



# **MINUTES**

**Ordinary Council Meeting**

**Tuesday, 16 July 2019**

**MINUTES OF MAPOON ABORIGINAL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE MASC COUNCIL CHAMBERS  
ON TUESDAY, 16 JULY 2019 AT 9AM**

**PRESENT:** Cr Aileen Addo (Mayor), Cr Brendan Brown, Cr Margaret Mara, Cr Pauline Smith

**IN ATTENDANCE:** Naseem Chetty (Chief Executive Officer), Royleen Wolski (Minute Taker)

**1 THE MEETING WAS OPENED AT 9.18 AM**

**2 APOLOGIES**

Apologies from Councillor Peter Guivarra

The Mayor acknowledged The Traditional Owners of The Land and declared a minute silence for the people who have passed.

Mayor Addo reminded all present of their obligations and asked all present whether they needed to declare any Conflicts of Interest. Councillors stated they had no conflicts of interest to declare.

**3 CONFIRMATION OF MINUTES**

**3.1 MINUTES OF THE COUNCIL HELD ON 17 JUNE 2019**

**RESOLUTION C071/01**

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

1. That the Minutes of the Council held on 17 June 2019 be received and the recommendations therein be adopted.

**CARRIED AT 9.25AM**

**4 MATTERS ARISING FROM THE MINUTES**

There was discussion by the Mayor and Councillors re the perceived ramifications of the tone of the correspondence in relation to the Bertiehaugh Road. Mayor Addo outlined previous correspondence she had sent to the Minister, and stated that the access of the people is important. She stated that if the road is open it cuts 180km off the road to Bamaga. Mayor Addo has already sent a letter supporting the opening of the road, and feels that the Tourism business is making a lot of money and is not taking in to account the needs of the people of Mapoon. She stated that many people have family members in the mines and other reasons to use the road. Mayor Addo advised that Weipa Town Authority is asking for the road to be opened. CEO stated through the Chair that she felt there was no respect in the manner that the correspondence was worded, and that the

people making the request are only stewards of land that they have been gifted. The Indigenous peoples have travelled those roads forever. From a business perspective good partnerships are important but not at the cost to the people. The CEO suggested that the feelings of the other stakeholders who also want the road open are significant. Cllr Brown stated that the needs of the people were very important. Discussion was held in relation to the people who come to the Cape and pay big money, and that these people want to go where it is unique, and it is not about the animals but about protecting the business. Cllr Smith stated that when the land was gifted the Mapoon people were not considered because the deal was done behind closed doors. She stated that the road goes through our country and it is our land and instead of trying to work around them it is time for the people to put their foot down. Cllr Smith believes that they should have to work with us, they took the land off us. They did not come and talk to our Traditional Owners, they went behind our back. We say enough is enough, you work with us. They were gifted the land without any consultation with the Mapoon people.

Discussion continued that the people would benefit from the opening of the road. CEO advised that before the Council write to Terri Irwin, that Council meet with Napranum and Weipa and send a combined letter, signed by all three Mayors and ask the Irwin Foundation what they are going to bring to the table. It was stated that if even two of the three Councils stand together they are not able to resist. CEO to action a meeting with Napranum and Weipa to discuss the issue.

Councillors decided that they would move the following resolution.

**RESOLUTION C072/01**

Moved: Cr Pauline Smith

Seconded: Cr Margaret Mara

That the Council direct the CEO to coordinate a meeting with Napranum and Weipa Authorities to discuss the reopening of the Bertiehaugh Road (CHECK) and draft a letter to Australia Zoo advising of the outcome and Mapoon's disapproval of the closure of the road.

**CARRIED AT 9.37AM**

CEO gave an update on the Community Meeting, there were about 35 to 40 people, and whilst numbers were down it was a good turn out.

Council Smith asked to revisit the last minutes, page ten re the land tenure. Mayor Addo stated that in relation to Lot 4 there were a number of issues which were discussed, particularly in relation to the Traditional Owners who were acknowledged to speak for each area. She stated that there is confusion in relation to the name of a corporation and a tribal group. The Traditional Owners' Implementation Group is the entity that Council has to go to to get approval, not the other groups. She stated that this an agreement that Council signed and this process must be followed by this Council and any further Council. The Mayor stated that even if there are disagreements between stakeholders, everyone must be professional in their dealings. All 99 year land leases must be signed by the TOIG. The Mayor stated that any Council decision that is made is supported by her. The other group is not set up by Council and have been set up by Land Council. Discussion was entered into in relation to how these decisions were made by others. Discussion was conducted re perceived

conflict of interests. The CEO advised that the delegates represent their families and it is different to standard in Local Government to ORIC - Conflict of Interest. Discussion was had in relation to perceived blame apportioned by Community members. Cape York Land Council tells Council this is the process and we are to follow the process. The CEO stated that there were people involved who were not actually telling the truth and that there was someone in there stirring the pot. Money paid by Council is not directly paid to Cameron, it goes to Balkanu/Cape York Land Council. Council pays directly to Balkanu/Cape York Land Council on Invoice.

The CEO called David Hockey by telephone to clarify how much money Council had paid to Balkanu/Cape York Land Council in the last six months. Mr Hockey referred to records and advised that Council had paid CYLC about \$5,700 and Ruugapyne \$300.

Mayor Addo asked the CEO to whom they pay compensation and the CEO stated that she would find out but that it would take time.

