



**Council Ordinary Meeting held:  
November 19, 2018**

Council Minutes of Ordinary Meeting  
held in the Council Chambers

**Mapoon Aboriginal Shire Council  
Meeting Minutes: 19 November 2018  
Meeting Held: MASC Council Chambers**

19<sup>th</sup> November 2018

**Attendance**

Mayor	Aileen Addo
Councillor	Pauline Smith
Councillor	Peter Guivarra
Councillor	Brendon Brown
Councillor	Margaret Mara

**Apologies**

Nil	
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**Staff**

CEO	Naseem Chetty
Corporate Services Manager	Dave Ferguson
Works Manager	Tom Smith

**Visitors**

Preston Law	Andrew Kerr
Charles Budby	Mokwiri
Rhonda Parry	Mokwiri
Gail Budby	Mokwiri

9.01am Meeting opened and welcome

Mayor welcomed the Councillors and staff to the November meeting of 2018. She reminded everyone about their roles and responsibilities as an elected official and particularly to their obligations to declare their interest (material or personal) on matters presented today – that may have a perceived or real conflict of interest.

Councillors agree that all matters presented at this meeting will be administered on the principle of fair and equitable treatment. Mayor acknowledged that we each bring our own views to the table and on all matters unresolved, councillors rights to agree and disagree is respected.

Councillors reminded to fulfil their administrative requirements and sign the attendance sheet for the monthly remuneration associated with this meeting.

Mayor thanked all present for their attendance and welcomed everyone to the meeting. Acknowledgements made to members not present and respect was paid to the Traditional Owners of the land on which we meet, to the elders past and present, to the councillors and employees present for the meeting. Councillor's observed a minute's silence in memory of community members who have passed.

Mayor reminded Councillors and requested any interest to be declared.  
Nil response.

One-minute silence.

**Confirmation of Minutes**

CEO noted the minutes to review for this meeting – Ordinary meeting:

- Ordinary Meeting 16<sup>th</sup> October 2018

Resolution 01.	The council resolve to endorse the minutes of the meeting as true and correct:
19/11/18	<ul style="list-style-type: none"> <li>• Ordinary Meeting – 16 October 2018</li> </ul>

Motion	Proposed: Councillor Brown	Motion Carried
	Seconded: Councillor Smith	

**Matters arising from previous Minutes**

**Ordinary Meeting – 16 October 2018**

Item	Action	Officer
1	<ul style="list-style-type: none"> <li>• Letter to OMAC advising removal of infrastructure from Janey Creek?</li> </ul>	CEO

CEO advised that Council have permission from OMAC to remove infrastructure from Janey Creek. We will be going to Janey Creek in the next few weeks to commence the removal process.

Andrew Kerr advised Council that he has limited knowledge of what was there originally. We don't want to touch infrastructure that doesn't belong to Council.

Mayor Addo advised that the Sport & Recreation implementation plan has been finalised.  
CEO has made comment and sent the document, waiting for finalisation.

Mayor Addo requested an official opening date for the Visitor Accommodation.  
CEO: Council can decide whether to nominate a date in next few weeks or wait until early next year. We have a busy few weeks coming up.

Cr. Guivarra enquired whether Council are relying on a federal MLA coming to do the official opening.  
Mayor Addo advised Warren Entsche is happy to come back and participate in the opening.  
CEO suggested the 3<sup>rd</sup> week of January.

Mokwiri have been invited to today's meeting to talk to Council about the Mapoon DOGIT.

9.15am CEO departed the meeting  
9.16am CEO re-joined the meeting  
9.16am Mokwiri joined the meeting, welcomed by Mayor Addo.

Charles Budby thanked Council and introduced Gail Budby from the Mokwiri administration office and Rhonda Parry as a Director. Charles spoke on behalf of the PBC advising that Mokwiri have signed up with CYNRM. Cape York partnership have set up something similar. CYNRM look after ecology, river systems and so forth. We think this is a good move. Janey Creek, has been discussed with solicitors and we can't do an ILUA until OMAC and Tjunginji are consulted. Mokwiri don't represent one family with the ILUA, there are cultural heritage environmental issues. In saying that, we need to progress the Mapoon waste landfill site.

