



**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 17 FEBRUARY 2021 AT 09:00AM**

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

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

1 MEETING OPEN

Mayor Andrews declared the meeting open at 9:56am.

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

Mayor acknowledged country and paid respect to elders, past, present and emerging on which the land we meet.

3 APOLOGIES

Nil, all members present for the meeting.

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:17/02/2021

That the minutes of the Ordinary Council Meeting held on 20 January 2021 and the Special Council Meeting held on 28 January 2021 be adopted.

Moved: Cr Brian Underwood

Seconded: Cr Lucrecia Willett

CARRIED

5 BUSINESS ARISING FROM PREVIOUS MINUTES

Technical Working Group – Councillors called for meeting dates to be organised and added to council calendar. Councillors acknowledged the meetings will improve focus and attention on the development issues for council. Councillors also expect a more regular meeting schedule to allow issues to be identified, activities to be monitored and planning to be coordinated (monthly). Council is committed to progressing plans for more houses and infrastructure. CEO advised that current officer assigned to council has been exchanged for an interim officer – due to medical reasons. CEO to communicate the above to the department and ensure focus on housing and infrastructure is progressed.

Search and Rescue donation request – CEO advised that we received request to assist with the search and rescue effort to locate the missing fishermen from community. Due to special nature of the circumstance and expectation from community, council held special meeting to consider extraordinary request and to determine the type of donation to offer. Fuel was donated for the search – sourced from YASC works depot. Quantities have been recorded for audit and reporting purposes.

Works for Queensland - New playground facilities. Councillors queried the commencement date for the projects? CEO to follow-up on start date and circulate information via email. CEO acknowledge the funds need to be spent by 30 June 2021. Positively, not relying on external contractors.

Rock Throwing - Mayor provided Council with brief regarding meeting held on Monday with Queensland Health Emergency Department at Yarrabah and Queensland Police regarding rock throwing at Reeves Creek, noise pollution, sling shots, police recruitment, property crime / stolen vehicles and juvenile theft. Positively, parent/s have been cooperative. Community messaging to be distributed.

Betel Nut in community – Councillors concerned about reports about betel nut being introduced into Yarrabah. the health impacts on this community would not be good and there are concerns about the motive. Currently the palm can be planted, but the nut cannot be consumed legally in Australia. CEO advised about information found to date, however further information was being sourced. Councillors stated their opposition to betel nut consumption being introduced into Yarrabah – citing the negative health impacts this will have on vulnerable people living in community.

Education round table – Councillors requested a meeting to focus on education values, attitudes in community and to formulate response/strategies to improve school attendance, attitude, behaviour and education outcomes. Meeting to include local community members and other stakeholders. CEO to use the Yarrabah Leaders Forum as a think tank and then seek to facilitate the program development with Ms Bettina Rosser (Principal Education Officer) at the Yarrabah State School. Councillors wish to see a meeting held before June 30 2021 or soon thereafter.

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.

Item 7.5: Cr. Baird and Cr. Underwood declared their interest as employees of Gindaja Substance Misuse Treatment facility.

7 MATTERS FOR DISCUSSION

7.1 CEO OPERATIONAL REPORT

CEO presented his report to the council. He noted the report did not contain a recommendation for the meeting and asked councillors apply exceptions to the report content.

Recommendation for the report to be tabled as read.

RESOLUTION 02:17/02/2021

That Council resolve to accept Chief Executive Office Leon Yeatman's Operational Report for January 2021.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

The meeting was adjourned at 11:38am.

Director of Corporate Services Jemma Lichtenfeld and Finance Manager Mike Mair entered the meeting room at 11:52am.

Meeting reconvened at: 11:57am

7.2 YASC MONTHLY FINANCIAL REPORT

Director of Corporate Services Jemma Lichtenfeld proceeded to take the councillors through her financial report for the meeting. The recommendation to council to table the report as read.

As part of the report the Director noted the following:

Financial position is showing a loss. The reason for the loss was attributed to the number of invoices identified for payment. There was income yet to be registered, which will show a different balance figure. Work is continuing to address cash-flow risks and to ensure the financial position is positive at the end of the financial year. Past practices have been scrutinised and better financial management considerations are being applied.

Legal advice regarding debts older than 6 years – law requires doubtful debts to be removed from accounts and written off. Note there is approximately \$1M which are pre-2013, which according to the rules recovery is doubtful. Post 2013 records show that tenants are also accruing debt, which requires better management. This council has an opportunity to demonstrate better financial management of tenancy debt.

