

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 21 DECEMBER 2022 AT 9.00AM**

PRESENT: Cr Ross Andrews (Mayor), Cr Brian Underwood, Cr Lucrecia Willett, Cr Kenneth Jackson, Cr Hezron Murgha

IN ATTENDANCE: Richard Wright (CEO), Mike Mair (Director – Corporate Services), Preston Andrews (Director Works and Infrastructure), Leona Worrell (A/Director, Human Resources Risk & Regulations), Bernadette Joinbee (A/Director, Community Services), Charlene Cressbrook (PA to CEO & Mayor – Minute Taker)

1 MEETING OPEN

Mayor Andrews declared the meeting open at 9:20am.

The Mayor welcomed councillors and staff members present to the meeting and informed Council that Deputy Mayor Underwood and Councillor Willet had advised that they would be running late.

The Mayor noted that since the last meeting, one of Council's employees had passed away. The Mayor also noted the tragic circumstances that resulted in the loss of life of two Queensland Police Officers. The Mayor (supported by Councillors) requested the CEO to send a message of sympathy to the Police Service.

The Mayor also noted that as there was "Sorry Business" in community today, the meeting would adjourn at 10:00am for 45 minutes.

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

CEO requested Council consider a change in order for the Agenda today. The Director – Corporate Services was required to attend to another appointment this afternoon, and as a result it was proposed that the Director present Agenda Item 7.2 (Finance Report) and Agenda Item 8.1 (Correspondence in relation New Local Government Sustainability Framework) at the commencement of the meeting. Council agreed.

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

Advice that Deputy Mayor Underwood and Councillor Willet would be late noted by Council.

Councillor Willett entered at 9:27am

Deputy Mayor Underwood entered at 9:39am

7.2 YASC MONTHLY FINANCIAL REPORT

PURPOSE OF THE REPORT

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

The Director Corporate Services commenced his report.

Mayor noted that debts were increasing in other areas. Director advised that in consultation with CEO, a letter would be sent to blockholders in the New Year, similar to that already sent to Social Housing debtors.

Mayor noted over expenditure for wages in some Works areas and reminded CEO and Directors that fiscal responsibility for this was at an operational level. CEO advised that processes were being implemented by the Director Works & Infrastructure to address this issue.

Cr Murgha noted that trends should be monitored to identify potential issues to be addressed. The Director advised that part of the work to be undertaken by QTC in the new year would assist in this process.

RESOLUTION 01:21/12/2022

That Council accept the 30 November 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 Report
8. Grants Report

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED 5/5

8.1 NEW LOCAL GOVERNMENT SUSTAINABILITY FRAMEWORK

PURPOSE OF THE REPORT

Update Council on the new sustainability framework superseding the Financial Management (Sustainability) Guidelines 2013.

The Director Corporate Services referred to the tabled correspondence and highlighted the new framework and measures for reporting on sustainability. Mayor noted the grouping of indigenous Councils in Tier 8 was a fairer measure. The Director advised that QTC were visiting in January and would welcome the opportunity to brief Councillors. CEO would arrange workshop with Councillors and QTC.

RESOLUTION 02:21/12/2022

That Council note the new financial sustainability measures that are anticipated to be effective 1 July 2023, and correspondence tabled relating to this, as read.

Moved: Cr Kenneth Jackson
Seconded: Cr Brian Underwood

CARRIED 5/5

Meeting adjourned at 10:00am

Meeting reconvened at 10:45am

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 03:21/12/2022

That the minutes of the Ordinary Council Meeting held on 23 November 2022 be adopted.

Moved: Cr Ross Andrews
Seconded: Cr Kenneth Jackson

CARRIED 5/5

5 BUSINESS ARISING FROM PREVIOUS MINUTES

Nil.

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.

The Mayor and Councillor Willett declared a conflict of interest in relation to Agenda Items 7.9 (Confirmation of Aboriginality – [REDACTED]) and Agenda item 7.10 (Confirmation of Aboriginality – [REDACTED]).

CEO confirmed that the Mayor and Councillor Willett had declared their conflict of interest prior 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 months of November/December 2022.

CEO read to the report.

CEO advised that the action plan for Yarrabah as a Reef Guardian Council was to be presented at this meeting. This provided access to funding opportunities. There was also a Reef Guardian Councils Working Group meeting and funding workshop to be conducted in Townsville on 1 February 2023. The CEO suggested consideration for attendance at this workshop by the Mayor and CEO.

