

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 15 JUNE 2022 AT 10AM**

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), Charlene Cressbrook (PA to CEO and Mayor – Minute Taker), Leona Worrell (Manager – Human Resources & Office of CEO – Minute Taker)

1 MEETING OPEN

Mayor Andrews declared the meeting open at 10:15am.

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

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

Councillor David 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.

Mayor asked CEO to provide a cultural welcome to Charlene Cressbrook to her new role as Personal Assistant to the Mayor and CEO.

3 APOLOGIES

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:15/06/2022

That the minutes of the Ordinary Council Meeting held on 18 May 2022 be adopted.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED 5/5

5 BUSINESS ARISING FROM PREVIOUS MINUTES

GMV PBC deferred matter relating to the master plan. Item included in agenda today. Council has acknowledged the matter was deferred due to absence of full council.

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

At 11:02 am, Cr Brian Underwood left the meeting.

At 11:04 am, Cr Brian Underwood returned to the meeting.

At 11:04 am, Cr David Baird left the meeting.

At 11:21 am, Cr Lucrecia Willett left the meeting.

At 11:22 am, Cr Lucrecia Willett returned to the meeting.

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 June 2022.

Comment:

Yarrabah Justice Group aspirations for land – Gindaja infrastructure. Nothing available. Due consideration will be given to utilising council rental property. Council note the old Ranger Station is a perfect option long term. Current tenant to be reviewed after lease term ends.

Qld Governor, Her Excellency Janette Young schedule to visit community on Friday 8th July – arrangements being confirmed via emails. As details come to hand, Mayor, Councillors and community stakeholders will be notified.

Draft donation request letter to be drafted for community to have access. Donations policy to be reviewed in line with current budget position

QBuild NAHA and Maintenance program performance report shared. Issues discussed in Finance and Infrastructure reports:

- Program of works
- Current performance (volume)

Council advised direct action necessary, changing the program operations from YASC program to Commercial arrangements with suppliers (local and external). example Hopevale model. Aspiration is to make program profitable.

Tenancy management requires a reboot with the focus trained on tenant accountability –

Waitlist is enough motivation to target non-compliant tenants. Rental debt needs urgent attention – QCAT action encouraged.

Workplace incident – councillors called for medical clearance before persons are allowed to return to work.

Surplus and salvage items need to be auctioned to clear council lot of surplus items.

Team members need to be focused on performance and ensuring work tasks are completed in a timely manner and reflect industry standards.

Performance / Contract management – council expectation is for staff to perform and management to manage. The success or failure from effort is considered a shared responsibility and each individual must understand their roles and responsibilities.

Contractors performing road works – need to ensure traffic control is in place (request proof of qualifications or demand qualified people to do work).

Buddabadoo – Request to liaise with GMYPC to address risks with rocks at the point which make the road narrow (blind spot)

RESOLUTION 02:15/06/2022

That Council accept the CEO Operational Report covering the departments for the period to 15th June 2022.

The principles of Local Government be observed and associated rules as contained within the Local Government Act 2009 pertaining to the ‘separation of powers’ to be observed and promoted.

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED 4/4

The meeting was adjourned at 12:37pm.

The meeting reconvened at 1:10pm.

At 1:59 pm, Cr Kenneth Jackson left the meeting.

At 2:03 pm, Cr Kenneth Jackson 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 May 2022.

Comment:

Councillors quizzed the status of the accounts. The financial sustainability question put to officers. Challenges on council considered as part of existing strategies. Director Finance noted the staff control issue rests with other Directors – but urgent action required to ensure the programs return to profitable position. Council called for clear direction to officers in the respective department and encourage management to consider relevant

management decisions to address operational issues.

RESOLUTION 03:15/06/2022

That Council accept the 31 May 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 leases
7. Areas of Concern Report
8. Grants Report

That Council further resolve to endorse a new labour rate of \$99 + GST per hour up from \$85.

Moved: Cr Kenneth Jackson
Seconded: Cr Brian Underwood

CARRIED 4/4

The meeting was adjourned at 2:12pm.

