

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 21 JULY 2021 AT 3.00PM**

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

IN ATTENDANCE: Leon Yeatman (CEO), Jemma Litchenfeld (Director Corporate Services), Shanara Andrews (PA)

1 MEETING OPEN

Mayor Andrews declared the meeting open at 3pm.

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

Cr Baird opened with a prayer

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

2 WELCOME TO COUNTRY

Mayor's acknowledgement to the elders past present and emerging from both Gunggandji and Mandingalbay Yidinji nations, for the country on which the meeting was held today. Acknowledgment also offered for elders past present and emerging of Historical nations who also call Yarrabah.

3 APOLOGIES

Cr Kenneth Jackson

Peter McAllister, Managing Director of Dindarr gave a 20-30 min presentation on resuming progress on the Dindarr Ferry proposal to council.

The Presentation covered the following:

- The option of Dindarr undertaking the three-year project to get the ferry and bus project up, running and sustainable (dependent on funding)
- The option of Dindarr donating or selling at cost equipment to YASC for the project (does not require funding)
- Options to work out to solve the shortness of the Jetty.

At 4:14 pm, Cr David Baird left the meeting.

At 4:16 pm, Cr David Baird returned to the meeting.

Meeting adjourned at 4.26pm

Meeting reconvened at 4.36pm

4 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION 01:21/07/2021**

That the minutes of the Ordinary Council Meeting held on 16 June 2021 and the Special Council Meeting held on 30 June 2021 be adopted.

Moved: Cr Lucrecia Willett

Seconded: Cr David Baird

CARRIED

5 BUSINESS ARISING FROM PREVIOUS MINUTES

Cr Jackson joined the meeting at 4.42pm

- Mayor asked about the Queensland Music Festive and when the successful applicant will start her employment? CEO replied she was supposed to start on the 12th now but started on the 14th.
- Mayor thank the Councillors and Staff for their help at Foundation and NAIDOC Week.
- Mayor also suggested send an email out to the workers for their help and support. And stated the next event will be DOGIT Day which will be public holiday.

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.

7 MATTERS FOR DISCUSSION**7.1 CEO OPERATIONAL REPORT**

CEO talks on the previous events, an issues that council should consider moving forward is whether we give ourselves a public holiday for some of these activities because the level of interest from volunteers has dropped, the only way we can get facilitated is that we keep it a work day. We did get 12 workers from the Work Department who started early and finished late.

Cr Underwood asked if we can plan events earlier. CEO stated that invites were sent out in February/March. The lack of interest was disappointing, however planning had to be done. The effort of YASC team was commendable and they kept an open door for agencies to join. Despite the lack of active involvement from other agencies, the community events was successful and community turn-out was excellent. CEO advised that he encouraged everyone he engaged with, to adopt a plan mindset rather than question what was entailed in being a volunteer.

CEO stated that Toilet at Wungu needs to be demolished. Action for this matter included an email sent to GPBC requesting a meeting to discuss a possible replacement. Matter is linked to the Gunggandji ILUA.

The issue of insurance is a major concern for the operational budget for council. Mayor and CEO will draft a letter to the Federal & State Government seeking changes to how Insurance in

Australia for Local Government needs to change.

Jemma Lichtenfeld tendered her resignation has provided notice of intention to resign and her contract allows for 1 month notice. Action to cover the position, to mitigate risk Mike Mair being elevated to the role and I have issued instructions for the Finance Manager role being recruited – this action will minimise disruption to the Administrative Team and promote Mr Mair internally. A contract has been formulated for the Director Corporate Services position and this will be used as the industrial instrument.

Council PA position has been vacated. Incumbent has applied for a transfer internally and has been accepted. Shanara will reposition downstairs. The Receptionist has also applied for a vacant internal position and was successful. Shonet will vacate the Reception role and go to another role within the Council.

Still awaiting confirmation from Trustees regarding proposed Tripartite Agreement

Staff changes CEO inform Councillors of our new Grants Manager Finanin Richards

Councillors asked if the elders sold any items at NAIDOC day.

CEO mentioned that Wayne Connolly Jnr is painting the bike frame for the Ride to Isabella

Mayor stated that Gurriny Yealamucka Health Service (GYSAC) bought Art Work from the Arts Centre for the new building on Workshop Street.

With the School Bus, Kids will not be allowed on the bus if they are not registered. It was suggested that council should hand the responsibility back to the school.

Cr Willet asked who was in charge of W4Q? CEO stated Operations Manager Sam Bann was.

Mayor asked about female amenities. This project is currently being managed by Office of Sport and Recreation – site determined, now working settling the project cost and then finalising Project Management Plan.