Councillors discussed having another Community Meeting to clarify the information to people. Discussion was held in relation to where money for compensation goes. It was stated that certain monies have been paid directly to Aunty Beryl so that she received payment.

Mayor Addo stated that Gerhardt Pearson and Kirsty are coming and Council could ask them to clarify. Council, regardless of who gets in, have to follow the terms of the Agreement. It was stated that a review is due of the ILUA in 2021.

Discussion was held re boundary markers and that people need to go to the Cape York Land Council if they had disputes in relation to these boundaries. It was stated that Mokwiri needs to be involved in disputes to adjudicate. Cllr Smith gave information re discussions she had heard re land boundaries and disputes. It was agreed that Council cannot get involved in these issues.

Mayor Addo raised another matter, re the trip to Cooktown as she believed that the trip to Normanton was too expensive. Emails have been sent to the CEO's and Mayors. CEO has spoken to them but was yet to receive correspondence from them.

Accommodation is booked at Seaview Motel, Cooktown and Councillors depart on 26<sup>th</sup> Aug, meet Council from Cooktown on 27 August then travel to Wujul Wujul then Hopevale. Councillors are driving and return on August 28<sup>th</sup>.

Break for morning tea : 10.28am

Resumed after Morning Tea: 10.43am

Through the Chair the CEO informed Council that she had received correspondence from The Uniting Church stating that people at Mapoon wanted the Church to be a Uniting Church not an Inter Denominational Church. The Uniting Church also asked for proof that Community Consultation had occurred.

It was discussed that it was not the business of a particular church, but that people want to attend church and that The Uniting Church did not have the right to tell Council and Community what to do. Councillors asked, where have the Uniting Church been every Sunday? It was stated that the church belongs to the Community. It was stated that Council wished the church to be open to everyone. CEO stated through the Chair that at the time of the Council's decision about the church, the people of Mapoon were in agreement. CEO advised that she had informed the Uniting Church that land could be available for them to build their own church, but that would rest with The Trustees.

**5 CONFIDENTIAL REPORTS**

Nil

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

The Mayor reported that she attended the Council meeting, and later the Police Summit. During that time, Police were ringing around to obtain funding for the PLO positions and they got it from Mossman. It was agreed that there was a new PLO position at Mapoon. There is money for a lease of a vehicle for the first six months and that other funding sources were being sought. There would be training and an office space was available. Mayor Addo stated that one person would be enough as Napranum had a significant need. The Mayor stated that she hopes that there will be good quality applications. It was stated that the PLO does not have to have a blue card, but if someone had been trouble years ago, but had had no trouble for a considerable time, they could be considered.

The Mayor stated she attended a two day meeting in Cairns

She also attended a Meeting with The Torres & Cape Board, Mayor Addo expressed her disappointment at lack of Indigenous representation and informed Council as to who had attended, and who sat on the Board.

Mayor discussed that there had been problems in Mapoon and there were still some issues, and that it would be good to come out to Mapoon and discuss issues with community members. The Mayor wants the Board to know what the problems are, and to hear from the people. There were problems with people losing their travel, and sometimes the mail is delayed, why can't they email it to Mapoon and coordinate to do the booking. The mail is delaying it too much. They are going to look into it. Mayor stated that there were also issues with nurses who were not so caring or who were not culturally aware. The Mayor stated that nurses who work in Aboriginal Communities need to be aware of these cultural. Mayor also advised that she had discussed the issues of young mothers who miss appointments for their children and then get threatened with Children's Services. She strongly believed that the days of the use of such threats are gone. Sometimes appointments are missed is because families do not have the money to pay for expenses while they are in Cairns. She was advised that the same problem occurs in the Torres Strait.

The Mayor stated she will be having a meeting with Janet Guthrie, as community wants to have a Health Summit in Mapoon so that community can be involved in stating health problems and moving forward. Apunipima will facilitate that.

The Mayor reported that the NAIDOC opening went really well, with more than 100 people attending. She advised that there were more people at the Service than the NAIDOC dinner.

The Mayor advised that her meeting with Minister Hinchliffe went well as did the opening of the Splash Park. The Mayor asked who makes decision about opening time of the Splash Park. The CEO advised opening hours were to be decided by Council. The CEO stated she had concerns about children slipping and it was agreed that children have to be supervised by parents. Rules need to be stated, eg Adult Supervision, No Running. It was advised that Signs were on the way, and that the signs needs to go up as soon as possible. The Mayor also stated there should be a sign saying " No Dogs and Horses", as some young people let the horses in to enclosed areas to catch the horses, and that this could cause damage. It was discussed that If children cause vandalism Council would have to decide what the repercussions would be.

It was discussed that The Trustees may be able allocate some funds so that there is someone to supervise. This would be discussed at a later date. Proposed opening hours were discussed, with the suggestion of three hours per day 3pm to 6 pm and longer hours on weekends. It was discussed that if a staff member was to be employed, that penalty rates apply for week end work.

Week end hours were proposed at about five or six hours each day Perhaps 11am to 5pm Saturday & Sunday.

It was estimated that a supervisor would cost roughly \$35,000 to \$40,000 per year and that person would need a Blue Card for Working with Children & a Senior First Aid Certificate. It was discussed that someone from Health could train them in First Aid. It was decided that the Splash Park was to be opened on Saturday after the signs go up. Suggestions as to possible candidates were discussed, and that Council needs someone who is pleasant with children.

