



**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 20 NOVEMBER 2019 AT 9:00AM**

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

IN ATTENDANCE: Leon Yeatman (CEO); Avril Yeatman (Director Policies and Governance).

1 WELCOME

Mayor Andrews declared the meeting open at 9:50 am.

The councillors and staff members present were welcomed to the meeting.

One minute silence was observed to respect those who have passed away.

2 APOLOGIES

Nil

3 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:20/11/2019

Yarrabah Aboriginal Shire Council resolved to endorse the minutes of the Ordinary Council Meeting held on 23rd October 2019.

Moved: Cr Ross Andrews

Seconded: Cr Michael Sands

CARRIED

4 BUSINESS ARISING FROM PREVIOUS MINUTES

Item: 6.2 - Cr. Cannon acknowledged the meeting minutes is correct. Additional reference made by Manager, relating to the financial risks discussed at internal audit committee – matter has the potential to ‘qualify’ council if not addressed. Areas of concern over expenditure on projects and rental & lease fees. Council support proposed strategy to re-engage debt collector, reinvigorate tenancy management actions to address rental arrears and interact with Centrelink to secure deduction arrangements.

Item: 6.2 - Cr. Cedric, identified approval provided Debt Recovery Action Plan. Strategies in place and council expect to see performance actions. Action Item: Director of Corporate Services to include reference data in monthly reports.

Item: 6.4 – Mayor, provided Councillors with an update after Wugu Nyambil meeting held on Tuesday 19th November, 2019. YASC interest in Wugu Nyambil will be divested. As a going concern, focus will continue on building local capacity and Training plan has been developed for Staff. Plans are also in place to create a Nursery/Market Garden project – site to be confirmed. This project is recognised as a targeted outcome for the Wugu Nyambil.

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 CEO'S MONTHLY REPORT

At 10:42 am, Cr Ross Andrews left the meeting.

At 10:44 am, Cr Ross Andrews returned to the meeting.

CEO applied an exceptions report to council and provided an overview of the activities for the month.

Cr. Cannon, acknowledge CEO for his report and thanked him for empowering Councillors to do their duties at the strategic level.

Cr. Sands, commented about retreat relating Council strategic review. Consideration open for proposed activity and it being done off site.

Action Item: CEO to organise retreat with to workshop strategic plan and policy. Council scope includes Corporate plan, statutory and operational policies.

RESOLUTION 02:20/11/2019

Yarrabah Aboriginal Shire Council resolved to adopt the CEO's October report as read.

Moved: Cr Colin Cedric

Seconded: Cr Ian Patterson

CARRIED

6.2 YASC FINANCIAL REPORT

Council acknowledge the financial situation contained in this report – 1M deficit. Request for management to improve the level of detail and monitoring required across council. Attention also needed to the business sustainability questions. Council would like to see a plan for improving the current financial position. Council expect the strategy from finance to illustrate sound financial management and positive financial records.

Councillors Cannon and Cedric to monitor as part of the internal audit process and financial briefing sessions, between now and March 2020.

At 11:13 am, Cr. Colin Cedric left the meeting.

RESOLUTION 03:20/11/2019

Yarrabah Aboriginal Shire Council resolved to adopt the monthly financial report.

1. Financial Report as at 31 October 2019.
2. General Ledger Report as at 31 October 2019.
3. Specific Purpose Grant Balance By Project.

Council acknowledge the profit and loss issues identified by the Director Corporate Service in this report and instruct Director to devise appropriate strategies for the following:

- Parks & Garden;
- Pool;
- Rural Transaction Centre;
- Works Office;
- Work Place Health & Safety;
- ATSI Health Grant;
- Arts Precinct & Planned Maintenance.

Moved: Cr Ian Patterson

Seconded: Cr Nadine Cannon

CARRIED

6.3 WUGU NYAMBIL FINANCIAL REPORTS OCTOBER 2019

Council acknowledge the comments registered by the Director of Corporate Services above. The council supports the details reflected in financial reports for Wugu Nyambil as presented.

At 11:21 am, Cr. Colin Cedric returned to the meeting.

RESOLUTION 04:20/11/2019

Yarrabah Aboriginal Shire Council resolved to accept the Wugu Nyambil financial reports dated October 2019.

- Profit and Loss October
- Balance Sheet October
- Cash Flow October

Moved: Cr Ross Andrews

Seconded: Cr Nadine Cannon

CARRIED

6.4 INSURANCE TENDER – AWARD

Council acknowledge this item relates to the procurement process for awarding the tender for Provisions for Insurance Services, including Brokers 2019-2022.