Cr Willett asked CEO about the tender process “what is the CEO delegation, If it’s over your delegation does it come to the Council”? CEO replied it does, but at the moment all tenders over the delegation are presented to the table.

Cr Baird asked about the noise complaint. CEO advised this is managed via tenancy Management and requires complaints to be lodged through the police. Appears to be lack of confidence on part of tenants to register complaints with QPS. Council request the policy of council for managing noise to be stronger. Repeat offenders need to be made accountable and a general rule reapplied – e.g. no noise after 7:30pm.

Cr Baird asked about the SurePact arrangement and queried “are you hoping it will improve performance?” CEO advised the project management in council was centralised and controlled by a few. Good management practice entails knowledge is shared and managers in the process are aware of their management roles and responsibilities. The Managers are also responsible for managing their parts – the SurePact arrangement has allowed us to unpack the previous process and reassign roles and responsibilities. Their framework has also provided one system which we are all now activating – it has enabled a clear line of sight and transparency for users.

Cr Willett mentioned that the change of venue for the NAIDOC was a success.

Mayor suggested there should be a venue for community events, celebration activities and to remove parties from homes (licensed venue etc.)

RESOLUTION 02:21/07/2021

That Council resolve to endorse the CEO Operational Report for the period to 16th June 2021

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

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

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

7.2 YASC MONTHLY FINANCIAL REPORT

Corporate Service Director Mrs Jemma Lichtenfeld invited to the meeting to present the financial report to council.

CEO noted this as the final report to council from Director Corporate Services Jemma Lichtenfeld.

The Corporate Service Director read the report. Councillors asked the following questions:

Mayor reminded Jemma of a letter Vicky sent to Department of Social Services a few years ago in regards to stopping and starting tenant's rent, he asked if we got a response from them? Jemma wasn't sure if a letter was sent, but she stated that Vicky spoke with them.

CEO stated the outcome in summary is the proposed processes of deduction through Centrelink not being cancelled by the recipient or the tenant that they could not allow that to happen. We were alerted to an arrangement that happened in another Community and was trying to explore how that has turned out, given it's a policy position through Department of Human Services but that didn't come back with any clear line of sight. Avril is also looking into that at the moment, but the current process allows the recipient of any of those payments not to get into hardship and that actually goes against our policy on how we do our rent collecting. There are two elements firstly the cooperation by the individual so they can cancel at any moment but then there is also the system that tenants can't be put in hardship they actually have to have a percentage of their income for their sustenance.

CEO indicated that rent debts has got to be a lot better, tenants need to be ahead or equal in their payments and not behind. Jemma stated it should be two weeks in advanced with the insurance payment going up. The conversation when it come to the budget is do we have to increase the rent?

Mayor stated that if we increase the rent, we increase the debt. CEO replied we need to review our policy on how tenancies are managed. Because at the moment we have people in long term tenancy that are causing debt. We currently have a big waiting list which is a demand and if they aren't going to pay their rent then we should give someone else a go. CEO asked if we can't manage it, what are other options; we need to be clear on how we are going to manage it. We have to come up with another strategy on how we collect rent. Cr Willett replied the engagement team was doing a good job, but stopped. Council supported actions as allowed under the Tenancy Management process needs to be applied – to reflect councils commitment to recover monies owed and ensure housing access equity in community.

Capital Work is moving along, the workers have being good with their claims, making sure the cash flow goes around. Got extension granted on most of the projects that supposed to be finish.

CCTV Finalised. Mayor asked "How many CCTV around the Community? Jemma replied 18

Cr Baird asked what do we get out of installing these CCTV cameras? CEO replied it was for community safety and has been used as evidence for the courts. In addition the information remains our data.

Mayor asked if they was one going up at Jilara Oval? Jemma replied in the next round

Cr Baird asked if there was too much at Djenghi: CEO stated that when the Community Safety Plan took place, that was the key message they got from Djenghi. Jemma stated the CCTV cameras saves the security driving around they can just look at the cameras.

Mayor asked if the Playground problem was solved: CEO replied they have delayed the installation Playground.

Cr Jackson asked when the playground was due to be installed: CEO replied this week, we got the delivery we just got to install them. Cr Willett suggested move the playground to the beach side near the Community Hall.

Mayor informed Councillors that the Ride for Isabella was postponed until a week before the Queensland Music Festival.

The only other areas of concern was the Pool - it is not working with the Officer not focused nor attention to planned maintenance. Management were looking at the obvious response – which is generating the same result. CEO proposed a lateral approach which will seek to activate the business potential for the site. Discussions will take place with Wugu Nyambil about Work for the Dole activities and also with Seahawks about a bigger picture for the Jilara Oval Precinct plan.

Upgrade is in the positive, due to getting the contractors bringing their prices down to an acceptable price.

