



**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 28 OCTOBER 2020 AT 9:00AM**

PRESENT: Cr Ross Andrews (Mayor), Cr Brian Underwood, Cr Lucrecia Willett, Cr Kenneth Jackson

IN ATTENDANCE: Leon Yeatman (CEO), Jemma Lichtenfeld (Director Corporate Services), Shanara Andrews (PA) Marita Miller/Underwood (Media)

1 MEETING OPEN

Mayor Andrews declared the meeting open at 9.41 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 WELCOME TO COUNTRY

3 APOLOGIES

Cr David Baird

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:28/10/2020

That the minutes of the Ordinary Council Meeting held on 16 September 2020 be adopted.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED

5 BUSINESS ARISING FROM PREVIOUS MINUTES

Cr. Willet queried whether council meetings could be closed off or permitted to go into 'in-camera' session. CEO confirmed this process is part of council meeting procedure, with exception. information to be forwarded to councillors through the Governance Director.

Mayor noted the requirement for councillors to update their Public Interest Register. Training and Communication received during the month noting. CEO advised that executive staff had updated their registers and encouraged councillors to complete immediately– Governance director to circulated link. Completed interests registers to be returned to Governance Director for posting on the council website.

9.45am Cr David Baird entered the meeting

CEO provided a status report on CCTV camera project – advised the project is near completion. A compliance issue has surfaced due to electrical works not completed. Appropriate in place to mitigate risk. Lessons in this project for future project management.

Councillors advised of their compliance action to complete and return new Interest Register Forms. Mayor reminded council of the new Belcarra arrangements and reminded councillors and associated parties of the needs to be handed in.

Mayor instructed CEO to set a date for the next Local Disaster Management Group Meeting – date to be circulated to members

Mayor, CEO & Councillors confirmed trip to Hopevale 4th & 5th November 2020. CEO to confirm arrangements and circulate information to participants who are travelling

Status of Community Events queried. CEO advised the current COVID rules apply. Events leading into Christmas look more likely to happen – subject to planning and support from other organisations. Director for Community Services Mrs Vicki Jones nominated to coordinate engagement process.

Public Notice for NAIDOC Day 9th November 2020 to be posted.

CEO communicated to Mayor and council the issue about non-attendance at Audit Committee Meeting recently. Councillors reminded of their responsibilities and to organise their time to participate in Council meetings. Councillors noted the issue and requested further training - Finance Training. CEO to make enquiries with DLGRMA and communicate back to Mayor and Councillors. A possible solution to support the Audit Committee – assign proxy members (matter identified for consideration in the meeting papers).

Councillors noted the change of seasons and the fast approaching wet season – request made for council to plan a Cyclone clean up (November). CEO instructed to follow up and report back at the next meeting

Mayor noted the issue about social media and potential trap for councillors. Councillors reminded about the council Code of Conduct and policy on Social Media. Reference also made about the Belcarra arrangements and rules for use of council tools.

Mayor discussed the challenges likely to confront our volunteers in the upcoming cyclone season. Request for council to issue Notice calling for Volunteers to join our local SES, RFS and other committees.

6 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.

7 MATTERS FOR DISCUSSION**7.1 CEO OPERATIONAL REPORT**

This monthly report covers the period from 16th September to 27th October 2020.

Recommend report be read using exceptions as a guide – reports with recommendations will be discussed in detail.

RESOLUTION 02:28/10/2020**RECOMMENDATION**

That Council resolve to endorse the CEO Report for the period to 27th October 2020. Report is tabled as read.

Moved: Cr Kenneth Jackson

Seconded: Cr Lucrecia Willett

CARRIED

Meeting Adjourned at 11.14am

Meeting Reconvened at 11.32am

7.2 CORPORATE PLAN

The corporate plan as a strategic document, serves to reflect compliance with section 104 of the Local Government Act 2009 and 165 of the Local Government Regulation 2012.

This document is an amendment to the five year Corporate Plan compiled at the end of 2018. As a document it seeks to adopt the goals, mission and values set by the new council. This plan reflects the commitment to address current issues and moving Yarrabah forward.