CEO advised that following the SES presentation in relation to the Starlink satellite communications equipment, Council had ordered two units. The cost associated is offset by cancelling the two satellite phone contracts currently held by Council. These phones have been identified as not functioning. One unit is to be placed at chambers for use in disaster management and the other is to be trialled at the Arts Museum complex. If this resolves ongoing connectivity issues it may not be necessary to have the fibre optics installed that had been costed to the W4Q4 programs. Consideration can then be given by Council as to other projects utilising this funding. As a result, the CEO will await the outcome from the tests and then seek guidance from Council. No variation to the funding body for W4Q4 has been submitted until this is decided.

RESOLUTION 04:21/12/2022

That Council accept the CEO Operational Report for the period to 20 December 2022

Moved: Cr Ross Andrews

Seconded: Cr Kenneth Jackson

CARRIED 5/5

At 11:00 am, Director Corporate Services left the meeting.

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

To provide Council an overview of operational activities undertaken within the Department of Community Services for the following period, November / December 2022.

The Acting Director read to the report.

Arrangements to be made in the New Year for Artists to paint murals on the new "Gillian Bann Women's facility at Jilara Oval.

Cr Willett inquired as to whether appropriate authorities had been obtained from people in relation to the proposed photographic exhibition by Wayne Coolwell. The Acting Director to follow up and advise Council.

Next community meeting for Survival day scheduled for Tuesday 10 January 2023. Council requested a "run sheet" be prepared for Survival Day activities. Consideration as to engaging a MC for the day. Mayor suggested an EOI to community for this position.

RESOLUTION 05:21/12/2022

That Council accept the Acting Director of Community Services Operational Report for November to December 2022.

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED 5/5

Meeting adjourned at 12:30pm

Meeting reconvened at 1:10pm

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

To report to Council the status/activities of Human Resources areas for the month up to 13 December 2022.

The Acting Director read to the report.

Mayor requested that as CEO had now been appointed, a formal letter of resignation from substantive position of Director – Human Resources, Risk & Regulations be submitted. CEO advised that new CEO contract supersedes previous contract, but agreed to formalise this as requested.

Council inquired as to organisations / groups that are eligible for funding contribution of the Yarrabah DFV (Social Reinvestment) Grant being delivered by Council. In particular for organisations such as Seahawks who have programs that may fit within criteria. CEO to follow up with Planz Town Planning, who are managing the delivery of this on behalf of Council.

RESOLUTION 06:21/12/2022

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

Moved: Cr Kenneth Jackson

Seconded: Cr Lucrecia Willett

CARRIED 5/5

7.5 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 21 December 2022.

The Director read to the report.

Council inquired as to progress of cyclone clean-up in community. Director advised that this was progressing and would continue over the Christmas / New Year break by the skeleton crew rostered on and also into the New Year when normal operations resume.

Council requested confirmation from the contractor as to the completion of Bishop Malcolm Park with the view of using this for some activities on Survival Day. Director to obtain confirmation.

CEO advised Council that initial quotes had been received for the landscaping of the park, which extensively exceeded initial allocations for this project. Alternative options were being developed and would be workshopped with Council.

RESOLUTION 07:21/12/2022

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

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

CARRIED 5/5

7.6 RESERVOIR BETTERMENT WORKS**PURPOSE OF THE REPORT**

Contract YASC2022-009 QRA funded - Reservoir road betterment works for sum of \$368,031.50 (ex GST).

The Director read to the report.

The Director confirmed that QRA had been consulted throughout this process. In principle support had been obtained for funding and formal approval is forthcoming. Council should consider awarding the contract, subject to QRA funding.

RESOLUTION 08:21/12/2022

That Council award Contract YASC2022-009 to Terranovus Civil for sum of \$368,031.50 excluding GST on the proviso that QRA provide funding approval to complete the entire scope of works.

Moved: Cr Kenneth Jackson

Seconded: Cr Ross Andrews

CARRIED 5/5

7.7 ORDINARY COUNCIL MEETING DATES - 2023**PURPOSE OF THE REPORT**

To seek endorsement by Council for the Ordinary Meeting dates for 2023.

The CEO advised Council that under the provisions of the Local Government Regulations 2012, Council were required to publish their meeting dates for 2023. Council had previously resolved that Ordinary Council meetings were to be held on the third Wednesday of every month at 9.00am.

Council may wish to confirm these dates and times for the 2023 calendar year.

RESOLUTION 09:21/12/2022

That Council resolve that the Ordinary Council Meetings for 2023 will occur at 9.00am on the third Wednesday of every month.

Council instructs the CEO to ensure appropriate notice of these dates are advertised, in accordance with legislative requirements.

