



**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 20 JANUARY 2021 AT 09:00AM**

PRESENT: Cr David Baird, Cr Brian Underwood, Cr Lucrecia Willett, Cr Kenneth Jackson

IN ATTENDANCE: Leon Yeatman (CEO), Jemma Lichtenfeld (Director Corporate Services),
Shanara Andres (PA)

1 MEETING OPEN

Deputy Mayor David Baird declared the meeting open at 9.34 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 Ross Andrews (Mayor)

Deputy Mayor advised that Mayor Andrews will be late for today's meeting

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:20/01/2021

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

Moved: Cr Lucrecia Willett

Seconded: Cr Kenneth Jackson

CARRIED

5 BUSINESS ARISING FROM PREVIOUS MINUTES

Update on proposed Capital Works Forum: The first forum which was set for 19/1/21 has been postponed to February due to weather and inability to secure attendance. CEO reiterated the purpose of the forum and importance of this meeting to progressing Community Plans for infrastructure and land development. Councillors also reminded about quorum requirements (Council attendance at that forum) which is essential to the decision making process. CEO advised difficulty had been experienced with contacting the northern PBC – effort wills to communicate will continue via our legal representatives at Preston Law.

‘Women in leadership’ programme: Cr Willet queried the program sponsored by the Department of Local Government Racing Multicultural Affairs (DLGRMA), for which she was nominated. CEO advised the registration has been completed and Council had received confirmation of nomination. The information supplied by the DLGRMA indicated that direct communication will be made with Councillor Willett. CEO understanding is that YASC will cover cost for Travel and incidental. The course is funded by the department. Councillors wished Cr Willet every success with this program and encouraged her to expand her knowledge and network from this opportunity.

Councillors queried the continuation of the ‘Code of Conduct’ training provided by DLGRMA. CEO confirmed this activity is a carryover 2020 activity. The coordination is happening between the department and Council staff with a dates proposed in early February 2021. Director of governance and policy will be circulate information and handle any specific requirements.

Survival day 2021: Councillors advised of pre-event planning activities and proposed plans for this event. Concerns noted about the level of response from agencies and general members in community. Poor response is causing concern about expected activities being discussed outside of engagement process. Key issues affecting preplanning include (but not limited to) lack of interest in volunteering, funding and COVID. Proposed program for this event is presented in the CEO’s report in this meeting.

Land Clearing - CEO advised the activities appear to have stopped. Councillors note a number site were cleared between October and December 2020. Lots cleared are at various locations within the shire. All of the sites affected are confirmed to have occurred on sites without formal leases in place. Advice being given to questions about the activity note a lack of a lease means the activity is unauthorised and persons are nonconforming. All queries directed to Council about land development are advised to express their interest via the Aboriginal Land Act leasing process. Council is committed to working with the trustees to apply a single process and ensure the appropriate local legal processes are applied.

6 DISCLOSURE OF INTEREST – COUNCIL / REGISTER UPDATES

The Acting 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

CEO invited to present his report. Councillor advised of the format changes made to the Operational Report. Councillors attention directed to the consolidated information presented for this meeting. The purpose for this change is aligned to the matters requiring decisions. The last 12

months saw limited number of resolutions required by Councils derived from departmental reports. The consolidation sees information condensed into one report and Councillors time streamlined. As a going concern, where specific resolutions arise these will be presented in specific reports to meetings. Councillors recognised the efficiency intent behind the decision and thanked the CEO for considering this process improvement.

Following from last meeting, Councillor queried about the Alcohol Management Plan (AMP) and its enforcement. The question was directed at public facilities (beach BBQ shelters) being used for activities which may breach the AMP (especially alcohol consumption and associated antisocial / high risk behaviour). Councillors debated the question about adult decisions and real risks. Note that in amongst alleged activities are some positive behaviours. Questions about policing prevail, which creates further doubt and situations where further inconsistency is likely. Within the AMP process are provision for Yarrabah to consider alternately services arrangements (club) which remain unattended. CEO recommended to Council the appropriateness for them to consider a strategy which will focus attention to creating a separate company to cater for entertainment. Suggestion present sees this venture taking a commercial framework with clear social reinvestment objectives. There are a number of options created in other communities to help make a decision for Yarrabah. Councillors noted this issue surfaced during COVID closure, which did not materialise. The opportunity is open for community to advance. At this time one could suggest that community members are looking for a local option for socialising and entertainment.

Council queried the process for engagement with the police. CEO advised Council that there are a number of avenues for engagement. Subject to the nature of engagement, this could include: informal engagement, formal communications, complaints, meetings and direct consultation with Commissioner of Police. CEO also advised that there is an annual engagement process facilitated by the Commissioner of Police – a forum held between Council and police from across the state. The 2020 forum didn't happen because of COVID. Councillors seeking to understand how the current engagement process can be enhanced to improve relations and options of engagement to extend past a complaint process. CEO to supply information outside the meeting . Councillors would like to see increase opportunity positive engagement and where appropriate support police and community relations.