CEO stated that she would arrange to put an ad out on Facebook. And on the Council Electronic Notice Board.

Councillors discussed that they need a qualified person, someone who inspires respect, not children being frightened. It was agreed that they should be open to suggestions about the hours of operation as well. Cllr Brown suggested getting feedback first, and ensuring the parents know they have to watch their kids and that they should be accompanied by an adult.

Councillors agreed to leave the final arrangements to obtain feedback with the CEO.

The Mayor provided information in relation to other meetings she had attended including:  
Meeting with Australia Zoo; attending the Technical Working Group and Technical Meeting  
and The Trustee Meeting

### **Councillor Brown's Report**

The Councillor provided an overview of meetings attended including:

Community Meeting

The Ely Trust Meeting

The Trustee Meeting

He provided information about general discussion which had occurred at these meetings.

### **Councillor Smith's Report**

Councillor Smith advised that she had attended

The Police Summit on the 19<sup>th</sup> July

A Domestic Violence Forum on the 20<sup>th</sup> and 21<sup>st</sup>

The NAIDOC Meeting and attended NAIDOC WEEK from 7<sup>th</sup> to 12<sup>th</sup>

The meeting with Minister Hinchliffe on 11<sup>th</sup> July

The Community meeting 15<sup>th</sup> July

The Councillor provided information about the Community Meeting during which Cllr Smith spoke about the Multi Purpose /Cultural Centre. Cllr Smith asked for notice in future so that she had time to prepare. There were questions from people who did not know what it was for, and there is

misunderstanding about what it is for. Cllr Smith felt she was put on the spot and would have been able to better answer concerns had she had notice. A number of the people who raised questions were actually at the Community Consultation which was conducted but then talked differently later. It was envisaged the Multi Purpose/ Culture Centre could have internet café, cultural space, library and somewhere to house artifacts as well as an art space, perhaps teaching young people to paint etc. Showcasing History and Artifacts, It was not envisaged that the centre would only support Art. It would also be a significant Cultural keeping place etc.

The CEO advised through the Chair that Community Meeting is held by Council and she would appreciate assistance from Council. Councillors requested notice so that they could be involved.

The CEO advised that she will now call a meeting before future Community Meetings so that Councillors were informed and prepared. The CEO apologized, and stated she did not know that the Art/Multicultural centre would be such an issue. A community member, who had been quite difficult and outspoken had stated at the first meeting with Minister Hinchliffe that he did not know what the Art/Cultural Centre was for. CEO stated again that she did not know that this centre was such an issue. Negative comments were not raised at the Community Meeting about the proposed Centre. The money had been allocated by WACCA and was therefore a significant benefit to Community.

Cllr Brown requested the Plans be displayed in the Council Office Foyer, CEO agreed and stated that she would get it done.

Mayor Addo stated it was to showcase culture.

Confidential information was discussed. Mayor Addo stated that the original area was Women's Group Meeting Place and the Women's Group was to be given office space in the Early Learning Centre, but that did not happen.

CEO stated she had spoken to MYPATHWAYS and others about getting the Women's Group going again. Perhaps Council should write to The Ely Trust for funding for that.

Cllr Brown stated that he does not want people to wrongly blame Council for issues such as that. The Multi-Cultural Centre will be for both male and female artists.

CEO suggested that perhaps all artists could be sent a letter inviting them to be involved in displaying their art and to ask what activities they are interested in. Cllr Smith suggested having an invitation sent out to all artists etc so that they can have an input into the planning for this Centre.

Through the Chair, the CEO stated that there is a perceived conflict of interest and perhaps Cllr Mara could declare this perceived conflict and refrain from involvement in the planning etc re the Multi-Cultural Centre. Cllr Mara agreed that if it was a perceived conflict of interest, she would do so in future.

There was general discussion re Councillor's portfolios.

**RESOLUTION C073/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

That the Reports be accepted as presented.

**CARRIED AT 11.43AM**

The Meeting was adjourned for lunch: 11.44am

The Meeting was Resumed: 1.36pm

**7 OPERATIONAL REPORTS****7.1 CEO OPERATIONAL REPORT**

The purpose of this report is to provide Council with an update of the activities of the Chief Executive Officer.

CEO informed Council of her month's activities as per tabled Report.

**RESOLUTION C074/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

That the report be tabled and accepted as read.

**CARRIED AT 1.39PM**



**7.2 RECONFIGURATION OF A LOT: SUBDIVISION AND REALIGNMENT OF BOUNDARIES EIGHT LOTS INTO TEN LOTS – LOTS 10, 85, 113, 116, 128, 129, 130 AND 135 ON SP278077 AND RECONFIGURATION OF A LOT: SUBDIVISION CREATING FOUR ACCESS EASEMENTS - LOTS 128 AND 130 ON SP278077 AND MATERIAL CHANGE OF USE, DWELLING HOUSES - SITES 5, 6 AND 12, MAPOON**

**PURPOSE OF REPORT**

To seek approval from Council for reconfiguration of lots as outlined below.

