



**AGENDA  
OF THE  
APRIL ORDINARY MEETING**

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

**On Wednesday 17<sup>th</sup> April 2019  
11:00am**

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## **1. OPENING**

The Acting Mayor welcome and opening of meeting at 11:00am

## **2. CONDOLENCES**

## **3. RECORD OF ATTENDANCE**

### **Elected Members**

Acting Mayor, Jason Ned

Cr Dean Jupiter

Cr Scharrayne Foster

Cr Veron Ned

### **Staff**

Garry Jeffries – Director of Engineering/Acting Chief Executive Officer

Monique Cunningham – Acting PA to CEO/Minute Taker

### **Absentees**

Rod Richardson – Acting Chief Executive Officer

Gail Richardson – Acting Director of Community Services

Debbie Glyde – Director of Corporate Services

Peter van Heusden – Procurement Manager

## **4. CONSIDERATION OF APPLICATIONS OF LEAVE OF ABSENCE**

## **5. CONFIRMATION OF MINUTUTES OF PREVIOUS MEETING/S**

05.01 Ordinary Meeting of Council, 21<sup>st</sup> March 2019

### **Recommendation:**

That Council confirms the Minutes, as presented, of the Ordinary Meeting of Council held on 21<sup>st</sup> March 2019

## **6. DECLARATION OF INTERERTS**

## **7. CONSIDERATION OF NOTICE(S) OF MOTION AND PETITIONS**

7.01 Notices of Motion

7.02 Petitions

## **8. BUSINESS ARISING FROM PREVIOUS MEETINGS**

## **9. PRESENTATIONS AND/OR ELECTED MEMBERS REPORTS**

## **10. ACTING CHIEF EXECUTIVE OFFICERS REPORT**

<b>REPORT AUTHOR(S)</b>	<b>Rod Richardson</b>
<b>REPORT APPROVED BY</b>	<b>Rod Richardson</b>
<b>DEPARTMENT</b>	<b>Office of the CEO</b>

### **PURPOSE**

Presentation of the Monthly Activity report to Council

Due to ill health no report will be available to be presented.

## 11. DIRECTOR OF ENGINEERING MONTHLY REPORT

**REPORT AUTHOR(S)**                    **Garry Jeffries**  
**REPORT APPROVED BY**           **Rod Richardson**  
**DEPARTMENT**                        **Engineering**

### **PURPOSE**

Presentation of the Monthly Activity report to Council.

### **BACKGROUND**

Not applicable

### **COMMENT**

#### **NDRRA Works:**

No further NDRRA works will be undertaken until after Easter as reported last month.

#### **TIDS Works:**

##### Woologarang West Road:

This project will commence after the NDRRA works as reported last month.

##### Workshop:

Operations are continuing as per normal.

Mainly routine servicing and minor repairs have been required in the last 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:

The airport is currently operating as normal.

REX have conducted their annual audit of the airport and terminal and the infrastructure has been deemed compliant.

##### Water and Sewerage:

Water operations are currently under close scrutiny because of the critical nature of the Community reserves.

A consulting WTP operator was engaged to assist Council staff manage the plant during the recent pending water shortage.

Thankfully cyclone Trevor produced enough rainfall runoff to fill our water supply weir so the immediate threat of a water shortage has been avoided.

However, Council is still seeking funding to identify and implement a backup or support water source in the interest of putting in place a permanent solution.

AECOM Consulting Engineers have been to site and are preparing a report detailing the alternatives to assist Council in it's endeavours.

#### New Regional Waste Facility

AECOM are liaising with the Environmental Authorities to move this project to the next phase in preparation to start construction.

#### Works for Queensland (W4Q) 2017-2019

The earthworks and pavement construction for this project is well underway and it is expected to have the first stage of the kerb and channel in place before Easter.

#### Works for Queensland (W4Q) 2019-2021

Council has not yet been advised on the status of the approval process in respect of the projects that have been put forward for this funding round.

#### Alignment amendment to the Doomadgee Aboriginal Shire Council Planning Scheme under the alignment amendment rules and the *Planning Act 2016*, Section 293

##### Background

On 3 July 2016, the new *Planning Act 2016* (the Act) commenced. This replaced the *Sustainable Planning Act 2009* (SPA).

The Planning Act supports a new development assessment system and introduces new concepts and terminology. As the Doomadgee Aboriginal Shire Council Planning Scheme is a SPA compliant scheme, the scheme contains concepts and terminology that are not consistent with the new legislation.

Along with new concepts and terminology, there are also new decision rules for code assessment that require decisions to be made by the assessment manager solely on the basis of the content of the planning scheme codes ('assessment benchmarks'). This differs from the current rules in SPA which allow for a broader range of considerations. This means that assessment criteria and benchmarks need to be adjusted and, in some instances, made more robust to ensure that there are no unintended development outcomes where codes are not sufficiently robust.

Whilst the new Act contains provisions for the legal transition of instruments and terminology and thus establishes interim arrangements for dealing with development assessed against a planning scheme that is based on superseded legislation, it is beneficial that local governments amend their local planning instrument (the planning scheme) to ensure a seamless interpretation of the new terminology and keep their schemes up to date to more easily incorporate future amendments.

The Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) has proposed to assist the council by engaging a consultant to undertake revisions to the Doomadgee Aboriginal Shire Council Planning Scheme. These revisions have been completed and can be adopted subject to undertaking the following steps in the Alignment Amendment process. All steps will be facilitated by the DSDMIP, with council input where required.

It is important to note that this Alignment Amendment is a special type of planning scheme amendment with reduced steps as it only incorporates non-substantial changes. Other changes that the council may be considering that are normally subject to administrative, major or minor planning scheme amendment processes are unable to be incorporated into the proposed Alignment Amendment. The scope of the changes proposed under this Alignment Amendment includes the following:

- improving and clarifying assessment benchmarks, notably codes to ensure they are sufficiently robust to permit assessment as required by the decision rules for code assessment under the new Act;

- reformatting and revising the structure of the planning scheme to improve its clarity and operation, including removing redundant terms and redundant planning scheme requirements;
- replacing terminology or language from repealed legislation (SPA), including changing the names of categories of development or categories of assessment;
- changes of form not involving substantial changes in substance.

The Alignment Amendment does not include:

- a change to a matter of state interest;
- a substantial change to a policy position as currently expressed in the scheme;
- a substantial change to a category of development or category of assessment for a particular use or activity;
- a change, other than a change that is minor or inconsequential, to a person's or entity's development rights;
- changes that result in widespread public interest or multiple public submissions.

#### Process for Alignment Amendment

This Alignment Amendment is required to follow a process outlined in the Alignment Amendment rules, as outlined in s293 of the new Act.

The process will include the following steps:

- the council resolution to decide to make the proposed amendment (see below) and nominating the date upon which the amendment will commence. Only one council resolution is required to enact the amendment;
- publishing a public notice about the alignment amendment in the local newspaper, the Queensland Government Gazette and council website (draft attached);
- give a copy of the public notice, alignment amendment and a copy of the amended planning scheme to the chief executive of DSDMIP.

#### Council Policy

Council Policies are not affected by this proposed Alignment Amendment

#### Legal Implications

No legal implications are expected by this proposed Alignment Amendment

#### Financial Implications

DSDMIP will assist to arrange for the required public notices, at no cost to the council, and facilitate the provision of the required documentation to the chief executive of DSDMIP.

#### Recommendation

That council:

- decides to make an alignment amendment to the Doomadgee Aboriginal Shire Council Planning Scheme under the Alignment Amendment Rules made by the Planning Minister under section 293 of the *Planning Act 2016* for the purpose of aligning the terminology of the planning scheme with the *Planning Act 2016*
- after preparing the alignment amendment, the amendment will commence on 24 May 2019
- will publish a public notice in:

- the gazette;
- in a newspaper circulating in the Doomadgee Aboriginal Shire Council area; and
- on the Doomadgee Aboriginal Shire Council's website.

Will give the Chief Executive of the Department of Local Government, Infrastructure and Planning a copy of the public notice and a copy of the alignment amendment

**RESOLUTION TO MAKE AN ALIGNMENT AMENDMENT TO THE DOOMADGEE ABORIGINAL SHIRE COUNCIL PLANNING SCHEME UNDER THE ALIGNMENT AMENDMENT RULES AND THE *PLANNING ACT 2016*, SECTION 293**

That council:

- decides to make an alignment amendment to the Doomadgee Aboriginal Shire Council Planning Scheme under the Alignment Amendment Rules made by the Planning Minister under section 293 of the *Planning Act 2016* for the purpose of aligning the terminology of the planning scheme with the *Planning Act 2016* and making codes more robust for the purposes of development assessment using the new decision rules.
- after preparing the alignment amendment, the amendment will commence 24 May 2019
- will publish a public notice in:
  - the gazette;
  - in a newspaper circulating in the Doomadgee Aboriginal Shire Council area; and
  - on the Doomadgee Aboriginal Shire Council's website.
- will give the Chief Executive of the Department of Local Government, Infrastructure and Planning a copy of the public notice and a copy of the alignment amendment

**TEMPLATE 2 - PUBLIC NOTICE/GAZETTE NOTICE**

**PUBLIC NOTICE OF ALIGNMENT AMENDMENT TO THE  
DOOMADGEE ABORIGINAL SHIRE COUNCIL PLANNING SCHEME MADE  
UNDER THE ALIGNMENT AMENDMENT RULES AND  
THE *PLANNING ACT 2016*, SECTION 293**

Notice is hereby given that on 17 April 2019 the Doomadgee Aboriginal Shire Council made the Doomadgee Aboriginal Shire Council planning scheme alignment amendment under the Alignment Amendment Rules and section 293 of the *Planning Act 2016* to the Doomadgee Aboriginal Shire Council Planning Scheme (the **alignment amendment**). The alignment amendment will commence on 24 May 2019

The alignment amendment has the purpose and general effect of aligning the terminology of the Doomadgee Aboriginal Shire Council Planning Scheme with the *Planning Act 2016* and making codes more robust for the purposes of development assessment using the new decision rules.

