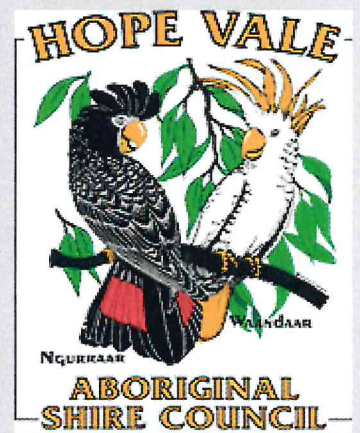


# Minutes



## General Meeting

Wednesday 24 January 2024

Council Offices, Hope Vale



## 1 DECLARATION OF OPENING

The Mayor Woibo declared the meeting open at 9.15 am.

Mayor Woibo acknowledged the traditional owners of the land on which the meeting was being held and elders, past, present, and emerging.

The meeting held a minute of silence to acknowledge those members of the Hope Vale region who have recently suffered illness or injury.

The meeting also acknowledged the hardship presently being experienced by Wujal Wujal residents following the impact of TC Jasper followed by the subsequent rain event.

## 2 Members Present:

Cr Jason Woibo – Mayor

Cr Barry Bowen

Cr Bruce Woibo (via Teams)

### Leave of Absence

It was agreed that the apology from Cr Keithan Bowen for his absence from the meeting be accepted.

Moved by Cr Barry Bowen

Seconded by Cr Allison Michael

#### Resolution

That leave of absence be granted to Cr Allison Michael for her absence.

**CARRIED**

### Officer Present:

Chief Executive Officer - Steve Linnane

Finance and Corporate Services Director Shannon Gibbs  
(Item 6.2)

Social Services Director Deborah Burke (Item 6.3)

Operations Manager Geoff Rewald (Item 6.4)



### **3 OBLIGATIONS OF COUNCILLORS**

#### **3.1 Declaration Of Prescribed Conflict Of Interest On Any Item Of Business**

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

#### **3.2 Declarable Conflict Of Interest On Any Item Of Business**

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

#### **3.3 Registers Of Interest**

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

### **4 Confirmation of Minutes of General Meeting held on 13 December 2023**

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

#### **Resolution**

That the Minutes of the General Meeting held on Wednesday 13 December 2023, be accepted as a true and correct record.

**CARRIED**

### **5 Business arising from Minutes of General Meeting held on Wednesday 13 December 2023**





**Moved by Mayor Jason Woibo****Seconded by Cr Barry Bowen****Resolution****That the Chief Executive Officer –****(a) write to the Hope Vale Congress requesting advice on the status of rectifying the maintenance issues of accesses of blockholders, and****(b) invite the Ministerial Champion Mick De Brenni to open the Culture Park and the upgraded sports field at the Hope Vale Sports Complex.****CARRIED****6 OFFICER'S REPORTS****6.1 Chief Executive Officer's Report**

The Chief Executive Officer's Report dated 22 January 2024, was considered by Council.

**Moved by Mayor Jason Woibo****Seconded by Cr Barry Bowen****Resolution****That Council****(a) receive the Chief Executive Officer's Report dated 22 January 2024, and****(b) note the meetings attended by the Chief Executive Officer.****CARRIED****6.1.1 Corporate Plan**

Council's Corporate Plan 2018-2023 was developed to deliver clear direction as the Council continues to provide leadership in a changing environment. It is now due for a review; however, this review is considered premature as the Plan should be reviewed by the incoming Council, post the March 2024 election.

It is proposed that the existing Corporate Plan be extended for a further 12 months to enable the incoming Council to review the Plan in 2024.

It is also proposed to prepare documentation for the incoming Council outlining the major strategic projects that this Council is progressing.





**Moved by Mayor Jason Woibo****Seconded by Cr Barry Bowen****Resolution****That Council**

- (a) extend its existing Corporate Plan to 2024 to enable the new Council to undertake an extensive review of the Plan,
- (b) note that documentation is being prepared for the incoming Council outlining the major strategic projects that this Council is progressing.