This Corporate Plan continues the strategic direction and priorities for Yarrabah Aboriginal Shire Council for the next five years.

RESOLUTION 03:28/10/2020

That Council resolve to endorse Corporate Plan 2020 - 2021.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

7.3 YASC MONTHLY FINANCIAL REPORT

Local Government Regulations, s204 - Financial

(1) The local government must prepare a financial report.

(2) The chief executive officer must present the financial report—

(a) if the local government meets less frequently than monthly—at each meeting of the local government; or

(b) otherwise—at a meeting of the local government once a month.

(3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

CEO delegates the reporting responsibility to the Corporate Services Director – Jemma Lichtenfeld.

Councillors encourage to review the debtors write off list and to indicate the conflict of interest.

- Letter to the Minister regarding Centrelink customers (Centrepay) stopping rent. (Vicki)

Audit Committee membership discussed and recent experience called for council to amend the committee to support a quorum. Adding proxy members will help to address any gaps and ensure valuable time is not lost.

RESOLUTION 04:28/10/2020

That Council resolve to accept Finance Report and Grants Report for September 2020.

Council endorse amendment to Audit Committee membership arrangement. Approval granted for sitting councillors to perform proxy duties – goal is to support the Audit Committee meeting process and ensure quorum can be secured:

Proxy Members added:

Cr. David Baird

Cr. Kenneth Jackson

Proxy positions are interchangeable with current YASC Audit Committee members only - Cr Lucrecia Willett & Cr Brian Underwood.

Moved: Cr Brian Underwood

Seconded: Cr Lucrecia Willett

CARRIED

7.4 TENDER AWARD - ARTS PRECINCT GATEWAY BUILDING

As per Local Government Regulations 2012 and Council's Procurement Policy, Council put out a tender for construction of a new building at the Arts Precinct. The Gateway Building is a small single level located in the Art Precinct at Yarrabah. The project involves the demolition of a small ablutions building and the erection of a new building to mark the "entrance" to the Art Precinct.

Advertised in the Cairns Post 18th July 2020 and posted on LG Tenderbox. Tenders closed 7th

August 2020.

RESOLUTION 05:28/10/2020

That Council resolve to award the tender of construction of the Arts Precinct Gateway Building to Richardson's Building Services for a value of \$596,610 ex GST. The CEO has authority to approve any variations up to the value of \$200,000.

Moved: Cr Ross Andrews

Seconded: Cr David Baird

CARRIED

7.5 TENDER AWARD - COASTAL HAZARD ADAPTION STRATEGY PHASE 3-8

Local Government Regulations 2012 and Council's Procurement Policy, Council put out a tender for suitably qualified consultants to assist with the completion of the Yarrabah Coastal Hazard Adaption Strategy Phase 3-8.

It was advertised in the Cairns Post 5th September 2020 and posted on LG Tenderbox. **Tenders closed 28th September 2020.**

Six (6) tenders received with prices from \$81,400 to \$379,680.

RESOLUTION 06:28/10/2020

That Council resolve to award the tender for completion of the Yarrabah Coastal Hazard Adaption Strategy Phase 3-8 to Alluvium Consulting Australia for a value of \$379,680 ex GST. Any variations required to be approved by the CEO.

Moved: Cr Brian Underwood

Seconded: Cr Lucrecia Willett

CARRIED

7.6 APPROVAL FOR SWIMMING POOL REPAIRS.

Council noted concern about the deficiencies at the Pool. Note the challenges are real, but Mayor and Councillors encouraged the CEO to work closely with current management team (or external experts) to review the existing Business Plan. Due consideration to be given to alternatives that will improve amenity, business opportunity and functionality of the pool.

Mayor and Councillors advised the swimming pool is not operational. A recent inspection identified issues with filtration system, broken tiles and issues with the Water Park. The inspection report was performed by company Kiratesh and included was a quote for repairs. Information to be included in proposed action plans moving forward (additional quotes to be sourced to address tender compliance actions)

Report also contained a recommendation to council for an amendment to the current swimming pool budget. Director of Community Services recommends the current budget to be increased

from \$30,000 to \$70,000. This will ensure sufficient funding is allocated to cover the repairs.

