



WUJAL WUJAL
Aboriginal Shire Council

Council Ordinary Meeting

21 November 2019

Minutes

of the

**Council Ordinary Meeting held at the Wujal Wujal
Aboriginal Shire Council Chambers**

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1. WELCOME/MEETING OPENING

Mayor Tayley declared the meeting open at 8.39am.

Advised that Deputy Mayor Robert Bloomfield would be running late.

2. ATTENDANCE/APOLOGIES

Members Present:	Cr Desmond Tayley, Mayor (Chair) Cr Robert Bloomfield, Deputy Mayor Cr Regan Kulka Cr Bradley Creek Cr Vanessa Tayley
Apologies:	
Officers/Staff:	Stephen Wilton – Chief Executive Officer Harish Nair – Director Finance and Corporate Services (DF&CS) Victor Mills – Director Works and Building Services (DW&BS) Melita Baird (Minute Taker)
Observers:	Derric Flewell-Smith (9.25am)
Presenters/Visitors:	Nil

3. CONDOLENCES/CONGRATULATIONS

Condolences

Darlene Darkin - Hopevale
Late Mr Conrad Michael
Late Infant Creek Family
Late Mr Jason Dunn (CEO Nephew)

Congratulations

Cr Creek, Anselm Harrigan and Vivien Donahue, Lexton and Tasha, Lucas Creek -
Winners of the My Home Garden Awards

4. COUNCILLOR OBLIGATIONS

Mayor Tayley invited those present to use this opportunity to make public any Material Personal Interests and/or Conflicts of Interest (real or perceived) in respect of items in the Agenda.

Councillors should use this opportunity to disclose and/or comment on other Councillors and/or staff interests in accordance with the Act and Regulations

4.1 Declaration of Material Personal Interest (MPI) on any item of business

Nil

4.2 Declaration of Conflict of Interest on any item of business

Pursuant to Section 173 (2) of the Local Government Act 2009 {0} declarations of conflict of interest were made during this meeting.

Details of declarations are as follows:

Name of Councillor – details of declaration:

Details of declarations are as follows:

Name of Councillor – details of declaration:

4.3 Registers of Interest

Nil

Cr Robert Bloomfield entered the meeting at 8.54am.

5. CONFIRMATION OF PREVIOUS MINUTES

The minutes of the Council Ordinary meeting 24 October 2019 were considered.

Resolution:	That Council confirms that the Council Ordinary meeting minutes of 24 October 2019 as circulated are a true and correct record of that meeting.	
Moved:	Cr Reagan Kulka	CARRIED 5/5
Seconded:	Cr Desmond Tayley	
Decision No:	0121112019	

Mayor advised Councillors that CEO Stephen Wilton would be leaving early.

5.1 Business Arising from Previous Minutes

5.2.1 Bike Pump Tracks and Skills Park

Council discussed the location of the Pump Track and skills park noting that the location adjacent to the Arts Centre was not suitable. DWBS advised that the contractor would be on site shortly and recommended that land adjacent to the boat ramp on Lot 27 SP263792 would be suitable. Council agreed with this site and noted that due to the likely inundation at

times during the wet season that no warranty would be given on the construction.

Resolution:	That Council approve the site on Lot 27 SP263792 adjacent to the boat ramp car park for the construction of the pump track and skills park.	
Moved:	Cr Desmond Tayley	CARRIED 5/5
Seconded:	Cr Reagan Kulka	
Decision No:	0221112019	

Closed session brought forward due to CEO Stephen Wilton needing to depart early.

Council moved into Closed session at 9.03am. Council came out of Closed session at 9.25am.

Observer Derric Flewell-Smith joined the meeting at 9.25am.

Cr Reagan Kulka left the meeting at 9.26am and returned to the meeting at 9.28am.

Cr Bradley Creek left the meeting at 9.27am and returned to the meeting at 9.30am.

Council moved straight to CEO report at 9.30am.

6. REPORTS

6.1 Mayors Update

Showcase to Parliament update

Mayor Tayley informed the Council that the Mayor and the Deputy Mayor and 11 other members of the community were fully funded by Minister Leeanne Enoch at no cost to the Council.

NOTED

Vanilla Bean Project update

Mayor gave an update on the progress of lots being divided with a permit/lease arrangement which will take some time to do and will bring back to the Council at a later date.

NOTED

6.1.1 Good to Great Schools Education Forum Update

Mayor Tayley gave a verbal update.

NOTED

6.1.2 Native Food project workshop – World Economic Forum Showcase

Mayor Tayley gave a verbal update on bushtucker indigenous tourism and the workshop that took place in Wujal Wujal.

NOTED

6.1.3 Media Release – Premier announces 2020 – the Year of the Indigenous Tourism

Premier and Minister of Trade The Honourable Anastacia Palaszczuk and Minister for Innovation and Tourism Industry Development and Minister for Cross River Rail The Honourable Kate Jones. Detailed how Indigenous Tourism is on the rise and the LGAQ Forum to be held to support Tourism in the local area.

NOTED

6.1.4 Correspondence

6.1.4.1 Tabled at meeting.

- **Minister for Local Government Racing and Multicultural Affairs Hon Stirling Hinchcliff MP**
EOT 2018/19 Financial Statements to 31 January 2020
- **Reef Guardian Council Steering Committee**
Minutes of meeting 17 October 2019
- **Queensland Fire & Emergency Service**
Seeking assistance for registered members to complete Blue Card applications
- **DATSIP**
Guidelines for Reconciliation Week Small Grants Program
- **Minister for State Development, Manufacturing, Infrastructure and Planning Hon Cameron Dick MP**
Advice to changes to the Planning Act for development Application Rules prohibiting decisions during the caretaker period in response to the Belcarra Reforms
- **DLGRMA**
Advise to Councillors that the "So You Want To Be A Councillor" training is mandatory for all candidates for the March 2020 Local Government election (including current Councillors).
- **Minister for Housing Public Works Digital Technology and Sport Hon Mick de Brenni MP**
Copies of correspondence from the Minister to the Commonwealth Government (Prime Minister Turnbull, Treasurer Frydenberg, Min Indigenous Affairs Senator Scullion (5) and Min Indigenous Affairs Ken Wyatt MP (2) re indigenous and remote housing.

NOTED

Resolution:	That Council receives and adopts the Mayor's report for the month of November 2019..	
Moved:	Cr Bradley Creek	CARRIED 5/5
Seconded:	Cr Robert Bloomfield	
Decision No:	1121112019	

6.2 Chief Executive Officer Report

Future Meetings/Conferences Nov/Dec 2019

WUJAL WUJAL

19 November 2019

QRA Board visit with Major General (retr'd) R G Wilson AO

9 December 2019

Far North Queensland Regional Organisation of Councils (FNQROC)

BRISBANE

25-27 November 2019

Showcase to State Parliament in Brisbane.

NOTED

Items arising from previous meetings

NOTED

6.2.1 Funeral Financial Assistance Policy Review

On 21 July 2015 Council adopted the current Funeral Financial Assistance policy to provide support for Wujal Wujal families during times of sorry business.

The policy provides upto three means of support, coffin transport, coffin purchase up to \$1,000 and/or assistance with the costs of a wake up to \$1000.

1. *Provision of a fuelled motor vehicle for family members to collect the coffin or the body from the funeral director or the morgue. This use must be approved by the Chief Executive Officer and must not exceed a period of 24 hours. It is subject to an appropriate vehicle being available.*

2. *Payment of the approved cost of the coffin and coffin arrangement up to a maximum of \$1000 subject to these costs being fully reimbursed by payroll deduction by family members or other definite payment plan.*
3. *Providing credit at the community store for authorised family members to purchase food items up to a maximum of \$1000 for the wake subject to these costs being fully reimbursed by payroll deduction by family members or other definite payment plan.*

The assistance is provided on a reimbursement basis where family members enter into a repayment plan through payroll deductions. This is fair and reasonable however if the family does not have a member employed by WWASC it makes it more difficult to obtain assistance from the Council.

