



MINUTES

Ordinary Council Meeting

Monday, 14 June 2021

**MINUTES OF MAPOON ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE MAPOON ABORIGINAL SHIRE COUNCIL CHAMBERS
ON MONDAY, 14 JUNE 2021 AT 9.00AM**

PRESENT: Mayor Aileen Addo (Chair), Cr Margaret Mara, Cr Dawn Braun, Cr Daphne de Jersey, Cr Cameron Hudson

IN ATTENDANCE: Steve Linnane (Chief Executive Officer) Royleen Wolski (Minute Taker)

1 OPEN MEETING

The Meeting was opened at 9.01am

A minute's silence was observed in relation to the loss of a respected community member.

2 LEAVE OF ABSENCE

RESOLUTION C086/21

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

That Leave of Absence be granted to Councillor Margaret Mara.

CARRIED

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL HELD ON 18 MAY 2021

RESOLUTION C087/21

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

1. That the Minutes of the Council held on 18 May 2021 be accepted as a true and correct record

CARRIED

4 MATTERS ARISING FROM THE MINUTES

In relation to Item 5, the Chief Executive Office's Report May 2021, the Chief Executive Officer provided information on the interpretation of the revised Organizational Structure.

Cr. Hudson advised of details of recent organizational changes within the Old Mapoon Aboriginal Corporation.

5 CONFIDENTIAL REPORTS

Nil

6 MAYOR AND COUNCILLOR REPORTS**Mayor Addo's Report:**

Meeting Name:	With Whom (If Applicable)	Date:
Council Meeting		18/5/2021
Interim Mapoon Local Thriving Communities Committee	Committee Members: Ailsa Ling, Pauline Smith, Kiri Tabuai, Cameron Hudson, Steve Linnane Apology: Ricky Guivarra	26/5/2021
Trustee Meeting		27/5/2021
Department of Natural Resources, Energy	Kylie Pedofsky Peter Lawrence	1/6/2021
Indigenous Kinship and Carers (Child Safety)	Jo Borg	3/6/2021

Deputy Mayor Cameron Hudson's Report

Meeting Name:	With Whom (If Applicable)	Date:
Council Meeting		18/5/2021
Interim Mapoon Local Thriving Communities Committee	Committee Members: Ailsa Ling, Pauline Smith, Kiri Tabuai, Cameron Hudson, Steve Linnane Apology: Ricky Guivarra	26/5/2021
Trustee Meeting		27/5/2021
Indigenous Kinship and Carers (Child Safety)	Jo Borg	3/6/2021

Meeting Name:	With Whom (If Applicable)	Date:
Western Cape Communities Coexistence Agreement Northern Regional Sub-Trust Meeting	WCCCA Sub Committee	25/5/2021
Interview with Australian Broadcasting Commission Far North Radio	ABC Journalist	

Councillor Daphne de Jersey's Report:

Meeting Name:	With Whom (If Applicable)	Date:
Council Meeting		18/5/2021
Justice Group Teleconference Domestic Violence Program		2/6/2021
Justice Group	Monthly Court Submissions	7/6/2021
Indigenous Kinship and Carers (Child Safety)	Jo Borg	3/6/2021

Councillor Dawn Braun's Report:

Meeting Name:	With Whom (If Applicable)	Date:
Council Meeting	Councillors	18/5/2021
Trustee Meeting	Councillors	27/5/2021
Events Committee Meeting	Committee Members	25/5/2021

RESOLUTION C088/21

Moved: Cr Dawn Braun

Seconded: Cr Cameron Hudson

That the Mayor and Councillors reports be received and noted.

CARRIED

The Meeting took a break for morning tea at 10.29 am

The Meeting recommenced at 11.04 am

7 OPERATIONAL REPORTS**7.1 EXECUTIVE MANAGER OF INFRASTRUCTURE & WORKS REPORT****PURPOSE OF REPORT**

Present to Council a report of program performance and operational actions for the previous month

RESOLUTION C089/21

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That the Report of the Executive Manager of Infrastructure and Works be received and noted.

CARRIED

7.2 MAPOON BARGE LANDING, TENDER ASSESSMENT REPORT**PURPOSE OF REPORT**

Award of works Contract for the installation of the new 8m wide x 88m long Barge Landing at the Cullen Point Boat Ramp Site.

