

Wujal Wujal Aboriginal Shire Council

Ordinary Council | Meeting Agenda

Date: Tuesday 16 January 2024
Time: 9.00am
Venue: Council Coordination Centre and MS Teams
Hartwig Street, Wujal Wujal



Wujal Wujal Aboriginal Shire Council - Ordinary Meeting Tuesday 12 January 2024 - 09:00am - Order of Business

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1. Opening of Meeting

1.1 Welcome | Opening of Meeting

Declaration of opening of meeting by Mayor Bradley Creek

1.2 Acknowledgement of Traditional Owners

‘I would like to acknowledge the Kuku Yalanji people who are the Traditional Custodians of the Land on which we meet today. I would also like to pay respect to their Elders both past, present and emerging and extend that respect to other Indigenous Australians who may be listening or watching our meeting this morning’.

2. Attendance, Leave of Absence and Apologies

2.1 Attendance

Councillors

Councillor Bradley Creek	Mayor	In Person
Councillor Regan Kulka	Deputy Mayor	In Person
Councillor Robert Bloomfield		Mobile Phone / Teams
Councillor Vanessa Tayley		Mobile Phone / Teams
Councillor Vincent Tayley		Mobile Phone / Teams

WWASC Staff Representatives

Kiley Hanslow	Chief Executive Officer	In Person
Perry Gould	Manager Works and Building Services	In Person
Micah Nkiwane	Manager Corporate and Commercial Services	MS Teams
Molin Orange	Executive Assistant	MS Teams

2.2 Leave of Absence | Apologies

2.3 Visitors | Presenters - Nil

3. Condolences | Congratulations

4. Mayoral Motion

5. Confirmation of minutes of the Previous Meeting

Minutes of the Ordinary Council Meeting | 12 December 2023 - Attached

Resolution: That Council accepts the minutes of the Ordinary Council Meeting held on Tuesday 12 December 2023 accepted as a true and correct record of that meeting.

Resolution:	That the minutes of the Ordinary Council Meeting held on Tuesday 12 December 2023 accepted as a true and correct record of that meeting.	
Moved:		Lost/Carried
Seconded:		
Resolution No		

6. Declarations of Interest in the matters on the Agenda

- Declaration of Prescribed Conflict of Interest of any Item of Business
- Declaration of Declarable Conflict of Interest of any Item of Business
- Councillors to review existing Registers of Interest and Related Parties Disclosures

7. Business Arising or Outstanding Matters from Previous Meeting

Nil

8. Items for Consideration and Decision

8.1 The adoption of Wujal Wujal Aboriginal Shire Council Caretaker Period Policy 2023.

Report to:	CEO, Mayor and Councillors
Subject:	Wujal Wujal Aboriginal Shire Council Caretaker Period Policy 2023
Reporting Officer:	Chief Executive Officer
Status:	Decision

The *Local Government Act 2009* and the *Local Government Electoral Act 2011* apply a number of restrictions to Council and Councillors during the Caretaker Period, from when nominations are called for the quadrennial election until the declaration of the polls.

This Policy applies to all Wujal Wujal Aboriginal Shire Council Councillors, Candidates and Employees of Council preparing for and during the caretaker period.

Purpose of this Policy

This Policy will assist to ensure that Council conducts its business throughout the Caretaker Period in a responsible, transparent and legally compliant manner. Certain restrictions shall apply to Council, Councillors and Council employees in the period leading up to an election.

Attached is a copy of the Caretaker Period Policy 2024.

Resolution: That Council adopts the Wujal Wujal Aboriginal Shire Council Caretaker Period Policy 2024

Resolution:	That Council adopts the Wujal Wujal Aboriginal Shire Council Caretaker Period Policy 2024	
Moved:		Lost/Carried
Seconded:		
Resolution No		

8.2 The adoption of the Emergency Procurement and Policy and Procedure in recognition of the recent weather event (Tropical Cyclone Jasper) affecting Wujal Wujal Aboriginal Shire Council during the Caretaker Period.