Council's Director Finance and Corporate Services is making enquiries with Centrelink to see if it is possible to enter into a deduction system to enable Centrelink recipients to also access Council financial assistance during sorry business. This may also be beneficial in recouping other Council debts.

Resolution:	That Council Note the current actions in relation to the Funeral Financial Assistance Policy.	
Moved:	Cr Desmond Tayley	CARRIED 5/5
Seconded:	Cr Reagan Kulka	
Decision No:	0721112019	

6.2.2 Bona Fide Traveller Regulation

On 1 November 2019 the CEO met with Debbie Dixon-Searle from the Office of Liquor & Gaming Regulation (OLGR). She wished to discuss a change to the Alcohol Management Plan Regulation for Wujal Wujal. This had been raised previously by Council with a view to allowing travellers to be able to access the service station, store and post office.

OLGR will more than likely agree to an amendment request by Council but wish to be sure of Councils intent as there will likely only be one opportunity to amend the regulation. The question is does Council wish to possibly include the boat ramp as part of the bona fide traveller route

Mayor Desmond Tayley left the meeting at 9.38am and returned to the meeting at 9.39am.

RECOMMENDATION

That Council write to the Department of Justice Office of Liquor Gaming Regulation and request an amendment to the current regulation to include the road from Douglas Street along Kotzur Rd and from The Corner of Kotzur Rd and Hartwig street to the Boat Ramp including the Boat Ramp car park and the Council Office car park

OR

That Council write to the Department of Justice Office of Liquor Gaming Regulation and request an amendment to the current regulation to include the road from Douglas Street along Kotzur Rd and from The Corner of Kotzur Rd and Hartwig street to the Council Office car park.

Resolution:	That Council write to the Department of Justice Office of Liquor Gaming Regulation and request an amendment to the current regulation to include the road from Douglas Street along Kotzur Rd and from The Corner of Kotzur Rd and Hartwig street to the Boat Ramp including the Boat Ramp car park and the Council Office car park.	
Moved:	Cr Reagan Kulka	CARRIED 5/5
Seconded:	Cr Desmond Tayley	
Decision No:	0821112019	

6.2.3 Ayton Bore Water Supply

Council would be aware of recent adverse water testing with the bore supplying water to the WWASC houses in Ayton returning positive results for E-Coli.

The Department of Housing and Public Works (DHPW) through QBuild has carried out a full service of bore, filtration and UV system and all test have come back clear with no E-Coli reported. The adverse results have apparently only been reported at one of the properties and this may be related to the electric power to the UV system being shut off.

DHPW have been in consultation with Qld Health and there is concerns that this may be an ongoing issue. It has been suggested that if the State had tenure over the lot with the bore they could install a full filtration and disinfection plant onto the bore and to take responsibility for the ongoing maintenance of the bore and water treatment plant.

The State have requested Council's views in relation to the possible leasing of the lot containing the from Council to the State.

Resolution:	That Council advise the Department of Housing and Public Works that it would be willing to lease Lot 2 at Ayton for the purpose of water supply to Wujal Wujal residences in Ayton.	
Moved:	Cr Desmond Tayley	CARRIED 5/5
Seconded:	Cr Bradley Creek	
Decision No:	0921112019	

DF&CS left the meeting at 9.52am and returned to the meeting at 9.54am.

Resolution:	That Council receives and adopts the Chief Executive Officers report for the month of October 2019.	
Moved:	Cr Desmond Tayley	CARRIED 5/5
Seconded:	Cr Reagan Kulka	
Decision No:	1021112019	

Council adjourned for tea break at 9.55am and resumed the meeting at 10.10am with the Mayor's report.

6.3 Director Finance & Corporate Services Report (DF&CS)

1. Cash Position

Total Bank balance as at 13 November 2019 is \$4,268,706.69

Summary of the deposits and large payments made between 19 October 2019 and 17 November 2019 as below:

<u>Deposits</u>	<u>Amount</u>
Post Office Commission	723.32
Building Asset Services (BAS)	77,025.66
Fuel Sales	2,758.67
NDRRA	1,241,335.50
DOGIT	4,986.40
Debtors	684,349.72
	2,011,179.27
<u>Payments</u>	
Wages	314,045.95
Creditors	233,612.91
	547,658.86

Action on cashflow reporting:

- Cashflow now periodically updated by Finance Manager (FM)
- Cashflow as at 31 October 2019 was provided to DLGRMA on 1 November 2019

NOTED

2. 2018/2019 Financial Statements

- Letter from Minister Hinchliffe re: 2018/2019 Financial Statements extension- extension granted only until 31 January 2020 due to March 2020 Local Govt elections
- Tim Cronin were onsite- asset register related work including processing of WIP, asset additions & disposals, lease calculations etc.
- Updated Draft Financial Statements, Trial Balance and full GL listing will be provided to QAO on 25 November 2019
- QAO will be onsite for two weeks from 2 December 2019

NOTED

3. Overdue Reporting

• Actioned

- RIBS- Interim Performance Report for period 1 January 2019 to 30 June 2019 & Annual Expenditure Acquittal Report for period 1 July 2018 to 30 June 2019
- DLGRMA- ILGSP 16-18 0045- Records Management Final Project Report & Subsidy Claim: Subject to acquittal, Dept to pay \$26,553.10
- DLGRMA- ILGSP 16-18 0044 Human Resources & Industrial Relations Final Project Report & Subsidy Claim: Subject to acquittal, Dept to pay \$10,255
- DESBT- First Start Acquittal Report for 2018-2019
- IKC- Annual Obligations and Statistical Return for 2018-2019
- QRA Get Ready Queensland Program 2018-2019 Acquittal Report

• Work in progress

- DLGRMA- ILGSP 16-18 0046- Business Diversification- Service Station Final Project Report & Subsidy Claim: Subject to acquittal, Dept to pay \$73,982.30
- DLGRMA- ILGSP 16-18 0047- Innovation and Sustainability Final Project Report & Subsidy Claim: Subject to acquittal, Dept to pay \$130,320.40
- DLGRMA- ILGSP 16-18 0048 - Training and Professional Development Final Project Report & Subsidy Claim: Subject to acquittal, Dept to pay \$25,014.50
- Community Care Performance Report

NOTED

4. Debtors & Creditors Review

• Debtors

- Ongoing review- total Debtors: \$1.25m, a reduction of \$628k from October 2019

- Credit notes for \$131k raised for BAS invoices that were disputed by BAS due to incorrect rates used, portion of work already billed in previous invoice. Second claim in same period rejected for work outside scope of work originally agreed

- **Creditors**

- Ongoing review- up to date & no creditor aged more than 45 days

NOTED

5. Termination of Datacom & WageLoch Agreements

- **Datacom (Datascope Financials)**

- As per October OM resolution, agreement termination letter issued to Datacom on 14 November 2019

- **WageLoch (Rostering, Time & Attendance)**

- As per October OM resolution, agreement termination letter issued to WageLoch on 14 November 2019

NOTED

6. ICT Managed Services & Support Arrangement

- Brett Manktelow from Fourier were onsite and reviewed Council facilities
- Quote for 2 year managed service extension received from Fourier- CEO & DFCS meeting Fourier on 20 November 2019 to finalise

NOTED

7. Licenced Post Office Agreements

- Auspost is sending the updated final agreements for CEO signing within the week
- Site plan, schedule of assets etc now provided to Auspost

NOTED

8. Ergon Bill Review

- Full review of Ergon power bill has been undertaken
- Team sourced details of meter numbers from Ergon, which were cross checked by Council's electrician
- Inconsistencies now queried with Ergon - answer awaiting

NOTED

9. Fraud Awareness Training

- 23 Senior Council employees attended training delivered at Wujal Wujal by Peak Services on 31 October 2019. Certificates of attendance were issued same day.

