



**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 22 SEPTEMBER 2021 AT 03:00PM**

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

IN ATTENDANCE: Leon Yeatman (CEO), Mike Mair (Director Corporate Services), Shanara Andrews (PA to CEO – Minute Taker)

1 MEETING OPEN

Mayor Andrews declared the meeting open at 3.43 pm.

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

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

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 whose elders, past present and emerging still reside in Yarrabah, on whose country the meeting is being held today.

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

3 APOLOGIES

Nil

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:22/09/2021

That the minutes of the Ordinary Council Meeting held on 18 August 2021 be adopted.

Moved: Cr David Baird
Seconded: Cr Brian Underwood

CARRIED

5 BUSINESS ARISING FROM PREVIOUS MINUTES

The Mayor drew the Councillors attention to Agenda items 7.5 to 7.8 in the Business Papers and noted that these items had been deferred from the Ordinary Council meeting on 21 July 2021 to obtain additional information. As this has now been provided, these matters would be considered during normal business in this meeting.

At 4:04 pm, Cr Brian Underwood left the meeting.

At 4:05 pm, Cr Brian Underwood returned to the meeting.

6 DISCLOSURE OF INTEREST – COUNCIL / REGISTER UPDATES

CEO explained the new rules for the Conflict of Interest Register.

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 them now.

No declarations made.

7 MATTERS FOR DISCUSSION

7.1 CEO OPERATIONAL REPORT

Monthly Council meeting report on the operational and strategic performance of council business for the period 19 August to 21 September 2021.

The CEO spoke to the report.

RESOLUTION 02:22/09/2021

That Council accept the CEO Operational Report for the period to 21 September 2021, as tabled.

Moved: Cr Kenneth Jackson
Seconded: Cr Brian Underwood

CARRIED

ACTION ITEMS

- Issue notice/letters to tenants regarding dumping rubbish in the back of their yard.
- CEO to organise LGAQ local Champion video, council endorse Vincent Schrieber Snr as the candidate.
- Put an nomination through to the LGAQ for the Yarrabah Seahawks Football Club and The Women Shelter for the promotion of Domestic Violence Day they host once a year at the Seahawks home game.

7.2 YASC MONTHLY FINANCIAL REPORT

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

The CEO spoke to the report which contained the following headings:

1. Operating Results;
2. Current Trade Debtors, Housing Debtors & Trade Creditors;
3. Capital Works;
4. Balance Sheet;
5. Cash Position;
6. Commercial Lease;
7. General

RESOLUTION 03:22/09/2021

That Council resolve to accept August 2021 Finance Reports.

Moved: Cr Lucrecia Willett

Seconded: Cr Kenneth Jackson

CARRIED

At 4.58 pm, Cr David Baird left the meeting.

At 4:59 pm, Cr David Baird returned to the meeting.

7.3 ASSETS - DISPOSALS

To dispose of Council Housing asset due to passing of ownership.

The CEO spoke to the report.

RESOLUTION 04:22/09/2021

That Council authorise to remove the property on Lot 51 on SP167913, 100 Back Beach Road Yarrabah from Council's asset register due to change in ownership as at 23rd July 2021.

Moved: Cr Brian Underwood

Seconded: Cr David Baird

CARRIED

7.4 LEASE C YARRABAH KNOWLEDGE CENTRE RENEWAL

Renew lease C, Lot 610 on SP270852 Yarrabah Knowledge Centre to Mission Australia Limited.

The CEO spoke to the report.

RESOLUTION 05:22/09/2021

That Council:

1. Accept the exception pursuant to section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to enable Council to dispose of a valuable non-current asset other than by tender or auction, specifically by entering into a lease with Mission Australia Housing ACN 003 683 261, being a community organisation, for the Premises described as Lease C on Lot 610 on SP270852 at the Yarrabah Knowledge Centre ("**the Lease**"); and
2. Delegate to the Chief Executive Officer the authority to negotiate and finalise all terms and conditions related to the Lease, and to sign the Lease on behalf of Council.

Moved: Cr David Baird

Seconded: Cr Lucrecia Willett

CARRIED

At 5:03 pm, Cr Lucrecia Willett left the meeting.

At 5:07 pm, Cr Lucrecia Willett returned to the meeting.

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

Information was presented to council from a community resident seeking Confirmation of Aboriginality endorsement consideration. This matter had been deferred from the Ordinary Council meeting on 21 July 2021 to obtain additional information, which has now been provided in attachments 2 to 5 of the report.

RESOLUTION 06:22/09/2021

Council accepts the recommendation from Mr Richard Wright Director Human Resource Risk & Regulations and endorses 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 Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

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

Information was presented to council from a community resident seeking Confirmation of Aboriginality endorsement consideration. This matter had been deferred from the Ordinary

Council meeting on 21 July 2021 to obtain additional information, which has now been provided in attachments 2 to 5 of the report.

RESOLUTION 07:22/09/2021

Council accepts the recommendation from Mr Richard Wright Director Human Resource Risk & Regulations and endorses 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 Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

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

Information was presented to council from a community resident seeking Confirmation of Aboriginality endorsement consideration. This matter had been deferred from the Ordinary Council meeting on 21 July 2021 to obtain additional information, which has now been provided in attachments 2 to 5 of the report.

