

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS  
ON WEDNESDAY, 28 NOVEMBER 2018 AT 9.00 AM**

**PRESENT:** Cr Ross Andrews (Mayor), Cr Michael Sands (Deputy Mayor), Cr Nadine Cannon, Cr Colin Cedric, Cr Ian Patterson

**IN ATTENDANCE:** Avril Yeatman (Governance Manager), Leon Yeatman (Strategic Planner)

**1 WELCOME**

Mayor Andrews declared the meeting open at 10.00 am.

Mayor thanked all present for their attendance and welcomed everyone to the meeting. Acknowledgement made to the Traditional Owners of the land on which Council meet, elder's past, present and emerging and also acknowledged to all those families who now call Yarrabah home. Councillors observed a minutes silence in memory of community members who have recently passed.

Mayor reminded Councillors about their roles and responsibilities throughout the meeting and particularly about their obligations to declare their interest (material or personal) for matters presented at this meeting. Note matters presented at the meeting work on the principle of fair and equitable treatment and on matters which are unresolved Mayor acknowledged that each bring their own interests to the table and their rights to agree and disagree.

Mayor officially welcomed Leon Yeatman back into the Yarrabah Aboriginal Shire Council workforce in the role as the Strategic Planner.

Councillors were given the opportunity to review the minutes of the last meeting, in order to proceed with the confirming the minutes and to identify any matters arising.

**2 APOLOGIES**

Janelle Menzies (Chief Executive Officer)

**3 CONFIRMATION OF PREVIOUS MINUTES**

**RESOLUTION 44:28/11/2018**

Moved: Cr Michael Sands

Seconded: Cr Nadine Cannon

That the minutes of the Ordinary Council Meeting held on 24 October 2018 be adopted.

**CARRIED**

#### 4 BUSINESS ARISING FROM PREVIOUS MINUTES

- Cr. Patterson raised question - 7.2 Cr. Sands declared interest (check typo).
- 8.3 Status for approval regarding request from YUMI arts for use archive of footage of Yarrabah.
- Cr. Sands Strategic portfolio – horse round up. Status – email sent 26/11/2018.
- Cr. Andrews RSAS – Holiday Program. Meeting at High School 9am 29/11/2018.
- Cr. Andrews – reference to LDMG meeting.
- Cr. Cannon – spelling error page 7 and abbreviations.
- Cr. Cedric 8.2 – Procurement policy, seeking confirmation.
- Cr. Andrews, provided update regarding legal advice sought from Preston Law regarding complaint letter lodged.
- FNQROC report made available to Councillors

#### 5 DISCLOSURE OF INTEREST – COUNCIL / REGISTER UPDATES

The Mayor reminded the councillors of the need to declare their conflicts of interest as required for items in the meeting.

#### 6 MATTERS FOR DISCUSSION

##### 6.1 LOCAL GOVERNMENT REFORM

**RESOLUTION 45:28/11/2018**

Moved: Cr Colin Cedric

Seconded: Cr Michael Sands

That Council resolve to adopt:

1. Best practice guide for Queensland local governments to adopt as standing orders or as a guide to develop compliant standing orders used in council meetings.
2. Procedures available for Queensland local governments to adopt as a mandatory procedure or as a guide to develop compliant meeting procedures.
3. Working examples of potential councillor conduct including corrupt conduct, misconduct, inappropriate conduct and unsuitable meeting conduct in Queensland.
4. Example policy available for Queensland local governments to adopt as a mandatory investigations policy for dealing with complaints about councillor conduct in Queensland.

**CARRIED**

**6.2 DJENGI 6A SUBDIVISION ROAD OPENING****RESOLUTION 46:28/11/2018**

Moved: Cr Colin Cedric

Seconded: Cr Ian Patterson

That Council resolve to

1. Council as Local Government Authority and Trustee of the DOGIT resolves to subdivide Lot 914 on SP265165 and Lot 44 on SP284220 as shown on SP292848.
2. Council also resolves to support any land administration actions incidental to, and necessary to facilitate lodgement and registration of SP292848. This includes applying to the Minister responsible for administering the Land Act 1994 for the surrender of part of the DOGIT in terms of section 55 of the *Land Act 1994* for the purpose of dedicating those surrendered areas as road in terms of section 94 of the *Land Act 1994*.

**CARRIED**

### 6.3 QUARTERLY REPORT OF OPERATIONAL PLAN

Executive Manager Vicki Jones entered meeting 1:10pm to present her tasks as per the 2018-19 Operational Plan.

Discussion:

- Rental review – RTA review legally not allowed to hold 2 weeks rent.
- Tenancy inspections.
- Staff Training – arrangements for trainer to travel to Yarrabah.
- Housing policy is currently being reviewed, presented to CEO.
- Daycare Centre – Staff encouraged to do further studies. Funding 5 year availability Dept of Ed.
- Carpark upgrade – new construction source funding.
- Art Centre – trialling Saturdays and Christmas market. Risk assessment to be considered, notices to be issued. Kitchen upgraded, continued works, ie. Board walk. Options: Wugu Nyambil and engage PBC's.
- YKC – funding structure changed. SL decided to give funds and SL will manage books for YKC. Volunteers currently working with YKC – CDP.
- Source funding from DATSIP.
- Drug and Alcohol Policy – zero tolerance for Day Care Staff. Legislative requirement.
- Cascade to be updated – Strategic planner.