NOTED

Cr Bradley Creek left the meeting at 11.02am and returned to the meeting at 11.08am.

10. Finance Team Current Projects

- Review of open purchase orders- currently \$599,539.16 committed
- Preparation of Bank Reconciliation for November 2019 underway. Team cleared off 4 months backlog now
- Removal of inconsistencies in staff contracts including back pays- Team identifying issues and addressing as an ongoing matter
- Costing for future Red Earth charges- work currently underway
- Invoicing for CDCC- disputing invoices recently raised for March 2019 to date. CDCC using kindy kitchen and other facilities. DFCS and FM meeting CDCC to discuss
- Early budget discussions with various Council stakeholders- as a start, meeting with Arts Centre Manager on 22 November 2019

NOTED

Mayor Tayley thanked the DF&CS for his efforts and also for the efforts of his team, very much appreciated by the Council.

Resolution:	That Council receives and adopts the Director Finance and Corporate Services report for the month of November 2019.	
Moved:	Cr Desmond Tayley	CARRIED 5/5
Seconded:	Cr Vanessa Tayley	
Decision No:	1221112019	

6.4 Director Works and Building Services Report

Action items from previous Council meetings

NOTED

6.4.1 BUILDING

Smoke Alarm Project : last lot of Invoice from Clancy (emporer electrical) being invoiced out today by Courtney.

This will then close the smoke alarm project.

Thanks to everyone involved in this project.

NOTED

Cr Reagan Kulka left the meeting at 11.12am and returned to the meeting at 11.14am.

6.4.2 Bas Responsive Maintenance – Oct 2019

BAS PORTAL

TASK	WORK ORDERS IN PORTAL	INVOICED OUT	AMOUNT
Work Orders	122	230	\$17,326.48
Smoke Alarm Project	82		\$93,225.00

Budget Overview

BUDGET/WORKS ORDER	TOTAL BUDGET	% DONE	ADDRESS
B11942 OT Dismod	\$36,250.00	5%	119A Hartwig St
U93255 Dismod/Tiling	\$11,970.00	10%	18 Keim St
U93190 Dismod/Tiling	\$28,728.00	100%	48 Louis St
U96152 Retaining Wall	\$26,000.00	100%	9 West St
B09866 Laundry Upgrade	\$7,400.00	75%	33 Hartwig St
B10020 Roof Upgrade	\$49,600.00	100%	44 Douglas St
B09929 Various Works upgrade	\$40,660.00	5%	22 Hartwig St
B10698 internal/external paintworks	\$52,927.50	50%	44 Douglas St
B10698 internal/external paintworks	\$27,950.00	100%	91 Louis St
B01516 Smoke Alarm Project	\$87,227.80	100%	Various Houses
B13875 Kitchen Upgrade	\$8,590.00	5%	41 Hartwig St
B13873 Kitchen Upgrade	\$14,674.00	5%	15 Keim St
B13872 Cupboard Upgrade	\$1,232.00	5%	72 Douglas St
B13872 Cupboard Upgrade	\$1,820.00	5%	71 Douglas St

Construction OF CONTRACTORS QUARTERS:

- George Marshall – architect to design new 8 single self-contained units.
- slab on ground, besser block construction with communal laundromat and bbq area.
- soil test will be done next week wednesday 20 Nov
- architect waiting on soil test report for plans then to be certified.

Notes: where the 5% is filled in... this means that materials are on order.

WORK ORDERS CURRENT IN PORTAL	58	Including smoke alarm program (90)	
INVOICED OUT RESPONSIVE	269		\$17,326.48
INVOICED OUT PLANNED			\$
TOTAL INVOICING		\$	\$17,326.48

NOTED

6.4.3 Capital Projects - Orion Consulting

Natural Disaster Program (NDP)

Wujal Wujal Aboriginal Shire Council (WWASC) currently active programs under the following funding arrangements; Natural Disaster Relief and Recovery Arrangements (NDRRA), Disaster Recovery Funding Arrangements (DRFA), Natural Disaster Resilience Program (NDRP), Get Ready Queensland (GRQ);

The program is broken down into the following categories;

- 2018 NDRRA March Event Restoration of Essential Public Assets (REPA)
- 2018 DRFA December Event Counter Disaster Operation (CDO)
- 2019 DRFA January – Feb Event Counter Disaster Operation (CDO)
- 2019 DRFA January – Feb Event Restoration of Essential Public Assets (REPA)
- 2019 Category D Flood Recovery Exceptional Assistance,
- 2018 Natural Disaster Resilience Program (NDRP)

The program status report has been attached as **Appendix 1 – Natural Disaster Program P6 Report**. The report details, funding applications and approvals status, program estimates, programmes schedules and cash flow forecasts.

Design

The detailed design report has been prepared by Orion Project Consulting Pty Ltd as Design Managers and Trinity Engineering as the Geotechnical

Engineers, it details progress of the Wujal Wujal Aboriginal Shire NDRRA Projects, current as at 11h May 2019, this report pertains only to the landslip remediation works on China Camp Road due to re damage of approved assets in 2019 event.

Design Report

Nothing to report in this period

Design Phase – Hold Point

As the China Camp Road Land Slip suffered further damage under the 2019 Monsoonal Trough, the approved scope of works is unlikely to remedy the slip, an alternative costing was prepared due to the availability of Category D - Betterment Funding under the Monsoonal Trough event. The proposed design solution would increase the flood immunity of the landslip site and an increase asset life.

Design Issues

No major design issues have been encountered.

The design documentation consists of drawings, specifications and cost estimates. The preliminary concept design for the two major land slips have been provided to QRA who have reviewed the designs as part of their approval process.

Applications and Approvals

NDRRA - No further Development Applications or Government Approvals are required for NDRRA Works as they are all reconstruction works and like-for-like replacement.

DRFA – Restoration of Essential Public Assets – **Status** - In Development. Due to announcement of the availability of Category D funding the restoration of essential public assets submissions will not be submitted until the Commonwealth finalise the assessment criteria for the funding applications.

DRFA – Counter Disaster Operation – **Status** – In Development Orion Project Consulting will prepare the emergent works submission documentation on behalf of WWASC, once the Emergent works period ends due to the likelihood of costs being journaled between CDO and EW.

DRFA – Emergent Works – **Status** – In Development. The emergent works period ends on the 14th of May 2019. Once this date has passed, Orion Project Consulting will prepare the emergent works submission documentation on behalf of WWASC .

DRFA – Betterment Application – **Status** – funding not yet available, List of Submissions (project proposals) has been submitted to QRA for consideration.

Procurement

Design

Nil

Legal

No legal services are currently engaged for the active projects under funding agreements. Should any advice for any matter be required then the same legal firm who provided advice on NDRRA works with Orion Project Consulting (McInnes Wilson Lawyers) will be recommended.

Construction

NDRRA – No construction works are currently scheduled due to re damage under 2019 **DRFA** event. Council is awaiting formal acceptance from the QRA regarding the re damage that occurred in the 2019 event. The formal acceptance of the submission is due by 30 October 2019.

NOTED

Construction

WWASC.11.18 (2018 NDRRA Works)

The Queensland Reconstruction Authority has completed the infield assessment for the reconstruction of China Camp Rd. The recommended value of \$3,850,779.38 has been approved by the QRA. A formal letter will be issued to Wujal Wujal Aboriginal Shire Council detailing the approval and funding amount.

A procurement plan is being established for the landslip works to determine best practices in delivering these works. Council has suggested that the works can be undertaken by Council staff and machinery. Council to discuss this opportunity with the QRA.