**RESOLUTION C075/01**

Moved: Cr Pauline Smith

Seconded: Cr Brendan Brown

That Council:

- A. Approve a development permit for the Reconfiguration of a Lot, being a subdivision and realignment of boundaries of Lots 10, 85, 113, 116, 128, 129, 130 and 135 on SP278077, eight (8) lots into ten (10) lots for the purpose of creating home ownerships subject to conditions;
- B. Approve a development permit for the Reconfiguration of a Lot, being a subdivision of Lots 128 and 130 on SP278077, creating four (4) access easements subject to conditions; and
- C. Approve a development permit for the Material Change of Use, Sites 5, 6 and 12 to allow for the construction of dwelling houses over the reconfigured lots subject to conditions.

**Conditions of Approval**

- (1) The developer is responsible to carry out the approved development and At all times comply with relevant requirements in accordance with:-
  - a. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within the technical reports;
  - b. The development must unless otherwise stated, be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards
  - c. The conditions of approval, the requirements of Council's Planning Scheme and best practice engineering.
  - d. The conditions of the Referral Authority Advices 1904-10791 SRA dated 21 June 2019
- (2) The currency period applicable to this approval. At all times
  - RAL & MCU – 6 years

(3) The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval: At all times

Plan / Document Name	Number	Reference	Date
Site 1 – Aileen Addo and proposed EMT EU	Site 1	Mapoon 0002.01	21 June 2019
Site 2 (Dennis Blanco) and Site 3 (Jomito Blanco)	Site 2(flood prone )& Site 3(flood prone )	Mapoon 0002.02_3	21 June 2019
Site 4 – Dawn Charteris and EMT EX	Site 4	Mapoon 0002.04	21 June 2019
Site 5 (Neville Hellmuth)	Site 5	Mapoon 0002.05	21 June 2019
Site 6 – Ruth Hennings	Site 6	Mapoon 0002.06	21 June 2019
Site 7 (Stephen & Debra Jia) & easement (proposed) EMT abt	Site 7	Mapoon 0002.07	21 June 2019
Site 11 – Darrin Savo and EMT EB	Site 11	Mapoon 0002.11	21 June 2019
Site 12 – Maureen Savo & Grant Crossley	Site 12	Mapoon 0002.13	21 June 2019
Site 13 – Greg Matasia	Site 13	Mapoon 0002.13	21 June 2019
Technical Agency Response Plan	Sheet 1 of 4	TARP 1904-10791 SRA	17 June 2019
Technical Agency Response Plan	Sheet 2 of 4	TARP 1904-10791 SRA	17 June 2019
Technical Agency Response Plan	Sheet 3 of 4	TARP 1904-10791 SRA	17 June 2019
Technical Agency Response Plan	Sheet 4 of 4	TARP 1904-10791 SRA	17 June 2019

(4) Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail. At all times

(5) Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council. At all times

#### **Drainage**

(6) The surface drainage on the property must be managed on site. At all times  
 (i) surface drainage must be catered for in a manner that lessens possible impacts in receiving areas.

(7) Any works as a result of the reconfiguration must not interfere with natural stormwater flow over or through the land. At all times

#### **Access**

(8) Access provision to all proposed allotments must be provided/constructed in accordance with Council's standard engineering specifications and to the satisfaction of the Chief Executive Officer or demonstrate that such is already in existence. At all times

#### **Construction**

(9) Any construction work associated with this development shall be carried out in accordance with sound engineering practice. In particular, no nuisance is to be caused to adjoining residents by way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours. Where material is to be carted to or from the site, loads are to be covered to prevent dust or spillage. Where material is spilled or carried on to existing roads, it is to be removed forthwith so as to restrict dust nuisance and ensure traffic safety. At all times

#### **Damage to Infrastructure**

(10) In the event that any part of Council's infrastructure is damaged as a result of work associated with the development, Council must be notified immediately of the affected infrastructure and have it repaired or replaced by Council, at no cost to Council. All works must be completed prior to the issue of a Compliance Certificate for the Plan of Survey. At all times

#### **Sediment Management / Reef Protection**

(11) Relevant mitigation measures must be undertaken during construction and maintenance to minimize the rates of soil loss and sediment movement impacts to the Barrier Reef. At all times

#### **Storm Tide**

(12) Dwellings on properties affected by Storm Tide impacts is to be constructed sturdy to withstand average storm damage At all times

(13) Dwellings on properties affected by Storm Tide impacts have mandatory evacuation requirements during storm tide warning periods. At all times

#### **Flooding & Define Flood Level**

At all times

(14)That all dwellings in the development be developed above the Defined Flood Level (DFL).	Within 18 Months of approval	this
<b>Storm Tide Evacuation Plan</b>		
(15)That a Storm Tide Evacuation Guide be developed by the Mapoon Aboriginal Shire and that such a guide be made available to the community at all times.		
<b>Bushfire Management</b>	At all times	
(16)The development must provide a fire break which also facilities adequate access for firefighting and emergency vehicles and safe evacuation. During the operation and life of the development.		
<b>Geotechnical</b>	Prior to	
(17)The developer must submit certification from an appropriately qualified and experienced geotechnical consultant addressing the risk level associated with landslide at the development site.	issuing of a Development Permit Building Work	a for
<b>Infrastructure Services</b>	At all times	
(18)Water Supply connection or suitable alternative adequate water supply must be provided to the site.		
(19)Sewer connection or suitable alternative on-site treatment must be provided to the site.	At all times	
(20)Electricity provision certificate must be provided to the Local Authority	Prior to issuing of a Development Permit Building Work	for
(21)Telecommunications provision certificate or declaration of exemption must be provided to the Local Authority.	Prior to Issuing of a Development Permit Building Work	a for
<b>CARRIED 1.40PM</b>		

**7.3 ACCEPTANCE OF 14 CLERMONT STREET - HPW TRANSITIONAL PROPERTY TO MASC****PURPOSE OF REPORT**

To seek approval from Council for acceptance of 14 Clermont Street – HPW transitional property to cater for the demanding need for Mapoon Aboriginal Shire Council staff accommodation.