The meeting reconvened at 2.30pm

7.3 YASC CORPORATE PLAN 2022-27**PURPOSE OF THE REPORT**

To provide Council with the final draft copy of Yarrabah Aboriginal Shire Council Corporate Plan for consideration and adoption in accordance with section 104 of the Local Government Act 2009 and section 165 of the Local Government Regulation 2012.

Comment:

Final draft presented to council for endorsement consideration. Mayor asked for pictures of councillors and community to be included. CEO instructed to liaise with consultant to explore whether inclusion of images can be done.

RESOLUTION 04:15/06/2022

That Council endorse the recommendation to adopt the Yarrabah Aboriginal Shire Council Corporate Plan 2022-2027.

Moved: Cr Ross Andrews
Seconded: Cr Lucrecia Willett

CARRIED 4/4

7.4 TENDER ASSESSMENT - PINE CREEK YARRABAH ROAD (RANGE ROAD)**PURPOSE OF THE REPORT**

Queensland Reconstruction Authority (QRA) to undertake repairs to essential public assets damage following the Tropical Cyclone Niran and Associated Low Pressure System, 25 February – 3 March 2021 extreme weather event. Contract YASC2022-007 Pine-Creek Yarrabah Road (Range road) be awarded to Geo Construct Pty Ltd for sum of \$128,660.57 (ex GST);

RESOLUTION 05:15/06/2022

That approve recommendation to award the Purchase Order for Contract YASC2022-007 Pine-Creek Yarrabah Road (Range road) to Geo Construct Pty Ltd for sum of \$128,660.57 (ex GST);

CEO authorised to implement works and progress this project.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED 4/4

7.5 TENDER ASSESSMENT - BUDDABADOO**PURPOSE OF THE REPORT**

Queensland Reconstruction Authority (QRA) to undertake repairs to essential public assets damage following the Tropical Cyclone Niran and Associated Low Pressure System, 25 February – 3 March 2021 extreme weather event. Contract YASC2022-006 Buddabadoo Road be awarded to Geo Construct Pty Ltd for sum of \$893,307.49 (ex GST);

Comment:

Council note cultural heritage is not covered. Expectation is for the Indigenous Land Use Agreement terms for cultural heritage compliance to be costed in project plans and associated budgets.

RESOLUTION 06:15/06/2022

That endorse the recommendation to award the Purchase Order for Contract YASC2022-006 Buddabadoo Road to Geo Construct Pty Ltd for sum of \$893,307.49 (ex GST);

CEO authorised to proceed with implementation action.

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED 4/4

7.6 POLICY REVIEW -DAYCARE CENTRE

PURPOSE OF THE REPORT

To address compliance for Yarrabah Day Care Centre operations.

Comment:

Policies workshopped by Councillors and management.

RESOLUTION 07:15/06/2022

That Council endorse the recommendation to adopt the following Policies:

- YASC Day Care Centre - Complaints Policy QA6
- YASC Day Care Centre - Serious Accident, Hospitalisation or Death Policy QA2
- YASC Day Care Centre – Serious Injury and Reporting of Harm Policy QA7

CEO authorised to enact these policies and promote compliance with stakeholders and parents.

Moved: Cr Kenneth Jackson

Seconded: Cr Lucrezia Willett

CARRIED 4/4

7.7 YARRABAH SPORTS AND EVENTS PRECINCT PLAN

PURPOSE OF THE REPORT

To advise Council on the revised draft which is contained in the Yarrabah Master Plan for the Yarrabah Sports and Events Precinct Plan. The draft seeks to updated information that was not correct and distorted the plan. The amendments contained reflect recent developments undertaken at the Jilara Oval site and aspirations from community for this site.

Comment:

Council recommend the major grandstand to be shifted to eastern to the Jilara oval. Minor grandstand positioned on the north.

Councillors would like bottom field item 1 to be expanded to fit international dimensions. Recommend negotiations with GPBC to expand the current size of the field. Suggestion to have field 2 reshaped to be parallel with main field – action would maximise future potential for suggested actions for item 5 .

