

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON TUESDAY, 25 OCTOBER 2022 AT 9.00AM**

- PRESENT:** Cr Ross Andrews (Mayor), Cr David Baird, Cr Brian Underwood, Cr Lucrecia Willett (by telephone), Cr Kenneth Jackson
- IN ATTENDANCE:** Richard Wright (Acting CEO), Mike Mair (Director Corporate Services), Preston Andrews (Director Works and Infrastructure)
- ABSENT:** Bernadette Joinbee (Acting Director Community Services) On leave.
Leona Worrell (Acting Director Human Resources, Risk and Regulations) – Representing A/CEO at Wugu Nyambil AGM.
Charlene Cressbrook (PA to CEO & Mayor – Minute Taker)

1 MEETING OPEN

Mayor Andrews declared the meeting open at 9.17am.

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

Councillor Baird opened with a word of Prayer.

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

Mayor advised that due to Sorry Business in community today, meeting would be adjourned at 10.00am to allow Councillors to attend service.

2 ACKNOWLEDGEMENT OF 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 still reside in Yarrabah.

Acknowledgment also offered to the other Trustees of this land (the PBCs), the stolen generations and for our historical descendants whose elders past present and emerging also call Yarrabah home and support progress in the Shire.

3 APOLOGIES

Mayor advised Council of the absence of Councillor Willett who was presently in St. George. Council's endorsement sought for Councillor Willett to participate by teleconference.

Acting CEO also advised Council that due to the absence of some staff, the Acting CEO will deliver the operational reports for Community Services and Human Resources and also take the minutes for the meeting.

RESOLUTION 01:25/10/2025

That the apology received from Cr Willett be accepted and leave granted for the Councillor to participate by teleconference.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

4 CONFIRMATION OF PREVIOUS MINUTES**RESOLUTION 02:25/10/2022**

That the minutes of the Ordinary Council Meeting held on 21 September 2022 be adopted.

Moved: Cr David Baird

Seconded: Cr Brian Underwood

CARRIED

5 BUSINESS ARISING FROM PREVIOUS MINUTES

Council requested update with regards to the moving of the demountable building. A/CEO advised that this was addressed in the CEO Operational report for this meeting. Gindaja had advised that the move was proposed to take place today. The surveyors had conducted their inspections. Further actions would be completed in the near future in line with Council's resolution. Council noted that they hoped consideration had been made with regards to Sorry Business today during the move, although the notice for Sorry Business only came out yesterday.

Council requested update with regards to a review of the Housing Policy. The Acting CEO advised that this was addressed in the CEO Operational report. Due to availability issues, the workshop with Councillors was yet to be scheduled.

Council inquired as to the impact of the resolution to pursue opportunities for the purchase of False Cape, following media reports that this had just sold. Acting CEO confirmed media reports that were released the day after the last Council meeting. As a result, no further action will be taken on this matter.

9.35 am. Councillor Willett joined the meeting by teleconference.

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.

Councillor Underwood declared a conflict of interest in relation to Item 7.9 – Position of Deputy Mayor.

Acting CEO confirmed to the Mayor that Councillor Underwood had declared this conflict of interest prior to the meeting. Council may consider allowing the Councillor to remain present for this determination to respond to any clarifications Council may seek, but Councillor should refrain from voting on this matter.

The Mayor advised Councillor Underwood that his conflict of interest was noted. His input would be required in discussions relating to the appointment of a new Deputy Mayor. Councillor Underwood to abstain from voting on the acceptance of his resignation from the position of Deputy Mayor.

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 October 2022.

The Acting CEO read to the report.

Council noted the concerns of the Acting CEO with regards to debt levels in Tenancy and QBuild particularly. The Mayor suggested that all Directors should be present whilst the Finance report is presented to Council. The Mayor acknowledged that although these issues were addressed in Directors meetings, their attendance during the delivery and debate of the Finance report to Council would show Council's support for affirmative action being taken in these areas. Acting CEO thanked Council for their support and agreed with the suggestion. This would be implemented at the next meeting. Acting CEO would support Council seeking clarification from the individual Directors during the meeting but reminded Councillors of responsibilities relating to separation of powers during any discussions arising from this action.

10.00am: Meeting Adjourned (Councillors attending Sorry Business)

11.00am: Meeting reconvened.

Council noted the actions taken with regards to W4Q4 projects. The Acting CEO confirmed that strategic direction is sought from Council as to uncommitted funds/projects and where necessary, a variation will be sought from the funding body. In the interim, any further expenditure would require the Acting CEO's authority. This requirement had been conveyed to all Directors. Mayor suggested that Directors be requested to submit possible projects for Council's consideration. Acting CEO to action this.

RESOLUTION 03:25/10/2022

That Council accept the CEO Operational Report for the period to 21 October 2022.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED

11.34am: Director Corporate Services entered meeting.