Report to: CEO, Mayor and Councillors
Subject: Emergency Procurement and Policy and Procedure
Reporting Officer: Chief Executive Officer
Status: Decision

IT WAS RESOLVED that in recognition of the recent weather event, Cyclone Jasper, affecting WWASC, Council will apply the emergency procurement and policy and procedure settings as identified below in relation to responding to emergency and urgent Cyclone Jasper recovery requirements through to 30 April 2024.

IT WAS RESOLVED that where council needs to spend money that has not been authorised in its budget in responding to emergency and urgent Cyclone Jasper recovery requirements, this expenditure will be funded first and foremost through various disaster recovery funding mechanisms such as Disaster Recovery Funding Arrangements (DRFA), Council insurance policies, other specific disaster funding relief packages as announced by the Prime Minister as well as other funding arrangements still to be determined.

In recognition that full compliance with the existing Wujal Wujal Aboriginal Shire Council (WWASC) Procurement Policy and Procedure may not support Council needs during a critical period or emergency incident or event, the emergency procurement policy and procedural settings aim to accommodate emergency and urgent Council procurement

Resolution: That Council adopts the Emergency Procurement and Policy and Procedure during the Caretaker Period 2024

Resolution:	To adopt the Emergency Procurement and Policy and Procedure during the Caretaker Period 2024	
Moved:		Lost/Carried
Seconded:		
Resolution No		

8.3 Adoption of Emergency Procurement Policy and Procedures Caretaker Mode

Report to:	CEO, Mayor and Councillors
Subject:	Adoption of Emergency Procurement Policy and Procedures Caretaker Mode
Reporting Officer:	Chief Executive Officer
Status:	Decision

Council has resolved to apply the Emergency Procurement Policy and Procedures settings- Caretaker Mode, effective 16 January 2024

Council has resolved to apply the emergency Procurement Policy and Procedures settings, effective 16 January 2024. In relation to response to Cyclone Jasper weather events, a number of critical procurement decisions will be required during the caretaker period which may exceed the contract limit of \$200,000 or 1% of the local government's net rate and utility charges.

Accordingly, we further resolve that Council can enter commitments greater than \$200,000 or 1% of the local government net rate and utility rates for emergency and urgent contracts in relation to Cyclone Jasper through until 30 April 2024 subject to Ministerial approval being granted.

As per Section 90B of the Local Government Act 2009, where council wishes to enter into contracts greater than \$200,000 or 1% of the local government net rate and utilities rate as a result of exceptional circumstances (i.e. responding to the Cyclone Jasper Disaster), Council must apply to the Minister for approval to make this decision.

Council will make this application in writing for the exemption to the Minister by submitting an application addressed to the Regional Director (Northern Region) of the Department of State Development Infrastructure Local Government and Planning which will contain the following information:

- details of the proposed major policy decision;
- an explanation of why the decision was unforeseeable;
- an explanation of why the decision cannot wait until the end of the caretaker period;
- an explanation of how the decision is in the public interest;
- any other relevant information to assist the Minister in determining whether to approve the application.

A Brief overview of this event : Tropical Cyclone (TC) Jasper made landfall as a category 2 system just north of Port Douglas in the vicinity of Wujal Wujal around 8pm AEST on the evening of 13 December 2023. This was a powerful and long-lived tropical cyclone that impacted northern Queensland with torrential rainfall which took at least five days to move west devastating communities in its wake. TC Jasper was associated with an extraordinary flooding event causing large-scale isolation, widespread power outages across north Queensland, and significant impacts to the Wujal Wujal community as a whole.

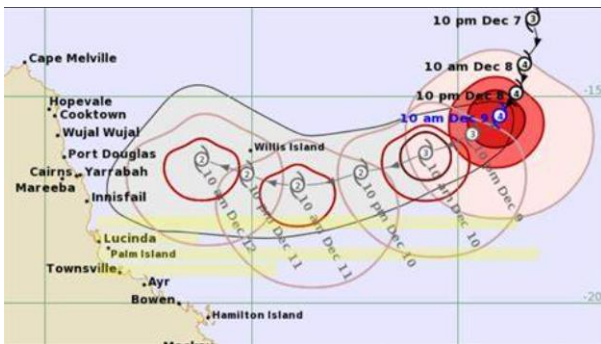
This event caused the worst flooding experienced by the Wujal Wujal community. Whilst there are stories of continuous rain, this time it rained for five days, it did not stop. The rain event was beyond

anything the community expected, the storm surge triggered significant ocean level rises with king tides experienced from Tuesday 12 December through to Sunday 17 December 2023.

