



Council Ordinary Meeting Minutes of
meeting held in the council chambers

**Mapoon Aboriginal
Shire Council -
Ordinary Meeting
Minute 13th July 2015**

Mapoon Aboriginal Shire Council
Meeting Minutes: 13th July 2015
Meeting Held: MASC Council Chambers

Day 1. 13th July 2015

Attendance

Councillor Acting Chair	Beryl Woodley
Councillor	Pauline Smith
Councillor	Ricky Guivarra
Councillor	Aileen Addo

Apologies

Councillor	Peter Guivarra
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Staff

CEO	Leon Yeatman
Accountant (via phone)	David Hockey
CSM	Ron Young

Visitor

09:35 1. Meeting opened and welcome

CEO apologised for the delay with the meeting due to technical difficulties associated with the wireless connection to the I-pads. Paper copies of meeting document presented to councillors for their reference.

Noted apology for Mayor Guivarra due to medical appointment and delegation in place for Deputy Mayor to assume the responsibility for chairing the meeting.

Deputy 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 minutes silence in memory of community members who have passed.

Deputy Mayor reminded everyone about their roles and responsibilities for the meeting and particularly reminded the councillors about their obligations to declare their interest (material or personal) on matter presented that may have a perceived or real conflict of interest.

Councillor agree that all matters presented at this meeting will be administered work on the principle of fair and equitable treatment and on matters which are unresolved Deputy Mayor acknowledged that we each bring our own interests to the table and our rights to agree and disagree.

Mayor noted for the council that we are at the start of final quarter. The period has started with major projects coming on line and this is an exciting time.

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09:45 **2. Confirmation of Minutes**

Deputy Mayor asked the councillors to review their copy of the minutes of the last meetings and called for endorsement.

<u>Resolution</u> 01. <u>13/07/15</u>	<i>The council resolved to endorse the minutes of the meeting as true and correct:</i> <ul style="list-style-type: none">• <i>Ordinary meeting 16th June 2015;</i>• <i>Special meeting 30th June 2015</i>	
<u>Motion</u>	<i>Proposed: Councillor Addo</i> <i>Seconded: Councillor Smith</i>	<i>Motion Carried</i>

11:00 **3. Matters arising from Previous Minutes**

Ordinary Meeting 19th May 2015:

Councillors noted edit requirement for the business associated with changing meeting date. The resolution captured needs to reflect the date for this meeting (13/7/15).

General comment regarding the tidiness of the grounds at the Mapoon Store – Councillors concerned about the level of rubbish accumulating at the store. Manager required to revisit plans for general cleanliness and especially the fuel compound which has the added risk of fuel storage. Call for the Mapoon Clean up date to be coordinated and the associated community activity implemented. Councillors request the application of the local laws relating to litter and imposing the appropriate system. MASC remains committed to keeping the shire clean and a general message required within the shire.

Special Meeting 30th June 2015

Cr Guivarra reminded CEO about the need to strengthen the process associated with WCCCA representation. At this time MASC could improve the level of communication about project scoping and performance reporting. At this time it is imperative for the WCCCA reps to be briefed on project proposals and involved project related reviews before the next WCCCA meeting.

General comment – fire season notice. The councillors are concerned the amount of fuel after the wet and how we are now in the dry season. Council instruct the CEO to issue a general notice to all residents regarding fire safety and to encourage families to implement the appropriate actions to clear debris. Councillors discussed in home strategies for fire safety and particularly the Rio Tinto requirement for their homes to have fire extinguishers on top of the safety standard which makes it mandatory for every home to have alarms installed. Request for a public meeting and the agenda item to include fire safety. Councillors also request drive for a local SES and Rural Fire Brigade to assist at times for when fire management is an issue. Councillors support call for strategy to address fire risk issues and direct actions against offenders including enforcement of local laws.

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11:30 **4. Standing Orders**

11:35 **5. Standing Order – Finance Audit Risk Management**

Accountant noted that the content in this report is reduced due to end of year procedures. The meeting set to finalise the budget and reports is the last Thursday of the Month.

Accountant proceeded to present the following items:

- Rental Debtors and income
- Store
- Consolidated Revenue Vs. Expenditure Graphs

Write offs – process completed and rational provided to councillors on specific items. Note there are a number of assets that are being pursued and this is awaiting identification to remove from the schedules.

Councillors queried the state of MASC accounts. Accountant commented positively on the level of projects registered and associated income for MASC. Accountant stated the audited financial statements will be the final report which will contain the full details of MASC performance for the last financial year.

