



**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON TUESDAY, 25 JANUARY 2022 AT 10.30AM**

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), Richard Wright (Director Human Resources, Risk and Regulations), Pauline Browne (PA to Mayor & CEO – Minute Taker)

1 MEETING OPEN

Mayor Andrews declared the meeting open at 10.44am.

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

The Mayor noted that due to the current impact of the Covid outbreak in community, some Councillors are unable to attend in person. As a result, in accordance with Section 254K(1) of the *Local Government Regulations 2012*, these Councillors will be permitted to participate by teleconference.

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

Councillor Cr David Baird opened with a word of Prayer.

2 WELCOME TO COUNTRY

The Mayor acknowledged 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.

Acknowledgment also offered for our historical elders past present and emerging who also call Yarrabah home and support progress in the Shire.

3 APOLOGIES

Nil

4 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION 01:25/01/2022**

That the minutes of the Ordinary Council Meeting held on 15 December 2021 and the Special Council Meeting held on 23 December 2021 be adopted.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED**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 re-declare then now.

No declarations made

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 December 2021.

RESOLUTION 02:25/01/2022

That Council accept the CEO Operational Report for the period to 24th January 2022.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

At 11:32 am, Cr David Baird left the meeting.

At 11:35 am, Cr David Baird returned to the meeting.

At 11:43 am, Cr Brian Underwood left the meeting.

At 11:44 am, Cr Brian Underwood returned to the meeting.

7.2 YASC MONTHLY FINANCIAL REPORT**PURPOSE OF THE REPORT**

Provide council with monthly financial report. This report covers the financial period 31 December 2021.

RESOLUTION 03:25/01/2022

That Council accept the December 2021 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 Kenneth Jackson

Seconded: Cr David Baird

CARRIED

At 12:16 pm, Cr Ross Andrews left the meeting.

At 12:18 pm, Cr Ross Andrews returned to the meeting.

At 12:49 pm, Cr David Baird left the meeting.

At 12:57 pm, Cr David Baird returned to the meeting.

7.3 COMMUNITY SAFETY PLAN (VOLUME 2)

PURPOSE OF THE REPORT

That Council endorse the Content Draft of the Community Safety Plan (Volume 2) Community Safety Strategy 2022.

CEO to ensure a section about lateral violence (human rights) definition to be inserted. Councillors deemed as necessary for the issues to do with bullying (cyber and direct), community disputes and family factions to be adequately captured.

Cultural safety provisions also noted as missing. Consultant to add the items mentioned above.

RESOLUTION 04:25/01/2022

That Council endorse the Content Draft of the Community Safety Plan (Volume 2) Community Safety Strategy 2022 “**Youfella Plan**” as presented and proceed to graphic design and community verification in Q1 2022.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

Cr. Lucrecia Willett entered meeting

7.4 REDESIGN OF BISHOP MALCOLM PARK REDEVELOPMENT

PURPOSE OF THE REPORT

Yarrabah Aboriginal Shire Council (YASC) advertised RFT No. YASC 2022-001 from suitably qualified and experienced contractors to undertake the civil works package for the Bishop Malcolm Park Redevelopment.

RESOLUTION 05:25/01/2022

That Council resolve to approve the redesign plan for the development of Bishop Malcolm Park.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

**7.5 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION FORM APPLICANT:
TINA VENCENZA PELUCCHI****PURPOSE OF THE REPORT**

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – Tina Vencenza Pelucchi.

RECOMMENDATION NOT ACCEPTED

That Council reserved their decision to endorse the recommendation provided by the Mr Richard Wright Director of Human Resources Risk and Regulation to accept the application for confirmation of Aboriginality community affiliation as submitted by the following person:

- Tina Vencenza Pelucchi
1. Council reserved their rights to offer endorsement as this person is not recognised as a resident of Yarrabah and it is appropriate for the confirmation be provided by another appropriate agency.

MATTER REFERRED TO THE PBC.

7.6 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION FROM APPLICANT: TAYARNE LUKE NEAL

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – Tayarne Luke Neal.

RESOLUTION 06:25/01/2022

That Council resolve to endorse the recommendation provided by the Mr Richard Wright Director of Human Resources Risk and Regulation to accept the application for confirmation of Aboriginality community affiliation as submitted by the following person:

- Tayarne Luke Neal

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

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

8 CORRESPONDENCE

8.1 CORRESPONDENCE - GMYPPBC STRATEGIC PLAN: 2021 - 2024 & GMY NEWS

PURPOSE OF THE REPORT

The Council note the correspondence from Gunggandji-Mandingalbay Yidinji Peoples Prescribed Body Corporate Aboriginal Corporation (GMYPPBC) in regards to their Strategic Plan 2021 – 2024 & GMY News.

RESOLUTION 07:25/01/2022

That Council note the correspondence received from the Gunggandji-Mandingalbay Yidinji Peoples Prescribed Body Corporate Aboriginal Corporation, which contained a copy of their Strategic Plan and GMY News. Items tabled as read.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED

9 STRATEGIC PORTFOLIO UPDATE

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

10 CONFIDENTIAL MATTERS

CEO - Leon Yeatman left room at 1.54pm.

RESOLUTION 08:25/01/2022

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2012:

9.1 CEO Contract

This matter is considered to be confidential under Section 275 - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the appointment, dismissal or discipline of employees.

9.2 Appointment of Acting CEO

This matter is considered to be confidential under Section 275 - a of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the appointment, dismissal or discipline of employees from 10 January – 21st January 2022

Moved: Cr Lucretia Willett

Seconded: Cr David Baird

CARRIED

Director Human Resources - Richard Wright and PA - Pauline Browne departed the room at 2.17pm

Council moved into closed session at 2:17pm to discuss CEO contract

That Council moves out of Closed Council session at 2.39pm. Director Human Resources - Richard Wright and PA - Pauline Browne invited back into meeting room at 2.39pm.

Council resumed meeting at 2.47pm

RESOLUTION 09:25/01/2022

In accordance with the recommendation provided by the Director, Human Resources Risk and Regulations and the independent report provided by Vision Management to offer a renewal of his contract the terms and condition of this renewal is of the confidential nature and will be provided to the CEO in writing by the 4th of February 2022 for his consideration. Council instructs the Director, Human Resources Risk and Regulations to liaise with Vision Management in the preparation of the contract.

Moved: Cr Lucretia Willett

Seconded: Cr Brian Underwood

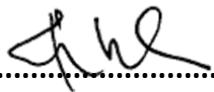
CARRIED

11 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 16 February 2022.

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

Meeting closed at 3 pm.



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MAYOR