A copy of the alignment amendment may be inspected at and purchased from 275 Sharpe Street, Doomadgee. The Doomadgee Aboriginal Shire Council planning scheme can also be viewed online and downloaded at <http://doomadgee.qld.gov.au/>.

For further information, please either visit the council customer service centre or telephone or email council on (07) 4745 8351.

Chief Executive Officer or Acting CEO  
Doomadgee Aboriginal Shire Council

<b>CONSULTATION</b>	Not applicable
<b>LEGISLATIVE ENVIRONMENT</b>	<i>Local Government Act 2009</i>
<b>STRATEGIC ASSOCIATION / ALIGNMENT TO CORPORATE PLAN</b>	Not applicable
<b>RISK ASSESSMENT</b>	Not applicable
<b>FINANCIAL IMPACT</b>	Not applicable
<b>ASSET MANAGEMENT AND SUSTAINABILITY IMPACT</b>	Not applicable
<b>POLICY ASSOCIATION</b>	Not applicable
<b>CULTURAL CONSIDERATIONS</b>	Not applicable

**Recommendation:**

That the report from the Director of Engineering be noted and received.

## **12. DIRECTOR OF CORPORATE SERVICES**

<b>REPORT AUTHOR(S)</b>	<b>Debbie Glyde</b>
<b>REPORT APPROVED BY</b>	<b>Rod Richardson</b>
<b>DEPARTMENT</b>	<b>Community Services</b>

### **PURPOSE**

Presentation of the Monthly Activity report to Council.

Due to being on leave no report available to be presented

### 13. ACTING DIRECTOR OF COMMUNITY SERVICES

**REPORT AUTHOR(S)** Gail Richardson  
**REPORT APPROVED BY** Rod Richardson  
**DEPARTMENT** Community Services

#### **Youth Hub**

we have received verbal information that funding for the Youth Hub has been approved from PM&C for \$300,000 per year for the next 3 financial years. Written conformation should follow soon for signing plus formal contract.

Two of the planned six workshops have been completed with some success. The boxing was very popular but the hydroponic was poorly attended because the sorry days impacted the construction process. Football is being assisted through the youth hub in the way of support with training and other areas as required.

I have been working with Vicki William on providing a final figure for the past two financial years and we have been able to settle the 16/17 figure which unfortunately shows a large underspend for that period. I have sent an accompanying letter outlining the issues of that year, with the figures, to the finance department in the hope they will look kindly on us and not request the fund back.

Elijah is moving forward with his cultural events every 2nd Wednesday night in the Middle Park and this is gaining momentum.

#### **Broadcasting**

Sai and Elijah are still keeping the community well informed on community events.

I have been unable to secure a timeline for the move of equipment at the broadcasting unit from Blackstar which is very frustrating but will keep working on it as it needs to happen.

#### **Animal & Environmental**

Work is continuing with Kenny's crew on the removal of the Chinese Apple trees.

We have had several requests to remove dead dogs from family's yards which we attend to as soon as possible.

The next vet visit starts on Monday 27th of May till midday Friday and Hannah Burton is the Vet coming in.

#### **General**

The Savannah Way art project is proceeding and consideration should be given to supporting this project as it will help attract more tourists past our door and cost to council at this stage is minimal. The other reason I feel this is it's a way to bring the community together for a collective project with the community being fully involved in the process to a final concept and delivery on site.

**General statement** - I will continue to work for council till a hand over to someone else can be arranged as the work I have been doing with PM&C is at an important stage where we need to keep on the side with moving forward.

#### **Recommendation:**

That the report from the Director of Community Services be noted and received.

## **14. PROCUREMENT MANAGER**

<b>REPORT AUTHOR(S)</b>	<b>Peter van Heusden</b>
<b>REPORT APPROVED BY</b>	<b>Chief Executive Officer</b>
<b>DEPARTMENT</b>	<b>Procurement</b>

### **PURPOSE**

To ensure open and fair procurement with all purchases made by Council. Having regard to Best Value and Local Purchase where available.

Due to being on leave no report available to be presented

## **15. 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

## 16. PROPOSED MEETING CALENDAR

Thursday 16 <sup>th</sup> May 2019	10.00am	Doomadgee	Ordinary Meeting
Thursday 20 <sup>th</sup> June 2019	10.00am	Doomadgee	Ordinary Meeting
Thursday 18 <sup>th</sup> July 2019	10.00am	Doomadgee	Ordinary Meeting
Thursday 15 <sup>th</sup> August 2019	10.00am	Doomadgee	Ordinary Meeting
Thursday 19 <sup>th</sup> September 2019	10.00am	Doomadgee	Ordinary Meeting
Thursday 17 <sup>th</sup> October 2019	10.00am	Doomadgee	Ordinary Meeting
Thursday 21 <sup>st</sup> November 2019	10.00am	Doomadgee	Ordinary Meeting
Thursday 19 <sup>th</sup> December 2019	10.00am	Doomadgee	Ordinary Meeting

## 17. CLOSURE OF MEETING

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

\_\_\_\_\_  
Jason Ned  
Acting Mayor  
Doomadgee Aboriginal Shire Council