

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS  
ON WEDNESDAY, 26 MAY 2021 AT 5:00PM**

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

**IN ATTENDANCE:** Leon Yeatman (CEO), Mike Mair (Finance Manager),  
Shanara Andrews (PA to CEO)

Mayor acknowledge ABS representatives and Invited Mrs Kathleen Lakatos & Ms Selena Gray to introduce themselves and to provide council with an overview of the 2021 Census activities for Yarrabah. Mayor and Councillors wished the team well and encouraged them to ensure the population count goes well for Yarrabah. the team were scouting office space for the team – the census will start rolling out during August 2021.

#### **1 MEETING OPEN**

Mayor Andrews declared the meeting open at 5.10 pm.

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

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

Mayor informed Councillors of the voice recording.

Councillor David Baird invited to say a prayer for today's meeting.

#### **2 WELCOME TO COUNTRY**

Mayor acknowledge the traditional owners of Yarrabah and paid respects to elders past, present and emerging. He recognised both the Gunggandji and Mandingalbay Yidinji peoples.

#### **3 APOLOGIES**

Nil.

#### **4 CONFIRMATION OF PREVIOUS MINUTES**

Mayor acknowledged the meeting minutes are disseminated directly after the council meeting to ensure councillors could support the edit process. Minutes provided was considered a true reflection of the decisions captured for the meeting

#### **RESOLUTION 01:26/05/2021**

That the minutes of the Ordinary Council Meeting held on 21 April 2021 be adopted.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

<b>CARRIED</b>
----------------

CEO informed Councillor's about a change to the order of the agenda. Councillors were reminded that due to family commitments the Financial Reports would be presented before CEO's Report. Councillors endorsed this agenda adjustment.

## **5 BUSINESS ARISING FROM PREVIOUS MINUTES**

Mayor asked how the consolidation of the actions associated with new Director Community Services was going – particular reference to the workload. CEO advised that the Director is adapting to the larger numbers in the team. In the words of the Director, 'the team is coming together pretty well'. CEO commented about an out of work incident, which happened last week – whilst destabilising, it was a good opportunity for the team to test the new leadership and actions helped to consolidate the team. Last observations, they seem to be a tighter group now.

Director Human Resources, Risk & Regulation is picking up the Governance Role, Richard and Leona are supporting Shanara through the changes.

Other updates:

Leasing: 2 house leases returned, they are advancing toward recognising two new home owners. Cr Willett asked if the maintenance was the home owners responsibility, CEO replied it would become the Leaseholders responsibility.

Cr Baird raised a question about the Council's recruitment policy "How do councillors know the recruitment policy is being followed through". CEO stated that strategically there are number of recruitment options allowed within that policy including

- internal promotion,
- advertising,
- using external recruitment agencies to target or go out to the wider community,
- via Council Notice,
- We also have advertising process through Wugu Nyambil the local Employment Services Provider.

Cr Baird Asked "What determines when you need to advertise or make internal promotion for positions. CEO states usually whether the role is not specialised or whether employees have indicated interest in the position. As CEO it is my responsibility in consultation with the team. The Directors/Supervisor may give an indication of what the opportunity maybe, example Traineeship or New opportunity it requires to go out into the Community. We consider applicants based on merit. If it's for an advancement of a current role and we consider the merit based on the benefit for the business and whether the individual can fill the role (normally reflects a trial process). Where this does not fit we test the market.

## **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.

CEO reminded Councillors that if there has been any changes in their registers, they have a responsibility to amend their current form, print out a new declaration, sign / initial pages, then have the new form scanned to Director Human Resources, Risk & Regulation for uploading onto

council website. If Councillor don't update the changes there are consequences which could include being removed from office. It is now a personal responsibility, Richard & Leona will be monitoring that space.

## **7 MATTERS FOR DISCUSSION**

### **7.1 YASC MONTHLY FINANCIAL REPORT**

---

Finance Manager Mr Mike Mair invited to the meeting to present the financial report to council in the absence of Director - Corporate Services Jemma Lichtenfeld.

The Finance Manager read the report. Councillors asked the following questions:

Mayor asked to confirm the status of the 'Gateway Project', State Government and whether it has been paid for? Mike replied, 'No, we have to raise an invoice and send it to them. They don't send the payment automatically'.

Mayor asked if community members were still stopping their rent? Can they stop it and start again? Mike replied it's up to the tenant to determine with Centrelink to determine their deduction arrangements. Tenants can stop arrangements at will – actions seems to occur mainly around Christmas time.

Mayor's questioned about Housing. "If the staff are not working on building houses, how are you costing that? Further he commented 'we are not building any houses at the moment'. 'Only the 5 lots at Djenjhi'. Mike stated that the 5 houses will be going out to sub-contractors and some of the staff will be working for them. CEO stated the YASC gets right of refusal. A lot of the work referred is around maintenance and upgrades, so that's were a lot of our attention is focused.

