



MINUTES

Ordinary Council Meeting

Tuesday, 21 March 2023

**MINUTES OF MAPOON ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE MAPOON ABORIGINAL SHIRE COUNCIL CHAMBERS
ON TUESDAY, 21 MARCH 2023 AT 9:00AM**

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

IN ATTENDANCE:

1 OPEN MEETING

The Mayor declared the meeting open 9.00am

2 LEAVE OF ABSENCE

Nil

3 CONFLICTS OF INTEREST

3.1 DECLARATION OF PRESCRIBED CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

Pursuant to Sections 150EG – 150EM of the Local Government Act 2009, no Prescribed Conflict of Interest were made relating to this meeting.

3.2 DECLARABLE CONFLICT OF INTEREST ON ANY ITEM OF BUSINESS

Pursuant to Sections 150EN – 150ET of the Local Government Act 2009, no Declarable Conflict of Interests were made relating to this meeting.

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE COUNCIL HELD ON 21 FEBRUARY 2023

RESOLUTION C030/23

Moved: Cr Dawn Braun

Seconded: Deputy Mayor Daphne de Jersey

1. That the Minutes of the Council held on 21 February 2023 be received and the recommendations therein be adopted.

CARRIED

5 MATTERS ARISING FROM THE MINUTES**5.1 DISCUSSED WEIPA COMMUNITY FUTURES SYMPOSIUM (WCFS) INCLUDING CR HUDSON TO CHAIR A SEGMENT AND DELIVER PROGRAM DISCUSSION PAPER AROUND FUTURE LAND USE.**

CEO and Cr Hudson to discuss post Council Meeting

4 CONFIDENTIAL REPORTS**6.1 SECTION 254 J(3) (E) OF THE LOCAL GOVERNMENT REGULATIONS IN RELATION TO:****RESOLUTION C031/23**

Moved: Cr Dawn Braun

Seconded: Deputy Mayor Daphne de Jersey

- a) OIA matter resolved.

CARRIED

6.2**RESOLUTION C032/23**

Moved: Cr Dawn Braun

Seconded: Deputy Mayor Daphne de Jersey

That Council move out of confidential session.

CARRIED

7 MAYOR AND COUNCILLOR REPORTS**MAYOR AILEEN ADDO**

- Council Meeting 21/02/2023
- Trustee Meeting 21/02/2023
- Stakeholders Meeting 13/03/2023
- NAIL 13/03/2023
- LTC 14/03/2023

Councillor Braun

- Council Meeting – CEO & Councillors 21/02/2023
- Trustee Meeting – CEO & Councillors 21/02/2023
- TICCA Meeting – PROXY for the Mayor 08/03/2023
- QPS FORUM – PROXY for the Mayor 09/03/2023
- Working Group – Stake Holders 13/03/2023

Deputy Mayor de Jersey

- Council Meeting 21/02/2023
- Trustee Meeting 21/02/2023
- Altius Auditors 28/02/2023
- Stakeholders Meeting 13/03/2023
- Working Group

Councillor Hudson

- Council Meeting 21/02/2023
- Trustee 21/02/2023
- Indigenous Directors Members 07/03/2023
- WCCCA Co Ordinating Committee 08/03/2023
- ELY Co Ordinating Committee 16/03/2023

7.1 MAYOR AND COUNCILLOR REPORTS**RESOLUTION C033/23**

Moved: Deputy Mayor Daphne de Jersey

Seconded: Cr Dawn Braun

That Council notes the Mayor and Councillor meetings attended

.CARRIED

8 OPERATIONAL REPORTS**8.1 CEO MEETINGS****PURPOSE OF REPORT**

To outline the CEO meetings on behalf of or as a representative of Council.

RESOLUTION C034/23

Moved: Cr Dawn Braun

Seconded: Deputy Mayor Daphne de Jersey

That That Council receives and notes CEO Meetings Report

CARRIED

8.2 EXECUTIVE MANAGER COMMUNITY DEVELOPMENT REPORT MARCH 2023**PURPOSE OF REPORT****RESOLUTION C035/23**

Moved: Cr Dawn Braun

Seconded: Deputy Mayor Daphne de Jersey

That the Report of the Executive Manager Community Development be received and noted.

