



Council Ordinary Meeting Minutes of
meeting held in the council chambers

Mapoon Aboriginal
Shire Council -
Ordinary Meeting
Minute 13th October
2015

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

Day 1. 13th October 2015

Attendance

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

Apologies

Staff

CEO	Leon Yeatman
Accountant (via phone)	David Hockey
CSM	David Ferguson

Visitor

09:00 **1. Meeting opened and welcome**

Mayor welcomed the councillors and staff to the meeting. He reminded everyone about their roles and responsibilities for the meeting and particularly the councillors in relation to 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 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.

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.

09:10 **2. Confirmation of Minutes**

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

<u>Resolution 01.</u> <u>13/10/15</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 – 15th September 2015</i> 	
<u>Motion</u>	<i>Proposed: Councillor Smith</i> <i>Seconded: Councillor Addo</i>	<i>Motion Carried</i>



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09:40 **3. Matters Arising From Previous Minutes**

Ordinary meeting – 15th September 2015

Editing required and changes implemented.

Housing – MASC confirm the process for allocation, requiring all interested persons who are interested in moving back to Mapoon to register their interest via the social housing waitlist registration. The Paanja allocation has a specific criteria which is outside of MASC. applicants deemed eligible will have conformed to the social housing criteria.

Ely Trust receive back payment relating to gross production re-calculation. MASC supports strategies which seek to secure the foundation for the future.

Cr Guivarra noted that WCCCA is holding their AGM for the NSRT this week and he will be participating in this meeting.

Cr Smith noted she has OMAC meeting in Cairns and registered her apologies for meetings set for this week.

Housing to be invited to the community meeting to discuss the process for registering for waitlist and other operational processes – transfers, compliance etc. council note this would be beneficial for new and current tenants in relation to their rights and interest. Note past efforts has not been supported, however we need to ensure community has access to the right information to allow them to make informed decisions when using the systems and processes.

Paanja Houses – council impressed with work program and the speed of construction. CEO advised they are being challenged with the program and internal procedures are being applied to manage the project. Councilors asked for the names to be finalized so tenants are informed and allowed to start to procure goods.

Councilors request officers to show care and diligence when operating and using council vehicles. Communication to be issued to employees directly reminding them of their obligations. Complaints required for other stakeholders relating to vehicle safety.

Stolen Wages reparations – CEO advised that this matter is progressing and Mr. Ray Sambo has issued communications to councils. Issue at this time is the lack of consultation with community – this will be further complicated by past reparations made by the state government. Council support the elders past and present who were not eligible and did not receive reparation to receive their due allocation. Council commend the actions of Cr. Ken Bone from Cherbourg for his efforts to keep the issue alive.

10:40 **4. Standing Orders**

10:45 **5. Standing Order – Finance Audit Risk Management**

Accountant joined the meeting. He apologised for some items not being present for the meeting and his attention is focused on the preparation of the audit.



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General Purpose statement sent to the auditors and we are awaiting their endorsement. The accounts then need to be sent to the Audit Committee meeting and then back council before the 31 October 2015. Councillors asked for the amended budget to be included to ensure the appropriate resolutions are covered. CEO noted the Annual report is required from 1 month from receipt of the audited financial statement.

Accountant proceeded to present the following items:

- **Rental debtors & Income: Rental income has reduced in line with our tenancy management agreement with social housing. Note action included in the meeting to address an anomaly for a small number of properties which are not included on the list of tenancies currently under the Management Agreement.**
- **Store: figures are not completed and this will be rectified at the next meeting – the new manager is not up to speed with process application.**
- Consolidated Revenue vs. Expenditure graph;
- **Revenue;**
- **General Expenses;**
- **Employee Wages & Superannuation expenses;**
- **Motor Vehicle Expenses;**
- **Travel Expenses;**
- **Untied Funds.**
- **WCCCA projects: Accountant advised the council that we are in contact with the officers from the trust relating to current and outstanding accounts with the intent of maintaining positive relationships. Working to ensure our commitment are honoured. Councillors request that the Grave Site Identification – funding allocation process requires clarification to ensure our administrative action. Accountant instructed to review the accounts to ensure they offer true reflection of activities secured via funding agreement.**

<u>Resolution 02.</u> <u>13/10/15</u>	<p>Council resolved to endorse the Accountants report as read and associated reports:</p> <ul style="list-style-type: none"> • Audit update; • Profit & Loss with year to date analysis; • Comparative Profit & Loss Statement; • Balance sheet; • Rental Debtors and income; • Profit & Loss budget analysis; • Store Profit & Loss; • Job Summary report; • Consolidated Revenue Vs. Expenditure Graphs. <p>Accountant instructed to review project list and ensure our account management is compliant with our contract obligations.</p>	
<u>Motion</u>	<p>Proposed: Councillor Guivarra Seconded: Councillor Woodley</p>	Motion Carried

Accountant departed the meeting 1145hrs and committed to council to present information about projects. Councillors request for the Mapoon Community Centre management arrangements to be validated – line of responsibilities and client access key areas of concern.