Council are aware of the increasing cost of insurance – this being normal business feature. Acknowledge strategies from other Councils to source alternate projects and associated difficulties. Support the need for maintaining appropriate insurance coverage arrangements for council.

Action Item: Director Corporate Services to update the register and ensure the appropriate commercial arrangements are in place and operational.

RESOLUTION 05:20/11/2019

Yarrabah Aboriginal Shire Council resolved to award the tender for Insurance Services including Brokers to AON Risk Services Australia.

Term of service arrangement - 3 years (2019-2022)

Moved: Cr Colin Cedric

Seconded: Cr Ian Patterson

CARRIED

6.5 OUTSTANDING RENTAL ARREARS -WRITE OFF.

Council acknowledge the report as supplied and associated actions recommended. Council commented on the overall debt collection strategy and queried the recovery strategy for all registered debt.

Council note additional reference regarding debt for persons who are incarcerated for a long term. Council support recommendation to suspend debt.

Action Item: Instructions for Directors to ensure debt collection strategy and finance compliance action is consistently applied across registered accounts.

RESOLUTION 06:20/11/2019

Yarrabah Aboriginal Shire Council resolved to write off the debts totalling \$28,384.69

1. It is recommended due to there being no legal process to recover the deceased rent arrears, incarcerated arrears and ex-tenant in age care facility that the amount of \$28,384.69 be written off and Chintaro updated.
2. Council support recommendation to suspend debt for persons who are long term incarcerated.

Moved: Cr Nadine Cannon

Seconded: Cr Michael Sands

CARRIED

The meeting was adjourned at 11:41am.

Meeting reconvened at 12:12pm.

6.6 YARRABAH PLANNING SCHEME QPP VERSION 3.1 - COMMENCEMENT DATE

Council acknowledge the documents supplied by the Department of State Development, Manufacturing, Infrastructure and Planning regarding Alignment Amendment to Yarrabah Aboriginal Shire Council Planning Scheme.

Recommendation for council to identify a commencement date for the alignment amendment to come into effect (suggested time frame of 15 business days). Council acknowledged the options including a draft Resolution to make an alignment amendment to the Yarrabah Aboriginal Shire

Council planning scheme under the alignment amendment rules and the *Planning Act 2016*, Section 293.

Council support the proposed timeframe as aligned to the decision made at this meeting – the amendment will commence on 11th December 2019.

Action Item: CEO to circulate decision noted to the department to activate the notice provisions contained:

- to publish a public notice in:
 - the gazette;
 - in a newspaper circulating in the Yarrabah Aboriginal Shire Council area; and
 - on the Yarrabah Aboriginal Shire Council's website.

Copy of the public notice and a copy of the alignment amendment forwarded to the Chief Executive of the Department of State Development, Manufacturing, Infrastructure.

RESOLUTION 07:20/11/2019

Yarrabah Aboriginal Shire Council resolved to nominate the 11th December 2019 as the commencement date for Yarrabah Planning Scheme (QPP Version 3.1) alignment amendment.

Information to be communicated to Planning and Development Services, Far North Region to enact the public notice publication process. Copy of alignment amendment notice to also be forwarded to the Chief Executive of the Department of State Development, Manufacturing, Infrastructure and Planning.

Moved: Cr Colin Cedric

Seconded: Cr Michael Sands

CARRIED

6.7 GENERAL POLICY - INFORMATION MANAGEMENT

Council acknowledge the Policy as supplied and the intent to cover use of laptop and devices for paperless meetings.

Action Item: Director of Governance to circulate policy and update policy register.

RESOLUTION 08:20/11/2019

Yarrabah Aboriginal Shire Council resolved to adopt the Information Management Policy (General Policy).

Moved: Cr Ross Andrews

Seconded: Cr Nadine Cannon

CARRIED

6.8 ANNUAL REPORT - 2018/2019

CEO presented the latest draft of the Annual report for council consideration and endorsement. Note the report had been collated with the assistance of executive Management team and Internal Audit Committee Chair.

Councillors happy with the format and content. Request for local artist to be acknowledged and reference detail to be provided about the historical image represented in the report.

Council acknowledged the shared effort in collating this report and thanked the contributors for creating the 2018-19 Annual Report.

Action Item: CEO to coordinate compliance actions associated with Annual Report.

At 12:38 pm, Cr Colin Cedric left the meeting.

RESOLUTION 09:20/11/2019

Yarrabah Aboriginal Shire Council resolved to adopt the Annual Report for 2018/2019.