CARRIED

The meeting broke for morning tea at 10:40am

The meeting commenced again at 11:03 am and the Executive Manager of Finance, Elzebie Groenewald was invited to join the meeting at this time.

8.3 EXECUTIVE FINANCE MANAGER FEBRUARY 2023 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.

RESOLUTION C036/23

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That Council:

- a) Endorses the Financial Reports for the financial period February 2023.
- b) Instructs the CEO to undertake a review of the rental and other charges applicable to Council's commercial leases.
- c) Instruct the CEO to undertake a review of the commercial facilities including potential facilities and leasing arrangements in Mapoon.

CARRIED

The meeting broke for a brief break at 12.03pm.

The meeting commenced again at 12.11pm and the Executive Manager of Environmental Services, Land & Sea, and Parks and Gardens – Kellie Leatham was invited to join the meeting at this time.

8.4 EXECUTIVE MANAGER OF ENVIRONMENTAL SERVICES, PARKS AND GARDENS**PURPOSE OF REPORT**

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

RESOLUTION C037/23

Moved: Cr Cameron Hudson

Seconded: Deputy Mayor Daphne de Jersey

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

CARRIED**8.5 EXECUTIVE MANAGER OF INFRASTRUCTURE AND WORKS REPORT****PURPOSE OF REPORT**

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

RESOLUTION C038/23

Moved: Cr Dawn Braun

Seconded: Deputy Mayor Daphne de Jersey

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

CARRIED**8.6 GRANTS MANAGER REPORT FOR MARCH****PURPOSE OF REPORT**

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

RESOLUTION C039/23

Moved: Cr Cameron Hudson

Seconded: Deputy Mayor Daphne de Jersey

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

CARRIED

Cr Hudson left the meeting at 12.42pm.

The meeting broke for lunch at 12.42pm.

The meeting reconvened at 1.09pm.

Cr Hudson returned to the meeting at 1.09pm.

8.7 GOVERNANCE UPDATE

PURPOSE OF REPORT

COUNCIL TO CEO DELEGATION

To exercise its statutory functions, local governments have a range of powers under a significant number of legislative frameworks.

Under section 257(1)(b) of the *Local Government Act 2009* ("LGA"), a local government may delegate its powers to the CEO. The local government cannot delegate its powers to Council officers other than the CEO.

Council has identified legislative instruments, including Local Laws and Acts and Regulations of the State and Commonwealth, that contain powers that are able to be exercised under the various statutory frameworks that Council is subject to. Those legislative instruments have been listed in a Register of Delegations.

In order to effectively delegate the powers contained in those legislative instruments to the CEO under section 257(1)(b) of the LGA, Council has prepared an Instrument of Delegation from Council to the CEO. A copy of the Instrument, including the Register and Guiding Principles for Delegations from Council to the CEO is enclosed with this Report.

RESOLUTION C040/23

Moved: Cr Cameron Hudson

Seconded: Deputy Mayor Daphne de Jersey

Council resolves that all powers referred to in the Instrument of Delegation attached to this Report are hereby delegated by Council to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009*.

CARRIED

Cr Hudson left the meeting at 1.13pm

Cr Hudson returned to the meeting at 1.15pm.

8.8 CHANGES TO THE MAPOON ABORIGINAL SHIRE COUNCIL BOUNDARIES**PURPOSE OF REPORT**

The purpose of this report is to start the process of initiating boundary changes to more closely reflect the economic, social, and cultural sphere of influence that MASC has around its immediate surrounds. The process of changing boundaries is typically a very long process involving several key stakeholders. The purpose of this report is to ensure that the council formally agree that the attached map is approximately where they would like the boundary to be and allow for an initial consultation to take place with Cook Shire Council. For the process to have some chance of success the councils that are affected by the changes need to agree in-principle that this is the best way to move forward.

The next action that would need to take place is that a letter will be sent through to Cook Shire Council to ask for their preliminary views on the proposed changes.