Preferable to have this solved by early next year. We hope to bring interested parties together, under management that is environmentally friendly.

Cr. Guivarra advised that the ILUA for Janey Creek is with the Tjuninji people.

Charles Budby informed Council of the 2 types of ILUA's, in this case it is business. Mokwiri's position is that there is room for business ILUA's. OMAC has never had to deal with this before. They have not demonstrated compliance as yet.

Mayor Addo enquired whether or not TO's needed an ILUA.

Charles Budby advised that if it is a profit-making business they will require one for insurance, public liability purposes etc. This is different to the waste facility that is in the process of being signed off.

9.29am Councillor Brown departed the meeting.

Question from Mayor Addo regarding recognition for people adopted into Traditional Owner families.

Charles Budby advised Council there are 2 types of adoption, we have never made a decision as yet, but we would err on the side of cultural/traditional adoption.

Mayor Addo enquired if Mokwiri will take steps to tell the occupants of Janey Creek that they cannot operate their business from Janey Creek.

Charles Budby stated: Yes, Mokwiri's solicitors have told them that they cannot continue.

Mayor Addo: What is their response?

Charles Budby advised that the occupants maintain that they are there at the invitation of the family. One of the family members is a director of Mokwiri

Gail Budby commented that Mokwiri has been dragged into this.

9.34am Councillor Brown re-joined the meeting.

Gail Budby continued: Mokwiri has had nothing to do with this, OMAC are the ones responsible for it.

Cr: Smith: Isn't Mokwiri there for the people? You are saying that OMAC created a situation. Do you know the history of what happened?

Mayor Addo request Cr. Smith leave the meeting.

9.36am Cr. Smith departed the meeting.

Charles Budby advised that Mokwiri are unable to process any ILUA's until the correct process is in place. We have said we will not issue an ILUA unless it is to TO's.

CEO: Council agree with that.

Mayor Addo advised that Council have infrastructure that we have to deal with under the Act.

Charles Budby: We have had similar issues with other councils. We are trying to encourage businesses to progress.

Mayor Addo: Council agree with that.

Charles Budby: Mokwiri are in negotiation with Napranum Council for the DOGIT

Mayor Addo: Is it the town area or just outside?

Charles Budby: Just the outside.

Mayor Addo: Who will be the trustee?

Charles Budby: It will be the Council.

9.45am Councillor Brown departed the meeting.

Charles Budby advised that Mokwiri would like to participate in the meetings with Rugupayn to discuss the ILUA. In 2020 the ILUA is up for renewal. With support from MASC, Mokwiri intends to apply to the State and Federal Government for control of the Ranger programs. There is also transitioning with Mypathway for the CDP program, Outstation development.

Gail Budby thanked Council for the invitation.

Rhonda Parry offered suggestion for naming Paanja Lodge: Manatua was one of the first TO's of this region.

Mayor Addo thanked Rhonda and advised that we will get back to you in the new year.

10am morning tea

10:00am Morning Tea - Meeting adjourned for morning tea

10:15am Cr. Smith returned to the meeting.

10:20am: Meeting reconvened

#### General Business

Cr. Guivarra asked why the Janey Creek situation is a conflict of interest for Cr. Smith?

Mayor Addo advised Cr. Guivarra that Cr. Smith was involved in the original Janey Creek situation.

Cr. Guivarra: Where is the conflict?

Mayor Addo explained that Cr. Smith has been involved in it from the beginning when she was still involved with OMAC.

Cr. Smith: I started speaking about it to Gail, and when she said it she was targeting me but she doesn't know the full story. She didn't talk about it from the beginning.

CEO advised Gail was out of line trying to have a dig at people.

Mayor Addo: that is why I asked Cr. Smith to leave the room.

Mayor Addo: Is there any other business?