As a result the Bloomfield River rose 6 to 10 metres more than normal. The sound of the river’s flood warning alarm system going off at high tide and the river water rising impacted on all the residents who waited in anticipation. The community was soon inundated by flood water and overland flow and were cut off as the creeks and roads became impassable.

On 17 December 2023 the community woke up to no power and continuous sheets of falling rain, the river was raging and trees were snapping and floating away out to sea. The telephone system was impacted due to there being no power and crocodiles were spotted in the murky waters and children warned to stay out of the flooded water.

That evening water levels were higher than normally expected ringing alarm bells, the river rose significantly with infrastructure and equipment being impacted.



The scale of the damage from Tropical Cyclone Jasper is still becoming clear in communities like Wujal Wujal. (Supplied)
© Provided by ABC News (AU)

Resolution: Council has resolved to apply the Emergency Procurement Policy and Procedures, effective 16 January 2024.

Resolution:	Council has resolved to apply the Emergency Procurement Policy and Procedures, effective 16 January 2024.	
Moved:		Lost/Carried
Seconded:		
Resolution No		

8.4 Electricity Meters – Wujal Wujal Community

Electricity Meters – Wujal Wujal Community (Letter from Ergon - Ayesha Razzaq is attached for perusal)

Report to:	CEO, Mayor and Councillors
Subject:	Electricity Meters – Wujal Wujal Community
Reporting Officer:	Chief Executive Officer
Status:	Information

Letter received (attached) - This letter outlines a proposal from Ergon Energy Queensland (EEQ) on the way forward with electricity meters that were damaged in the Wujal Wujal community following the recent flooding of the community after Tropical Cyclone Jasper’s crossing through far north Queensland coast. EEQ has received advice from Ergon Energy Network that flooding of many premises in the community means their electricity meters must now be replaced before electricity can safely be restored to all premises.

EEQ would like to change to electricity from power card to monthly billing cycles. This may have a detrimental impact on Wujal Wujal community members who may not be able to pay their electricity bill and may suffer from disconnection of electricity as a result.

For council discussion on a way forward for community

Option 1. Retain existing power card meters

Option 2. Move to monthly electricity billing

[Resolution: That Council accept Option one \(1\) to: Retain the existing power card meters](#)

Resolution:	That Council accept Option one (1) to: Retain the existing power card meters	
Moved:		Lost/Carried
Seconded:		
Resolution No		

9. Presentations to Council

Nil

10. Reports

10.2 Chief Executive Officer Report

The Chief Executive Officer represented the interests of the Wujal Wujal Aboriginal Shire Council following devastation left by tropical ex-cyclone Jasper.

Council's Operations staff undertook extensive preparations prior to the TC Jasper meeting for a period of four days, to ensure all plant, machinery and materials were moved and stored well above the previous highest flood levels of 2019. All vehicles, plant and equipment were moved well above the previous highest flood levels. All Council's backup generators were assessed and serviced prior to the TC Jasper event. The Council depot was cleaned up and all equipment was stored in the shed above the previous 2019 highest flood levels. Ergon placed their large generators, sufficient to power the community, above the previous 2019 highest flood levels. Unfortunately, the rainfall caused flood and overland water flow above any previous recorded levels.

There has been a substantial loss of infrastructure, such as the Council Chambers, Mayor's Office, Administration building, Records demountable storage unit, Executive Assistant's Unit, SES Shed, My Pathway building, Charlie's OHub Centre, Apunipima Clinic, Works Yard Depot, Art Centre, Cafe, Jabalbina Rangers Office, and thirty-six (36) community houses, including the assessment of the extent of the damage and the efforts required for restoration. Insurance assessors were in Wujal Wujal on Saturday 30 December 2023 to assess the extent of the damage. Council has \$2M insurance coverage, which will not be anywhere near enough to cover the repair and replacement caused by the disaster event.