Vicki Jones left meeting room at 1:43pm.

Human Resource Manager Richard Wright entered meeting room at 1:45pm.

Council request an overview regarding Alcohol and Drug Policy – what processes are in place after a staff member has tested positive. Richard provided an explanation.

1. 10 employees selected randomly.
2. Tested positive – stood down immediately. Report provided within 2-3 days regarding results. Whilst stood down, options to access annual leave.
3. Referred to Employee Assistance Program (EAP).

Copy of stand down direction tabled and explained.

Richard left meeting room at 2:00pm.

Works and Infrastructure Executive Manager Dawn Lake entered meeting room at 2::24pm. Briefed Councillors on the following subject matters as per the 201/-19 Operational Plan.

- Jetty works project – road element completed. Shelter element to be finalised.
- Shelter at Sugar Baby Camp – will continue in the new year.
- W4Q – driveways done, solar light streets lights, decking at the canteen Jilara Oval.
- 2019 W4Q focusing on infrastructure.
- NDRRA completed. Sealing NDRP completed.
- Water and sewerage
- Fibre optic
- Feasibility study being considered.
- Animal control – horses are wondering due to biosecurity.

- Waste station – trial new process, spring mount will deliver trailer and pick up waste.
- Apprentices graduation, postponed for 2019.

Dawn left meeting room at 3:05pm.

**RESOLUTION 47:28/11/2018**

Moved: Cr Ian Patterson

Seconded: Cr Colin Cedric

That Council resolve to adopt the quarterly review of 2018/19 Operational Plan

**CARRIED**

**6.4 AUDIT COMMITTEE UPDATE & FINANCIAL REPORT**

Executive Manager – Jemma Litchenfeld entered Council’s meeting at 3:35pm to present to Council the Audit Committee update. Referred to Page 13 of Audit regarding internal control issues. Jemma provided an explanation to each of the following items:

- Unqualified Audit
- Risk Assessment to be finalised for Wugu Nyambil.
- Rental Debt
- Assets
- Related Parties
- Compliance – LGR (website)
- Rental Revenue Testing
- Payroll contracts
- Publishing tender documents – (website)
- Independent Audit Rachel Saltmarsh resigned.
- OAO – readings on crime and misconduct.
- Budget for next 12 months

Jemma noted that a position will soon be advertised for Debt Collector. Which will assist Council with Rental arrears.

Jemma left meeting at 4:20pm.

**RESOLUTION 48:28/11/2018**

Moved: Cr Colin Cedric

Seconded: Cr Ian Patterson

That Council resolve to endorse the October, 2018 Financial Report, including the Audit committee update including the Closing Report.

**CARRIED**

**7 CORPORATE SERVICES – FINANCIAL REPORT****7.1 FINANCE REPORT - OCTOBER 2018**

Included in Resolution for Item 6.4

**8 CORRESPONDENCE****8.1 NOVEMBER MEETING CORRESPONDENCE.**

1. 01. Let\_International Campaign - Tabled.
2. 02. Let\_K.Sexton Complaint - Matter Resolved.
3. 03. Let\_A.Creed Formal Complaint - Referred to complaints process.
4. 04. Support-Request Letter J. Connelly - Referred to D. Lake & V. Jones.
5. 05. Let\_J.Keys-Lively - Tabled. Refer to Preston Law for legal advice.
6. 06. Get Ready Qld Grant Program - Tabled.
7. 07. Let\_DATSIP 05589-2018 - Tabled.
8. 08. Support Let\_J.Graham - Tabled - Refer to Housing.
9. 09. Local Buy Legal Service Panel - Tabled.
10. 10. DGBN18-1190 - Letter\_Part76 - Tabled.
11. 11. RSAS Team No School No Shop Policy - Tabled.
12. 12. Let\_Local Area Coordinator NDIS - Tabled.
13. 13. Let\_Invite Indigenous Themed Cabinet - Tabled. Mayor Andrews will be attending.
14. 14. Let\_M.Smith Rental Credit - Tabled – Matter resolved.
15. 15. Let\_MP R.Katter - Tabled.

At 4.55pm, Cr Ross Andrews left the meeting.

**6.5 MAYOR ANDREWS REQUEST TO TAKE 4 WEEKS ANNUAL LEAVE****RESOLUTION 49:28/11/2018**

Moved: Cr Colin Cedric

Seconded: Cr Ian Patterson

Council resolve to endorse Mayor Andrews request for annual leave from the 21/12/2018 to 18/01/2019. Cr Sands will be the Acting Mayor during this period.

**CARRIED**

At 5.00pm, Cr Ross Andrews returned to the meeting.

**9 STRATEGIC PORTFOLIO UPDATE**

Councillors to provide updates on Meetings and Trips and other information for the meeting.

**10 CONFIDENTIAL MATTERS**

Nil

**11 CLOSE OF MEETING**

Date for the next Council Ordinary Meeting is Wednesday 19 December, 2018.

The Mayor thanked the councillors and staff for their participation and attendance at the meeting.

Meeting closed at 5.09pm.

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**CHAIRPERSON**

*Draft*