Moved: Cr Nadine Cannon

Seconded: Cr Ian Patterson

CARRIED

6.9 YARRABAH RETAIL CENTRE PROJECT - UPDATE

At 12:41 pm, Cr Colin Cedric returned to the meeting.

Council acknowledge the support provided by representatives from Economic Development Queensland. Documents presented for the meeting seek to inform council of processes associated with progressing this project and actions council will need to implement.

Included in documents was clarification about eligibility criteria for the Building Better Regions Round 4 - only been made available to 'Drought Declared Regions'. Advice confirmed that Yarrabah council is not in a drought classified area, and therefore is not eligible to apply for the grant.

EDQ also confirmed that it has investigated alternative grants that may be available to fund the delivery of the retail centre, however, none provide the financial scale required to deliver the centre as it is currently scoped and designed.

As we discussed, YASC has two options -

1. Option 1: Undertake a re-design of the centre to scale back what is proposed and therefore make the project eligible for smaller grants.
2. Option 2: Finalise the existing centre design and documentation to have a DA approved, 'shovel ready' project ready when new grant applications open during the next 12+ months.

Some things to consider in making a decision are:

- There may be potential for another round of BBR (for non-drought declared regions next year).
- The State election in October 2020 may also provide opportunity for new funding sources.
- The centre that has been designed is based on economic needs analysis, and has been designed to deliver a catalyst to revitalise the town centre and provide for tourism/employment/local business opportunities. A scaled back version may not deliver the intended consequences (and jeopardise achieving any grant funding).

EDQ's intention is to have the full schematic design pack and supporting reports across for Council endorsement for the meeting on the 18 December 2019.

Additional factors to consider are:

- There may be potential for another round of BBR (for non-drought declared regions next year).
- The State election in October 2020 may also provide opportunity for new funding sources.
- The centre that has been designed is based on economic needs analysis, and has been designed to deliver a catalyst to revitalise the town centre and provide for tourism/employment/local business opportunities. A scaled back version may not deliver the intended consequences (and jeopardise achieving any grant funding).

Action Item: CEO to coordinate response to EDQ.

RESOLUTION 10:20/11/2019

Yarrabah Aboriginal Shire Council resolved to endorse the recommendation provided by Economic Development Queensland to implement steps finalise the existing centre design and documentation to have a DA approved, 'shovel ready' project ready when new grant applications open during the next 12+ months.

Council approve the following preliminary draft documents:

- Procurement Plan
- 2. Draft Governance Plan
- Risk Assessment Schedule C
- YASC Confirmation of In-kind contribution DRAFT
- Co-contributions
- Asset Management Plan

Moved: Cr Ross Andrews

Seconded: Cr Colin Cedric

CARRIED

6.10 DIRECTOR - COMMUNITY SERVICES, REPORT FOR THE MONTH OF OCTOBER 2019. COVERING, HOUSING, ARTS CULTURAL PRECINCT CENTRE AND DAY CARE CENTRE

Council acknowledge Director Community Services report for the month.

Council commended officers for the improved standard of the reports. Council impressed by the level of detail and presenting clearer pictures for their consideration. Council acknowledge the efforts of the Housing Team in their challenging roles.

Council commends the plans supplied for the proposed Museum and Art Centre development works. The effort into the planning process has been great the planning demonstrates appropriate level of attention to detail. Council stated support for the project.

At 1:10 pm, Cr Ross Andrews left the meeting

At 1:13 pm, Cr Ross Andrews returned to the meeting.

Council queried the notice displayed on the electronic notice at the Police Station – regarding party registration advertisement. The issue of noisy parties in community is out of hand. The process for registering parties was considered unclear. Council asked for the process to be

reviewed to ensure there is clear points of reference for the stakeholders involved (stakeholders include YASC, Local police, Community services). Council aware there are provisions in which cover all the necessary elements (Tenancy Management, Noise abatement etc.) to update the current process and or policy regarding 'Parties' in community.

Council has received numerous complaints about loud noise, parties and disturbance of peace. Concerned residents are fed up with adverse impacts to their general wellbeing. Community are calling for a return to law and order. Council support consistent application of process and encourage Management to exercise the processes available under the Tenancy Management Act to inform and correct behaviours (e.g. anti-social behaviour and public disturbance issue) of offending tenants.

Action item: Director of Community Services to review the current process to identify gaps and recommend actions for council consideration. Council would like to see:

- The party registration process working – via the police;
- Engagement with stakeholders about process management;
- Number of noisy parties reduced;
- Compliance actions applied to offending tenants (not limited to breach notices);
- Tenants respect their fellow neighbours; and
- Amplified music restricted in residential areas.