RESOLUTION C041/23

Moved: Cr Dawn Braun

Seconded: Deputy Mayor Daphne de Jersey

That the CEO be authorised to approach and correspond with Cook Shire Council to notify MASC agree in principle to the shire boundary alteration as attached to the CEO's report and request further information

CARRIED**8.9 WORK HEALTH AND SAFETY MONTHLY REPORT - FEBRUARY 2023****PURPOSE OF REPORT**

To provide information relating to the status of Work, Health and Safety at Mapoon Aboriginal Shire Council for the month of February 2023.

RESOLUTION C042/23

Moved: Deputy Mayor Daphne de Jersey

Seconded: Cr Cameron Hudson

That the WHS Report be received and noted including discussion regarding boundary fencing.

CARRIED

8.10 MAPOON SPRING WATER PROJECT**PURPOSE OF REPORT**

The Purpose of this report is to authorise the appointment of Ms Kalair McArthur from Rural and Remote Development to complete the proposal for Feasibility of the Mapoon Spring Water proposal which has been proposed for over a year.

RESOLUTION C043/23

Moved: Deputy Mayor Daphne de Jersey

Seconded: Cr Cameron Hudson

That Council :

- a) Seek advice as to the compliance under the ILUA.
- b) If compliant under ILUA Council endorses the following:
 1. Appointing Ms Kalair McArthur of Rural and Remote Development to complete the Business Plan and Project Plan for the Mapoon Shire Council Spring Water proposal under section 235(a) and (b) of the Local Government regulation because of the specialised nature of the services required.
 2. Including the Mayor, CEO and SEC and departmental representatives and a member of OMAC to be part of the Specialist Working Group to assist the consultant complete the feasibility study
 3. Set aside \$5,000 dollars to complete the feasibility from the 2022/23 budget

.CARRIED

8.11 HR MONTHLY REPORT FOR MARCH**PURPOSE OF REPORT**

Give Council updates and statistics for the month of February

RESOLUTION C044/23

Moved: Cr Dawn Braun

Seconded: Cr Cameron Hudson

That the Report for HR and Work Health and Safety be received and noted.

CARRIED

8.12 ORGANISATIONAL STRUCTURE**PURPOSE OF REPORT**

Agenda Item for Adoption by Council

RESOLUTION C045/23

Moved: Cr Cameron Hudson

Seconded: Deputy Mayor Daphne de Jersey

Resolution:

Council resolves to adopt the organisational structure pursuant to Section 196 of the Local Government Act 2009.

Included in the organisational structure the LTC work will be undertaken by the Community Development unit with Council to provide an assistant to assist for program reporting, meeting documentation, reporting and program delivery including budgets.

CARRIED

9 CORRESPONDENCE IN**PURPOSE OF REPORT**

Correspondence from CEQ regarding Mapoon Store.

RESOLUTION C046/23

Moved: Cr Cameron Hudson

Seconded: Deputy Mayor Daphne de Jersey

COUNCIL NOTED:

Mayor, Councillors and CEO to meet with CEQ in Cairns (April 2023) for further discussions.

CARRIED

10 CORRESPONDENCE OUT

Nil

11 ANY OTHER BUSINESS**11.1 OTHER BUSINESS FROM LTC 14.03.2023 REPORT****PURPOSE OF REPORT**

Mapoon Interim Local Thriving Communities.

Council consider attached proposal and documentation from Out N About for engagement for Social Reinvestment Program April 2023 School Holidays.

RESOLUTION C047/23

Moved: Cr Cameron Hudson

Seconded: Deputy Mayor Daphne de Jersey

That Council endorses the engagement of Out N About for the Social Reinvestment Program April 2023 School Holiday.

CARRIED

11.2 DEPARTMENT OF COMMUNITIES, HOUSING & DIGAL ECONOMIES (DCHDE)

Council request CEO to send an invitation to attend the Council Meeting 18th April 2023

CARRIED

12 NEXT MEETING DATE

Proposed date for next meeting: 18 April 2023

13 CLOSE MEETING

There being no further business the meeting closed at 4.30pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 18 April 2023.

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CHAIRPERSON