



MINUTES

Ordinary Council Meeting

Tuesday, 17 September 2024

**MINUTES OF MAPOON ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE MAPOON ABORIGINAL SHIRE COUNCIL CHAMBERS
ON TUESDAY, 17 SEPTEMBER 2024 AT 9:00AM**

PRESENT: Cr Ronaldo Guivarra, Cr Justina Reid, Cr Linda McLachlan, Cr Maria Pitt, Cr Sheree Jia, CEO Thomas Smith

IN ATTENDANCE: Warren McEwan (Executive Manager Financial Services), Trevina Braun(Butler) (Office Manager)

1 OPEN MEETING

The meeting opened at 09:15 AM.

2 LEAVE OF ABSENCE AND APOLOGIES

Executive Managers Kelli Leatham, Victor Mills and Kiri Tabuai.

3 CONFLICTS OF INTEREST AND COUNCILLOR OBLIGATIONS

Chapter 5B of the Local Government Act 2009 (the Act) requires Councillors to declare a Prescribed or Declarable Conflict of Interest. The Declaration is to be made in writing to the Chief Executive Officer, before the Ordinary Meeting of Council.

DECLARABLE CONFLICTS OF INTEREST

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

PRESCRIBED CONFLICTS OF INTEREST

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

REGISTERS OF INTEREST

Councillors were reminded of their obligation to keep their Registers of Interests and Related Parties Disclosures updated.

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE COUNCIL HELD ON 13 AUGUST 2024

RESOLUTION C121/24

Moved: Cr Linda McLachlan

Seconded: Cr Sheree Jia

1. That the Minutes of the Council held on 13 August 2024 be received and the recommendations therein be adopted.

CARRIED

5 MATTERS ARISING FROM THE MINUTES

NIL

6 CONFIDENTIAL REPORTS

Nil

7 MAYOR AND COUNCILLOR REPORTS

7.1 MAYOR AND COUNCILLORS REPORT FOR AUGUST 2024

PURPOSE

The Mayor and Councillors reported on the following meeting/events:

Mayor Ronaldo Guivarra

13/08/2024	Ordinary Council / Trustee Meeting
16/08/2024	NAIDOC School Performance
20- 21/08/2024	QPS First Nations Summit – Truth telling.
27/08/2024	LTC – Stakeholders
27/08/2024	Apunipima – Video workshop
29/08/2024	Dept of Housing – Updates
30/08/2024	Community BBQ – Operational Plan
02/09/2024	LDMG – Updates
4-5/09/2024	TCICA – Updates
6-7/09/2024	NPARC – RODEO, Mayor Poi Poi community events ideas.
10/09/2024	Dept of Housing – Rachel, tams
10/09/2024	QPS – Warren Flegg & Fritz Loban, updates
12/09/2024	OMAC – Barge Blessing L&S. Speech and Welcome dance.

Interim Deputy Mayor Justina Reid

3-4/08/2024	WCCCA
13/08/2024	Ordinary Council Meeting
16/08/2024	NAIDOC
29/08/2024	Dept of Housing - Update

Cr Linda McLachlan

13/08/2024	Ordinary Council / Trustee Meeting
15/08/2024	Plan for Com. Meeting
16/08/2024	HACC visit

30/08/2024 Community BBQ – Operational Plan
06/09/2024 Dept of Housing – update State Housing

Cr Maria Pitt

13/08/2024 Ordinary Council / Trustee meeting
15/08/2024 Plan for Com. Meeting
16/08/2024 HACC Visit
29/08/2024 TWG Meeting
30/08/2024 Community BBQ – Corporate Plan

Cr Sheree Jia

13/08/2024 Ordinary Council / trustee meeting
15/08/2024 Plan for Comm. Meeting
30/08/2024 Community BBQ – Operational Plan

RESOLUTION C122/24

Moved: Cr Sheree Jia

Seconded: Cr Justina Reid

That the Mayor and Councillor reports be received and noted.

CARRIED

ACTION - Councillors have requested an Events Calander for all upcoming events.

8 OPERATIONAL REPORTS**8.1 CEO MEETINGS FROM AUGUST 2024****PURPOSE OF REPORT****RESOLUTION C123/24**

Moved: Cr Ronaldo Guivarra

Seconded: Cr Sheree Jia

That Council receives and notes CEO Meetings Report.

CARRIED

8.2 COUNCIL APPROVAL FOR CEO TO PAY INVOICE FROM LGM ASSETS**PURPOSE OF REPORT****RESOLUTION C124/24**

Moved: Cr Justina Reid

Seconded: Cr Linda McLachlan

That Council Authorise the CEO to pay the outstanding invoice for LGM Assets for \$399,926.88 GST inclusive.