RESOLUTION 07:28/10/2020

That Council resolve to approve the recommendation from the Community Services Director to increase in the Swimming Pool budget from \$30,000 to \$70,000. Purpose of the budget amendment is to allow urgent repair for the facility and associated assets.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

Meeting Adjourned for lunch at 12.44pm

Meeting Reconvened at 1.27pm

Cr Brian Underwood returned to the meeting at 1.31pm

7.7 YASC OPERATIONAL PLAN 2019/2020

YASC Operational Report is required to be reviewed and endorsed by council annually.

YASC has been notified that the Plan for 2019-20 is missing from the council web-site (where it must be posted after endorsement obtained). Note the plan was not monitored and changes at Executive Level resulted in the matter being omitted by the council.

The Operational Planning process was planned to be formulated using a new computer software package (Cascade) which has a 3 year license. The lack of attention and gaps created by the change management, did not assist the focus – nor attention required.

The Operational Plan for 2019 has run over time and reflects the change management impacts experienced by the council.

This plan has been formulated with the Risk Register in mind.

RESOLUTION 08:28/10/2020

That Council resolve to endorse Operational Plan 2019-20.

The challenges brought on by current change management are acknowledged and council note the standard of the document is not optimal. Due to the absence of key persons to supply the operational information, the process knowledge gained from this process will be factored as learnings for future plans.

Executive Directors and Program Managers instructed to manage this process more carefully and guarantee better quality for future Operational Plans.

Moved: Cr Brian Underwood

Seconded: Cr David Baird

CARRIED

7.8 YASC OPERATIONAL PLAN 2020/2021

The requirement for annual operational plan is a legislated requirement and stated in the following:

the LG Act 2009:

Section 104 Financial management systems

(5) The system of financial management established by a local government must include—

(a) the following financial planning documents prepared for the local government—

(v) an annual operational plan; and

(7) A local government must carry out a review of the implementation of the annual operational plan annually.

the LG Regulation 2012:

174 Preparation and adoption of annual operational plan

(1) A local government must prepare and adopt an annual operational plan for each financial year.

(2) The local government may, but need not, adopt the annual operation plan for a financial year at the same time the local government adopts its budget for the financial year.

(3) The chief executive officer must present a written assessment of the local government's progress towards implementing the annual operational plan at meetings of the local government held at regular intervals of not more than 3 months.

(4) A local government may, by resolution, amend its annual operational plan at any time before the end of the financial year.

(5) A local government must discharge its responsibilities in a way that is consistent with its annual operational plan.

175 Annual operational plan contents

(1) The annual operational plan for a local government must—

(a) be consistent with its annual budget; and

(b) state how the local government will—

(i) progress the implementation of the 5-year corporate plan during the period of the annual operational plan; and

(ii) manage operational risks; and

(c) include an annual performance plan for each commercial business unit of the local government.

RESOLUTION 09:28/10/2020

That Council resolve to adopt the 2020 YASC Annual Operational Plan.

Council acknowledge the impact experienced by Executive Management changes and register the guarantee provided by the CEO to improve the management of this process.

Council also acknowledge the review process carried out of the 2019 YASC Annual Operational Plan by the CEO. Lessons learnt from the review will be included into future review processes.

Moved: Cr Lucrecia Willett

Seconded: Cr Kenneth Jackson

CARRIED

7.9 DINDARR PROPOSAL.

Council acknowledge receipt of request. Note the site location proposed for the works is not within the shire. Council confirms that support for funding to develop a jetty at Koombal.

Council regretfully declined request due to the site not being in the Yarrabah Shire.

Council thank Mr Peter Mc Allister for his letter. Matter to be referred to Gunggandji PBC – who have cultural interest on the proposed development site..