Orion Project Consulting has requested that Trinity Engineering provide a fee proposal for the detailed design of China Camp Road. Council will issue a formal purchase to complete the detailed design once the quote is received and reviewed.

NOTED

WWASC.12.18 (2018 NDRP Works)

The Queensland Reconstruction Authority has approved \$700,000.00 for the upgrade works of a place of refuge for the community, this is in addition to the \$1.1m committed by the Department of Prime Minister and Cabinet. There still exists a funding shortfall of 2-3m for a new build of a place of refuge.

Orion Project Consulting are discussing funding options and opportunities prior to any formal applications being made to any funding body.

Orion Project Consulting to investigate an alternative scope of work to reduce the costs of the evacuation centre.

NOTED

Indigenous Council Critical Infrastructure Program (ICCIP)

Wujal Wujal Aboriginal Shire Council (WWASC) currently has one approved project under the ICCIP.

- The replacement of the Waste Water Treatment Plant

Additional works required is broken down into the following categories;

- ICCIP Replace fencing and construct roof over generator
- ICCIP Wastewater, multiple
- ICCIP Waste RPEQ
- ICCIP SPS replace pumps
- ICCIP Replace membranes elements
- ICCIP Replace emergency generator,
- 2018 Natural Disaster Resilience Program (NDRP)

The program status report has been attached as **Appendix 4 – ICCIP Program Report**. The report details, funding, programmes schedules.

The additional works project have not been yet approved by the Department of Local Government, due to the unconfirmed construction value of the replacement of the plant, the additional projects can not be approved until the tender for the construction of the plant has been awarded. Award of this contract will confirm the remaining funding allocation under the program.

Applications and Approvals

All statutory approval will the responsibility of successful contractor.

Procurement

Design

No further procurement activities are forecast for this reporting period.

Legal

No legal services are currently engaged for the active projects under funding agreements. Should any advice for any matter be required then the same legal firm who provided advice on NDRRA works with Orion Project Consulting (McInnes Wilson Lawyers) will be recommended.

Construction

Tender report was submitted at the October 2019 Council meeting detailing the tender process and the recommendation to award the contract.

A Council resolution on the matter was passed and Council requested that the contract be awarded to the recommended tenderer.

Discipline	Pre-Tender	Out to Tender	Tender Closed	Vetted	Contract Awarded	Delivery Agent
Civil Design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GANDEN
Civil Contractor	<input type="checkbox"/>				<input type="checkbox"/>	True Water Australia

NOTED

Construction

ICCIP WWTP– Waste Water Treatment Plant Upgrade Project

Following True Water Australia is the successful contractor engaged to complete the WWTP Upgrade Project for WWASC, construction is expected to commence in early December with an expected construction period of 10 months.

WWASC has received correspondence from the DES detailing that the weekly monitoring of the treated effluent can now be completed quarterly due to all tests confirming.

NOTED

Cape York Regional Package, Torres Cape Indigenous Council Alliance Funding

Wujal Wujal Aboriginal Shire Council (WWASC) currently has two approved projects under the CIMA.

Recycle Centre

Bloomfield River Services Crossing

The program status report has been attached as **Appendix 5 and 6 – CIMA monthly reports Program Report**. The report details, funding, programmes schedules and cashflow forecasts.

Design

The detailed design report has been undertaken and completed by AECOM.

At the request of Council, Orion Project Consulting is now re scoping the works associated with the Recycle Centre to include a vehicle wash down area.

Design Report

The Design Report for both projects has been submitted to Council previously, due to the size of the documents it has not been attached to this report, should Council wish for it to be transmitted again, it will be made available.

Design Issues

No major design issues have been encountered.

Applications and Approvals

All statutory approval will be the responsibility of successful contractor. Future funding application should there be a requirement for the pipe size increase due to increases in the size of the community as a result of the realignment of Shire Boundary would be sought under the Local Government Grants and Subsidies Program administered by DLGRMA. Council to complete an operational works application to Douglas Shire Council (DSC) for works within DSC boundary.

Douglas Shire Council has approved the Operational Works Application submitted by WWASC. Orion Project Consulting will ensure that the contractor abides by the conditions of this approval.

Procurement

Design

No further procurement activities are forecast for this reporting period.

Legal

No legal services are currently engaged for the active projects under funding agreements. Should any advice for any matter be required then the same legal firm who provided advice on NDRRA works with Orion Project Consulting (McInnes Wilson Lawyers) will be recommended.

NOTED

Construction

Recycle Centre Project.

Council has issued TMR a formal extension of time request (EOT) for this project due to the anticipated scope change. TMR has responded and granted an extension of time until 31 May 2020.

The project is currently being re-scoped to make allowance for a vehicle wash down area.

The additional scope of work will be added to the tender documentation and issued to three tenderers known to Council.

1. NCP
2. Topcon Builders and
3. Factor UTB

NOTED

Bloomfield River Bridge Service Crossing Project.

Tenders received by two (2) contractor. Tender assessment phase was completed, and recommendations submitted to WWASC.

The project was discussed in detail at the October Council meeting with a resolution made by Council to award the contract to the successful tenderer. The successful tenderer was NCP contractors.

Orion Project Consulting to finalise the contract document and signing by all parties. NCP (contractor) to submit all insurances, work place health and safety

plan and project plan.

Construction timeframe is expected to be 12 weeks.

Discipline	Pre-Tender	Out to Tender	Tender Closed	Vetted	Contract Awarded	Delivery Agent
Civil Design	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	AECOM
Civil Contractor	<input type="checkbox"/>	✓	✓	<input type="checkbox"/>	<input type="checkbox"/>	NCP

NOTED

Construction

Recycle Centre

Following the appointment of the successful contractor, construction is expected to commence in January 2020 with an expected construction period of 4 months.

NOTED

Bloomfield Crossing

Following the appointment of the successful contractor, construction is expected to commence in November with an expected construction period of 3 months.

NOTED

Financial status

Project Cost Allocation

Original Cost Allocation:	\$ 11,730,275.78
NDRRA 13.18 Cape Tribulation - Bloomfield Road	\$ 1,043,918.00
NDRRA 13.18 China-Camp Road	\$ 2,178,416.00
NDRRA 13.18 Outstation Access Road	\$ -
NDRRA 13.18 Contingency	\$ 1,094,537.60
NDRRA 13.18 Escalation	\$ 273,634.40
NDRRA 13.18 Project Management	\$ 547,268.80
NDRP 12.18 Place of Refuge	\$ 700,000.00
W4Q Staff Accom 109 Louis	\$ 42,857.14
W4Q Staff Accom U1LDoug	\$ 42,857.14

W4Q Staff Accom U2LDoug	\$ 42,857.14
W4Q Staff Accom 145LDoug	\$ 42,857.14
W4Q Staff Accom 146LDoug	\$ 42,857.14
W4Q Staff Accom 147LDoug	\$ 42,857.14
W4Q Staff Accom 148LDoug	\$ 42,857.14
W4Q Contractor Accom \$300K	\$ 300,000.00
W4Q Depot Office Upgrade \$500K	\$ 500,000.00
CYIF Waste Transfer Station	\$ 948,815.00
CYIF Boat Ramp	\$ 270,000.00
Boat Ramp Design & Tender Docs	\$ 50,000.00
Boat Ramp Concrete Works	\$ 50,000.00
CYIF Water Main Xing Bridge	\$ 258,000.00
Water Supply Bridge Crossover	\$ 284,186.00
ICCIP Replace fencing and construct roof over generator	\$ 18,000.00
ICCIP Wastewater, multiple	\$ 1,275,100.00
ICCIP Waste RPEQ	\$ 10,000.00
ICCIP SPS replace pumps(50k); major upgrade of treatment plant	\$ 1,550,000.00
ICCIP Replace membranes elements	\$ 50,000.00
ICCIP Replace emergency generator	\$ 28,400.00

Variation and EOTs

Extension of Time Claims

Granted extensions of time for;

- Bloomfield River Bridge Services Crossing - Awaiting approval by Department of Transport and Main Roads.
- Recycle Centre – Awaiting approval by Department of Transport and Main Roads.