RESOLUTION 08:22/09/2021

Council accept the recommendation from Mr Richard Wright Director Human Resource Risk & Regulations and endorse 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 Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

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

Information was presented to council from a community resident seeking Confirmation of Aboriginality endorsement consideration. This matter had been deferred from the Ordinary Council meeting on 21 July 2021 to obtain additional information, which has now been provided in attachments 2 to 5 of the report.

RESOLUTION 09:22/09/2021

Council accepts the recommendation from Mr Richard Wright Director Human Resource Risk & Regulations and endorses 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 Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED

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

Information was presented to council from a community resident seeking Confirmation of Aboriginality endorsement consideration.

RESOLUTION 10:22/09/2021

Council accepts the recommendation from Mr Richard Wright Director Human Resource Risk & Regulations and endorses 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 Ross Andrews

Seconded: Cr Lucrecia Willett

CARRIED

Meeting Adjourned at 5.13pm

Meeting Reconvened at 5.20 pm

7.10 PROPOSAL FOR A NEW INTERNET SERVICE

To report to Council a proposal for a new internet service based on connecting dedicated fibre to TJ Microsystems premises and utilising Point to Point wireless between the TJ Microsystems office, Mt Yarrabah & Council.

RESOLUTION 11:22/09/2021

That Council

1. Accept the proposal by TJ Microsystems for the installation and connecting dedicated fibre to TJ Microsystems premises and utilising Point to Point wireless between the TJ Microsystems office, via Mt Yarrabah & Council ; and
2. authorize the Chief Executive Officer to negotiate and finalise all terms and conditions related to the implementation of the proposal, as aligned with existing delegations.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED

7.11 QLD CONTAINER REFUND SCHEME

To brief Council of an application made by Council to operate as a Container Refund Point Operator (CRPO).

RESOLUTION 12:22/09/2021

That Council endorses the report as read. With this endorsement council supports the introduction of the Container Refund Scheme to Yarrabah, in line with its Waste Management Strategies, recognising the potential benefits this initiative will have for community. Council also acknowledges the scope of the project, with incorporates a new business – with the potential to be leased (in future) to the community as a private enterprise.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

7.12 BRIEFING PAPER - BETEL NUT

To brief Council on inquiries to date as to the legality of Betel Nut in community. Reference to CEO Operational Report – Action Item 10.1

RESOLUTION 13:22/09/2021

That Council accept the briefing paper about the areca ‘betel nut’ palm and acknowledge the report as read .

Moved: Cr Ross Andrews

Seconded: Cr David Baird

CARRIED

ACTION ITEMS

- CEO is instructed to proceed with action to amend Local law.

At 5:50 pm, Cr Lucrecia Willett left the meeting.

At 5:51 pm, Cr Lucrecia Willett returned to the meeting.

8 CORRESPONDENCE

8.1 REQUEST FOR DONATION - THE NITE BIRDS COMMEMORATIVE CELEBRATION

To report to Council of correspondence received from Ms Laurianne Harris, requesting financial assistance for a commemorative celebration.

RECOMMENDATION

That Council Acknowledges milestone occasion for 'The Nite Birds' - 60 years of being the original instrumental band in Yarrabah.

In recognition of this milestone, Council authorises the CEO to classify this as a one off 'community event' schedule for 30th October. The community hall authorised to be used for this event and the event managed using current COVID rules.

Organising members to work with Director Community Services to ensure the terms of the hall use and management of event is in-line with council's terms and conditions

Council deferred matter until next the meeting CEO to provide additional information about the use of the Hall and other matters.

At 6:00 pm, Cr Brian Underwood left the meeting.

At 6:01 pm, Cr Brian Underwood returned to the meeting.

Cr Jackson declared his interest and left the meeting at 6.14pm

Cr Andrews left the meeting at 6.16pm

Cr Jackson returned to the meeting at 6.19pm

8.2 REQUEST FOR COMMEMORATIVE PLAQUE FOR THE LATE HAROLD JACKSON

To table correspondence received from the relatives of the late Harold Jackson, requesting a commemorative plaque be erected at Gribble Point.

Council support the reference to skippers to be added to the Yarrabah Story Board on the Jetty

RESOLUTION 14:22/09/2021

That Council:-

1. Note the tabled correspondence from the relatives of the late Harold Jackson, as read.
2. Support a general reference to the skippers to be acknowledge and added to the Yarrabah Story Board on the Jetty.
3. Confirm the actions by the CEO in referring this matter to the Gunggandji-Mandingalbay Yidinji Peoples PBC and advising the relatives' representative accordingly.

Cr Willett consulted with family members on behalf of Council.

Moved: Cr Brian Underwood

Seconded: Cr Lucrecia Willett

CARRIED

8.3 CORRESPONDENCE FROM THE ELECTORAL COMMISSION QUEENSLAND

Table correspondence to the CEO from the Electoral Commission Queensland (ECQ) in relation to local government elections in 2020 and engagement plan leading up to 2024 local government elections.

RESOLUTION 15:22/09/2021

That Council note the correspondence from the Electoral Commission Queensland, as read

Moved: Cr Lucrecia Willett

Seconded: Cr David Baird

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 20 October 2021 at 3pm.

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

Meeting closed at 6.27 pm.

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MAYOR