RESOLUTION 02:20/01/2021

That Council resolve to accept CEO's report for December 2020

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

Meeting Adjourned 10.55am

Meeting Reconvened 11.03am

7.2 YASC MONTHLY FINANCIAL REPORT

Council invited Director Corporate Service to present her report. Officer present the financial information for December. Areas noted are as follow :

- State Government Financial Aide release has a positive impact on the budget. \$2.7M allocation yet to be fully expended;

- Debtors: Councillor advised of strategy to focus on debtors for the 2 months (debt collection)
- Capital Works - key activities are up to Christmas was the Bukki road works completion. Post-Christmas Works for Queensland and Housing.
- Housing income – reports for this month notes \$30k generated from rental. Expectation was for poor results for the period – due to festive season. Expected deductions did not occur which resulted in the income generated. Council commended the Tenancy Management team for their work. Additional suggestion made to enhance the current communication strategy to include social media notice to community.
- Profit and loss statement- Council advised that management will be looking at cash flows post-Christmas and endeavour to focus on improving our performance.
- Leases all leases are current except for one – CEO input required.

Areas of concern:

- Arts Centre operations and income. COVID has affected our normal supply option. The construction works are well timed, however the Council stated they wanted the plaguing issues with IT and phone connectivity to be resolved (urgent).
- Q-build – invoicing and inspection. Attention required to address gap issues (IT, job allocation and invoicing). Billing and reconciliation actions to be reviewed and issues resolved (including but not limited to move to a paperless system).

RESOLUTION 03:20/01/2021

That Council resolve to accept Finance Reports for December 2020.

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

7.3 PROCUREMENT - PLAYGROUND EQUIPMENT (WORKS FOR QLD)

Director Corporate Service presented the report regarding the procurement of new play equipment. Councillors advised the values contained in this report exceeded current financial delegation. It was necessary for the matter to be determined by the Council. Officer advised the procurement process was transparent and associated requirements have been satisfied.

As per Local Government Regulations 2012 and Council's Procurement Policy, Council requested quotes from suitably qualified and experienced contractors to supply and install 6 playgrounds for the following locations:

- Djenghi,
- Reeves Creek,
- Beach Road (esplanade),
- Jilara Oval,
- Sawmill Road and

- Patterson Park.

The matter is now referred to Council for consideration and endorsement.

RESOLUTION 04:20/01/2021

That Council accepted the recommendation provided by the Corporate Service Director, Mrs Jemma Lichtenfeld and resolve to award the contracted from suitably qualified and experienced contractors to supply and install 6 playgrounds for the following locations:

- Djenghi,
- Reeves Creek,
- Beach Road (esplanade),
- Jilara Oval,
- Sawmill Road and
- Patterson Park,

to Advantage Sport & Leisure (Local Buy Contract BUS267) for a value of \$720,594 ex GST.

All variations arising from this project will be referred to the CEO for approval.

Moved: Cr David Baird

Seconded: Cr Lucrecia Willett

CARRIED

7.4 2020-2021 AMENDED BUDGET

Director of Corporate Services presented the amended budget to Council. Officer explained the process coincides with the mid-year review and informed reflected in the amended budget, captures the true value of projected income sources and expenses. The information has been added to the budget and this amended budget is presented to Council consideration and endorsement.

Councillors were happy with the explanation provided.

RESOLUTION 05:20/01/2021

That Council resolve to adopt Council's amended budget for 2020-2021.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

11.38am Cr Ross Andrews entered the meeting

8 CORRESPONDENCE

Nil

9 STRATEGIC PORTFOLIO UPDATE

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

10 CONFIDENTIAL MATTERS

- Confidentiality: Mayor took the opportunity to remind Councillors of the integrity principle applied in Local Government and their responsibility to maintain high standards. This requirement extended to requests for information. Councillors were reminded of their duty to uphold the local government principles and ensure questions are referred to the appropriate officer or agency for their information / consideration.
- Councillors reminded about contact information held by Councillors and Staff. Some of this detail is privileged and prior consent is required to release this information to general members of the public. Staff are reminded to exercise discretion and ensure request is cleared before information is released. Where a complaint is being addressed, the protocol is to refer all matter immediately either to the appropriate process or agency.
- Community events: first event for 2021 Australia/Survival Day. Mayor expressed community expectation for all elected representatives to attend and participate at all community events. Mayor welcome Councillor support during survival day.

Date for the next Council Ordinary Meeting is Wednesday 17 February 2021.

The Mayor thanked the Councillors and Staff for their participation and attendance at the meeting.

Meeting closed at 12.07 pm.

.....

MAYOR