7.10 DIRECTOR WORKS & INFRASTRUCTURE MONTHLY OPERATIONAL REPORT.

Report covers performance during the past month. Items contained reflect actions and tasks performed to progress the projects in-line with funding agreements and project plans.

Planning and engagement with stakeholders and consultants about programmed / scheduled works. Additional attention applied to Waste management planning. Engagement with Cairns Regional Council about waste management process and site management. Objective is to address service gaps at the waste tip and address the process and handling of waste in Yarrabah.

RESOLUTION 10:28/10/2020

That Council resolve to adopt Director Works and Infrastructure report, tabled as read.

Moved: Cr David Baird

Seconded: Cr Lucrecia Willett

CARRIED

7.11 DIRECTOR COMMUNITY SERVICES - MONTHLY OPERATIONAL REPORT.

Report covers the operational elements as aligned to the Director of Community services for the period September to October 2020, covering:

- Director Community Services Department Overview 30092020
- Housing Manager Monthly Report September 2020.

- Housing Officers Report September 2020.
- Housing Financial Report September 2020.
- YKC Report September 2020.
- YKC & RTC Graph stats September 2020.
- Arts Precinct Monthly Report - September 2020.
- Sales Report - September 2020.
- CONFIDENTIAL Report
- Preservation Needs Assessment final.
- Daycare Report 2020 28.9.2020.
- Occupancy_Utilisation_Report_1601252484 Sept

Exception review applied to the reports – the lack of recommendation, called for the reports to be noted as read.

RESOLUTION 11:28/10/2020

That Council resolve to accept the Director Community Service's Report, tabled as read.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

Councillors advised the CEO to plan a membership drive for the local SES and RFS brigades. Note current members are aging, back up urgently required support response capability and to share responsibility for keeping community safe. CEO proposed to coordinate and promote membership drive during November with the assistance of the QFES and local members. Councillors noted the vacancy for the local Coordinator Role – looking forward to

7.12 DIRECTOR POLICIES & GOVERNANCE MONTHLY OPERATIONAL REPORT

Report covers the operational performance of the Governance Department. Cascade report provides an update on projects assigned to the role.

Exception review applied to the report – the lack of recommendation, called for the reports to be noted as read.

RESOLUTION 12:28/10/2020

That Council resolve to accept the report, tabled as read.

Moved: Cr Kenneth Jackson

Seconded: Cr David Baird

CARRIED

7.13 DIRECTOR HUMAN RESOURCES, RISK AND REGULATIONS MONTHLY OPERATIONAL REPORT.

Report covers the operational performance of the Human Resource, Risk and Regulations department.

Exception review applied to the report – the lack of recommendation, called for the reports to be noted as read.

RESOLUTION 13:28/10/2020

That Council resolve to adopt report tabled as read.

Moved: Cr Brian Underwood

Seconded: Cr Lucrecia Willett

CARRIED**7.14 PARTNERSHIP OF MEMORANDUM OF UNDERSTANDING (MOU) - VERSION 2.1. BETWEEN YARRABAH ABORIGINAL SHIRE COUNCIL & QUEENSLAND MUSIC.**

The MoU provides an important outline of an anticipated way forward for Yarrabah Aboriginal Shire Council and the Queensland Music Festival.

This MoU aims to formalise an agreed division of operational responsibilities and funding obligations.

Mayor advised the councillors of meeting held by himself and CEO in Brisbane in the previous month. Also acknowledged the actions carried out by Governance Director Mrs Avril Yeatman. The challenge for council is to source additional funding or consider appropriate options to address funding gaps and improve viability.

RESOLUTION 14:28/10/2020

That Council resolve to endorse the Memorandum of Understanding between Queensland Music Festival and Yarrabah Council for the Yarrabah Band Festival.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED**8 CORRESPONDENCE**

Nil

9 STRATEGIC PORTFOLIO UPDATE

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

10 CONFIDENTIAL MATTERS

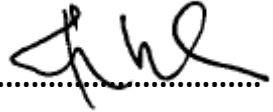
Nil

11 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 18 November 2020.

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

Meeting closed at 2.15 pm.



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MAYOR