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11:50 **6. Standing Order – Tender / Payment Authorisation (Exceeding Delegation)**

Nil report.

11:30 **7. Standing Order – Legal Matters**

Nil report – Next ILUA meeting to be held via phone on 14/10/15. ILUA developments are progressing as planned.

12:10 **8. Standing Order – Policy and Regulatory Compliance**

CEO presented policies for council consideration and endorsement relating to the following:

Council request for policies to be workshopped with staff and councillors to ensure there is a general understanding about the strategic intent and application in the workplace. Process should be part of the induction process and an annual process of renewal (including staff being conversant of the policies and procedures of the council).

Resolution 03.
13/10/15

Council resolved to endorse the following list of policies:

Policy Name:

- ***Fraud and Corruption Prevention Framework;***
- ***Leave Procedure and Guidelines;***
- ***Public Interest Disclosure;***
- ***Capitalisation of Non-Current Assets.***

Motion

Proposed: Councillor Addo
Seconded: Councillor Guivarra

Motion Carried

Accountant re-joined the meeting 1220 to discuss the queries relating to project expenditure. Council discussed the WCCCA grave identification budget.

Meeting adjourned for lunch 1235 hrs. Councillors thanked Cr Smith for the supply of lunch for the meeting. Meeting reconvened after lunch 1330 hrs.

13:30 **9. Operational Reports**

13:30 **10. Operational Report - CEO**

CEO presented his report to the council and covered the following operational issues:



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Building Construction:

- *5 Paanja Housing*
- *High Rise Estate*
- *Roads & Civil –*
- *Land Record Project*

Cape Indigenous Mayors Alliance meeting

Staffing:

Resignations:

Recruitment

Projects:

ILUA negotiations – next meeting 14/10;

Local Disaster Management Group – advertising in place calling for registration for new SES group;

District Disaster Management Group – reporting;

WCCCA funded Grave Identification Project;

WCCCA funded MASC Aquatic project;

Applications submitted for November meeting consideration.

Future projects:

Council Officer Exchange program: Douglas Shire Council – no progress. Will resume focus shortly.

Councillors request the CEO to make a presentation at the next WCCCA NRST.

<u>Resolution 04.</u> <u>13/10/15</u>	<i>Council resolved to endorse the CEOs report as read. Actions stemming from this report to be implemented before the next meeting.</i>	
<u>Motion</u>	<i>Proposed: Councillor Smith</i> <i>Seconded: Councillor Woodley</i>	<i>Motion Carried</i>

13:50	11. Operational Report – Corporate Services Manager
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CSM invited to the meeting to discuss his report to the council. Mayor officially welcomed David Ferguson to Mapoon and conveyed pleasantries. The following topics were discussed in detail:

Introduction – David thanked the councillors for the opportunity to work for Mapoon shire council.
HACC program update.

Mayor and Councillors thanked David for his presentation and confirmed their support for his appointment.

<u>Resolution 05.</u> <u>13/10/15</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 Addo</i> <i>Seconded: Councillor Woodley</i>	<i>Motion Carried</i>



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CSM departed the meeting 14:55 hrs.

14:00 12. Operational Report – Senior Administration

Nil report.

14:01 13. Operational Report – Payroll-Grants Officer

Payroll Grants officer report submitted for council consideration and endorsement.

- HR & Payroll
- Recruitment Process for Corporate Services Manager & Store Manager;
- Casual Employees – Builders;
- Payroll Update;
- Assisted Building Manager;
- Grant reporting;
- MASC QCCU Account.

Resolution 06.
13/10/15

Council resolved to endorse the Payroll Grants officers report as read. Content of the report covered the following topics:

- HR & Payroll
- Recruitment Process for Corporate Services Manager & Store Manager;
- Casual Employees – Builders;
- Payroll Update;
- Assisted Building Manager;
- Grant reporting;
- MASC QCCU Account.

Actions stemming from this report to be implemented before the next meeting.

Motion

Proposed: Councillor Smith
Seconded: Councillor Addo

Motion Carried

14:20 14. Operation Report – HACC

Nil report. CEO confirmed that the Coordinator has been terminated via the probation conditions. Process to fill this role will continue in accordance with rules available to council.