NOTED

6.4.4 Works – Geoffrey Rosendale

- Construction crew have been busy with demolition works of the Wujal Guest accommodation.
- Construction crew currently completing site preparation.
- Parks and Landcare continuing with pre-cyclone kerb side pickup.
- P&L checking and attempting weed, litter patrol.

- Workshop have been keeping up with breakdowns, pending on parts availability and logistics.
- Last vehicle to procure is for the Director of Finance.
- Working with QRA for all the flood damage claims.
- Private works have slowed down coming up to Xmas.
- Awaiting Hendrick return to work so training on machineries can continue over the wet.

NOTED

6.4.5 Kindygarten Report – Coraleen Shipton

- Kindy works will be complete once budget is determined.
- Discussions with funding body in relation to safety plan.
- Looking at sourcing assistance from external as a fill in if Coraleen wishes to take leave.
- 700k we are looking at doing a full renovation of the whole Kindy services.
- DWBS when at ministers meet in Brisbane will lobby for funds to carry out maintenance works on building.
- Staff issue is still a problem with attendance, all coordinators now have a template to commence warning letters.

Visitors

- Tanya Cali (Early Childhood Officer) Early Childhood Education and Care Department of Education
- Lisa Wright ECDP, Education QLD
- Will Jones & Kath Bunney from Creche and Kindergarten (C&K)

Staffing

- Currently we have one staff doing her traineeship with CAA & the second staff will soon be transferred over starting her CERT 3 in Early childhood as a trainee and studying with C&K college
- There are days the Kindy had to be closed due to no staff

Requested Action: That Council Consider investigating if additional staff are required at the Kindergarten.

DW&BS Answer: Staff is determined on number of children turning up, maximum of 8 at times with three teachers means the Kindergarten staggering meets compliance.

Gambling

- Gambling is a big issue now. At least 3-5 children are dropped off at the gambling place every day. It is now a concern because a lot of the children are **NOT** meeting their milestones. The bus run starts at 2.30pm and most children are still on the streets, at 9pm -10pm waiting

on their mums and dad to finish gambling. This then leads onto lack of sleep, children not being feed or sometimes no money to buy food.

ACTION: That Council look into Bylaws (if still valid) or work with police.

Activities

- Christmas activity
- Term 4 school readiness with both children and families

NOTED

Cr Vanessa Tayley left the meeting at 11.51am and returned to the meeting at 11.54am.

6.4.6 Art Centre – Vikki Burrows

Highlights:

- The art centre staff attended the IACA, Indigenous Art Centre Alliance, conference this month, held at the Mossman Gorge Centre. We had updates from stakeholders such as Arts Qld, Cairns Indigenous Art Fair workers, Darwin Art Fair Manager. A lot of networking went on with the 13 art centre managers, arts workers and artists from the Cape. The conference went for three days. We were lucky enough to have a tour with Yalanji tour guide, Andrew Gibson. This is good professional development for the art centre staff.

Data:

- 10 new artworks were catalogued into the SAM system in October 19.
- Attached is a sales report for October 2019.
- Attached is the IACA booklet for more information on the conference.

Barriers & Issues:

- Waiting to hear from the insurance company to see if the artists can be compensated for any artworks damaged from the flood.
- We will organise a meeting with the new finance officers so the art centre will know what money we have to spend on materials/workshops and work on a strategic 4-year business plan.

Funding/Agreements/Financials:

- In July the art centre applied for Backing Indigenous Arts Centre Multi-Year Funding 2019 - 2023. We are currently waiting to see if we have been approved for the next 4 year round of funding.
- We have an extension on our IVIAS report 2018/19, so we can submit this when the audit is complete.

Resolutions:

- Late in October, the staff have moved back into the art centre. Unfortunately, the builders left quite a mess and we are still cleaning the outside verandas. With the help from Tech services we have cleaned, moved and sorted furniture and shelving. The storerooms now have the shelving assembled and we have been sorting out the many boxes of materials, office paperwork and gallery equipment.
- The artists will be moving back up in late November.
- We have been liaising with Michael Marzic to help with hanging the gallery system. Michael is Cairns based and has extensive install experience including the Cairns Regional Gallery and Museum and remote work at Yarrabah, Hopevale, Lockhart River, Aurukun and Thursday Island. We have been able to repair some of the old railing but will need to buy some extra materials.

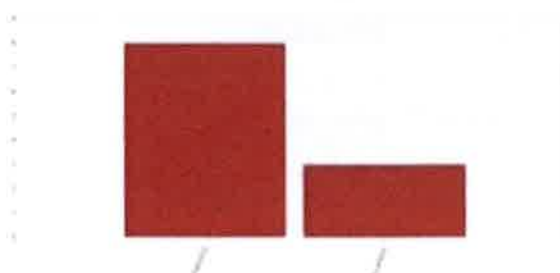
NOTED



Sales by Category (volume and value): Bana Yirriji Art Centre

Sales from 01/10/2019 to 31/10/2019

Product	Items Sold	Value of Sales
Painting	8	\$2,670.00
Jewellery	3	\$140.00
Total Items Sold:	11	\$2,810.00




NOTED

DF&CS left the meeting at 12.05pm and returned to the meeting at 12.07pm.

6.4.7 Waste and Waste Water – Ian Hocking

Overview

TASK	PHOTOS	NOTES
Clean up around pump stations Southside		<p>The sewer plant is operating well. Our readings from cairns laboratory</p> <p>Are good. We have been told to only test 3 monthly Instead of weekly which will be a significant saving to council. The effluent field is working well. We are waiting for Royce from Total Eden to come and assess the solenoids, so we can get the underground working before the wet season. We are getting a lot of debris in the collecting basket behind tech services. People need to be more aware of what is put in the sewerage system. These items can cause expensive pump damage plus a lot of work to clean out.</p>

This is the
pump out

Southside no2
station

We are still
having
problems

With rags and
clothing going
into these
pump stations



Clean up
around water
plant



CONCLUSIONS/RECOMMENDATIONS

Both systems are operating well with few problems

6.4.8 Community Care Report - Stephanie Dick

Statistics for the Month					
Admissions	CHSP	0	HCP	1	Disability
Discharges	CHSP	0	HCP	0	Disability
Number of Meals	CHSP	264	HCP	51	Disability
Number of Transport Trips	CHSP	124	HCP	32	Disability
Number of Hours	CHSP	2796	Disability	6	
Activities conducted for Month					
Personal Care hours	0		Clinic Visits	33	
Assessment hours	32				
Coordination hours	73				
Centre-based care hours	3563				
Future Activities Planned					
<ul style="list-style-type: none">Early Christmas Party for clients next month on the 21st of December. Will organise purchase from Kmart Smithfield for Christmas decorations. Fire safety training conducted. One staffing was absence, sent email to Victor requiring when next time training will be.					
Compliments					
Total Number for Month:	nil				
Complaints					
Total Number for Month:	nil				
Suggestions for Improvement					
<ul style="list-style-type: none">Fire evacuation needs updated in alignment with new renovations to centre. Would like to discuss with Victor on this. This is a compliance requirement. Following continuous improvement plan.					
Monitoring Activities Completed for Month					
External Visitors					
Who	Reason for Visit		Who	Reason for Visit	
DoH			DBMAS		
ACAT	Client service approvals		Clinic Visits		
RAS	Client service approvals		Other	Visit and referral	