CARRIED

8.3 COUNCIL APPROVAL FOR CEO TO PAY INVOICE FROM A JENKINS & N GORDON**PURPOSE OF REPORT**

Authorisation required from Council for the CEO to pay the Tax invoice 1437 from A Jenkins & N Gordon Builder for works delivered to the new houses on Weipa Road.

Documents attached; Invoices is above the CEO's delegation.

RESOLUTION C125/24

Moved: Cr Ronaldo Guivarra

Seconded: Cr Sheree Jia

That Council Authorise the CEO to pay the outstanding invoice for A Jenkins & N Gordon Builder for works delivered to the new houses for \$118,589.90 GST inclusive.

CARRIED

8.4 CORPORATE PLAN 2024 - 2028**PURPOSE OF REPORT**

Present to Council for final review and endorsement the Mapoon Aboriginal Sire Council Corporate Plan 2024 – 2028.

RESOLUTION C126/24

Moved: Cr Sheree Jia

Seconded: Cr Justina Reid

That Council endorse by resolution the Mapoon Aboriginal Sire Council Corporate Plan 2024 – 2028.

CARRIED

ACTION - to display minutes whilst in the meeting, so that the Cr can understand and see that ACTIONS are being noted.

8.5 REVISED MODEL MEETING PROCEDURES JULY 2024

PURPOSE OF REPORT

The purpose of the model meeting procedures is to set out certain procedures to ensure all the local government principles are reflected in the conduct of local government meetings, standing and advisory committee meetings as defined in the *Local Government Act 2009* (LGA), *Local Government Regulation 2012* (LGR), the *City of Brisbane Act 2010* (COBA) and the *City of Brisbane Regulation 2012* (COBR). However, model meeting procedures do not apply to meetings of the local government's audit committee.

It is not intended that the model meeting procedures would deal with all aspects of meeting conduct but only those required to strengthen public confidence in local government to chair meetings and deal with the conduct of councillors, conflict of interest of councillors, loss of quorum and closed meetings.

RESOLUTION C127/24

Moved: Cr Sheree Jia

Seconded: Cr Justina Reid

That Council the changes to the Model Meeting Procedures version 006

CARRIED

Meeting adjourned for morning tea at 10:19 AM.

Meeting resumed at 10:59 AM.

Warren – Finance executive report 10:58 am. – 11:27am.

8.6 MONTHLY FINANCE REPORT FOR AUGUST 2024

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 C128/24

Moved: Cr Linda McLachlan

Seconded: Cr Justina Reid

That That Council endorses the Financial Report for the period August 2024.

CARRIED

8.7 EXECUTIVE MANAGER - COMMUNITY DEVELOPMENT**PURPOSE OF REPORT**

Present Council with a report of program performance and operational actions for the month of August.

RESOLUTION C129/24

Moved: Cr Linda McLachlan

Seconded: Cr Sheree Jia

That

1. The report of the Executive Manager of Community Development be received and noted.

CARRIED

At 11:48 am, CEO Thomas Smith left the meeting.

Community Development report. – presented by Tom.

At 11:55 am ,CEO Thomas Smith returned to the meeting.

At 11:53 am, Cr Justina Reid left the meeting. Due to illness.

8.8 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 C130/24

Moved: Cr Ronaldo Guivarra

Seconded: Cr Linda McLachlan

That the Report of the Executive Manager of Infrastructure and Works be received and noted and Council approve the removal of all trees around social housing property that hinder the safety of residents due to bush fire (buffer zones)

CARRIED

Cr McLachlan – All future reports to be referred to as the “Old Mission site”

At 11:42 am, Cr Linda McLachlan left the meeting.

At 11:45 am, Cr Linda McLachlan returned to the meeting.

8.9 APPROVAL TO QUARANTINE FUNDS FROM THE FISHERIES STRUCTURAL ADJUSTMENT SCHEME FOR THE DELIVERY OF THE 2025 PAANJA FESTIVAL

PURPOSE OF REPORT

Council is aware that Mapoon Aboriginal shire Council surrendered their Gill net licence at a previous Council meeting to the Fisheries Structural Adjustment scheme.

This process is now complete, and Council has received \$193,283.96 Ex GST.

RESOLUTION C131/24

Moved: Cr Sheree Jia

Seconded: Cr Ronaldo Guivarra

That endorse the recommendation to

- Quarantine \$100,00.00 Ex GST for the organising and delivery of the 2025 Paanja festival, which will ensure we can deliver a memorable event.
- Use the remainder of the funds to develop areas around Mapoon waterways for the safe environmentally friendly processing of fish and other locally obtained food stuffs.

CARRIED

8.10 MASC VESSEL USE AGREEMENT

PURPOSE OF REPORT

Attached is the MASC vessel use Agreement for OMAC having purchased Mapoon Rangers a new Barge.