Councillors would like the outcome for both field to be symmetrical.

RESOLUTION 08:15/06/2022

That Council feedback on this is as follows:

Overall planning process is endorsed.

- Item 1 – International dimensions for bottom field to be symmetrical with main field and include LED lighting (for training and night games).
- *Item 4 – The Proposed Minor Grandstand is re-aligned so it is angled towards the main field.*
- *Item 5 – The Proposed Major Grandstand the current location or shifted to the east (reposition item 4)*

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED 4/4

7.8 MANAGEMENT AND OWNERSHIP OF THE YARRABAH JETTY AND PONTOON**PURPOSE OF THE REPORT**

To report to Council in relation to Management and Ownership arrangements for the Yarrabah Jetty and Pontoon.

Comment:

YASC awaiting documents. Project to be concluded and actions initiated to officially open the Jetty.

Draft local law to be drafted and presented to council.

RESOLUTION 09:15/06/2022

That Council endorse the recommendation for Marine Safety Queensland to be the formal owners of the Yarrabah Jetty. Authorisation granted to the CEO to sign the agreement to become temporary and then permanent manager, YASC will be responsible for:

- all signage (whether installed by MSQ, YASC, or other entities with YASC approval)
- regular monitoring of the new facility
- cleaning and day to day maintenance of the facility
- undertaking routine minor preventive maintenance
- operation and control of the use of, and activities on, the facility
- issue of limited commercial permits with written consent from MSQ.

MSQ will fund and arrange any structural maintenance of the jetty or pontoon on behalf of YASC, with the need for such structural maintenance being on advice from YASC or internal MSQ-commissioned inspections. Details for operation and maintenance of facility provided by MSQ.

Moved: Cr Lucrecia Willett
Seconded: Cr Kenneth Jackson

CARRIED 4/4

7.9 DRAFT - YASC TRANSPORT NETWORK PLAN**PURPOSE OF THE REPORT**

To provide Council with the proposed Yarrabah Aboriginal Shire Council Transport Network Plan. The purpose of the plan is to map the existing, and plan the future, of Yarrabah's road and transport networks to support / meet the desires and growth needs of the community.

Comment:

Transport Network plan is preliminary draft and will be workshopped to discuss the finer details, ensure it aligns with council expectations and community aspirations

RESOLUTION 10:15/06/2022

That Council note the draft Transport Network Plan and table this document at the meeting, acknowledging item is scheduled for workshop with Council in July 2022. Full endorsement will take place later.

Moved: Cr Ross Andrews
Seconded: Cr Brian Underwood

CARRIED 4/4

At 3:09 pm, Cr Kenneth Jackson left the meeting, as he declared his interest as a family member.

**7.10 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
ALLIRA MAREE FOURMILE**

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – Allira Maree Fourmile

Comment:

Council recognise applicant as a resident and are happy to provide confirmation.

RESOLUTION 11:15/06/2022

That Council resolve to endorse the recommendation provided by the Director - Human Resources, Risk & Regulations to accept the application for confirmation of Aboriginality community affiliation as submitted by the following person:

- Allira Maree Fourmile

Moved: Cr Brian Underwood

Seconded: Cr Lucrecia Willett

CARRIED 3/3

At 3:11 pm, Cr Kenneth Jackson returned to the meeting.

7.11 GMYPPBC - REQUEST FOR "IN PRINCIPLE" SUPPORT FOR TLPI

PURPOSE OF THE REPORT

To resubmit report to Council of a request from the Gunggandji-Mandingalbay Yidinji Peoples Prescribed Body Corporate Aboriginal Corporation (GMYPPBC) seeking Council's in-principle support of pursuing a Temporary Local Planning Instrument (TLPI).

Comment:

Matter was deferred from Ordinary Council Meeting on 18 May 2022 to allow Councillors additional time to consider the points proposed under the "Temporary Local Planning Instrument". TLPI will assist to progress master planning project and associated land use and development aspirations long term.