14:21 15. Operation Report – Environmental Health

Nil report.



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14:22 **16. Operation Report – Animal Management**

AMO report tabled for MASC consideration and endorsement.

Councillors acknowledge the work being performed in the other communities. Acknowledging the complexities associated with working in other communities, council confirm their commitment to promote services from the shire and achieve positive results. Councillors ask the serious question about dogs locally and the growing concern for the numbers. The current state of the community is questionable and the fact that we have houses with significant numbers that need to be enforced. Council support a direct approach to remove unregistered animals from the shire and direct communication to persons who are not compliant. The Local Laws are in place as well the tenancy agreements to cover any actions, due consideration required to address the dog issues prevalent in Mapoon.

Council instruct the CEO to consider additional support options as part of operational strategies to address a local Dog removal program.

Critical issue are the dogs at public space, dogs chasing cars and neglected animals. Direct action required to assess the situation and to implement the appropriate management action to address the local problem. Dogs registered will not be targeted – all unregistered dogs will be rounded up and euthanized.

Resolution 07.
13/10/15

Council resolved to endorse the AMOs report as read.

Mapoon AMO required to engage residents and animal owners regarding responsibilities under Dog Management. Unregistered animals to be rounded up and managed in accordance with the local laws and Animal Legislation.

Support advocated for use of external support to assist with implementation of Animal Management program – Dogs.

Item to be included in the next community meeting agenda.

Motion

Proposed: Councillor Smith
Seconded: Councillor Addo

Motion Carried

Meeting adjourned 1435hrs.

Meeting reconvened 1445hrs.

14:46 **17. Operation Report – Land & Sea Rangers**

Nil Report.



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15:15 18. Operation Report – Store Managers Report

Council acknowledge the challenge relating to staffing at the store. Note this will be a challenge and we encourage the strategies being applied with the intent of identifying solid team to work the required operational hours.

15:16 19. Operation Brief – Development Assessment

CEO presented the Development Assessment Report and Development Permit as supplied by Cardino for council consideration and endorsement. In this instance the report has been formulated to cover the change of use required under the Mapoon Planning Scheme and relates to lots within the Red Beach Estate.

Resolution 08.
13/10/15

Council resolved to authorise the Development Assessment Report (HRP15083/002) and approve the Development Permit (formulated by Cardino) for the reconfiguration of Lot and Operational works associated with the creation of five (5) new infill residential lots from existing DOGIT lot. This Includes the vegetation clearing, minor earthworks and potable water connection for the following lots identified in the Paanja Housing Project:

<i>Proposed Lot</i>	<i>Area (m2)</i>	<i>Frontage (m)</i>	<i>Depth (m)</i>
<i>161</i>	<i>3,662</i>	<i>62</i>	<i>60</i>
<i>170</i>	<i>2,765</i>	<i>45</i>	<i>62</i>
<i>176</i>	<i>3,432</i>	<i>80 & 35</i>	<i>43 (average)</i>
<i>177</i>	<i>2,760</i>	<i>55 & 50</i>	<i>47 (average)</i>
<i>184</i>	<i>48,00</i>	<i>60</i>	<i>80</i>

Authorisation granted for CEO to sign the Assessment Report in line with date of this resolution and for the Decision Notice Approval (SPA 09 s.335) to be sent to AECOM.

Motion

Proposed: Councillor Addo
Seconded: Councillor Woodley

Motion Carried

15:20 20. Operation Brief – Christmas New Year Operational Arrangement

CEO presented to council a brief outlining proposed arrangements for the Festive season 2015/16. Council will be closed from 23/12/15 and will re-open for business on 4/1/16. During this period council has provided 1 day gratis for staff and this will be 24/12/15. All other days within this period must be taken as Annual Leave.

Store operations and waste collection will not be affected by these arrangements.



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<u>Resolution 09.</u> <u>13/10/15</u>	<p>Council resolved to endorse the following dates for closure for Festive Season:</p> <ul style="list-style-type: none"> • Last date for operations: 23/12/15 • Gratis day afforded by MASC 24/12/15 • Opening for business 2016: 4/1/16 <p>The following dates are to be taken as leave due to the official closure invoked by this resolution: 29-31/12/15.</p> <p>Store and Waste collection will continue to operate as normal during the festive seasons – except on days which are public holidays.</p>	
<u>Motion</u>	<p>Proposed: Councillor Smith Seconded: Councillor Guivarra</p>	Motion Carried

15:40 21. Operation Brief – Appointment Agreement – Tenancy Management

CEO provided background information relating to the survey anomalies relating to four properties along Cullen point Rd. the boundary anomalies resulted in the exclusion of the properties. Sites have been resurveyed and the road reserved amended and the corrective action now allows for the properties to be listed on the Agency Appointment for department of housing to manage as part of the tenancy management responsibilities.