Work order update. Efforts to address invoicing and work orders was held recently between Administration staff and Works team members. The objective was to clarify the job allocation process, timing of works and billing process. Note there is still a reliance on paper-based system which not only creates issues, but has deficiencies. CEO stated there is an opportunity to do things differently and advised the council that he has encouraged staff to explore modern options – including use of smart devices to make issuing, handling and processing of work / job orders more

efficiently. Focus for current meeting was on staff roles and responsibilities – next phase will consider how to add efficiencies to the process.

Mapping reference for properties in community. Councillors commented about the issue of works being confused with properties. The CEO advised the councillors that a key contributor was the maps used. Each service provider appears to use a different reference and often the house number and the lot number is confused or neither used (made up). Request to have a map reference which is the same across stakeholders service providers. CEO commended to council that council can recommend use of one system and Queensland Globe (layer option for planning cadastre is an easy access options. CEO to liaise with Department of Natural Resources, Mines and Energy to promote one reference system.

Director discussed the issues about planning for works. At this time there is a deficiency in the knowledge and understanding about planning works and aligning performance to approved plans – e.g. Guyala Lookout, pot holes etc. The organisation culture will be boosted by the adoption of core management strategies and principles. Staff willingness was considered to be ripe for the next phase of organisation culture development. Mayor encouraged staff to consider the finding in ‘Tait vs Goondiwindi’ - appeal upheld the decision that a local government was liable for failing to repair a pothole on a state-controlled road in a declared disaster area, and for failing to secure warning signs for the benefit of approaching road. The rules are clear – responsibilities rest with council for works assigned to us. All risks need to be identified and managed appropriately/ responses applied swiftly.

Community Safety plan – Councillors noted the \$50k as reflected in the budget. CEO advised the initial plan developed during COVID lockdown has changed. The new direction is now considering other priorities for community. Mayor was keen to use funds to develop a new concept design for a new community centre. Director of Corporate Service to provide an update of the program terms and conditions and circulate response via email (outside meeting process).

Works for Queensland 04 – Council Chamber development and Administration customer car park extension projects. CEO and Director confirmed the project is incorporated in the works planned for the Administration building. The Carpark was a secondary project and will likely be completed after the majority of works done on the new chamber. Carpark will have a covered space and covered walkway into the building.

RESOLUTION 03:17/02/2021

That Council resolve to accept Finance Reports as presented by the Director of Corporate Services Jemma Lichtenfeld for period January 2021.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED

Jemma Lichtenfeld and Mike Mair left meeting at: 12.37pm.

The meeting was adjourned for lunch at 12:40pm.

The meeting reconvened at 1:12pm.

7.2.1 FINANCIAL DELEGATIONS FOR PROJECT MANAGER.

Director Corporate Services Jemma Lichtenfeld provided a request to council to amend the current financial delegation register to include Project Manager, Jason Smith. Officer was omitted from the initial list and CEO advised this was an oversight that required correction.

The Project Manager has responsibility for oversight of the construction and repairs and maintenance expenditure. The omission of the responsibility has meant all management responsibilities have had to be channelled through the Director of Works and Infrastructure (which was less efficient).

The recommendation was to assign the position a financial delegation of \$10,000. CEO was happy to endorse the recommendation and commended the financial delegation assignment to the role.

RESOLUTION 04:17/02/2021

Approve to admit the Project Manager position to the Financial Delegation Register. financial delegation amount assigned - \$10,000

Officer identified in this position is Jason Smith.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

7.3 YASC POLICIES.

CEO advised the council that this item covered the suite of policies workshopped during session held between 10th and 11th February. The policies included in the review covered following:

- Statutory policies;
- Day Care policies;
- Human Resources policies; &
- Risk & Regulations policies.

Council thanked the CEO and staff for workshopping the policies. The activity allowed them to understand the basis from which council operates and how they can support community and council meet community needs. Councillors were happy to approve the policies and grant authorisation for CEO and Executive Management Team to implement policies as part of operational management.

RESOLUTION 05:17/02/2021

That Council resolve to endorse the recommendation presented by the Director Governance and Policy Mrs Avril Yeatman to adopt all polices as listed for the following areas:

- Statutory;

- Day Care;
- Human Resources; &
- Risk & Regulations policies.

Council authorise the implementation action to be carried out by CEO and Executive Management Team.