Cr Willett raised the question, The W4Q 3 is that for this Financial Year? Mike replied that the W4Q 3 finishes at the end of June 2021, but we put in for a work extension to complete projects, to end by 30<sup>th</sup> of September because of the bad weather.

CEO had a meeting with LGAQ team regarding setting up a Container for Change in Community. Having a container exchange program active in community would benefit locals accessing the program and helping community to assume responsibility for recycling. Conversations with LGAQ also considered sourcing a better Rubbish Truck. Council also encouraged to consider talks with Cairns Regional Council and their waste contract negotiating process – Relationships through FNQROC would be the appropriate avenue to broach the subject.

Cr Willett asked "What is Council doing to increase productivity?". CEO acknowledge a range of options active to address the `organisation culture and broader productivity question. He stated team talks are regular, the directions issued (formal, verbal and in group sessions) are consistent and clear around organisational and community expectations. The challenge going forward is to get people to realise that the work not completed shows up in the numbers. A strategy introduced through the Director-Corporate Services, Jemma is to actually supply the details (via numbers and charts) about departmental income and expenditure, then engage teams regularly to discuss performance issues/challenges/achievements. The aim is to for teams to know their financial position and compare with the overall picture..

Cr Willett questioned Day-care closure policy on Sorry Business? CEO replied if there are 3 workers away, then they can't open. Legally there is a staff ratio for the number of children in Care. It is regrettable that people are posting their frustrations on social media – which is damning and

demeaning to staff. In addition, community expectation is for family members to show respect for deceased family members – the empathy needs to flow both ways.

Cr Willett commended the W4Q team on the work they did for the disability access at Jilara Oval. CEO has instructed staff to consider Jilara Oval as council asset and to support initiatives generated by council for the site. Investments secured through projects have boosted local moral and the positivity is being reflected in the level of use at the facility.

Cr Willett Asked if BAS and Super payments are on time to protect Directors liability? Mike stated yes, all Corporate Governance are being complied with.

Cr Baird's question, Where do we stand when it comes to Separation of Responsibility? CEO replied responsibilities are captured in legislation or position descriptions. Persons (staff or management) are encouraged to make decisions daily in line with their responsibilities. Personally, you have to be able to make decisions with confidence. Decision makers need to know they are being supported.

**RESOLUTION 02:26/05/2021 RESOLUTION 03:26/05/2021**

That Council resolve to accept April 2021 Finance Reports and February 21 Audit Committee Minutes .

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

**CARRIED**

At 6:04 pm, Cr Ross Andrews left the meeting.

At 6:05 pm, Cr Brian Underwood left the meeting.

At 6:07 pm, Cr Ross Andrews returned to the meeting.

At 6:07 pm, Cr Brian Underwood returned to the meeting.

At 6:16 pm, Cr David Baird left the meeting.

At 6:17 pm, Cr David Baird returned to the meeting.

**7.2 AUDIT COMMITTEE CHARTER 2020-2024**

Copy of the Audit Committee Charter presented to council of endorsement consideration.  
Background

The Charter clearly articulates the Committee's role and responsibilities, composition, structure and membership requirements, authority and processes and procedures. Director Corporate Services recommended this charter be endorsed.

**RESOLUTION 04:26/05/2021**

That Council resolve to approve the Audit Committee Charter 2020-2024

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

**CARRIED**

Meeting Adjourned at 6.42pm

Meeting Reconvened at 6.53pm

**7.3 CEO OPERATIONAL REPORT**

This monthly report covers the period from 21<sup>st</sup> April to 25<sup>th</sup> May 2020.

Recommend exceptions review applied to the content of the report.

Key issues:

- Disaster Management Arrangements – LDMG monitored the weather event during end of April. The late burst from the monsoon will be the end of significant rain until next wet season. Focus for the LDMG will revert to policy review, prior to the IGEM audit process. YASC policy review process being assisted by QFES. COVID situation will be monitored as a single event. We need to support the immunisation program to ensure all of our mob are immunised – the current take up is very small (not helped by the media). Risks of infection will rise if our mob are not immunised. Concurrently is the flu jab – we need to promote immunisation as a sure protection against the viruses.
- Strategic policies and plans:
  - Corporate Plan – Active
  - Operational Plan – final quarter planning and program implementation. Draft operational plan for 2021-22 commenced.
  - Operational Policies – Up to date and to be endorsed by council
- Stake holder engagement –
  - Capital Works Forum meeting date with GMYPPBC to be confirmed. GPBC meeting scheduled for 26<sup>th</sup> May deferred due to sorry business. The meeting will organised through Preston Law.
- Trustee – Trustee conversation about tripartite agreement still in discussion. Plan to transition to paper (incorporating elements of DOGIT and ILUA terms) and then operationalising through agreed processes (Capital works forum, TWG and other meetings).
- Social policies:
  - Events and social activities. Next event is Foundation day. Attempts to engage agencies is being met with resistance and there doesn't appear to be an appetite (last minute) to engage as a collective. Alternative strategy will be to engage directly with community people and reinvigorate community drive for our local events and activities.
  - Review of our volunteer policy will be facilitated
  - Events calendar to be reviewed
- PCYC – Mezzanine renovation project: Office of Sport and Recreation contract awarded. Site issued to builder and works set to commence shortly. Operations at the Rev. James Noble Sports Complex unaffected by proposed works.
- End of financial year: works underway in preparation for 2021-22 financial year.
  - Audit
  - Budget
  - Planning (operational and corporate)
  - Projects list

