



MINUTES

Ordinary Council Meeting

Tuesday, 21 February 2023

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

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

IN ATTENDANCE: Tom Smith (CEO) Minute Taker

1 OPEN MEETING

9:25am meeting commenced

2 LEAVE OF ABSENCE

Nil

3 CONFIRMATION OF MINUTES

3.1 MINUTES OF THE COUNCIL HELD ON 17 JANUARY 2023

MOTION

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

1. That the Minutes of the Council held on 17 January 2023 be received and the recommendations therein be adopted.

4 MATTERS ARISING FROM THE MINUTES

5 CONFIDENTIAL REPORTS

Nil

6 MAYOR AND COUNCILLOR REPORTS**Mayor Aileen Addo**

Council Meeting	17/01/23
Weipa Symposium	19/01/23
Economic Development	04/02/23
Chris Coutts	06/02/23
Local Thriving Communities	07/02/23
Apunipima	09/02/23
Justice Group	10/02/23
ATSI Housing	14/02/23
QLD Police	15/02/23
Opening Ceremonies	15/02/23
Cynthia Lui	15/02/23
TWG	16/02/23

Deputy Mayor Daphne De Jersey

Council Meeting	17/01/23
Opening Ceremonies	15/02/23
Cynthia Lui	15/02/23
QLD Police	15/02/23
Director General	15/02/23

Councillor Dawn Braun

Council Meeting	17/01/23
Community Day	27/01/23
Economic Development	04/02/23
Opening Ceremonies	15/02/23
Cynthia Lui	15/02/23
QLD Police	15/02/23
Director General	15/02/23

Councillor Cameron Hudson

Opening Ceremonies	15/02/23
Cynthia Lui	15/02/23
QLD Police	15/02/23
Director General	15/02/23

RESOLUTION C012/23

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

That Cr Cameron Hudson will represent Mapoon Aboriginal Shire Council at the Weipa Symposium March 23 and 24 2023.

CARRIED

7 OPERATIONAL REPORTS**7.1 CEO MEETINGS****PURPOSE OF REPORT**

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

RESOLUTION C013/23

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

That Council receives and notes CEO Meetings Report

CARRIED

7.2 EXECUTIVE MANAGER OF COMUNITY SERVICES & ECONOMIC DEVELOPMENT**PURPOSE OF REPORT**

Present Council with a report of program performance and operational activity for the previous month of January 2023.

RESOLUTION C014/23

Moved: Cr Daphne de Jersey

Seconded: Cr Cameron Hudson

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

CARRIED

10:45am Council break meeting

11:06am Council re-commence meeting

7.3 EXECUTIVE MANAGER OF INFRASTRUCTURE AND WORKS**PURPOSE OF REPORT**

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

RESOLUTION C015/23

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

- Sheds have been tendered and only one quote received the quotes are within budget. RFQ sent to NQ Sheds, Total Span Sheds and Wipe Span sheds as per procurement policy.
- Quote are attached from Wide span sheds \$67,290.91 Ex GST for large shed and \$37,254.55 Ex GST for smaller shed.
- Combined the costs are outside the CEO delegation Council instruction required to purchase.

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

That the Council Instruct the CEO to Purchase Sheds for the Ranger base Project.

CARRIED

7.4 DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE FOR NEW CEMETERY & RECONFIGURATION LOT 802 CULLEN POINT ROAD**PURPOSE OF REPORT**

To present information on a Material Change of Use & subsequent re-configuration of Lot 802 Cullen Point Road.

RESOLUTION C016/23

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

The Council is the Local Government Authority for the Mapoon Aboriginal Shire area and the Trustee of the Mapoon Deed of Grant in Trust (DOGIT). As the Local Government Authority, Council as duly elected representatives of the community, through local decision making has

the responsibility of deciding what is in the best interest of the community, advancing a thriving community.

It is considered that approving (with conditions) the Material Change of Use for Cemetery and associated Reconfiguring a Lot (1 into 2) and Operational Works (clearing vegetation) at Cullen Point Road to create a new cemetery is of benefit to and representative of the aspirations of the Mapoon community.