1. Background

- A. OMAC is the trustee of Aboriginal freehold land held under the *Aboriginal Land Act 1991* (Qld).
- B. MASC is the owner of the Vessel used by its Land and Sea Rangers (**Mapoon Rangers**) in the implementation of the Healthy Country Plan.
- C. OMAC wishes to use the Vessel to assist elders and members to go out on country.
- D. This agreement establishes a framework for OMAC's use of MASC's Vessel

RESOLUTION C132/24

Moved: Cr Ronaldo Guivarra

Seconded: Cr Linda McLachlan

That Council endorse the MASC vessel use agreement and instruct the CEO to sign on behalf of the council.

CARRIED

8.11 OPERATION OF MAPOON CULTURAL CENTRE**PURPOSE OF REPORT**

To seek Council's decision about the grant of a Management Agreement for the operation of the Mapoon Cultural Centre.

RESOLUTION C133/24

Moved: Cr Linda McLachlan

Seconded: Cr Sheree Jia

COUNCIL RESOLVES:

- (a) pursuant to section 235(a) of the *Local Government Regulation 2012*, that it is satisfied that there is only one supplier who is reasonably available to deliver management services at the Mapoon Cultural Centre, being Wei'Num Arts and Crafts Aboriginal and Torres Strait Islander Corporation ICN 7349 (**Wei'Num Arts**);
- (b) to enter into a Management Agreement with Wei'Num Arts for the operation of the café, gift shop and art gallery at the Mapoon Cultural Centre.
- (c) to delegate to the Chief Executive Officer the power to negotiate, finalise and execute on behalf of Council a Management Agreement with Wei'Num Arts.

CARRIED

Meeting adjourned for lunch at 12:17 PM.

Meeting resumed at 1:16 PM.

**8.12 RECOMMENDATION TO CONTRACT
FOR CONSTRUCTION AND NAVAL ARCHITECTURE (DESIGN)
FOR MAPOON SHIRE ABORIGINAL CORPORATION**

PURPOSE OF REPORT

Under direction of the Grant Body Mapoon Aboriginal Shire Council was instructed to engage Consultant Marine engineers do deliver a Tender on Council behalf for the procurement of a purpose built 14m Barge capable of delivering the activities outlined in the tender document and through a RFQ Russ Larkin & associates were engaged.

RESOLUTION C134/24

Moved: Cr Linda McLachlan

Seconded: Cr Ronaldo Guivarra

This Recommendation to go to Contract is written in response to the emailed request from the CEO of Mapoon Aboriginal Shire Council (referred to as MASC) dated 21 August 2023.

The basis for the recommendation is on the last English Engineering manufacturer's quote received, namely, "MASC BARGE 14 M 2024 09 04 REVISED QUOTE Q 2231-C" a copy of which may be found in the appendices to this report.

It is recommended that MASC adopt a resolution to engage with English Engineering by contract to have the vessel built, with the single proviso to ensure that the vessels AMSA Class requirement is clearly stipulated in that contract.

The Contract price is \$1,370,655.00 inc GST

CARRIED

8.13 WHS,RISK AUDIT AND COMPLIANCE REPORT - AUGUST 2024

PURPOSE OF REPORT**WHS, Risk Audit and Compliance Report – August/September 2024****WHS documents developed/under review -**

- Safe Work Method Statements reviewed and updated.
- Safety Committee agenda and meeting minutes prepared for committee meeting 9/9/24
- Developed Confined Spaces P&P and a Confined Spaces Entry Permit.
- Reviewed and supplied a SWMS covering “Operation of Telehandler” for the new Waste Transfer Station.
- Updated the WHS incident register.
- Updated the Hazards register.

Meetings –

- Entry meeting with CEO
- Meeting with Executive managers re safety issues
- Meeting with Jack Manantan WHSO to discuss safety issues and his Cert IV course
- Chaired the Safety Committee meeting Monday 9/9/24.
- Meeting with Safety Committee Secretary re Agenda and Minutes of last Safety Committee meeting, and the preparation of this month’s meeting.
- Exit Meeting with CEO

Hazard, incident, and risk reporting –

- Aug/Sept 2024 – 10 x Hazard reports received, submitted, to be actioned.

Incident Register updated.

- Aug/Sept 2024 – 2 x Incident reports received for the period to date involving Plant.
- No new injuries or lost time off work.

Incident Register updated.

Rehabilitation Return to Work Coordination.

- 1 staff member on long term workers compensation which is ongoing.

LTIFR Reports**Calculation:**

(Number of lost time injuries in the reporting period x 1,000,000 / 1,216 hours)

Lost Time Injury Frequency Rate = 2.4 for June/July 2024.

Safe Work Method Statements developed and provided for the month.

- SWMS covering “Operation of Telehandler” for the new Waste Transfer Station.
- SWMS covering “Concreting Footings and Slabs” for the new Waste Transfer Station.