Council advised the process now requires the properties to be added to the list.

<u>Resolution 10.</u> <u>13/10/15</u>	<p>Council resolved to Agency Appointment for Department of Housing to assume tenancy management responsibilities for the following properties in line with existing agreements for management of social housing properties in Mapoon:</p> <ul style="list-style-type: none"> • Michael Murphy, Maria Guivarra CLI 60 Cullen Point Rd; • Cidella Baker CLI 34 Cullen Point Rd; • Ricky Guivarra CLI 35 Cullen Point Rd; • Sheree Jia CLI 52 Cullen Point Rd. <p>CEO authorised to sign agreement as part of MASC Tenancy Management Arrangements.</p>	
<u>Motion</u>	<p>Proposed: Councillor Addo Seconded: Councillor Smith</p>	Motion Carried



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16:00 22. Priority correspondence – Coordinator General: RIO Tinto South of Emberly Project

CEO tabled correspondence received from the Coordinator General regarding the change to proposed accommodation arrangement for the South of Emberly Project. Mayor and CEO confirmed meetings held with delegates from RTAW regarding the project and confirmed the involvement of community into activities.

<u>Resolution 11.</u> <u>13/10/15</u>	<i>Council acknowledges the importance of project to the region and as per the requirement on the Local Authorities, support request to advertise the proposed changes and assist community to coordinate a response.</i>	
<u>Motion</u>	<i>Proposed: Councillor Guivarra Seconded: Councillor Smith</i>	<i>Motion Carried</i>

16:05 23. Priority correspondence – QCCU Signatory Authorisation

The process for renewing MASC account access registration has been activated due to the resignation of Mr Ron Young from the position of Corporate Services Manager with council. Actions have been initiated to remove Mr Young from council authorisation register and approval is now required to add Mr David Ferguson to the Register.

<u>Resolution 12.</u> <u>13/10/15</u>	<i>MASC resolved to endorse the recommendation provided by the CEO to authorize the addition of Mr. David Ferguson as a signatory for the following financial accounts for council:</i>	
	<ul style="list-style-type: none"> • <i>Commonwealth Bank of Australia;</i> • <i>QCCU – MASC Operational;</i> • <i>QCCU – MASC Trust.</i> 	
	<i>This authorization includes access to accounts and implementation of appropriate process to meet the day to day operations of the council. The responsibilities relate directly to the Corporate Services Manager position with the council and this decision is conditional to the term of engagement.</i>	
<u>Motion</u>	<i>Proposed: Councillor Guivarra Seconded: Councillor Addo</i>	<i>Motion Carried</i>



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15:45 **24. Priority Correspondence – WCRPA: Driver’s License Project Report**

Tabled. CEO presented background information relating to this agenda item. Project had been planned for some time as part of the RPA strategic plan and sought to offer support for Indigenous people in the region who did not possess ID or Driver’s License. The project was well attended and a small cohort from Mapoon attended. Report commended to the council for consideration and endorsement

Resolution 13.
13/10/15

Council resolved to endorse the Driver’s License Project Report as supplied by the Western Cape Regional Partnership Agreement Coordinator, Ms Katie Ham. Council commend the coordinator for her energy and supported the outcomes of the project.

Motion

*Proposed: Councillor Addo
Seconded: Councillor Smith*

Motion Carried

16:00 **25. Priority Correspondence – Confirmation of Aboriginality Request: Leon Yeatman Jnr**

Resolution 14.
13/10/15

Council resolved to endorse the application for confirmation of Aboriginality for Leon Scott Yeatman (Jnr) 19/07/1998 who is a recognised member of the Mapoon Shire and a Traditional Owner from Yarrabah.

Council authorise the use of the common seal to validate this application.

Motion

*Proposed: Councillor Guivarra
Seconded: Councillor Addo*

Motion Carried

16:10 **26. Councillor Report**

MASC reports tabled.



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16:15 **27. Report Resolution**

Resolution 15.
13/10/15

Council resolved to endorse all reports as presented to the meeting.

Motion

Proposed: Councillor Addo
Seconded: Councillor Guivarra

Motion Carried

16:17 **28. Next Council Meeting**

Date for the next meeting Tuesday 17th November 2015.

16:20 **29. Meeting Closed**

Deputy Mayor declared the meeting closed.