Moved: Cr Kenneth Jackson

Seconded: Cr Lucrecia Willett

CARRIED

7.4 VARIATION TO CAPITAL INTERIM FUNDING

Report submitted by Director Works and Infrastructure, Preston Andrews. The report identifies uncommitted funding within Capital interim works. CEO supported the report and noted the valued exceeded financial delegations and required Council resolution.

Through the interim capital works program Council have been issued funding to the value of \$2.35 million. Works have now been costed and it has been identified that at this time it appears that Council will have \$1,050,000.00 remaining.

Request to engage and have comprehensive collaboration with DATSIP to determine best options for retention and utilisation of funds program.

Further dialogue through the TWG. CEO will formulate a report on further actions.

Council raised concern regarding water supply and the need for an extra reservoir. CEO provided a brief of conversations had regarding water supply in community. Mayor seeks to explore options of playgrounds, feasibility/impact study, power lines to the outer skirts of town. Plan, develop in a sustainable manner.

RESOLUTION 06:17/02/2021

That Council resolve to approve request submitted by Director of Works and Infrastructure Mr Preston Andrews to seek a Variation of Proposed works and funding for the Balamba Master Plan & Djenghi Stage 7b & 8a Civil Works Designs. Value of the variation is \$1,050,000.00.

Action to be completed with input and advice from the CEO. CEO to provide a report back to Council.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

7.5 DEVELOPMENT PERMIT FOR A RECONFIGURING A LOT (LEASE) - LOT 47 SP279560, BACK BEACH ROAD, YARRABAH.

CEO noted this item has been approved by the trustee and warrants approval as a development application by the local government. Director Governance and Planning Avril Yeatman advised the councillors about the actions completed via the Trustee Approval process implementation and how the Development Application will be the final step for council to secure the funding and start of works as part of the Yarrabah Coronavirus Quarantine facility on site at Gindaja (lot 47).

RESOLUTION 07:17/02/2021

That Council resolve to approve Reconfiguring a Lot (creation of Lease) at Back Beach Road, Yarrabah (Lot 47 SP279560) subject to reasonable and relevant conditions.

- (1) **Administration** At all times
- a) The applicant is responsible to carry out the approved development and comply with relevant requirements in accordance with:
- b) The specifications, facts and circumstances as set out in the application submitted to Council;
- c) The development must unless stated, be designed, constructed and maintained in accordance with relevant Council policies, guidelines and standards.
- (2) **Currency Period** As per condition
- The currency period applicable to this approval (i.e. the timeframe new plan of survey for the new lease must be registered within).
- Reconfiguring a lot – 6 Years
- (3) **Approved Plans** At all times
- a) The development of the site is to be generally in accordance with the following plans that are to be the Approved Plans of Development, except as altered by any other condition of approval.
- | Plan / Document Name | Number | Reference | Date |
|---|---------|-----------|-----------|
| Survey Plan to create Lease P SP322649 on Lot 47 SP279560 | Lease P | SP322649 | 3/12/2020 |
- b) Where there is any conflict between the conditions of this approval and the details shown on the approved plan and documents, the conditions of approval must prevail.
- c) Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council prior to the commencement of use.
- (4) **General** At all times
- a) The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by

condition(s) of this approval.

- b) All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made at the rate applicable at the time of payment.

(5) **Damage to Infrastructure**

At all times

- a) In the event that any part of Council's infrastructure is damaged as a result of work associated with the development, Council must be notified immediately of the affected infrastructure and have it repaired or replaced by Council, at no cost to Council. All works must be completed prior to the issue of a Compliance Certificate for the Plan of Survey.

Note Future Electricity Infrastructure

It is likely to be a requirement to upgrade the electricity supply to the premises:

- It is likely that the development will require a **padmount** (a ground mounted electric power distribution transformer in a locked steel cabinet mounted on a concrete pad).
- It is unlikely that a further subdivision of the site will address the power demand to the site.

It is recommended that further advice be obtained from your Project manager and electricity consultant as a matter of priority.

Moved: Cr Lucretia Willett

Seconded: Cr Kenneth Jackson

CARRIED

7.6 YARRABAH NOISE MANAGEMENT

The recommendations in the report is to support council's to engage with their communities as a way of helping to manage their environmentally relevant activities.

RESOLUTION 08:17/02/2021

That Council resolve to endorse the proposal submitted by Department of Environment and Science to develop a noise management plan for Yarrabah.