Training and Inductions.

- 1 x WHS induction provided to Sonia Morasutti working for Finance
- Jack Manantan is well into his Cert 4 Work Health and Safety Course and mentoring is continuing by the writer this is ongoing.

- Toolbox training sessions conducted for General Business, Drug Testing, time sheets & job numbers, vehicle use, vehicle prestart, incident and hazard reporting, Drug and Alcohol P&P.
- Ongoing mentor training for new WHSO
- All staff Induction refresher covering – Code of Conduct, Vehicle usage, Procurement, Timesheets, Leave, Bullying, Sexual Harassment and Discrimination is ongoing.

Site safety inspections conducted this month:

- Safety inspections of community areas
- Mechanical workshop
- Landfill site.
- Paanja Lodge
- New Shop Construction
- New Rangers building
- Water Treatment plant
- Water Bore sites
- Airport
- Childcare Centre
- Aged Care Centre
- Depot Gas storage
- New Transfer Station construction
- Cultural Centre
- Cullen Point
- Carpenters workshop
- Green shed

WHS Continuous Improvement Activities

- Sourced a training provider for the provision of forklift licenses for staff. – Training yet to be organized.

High Priority

- Focus on incident reporting as not all incidents are being reported.
- Focus on implementing SWMS for all high-risk activities,
- Toolbox talks and training sessions to be conducted with all council employees.
- Provide fire safety and WHS refresher courses for all staff to be conducted during WHSA's November attendance.
- Conduct WHS inspections of building projects currently underway.
- Follow up on submitted hazard reports to ensure timely rectification/elimination.

Priority

- Conduct Fire safety training for new staff etc.
- Conduct Induction training for staff and contractors.
- Conduct toolbox training sessions for Housing and Rangers
- Conduct site inspections and prestart meetings.
- Continue to work on Hazardous chemicals risk register and SDS updates.
- Continued work on Hazard inspections.

RESOLUTION C135/24

Moved: Cr Ronaldo Guivarra

Seconded: Cr Sheree Jia

That the Report of the Workplace health and Safety Officer be received and noted.

CARRIED

8.14 HUMAN RESOURCES – AUGUST 2024**PURPOSE OF REPORT****RESOLUTION C136/24**

Moved: Cr Linda McLachlan

Seconded: Cr Sheree Jia

That Council notes the Human Resources Report for August 2024.

CARRIED

Tom presented Kelli's report -exec Land & Sea 1:52PM. Concluded 2:09 PM.

At 2:03 pm, Cr Linda McLachlan left the meeting.

At 2:04 pm, Cr Linda McLachlan returned to the meeting.

At 2:06 pm, Cr Ronaldo Guivarra left the meeting.

At 2:09 pm, Cr Ronaldo Guivarra returned to the meeting.

8.15 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 C137/24

Moved: Cr Linda McLachlan

Seconded: Cr Sheree Jia

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

CARRIED

ACTION – Recommendation to Pass the report to Fiona, to find a grant to complete the Contribution of the Linguistic program.

8.16 GROWING REGIONS ROUND 2**PURPOSE OF REPORT**

Update Council with current grant application.

RESOLUTION C138/24

Moved: Cr Sheree Jia

Seconded: Cr Ronaldo Guivarra

That Council endorse the current application for funding through the Growing regions 2 and make available \$200,00.00 as Council contribution from the Land Trust funds.

CARRIED

ACTION – 1 Street scope

9 ANY OTHER BUSINESS**9.1 DOCUMENT REQUEST FOR INFORMATION****PURPOSE OF REPORT**

Attached are documents requested by Council for review and discussion.

No resolution required.

9.2 CHRISTMAS COMMUNITY PRESENT FROM COUNCIL**RESOLUTION C139/24**

Moved: Cr Ronaldo Guivarra

Seconded: Cr Linda McLachlan

That the Council give a money Voucher per residence to the value of \$200 as a Christmas Gift from the Council.

CARRIED

LTC >Kylie to ask Rachel at WCCCA finance submission for Christmas.

9.3 LITE VEHICLE TENDER

PURPOSE OF REPORT

Inform Council of the Tender of Vehicle

RESOLUTION C140/24

Moved: Cr Sheree Jia

Seconded: Cr Linda McLachlan

That this is the only tender submitted and that the Council will accept the tendered amount, as per attachment.

CARRIED

Cr Pitt > Community - Australia Post aren't happy with the hours / days

10 CORRESPONDENCE IN

Nil

11 CORRESPONDENCE OUT

Nil

12 NEXT MEETING DATE

Proposed date for next meeting: 15 October 2024

13 CLOSE MEETING

The Meeting closed at 2:35 pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 October 2024.

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CHAIRPERSON