



**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 16 FEBRUARY 2022 AT 10:00 AM**

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

IN ATTENDANCE: Leon Yeatman (CEO), Mike Mair (Director Corporate Services), Pauline Browne (PA) (Minute-Taker).

1 MEETING OPEN

Mayor Andrews declared the meeting open at 10:00 AM.

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

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

Councillor Cr. Baird opened with a word of Prayer.

2 WELCOME TO COUNTRY

The Mayor acknowledged the traditional custodians from both Gunggandji and Mandingalbay Yidinji nations on whose country the meeting is being held today, their elders, past present and emerging who still reside in Yarrabah.

He also he acknowledged the historical descendants whose elders past present and emerging also call Yarrabah home and support progress in the Shire.

3 APOLOGIES

Nil.

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:16/02/2022

That the minutes of the Ordinary Council Meeting held on 25 January 2022 be adopted.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

At 10:14 am, Cr David Baird left the meeting.

At 10:18 am, Cr David Baird returned to the meeting.

5 BUSINESS ARISING FROM PREVIOUS MINUTES

NIL.

6 DISCLOSURE OF INTEREST – COUNCIL / REGISTER UPDATES

The Mayor reminded the Councillors of the requirement to declare their conflicts of interest to the CEO prior to the meeting and called on all councillors to confirm any conflicts. No conflicts recorded.

.7 MATTERS FOR DISCUSSION

7.1 CEO OPERATIONAL REPORT

PURPOSE OF THE REPORT

Monthly Council meeting report on the operational and strategic performance of council business for month of February 2022.

RESOLUTION 02:16/02/2022

That Council accept the CEO Operational Report for the period to 15th February 2022.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

At 10:23 AM, Cr Kenneth Jackson left the meeting.

At 10:24 AM, Cr Kenneth Jackson returned to the meeting.

At 10:51 AM, Cr David Baird left the meeting.

At 10:55 AM, Cr David Baird returned to the meeting.

At 10:59 AM, Cr David Baird left the meeting.

Meeting adjourned at 11:06 AM for break.

Meeting resumed at 11:22 AM.

7.2 YASC MONTHLY FINANCIAL REPORT

PURPOSE OF THE REPORT

Provide council with monthly financial report. This report covers the financial period 31 January 2022.

Councillors advised of status regarding Housing – Job card and service response to outstanding job card volume. Combination of factors impacting the process oversight contributed to the matter falling behind., corrective action applied via Corporate Services to regain control of process and to mitigate associated risks – included redeployment of staff, process mapping and addressing outstanding issues. Moving forward the Works Administration Manager position advertised – identified this role as critical to maintaining operational flow.

RESOLUTION 03:16/02/2022

That Council accept the January 2022 Finance Reports as tabled.

1. Operating results
2. Current Debtors:
 - Trade Debtors & Creditors,
 - Housing Debtors
3. Capital works
4. Balance sheet
5. Cash position
6. Status of Commercial lease
7. Areas of Concern Report
8. Grants Report

Moved: Cr Lucrecia Willett.

Seconded: Cr Kenneth Jackson.

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

At 11:50 AM, Cr Brian Underwood left the meeting.

At 11:52 AM, Cr Brian Underwood returned to the meeting.

At 12:01 PM, Cr David Baird returned to the meeting.

At 12:12 PM, Cr Lucrecia Willett left the meeting.

Meeting adjourned at 12:12 PM for presentation by Michael Ringer Department of Transport, Main Roads and Kyle Robertson from Brady Marine Civil regarding the Yarrabah Jetty (Agenda Item 7.7).

At 12:13 PM, Cr Lucrecia Willett returned to the meeting.

At 12:32 PM, Mayor Ross Andrews left the meeting.

At 12:33 PM, Mayor Ross Andrews returned to the meeting.

Meeting presentation at 12:48 PM by Peter McAllister from Dindarr Bus Service to update about Dindarr projects – Yarrabah Ferry, Bus Service and AMP licence.