**RESOLUTION C076/01**

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

That Council accept 14 Clermont Street, Mapoon from The Department of Housing and Public Works for use as staff accommodation.

**CARRIED AT 1.41PM**

**7.4 MAPOON MASTER PLAN****PURPOSE OF REPORT**

To seek approval of the tabled Mapoon Masterplan as a Policy document.

**RESOLUTION C077/01**

Moved: Cr Pauline Smith

Seconded: Cr Margaret Mara

That Council,

(a) endorse the Mapoon Master Plan in its current form acknowledging that it will be reviewed and amended to align with the changing needs of the community,

(b) endorse the Mapoon Master Plan as a Policy of Council in support of the Mapoon Aboriginal Shire Planning Scheme dated 23 February 2015, and

(c) delegate authority to the CEO to make minor amendments to the Mapoon Master Plan from time to time.

**CARRIED 1.42PM**

**7.5 MAPOON CHURCH DESIGN****PURPOSE OF REPORT**

To seek approval from Council for Mapoon Church design and its development on Lot 155.

**RESOLUTION C078/01**

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

That Council resolved to approve the design for the Church.

**CARRIED 1.43PM**

**7.6 MAPOON CULTURAL/MULTI PURPOSE CENTRE****PURPOSE OF REPORT**

To provide Council with an update on the progress of the Mapoon Cultural/Multi Purpose Centre.

**RESOLUTION C079/01**

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

That Council note this information re the Multi Purpose/Cultural Centre in Mapoon.

**CARRIED 1.44PM**

## 7.7 THRIVING COMMUNITIES – DATSIP

### PURPOSE OF REPORT

Provide an update to Councillors regarding Department of Aboriginal and Torres Straits Islander Partnership's initiative – Thriving Communities lead by Director General Dr Chris Sara.

Mayor Addo read the correspondence she received from Jackie Trad in relation to the commitment to the response to the Local Thriving Communities which is being co-designed with communities concurrently. Mayor Addo says she reads this as they are trying to give responsibility to Communities.

Mayor Addo will forward the correspondence to the CEO.

CEO stated that the correspondence received to date was not very specific and that her understanding of what he said was that he wanted only black fellahs on the board and that the role of the board includes allocation of funds. He stated the funding included funding for community organizations including Apunipima, PCYC etc. The Board will also be involved in the recruitment of senior positions such as CEO, DON, Principle etc but those positions were not specified. The Board will report directly to the Deputy Premier who will allocate funding as per the advice. Councillors stated it sounds along ATSIC style. CEO asked that as Council is a democratically elected entity, why do they need another Board? She also stated that the control by a Board such as that would hold Council over a barrel. She believes Council needs to say we are democratically elected black fellahs. Mayor Addo says she would hate to see Council look after Roads, Rubbish and Rates and the Board would take care of all funding and she does not like that model. She believes that this Community would suffer under this model. Council is governed by the Local Government Act and Council will do what is best for the Community, a new Board which does not have these restraints would cause more problems. Other groups such as Women's Group and Men's Group can apply for funding, Mayor Addo stated that they had all seen Black politics cloud people's judgement. CEO states we have democratically elected people on Council who are able to fulfil these roles. Mayor Addo stated there is another meeting in Cairns in August and we need to see the outcome of that. She believes the Board model would be a step backwards.

All the things they want to implement such as Funding, Council talks to Community every six months. Recruitment is currently encouraged to be forwarded to the appointed leaders, such as Council. Mayor Addo stated that all of the people involved in the Committee are from down south, it was agreed that many of them have never lived in communities. It was agreed that Council and the Community will be affected.

Cllr Smith asked how the Board would be chosen, and it was discussed that when it comes to funding and recruitment it would be difficult for a Board to make informed decisions. Councillors have knowledge of the community, and Council is accountable through the Local government Act.

Council will wait till the TICA Meeting.

### RESOLUTION C080/01

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

1. That Council write to Director General - Dr Chris Sara, requesting further information on the initiative before a decision is made on the model for Mapoon.

**CARRIED AT 2.30PM**

**7.8 WATER USAGE - MAPOON AIRPORT PROJECT****PURPOSE OF REPORT**

Advise Council on the request for compensation by MOKWIRI RNTBC for utilisation of water from the water hole – (Ngullungi)

CEO stated that OMAC is happy and they do not want compensation. Cllr Brown asked whether any tests had been done to show that there was a problem and things were dying. It was agreed that it is rainwater not swamp water.

**RESOLUTION C081/01**

Moved: Cr Margaret Mara

Seconded: Cr Pauline Smith

That Council receive and take note of this report.

**CARRIED AT 2.31PM**

**7.9 WORKSHOP REPORT****PURPOSE OF REPORT**

Monthly Performance and Operational Report for Mapoon Workshop.

**RESOLUTION C082/01**

Moved: Cr Margaret Mara

Seconded: Cr Brendan Brown

That the Workshop report be tabled and accepted as read.