RESOLUTION 12:15/06/2022

That Council have reviewed the documents deferred from the Ordinary Meeting held on 18th May 2022.

YASC is satisfied the request for *'In-principle'* support for a Temporary Local Planning Instrument made by the Gunggandji-Mandingalbay Yidinji Peoples Prescribed Body Corporate Aboriginal Corporation, is consistent with the Yarrabah Planning Scheme.

CEO authorised to signal YASC 'in-principle' support for the Temporary Local Planning instrument.

Moved: Cr Brian Underwood

Seconded: Cr Lucrecia Willett

CARRIED 4/4

At 3:19 pm, Cr Lucrecia Willett left the meeting.

At 3:20 pm, Cr Lucrecia Willett returned to the meeting.

At 3:24 pm, Cr Brian Underwood left the meeting.

At 3:25 pm, Cr Brian Underwood returned to the meeting.

8 CORRESPONDENCE**8.1 CORRESPONDENCE 1 - STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT AND PLANNING****PURPOSE OF THE REPORT**

To inform Council of correspondence received from the Director-General, Department of State Development, Infrastructure, Local Government and Planning (DILGP) relating to the tabling in Parliament on 11 May 2022 of the Financial Audit Report for Local Governments, prepared by the Queensland Audit Office (QAO).

RESOLUTION 13:15/06/2022

That Council note the correspondence 'tabled as read'.

Moved: Cr Kenneth Jackson

Seconded: Cr Ross Andrews

CARRIED 4/4

At 3:28 pm, Cr Ross Andrews left the meeting.

At 3:30 pm, Cr Ross Andrews returned to the meeting.

8.2 CORRESPONDENCE 2. - STATE DEVELOPMENT, INFRASTRUCTURE, LOCAL GOVERNMENT AND PLANNING

PURPOSE OF THE REPORT

To inform Council of correspondence received from the Acting Deputy Director-General, Department of State Development, Infrastructure, Local Government and Planning (DILGP) relating to an extension for all Milestone 1 projects to be progressed to Milestone 2 to 31 August 2022.

RESOLUTION 14:15/06/2022

That Council note the correspondence 'tabled as read'. The CEO is instructed to ensure required actions are completed within the designated timeframes.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED 4/4

Leadership HQ Finalist in the Outstanding Leadership Awards – CEO Leon Yeatman

Comment

Councillors indicate interested to attend the Leadership HQ Awards night at which CEO Leon Yeatman is a registered finalist in the outstanding leadership awards. Date is July 30, 2022

RESOLUTION 15:15/06/2022

That Councillors congratulated CEO Leon Yeatman for being nominated in the Leadership HQ Outstanding Leadership Awards. Council approve travel accommodation and tickets for Mayor and Councillors (5 tickets) to attend the Gala event July 30, 2022.

Moved: Cr Lucrecia Willett

Seconded: Cr Kenneth Jackson

CARRIED 4/4

9 STRATEGIC PORTFOLIO UPDATE

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

10 CONFIDENTIAL MATTERS

The Council is satisfied that, pursuant to Section 275 of the *Local Government Act 2012*, the information to be received, discussed or considered in relation to this agenda item is:

- a the appointment, dismissal or discipline of employees.

MEETING MOVED INTO CLOSED SESSION 3:51PM

MEETING MOVED OUT OF CLOSED SESSION 4:00PM

Resignation of Yarrabah Aboriginal Shire Council CEO

RESOLUTION 16:15/06/2022

Council accept the resignation from CEO Leon Yeatman, effective 13/7/22. Council thanked CEO for his services to council and community over the past 20+ years. Well wishes put forward for future endeavours for him and his family.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED 4/4

11 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 20 July 2022.

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

Meeting closed at 4:05pm.



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MAYOR

RESCINDMENT OF RESOLUTION 15:15/06/2022

By resolution 19:17/08/2022 Council rescinded Resolution 15:15/06/2022 relating to Councillors attendance at the Outstanding Leadership Awards.