



**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 16 DECEMBER 2020 AT**

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

IN ATTENDANCE: Leon Yeatman (CEO), Jemma Lichtenfeld (Director Corporate Services), Avril Yeatman (Director Policy and Governance),

1 MEETING OPEN

Mayor Andrews declared the meeting open at 10:16am.

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

Mayor Andrews called for one minute silence to be observed in respect to those who have recently passed or whose memory we honour.

2 WELCOME TO COUNTRY

3 APOLOGIES

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:16/12/2020

That the meeting minutes for the following meetings be adopted:

- Ordinary Council Meeting held on 25 November 2020 and
- Special Council Meeting held on 4 December 2020.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

5 BUSINESS ARISING FROM PREVIOUS MINUTES

- Boat safety checks – the recent spell in good weather calls for focused on
- Events:
 - Survival Day 2021 – this event will come around quickly and any activity will require COVID planning considerations. Note after this meeting, there will be approximately 5 weeks to finalise planning etc. Should no planning commence until after staff return in the new year, the timeframe will be reduced to approximately three weeks.
 - QMF funding shortfall – conversations regarding budget shortfall for 2021 Yarrabah Band Festival is looking promising. Exploration of funding is continuing and applications are currently with agencies for consideration. The most promising is an application via the department for NIAA.
 - News year’s eve – Planning has been confirmed for local celebration plans. Annual fireworks will continue as planned. At this time there are no other activities proposed.
- Magistrates Jacqueline Payne’s visit. Mayor and Councillors really appreciated the time to engage with Magistrate Payne. Subject to availability, councillors would like to schedule periodic meeting and to maintain regular contact via other means for court matters for community. Previous conversation helped to identify alternative strategies and options to consider as local programs or policy. Council are interested to reviewing how our local cultural framework could be reincorporated as options to address the issues. YLF to be used to help identify or source community mentors. The framework is also recognised as a stronger way to engage with Parents. Key message – solutions exist locally.

The meeting was adjourned at 10:35am – due to technical issue with power (air-conditioning installation identified live wire - rats). Urgent action required to address the safety issue.

The meeting reconvened at 11:07am.

6 DISCLOSURE OF INTEREST – COUNCIL / REGISTER UPDATES

The Mayor reminded the councillors of their obligation to declare any conflicts of interest (perceived or real) for items included in the agenda of the meeting.

7 MATTERS FOR DISCUSSION

7.1 CEO OPERATIONAL REPORT

CEO presented his report for December.

- LDMG leading up to disaster season.
 - Stakeholder engagement relating to
 - JT Academy facility opening
 - PCYC
 - NBN Co visit
 - CGMY - Ranger program
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- LGAQ
- DLG
- DATSIP Thriving community
- 51st Regiment – Change of Company Officer.
- Update - Optus tower project approved by Gungahdjil PBC and actions in-place to progress this project. This project has the potential to boost phone signal, service and business capabilities in community.
- Social Policy – Youth. The review of existing policy position required to confirm YASC position and help map the service landscape. Gap issues and community behavioural phases are regenerating well known and experienced issues. Anti-social behaviour and associated risks are disrupting services. Actions including inter-agency planning and activity coordination for youth engagement is generating mixed responses. Clarity required on root causes and risk potential – to improve response times, response options and strategies to counter antisocial behaviour.
- Illegal land clearing- despite notice to community there are a number of sites being cleared on Non-council trust lands. legal opinion being sought and council concerned about the potential impacts on environment, cultural heritage etc. Process actions continue to promote the leasing regime. Land clearing will not be validated where no lease exist.

Action Items from last meeting progressed – nil. Completed items identified in the report

CEO apologised for the quality of maps in the report – items were submitted as coloured images. The black and white maps were not very helpful. Councillors understood the purpose and support the intent. The original colour format will be included in Capital Works meetings in 2021.

RESOLUTION 02:16/12/2020

That Council resolve to accept CEO operational report for December 2020, tabled as read.

Moved: Cr Brian Underwood

Seconded: Cr Lucretia Willett

CARRIED

Jemma Lichtenfeld entered meeting room at 11:21am

7.2 YASC MONTHLY FINANCIAL REPORT

Director Corporate Services invited to present her report to the council.

A key issued identified in the report was the processing of work completion reports. The issue considered a potential cash-flow risk for the operations and focused attention is being applied to resolve the matter. Internal communication has been initiated with Director of Works and management staff. Due attention will be applied to resolve administrative action for processing and mitigate risks. Director for Corporate Services instructed to oversee the process, communicate issues between team members and offer direction / support for staff responsible for daily administrative actions.

Review of the current budget recognised the positive influence State Government Financial Assistance had on our overall cash position – the first half of the financial year was positive, the view in the second half of the financial year will potentially be different. Focus will be directed toward ensuring our income exceed our expenses. CEO stated that our focus moving forward will be on managing expenditure closely with emphasis on making savings or completing works to budget (no over runs). Team Yarrabah are receiving instructions about the same and responses have been largely positive.