7.2 YASC MONTHLY FINANCIAL REPORT

PURPOSE OF THE REPORT

Provide council with monthly financial report. This report covers the financial period 30 September 2022.

The Director Corporate Services read to the report.

The Director confirmed areas of concern remained Tenancy debt and aged QBuild matters. Actions now implemented seem to be having some effect but will be monitored.

RESOLUTION 04:25/10/2022

That Council accept the 30 September 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 Interest Reports
8. Grants Report

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED

7.3 QLD AUDIT OFFICE - FINAL MANAGEMENT LETTER**PURPOSE OF THE REPORT**

For Council's information. The Auditor-General has issued an unmodified audit opinion on the Yarrabah Aboriginal Shire Council's Financial Statements for 2021-2022.

The Director Corporate Services read to the report.

The Acting CEO advised that as a result, Council were required to endorse and publish on our website the Annual Report 2021 – 2022. This would be presented to the next Ordinary Council Meeting on 16 November 2022, which provided sufficient time to ensure legislative compliance.

RESOLUTION 05:25/10/2022

That Council:

1. Endorse the QAO Financial Management Report for 2021/22 Financial Year.
2. Acting CEO and executive management team instructed to ensure appropriate financial standards are met and actions identified for management attention are resolved in a timely manner.

Moved: Cr David Baird

Seconded: Cr Kenneth Jackson

CARRIED

7.4 AUDIT COMMITTEE CHAIR

Provide Council with a recommendation in relation to the membership of the Audit Committee Chair. The current 4 year term is due to expire in February 2023.

The Director Corporate Services read to the report.

Council sought the view from Councillors Baird and Jackson, who are members of the Audit Committee. Councillors identified the good job the Chair was doing in this role and supported the recommendation of the Director.

RESOLUTION 06:25/10/2022

That Council extend the current Audit Committee Chair for a further term of four years.

Moved: Cr Kenneth Jackson

Seconded: Cr David Baird

CARRIED

7.5 2022-2032 LONG TERM FINANCIAL FORECAST**PURPOSE OF THE REPORT****Council to adopt the 2022-2032 Long Term Forecast**

The Director Corporate Services advised that it was a legislative requirement for Council to adopt a long term financial forecast. This was now presented to Council for their consideration.

The Director then read to the report.

RESOLUTION 07:25/10/2022

That Council resolve to adopt Council's 2022-2032 long term financial forecast.

Moved: Cr Kenneth Jackson

Seconded: Cr David Baird

CARRIED

1.00pm: Meeting adjourned / Director Corporate Services left meeting.

1.15pm: Meeting recommenced / Director Works & Infrastructure entered meeting.

7.6 WORKS & INFRASTRUCTURE - OPERATIONAL REPORT**PURPOSE OF THE REPORT****To report to Council the status/activities of Works & Infrastructure Department areas for the month up to 25 October 2022.**

Director Works & Infrastructure read to report.

Council inquired as to actions from recent flyer relating to blockages of sewerage system. Director advised of a number of large foreign objects being put through the system. System did need upgrade and potential funding options discussed.

Council inquired as to completion date for Bishop Malcolm Park, due to recent conflicting information. Director advised that stage area was due to be completed at end of November but would confirm with Contractor and advise Council. Landscaping part of project was about to be released for tender.

RESOLUTION 08:25/10/2022

That Council resolve to accept the report of the Director – Works & Infrastructure, tabled as read.

Moved: Cr Kenneth Jackson

Seconded: Cr David Baird

CARRIED

7.7 HUMAN RESOURCES - OPERATIONAL REPORT**PURPOSE OF THE REPORT**

To report to Council the status/activities of Human Resources areas for the month up to 19 October 2022.

Acting CEO read to report.

Councillor Willett requested additional information in relation to the Social Reinvestment grant. Acting CEO to arrange meeting with relevant parties to discuss.

RESOLUTION 09:25/10/2022

That Council resolve to accept the report of the Acting Director, Human Resources, Risk & Regulations, tabled as read.

Moved: Cr David Baird

Seconded: Cr Lucrecia Willett

CARRIED

7.8 COMMUNITY SERVICES - OPERATIONAL REPORT**PURPOSE OF THE REPORT**

An overview of program activities organised and or undertaken within the Department of Community Services for the following period, September / October 2022.

Acting CEO read to report.

RESOLUTION 10:25/10/2022

That Council accept the Acting Director of Community Services Operational Report for September to October 2022.

Moved: Cr Brian Underwood

Seconded: Cr Ross Andrews

CARRIED

7.9 POSITION OF DEPUTY MAYOR**PURPOSE OF THE REPORT**

To inform Council of correspondence from Deputy Mayor resigning from position. To seek appointment of another Councillor to this position.