Moved: Cr Ross Andrews

Seconded: Cr Brian Underwood

CARRIED 5/5

7.8 DRAFT - REEF GUARDIAN COUNCIL ACTION PLAN**PURPOSE OF THE REPORT**

To present to Council the draft plan for Yarrabah Aboriginal Shire –Reef Guardian Council Action Plan

CEO advised that as a signatory to the Reef Guardian Councils, Action Plans were required to be developed and these ran in conjunction with Council's term in office. No action plan was provided in 2020. To rectify this a draft plan been prepared for Council's consideration and endorsement.

RESOLUTION 10:21/12/2022

That Council endorse the Yarrabah Aboriginal Shire Council –Reef Guardian Council Action Plan, as presented by the CEO.

Moved: Cr Brian Underwood

Seconded: Cr Hezron Murgha

CARRIED 5/5

Mayor Ross Andrews and Cr Lucrecia Willett declared conflict of interest and left the meeting at 3:00pm

7.9 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].

CEO advised that formal resolution sought.

Due to the urgency of this matter, verbal approval was obtained and as a result, this application was endorsed by Deputy Mayor Underwood and Councillor Jackson on 19th December 2022.

The approved form was signed, sealed and recorded in the common seal register.

CEO requested that signing Councillors move and second the resolution.

RESOLUTION 11:21/12/2022

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

- [REDACTED]

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED 3/3

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].

CEO advised that formal resolution sought.

Due to the urgency of this matter, verbal approval was obtained and as a result, this application was endorsed by Deputy Mayor Underwood and Councillor Jackson on 19th December 2022.

The approved form was signed, sealed and recorded in the common seal register.

CEO requested that signing Councillors move and second the resolution.

RESOLUTION 12:21/12/2022

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

- [REDACTED]

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

CARRIED 3/3

Mayor Ross Andrews and Cr Lucrecia Willett returned to the meeting at 3:05pm

8 CORRESPONDENCE

8.2 LETTER - APPROVAL FOR SPECIAL HOLIDAYS 2023

PURPOSE OF THE REPORT

To advise Council of the formal approval of holidays for Yarrabah for 2023.

The CEO advised Council that formal notification had been received, confirming dates applied for as special holidays in 2023. Correspondence tabled.

RESOLUTION 13:21/12/2022

That Council note the correspondence tabled as read.

Moved: Cr Kenneth Jackson

Seconded: Cr Lucrecia Willett

CARRIED 5/5

8.3 LETTER FROM HONOURABLE LEEANNE ENOCH MP, MINISTER FOR COMMUNITIES AND HOUSING, MINISTER FOR DIGITAL ECONOMY AND MINISTER FOR THE ARTS.

PURPOSE OF THE REPORT

To advise Council of correspondence received from the Honourable Leeanne Enoch MP, Minister for Communities and Housing, Minister for Digital Economy and Minister for the Arts in relation to Housing Related Infrastructure and Land Development activities.

CEO advised that written confirmation has been received from the Minister that the community led master planning activity for the proposed Balamba subdivision is within the scope of funds already approved for Council under the Interim Remote Capital Program. Preliminary activities have commenced to advance this activity.

RESOLUTION 14:21/12/2022

That Council note the correspondence tabled as read.

Moved: Cr Lucrecia Willett

Seconded: Cr Brian Underwood

CARRIED 5/5

8.4 CORRESPONDENCE FROM TCICA**PURPOSE OF THE REPORT**

To advise Council of correspondence from Torres Cape Indigenous Council Alliance Inc (TCICA) in relation to membership.

CEO advised that as a result of recent conversations with TCICA, at request of the Mayor he liaised with the TCICA Executive Officer with regards to the process of Yarrabah joining this association. Correspondence to be tabled has now been received from the TCICA Chair with regards to the process for membership. Matter is for Council to debate and instruct the CEO accordingly.

Council debated and identified that there were a number of key challenges that were common to Yarrabah and TCICA members, including Remote Indigenous Housing, Telecommunications and Digital Connectivity, Climate Change, Natural Disasters, Cost of delivery of Municipal Services and Tourism.

Council agree that membership of TCICA will provide further avenues of advocacy for these issues.

RESOLUTION 15:21/12/2022

That Council:

1. note the correspondence tabled, as read.
2. instruct the CEO to make formal written application for membership to TCICA.

Moved: Cr Lucesia Willett

Seconded: Cr Hezron Murgha

CARRIED 5/5

9 STRATEGIC PORTFOLIO UPDATE

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

10 OTHER MATTERS

Nil

3 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 18 January 2023.

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

Meeting closed at 3:33 pm.



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MAYOR