**CARRIED AT 2.32PM**

**7.10 MASC ADVERTISING SPENDING POLICY****PURPOSE OF REPORT**

To update and adopt the Policy

**RESOLUTION C083/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

That Council resolve to endorse the Policy - Advertising Spending for 2019/20.

**CARRIED AT 2.33PM**



**7.11 COMMUNITY GRANTS POLICY****PURPOSE OF REPORT**

Community Grants Policy

**RESOLUTION C084/01**

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

That Council resolve to endorse the Policy- Community Grants for 2019/20.

**CARRIED 2.34PM**

**7.12 COMPLAINTS ABOUT PUBLIC OFFICIALS POLICY****PURPOSE OF REPORT**

**Complaints about Public Officials Policy**

**RESOLUTION C085/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

That Council resolve to endorse the Policy - Complaints about Public Officials for 2019/20.

**CARRIED AT 2.34PM**

**7.13 DEBT POLICY 2019-20****PURPOSE OF REPORT**

Debt Policy 2019-20

**RESOLUTION C086/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

That Council resolve to endorse the Policy - Debt Policy 2019-20 for 2019/20.

**CARRIED AT 2.35PM**

**7.14 FRAUD AND CORRUPTION POLICY****PURPOSE OF REPORT**

Fraud and Corruption Policy

**RESOLUTION C087/01**

Moved: Cr Pauline Smith

Seconded: Cr Brendan Brown

That Council resolve to endorse the Policy - Fraud and Corruption Policy for 2019/20.

**CARRIED AT 2.36PM**

**7.15 REVENUE POLICY 2019-20****PURPOSE OF REPORT**

Revenue Policy 2019-20

**RESOLUTION C088/01**

Moved: Cr Pauline Smith

Seconded: Cr Margaret Mara

That Council resolve to endorse the Policy – Revenue Policy for 2019/20.

**CARRIED AT 2.37PM**

**7.16 ASSET AND SERVICES MANAGEMENT POLICY****PURPOSE OF REPORT**

Asset and Services Management Policy

**RESOLUTION C089/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

That Council resolve to endorse the Policy – Asset and Services Management Policy for 2019/20.

**CARRIED AT 2.38PM**

**7.17 DRUG AND ALCOHOL POLICY****PURPOSE OF REPORT**

Drug and Alcohol Policy was presented and Councillors note and will read this Policy prior to endorsement. Discussion was had re Hopevale and Mornington Island having already adopted Drug and Alcohol Policies but it was important to read it thoroughly. Mayor Addo recommended it be discussed at the next meeting. CEO advised through the Chair that if an employee uses drugs or alcohol, they can approach Council confidentially and get assistance to improve. Someone who uses drugs or alcohol can come in and self-test and then go home, the aim is not to punish people but to assist them to rehabilitation. Mayor Addo emphasized that it was important to be supportive. CEO advised that people would still get letters of warning, and if you get the third letter you go home for two weeks.

Question from Cllr Mara as to whether Councillors would set an example and take a test themselves before council meetings. Councillors agreed that they should be the guinea pigs and CEO stated that it was a good example for the leaders to be tested. Mayor Addo stated that the Council should be encouraged to consider the following Council and not cause difficult fall outs for the next Council. Councillors will provide feedback.

**RESOLUTION C090/01**

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

That Council obtain more information before resolving to endorse the Drug and Alcohol Policy for 2019/20.

In Favour: Crs Aileen Addo, Brendan Brown, Margaret Mara and Pauline Smith

Against: Nil

**CARRIED 4/0 AT 2.47PM CARRIED**

**7.18 DISCIPLINE AND TERMINATION GOVERNANCE POLICY****PURPOSE OF REPORT**

Discipline and Termination Governance Policy

**RESOLUTION C091/01**

Moved: Cr Margaret Mara

Seconded: Cr Pauline Smith

Council resolve to endorse the Policy –Discipline and Termination Governance Policy for 2019/20.

**CARRIED AT 2.48PM**

**7.19 HR/PAYROLL REPORT****PURPOSE OF REPORT**

To advise Council on the operations of the HR/Payroll Department

**RESOLUTION C092/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

That this report be tabled and accepted as read.

**CARRIED AT 2.49PM**

**7.20 TAX DETERMINATION 2019/201****PURPOSE OF REPORT**

To provide Council with the Taxation Determination as provided by the Australian Tax Office Website.

**RESOLUTION C093/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

**RECOMMENDATION**

That Council adopt the latest travel allowance rates as provided by the Australian Tax Office in the Taxation determination 2019/20.

**CARRIED AT 2.50PM**

**7.21 FINANCE REPORT -JUNE 2019****PURPOSE OF REPORT****RESOLUTION C094/01**

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

**RESOLUTIONS REQUIRED**

1. Council endorse the financial reports for the financial period June 2019.
2. That the report be tabled and accepted as read.
3. That Council endorse and approve tabled Budget and Operational Plans presented in the June Meeting with amendments presented in the July Meeting.

**CARRIED AT 2.52PM**

Mayor Addo asked that a letter of congratulations be sent to the Store Manager, and flowers to Sally who appears to be still in hospital.

Information was offered by the CEO on the amendments.