**CARRIED****6.1.2 Model Meeting Procedures**

The Local Government Act 2009 (LGA) prescribes that all councils must adopt the model meeting procedures (MMP) or incorporate them into the existing standing orders for meeting procedures. The MMP document is now being published on the Department of State Housing, Local Government, Planning and Public Work's (the department) website. In addition, the department has a best practice example - Standing Orders document published on the website that demonstrates how the MMP can be incorporated into existing standing orders.

It is advised that the Local Government (Councillor Conduct) and Other Legislation Amendment Act 2023 passed through parliament on Wednesday 16 November 2023, introducing new amendments relating to the model meeting procedures in relation to council investigations and other matters.

Key amendments made to the model meeting procedures are identified below, and a marked-up version of the MMP identifying new provisions highlighted in yellow has been attached (Attachment A):

- The councillor conduct complaints system has been significantly realigned to introduce new provisions in relation to local government investigations into conduct breach matters referred to local governments by the Office of the Independent Assessor (IOA). These changes require the MMP to reflect new procedures for deciding the outcome of the investigation matters in a council meeting.
- A provision has been included in the legislation to allow a council meeting to be closed to the public during a debate about an investigation report in relation to a conduct breach matter.
- When a decision is made about a conduct breach matter at a local government meeting that is inconsistent with the recommendations provided in the investigation report, a statement of reasons for the inconsistency must be included in the minutes, and a copy of the investigation report must be made publicly available within 10 business days of the decision. (Redactions of complainants and witnesses' details must be made before publication unless they are councillors)
- A notice must be provided to the OIA, the councillor and the complainant, by the local government when a decision is made about a conduct breach matter providing the details of the decision. The notice must have the reasons for the decision and any orders that were made.





- Procedures in relation to loss of quorum as a result of the number of councillors with a conflict of interest has been amended to include that a council may decide by resolution, not to decide the matter and take no further action in relation to the matter, unless the Local Government Act or another Act provides that the local government must decide the matter. Conduct matters must be decided either when a quorum is available or by ministerial approval for conflicted councillors to vote on the matter.
- Unsuitable meeting conduct by a chairperson at a council meeting has been introduced to the legislation. If a councillor reasonably believes that the chairperson has engaged in unsuitable meeting conduct during a meeting, the councillors present at the meeting, other than the chairperson, must decide by resolution if that is the case and if so, can make an order reprimanding the chairperson.
- If the conduct of a councillor, including a chairperson, at the meeting becomes conduct breach as a result of three instances of unsuitable conduct in one year, the local government is not required to notify the assessor about the conduct, and it may be dealt with at the next council meeting.

**Moved by Mayor Jason Woibo****Seconded by Cr Barry Bowen****Resolution**

**That Council adopt the Department of Housing, Local Government, Planning and Public Works' Model Meeting Procedures as attached to the Chief Executive Officers Report (Attachment A)**

**CARRIED****6.1.3 AGM - Torres Cape Indigenous Council Alliance Inc**

The Torres Cape Indigenous Council Alliance (TCICA) Inc. Annual General Meeting was held on 14 December 2023. The Minutes of this meeting was attached for Council's information. (Attachment B)

The following appointments were made –

- Mayor Robbie Sands was re-elected to the position of Chair,
- Councillor Dawn Braun of Mapoon Aboriginal Shire Council was elected to the position of Deputy Chair,
- Mayor Peter Scott was re-elected to the position of Treasurer.

These positions will be reviewed after the 2024 Local Government elections

**Moved by Cr Barry Bowen****Seconded by Mayor Jason Woibo****Resolution**

**That Council receive and note the Minutes of the Torres Cape Indigenous Council Alliance Inc Annual General Meeting, as attached to the Chief Executive Officers Report (Attachment B)**

**CARRIED**



At this stage, Council dealt with Items 6.4 then 6.3.

## 6.2 Finance and Corporate Services Director's Report

The Finance and Corporate Services Director's Report dated 19 January 2023 was considered by Council.