Council as the Local Government Authority and Trustee of the DOGIT resolves to approve (subject to conditions):

- a. The Development Application lodged with Council for:
 - i. Material Change of Use for a new Cemetery Lot 802 SP333339 part of Lot 4 SP333331 Cullen Point Road, Mapoon
 - ii. Reconfiguring a Lot 4 SP333331 (1 into 2 Lots) to create Lot 802 SP333339 and balance Lot 4 SP333339 at Cullen Point Road, Mapoon
 - iii. Operational Works (Clearing of Vegetation) Lot 802 SP333339 part Lot 4 SP333331 at Cullen Point Road, Mapoon

CARRIED

7.5 DEVELOPMENT APPLICATION - PUBLIC ROADS A-RAE & CHAKARRA STREETS

PURPOSE OF REPORT

Additional information for adoption to support Council Resolution C206/22. This will support the Survey Plan registration for relevant developments.

RESOLUTION C017/23

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

The Council is the Local Government Authority for the Mapoon Aboriginal Shire area and the Trustee of the Mapoon Deed of Grant in Trust (DOGIT). As the Local Government Authority, Council as duly elected representatives of the community, through local decision making has the responsibility of deciding what is in the best interest of the community, advancing a thriving community.

It is considered that the approving of the dedicating and surrender of the public road to enable residential development is of benefit to, and representative of the aspirations of the Mapoon community.

1. Council as the Local Government Authority and Trustee of the DOGIT resolves to
 - a. note Council Resolution C206/22 dated 26 October 2022
 - b. surrender and dedicating A-Rae & Chakararra Streets as depicted on plan PR151629-7 A as public roads in terms of section 94 of the Land Act 1994.
 - c. applies to the Minister responsible for administering the Land Act 1994 for the surrender of part of the DOGIT in terms of Section 55 of the Land Act 1994 for public road purposes.
 - d. acknowledge the land administration actions incidental to, and necessary, to facilitate lodgement and registration of the survey plan.

CARRIED

7.6 DEVELOPMENT APPLICATION - CUMBINA STREET

PURPOSE OF REPORT

Additional information for adoption to support Council Resolution C108/22. This will support the Survey Plan registration for relevant developments.

RESOLUTION C018/23

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

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It is considered that the approving of the dedicating and surrender of the public road to enable residential development is of benefit to, and representative of the aspirations of the Mapoon community.

1. Council as the Local Government Authority and Trustee of the DOGIT resolves to
 - a. note Council Resolution C108/22 dated 21 June 2022
 - b. surrender and dedicating Cumbina Street as depicted on plan PR151629-2 as public road in terms of section 94 of the Land Act 1994.
 - c. applies to the Minister responsible for administering the Land Act 1994 for the surrender of part of the DOGIT in terms of Section 55 of the Land Act 1994 for public road purposes.
 - d. acknowledge the land administration actions incidental to, and necessary, to facilitate lodgement and registration of the survey plan.

CARRIED

At 12:24pm pm, Cr Daphne de Jersey left the meeting.

At 12:26 pm, Cr Daphne de Jersey returned to the meeting.

At 12:26pm Council break meeting

At 12:52pm Council re-commence meeting

7.7 DEVELOPMENT APPLICATION - NOUIGA STREET**PURPOSE OF REPORT**

Additional information for adoption to support Council Resolution C113/21. This will support the Survey Plan registration for relevant developments.

RESOLUTION C019/23

Moved: Cr Dawn Braun

Seconded: Cr Cameron Hudson

The Council is the Local Government Authority for the Mapoon Aboriginal Shire area and the Trustee of the Mapoon Deed of Grant in Trust (DOGIT). As the Local Government Authority, Council as duly elected representatives of the community, through local decision making has the responsibility of deciding what is in the best interest of the community, advancing a thriving community.

It is considered that the approving of the dedicating and surrender of the public road to enable residential development is of benefit to, and representative of the aspirations of the Mapoon community.

1. Council as the Local Government Authority and Trustee of the DOGIT resolves to
 - a. note Council Resolution C113/21 dated 20 July 2021
 - b. surrender and dedicating Nouiga Street as depicted on plan PR149174-1 as public road in terms of section 94 of the Land Act 1994.
 - c. applies to the Minister responsible for administering the Land Act 1994 for the surrender of part of the DOGIT in terms of Section 55 of the Land Act 1994 for public road purposes.
 - d. acknowledge the land administration actions incidental to, and necessary, to facilitate lodgement and registration of the survey plan.

CARRIED

7.8 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.

RECOMMENDATION

a) That Council resolves to appoint 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.

b) That council have 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.

c) That council set aside \$5,000 dollars to complete the feasibility from the 2022/23 budget

This report will be reviewed in meeting March 21 2023.

7.9 EXECUTIVE MANAGER OF FINANCE

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 C020/23

Moved: Cr Cameron Hudson

Seconded: Cr Daphne de Jersey

That Council endorses the following Financial Reports for the financial period January 2023.