CEO stated that Aurukun explained the process they've got, and we've adopted that process moving forward. We should start seeing dollars coming in there. The whole maintenance strategy requires a whole business review.

The I-Auditor device will start next week, Jemma stated the Vendor Panel will be up and running next Monday.

Mayor asked if the Gateway project will be finish next month: Jemma informed them that the hand over was today.

At 5:23 pm, Cr Brian Underwood left the meeting.

Mayor asked about the Work First Start Program, Jemma informed him that it was for the Trainees that will start on Monday .

- 2 Administration
- 1 Stores Worker

There was one other worker that interviewed well. A position in Security that became available which this applicant has since been referred.

Mayor asked about the funding for the Market Garden, CEO stated it was delayed by the tender process.

Cr Willet asked if Jemma can give the Council a projective forecast on how we can claw back the money in the next 12 months.

Mayor stated Directors need to come up with a CDP like Activity . Jemma informed the Councillors

that a new Finance Officer will start next week.

CEO informed the Mayor and Councillors that this will be Jemma last Ordinary Council Meeting and acknowledge her work she has done for the Council during her time working with us. Thanking Jemma for her tenure here with Council and wish her well with her new endeavours.

Mayor also acknowledged Jemma's work she has done for the Yarrabah Aboriginal Shire Council and the Local Government and wish her well.

At 5:35 pm, Cr Brian Underwood returned to the meeting.

RESOLUTION 03:21/07/2021

That Council resolve to accept June 2021 Finance Reports.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

At 6:39 pm, Cr David Baird left the meeting.

7.3 DRINKING WATER QUALITY MANAGEMENT PLAN

The Drinking Water Quality Management Plan was presented by Director Works & Infrastructure and is a key policy document used to guide YASC on the technical requirements and activities linked to community water and water infrastructure.

The plan will ensure compliance with legislation and bring council up to date in this area.

RESOLUTION 04:21/07/2021

That Council resolve to approve recommendation provided by Mr Preston Andrews Director Works and Infrastructure to adopt the Drinking Water Quality Management Plan 2021.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

7.4 RECONFIGURATION OF 18-20 STANLEY STREET

The building used for the Woman Shelter has been in situ for a number of years. In 2011 funding was secured to replace the old Sgt House, which was a timber frame structure, and replaced with a modern building which would protect the women escaping Domestic and Family Violence.

The development has been fully supported by council and the service has provide care and respite for women in community.

The land has never been reconciled and a recent review identified that it shared an allotment with the social housing infrastructure next door. This configuration reflected the old Jail and Sgt quarters that existed on this lot. To address the anomaly and ensure the tenure arrangement was correct, a reconfiguration action via the Planning Act was identified as the best way forward.

The document and recommendation below support the reconfiguration process. This will realign

current boundary lines and clarify title – remove any doubt who or which agency owns the land.
The report is endorsed by the CEO.

RESOLUTION 05:21/07/2021

That Council resolve to approve the development application for Development Permit for a Reconfiguring a Lot (1 Lot into 2 Lots) over land described as Lot 1 SP167913, located at 18-20 Stanley Street, Yarrabah, subject to the following:

Approved Plans

The term ‘approved drawing(s) and / or document(s)’ or other similar expressions means:

As per condition

Plan / Document Name	Reference	Date
Proposal plan showing proposed Lots 1 and 2 – Lease B in Lot 1 SP167913	Attachment 2 - Page 16 of 68 of the Development Application -	No date

Assessment Manager Conditions

1. This approval, granted under the provisions of the Planning Act 2016, shall lapse six (6) years from the day the approval takes effect in accordance with the provisions of section 85 of the *Planning Act 2016*.
2. Carry out the approved development generally in accordance with the approved plan(s) and/or document(s), and in accordance with:
 - a. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within technical reports; and
 - b. The following conditions of approval and the requirements of Council’s Planning Scheme.

As per condition

At all times

Except where modified by these conditions of approval.

Damage to Infrastructure

3. In the event that any part of Council’s infrastructure is damaged as a result of work associated with the development, Council must be notified immediately of the affected infrastructure and have it repaired or replaced by Council, at no cost to Council. All works must be completed prior to the issue of a Compliance Certificate for the Plan of Survey.

At all times

Lawful Point of Discharge

4. All stormwater from each new lot must be directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer

At all times

Ponding and/or Concentration of Storm water

5. The proposed development must not create ponding nuisances and/or a concentration of stormwater flows to adjoining properties.

At all times

Water Supply and Sewerage Works Internal

6. Undertake the following water supply and sewerage works internal to the

At all

RECOMMENDATION

Council deferred the decision for confirmation of aboriginality / community affiliation as submitted by the following person:

- [REDACTED]

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

Confirmation of Aboriginality applications 7.5 – 7.8 will be deferred until we get more information on the applicants.