<u>Resolution</u> 02. <u>13/07/15</u>	<p><i>Council resolved to endorse the Accountants report as read.</i></p> <ul style="list-style-type: none"> • <i>Rental Debtors and income</i> • <i>Store</i> • <i>Consolidated Revenue Vs. Expenditure Graphs</i> <p><i>Councillors note the budget will be addressed before the end of the month to comply with the 1 August deadline.</i></p>	
<u>Motion</u>	<p><i>Proposed: Councillor Guivarra</i> <i>Seconded: Councillor Smith</i></p>	<i>Motion Carried</i>

11:50 **6. Standing Order – Tender / Payment authorisation (exceeding delegation)**

Nil

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12:00 **7. Standing Order – Legal Matters**

CEO presented the legal information for councillor consideration:

Preston Law – Leasing process

Councillors support the information presented and noted the request for a meeting to progress the process. Councillors keen to progress the matter and confirm a structure. CEO pointed to the request for administrative process to workshop the procedure manual, processes, letters and cost associated with home ownership. Plan will be for the CEO to administratively work with the lawyers to formulate the documentation and then present back to MASC for endorsement.

Cape York Land council – ILUA Negotiations

CEO advised to the contents relates specifically to the response provided by CYLC to MASC lawyer. Council keen to meeting with legal advisor to factor this response into the focus and direction for the matter.

This issue is of high importance and council interested in progressing this matter to a formal agreement.

Meeting adjourned for lunch 1:00 pm.

Meeting reconvened 1:45

13:45 **8. Standing Order – Policy and Regulatory Compliance**

CEO advised the policies presented seek to address MASC compliance obligations and risk management. Note there are a number of issues that will benefit from a stronger focus on Risk Management and to ensure our officers are aware and operating with the best protection. Note areas will require higher level focus, however the obligations back on council will be significant in the event of an issue coming to being.

Council concerned about vicarious liability and risks associated with MASC general operations. Policies and procedures need to reflect best practice to minimise risk potential.

Resolution 03. ***Council resolved to endorse the following list of policies:***
13/07/15

Policy Name:

- ***Complaints Management***
- ***Councillor Meeting attendance***
- ***Credit Card***
- ***Customer Service Standards – Water & Sewerage***
- ***Discipline & Termination Governance***
- ***Drugs & Alcohol***
- ***Equal Opportunity***
- ***Flexible Working Hours Arrangements***
- ***Grievance***

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	<ul style="list-style-type: none"> - <i>Hours of Work, Accrued Time Off and Timesheet arrangements for employee</i> - <i>HR - Contract Negotiations</i> - <i>HR – Workplace Harassment & Bullying Policy</i> - <i>Information Management – Paperless meeting</i> - <i>Information Technology & Computers</i> - <i>Recruitment & Selection Manual</i> - <i>Risk Management</i> - <i>Vehicle Usage Policy</i> - <i>Workplace Health & Safety</i> - <i>Asset & Services Management</i> - <i>Community Engagement</i> - <i>Community Grants</i> - <i>Councillor Remuneration, Expenses Reimbursement, Provision of Facilities & Support for Elected Representatives</i> - <i>Debt Policy</i> - <i>Enterprise Risk Management</i> - <i>Fraud & Corruption</i> - <i>Guidelines for Councillors asking for employee advice (Advice guidelines)</i> - <i>Procurement</i> - <i>Revenue</i>
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<u>Motion</u>	<i>Proposed: Councillor Addo</i> <i>Seconded: Councillor Smith</i>	<i>Motion Carried</i>
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14:20	9. Operational Reports
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14:20	10. Operational Report - CEO
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CEO presented his report to the council and covered the following operational issues:

- Road – lights required to improve safety. CEO noted comment registered by regional manager regarding rule for poles and lighting (Ergon owns the poles and councils own the lights). Council supportive of extra lighting in Mapoon to improve general safety. Lighting in front of council chambers and the store is very dark. Request for speed limit to be reviewed on the road entry in to the main town area.

<u>Resolution 04.</u> <u>13/07/15</u>	<i>Council resolved to endorse the CEOs report as read. Actions stemming from this report to be implemented before the next meeting.</i>
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<u>Motion</u>	<i>Proposed: Councillor Smith</i> <i>Seconded: Councillor Guivarra</i>	<i>Motion Carried</i>
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14:45 **11. Operational Report – Corporate Services Manager**

CSM invited to the meeting to discuss his report to the council. The following topics were discussed in detail:

- Training
- Staff
- Housing
- General

Councillors queried the tenancy management process – Housing advised the following:

- Offending tenant needs to be clearly identified
- A complaint must be registered with QPS and a reference number obtained.
- Provide report to housing with reference number, property location, detail of complaint etc.
- Tenant to be notified and advised of nonconforming behaviour.
- Note there is an issue about evicting tenants due to the absence of an eviction policy for remote communities (lack of a clear policy will create a vortex).