Cr. Guivarra: No

#### Mayors Report

Mayor Addo requested for all councillors to finish the training that has been sent to their Council email address.

Mayors report.

Meetings attended:

- Dept Local Gov Training;
- Meeting with Police;
- Trustee meeting;
- Robyn Bartlett – Janey Creek;
- Robbie Corrie – HACC transition;
- Qld health new nurse Robyn;
- DATSIP Biannka and Jeremy;
- ILF Brisbane;
- Grants Commissioner – FAGS;
- CEO: during the recent AGM in Brisbane, the allocation of the FAGS grant, (number of vehicles as opposed to weight) created a discrepancy in the way the funds are being distributed. Big mainstream councils are taking the lions share. They already enjoy a huge rates base. We are struggling to provide bare minimum services. I am confident that if we put a strong argument forward, this may change.
- Mayor Addo: while in Brisbane, we visited the museum and got to look at the historical collection of Mapoon artefacts;
- QLD reconstruction authority – resilience;
- NHFIC – affordable housing, more information required;

- QLD police: recent death in the community, more police required in Weipa. Allocated office next door at rural transaction centre;
- Cr. Smith advised that police are aware of the drinking, why aren't they doing anything.
- Meeting with CEO, the Mapoon store is doing well;
- Kitty & John Tabuai Axxis training – CEO to liaise with them. Plant and machinery training;
- Minister visit: went well.

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Councillor Reports

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Cr. Brown:  
absent

Cr. Mara:

- Brisbane conference;
- Minister Local Gov.

Cr. Smith:

- Local government training;
- Trustee meeting;
- CYNRM AGM;
- ELY heritage and environment subcommittee meeting;
- LGAQ annual conference;
- Minister local government.

Cr Guivarra:

- Trustee meeting;
- LGAQ AGM;
- Ministers visit;
- ELY trust teleconference x 2;
- ELY trust Gove.

ELY rep from Council is currently Cr. Smith, Council passed a resolution for Cr. Brown to be the representative from Mapoon.

Cr Guivarra: Cr. Brown was elected as the ELY rep by Council resolution;

Mayor Addo advised that Ely trust is not part of Cr. Smith's portfolio.

CEO: resolution is for Cr. Brown to be the rep for council.

Andrew Kerr confirmed the director position can be separate from a shareholder position.

CEO to confirm at the next Council meeting.

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Resolution 02.

19/11/18

- Council resolve to endorse Mayor's report and Councillor reports for November 2018

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Motion

Proposed: Councillor Mara  
Seconded: Councillor Smith

Motion Carried

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**Confidential Reports**

- Nil

**Operational Reports**

**OR – CEO**

CEO Ms. Naseem Chetty invited to speak on her report for November.

Naming of the new aged care facility.

We will build the facility ourselves.

The Mapoon church: Consultation with community re: design. Milestone December 2019, working with OMAC. Community meeting scheduled for 10<sup>th</sup> December, topics for discussion: church, aged care, café, internet connectivity, local fare scheme. Chris Bradley.

Airport/Thuungu road tenders:

Tom Smith: The shortfall is covered through Qld Government as advised by Minister Hinchcliffe.

Can we resolve to make a decision today to move forward with the two major projects.

Resolution 03. 19/11/18	<ul style="list-style-type: none"> <li>• On Confirmation from Minister Local Government – Minister Hinchcliffe, method of contribution of \$500,000.00, towards the completion of Thuungu Road and Mapoon Airport. Project tender be awarded to NQCEC only if they are flexible enough to work with Roadtek if required for the completion of the project.</li> </ul>	
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Motion	Proposed: Councillor Guivarra Seconded: Councillor Smith	Motion Carried
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Council deferred the naming of the Visitor Accommodation until the December Council meeting.