At 1:19 pm, Cr Michael Sands left the meeting.

At 1:21 pm, Cr Michael Sands returned to the meeting.

At 1:21 pm, Cr Colin Cedric left the meeting.

RESOLUTION 11:20/11/2019

Yarrabah Aboriginal Shire Council resolved to adopt the Director Community Services October report as read.

Report contained performance reports for the following program areas:

1. Housing Manager Report;
2. Tenancy Arrears Management;
3. Housing Financials;
4. Housing Overcrowding;
5. Housing Visits Statistics;
6. Arts Cultural Precinct Centre Monthly Report;
7. Arts Cultural Precinct Centre - Program of Activities;
8. Arts Cultural Precinct Centre - Design Brief; and
9. Day Care Centre Report.

Moved: Cr Nadine Cannon

Seconded: Cr Ian Patterson

CARRIED

6.11 DIRECTOR HUMAN RESOURCES, RISK AND REGULATIONS - MONTHLY REPORT.

Council acknowledge the activities identified in the report. Council supports the continuation of safety circle program and commend the officers who coordinate the team talks which promote the standard of the organisation.

Council acknowledge the Cultural Training recently delivered by the Gungahghi PBC Ranger program and commended the participants in our workforce for attending the session. This is a very positive program which promotes shared values between stakeholders and ensure council officers are aware of the cultural heritage parameters that exist.

At 1:30 pm, Cr Colin Cedric returned to the meeting.

At 1:31 pm, Cr Nadine Cannon left the meeting.

At 1:31 pm, Cr Nadine Cannon returned to the meeting

RESOLUTION 12:20/11/2019

Yarrabah Aboriginal Shire Council resolved to adopt the Director Human Resources, Risk And Regulations October Report as read.

Moved: Cr Nadine Cannon

Seconded: Cr Ian Patterson

CARRIED

6.12 WORKS AND INFRASTRUCTURE MONTHLY REPORT

Council acknowledge the activities identified and commend the Manager for the level of detail provided in the report.

Council commented about a number of water leaks noticed at water hydrant sites around the community. Action Item for Director of Works – review response plans and prioritise works to fix leaks at offending sites.

Action Item: CEO instructed to coordinate review of asset management plan – water infrastructure. Review to ensure there are appropriate provisions in existing operational works plans. Council also keen to ensure water saving strategies are in place and where appropriate alternative strategies to consider.

Action Item: CEO instructed to coordinate notices about water usage and seasonal restrictions.

RESOLUTION 13:20/11/2019

Yarrabah Aboriginal Shire Council resolved to adopt the Works and Infrastructure October report.

Council acknowledge the operational recommendation contained in the report. Council acknowledge the organisation structure has been endorsed and decisions for staffing rests with Management to progress.

Moved: Cr Colin Cedric

Seconded: Cr Michael Sands

CARRIED

6.13 DIRECTOR POLICIES AND GOVERNANCE

Council acknowledge the activities identified in the report. Council commend the Director on the level of service being offered. Note the coordination effort is allowing the governance responsibilities to be understood and improvements are noted. Level of support provided to CEO and Council is recognised.

RESOLUTION 14:20/11/2019

Yarrabah Aboriginal Shire Council resolved to adopt Director Policies and Governance October report.

Moved: Cr Nadine Cannon

Seconded: Cr Colin Cedric

CARRIED

7 CORRESPONDENCE**7.1 UNIVERSITY HOSPITAL PROPOSAL - CAIRNS AND HINTERLAND HOSPITAL AND HEALTH SERVICE**

Information received regarding proposal to develop a University Hospital in Cairns. Request for Letter of Support. Council looks forward to seeing additional medical facilities added to the region and support the aspiration to improve overall health service options in the region.

Action item: CEO to formulate letter of support which endorses the proposal for development of a University Hospital in Cairns.

RESOLUTION 15:20/11/2019

Yarrabah Aboriginal Shire Council resolved to endorse the proposal from the Cairns and Hinterland Hospital and Health Service for the development of a University Hospital in the Cairns Region. Preferred location along the southern development corridor.

CEO to coordinate a Mayoral support letter.

Moved: Cr Colin Cedric

Seconded: Cr Michael Sands

CARRIED

8 CONFIDENTIAL MATTERS

Nil

9 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is **Wednesday 11th December 2019**. Council note December timeframe is restricted and the meeting is being held earlier due to other commitments.

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

Meeting closed at 2:02pm.

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Mayor