The council supportive of a standard approach to noncompliant tenants and normalise response to evicting nonconforming tenants. Council advised the current positions servicing Mapoon and Western Cape will be closed and services provided from Cairns. Current staff advised the positions will be made redundant.

Councillors raised reference of Paanja housing allocation process and instruction issued to CSM to communicate with Tenancy Management regarding the allocation of tenancies for this program – lack of details is a key concern for councillors

<u>Resolution 05.</u> <u>13/07/15</u>	<i>Council resolved to endorse the CSMs report as read. Actions stemming from this report to be implemented before the next meeting.</i>	
<u>Motion</u>	<i>Proposed: Councillor</i> <i>Seconded: Councillor</i>	<i>Motion Carried</i>

CSM departed the meeting, 15:25pm

15:25 **12. Operational Report – Senior Administration**

Council queried the nature of tenancies registered on the table. Key question related to the number of tenancies registered (total does not equate to the total number of tenancies in Mapoon). Council ask for the data to reflect the total number of properties registered with a tenancy agreement and this to be included in the next report to the council. If the data is not able to reflect the current tenancies it clearly does not add up and should not be reported on as it is misleading.

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<u>Resolution 06.</u> <u>13/07/15</u>	<i>Council resolved to endorse the Senior Administration officers report as read. Actions stemming from this report to be implemented before the next meeting.</i>	
<u>Motion</u>	<i>Proposed: Councillor Smith</i> <i>Seconded: Councillor Addo</i>	<i>Motion Carried</i>

15:45 13. Operational Report – Payroll-Grants Officer

Councillors noted the following issues that require support:

Additional duties within the operation of council structure (consideration toward PTE and FTE options to cover additional load);

Security and confidentiality within the office. Staffing within the office requires attention and could benefit from business efficiency in a number of areas. MASC support initiative for review of operational structure to allow for additional member to be added to support project/grant writer.

<u>Resolution 07.</u> <u>13/07/15</u>	<i>Council resolved to endorse the Payroll Officers report as read. Actions stemming from this report to be implemented before the next meeting.</i>	
<u>Motion</u>	<i>Proposed: Councillor Addo</i> <i>Seconded: Councillor Smith</i>	<i>Motion Carried</i>

16:10 14. Operation Report – HACC

Noted. There needs to be a final report before the officer officially resigns.

16:15 15. Operation Report – Environmental Health

Council support the proposed actions relating to the dump. The suggestion was registered to use a motion cameras to help identify offenders.

<u>Resolution 08.</u> <u>13/07/15</u>	<i>Council resolved to endorse the EHWs report as read. Actions stemming from this report to be implemented before the next meeting.</i>	
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<u>Motion</u>	<i>Proposed: Councillor Guivarra Seconded: Councillor Addo.</i>	<i>Motion Carried</i>
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16:20 16. Operation Report – Animal Management

Councillor acknowledge the officers involvement at the University of Sydney program and congratulate the AMO for doing himself and the council proud.

Council note the concern about the dogs and the pound. Request from officer to submit a plan for consideration and endorsement. Note the level of dogs within Mapoon is concerning and corrective action is required (attention to be paid to removing surplus dogs).

Council support the implementation of appropriate action for the removal of horses from community area – health and safety.

<u>Resolution</u> <u>09.</u> <u>13/07/15</u>	<p><i>Council resolved to endorse the AMOs report as read. Actions stemming from this report to be implemented before the next meeting.</i></p> <p><i>MASC instruct the Animal Management Officer to implement appropriate programs for the following areas:</i></p> <p><i>Horses in town area – including identifying an appropriate location for a yard, registration process animals, yarding animals and care processes, disposal of feral horses (unregistered).</i></p> <p><i>Dogs, continue program, source information about pound and operations, registering and care of dogs, disposal of feral dogs.</i></p>
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<u>Motion</u>	<i>Proposed: Councillor Smith Seconded: Councillor Addo</i>	<i>Motion Carried</i>
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16:35 17. Operation Report – Land & Sea Rangers

Council queried the validity of verbal comments regarding allegation of a drug crop being found in the shire. Council encourage the use of appropriate processes to be use and encourage illicit and illegal activities to be reported to the appropriate authorities.