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

### Resolution

That Council

(a) receive, note, and endorse the Finance and Corporate Services Director's Report dated 19 January 2024.

(b) Endorse the development of a grant application for energy efficiency and electrification upgrades to Council buildings and facilities (targeted) which aligns with the listed intended outcomes - reduce energy costs, installed energy efficiency, and implement energy upgrades and electrification projects.

The following projects be considered in developing the grant application - Energy Efficiency Projects and Electrification Upgrades Projects.

#### Energy Efficiency Projects:

- Replacement of current air-conditioners with high-efficiency models.
- Upgrading ceiling and wall insulation.
- Replacement of existing generators with hybrid power generators.
- Other upgrade options to be determined.

#### Electrification Upgrade Projects:

- Upgrading transformers.
- Replacing switchboards.
- Generating electricity through battery storage systems, utilising the existing solar panels already in place on our Council buildings.

(c) Endorse the development of a grant application for the provision of security patrols which aligns with listed identified outcomes of the Community Based Crime Action Grant - Enhance Community Safety.

(d) Endorse the development of a grant application for a Council workforce plan to identify strategies to address our local workforce challenges and opportunities within the Operations and Social Service Departments of Council offered under Indigenous Workforce and Skill Development Grant.

(e) Endorse the development of a grant application through the Regional Precincts and Partnerships Program (RPPP) - Stream One: Precinct Development and Planning, for Council's Energy Precinct including the scoping, planning and design of the new Hopevale Service Station.





**(f) Endorses -**

- (a) the development of project plans for submission to the QRA for eligibility assessment and approval as required under the Local Recovery and Resilience Grant Program,
- (b) the priority activities detailed within the Hope Vale Aboriginal Shire Council Local Resilience Action Plan be the basis of identifying activities for inclusion in there development.

**(g) resubmit the Hope Vale Aerodrome Upgrade and the Everlina Bridge Replacement for funding.**

**CARRIED**

### **6.3 Social Services Director's Report**

The Social Services Director's Report dated 22 January 2024 was considered by Council.

**Moved by Cr Barry Bowen****Seconded by Mayor Jason Woibo****Resolution****That Council –**

- (a) receive and note the Social Services Director's Report dated 22 January 2024,
- (b) note the Hope Vale Calendar of Events,
- (c) request the Director of Social Services to arrange for a Hope Vale Rodeo event during the July to September 2024
- (d) defer discussions on the George Bowen Memorial Kindergarten pending further discussions with the Department of Education, and
- (e) continue to strongly advocate for a dialysis facility in Hope Vale.

**CARRIED**

### **6.4 Operations Manager's Report**

The Operations Manager's Report dated 19 January 2024 was considered by Council.

**Moved by Cr Bruce Woibo****Seconded by Cr Barry Bowen****Resolution****That Council receive and note the Operation Manager's Report dated 19 January 2024.****CARRIED**



## 7 VISITORS AND PRESENTATIONS

Nil

## 8 CORRESPONDENCE

### 8.1 Caretaker Period

Correspondence from the Director General, Department of Housing, Local Government, Planning and Public Works dated 11 January 2024 outlining the Local Government election caretaker provisions which are outlined in Part 5, Chapter 3 of the Local Government Act 2009.

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

#### Resolution

That the correspondence from the Director General, Department of Housing, Local Government, Planning and Public Works dated 11 January 2024 be received and noted.

CARRIED

### 8.2 Planning Act 2016

Correspondence from the Deputy Director-General, Planning Group in the Department of Housing, Local Government, Planning and Public Works dated 22 December 2023 advising that the Honourable Meaghan Scanlon MP, Minister for Housing, Local Government and Planning and Minister for Public Works, declared the Tropical Cyclone Jasper event in Far North Queensland (FNQ) an applicable event, under section 275E of the Planning Act 2016 (Planning Act). This means the applicable event provisions under the Planning Act are in effect for affected local government areas, ensuring the planning framework can respond appropriately to the impacts of the cyclone disaster.