The plan must demonstrate engagement of community on factors which cause noise and offer recommendations based on the information collated. A final report will include recommendations on ways to help manage the environmental impacts created by noise and local response options.

CEO, Mr Leon Yeatman nominated as the principal contact for council. Council authorises CEO to offer support and advice on matters presented. CEO will also assist to identify staff of council or other agencies to ensure the report has comprehensive content and recommendations can translate into meaningful outcomes.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

7.7 NULYSSAH BULMER - CONFIRMATION OF ABORIGINALITY/COMMUNITY AFFILIATION FORM.**RESOLUTION 09:17/02/2021**

That Council resolve to approve the application submitted by Ms. Nulyssah Bulmer, as a member of the Yarrabah Aboriginal Shire seeking confirmation of Aboriginality and Cultural connections in Yarrabah.

Moved: Cr Lucrecia Willett

Seconded: Cr Kenneth Jackson

CARRIED**7.8 DINDARR LTD PTY FERRY PROPOSAL**

CEO advised the councillors of latest request received from Mr Peter McAllister regarding the proposed Dindarr ferry service. The latest request centres on a hovercraft and a proposed trial in mission bay.

The last time this action took place was back in the 1990's and there was good consultation with community about the benefits and impacts on community.

Councillors noted the opportunity to see what advances have been made in the hovercraft industry and what this looks like in 2021. Council recognise the rights and interest of other stakeholders who also need to be consulted.

CEO recognised this latest offering as out of the box, but flexible enough to appeal to all potential customers between Yarrabah and Cairns. This would be a unique experience and really spark new interest in the project.

A trial was proposed for March 2021.

RESOLUTION 10:17/02/2021

That Council resolve to invite Mr Peter McAllister to visit council for the purpose of providing council with a demonstration of propose Hovercraft operations and serviceability. The council are happy for the trial to be conducted in the Yarrabah Bay during the month of March.

Demonstration to provide details of service and requirements to support the craft and other factors to be considered.

Council stipulate as part of community engagement, to include the Gunggandji Prescribed Body Corporate and other stakeholders. Final report must provide full details including projected cost for proposed project.

Date for proposed meeting to be communicated via CEO, Mr Leon Yeatman.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

At 2:03 pm, Cr Brian Underwood left the meeting.

At 2:06 pm, Cr Brian Underwood returned to the meeting.

7.9 BUILDING BETTER REGIONS FUNDING PLANZ PROJECTS.

CEO presented the brief supplied by Nikki Huddy from Cairns based planning consultants Planz. The brief was also formulated around the items presented at the workshop held on 11th February. Information presented to council was linked directly to the Building Better Regions Funding round.

Projects identified are listed as follows:

1. Commercial Hub – Bishop Malcom Park – Gateways & Streetscapes
2. Yarrabah Music & Cultural Festival 2022 (shovel ready)
3. Web Based Interface & YASC Tourism & Disaster Management Asset Strategy:
4. E-Mobility

Council noted grants officer position. CEO provide explanation, Planz as well as other Departments assists with identified grants. Items above are considered shovel ready projects and are reflected in the Master Plan.

RESOLUTION 11:17/02/2021

That Council resolve to endorse the following project to be submitted to the Federal Government Building Better Regions Program.

Council authorise Nikki Huddy from Planz Town Planning, to formulate submissions for the following projects:

1. Commercial Hub – Bishop Malcom Park – Gateways & Streetscapes
2. Yarrabah Music & Cultural Festival 2022
3. Web Based Interface & YASC Tourism & Disaster Management Asset Strategy:
4. E-Mobility

Council authorise the CEO Mr Leon Yeatman to be the contact officer and to offer support or assistance for the application process.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

The Mayor advised the councillors that at the next council meeting the rotation process for the Deputy Mayor position will take place. The councillor identified for the next 12month rotation is Cr. Kenneth Jackson. Councillors supported the process and understand that this will occur at the next meeting.

8 CORRESPONDENCE

Nil

9 STRATEGIC PORTFOLIO UPDATE

Not applicable.

10 CONFIDENTIAL MATTERS

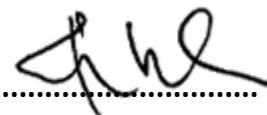
Nil

11 CLOSE OF MEETING

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

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

Meeting closed at 2:24pm.



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Cr. Ross Andrews

MAYOR