RECOMMENDATION

Council deferred the decision for confirmation of aboriginality / community affiliation as submitted by the following person:

- [REDACTED]

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

Confirmation of Aboriginality applications 7.5 – 7.8 will be deferred until we get more information on the applicants.

RECOMMENDATION

Council deferred the decision for confirmation of aboriginality / community affiliation as submitted by the following person:

- [REDACTED]

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

Confirmation of Aboriginality applications 7.5 – 7.8 will be deferred until we get more information on the applicants.

RECOMMENDATION

Council deferred the decision for confirmation of aboriginality / community affiliation as submitted by the following person:

- [REDACTED]

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

Application received from community resident seeking confirmation of Aboriginality. Applicant confirmed as community resident and currently living in community

RESOLUTION 06:21/07/2021

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:

- [REDACTED]

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

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

8 CORRESPONDENCE**8.1 LETTER FROM THE HONOURABLE ROBBIE KATTER MP REGARDING ADVANCING
INDIGENOUS WORK OPPORTUNITIES THROUGH LEGISLATION**

Item identified as correspondence for noting.

RESOLUTION 07:21/07/2021

That Council resolve to table the correspondence presented and endorse as read.

Matters arising which are linked to the issue of working with children (Indigenous Communities) Amendment Bill 2021, will be forwarded to Hon. Robbie Katter MP.

Moved: Cr Ross Andrews

Seconded: Cr Kenneth Jackson

CARRIED

8.2 AIR FORCE + AUSTRALIAN OLYMPIC COMMITTEE VISIT REQUEST

Item relates to the Australian Air Force partnership with the Australian Olympic movement and their plans to bring the games to community.

CEO advised that her was working with Flgt Lieutenant Norman 'Normie' Grogan to facilitate an activity in Yarrabah. COVID19 planning was underway. However, it was noted that success would be subject to CHO directive and coronavirus restrictions that are currently affecting the South East of Queensland.

RESOLUTION 08:21/07/2021

That Council resolve to accept the request received from the Australian Air Force and the Australian Olympic Committee to visit Yarrabah.

Council acknowledged engagement with YASC CEO and will endeavour to work with stakeholders and partners to showcase Yarrabah.

Moved: Cr Brian Underwood

Seconded: Cr David Baird

CARRIED

8.3 DINDARR PROJECT PRESENTATION TO COUNCIL

Councillors acknowledged this item relates to presentation provided by Mr Peter McAlister earlier in the meeting. This presentation is seeking council continued support for the Dindarr Bus Service and current issues identified for the Ferry.

Request centres on funding application to secure addition funding \$1.5million.

Councillors queried location where the current assets are stored. Assets are currently secured and held for safe keeping (Kuranda and Sunshine Coast). Mr McAllister is working in the Northern Territory to cover costs. Project is ready to go, but requires committed person and further capital to address issues with the jetty – length does not take it into deep enough water (still issue for vessel to land).

Forward options include:

- Dredging
- Additional gang plank
- Alternative craft – e.g. Hovercraft
- Committed (licensed) local operator to drive vessel and ensure compliance
- Funding.

Proposal to council is for application to be submitted under council to keep project moving forward.

RECOMMENDATION

That Council deferred their decision to consider the report presented by Mr Peter McAllister, Dindarr Bus Service.

Factors for the deferral included investments outlaid to date, status of assets and viability for the project as a going concern.

8.4 LGAQ MEMBERSHIP INVOICE FOR THE 2021 - 2022 FINANCIAL YEAR

Correspondence from LGAQ for membership invoice. CEO noted this was in his delegation to

approve, but considered it appropriate for council to endorse the fee.

RESOLUTION 09:21/07/2021

That Council resolve to endorse the recommendation provided by Mr Leon Yeatman Chief Executive Officer to authorise payment for the Local Government Association of Queensland membership for 2021/22.

Fee: \$51,142.00 (GST inc)

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

8.5 YASC WASTE LEVY ANNUAL PAYMENT FOR 2021-22 FINANCIAL YEAR

Correspondence from DES outlining the cost increase for 2021 – 22 dumping fee.

Cost item unavoidable and council needs to ensure our waste management strategy is activated and service operating in community are planned and managed in line with these service costs.

RESOLUTION 10:21/07/2021

That Council resolve acknowledge the correspondence received from the Department of Environment and Science confirming the annual payment amount for Yarrabah Aboriginal Shire Council to cover its levy cost for disposing of eligible municipal solid waste (MSW) to landfill in the 2021-22 financial year.

Item will be addressed in accordance with operational delegations provided to the CEO.

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


Nil

11 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 18 August 2021.

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

Meeting closed at 6.56 pm.



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MAYOR