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Councillors issued caution about the use of barbed wire on side tracks and roads regularly used by community. The general concern for health and safety of Rangers and Staff and the call for everyone to be vigilant and aware of this risks and to be alerted of the associated risks. Locations where the wire is being used must be reported and immediate removal where barbed wire is identified/found.

Council encourage the same vigilance of reporting illegal and noncompliant actions in the water ways and fishing areas – nets. All officers are reminded that this rule is applicable for staff also.

Council ask the consultant with the Visitor management project to be communicated to WCCCA who are also in the process of formulating a regional visitor management program. Council ask for the Mapoon visitor management plan content to be incorporated into the regional plan project.

<u>Resolution 10.</u> <u>13/07/15</u>	<i>Council resolved to endorse the Land & Sea Ranger report as submitted to the council.</i> <i>Council instruct the Ranger Coordinator to pay attention for the following areas:</i> <i>Horse management;</i> <i>Dog management;</i> <i>Reporting of illicit and illegal activities to the appropriate authorities;</i> <i>Removal of barbed wire;</i> <i>Reporting of illegal fishing.</i>	
<u>Motion</u>	<i>Proposed: Councillor Addo</i> <i>Seconded: Councillor Guivarra</i>	<i>Motion Carried</i>

Council support the initiative to make barbed wire illegal in the shire.

16:53	18. Operation Report – Store Managers Report
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Nil. Councillors concerned the level of stock at the store. Manager instructed to ensure sufficient planning and supply arrangements are in place to maintain a level of supply of goods to the public. Attention is required to ensuring the shelves are adequately stocked.

16:55	19. Operation Report – Department of Human Services: Centrelink changes
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CEO advised the new agreements have been signed. Note this is part of a national initiative to move to a computerised service processes.

17:00	20. Priority correspondence – Housing Public Works: Home Ownership sale prices
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CEO advised the council the posted document was provided in part and is not fully compliant. The detail is missing a second page which will offer salutations – this information is available through the Mayor.

17:05 21. Priority Correspondence – FXGU fishing license

CEO advised of instruction given to the applicant stating the council is not interested in selling the license. They are supportive of sustainable fishing practices and ensuring the communal nature of the license is sustained.

Council support in principal the discussion with the applicant regarding their proposal and the viability of fishing in Mapoon waters. The provision for providing fish and crabs for community activities is priority.

<u>Resolution</u>	11.	<p><i>Council resolve to endorse in principal for CEO to progress discussion regarding commercial use options of the Mapoon fishing license.</i></p> <p><i>The Mapoon fishing license is not for sale.</i></p> <p><i>Any arrangement must reflect commercial principals and ensure communal contributions (for community celebrations) as a matter of course.</i></p> <p><i>Operation of a fishing operation must comply with standard business practices.</i></p>
<u>13/07/15</u>		

<u>Motion</u>	<p><i>Proposed: Councillor Smith</i> <i>Seconded: Councillor Addo</i></p>	<i>Motion Carried</i>
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17:15 22. Councillor Report

Mayor commended the councillors for their reporting for the period and the reports as presented where tabled at the meeting.

Cr Addo will be out of Mapoon for a two week period from 15th July – request for agenda items for the meeting to be issued prior to ensure councillors can prepare for the meeting. Councillors queried the *Paanja housing allocation process* – request for information to regarding the allocation of housing associated with this program. Councillors concerned about the lack of details relating to the program and associated names. CEO instructed to initiate contact with Housing to organise a meeting to discuss the process for allocation of Paanja houses and the progress of names for the dwellings (due for completion at the end of 2015). Councillors especially concerned about the lack of information about the intending action.

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Council request a meeting with Housing and information relating to the applicants registered for Paanja and for involvement of council relating to cultural protocols.

17:20 **23. Report Resolution**

Councillors note the content of future staff reports need to reflect the strategic direction for council operations, rather than general report of operations as has been provided to date. At this time the council feel the level of detail is not allowing them to gauge the strategic performance of programs against approved plans and this needs to change. Council request the formats be amended and adapted to reflect key performance criteria as contained operational plans and funding agreements.

<u>Resolution 12.</u> <u>13/07/15</u>	<i>Council resolved to endorse all reports as presented to the meeting.</i>
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<u>Motion</u>	<i>Proposed: Councillor Smith</i> <i>Seconded: Councillor Addo</i>	<i>Motion Carried</i>
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17:25 **24. Next Council Meeting**

Date for the next meeting Tuesday 18th August 2015.

Public meeting date to be determined and request for agenda items posted for community input.

17:25 **25. Meeting Closed**

Deputy Mayor declared the meeting closed.