Resolution 04. 19/11/18	<ul style="list-style-type: none"> <li>• That Council approve the CEO to appoint relevant staff to ensure aged care facility project is completed within timeframe.</li> </ul>	
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Motion	Proposed: Councillor Mara Seconded: Councillor Guivarra	Motion Carried
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Resolution 05. 19/11/18	<ul style="list-style-type: none"> <li>• That Council adopt the 2017 – 2018 Annual Report as tabled subject to any objections being made by any Councillor within seven days.</li> </ul>	
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Motion	Proposed: Councillor Mara Seconded: Councillor Smith	Motion Carried
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**Mapoon Aboriginal Shire Council  
Meeting Minutes: 19 November 2018  
Meeting Held: MASC Council Chambers**

Resolution 06. 19/11/18	Council endorsement and approval for: <ul style="list-style-type: none"><li>• Mapoon Aboriginal Shire Council – Councillor Code of Conduct Policy;</li><li>• Mapoon Aboriginal Shire Council - Councillor Investigation Policy, and;</li><li>• Mapoon Aboriginal Shire Council – Model Meeting Procedure Policy as tabled.</li></ul>	
Motion	Proposed: Councillor Guivarra Seconded: Councillor Smith	Motion Carried

Resolution 07. 19/11/18	<ul style="list-style-type: none"><li>• That Council resolve to accept the CEO report for November 2018</li></ul>	
Motion	Proposed: Councillor Mara Seconded: Councillor Guivarra	Motion Carried

**Finance - Accountant report**

Council invited the CEO to speak on behalf of the Accountant's report for November.

Resolution 08. 19/11/18	<ul style="list-style-type: none"><li>• Council approve the Accountants report for November 2018</li></ul>	
Motion	Proposed: Councillor Guivarra Seconded: Councillor Mara	Motion Carried

Cr. Guivarra: Can we find out where the store wastage is.  
CEO: Yes, this is operational however a report can be provided if requested.

**OR – Works Manager**

Council invited Mr. Tom Smith: Works Manager to speak on his report for November.

Resolution 09. 19/11/18	<ul style="list-style-type: none"><li>• that Council resolve to award the Mapoon Water Upgrade tender to Black and More</li></ul>	
Motion	Proposed: Councillor Guivarra Seconded: Councillor Smith	Motion Carried

Resolution 10. 19/11/18	<ul style="list-style-type: none"><li>• Council approve the Works Managers report for November 2018</li></ul>	
Motion	Proposed: Councillor Smith Seconded: Councillor Mara	Motion Carried

**OR – EHW/AMO**



- Nil

OR – Corporate Services Manager

- Nil

OR – Land & Sea Rangers

- Nil

Housing Report

- Nil

Priority Correspondence –

- Nil

Any Other Business

Resolution 11.	Council resolve to endorse the Aboriginality of:
19/11/18	<ul style="list-style-type: none"><li>• Zara Nalani Braun;</li><li>• Jasper Robert Braun;</li><li>• Leticia N. Brown</li></ul>
Motion	Proposed: Councillor Smith Seconded: Councillor Mara
	Motion Carried

Discussion surrounding the Mapoon church.

Consultation at the community meeting to decide the name of the visitor accommodation and the design of the new church on December 10<sup>th</sup>.

12:50pm Lunch - Meeting adjourned for lunch

12:50pm Lunch

13.25pm meeting resumed

Cr. Smith: Payment for the church service.

CEO: I personally went to the Cooktowns residence and reimbursed her for the payment of the hall hire for the church service. Advised staff not to charge the church for hall hire.

Cr. Smith: There are not many of us, we are forming a little group to meet once a week.

Anything to do with housing works ring the blue phone first.

Cr. Guivarra: The rates charges for town house/blocks is there a formula for it?

Andrew Kerr: Valuations from Frank Knight won't influence the rates. In Cairns it isn't dependent on the size, it is determined on the value. Council make that decision. These should be calculated by the improvements that have been made to the property

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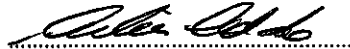
Next Council Meeting

11<sup>th</sup> December 2018.

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13.45pm Meeting Closed

Deputy Mayor declared the meeting closed at 13.45pm



Aileen Addo, Mayor



Chief Executive Officer