The loss of operations and Council's business as usual operations and administration have had significant implications, including the disruption of regular services and administrative functions. Temporary office accommodation in Cairns has been sourced as a temporary, interim solution only, to ensure continuity of essential services while the affected infrastructure is being restored.

The loss of all of Council's IT equipment, including the server, laptops and computers in the flood have hindered Council's ability to carry out its tasks efficiently. Council's network has now been moved over into the Cloud and access has been restored.

Queensland Reconstruction Authority (QRA), is available to cover disaster works and restoration of essential services. Strict eligibility criteria and an application process is required to access this QRA disaster management funding.

At 31 December 2023, all Council's essential services were non-operational and being assessed, including power, water and sewerage. At 31 December 2023, Ergon technicians were onsite carrying out initial repairs.

At 31 December 2023, delays in the availability of switchboards for our water intake and pump stations have impacted the restoration of water and sewerage. Switchboards are essential for restoring power



and communication services in these networks. Council’s electricians and plumbers are onsite and will continue working on assessments and repairs into the New Year.

At 31 December 2023, roads access from the Mulligan Highway through Rossville, Ayton and to Wujal Wujal was being reinstated by Cook Shire Council. Lack of roads access and severity of flooding, landslips and damage delayed mobilisation of machinery and plant immediately after the TC Jasper disaster event. ERSCON Project Manager was due to arrive in Wujal Wujal on 3 January 2024 to conduct initial road assessments within Wujal Wujal.

Council continues to monitor weather forecasts and stay updated with relevant advisories to inform decisions and around access and recovery.

Council continues to hold Extraordinary LDMG meetings to manage the disaster response.

CEO requested assistance with the handling of invoices, claims, and acquittals for disaster management and recovery costs. Likely that BDO may be involved in providing assistance, to guide the Council on the necessary financial processes and procedures to ensure proper management and accountability of expenses related to disaster management and recovery and ensure costs can be recovered from QRA and do not affect Council’s financial sustainability. BDO will be engaged from 8 January 2024 to review Council’s cash and forward position and carefully manage this during the disaster response and recovery phase.

CEO will provide a report on recovery process at the next Ordinary Council Meeting.

Resolution: Acceptance of the Chief Executive Officer’s Monthly Report for December 2023

Resolution:	That Council receive the Chief Executive Officer’ Monthly Report for the month December 2023 as presented.	
Moved:		Lost/Carried
Seconded:		
Resolution No		



10.3 Corporate and Corporate Services Division Report

10.3.1 Financial Dashboard

Financial Report December 2023 – attached

10.3.2 Corporate and Commercial Services Monthly Report Points

Report to:	CEO, Mayor and Councillors
Subject:	Corporate and Commercial Services Monthly Report December 2023
Reporting Period:	December 2023
Reporting Officer:	Manager Corporate and Commercial, Micah Nkiwane
Status:	Information

Electronic time sheets

The rollout of this project has been suspended indefinitely due to the flooding disaster

Grant Acquittals

Grant acquittals from previous financial years are still an ongoing issue, and we are still working with our partners and as a team to sort it out. We expect that issues around grant administration, periodic reporting and acquittals will remain an area of focus for the foreseeable future. BDO have also offered help in this area and we will be working with them as well as Peak Services.

Year-end financial statements and annual reporting

The financial statements have been finalised and signed and will be presented in the next Council meeting for adoption and approval

External Audit

The external audit has been finalised with an unqualified audit opinion. The audit report together with the financial statements will be presented to Council in the next meeting

Internal Audit

We will be consulting with our internal audit partners on the way forward within the context of the flood disaster.

BAS invoicing

BAS invoicing was operating on an excellent template of team work and was sadly interrupted by the flooding disaster. We expect that this area of operation will continue to be negatively impacted for the foreseeable future.