- Community Safety Plan – two phased approach:
  - Phase 1. AMP review 30<sup>th</sup> June 2021
  - Phase 2. Other community safety issues 31<sup>st</sup> December 2021

**RESOLUTION 05:26/05/2021**

That Council resolve to endorse the CEO Operational Report for the period to 26<sup>th</sup> May 2021

Moved: Cr David Baird

Seconded: Cr Brian Underwood

**CARRIED**

**7.4 BODY WORN CAMERA POLICY**

YASC authorises the use of BWCs in circumstances where officers are responsible for engaging with individuals or entities for the purpose of compliance and enforcement activities. The use of these devices is intended to:

- Assist in the lawful collection of evidence for actual or suspected breaches of legislation, including Council local laws
- Maintain and improve community safety
- Mitigate identified risks to the health, safety and welfare of Council officers in the execution of their duties
- Provide a record of the interaction between an officer and a potential complainant in situations that may result in an allegation of inappropriate behaviour or other complaint
- Assist in the investigation of allegations of inappropriate conduct by officers
- Assist in circumstances where officers consider an interaction may develop into an Incident.

Councillors recognised the benefit of this policy in supporting our employees who perform Security and Authorised Officers duties to discharge their duties and where necessary capture vital proof of engagement..

**RESOLUTION 06:26/05/2021**

That Council resolve to adopt the Body Worn Camera Policy

1. This Policy will take effect as of the date of resolution.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

**CARRIED**

**7.5 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION FORM.  
APPLICANT: LUTRICIA MARIE MURGHA**

Information received by council from community resident seeking Confirmation of Aboriginality.

Applicant identified as Mrs Lutricia Marie Murgha – current resident. Parents Mr Darryl (Dec.) and

Mrs Lillian Sexton of Yarrabah and traditional owner descendant.

The documents have been prepared in accordance with the provisions of the Local Government Act, 2009 and other relevant statutes.

Council's process for providing confirmation of persons known to authorised person in Council or have family ties in community.

Applicant has strong family connection with Yarrabah. As a note, the requirement for access to programs or services which seek to support Indigenous progress or development now requires individuals to demonstrate their connection to country and confirm their aboriginality status.

Matter recommended for endorsement at this meeting.

#### **RESOLUTION 07:26/05/2021**

Council resolve to accept the application for confirmation of aboriginality / community affiliation as submitted by the following person:

- Lutricia Marie Murgha

Council recognises this person and confirms their identity as an Aboriginal Person with connections (via council records and family history) to Yarrabah.

Moved: Cr Ross Andrews

Seconded: Cr David Baird

**CARRIED**

## **8 CORRESPONDENCE**

### **8.1 CORRESPONDANCE FROM PREMIER-SUCCESSFUL FUNDING APPLICATION FOR YARRABAH MUSIC AND CULTURAL FESTIVAL**

YASC has been actively sourcing funds to hold the 2021 event. The cost of the event in the past has been \$300,000, which is a significant financial impost to the council.

Plans have been engaged to help identify funding options. Draft letters formulated and sent on behalf of the Mayor has been used as a key message. This report seeks to confirm correspondence from Premier of Qld confirming approved funding of \$220,000 for the YMCF.

Council should note that no further funding contributions will be available from the Qld Government for future festivals.

Cr Willett stated that there is a need to manage the recruitment phase quickly as time to prepare is slipping fast.

The Mayor will send acknowledgment letter to the Premier via email.

### **8.2 CORRESPONDANCE FROM BESIX WATPAC IN RELATION TO EMPLOYMENT & TRAINING**

There was support for this innovation, which could bring employment for the Community.

However, CEO will consult with Wugu Nyambil Job Network and Yarrabah Leadership Forum

Members and review at next meeting.

**9 STRATEGIC PORTFOLIO UPDATE**

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

**10 CONFIDENTIAL MATTERS**

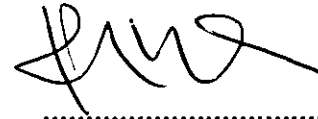
Nil

**11 CLOSE OF MEETING**

Date for the next Council Ordinary Meeting is Wednesday 16 June 2021.

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

Meeting closed at 7.25pm.



.....  
**MAYOR**