Client Incidents		
Name of Client	Description of Incident	Result
Staff Incidents		
Name of Staff Member	Description of Incident	Result
Client Comments		
Two community care clients are still admitted into cairns base hospital. Noted in all care plans. Awaiting update.		
Staff Comments		
<p>All staffing undertaking cert 111 in individual support. Organised for upcoming training in food safety and new aged quality standards for October month. Training in the dementia unit.</p> <p>Would like to recommend person whom we work with very closely and is willing to work with us. Would like council to consider another back person in my area. She would like to work casual 3 days per week. Meeting compliance in Aged care sector is difficult. She has a lot of experience and has managed numerous indigenous communities. She is updating her resume. Shall forward onto higher management once received.</p>		

NOTED

6.4.9 Indigenous Knowledge Centre Report – IKC – Kylie Mills

Monday 2nd weekly report

- IKC Coordinator has been driving the Kindy bus all week to assist the kindy whilst short staffed.
- IKC Coordinator has completed the Pre-Engagement Package for assessment by Centrelink to better assist with the Centrelink running whilst staff are on leave. This will ensure that we meet the legislative requirements for the running of the Centrelink office.
- Members are asking for more DVD's and photos. I am currently working on obtaining more historical photos but will need Council approval to purchase more DVD's.
- Tuesday the lady from Hippy worked from the IKC.
- Wednesday the ladies from the Cape York Land Council worked from the IKC.
- Assisted a member with learning how to use a computer and set up a My Gov account.
- Members looking for family tree information.
- Kindy did not attend the IKC for their weekly visit as the Kindy was closed due to being short staffed.

- Thursday the Cape York Aboriginal Land Council had their One Claim meeting in the IKC from 9-12.
- Friday the Coordinators internet was down and it appears that someone has accessed the server box and changed some of the ports over. None of the IKC staff have seen anyone near the box so from now on the keys to the server box will be kept by the coordinator.

Monday 9th weekly report

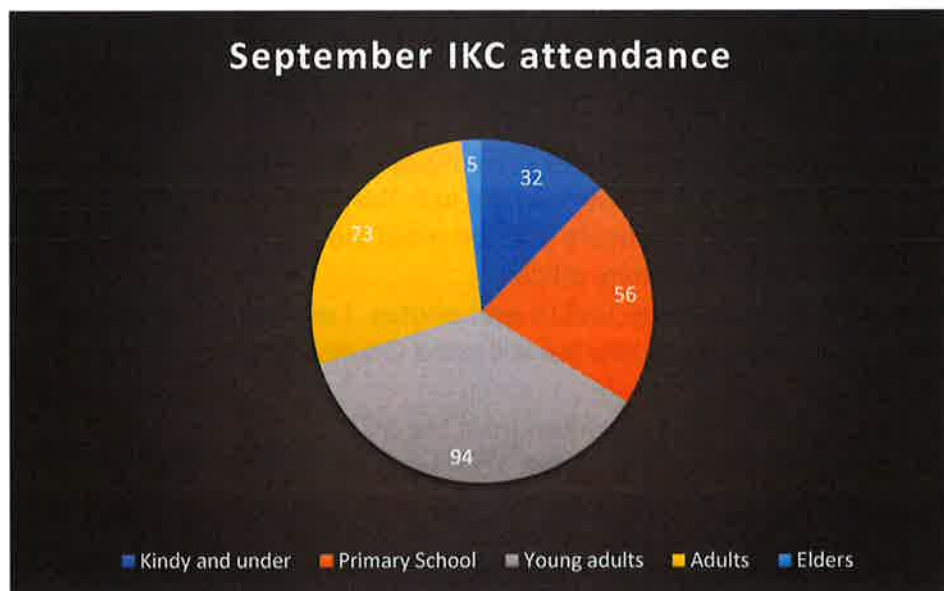
- Internet is still down, and Fourier has escalated the request to management.
- Aunty Marie away for two days so IKC Coordinator looking after Centrelink office too.
- Kindy kids came in for the last week of school and did an animal language matching activity and read some books.
- IKC Coordinator has completed Centrelink Agent training and is now all cleared and can work.

Monday 16th weekly report

- IKC Coordinator on leave for the week.
- First week of school holidays.
- QUT did demonstration of 3D printer and a lot of children attended. Kids printed off crocodiles, turtles and their names. They also played a treasure hunt game with the language crocodile. All activities were well received.

October statistics

- Total attendance for August was 260. This is not an accurate figure as the last week of the month there were no statistics kept as the coordinator was on leave. The true number would be higher due to school holiday attendance.
- Seven loans this month all being DVD's.
- Three new members for the month.



NOTED

6.4.10 Post Office Report – Neal Ransom

As from October Fourth, 2019, Wujal Wujal post office went live and is now trading as a fully licenced Post Office. There are still a few items that Aust Post requires fixing, so Community and Council can operate and deliver services to satisfy all requirements

- **Services:**

- Deposit – Withdrawal from most major banks (except ANZ) through EFTPOS.
- Paying bills through new scanner system, e.g., licence renewal, ergon, vehicle registration.
- Money orders, (Express money orders are not available).
- Mobile Phone credit (all major providers).

- **Operation:**

- The cashflow of all the Post Office finance is solely with Aust Post and are still sorting out the float and money ordering system, which is currently ordered by myself a week in advance and delivered from Cairns by post.
- Aust Post has informed me that the Wujal post office requires to be compliant to hold substantial amount of cash; floor supporting the new safe to be capable of weight bearing, pin pad attached to swing door, camera system to be installed.
- Aust Post is supplying a safe from their Cairns based operations and is to be confirmed when delivered to site.
- As Wujal Post Office is a Licenced Post Office we can access the Aust Post retail outlet which can be profitable with selling mobile phones, sim cards, educational product for kids etc. we have full access to their online retail division.

- **Comments:**

- The Commonwealth Bank sent a contractor to remove all their documents and equipment as Wujal Post office is no longer an agency for Commonwealth Bank.
- As requirement of Aust Post security, Wujal Post Office no longer file and store any customers account details or passwords and PIN numbers also cannot call on behalf of a customer as an agency.
- As of the 5/11/19 Community people cannot collect mail on behalf of another community member unless a Aust Post collection authorisation form is completed and will be readily available on the account holder request.




NOTED

6.4.11 Animal/Environment Management Report - Helen Bigmore

Summary

This month we did not complete the monthly parasite treatments. We are extending our treatments to every second month to extend the use of our medications. It reduces costs to council to buy parasite medications through online veterinary suppliers, but we will need a credit card to do this. Pet stores in Cairns are not able to set up accounts. To maintain environmental health within the community we need to continue to treat animals for parasites. This needs to be done frequently to break flea, mite and tick life cycles.

Overview

TASK	PHOTOS	NOTES
We had a few cases this month where the animal required emergency Vet treatment.		
A resident of Wujal Wujal had two hunting dogs jump off the back of his ute and chase a wild boar. Both dogs suffered serious injuries and blood loss.		
The owner came to the AMW to get assistance. Both animals received first aid treatment at the pound. Pressure bandaging open wounds to stop bleeding and given pain relief.		

The dogs were rushed to the Vet in Cooktown.

One dog died from his injuries.

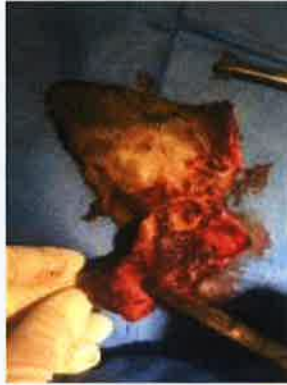
The other dog needed emergency surgery to save its life.

We spoke with the owner and told him the Vet cost for having the surgery. The owner said he would pay whatever the cost to get the animal better.

The dog had his ear removed and needed intense after care.