RESOLUTION C090/21

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

That Council:

1. Award Contract MASC2020-002 to Gulf Civil Pty Ltd in the amount of \$689,830.99 (GST Exclusive)
2. Agree to hold \$70,000.00 of the funded amount as project contingency.
3. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters (including the endorsement of a revised Indigenous Economic Opportunities Plan based on the final tender price which complies with the Building and Construction Training Policy) associated with entering into contracts under this arrangement.

CARRIED

7.3 LOT 171 RECONFIGURATION.

To obtain planning approval for Reconfiguration of a Lot on Survey Plans SP321485

RESOLUTION C091/21

Moved: Cr Dawn Braun

Seconded: Cr Cameron Hudson

1. That in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

and

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT:

- Development Permit for a Reconfiguration of a Lot approval for Proposed Lot 171 and Lot 36

(B) APPROVED PLANS:

Plan	Document Title	Prepared by	Dated
SP321485	Survey Plan of Lots 36 & 171 cancelling Lot 36 on SP313350	RPS	27-08-2020

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances submitted with the application, subject to any alterations:
 - 1.1. found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering or cultural heritage requirements; and
 - 1.2. to ensure compliance with the following conditions of approval.
2. All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.

3. Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibilities of the Consulting Engineers to resubmit amended plans to Council for Approval and rectify works accordingly.
4. Notwithstanding any approval given to engineering documents, where a discrepancy occurs between these documents and Council's standards, then Council's standards shall apply. All works must be performed in accordance with Council standards and Local Laws and other statutory requirements, unless specifically listed in the project specific conditions.
5. If in fact there are errors, omissions of insufficient detail on the plans for the purpose of construction, these deficiencies shall be made good during construction and Council reserves the right to withhold approval of construction until such deficiencies are made good to its satisfaction.

6. General

- 6.1. The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
- 6.2. All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.
- 6.3. The developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that are not wholly located within the lots that are being created/serviced where required by the relevant authority, unless approved by Council's delegated officer.
- 6.4. Where utilities traverse the subject property to service another lot, an easement must be created or alternate measure be implemented to protect the service infrastructure, to the satisfaction of Council's delegated officer. The developer is to pay all costs (including Council's legal expenses) to prepare and register the easement document.
- 6.5. All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

7. Timing of Effect

- 8.1. The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.

8. Infrastructure Services and Standards**8.1. Stormwater Drainage**

The applicant/developer must take all necessary steps to ensure a non- worsening effect on surrounding land as a consequence of the development and must take all reasonable and practical measures to ensure discharge occurs in compliance with the Queensland Urban Drainage Manual (QUDM) and the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

All stormwater drainage must be collected from site and discharged to an approved legal point of discharge.

8.2. Water Supply

The developer is required to extend or upgrade the reticulated water supply infrastructure to connect the site to Council's existing infrastructure at a point that has sufficient capacity to service the development in accordance with FNQROC Development Manual standards (as amended).

A water service connection must be provided to each of the proposed lots in accordance with the FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

8.3. Electricity provision/supply

The applicant/developer must ensure that an appropriate level of electricity supply is provided to the proposed lots in accordance with FNQROC Development Manual standards (as amended) to the satisfaction of Council's delegated officer.

Written advice from an Electricity Service Provider is to be provided to Council indicating that an agreement has been made for the provision of power reticulation.

8.4. Telecommunications

The applicant/developer must enter into an agreement with a telecommunication carrier to provide telecommunication services to Proposed Lots and arrange provision of necessary conduits and enveloping pipes.

Written advice from a communications service provider is to be provided to Council indicating that an agreement has been made to provide telecommunication services to the proposed lot.

(D) ASSESSMENT MANAGER'S ADVICE

(a) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(b) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(c) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au

(E) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Reconfiguring of a Lot – four (4) years (starting the day the approval takes effect); and

(F) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Development Permit for Building Work

CARRIED

7.4 PLANNED HORSE MUSTER**PURPOSE OF REPORT**

To present to Council with recommendation to assist with the safe removal and control of the local horse population.

RESOLUTION C092/21

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

That

- (a) The Executive Manager of Infrastructure & Works' Report be received, noted and endorsed.
- (b) The Chief Executive Officer arrange for Community Awareness on the need for Council to manage this issue.

CARRIED

7.5 EXECUTIVE FINANCE MANAGER REPORT**PURPOSE OF REPORT**

Present to the council a report outlining program performance and operational actions for the previous month. This report contains listed activities and points for decisions in Council meeting.