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

#### Resolution

That the correspondence from the Deputy Director-General, Planning Group in the Department of Housing, Local Government, Planning and Public Works dated 22 December 2023.

CARRIED



### 8.3 Coordinated Project

Correspondence from the Acting Assistant Coordinator-General dated 12 January 2024 advising that the Northern Silica project (the project) has been declared a 'coordinated project for which an environmental impact statement (EIS) is required', pursuant to section 26(1)(a) of the State Development and Public Works Organisation Act 1971 (SDPWO Act).

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

#### Resolution

That the correspondence from the Acting Assistant Coordinator-General dated 12 January 2024 be received and noted.

CARRIED

### 8.3 Coordinated Project

Correspondence from the Assistant Coordinator-General dated 15 December 2023 advising that the Cape Flattery Silica Sand project (the project) has been declared a 'coordinated project for which an environmental impact statement (EIS) is required', pursuant to section 26(1)(a) of the State Development and Public Works Organisation Act 1971 (SDPWO Act).

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

#### Resolution

That the correspondence from the Assistant Coordinator-General dated 15 December 2023 be received and noted.

CARRIED

## 9 GENERAL BUSINESS

### 9.1 Disaster Recovery Operation – Wujal Wujal

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

#### Resolution

That Council reaffirms its commitment to assist with the disaster recovery operation for Wujal Wujal.

CARRIED





## 9.2 Road Surveys

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

**Resolution**

That the Chief Executive Officer ascertain the status of the Road Survey Plan DP301917.

**CARRIED**

## 10 CONFIDENTIAL SESSION

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

**Resolution**

That the meeting be closed to the public pursuant to sections 254J (3) (e), (f), and (g) of the Local Government Regulation 2012 to consider the Confidential Reports by

(a) the Chief Executive Officer dated 22 January 2024, concerning the following issues -

Occupancy Proposal – Red Shed

Tenure – Mechanical Workshop

Earthworks – Beach Road

Notice of Claim – Personal Injuries Proceedings Act

Right to Information and Information Privacy Access Application

(b) the Director Social Services dated 22 January 2024 on data in relation to the Aged Care Centre operations for the month of December 2023.

**CARRIED**

Moved by Cr Barry Bowen

Seconded by Cr Bruce Woibo

**Resolution**

That the meeting be re-opened to the public.

**CARRIED**



## 10.1 Chief Executive Officer's Confidential Report

Moved by Cr Barry Bowen

Seconded by Cr Bruce Woibo

**Resolution**

That the Chief Executive Officer be authorized to undertake discussions with the Juunjuwarra Aboriginal Corporation in relation to their request for occupancy of the Red Shed.

**CARRIED**

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

**Resolution**

That the Chief Executive Officer be authorized to undertake further discussions with the Duanne Miller in relation to the occupancy of the Mechanical Workshop.

**CARRIED**

It was agreed that Council make no further payments for earthworks on the ungazetted road to Cape Bedford.

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

**Resolution**

That Council note the Notice of Claim – Personal Injuries Proceedings Act dated 8 January 2024.

**CARRIED**

Moved by Mayor Jason Woibo

Seconded by Cr Barry Bowen

**Resolution**

That Council note the Right to Information and Information Privacy Access Application (as per Attachment B of the Chief Executive Officer's Confidential report) dated 16 January 2024

**CARRIED**





## 10.2 Aged Care Centre Operations

Moved by Cr Bruce Woibo

Seconded by Cr Barry Bowen

### Resolution

That the Confidential Social Services Director's Report dated 22 January 2024 for the month of December 2023 on data in relation to the Aged Care Centre operations be noted.

CARRIED

## 11 NEXT MEETING

The next Council Meeting will be held in Hope Vale on Wednesday 21 February 2024.

## 12 MEETING CLOSURE

There being no further business, the meeting closed at 2.35pm.



Mayor Cr Jason Woibo



Steve Linnane  
Chief Executive Officer