The owner wasn't very compliant in treating the animal when it was returned, and the Vet bill has not been paid. The owner lost his job and doesn't have any money.

(It is important to recognize that the owner asked for assistance to treat his dogs. These are animals that in the past would have been left untreated. This is a massive shift in animal care, even if the bill remains unpaid.)



We have been informed that the bill cannot be paid for by Council because it is the responsibility of the owners. The owner wanted to continue with the treatments instead of euthanasia.

Council is obligated to use Queensland Health funding for animal welfare purposes. We have in the past paid for these animals to be seen by a Vet. We cannot leave injured animals to walk around the streets where tourists drive through, suffering and in need of treatment. It is unclear what can or cannot be treated and it puts workers in a difficult position.

We currently have no procedure or process in place for Council to pay the Vet fee with QLD Health Funding and for owners to pay back Council in installments, unless they are employees.

There are no procedures in place for fees and charges, including impoundments and registrations.

The Vet now has an outstanding bill of \$323 that may not be paid.

Animal management officers also got a call to attend a dog that was bleeding heavily. It is unclear what caused the injuries and the owner did not know.

It may have been from a dog fight (female dog on heat) or from injuries (taking itself pig hunting.)

We applied pressure bandages to stop the bleeding and got treatment from the Cooktown Vet.



After returning the dog to the owner, it was found a week later dead in the green waste area. We asked machinery drivers to dig a hole to cover the body.

It is uncertain what killed the dog, but it could have been from internal injuries.

A crocodile was spotted numerous times hunting at the Wujal bridge. After reports of at least four dogs disappearing AMW Patrick Nandy got in touch with a wildlife officer at QPWS.

An officer came to shoot the animal after it was reportedly stalking people.



The crocodile was retrieved, and the body buried.

Queensland Health Officers Stacey Bambrick, Chris Blake and John Bird visited Wujal for 2 days.

Training was provided on pest control. The pound was treated for cockroaches and a house treated for ants.

Meetings were held on reporting.

Lucas Creek received training to finish his Environmental Health course.

New registrations were carried out for all new puppies in the community. Microchipping was also completed for owners that requested it.



Patrick and Lester are going to visit each household and offer education to owners regarding avoiding pests in the house.

A survey will be carried out regarding what pests can be identified at each house.

Advice will be given on where pest products can be bought locally. If pest conditions are very bad then households will be treated.



We received a call from an owner to say that their dog was dead underneath their house on Cape Tribulation Road and that they couldn't get the dog out.

The body was starting to smell and blow with maggots.

The gap under the house was small enough for Helen to crawl underneath and the body was dragged out.

Machinery was used to carry the dog and bury it appropriately.

The owner suspects that the animal was killed by a snake. A taipan has been seen numerous times coming from the long grass surrounding the houses.



Getting dead bodies out of people's yards is important for environmental health reasons.

It is a service that should continue to be provided to owners.

It would be beneficial to the residents if the long grass surrounding the properties could be burnt.

Dogs Fees and Charges to be considered for next budget review.

Here are Cook Shire Council fees and charges for animal management. I think these are too expensive to incorporate into Wujal Wujal Council fees and charges, but it gives an idea of what areas need to be covered. Until a process is in place for people to pay for fees and charges it is difficult to implement our own. We have included fees that may be more appropriate for us to incorporate.

Registration and Renewal fees:**COOK SHIRE****WUJAL****Must be microchipped.**Entire dog

\$73.00

\$10.00

Desexed dog

\$24.00

FREE

Regulated Dogs:

Declared Restricted

\$360.00

\$200.00

Declared Dangerous

\$310.00

\$150.00

Declared Menacing

\$260.00

\$100.00

Permit for more than 2 dogs/ per animal\$65.00 (plus registration) \$20.00 per dog/
per house With
permit**Impounding of animals**Impounding Registered Dog1st impoundment (per year)

\$0.00

\$0.00

2nd impoundment (per year)

\$62.00

\$10.00

3rd impoundment (per year)

\$105.00

\$20.00

Impounding unregistered Dog

Entire Dog

\$73.00 plus registration

\$40.00 plus registration

Desexed Dog

\$24.00 plus registration

\$20.00

Daily Sustenance Fee per animal/per day

\$12.00 per day

\$5.00 per day

Other animals impounded

\$62.00

\$20.00

Other Charges

Emergency Vet costs whilst animal in Council care

per Vet quotation

per Vet quotation

Tag replacement

\$10.00

\$10.00

Collar

N/A

Free with
registration

Replacement collar

N/A

\$10.00

Microchipping

N/A

\$10.00

Medication Fees for owners. These are offered free to registered dog owners under the queensland health funding.

De-sexing operations are offered free to all dogs under the queensland health funding.

VACCINATION NOT AVAILABLE. OWNER MUST TAKE THEIR DOG TO THE VET.

CONCLUSIONS/RECOMMENDATIONS

We have spoken to animal owners and we feel that it is important to have a procedure set up with council so that people can pay in instalments for Vet bills or fees. If this does not happen then we will have sick and injured dogs roaming in the streets. This increases the number of complaints to Council. People are asking for assistance to help treat their animals and we don't want this to stop. Officers are here to offer guidance to people about their animals and provide education. This often means advising them that the dog needs to be seen by a Vet. Vet bills are significantly high for many people to pay and having a payment system available may encourage more people to get their animals seen.

If fees and charges are incorporated and treatments are only given to registered animals, we need to consider that owners may no longer register their animals. This will mean an increase in dogs with fleas, ticks and mange. It could also affect future funding. It would be very sad to see the community go backwards regarding community health standards.

NOTED

Resolution:	That council reviews and adopts the Director Works and Building Services report for the month of November 2019.	
Moved:	Cr Vanessa Tayley	CARRIED 5/5
Seconded:	Cr Reagan Kulka	
Decision No:	1321112019	

7. CLOSED SESSION

In accordance with S.275 of the Local Government Regulation 2012 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 certain matters.

Council moved into closed session to discuss the following:

S.275 (e) contracts proposed to be made by it;

S.275 (f) starting or defending legal proceedings involving the local government;

9.03am

Resolution:	That pursuant to Section 275(1) (h) of the <i>Local Government Regulation 2012</i> , that the meeting be closed to the public so that Council can receive and consider matters as follows: (e) Contracts proposed to be made by Council (f) Starting or defending legal proceedings	
Moved:	Cr Desmond Tayley	CARRIED 5/5
Seconded:	Cr Robert Bloomfield	
Decision No:	0321112019	

Two items to be decided on:

7.1 Concrete Batching Plant – Preferred Supplier

With all the concrete works that WWASC have as upcoming works some listed below, it is also a challenge around this time to procure any concrete from any supplier, Brackenhurst Concreters are the only available local sole supplier based at Hopevale and Cooktown with a batching plant which can be relocated to Wujal to carry out all our capital works and were the only supplier who made an attempt to come to site to scope all the works. To meet deadline and budget my recommendation is that Council supports the procuring of Brackenhurst as a sole supplier with a service agreement to undertake all the Capital/minor works as a supply and install arrangement.

- China Camp Drainage – DRFA
- Southside Driveways – Q-Build
- Recycle Centre 30 x 12M Shed slab - CYRP
- Hard stand at depot - CYRP
- Wujal Guest Accommodation slab and pathways – W4Q 19/21
- Wujal eco Lodge footings and pathways – BOR
- Raised Manholes – WWASC
- And other works for WWASC as they come available, once resolution is passed, a service agreement will be formulated with all costs associated with supply and install arrangement.