Social Housing debt discussed (treatment of pre 2013 debt and current debt) – Council referred the matter for further detail. Note council are using a dual process for debt treatment: Chintaro tenancy management software and pre-Chintaro (Social Housing tenancy management period). both Housing and Finance need to work off the same platform and ensure appropriate administrative action is applied – consistently. The lack of a consistent process has caused concerns from clients and sees council carrying debt burden. Housing Tenancy Management have asked to review recent audit advice and regulatory reference prior to the matter being addressed by council.

Mayor and Council thanked Corporate Service Director for her report.

RESOLUTION 03:16/12/2020

That Council resolve to accept Finance Reports for November 2020.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

At 11:33 am, Cr Brian Underwood left the meeting.

At 11:35 am, Cr Brian Underwood enter the meeting

Jemma Lichtenfeld left meeting room at 11:49am

7.3 UNIVERSITY OF ADELAIDE, AUSTRALIA CENTRE FOR ANCIENT DNA AND SOUTH AUSTRALIAN MUSEUM - ABORIGINAL HERITAGE PROJECT #2.

CEO advised the Mayor and Councillors the correspondence relates to cultural artefacts which belong to the PBC. YASC previously participated in exploring the catalogue held from the Tindale collections. However, since the Native Title Determination process was completed for Yarrabah, it is appropriate for the response for this matter to be generated by the PBC's.

RESOLUTION 04:16/12/2020

That Council resolve to endorse the recommendation provided by CEO Leon Yeatman to support the request in principle. CEO to advise the final approval rests with the Native Title Holders – whose responsibility for cultural artefacts is has been determined via the Federal Court of Australia. Matter to be referred to Native Title Holders for their attention

Moved: Cr Kenneth Jackson
Seconded: Cr Brian Underwood

CARRIED**7.4 NOMINATION FOR WOMEN LEADING IN LOCAL GOVERNMENT**

CEO advised an opportunity has opened up for Female Elected Leaders in Local Government. This is a state government sponsored program which will connect Female Elected councillors and provide valuable training and support. Cr Willet Nominated from YASC. YASC contribution will be for travel, accommodation and incidental – considered a worthy investment and will enhance YASC governance during this term. Cr Willett will benefit from exposure, network opportunities and knowledge acquired during the training – for future use as a mentor or role model.

RESOLUTION 05:16/12/2020

That Council resolve to accept recommendation provided by CEO Leon Yeatman for the following nominees to participate in the Women Leading in Local Government Program:

- Councillor Lucrecia Willet

CEO to draft letter of response for the Mayor.

Moved: Cr Brian Underwood
Seconded: Cr David Baird

CARRIED

**7.5 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION FORM.
APPLICANT: [REDACTED]**

Correspondence received from local resident seeking confirmation of Aboriginality.

RESOLUTION 06:16/12/2020

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

- [REDACTED]

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

CEO authorised to apply the council Common Seal.

Moved: Cr Lucretia Willett

Seconded: Cr Kenneth Jackson

CARRIED

**7.6 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION FORM.
APPLICANT: [REDACTED]**

Correspondence received from person with affiliation to Yarrabah seeking confirmation of Aboriginality.

RESOLUTION 07:16/12/2020

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

- [REDACTED]

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

CEO authorised to apply the council Common Seal.

Moved: Cr David Baird

Seconded: Cr Lucretia Willett

CARRIED

**7.7 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION FORM.
APPLICANT: [REDACTED]**

Correspondence received from person with affiliation to Yarrabah seeking confirmation of Aboriginality.

RESOLUTION 08:16/12/2020

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

- [REDACTED]

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

CEO authorised to apply the council Common Seal.

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

**7.7 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION FORM.
APPLICANT: [REDACTED]**

Correspondence received from person with affiliation to Yarrabah seeking confirmation of Aboriginality.

RESOLUTION 09:16/12/2020

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

- [REDACTED]

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

CEO authorised to apply the council Common Seal.

Moved: Cr Kenneth Jackson

Seconded: Cr Lucrecia Willett

CARRIED

7.8 DINDARR PROPOSAL - THE YARRABAH BUS & FERRY UPGRADE PROJECT.

- TMR advice regarding non fixed pontoon
- Council acknowledge the going concern of this project is linked to the pontoon access and other variables (bus and other transport)
- Letter of support considered worthy.

RESOLUTION 10:16/12/2020

That Council resolve to provide a support letter on the Dindarr Pty Ltd proposal that \$1.5 million dollars should be made available to Yarrabah through the Community Led Grants program of the National Indigenous Advancement Agency to fund the infrastructure for a sustainable ferry and bus service between Yarrabah and Cairns. The recipient of funds and ownership of assets will be determined by negotiated arrangement between Dindarr Pty Ltd and YASC as the project partners.