**7.22 MONTHLY REPORT FOR BUILDING WORKS AND INFRASTRUCTURE DEVELOPMENTS**

**PURPOSE OF REPORT**

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

Tom Smimth entered the meeting and presented his reports. He explained the procedure of materials testing to Council and how the technical side of it stops the building from cracking if there is subsidence.

He advised that the Fitness Centre is almost complete. Mayor Addo asked what a Form 15 was and when the fitness centre would be ready. Mr Smith advised that the equipment for the Fitness Centre is arriving next Wednesday. Councillors asked questions about the Rules and stated that it needs to be supervised and that there must be an age limit. CEO advised through the Chair that the gym would be operated under the insurance of the PCYC, and that the equipment belongs to Council. Facility is Council's and the indemnity rests with PCYC. Council does not have the capacity to run the gym and that is why PCYC is responsible for that aspect of it. Legal aspects have been overseen by Preston Law. There is an MOU with PCYC.

The contract end date is 30 July for the Machinery Shed. Mayor Addo asked whether the problem had been resolved, Tom advised what he had done to date. In confidence the CEO provided additional information to Councillors. Mayor Addo provided additional information in relation to background issues.

The Splash Park is complete and functioning. The timer cannot be set for different times for the week and the week end but the Park can be turned on at 3pm each day, and turned on manually when required on Saturday and Sunday. The timers work between 9am and 6.30pm. There is a four minute cycle. Mayor Addo asked whether there were signs, Mr Smith advised that there are. Council asked for the Splash Park to be turned on this afternoon at 3pm

Cullen Point concrete pads and concrete fire pits are completed. There was discussion re wood and the Airport Shed being up and finished.

Mayor Addo asked for a finish date for the Airport. Me Smith advised that by the end of September it would be open for planes.

The Works for the Queensland Aged Care Component on the Aged Care facility is completed. Mayor Addo asked when it would be finished and Mr Smith advised that they were trying to stage that, and the roof and windows will go into the structure in the next ten days. Galvanizing has to be done to extend the life span of the structure.

The tender for the design for the Multi-Purpose Centre is underway. It is a very complex design. Mr Smith hopes that the design will be ready for presentation to Council for the next Council Meeting.

Solar system problems are sorted out. All systems will be about 24KW and Council Buildings, SES Shed and Workshops will be generating money. Mapoon is going to be an Ergon test community for Solar Power.

The Shade Sail is still in transit. It should go up in the next two to three weeks. The CEO will arrange to get a costing for the Trustees to consider funding the Shade Sail for the Splash Park. It will be in the vicinity of \$40,000 for the Splash Park, including installation.

There was discussion into the renovations to various community houses. Ongoing drive way work is continuing and about 30 car ports will be built.

Maintenance Work has resulted in about \$34,500 in income. There was a query from Councillor Brown re the guard rail he had discussed and he requested a barrier be built. Mr Smith advised that he would action that.

Discussion was had re the quotes for the Fire Systems and Home Fab Quotes. Questions were raised re wet and dry surfaces and Mr Smith answered them.

Query by Councillor Brown re the guard rail and a request for a barrier as discussed with Mr Smith Mr Smith advised that he would action that

Mayor Addo asked for Mr Smith to have a start date and a proposed end date for all of Council's Projects. Mr Smith agreed to action that.

**RESOLUTION C095/01**

Moved: Cr Pauline Smith

Seconded: Cr Brendan Brown

That

1. Recommendations for Northern Fire Systems Install both wet and dry services to the Age Care Buildings.
2. Recommendations Council engage Home Fab to supply 2 bedrooms lock up Kits on stumps, for Age Care Night Manager Accommodation.

**CARRIED AT 3.15PM**



**7.23 PROGRESS UPDATE FOR AGE CARE****PURPOSE OF REPORT**

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

Update for Barge landing, Staff accommodation, Church structural designs and Agecare Accommodation of 4 studio units from AECOM

**RESOLUTION C096/01**

Moved: Cr Pauline Smith

Seconded: Cr Brendan Brown

Carried

3.28pm

That the report be tabled and accepted as read.

**CARRIED AT 3.28PM**

**7.24 MAPOON CIVIL WORKS PM AECOM WEEKLY PROJECT UPDATE - WEEK ENDING <28-JUNE-2019****PURPOSE OF REPORT**

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

**RESOLUTION C097/01**

Moved: Cr Brendan Brown

Seconded: Cr Margaret Mara

That the report be tabled and accepted as read.

**CARRIED AT 3.29PM**

**7.25 MAPOON AGED CARE FACILITY AND OTHER PROJECTS. 9TH JULY UPDATE****PURPOSE OF REPORT**

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

**RESOLUTION C098/01**

Moved: Cr Margaret Mara

Seconded: Cr Brendan Brown

That the report be tabled and accepted as read.

**CARRIED AT 3.30 PM**

## **7.26 WASTE AND WATER PROJECT UPDATE**

### **PURPOSE OF REPORT**

This report provides an update on the Mapoon Water Supply upgrade Project and the Mapoon Landfill upgrade for the Mapoon Aboriginal Shire Council meeting in July 2019.

### **RESOLUTION C099/01**

Moved: Cr Pauline Smith

Seconded: Cr Brendan Brown

That Council note and accept this report.