CEO outlined advantages of having one supplier such as cost and employment of indigenous people

7.2 Possible Legal Proceedings – Assist Me Consulting

Assist Me Consulting (Mick Dunne) was engaged under a very loose verbal arrangement by Council in about 2016 to provide financial services including payroll, bank reconciliations, preparation of annual financial reports and budgets etc. Mick Dunne's partner Cassie White was employed as Council Financial Director as well. I believe that

Cassie was employed on a contract basis through Assist Me Consulting but can't be sure of that.

Mick Dunne provided the services of a financial officer remotely from Cairns and also for a period of time while based in Wujal Wujal.

Cassie resigned and left Wujal Wujal to take up another position while Mick continued to work remotely to provide the financial services to Council.

It all came to a head from what I can understand when Tim Cronin and Susanne Andres (both financial consultants) were appointed in early 2018 to sort out the financial affairs of Council which was a requirement of the Department as the annual reports hadn't been done since about 2016 and financial position of Council was uncertain.

It then became apparent that Assist Me Consulting and/or Mick Dunne had not done the job that they were contracted to do and the CEO at the time made the decision not to pay the final invoice issued by Assist Me Consulting which was in the order of \$11,192.50 inclusive of GST. The deficiencies were outlined in our letter of 5 April 2019 (via Preston Law) to O'Connor Law based on Tim Cronin's reports and our discussions with Council officers.

Some negotiation has occurred in relation to the outstanding invoice, \$2,000 offer was made by Council and rejected. A counter offer by Assist Me Consulting of \$10,000 subject to a deed of release has been received. A draft Statement of Claim was also provided. The cost of defending the matter in the Magistrates court will likely exceed the \$11,192.50.

The fact that the Assist Me Consultancy had not carried out the duties for which they were engaged is the reason the invoice had not been paid. It is noted that monthly invoices had previously been paid for a period of approximately 18 months even though the works were not being carried out to a satisfactory standard. This could be seen as a breach of contract and it may be possible to seek legal redress for damages, ie. The cost of rectifying the failing of the consultant.

WWASC was required to engage more financial consultants (Tim Cronin and Susanne Andres) to try to carry out the works supposedly carried out by Assist Me Consulting. This has cost many thousands of dollars (at least \$218,760)

Council has a few options;

- a. Accept the offer to settle for \$10,000 with a deed of release.
- b. Make a counter offer to settle with a deed of release (say \$5,000)

- c. Pay the invoice in total with NO Deed of Release
- d. Commence legal action to seek damages for non performance of contract

Our insurer has been contacted and asked the question, if Council determines to sue for damages are our legal costs covered in the event that we are not successful?

Due to the amount involved any action we take would be in at least the District Court where filing fees and proceeding fees are considerably higher than a Magistrates Court action not to mention solicitor/barrister costs.

Observer Derric Flewell-Smith arrived at 9.16am and was told Council was in Closed Session and that the meeting would be open to the public shortly.

Council came out of closed session at 9.25am.

Resolution:	That the meeting come out of closed session and be reopened to the public.	
Moved:	Cr Reagan Kulka	CARRIED 4/5
Seconded:	Cr Vanessa Tayley	
Decision No:	0421112019	

Resolution:	That Council accepts Brackenhurst Concrete Batching Plant as a sole supplier to the area for following funded projects; <ul style="list-style-type: none"> • China Camp Drainage – DRFA • Southside Driveways – Q-Build • Recycle Centre 30 x 12M Shed slab - CYRP • Hard stand at depot - CYRP • Wujal Guest Accommodation slab and pathways – W4Q 19/21 • Wujal eco Lodge footings and pathways – BOR • Raised Manholes – WWASC And other works for WWASC as they come available	
Moved:	Cr Desmond Tayley	CARRIED 5/5
Seconded:	Cr Vanessa Kulka	
Decision No:	0521112019	

Resolution:	That Council authorise the CEO to make a counter offer of \$5,000 with a Deed of Settlement/Release and that a Draft Statement of Claim be provided to Assist Me Consulting for compensation of rectification costs due to non-performance of the contract.	
Moved:	Cr Robert Bloomfield	CARRIED 5/5
Seconded:	Cr Reagan Kulka	
Decision No:	0621112019	

8. GENERAL BUSINESS

Xmas Party

Council determined that a Community Party/Staff Party would take place on 12/12/2019 to be confirmed by CEO. Date required to be communicated to staff. Mayor said children in community only to get gifts. DF&CS said normally Council pay for staff meal only. Any accompanying partner/children all have to be paid by the employee. To and from the venue transport need to be arranged by the Employee. No alcohol will be served at Council's expense. Is the Community party and staff party on the same night. CEO to clarify this.

Xmas Break

Is Xmas break gifted days? What is council endorsing annual leave or leave without pay. Clarification is required. Email to be sent out to staff and Council to write letter to Minister. CEO to action this.

ACTION: Clarification is required. CEO to write to Minister.

Factor UTB

Weather Control station needs to be brought back and manned in-house. Currently in progress to bring all monitor back to WWASC instead of SA.

Water/sewer maintenance

Operational stance with staff on new Plant.
Elliott safety is complete.

Art Centre rollerdoor

Awaiting Top Con to return and replace.

CommCare

Xmas party is 21/12/2019.

Staff Training

Fire training, food safety, food licensing, caring for elders required. HACC centre staff all organised through Gabrielle Doward. Manager to furnish list to CEO.

Short Staffing

IKC needs staffing analysis. Needs to have a designated full-time staff, this area is only funded for (1) person.

Showcase in Wujal Wujal

Action: DB&WS to discuss organisation of this with CEO.

Council Facilities:

Need to be booked in advance to administration front office reception – fees must be charged. Procedure to be communicated to everyone.

Cr Reagan Kulka left the meeting at 12.24pm and returned to the meeting at 12.25pm.

Animal Management

Dogs dying from Taipan bites. Alert community especially children.

Dog fee and charges need updating.

Resolution:	That DB&WS and Vet Nurse look at affordable fees for registered Wujal Wujal dogs.	
Moved:	Cr Vanessa Tayley	CARRIED 5/5
Seconded:	Cr Reagan Kulka	
Decision No:	1421112019	

Council adjourned for lunch at 12.46pm.

Council resumed meeting at 1.24pm.

Cr Reagan Kulka	<ul style="list-style-type: none">Privacy wall on the back roads can we get kids/artists to paint a mural? DW&BS – TMR (privacy, noise reduction) <ul style="list-style-type: none">Suggested a gravity feed/platform up at the falls Mayor – Consultation is required between community, traditional owners, Jabalbina. (renewable energy) water and electricity.
Cr Bradley Creek	<ul style="list-style-type: none">Park attraction for the children DW&BS said Works4QLD funding includes waterpark. Location, feasibility, local/Buy different options, keeping children away from the river. Creates more employment for people
Cr Robert Bloomfield	<ul style="list-style-type: none">BBQ stands DW&BS funding for Hall/Oval to have BBQ in place.

Cr Vanessa Tayley	<ul style="list-style-type: none"> • Roundabout cars are blocking up the road <p>DW&BS solution is to move ANZAC memorial, or get Justice Group to park cars down the hill</p> <ul style="list-style-type: none"> • Bus stop discussed near Market garden, budget for shelter (TIDS, QRA) cost analysis required • More parents need to see how children are going down at the school
Cr Desmond Tayley	<ul style="list-style-type: none"> • Projects on track re: South side and accommodation block? <p>DW&BS PO's, inground services works being done</p> <ul style="list-style-type: none"> • Sub division get back • DW&BS – 2.35 mil, plug Ins, surveyor looking at space, self-contained unit, 4 duplex near mens shed. CEO and DW&BS to follow up with Minister De Brenni. • Beautification in place <p>DW&BS courtyard/gardens arch is in place. Cleaner work. Local boys are working on new projects.</p>

9. NEXT MEETING

The next meeting is to be held on 19 December 2019.

10. MEETING CLOSE

Mayor declared the meeting closed at 2.10pm.