CARRIED

RESOLUTION C021/23

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That council endorses the Procurement Policy Review.

CARRIED

7.10 EXECUTIVE MANAGER OF ENVIRONMENTAL SERVICES, LAND AND SEA, PARKS AND GARDENS**PURPOSE OF REPORT**

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

RESOLUTION C022/23

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

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

CARRIED**7.11 LOCAL THRIVING COMMUNITIES****PURPOSE OF REPORT**

Mapoon Interim Local Thriving Communities.

RESOLUTION C023/23

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That Council:

1. Notes the Interim Local Thriving Communities Meeting Report held 7th February 2023.
2. Notes Social Reinvestment Program planning for April underway.
3. Notes extension to CSP & Service Enhancement Funding to 31st December 2023.
4. Notes Mapoon Interim LTC Committee will undertake a review of Mapoon CSP March 2023 with recommendations to be presented to Council at the April or May Council Meeting.
5. Notes Mapoon Stakeholders Working Group Forum meetings to commence March 2023.

CARRIED

7.1 MAPOON ECOLOGICAL ASSESSMENT**PURPOSE OF REPORT**

Present Council with the study report of the Mapoon Ecological Assessment for adoption.

RESOLUTION C024/23

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

1. That Council Adopt it as Policy Documents
2. Publish the reports on the Council website with the Planning Scheme section

CARRIED

7.2 RFQ RECOMMENDATION FOR MAPOON SEWERAGE AND WATER RECOVERY FACILITY DETAILED DESIGN**PURPOSE OF REPORT**

To give Council recommendation for the delivery of the Mapoon sewerage and water recovery facility detailed design.

RESOLUTION C025/23

Moved: Cr Daphne de Jersey

Seconded: Cr Dawn Braun

That Council award the contract to AECOM for the lump sum Amount of \$484,341.00 EX GST

- That Council as Trustee commit \$195,000.00 from the trusts funds to contribute to the project cost.

CARRIED

7.3 DELEGATIONS - WASTE REDUCTION AND RECYCLING ACT 2011

PURPOSE OF REPORT

Mapoon Aboriginal Shire Council ("**Council**") is required to accept the Delegations from the Department of Environment and Science pursuant to the Waste Reduction and Recycling (Local Government) Delegation (No 1) 2019 ("**the WRRRA Delegation**") for the enforcement of illegal dumping offences under the *Waste Reduction and Recycling Act 2011* ("**WRRRA**").

Acceptance of the WRRRA Delegation for this purpose will enable Council's funding application for the Local Government Illegal Dumping Partnership Program to progress.

RESOLUTION C026/23

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That Council resolves:

To accept the Delegation from the Department of Environment and Science pursuant to section 263(1)(b) of the Waste Reduction and Recycling Act 2011 and in accordance with the Waste Reduction and Recycling (Local Government) Delegation (No 1) 2019; and

That all powers referred to in the Instrument of Delegation attached to this Report are hereby delegated to the Chief Executive Officer of Mapoon Aboriginal Shire Council, pursuant to section 257 of the Local Government Act 2009.

CARRIED

7.4 HUMAN RESOURCES & WORK HEALTH SAFETY

PURPOSE OF REPORT

To present the Human Resources Consultants' Report for January 2023 to Council.

RESOLUTION C027/23

Moved: Cr Dawn Braun

Seconded: Cr Daphne de Jersey

That this report is noted and accepted by Council.

CARRIED

8 ANY OTHER BUSINESS**RESOLUTION C028/23**

Moved: Cr Cameron Hudson

Seconded: Cr Dawn Braun

That Deputy Mayor Kiri Tabuai has resigned from her post both as Deputy Mayor and Councillor.

CARRIED

RESOLUTION C029/23

Moved: Cr Dawn Braun

Seconded: Cr Cameron Hudson

That Council must appoint a Deputy Mayor in reference to the *Local Government Act 2009 Div 3 Sec 175 2*.

Council hereby appoints Cr Daphne De Jersey to the office of Deputy Mayor effective March 21 2023.

CARRIED

9 CORRESPONDENCE IN**9.1 CORRESPONDENCE IN****PURPOSE OF REPORT**

To provide Council with copies of incoming information from outside sources regarding Council business

10 CORRESPONDENCE OUT

Nil

11 NEXT MEETING DATE

Proposed date for next meeting: 21 March 2023

12 CLOSE MEETING

The Meeting closed at 2:36pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 21 March 2023.

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CHAIRPERSON