Service

#### **CONSULTATION**

Consultation has occurred with all relevant Council Staff, in conjunction with the Mead Perry Group Governance review.

#### **ATTACHMENTS**

Restoration provision notes provided by KPMG.

#### **RECOMMENDATIONS**

**Recommended that Council confirm that full remediation and closure of the Doomadgee Landfill and Unauthorised Tipping Areas is required.**

**Recommended that Council adopt a change in estimate to the provision for the restoration of the Doomadgee Landfill and Unauthorised Tipping Areas in the 2016/17 year of \$1,950,864.**

## **11. DIRECTOR OF COMMUNITY SERVICES**

**REPORT AUTHOR(S)** Leonie Florence  
**REPORT APPROVED BY** Lothar Siebert  
**DEPARTMENT** Community Services

### **PURPOSE**

Presentation of the Monthly Activity report to Council.

### **ISSUES**

#### **Animal Management & Environmental Health**

##### **Animal Management Training**

Council Officer attended the Animal Management (Cats and Dogs) Act 2008 – 1 Day Course in Mt Isa. There were 14 participants from Councils all around the area. All Councils who attended agreed that there is a need to develop a collective management group to share information so that similar issues/resources/costs can be managed.

##### **Environmental Health**

2 Council Officers attended the Public Health -Mosquito Management workshop in Cairns. The course covered Mosquito Surveillance/ Dengue Action Response training/ Risk Assessment/ Herbicide Management.

##### **Domestic Animal Control**

At the TWG meeting Council DOE discussed the upgrading of the domestic fencing in Doomadgee with Chris Limpus and Don Matthews from Dept of Housing. It was proposed that a condition assessment report be undertaken with further discussions to follow. It was also suggested that maintenance checks should include fencing upgrade.

##### **Youth Hub**

Sexual Health Team visited this month and were very happy with the increase in the follow up check-ups along with new clients.

All staff will be involved in NAIDOC activities.

The youth hub accommodation unit has been vandalised again. The front door has now been totally destroyed along with the TV, floor covering as well as graffiti on the walls. I am currently getting quotes to procure the materials for the repairs.

##### **NAIDOC**

NAIDOC Week- there will be daily activities in the Community. Council has been approached to:

- Use Memorial Park for the Flag raising Ceremony and for the area be mowed;
- Flags- Aboriginal and Torres Strait; and
- Supply, deliver and spread sand at Middle Park to create a soft fall arena

##### **Public Art Installation**

An Expression of Interest for Artworks at the Government site in Akehurst Dr DOOMADGEE for local

##### **Doomadgee School- Work Experience**

Last week the first round of work experience commenced and there were a number of students distributed throughout the various work zones to get an insight into how Council operates.

##### **STRATEGIC IMPLICATIONS (Legislative, Financial, Risk, Environmental and Social)**

- Local Government Act 2009
- Local Government Regulations 2012

##### **REFERENCE TO CORPORATE PLAN**

Goal 4 - Community - Arts and Culture - To create opportunities through art and culture to enhance individual's skills, bolster community pride and its quality of life:

Goal 7: Environment - Environmental Protection - To conserve and enhance the natural and built environments to achieve ecologically sustainable development.

Goal 10: Community and Human Services - To encourage and participate in the continuing development of community services to foster a safe, harmonious community with a strong community spirit

**CONSULTATION**

Regular updates have been provided to the PMC, Dept of Health as per funding agreement.

**ATTACHMENTS**

Nil

**RECOMMENDATION**

**That the Monthly Report from the Director of Community Services be received.**

## 11. CLOSED SESSION

***That Council close the meeting to the public at under section 275 Local Government Regulations 2012.***

Items to be considered in Closed Session will be listed and marked accordingly. This section of the Agenda is for those items deemed necessary for discussion in a meeting Closed to the Public in accordance with Local Government Regulation 2012 – Section 275 – Chapter 8 Administration – Part 2 Local Government Meetings and Committees –

- (1) A local government or committee may resolve that a meeting be closed to the public if its Councillors or members consider it necessary to close the meeting to discuss –
  - a. The appointment, dismissal or discipline of employees; or
  - b. Industrial matters affecting employees; or
  - c. The Local Government budget; or
  - d. Rating concessions; or
  - e. Contracts proposed to be made by it; or
  - f. Starting or defending legal proceedings involving it; or
  - g. Any action to be taken by the Local government under the Planning Act, including deciding applications made to it under the Act; or
  - h. Other business for which a public discussion would be likely to prejudice the interest of the Local Government or someone else, or enable a person to gain a financial advantage
- (2) A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.
- (3) A local government or committee must not make a resolution (other than a procedural resolution) in a closed meeting

11.1 The CEO wished to discuss Staffing Issues
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### 13. PROPOSED MEETING CALENDAR

<b>Thursday 19<sup>th</sup> July 2018</b>	<b>10:00am</b>	<b>Doomadgee</b>	<b>Ordinary Meeting</b>
<b>Thursday 16<sup>th</sup> August 2018</b>	10:00am	Doomadgee	<b>Ordinary Meeting</b>
<b>Thursday 20<sup>th</sup> September 2018</b>	10:00am	Doomadgee	<b>Ordinary Meeting</b>
<b>Thursday 18<sup>th</sup> October 2018</b>	10:00am	Doomadgee	<b>Ordinary Meeting</b>
<b>Thursday 15<sup>th</sup> November 2018</b>	10:00am	Doomadgee	<b>Ordinary Meeting</b>
<b>Thursday 20<sup>th</sup> December 2018</b>	10:00am	Doomadgee	<b>Ordinary Meeting</b>

### 15. CLOSURE OF MEETING

The Meeting closed \_\_\_\_\_

\_\_\_\_\_  
**Jason Ned**  
**Deputy Mayor**  
**Doomadgee Aboriginal Shire Council**