At 12:53 PM, Cr David Baird left the meeting.

At 12:59 PM, Cr David Baird returned to the meeting.

Meeting adjourned at 1:21 PM for lunch break.

Meeting presentation 1:40 PM by Andrew Morris from Morris and Piper Advisory in relation to Yarrabah Market Garden Feasibility Study – YASC Workshop.

7.3 PROCUREMENT - LEASE & OPERATION OF THE YARRABAH SUPERMARKET

PURPOSE OF THE REPORT

The purpose of this report is to provide a summary of the results of the evaluation for the operation and lease of the Yarrabah Supermarket.

CEO acknowledged a perceived conflict of interest may arise due to the joint venture includes Andrew Yeatman. For the record Mr Andrew Yeatman is not a direct family member to CEO.

RESOLUTION 04:16/02/2022

That Council endorse recommendation from Director Corporate Services to award the lease for the Yarrabah Supermarket to R55 Ltd.

The decision reflects the assessment process undertaken by the council. This process is time critical given the end date for the existing lease is at the end of February 2022.

Moved: Cr Brian Underwood.

Seconded: Cr David Baird.

In Favour: Crs David Baird, Brian Underwood and Kenneth Jackson

Against: Crs Ross Andrews and Lucrezia Willett

CARRIED 3/2]

At 2:39 PM, Cr Brian Underwood left the meeting.

At 2:41 PM, Cr Brian Underwood returned to the meeting.

At 3:07 PM, Cr David Baird left the meeting.

At 3:08 PM, Cr David Baird returned to the meeting.

7.4 REALLOCATING SOCIAL HOUSE BACK TO YASC STAFF HOUSING STOCK**PURPOSE OF THE REPORT**

To inform council of the status of council housing – staff housing. Council required to reverse a previous council decision made in 2015 which transferred asset to social housing. Properties built by Council for operational / business needs require clear identification. The properties in question - 21 Beach Road back (Commonly referred as Community Hall and Youth Leisure Centre Caretakers Cottage).

RESOLUTION 05:16/02/2022

That Council endorse the recommendation to return property located at Lot 183 SP265165, commonly referred as 21 Beach Street, Yarrabah to YASC Asset Register as 'Staff Residence' and resume purpose as Caretaker Cottage for the Community Hall (Lot 17, SP284220) and Youth Leisure Centre (Lot 16, SP284220).

Moved: Cr Lucretia Willett.

Seconded: Cr Kenneth Jackson.

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucretia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

At 3:20 pm, Cr Ross Andrews left the meeting.

At 3:21 pm, Cr Ross Andrews returned to the meeting.

7.5 RECONFIGURATION OF DEVELOPMENT PERMIT FOR LOTS, EASEMENT & NEW ROAD AT BACK BEACH ROAD, YARRABAH

PURPOSE OF THE REPORT

To consider the Request for a Negotiated Decision Notice to the Decision Notice, dated 26 November 2021, that approved the Development Permit for a Reconfiguring a Lot - 4 Lots into 5 Lots, Access Easement and New Road at Back Beach Road (Kunjurra), Yarrabah – through SARA.

RESOLUTION 06:16/02/2022

1. That Council resolve to approve the Negotiated Decision Notice to replace Plan No. 35250/001D, and revert back to the applications original plan, Plan No. 35250/001C.
2. That Council work with GMYPBC to resolve the issues raised in regards to the area in subject via other avenues.

Moved: Cr Kenneth Jackson.

Seconded: Cr David Baird.

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

7.6 REPORT IN RELATION TO YARRABAH JETTY

PURPOSE OF THE REPORT

Department of Transport and Main Roads project for construction of the Yarrabah Jetty requires council endorsement to transfer the asset. The reports attached to this document aim to assist council with making an informed decision regarding the asset management (cost projections) and associated transfer to council ownership.

RESOLUTION 07:16/02/2022

That Council consider the financial constraints for this asset and deferred a final decision until further advice obtained about how best to proceed with related actions.