The Executive Manager of Finance joined the meeting at 11.55am

The Meeting took a break for lunch at 12.48pm

The Meeting was adjourned at 1.30pm

The Meeting was reconvened at 2.35pm.

RESOLUTION C093/21

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That Council : -

1. Endorse the Financial Reports for the financial period May 2021.
2. Adopts the Schedule of Fees and Charges 2021- 2022.
3. Adopts the following Position Papers
 - (i) New Accounting Standards
 - (ii) Landfill Provision
 - (iii) Revenue Recognition

CARRIED

The Executive Manager of Finance left the meeting at 2.47pm

7.6 ACTING EXECUTIVE MANAGER ENVIRONMENTAL SERVICES, LAND & SEA, PARKS & GARDENS

PURPOSE OF REPORT

To present to the Council a report of Program Performance and Operational actions for the previous month.

The Acting Executive Manager of Environmental Services joined the meeting at 2.48am

RESOLUTION C094/21

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

That the Report of the Acting Executive Manager of Environmental Services, Land and Sea Rangers and Parks and Gardens be received and noted.

CARRIED

The Acting Executive Manager of Environmental Services departed the meeting at 2.59pm

RESOLUTION C095/21

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

That Council delegate the Chief Executive Officer with authority to extend the temporary transfer of Primary Commercial Fishing Licence 4525 for a twelve month, subject to satisfactory agreed conditions applicable to the transfer.

CARRIED

7.7 HUMAN RESOURCE MANAGER'S REPORT

PURPOSE OF REPORT

To advise Council of the operations of the Human Resource Department.

RESOLUTION C096/21

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

That Council the Human Resource Manager's Report be received and noted.

CARRIED

7.8 STATUTORY POLICIES FOR REVIEW**PURPOSE OF REPORT**

To Present to Council Statutory Policies which require updating. These Policies have previously been adopted and require Review only.

RESOLUTION C097/21

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That Council

- (a) note and receive the Report
- (b) adopt the Statutory Policies as attached to the Report:
 - MASC Acceptable Request Guidelines Policy 2021-2024
 - MASC Investment Policy 2021 -2024
 - MASC Debt Policy 2021-2022
 - MASC Revenue Policy 2021-2022
 - MASC Community Grants Policy 2021-2022
 - MASC Entertainment & Hospitality Policy 2021-2022
 - MASC Advertising Spending Policy 2021-2022
 - MASC Procurement Policy 2021-2022

CARRIED

Cr. Hudson left the meeting at 3.40 pm

Cr Hudson returned to the meeting at 3.50pm

Cr Hudson departed the meeting at 4.06pm

7.9 GOVERNANCE MANAGER'S REPORT RESPONSE TO THE INTERNAL AUDITOR'S REPORT ON THE MAPOON STORE.**PURPOSE OF REPORT**

To update the Council on actions taken in order to address issues identified in the Internal Auditor's Report.

RESOLUTION C098/21

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That:

- (a) The Audit Report be received and noted.
- (b) The Governance Manager's report in relation to the Store Internal Audit be received and noted.

CARRIED

7.10 GOVERNANCE MANAGER'S REPORT ON MAPOON STORE, ACCOMMODATION AND CAMP GROUNDS.**PURPOSE OF REPORT**

To update Council on Governance and enterprises matters.

RESOLUTION C099/21

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

That the report of the Governance Manager be received and noted.

CARRIED

7.11 COMMUNITY, AGED AND DISABILITY SERVICES**PURPOSE OF REPORT**

To give updated information for council

RESOLUTION C100/21

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

That

- (a) the Community Aged and Disability Services Report be received and noted.
- (b) That the Chief Executive Officer be instructed to provide updated monthly statistics.

CARRIED

7.12 COMMUNITY SERVICES - PLAYGROUP**PURPOSE OF REPORT**

To give an update to Council on the progress of the Playgroup Program.

RESOLUTION C101/21

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

That the Community Services -Playgroup Report be received and noted

CARRIED

8 ANY OTHER BUSINESS

Nil

9 CORRESPONDENCE IN

Nil

10 CORRESPONDENCE OUT

Nil

11 NEXT MEETING DATE

Proposed date for next meeting: 20 July 2021

12 CLOSE MEETING

The Meeting closed at 4.22pm

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CHAIRPERSON