Moved: Cr Brian Underwood

Seconded: Cr David Baird

CARRIED

The meeting was adjourned at 12:19pm for lunch and community member presentation

Mayor and councillors welcomed Mr Percy Neal to the meeting. Mr Neal thanked the councillor for affording time in their schedule to receive his presentation. Mr Neal apologised for not supplying any information in advance, however sought to engage council on economic development policy position in Yarrabah. Having not read nor seen documentation, he was concerned the perceived lack of policy meant Yarrabah was open for 'exploitation'. Concern raised about intellectual property rights.

Mayor and Councillors kindly referred to YASC Economic Policy and reassured Mr Neal that the position was well documented and appropriate steps are in place to address gap issues and promote economic opportunity. Key focal points included tourism, construction and development and small business. Key issues about investment and access to capital are still seen as main blockages.

Acknowledged local configuration is still heavily represented by service agencies providing jobs and limited options for traditional work locally.

Council is committed to leading on this front, helping to support local business and where possible create opportunities. The local domain was ripe for small business options. The long term challenge is for Yarrabah to develop its own economy – sustainable and catering for local needs.

Mayor thanked Mr Neal for presenting his information and wished he and his family all for best for the festive season.

Visitors Bernie and Sylvia Wagner (nee Burns) and families from Groote Eylandt welcomed into the chamber. Mayor extended welcome to visitors and recognised the group who are visiting Yarrabah. Cr. Willet did a cultural welcome to country and presented a short video on community history and other cultural content.

Mr Wagner thanked the Mayor and Councillors for providing the time. As spokesperson for the group, he explained his role and how they are providing family support and care arrangements for school aged girls from Groote Eylandt. Parents have their children living and being educated on the Tableland to support their education and provide a good start. Parents welcomed the opportunity to connect with an Aboriginal Community – looking forward to exploring further opportunities to engage and expose their children to local culture.

Mayor, councillors and staff offered words of encouragement. Promoting identify, value of education and self-worth as key points for reference. Through connection like the Wagner Family (with strong links to Yarrabah), this visit and future visits were welcomed.

Visitors departed the meeting and council meeting reconvened at 1:35pm.

7.9 YASC PUBLIC INTEREST DISCLOSURE PROCEDURE

Director Policy & Governance presented council with the amended Public Interest Disclosure Procedure for council consideration and endorsement.

RESOLUTION 11:16/12/2020

That Council resolve to acknowledge the updated procedure for the public interest disclosure as submitted Director Policy and Governance.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

7.10 DIRECTOR HUMAN RESOURCES, RISK AND REGULATIONS MONTHLY OPERATIONAL REPORT.

Director Human Resource, Risk and Regulation monthly report submitted for council consideration and endorsement.

RESOLUTION 12:16/12/2020

That Council resolve to adopt report tabled as read.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

7.11 DIRECTOR POLICY AND GOVERNANCE OPERATIONAL REPORT.

Director Policy & Governance Monthly report submitted for council consideration and endorsement.

RESOLUTION 13:16/12/2020

That Council resolve to adopt report tabled as read.

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

7.12 DIRECTOR COMMUNITY SERVICES REPORT

Director Community Services monthly report submitted for council consideration and endorsement.

RESOLUTION 14:16/12/2020

That Council resolve to endorse the reports supplied by the Director of Community Services as read.

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

Action Item: CEO to arrange a meeting with PLO's to discuss local policing matters and matters for consideration when discussing local policing issues. Meeting to be organised in the new year.

7.13 DIRECTOR WORKS AND INFRASTRUCTURE

Director Community Services monthly report submitted for council consideration and endorsement.

As per points noted in the Corporate Services report, CEO stated his ongoing conversation with the Director of Works and Infrastructure to renew focus on the process of invoices for works. Any processing issues to be resolved and attention given to ensure cash flow for council is enhanced (not impeded). Appropriate management action encouraged, where process needs to be fixed.

RESOLUTION 15:16/12/2020

That Council resolve to adopt report tabled as read.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

8 CORRESPONDENCE**8.1 AUSTRALIAN LOCAL GOVERNMENT ASSEMBLY (ALGA) - NOTICES OF MOTIONS FOR NATIONAL GENERAL ASSEMBLY.**

Correspondence received from ALGA calling for motions for the 2021 National Assembly.

That council note the report as read. Matter deferred until workshopped by council. motions identified to be first endorsed by council before referral to the National General Assembly.

8.2 DISASTER MANAGEMENT (FUTHER EXTENSION OF DISASTER SITUATION - COVID-19) REGULATION (NO. 7) 2020.

Correspondence received from Queensland Government regarding the ongoing attention to the coronavirus pandemic.

RECOMMENDATION

Table correspondence as read.

9 STRATEGIC PORTFOLIO UPDATE

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

10 CONFIDENTIAL MATTERS

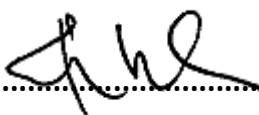
Nil

11 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 20th January 2021.

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

Meeting closed at 3:09pm.

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MAYOR