Moved: Cr Brian Underwood.

Seconded: Cr David Baird.

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

At 3:34 PM, Cr Brian Underwood left the meeting.

At 3:36 PM, Cr Brian Underwood returned to the meeting.

7.7 COMMUNITY HALL HIRE**PURPOSE OF THE REPORT**

Seeking Council's support with updating the user pay system for the use of the community hall. Which is feasible for all users.

The deposit amount for the hall usage was deemed prohibitive for community members – especially during sorry business. Council considered the change necessary to meet community sentiments and ensure fees and charges for the hall was fair.

RESOLUTION 08:16/02/2022

That Council resolve to agree on the fees and charges for the use of the community hall.

Activity	Hire	Deposit/bond
Wakes	\$250 (GST incl)	(no deposit)
Hire fee (per day)	\$500 (GST incl)	\$1000
Public meeting	\$500 (GST incl)	Nil
Half day	\$250 (GST incl)	\$1000

Moved: Cr Lucrecia Willett.

Seconded: Cr Brian Underwood.

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

8 CORRESPONDENCE**8.1 CORRESPONDENCE - DIRECTOR GENERAL, DEPARTMENT OF COMMUNITIES, HOUSING & DIGITAL ECONOMY****PURPOSE OF THE REPORT**

Inform Council of Correspondence receive from the Director General, Department of Communities, Housing and Digital Economy in relation to the allocation as part of the Forward Remote Capital Works Program to increase the supply of housing in Aboriginal and Torres Strait Islander Communities – Forward Remote Capital Works Program: \$6 520 188.

RESOLUTION 09:16/02/2022

1. Council note the correspondence tabled as read – Forward Remote Capital Works Program: \$6 520 188.
2. Council authorise CEO to sign the agreement on behalf of Council.

CEO authorised to explore process for re-purposing the prefabricated homes at Djendji for private homeownership (process to consider tender requirements and costs for removal).

Moved: Cr Brian Underwood.

Seconded: Cr Lucrecia Willett.

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

At 3:49 PM, Cr Kenneth Jackson left the meeting.

At 3:50 PM, Cr Kenneth Jackson returned to the meeting.

8.2 CORRESPONDENCE - DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING

PURPOSE OF THE REPORT

Inform Council of Correspondence receive from the Deputy Director General, Local Government Division- Department of Correspondence - Department of State Development, infrastructure, local Government & Planning in relation to a satisfaction survey.

RESOLUTION 10:16/02/2022

1. Council note the correspondence tabled as read.
2. Council authorise CEO to respond on behalf of Council.

Moved: Cr Kenneth Jackson.

Seconded: Cr Lucrecia Willett.

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

8.3 "USE AGREEMENT" BETWEEN THE STATE OF QUEENSLAND ACTING THROUGH THE DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT & PLANNING & YARRABAH ABORIGINAL SHIRE COUNCIL

PURPOSE OF THE REPORT

Inform Council of "Use Agreement" between The State of Queensland acting through the Department of State Development, Infrastructure, Local Government and Planning and Yarrabah Aboriginal Shire Council in relation to the Gindaja 'Learning and Wellbeing Centre' Infrastructure Rebuild.

RESOLUTION 11:16/02/2022

1. Council endorse the 'Use Agreement' submitted by Community Infrastructure Investment Partnership between The State of Queensland acting through the Department of State Development, Infrastructure, Local Government and Planning & YASC, in relation to the Gindaja 'Learning and Wellbeing Centre' Infrastructure Rebuild.
2. CEO authorised to sign and initiate such action to recover associated 'costs for work associated' from Gindaja.

Moved: Cr David Baird.

Seconded: Cr Kenneth Jackson.

In Favour: Crs Ross Andrews, David Baird, Brian Underwood, Lucrecia Willett and Kenneth Jackson

Against: Nil

CARRIED 5/0

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 March 2022.

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

Meeting closed at 4:05 PM.



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MAYOR