**CARRIED AT 3.29PM**

## **7.27 RESOLUTION TO ADOPT AND COMMENCE AN ALIGNMENT AMENDMENT TO THE MAPOON ABORIGINAL SHIRE COUNCIL PLANNING SCHEME UNDER THE ALIGNMENT AMENDMENT RULES AND THE PLANNING ACT 2016, SECTION 293**

### **PURPOSE OF REPORT**

Present the Council with information to support the Adoption and Commencement of Alignment Amendments to the Mapoon Aboriginal shire Council Planning Scheme under the Alignment Amendment rules and the planning Act 2016, section 293.

### **RESOLUTION C100/01**

Moved: Cr Pauline Smith

Seconded: Cr Margaret Mara

### **RESOLUTION TO ADOPT AND COMMENCE AN ALIGNMENT AMENDMENT TO THE MAPOON ABORIGINAL SHIRE COUNCIL PLANNING SCHEME UNDER THE ALIGNMENT AMENDMENT RULES AND THE *PLANNING ACT 2016*, SECTION 293**

That council:

- has made an alignment amendment to the Mapoon Aboriginal Shire Council Planning Scheme under the Alignment Amendment Rules made by the Planning Minister under section 293 of the *Planning Act 2016* for the purpose of aligning the terminology of the Mapoon Aboriginal Shire Council Planning Scheme with the *Planning Act 2016* and making codes more robust for the purposes of development assessment using the new decision rules.
- the amendment will commence on 4<sup>th</sup> of November 2019 in accordance with the date stipulated for the public notice.

- will publish a public notice in:
  - the gazette;
  - in a newspaper circulating in the Mapoon Aboriginal Shire Council area; and
  - on the Mapoon Aboriginal Shire Council’s website.
- will give the Chief Executive of the Department of Development, Manufacturing, Infrastructure and Planning a copy of the public notice and a copy of the alignment amendment.

**CARRIED AT 3.31PM**

## **7.28 AMO-EHW**

### **PURPOSE OF REPORT**

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

### **RESOLUTION C101/01**

Moved: Cr Margaret Mara  
Seconded: Cr Brendan Brown

1. That the report be tabled and accepted as read

**CARRIED AT 3.35PM**

## **7.29 RANGERS JUNE REPORT 2019**

### **PURPOSE OF REPORT**

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

### **RESOLUTION C102/01**

Moved: Cr Brendan Brown  
Seconded: Cr Pauline Smith

That this report be tabled and read

**CARRIED AT 3.37PM**

**7.30 ADMINISTRATION REPORT****PURPOSE OF REPORT**

Give an update of the Administration Team's monthly operations

**RESOLUTION C103/01**

Moved: Cr Pauline Smith

Seconded: Cr Margaret Mara

That this report be tabled and accepted as read.

**CARRIED AT 3.39PM**

**7.31 ACCOMMODATION MANAGER'S REPORT JULY 2019****PURPOSE OF REPORT**

To present to Council a Report outlining program performance and operational actions of the Accommodation Facilities for the previous month.

**RESOLUTION C104/01**

Moved: Cr Brendan Brown

Seconded: Cr Pauline Smith

That this report be tabled and accepted as read.

**CARRIED AT 3.46PM**

**7.32 PLAYGROUP****PURPOSE OF REPORT**

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

**RESOLUTION C105/01**

Moved: Cr Pauline Smith

Seconded: Cr Margaret Mara

That this report be tabled and accepted as read.

**CARRIED AT 3.48PM**

**8 CORRESPONDENCE****9 PRIORITY CORRESPONDENCE****9.1 CORRESPONDENCE FROM BALKANU REQUESTING A MEETING WITH COUNCIL DURING THEIR VISIT TO MAPOON ON 31 JULY 2019****PURPOSE OF REPORT**

To ask Council to consider their availability to meet with members from Balkanu who are visiting on 31 July 2019

**RESOLUTION C106/01**

Moved: Cr Margaret Mara

Seconded: Cr Pauline Smith

That Council advise Balkanu that they are able to meet Balkanu on 31 July 2019

**CARRIED AT 3.50PM**

Council agreed to meet Balkanu and suggested 9am or 10 am in the morning. Mayor Addo outlined information re interaction with Balkanu and it was agreed to raise the other issues which were causing issues.

**10 ANY OTHER BUSINESS****DISCUSSION RE CULLEN POINT ROAD**

Cllr Brown raised the issues of the narrowness of the road to Cullen Point and the sharp edges. CEO advised that Council has funding for the upgrade of the road, which came from NDRR. She advised that approx. \$1 million dollars funding has been sourced, and this will allow the upgrade of the road. The design is sorted out and they are looking at tenders. Discussion was had re the length of time it has taken NQCEC to complete the Airport and Thuungu Road. Delays have been significant.

**10.1 FURTHER REPORT REQUIRED ON TRIP TO CANBERRA**

CEO informed Councillors that Council does have Gerhard available and that if anyone has any questions they can see him. Cllr Smith asked when Jason and Ricky came back from Canberra, could he be asked to present a meeting to The Trustees on the trip to Canberra, so that Council can decide what is significant and what should be brought back to Mapoon, as it is the Trustees decision, not an individual person. CEO advised that the trip went \$1,100 over budget and he will be asked to present a report to The Trustee Meeting re finances as well.

**11 NEXT MEETING DATE**

Proposed date for next meeting: 19 August 2019

**12 CLOSE MEETING**

**The Meeting closed at 3.58pm.**

**The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 19 August 2019.**

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**CHAIRPERSON**