Other revenue

Total debtors' invoices raised amounted to \$265,405.16. Debtor Collections remains our priority and again the flooding disaster had an impact on collection efforts.



as at **Sunday, 31 December 2023**

		Current	0 - 30 days	31 - 60 days	61 - 90 days	Total
Prior Month	Total A/R Ledger		143,151	241,958	27,769	412,878
	Total Accruals		-	-	-	-
	Grand Total	-	143,151	241,958	27,769	412,878
	Distribution	0.00%	34.67%	58.60%	6.73%	1
	Target	40.00%	34.00%	25.00%	1.00%	
Current Month	Total A/R Ledger		14,865	14,809	269,247	298,921
	Total Accruals		-	-	-	-
	Grand Total	-	14,865	14,809	269,247	298,921
	Distribution	0.00%	4.97%	4.95%	90.07%	100.00%
	Target	40.00%	34.00%	25.00%	1.00%	
Overall Movement			(128,286)	(227,149)	241,478	(113,957)
			→	↓	↑	↓

The comparison of debtors shows a significant decrease in Debtors in the 30-day period. There is also a significant decrease in Debtors in the 31–60-day period which reflects the impact of the flood on invoicing operations. There is however a significant increase in the 61–90-day period which largely reflects the impact of the flood on collections. **Carbon credits** – This item is on hold until the recovery from floods.

- **Smart buildings and energy generation.** We will have to rethink future engagement strategies as a result of the flood
 - **Fuel tax credits**-We will be working with BDO to crystallise fuel tax credits as part of the current engagement.
 - **Ecotourism/Wujal Guest Accommodation**- Review of pricing policy is on hold until we have recovered from the disaster.
1. **Café, Fuel Station and supermarket** – The Café, fuel station and supermarket were devastated during the flood and damage is still being assessed. Our partners are still keen on going forward with the Supermarket tender and have requested pictures of the damage to the Supermarket which will instruct funding applications
 - We are in the process of cancelling our MYOB subscriptions for the Café..
 - We expect CEQ to move forward with the tender once we have recovered from the flood.
- **Leases** – Lease rentals have been significantly impacted by the flood and we will assess the financial impact. We expect that clients who are on annual rental will require an adjustment
 - **Investments**- We have maintained our investment with QTC which currently stands at \$3,044,171.94 including interest earned of \$13,001.49 and the current rate of return is 5.15% up from 5.14% in the previous month.

Legacy Fund

- Council receives joint venture income from the JV partnership. In principle one third of the income should go to a Community Benefit Fund as a Legacy fund. We currently have \$250,000.00 in the legacy fund



10.3.3 Wujal Wujal Aboriginal Shire Council Annual Financial Statements year ended 30 June 2023

Report to: CEO, Mayor and Councillors
Subject: WWASC Annual Financial Statements year ended 30 June 2023
Reporting Officer: Manager Corporate and Commercial, Micah Nkiwane
Status: Information

Resolution: That Council adopt the Annual Financial Statements year ended 30 June 2023 as presented.

Resolution:	That Council adopt the Annual Financial Statements year ended 30 June 2023 as presented.	
Moved:		Lost/Carried
Seconded:		
Resolution No		

10.3.4 Auditors Report 2023

Report to: CEO, Mayor and Councillors
Subject: Auditors Report 2023
Reporting Officer: Manager Corporate and Commercial, Micah Nkiwane
Status: Information

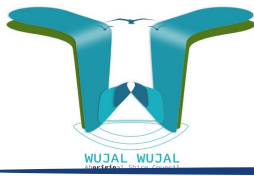
Resolution: That Council adopt the Auditors Report as presented.

Resolution:	That Council adopt the Auditors Report as presented	
Moved:		Lost/Carried
Seconded:		
Resolution No		

- We are working as a team to build the future community we want and to be the change we want to be.....

Resolution: Acceptance of the Corporate and Commercial Report for the month December 2023

Resolution:	That Council receive the Corporate and Commercial Report for the month December 2023 as presented.	
Moved:		Lost/Carried
Seconded:		
Resolution No		



11. Closed meeting session with Brett de Chastel (Mayor and Councillors only)

Executive team to leave the room during this time.

12. General Business

13. Next Ordinary Council Meeting Date

The next Ordinary Council Meeting is set for Tuesday 20 February 2024.

14. Meeting Closure