Acting CEO informed Council of the formal resignation request by Cr Underwood from the position of Deputy Mayor. Mayor Andrews asked Cr Underwood if he wished to expand on reasons for this action. Cr Underwood advised that due to work commitments and care for family members, he was finding it difficult at this time to meet obligations in this position. Council thanked Cr Underwood for his efforts in the role up to this time.

Mayor called for vote, reminding Cr Underwood he was to refrain from doing so.

RESOLUTION 11:25/10/2022

That Council resolve to accept the resignation of Councillor Brian Underwood from the position of Deputy Mayor, effective 25 October 2022.

Moved: Cr Kenneth Jackson

Seconded: Cr David Baird

Abstained: Cr Brian Underwood

CARRIED

A/CEO reminded Council that in considering the appointment of Deputy Mayor, they should be mindful of civic and legislative responsibilities to represent Council, assisting or on behalf of the Mayor.

Council debated appointment of Deputy Mayor. Unanimous decision to appoint Cr Baird. Mayor called on Cr Baird to accept the position. Cr Baird accepted, thanking Council for the opportunity. Mayor called on Cr Baird to refrain from vote.

RESOLUTION 12:25/10/2022

That Council resolve to appoint Councillor David Baird to the position of Deputy Mayor, effective 26 October 2022.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

Abstained: Cr David Baird

CARRIED

7.10 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED].

A/CEO reminded Council that due to the urgency of this matter, verbal approval was obtained and as a result, this application was endorsed by Councillors Willett and Jackson on 7 October 2022.

A/CEO requested that these Councillors may wish to move and second this resolution.

RESOLUTION 13:25/10/2022

That Council resolve to endorse the recommendation provided by the Acting CEO to accept the application for confirmation of Aboriginality community affiliation as submitted by the following person:

- [REDACTED]

Moved: Cr Lucrecia Willett

Seconded: Cr Kenneth Jackson

CARRIED

7.11 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

A/CEO reminded Council that due to the urgency of this matter, verbal approval was obtained and as a result, this application was endorsed by Mayor Andrews and Councilor Willett on 11th and 12th of October 2022.

A/CEO requested that these Councillors may wish to move and second this resolution.

RESOLUTION 14:25/10/2022

That Council resolve to endorse the recommendation provided by the Acting CEO to accept the application for confirmation of Aboriginality community affiliation as submitted by the following person:

- [REDACTED]

Moved: Cr Lucrecia Willett

Seconded: Cr Ross Andrews

CARRIED

8 CORRESPONDENCE**8.1 CORRESPONDENCE - FUNERAL ASSISTANCE SCHEME UPDATES****PURPOSE OF THE REPORT**

To inform Council of arrangements to make and pay for funeral arrangements for eligible persons who have died in Queensland.

RESOLUTION 15:25/10/2022

That Council resolve to note the correspondence tabled as read.

Moved: Cr Ross Andrews

Seconded: Cr Lucrecia Willett

CARRIED**8.2 CORRESPONDENCE - HOUSING CHALLENGES FACING QUEENSLAND****PURPOSE OF THE REPORT**

To advise Council of correspondence received from the Director General, Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) requesting data as to underutilised state and local government land and building assets to be used to assist in meeting some of the housing demand challenges.

To inform Council of response provided.

RESOLUTION 16:25/10/2022

That Council resolve to note the correspondence tabled as read.

Moved: Cr Brian Underwood

Seconded: Cr David Baird

CARRIED**8.3 REGIONAL DROUGHT RESILIENCE PLANNING PROGRAM – ROUND 2****PURPOSE OF THE REPORT**

Formal invite for Yarrabah Aboriginal Shire Council to be a partner in the Regional Drought Resilience Planning (RDRP) program in Queensland. This program is jointly funded through the Queensland Government and the Federal Government's Future Drought Fund.

RESOLUTION 17:25/10/2022

That Council resolve to note the correspondence tabled as read.

Moved: Cr Brian Underwood

Seconded: Cr Ross Andrews

CARRIED

8.4 CORRESPONDENCE - 2022-23 FUNDING STATE GOVERNMENT FINANCIAL AID (SGFA), INDIGENOUS ECONOMIC DEVELOPMENT GRANT (IEDG) AND THE REVENUE REPLACEMENT PROGRAM (RRP)

PURPOSE OF THE REPORT

To advise Council of financial commitment made and ongoing review of the SGFA, IEDG and RRP grants programs by the Department of State Development, Infrastructure, Local Government and Planning.

RESOLUTION 18:25/10/2022

That Council resolve to note the correspondence tabled as read.

Moved: Cr Ross Andrews

Seconded: Cr Lucrecia Willett

CARRIED

9 STRATEGIC PORTFOLIO UPDATE

Nil

10 CONFIDENTIAL MATTERS

Nil

11 CLOSE OF MEETING

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

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

Meeting closed at 2.50 pm.



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MAYOR