

**MINUTES**  
**Yarrabah Aboriginal Shire Council**  
**Ordinary Meeting**  
**Held at Yarrabah Aboriginal Shire Council Chambers**  
**56 Sawmill Road, Yarrabah**  
**27 March, 2018**  
**at 9.00am**

**PRESENT:**

Ross Andrews	Mayor
Michael Sands	Deputy Mayor
Nadine Cannon	Councillor
Ian Patterson	Councillor

**APOLOGIES:**

Cr Cedric (Sick in hospital)	Councillor
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**STAFF:**

Janelle Menzies	Chief Executive Officer
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**VISITORS:**

**01. WELCOME AND OPENING OF MEETING**

Mayor Andrews declared the meeting open at 2.05pm. The councillors and staff members present were welcomed to the meeting.

The Mayor asked the council if there were any apologies for the meeting and reminded the councillors of the need to declare their conflicts of interest as required for items in the meeting.

Minute silence for loss of community member during the last.

**02. CONFIRMATION OF PREVIOUS MINUTES**

**RESOLUTION 01:27/03/2018 – That the Council – adopt the minutes:**

- Ordinary Meeting 27 February, 2018

MOVED:	Cr Sands	CARRIED.
SECONDED:	Cr Patterson	

**03. BUSINESS ARISING FROM PREVIOUS MINUTES**

Councillor	Comment
Mayor Andrews	Bank & Post Office
Deputy Mayor Sands	No mover & seconder
Cr Cannon	
Cr Cedric	
Cr Patterson	
CEO	

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<b>04. MATTERS FOR DECISION</b>
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4.1	Monthly Financial Report	Exec Manager Corporate Services
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Summary/Purpose: Finance Report for February 2018

<u>RESOLUTION 02:27/03/2018</u> – that the council resolve to adopt the finance report for February, 2018
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MOVED:	Cr Cannon	CARRIED.
SECONDED:	Cr Patterson	

4.2	Childcare Fee's Debtors Write Off	Exec Manager Corporate Services
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Summary/Purpose: To write off Childcare Fee Debtors over 7 years old or without any details.

<u>RESOLUTION 03:27/03/2018</u> – that the council resolve to write off daycare debts over 6 years old that are no longer collectable.
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MOVED:	Cr Andrews	CARRIED.
SECONDED:	Cr Cannon	

4.3	Pre-Qualified Suppliers for Trades & Services 2017-2019	Exec Manager Works & Infrastructure
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Summary/Purpose: approve the establishment of the Panel of Pre-Qualified Suppliers for Trades and Services 2017-2019 (YASC 2017-5)

<u>RESOLUTION 04:27/03/2018</u> – that the Council resolve to approve the establishment of the Panel of Pre-Qualified Suppliers for Trades and Services 2017-2019 (YASC 2017-5) in accordance with the evaluation and recommendations; and
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Delegates authority to the Chief Executive Officer in accordance with Government Act 2009 to negotiate, finalise and execute any and all matters in relation to these arrangements.

MOVED:	Cr Sands	CARRIED.
SECONDED:	Cr Cannon	

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4.4	Jobactive Service Delivery Model	Exec Manager Infrastructure & Works
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Summary/Purpose Council to endorse the Jobactive Service Delivery Model for commencement on 1 July, 2018

**RESOLUTION 05:27/03/2018 –** that the council resolve to endorse the Jobactive Service Delivery Model.

The report is to be forwarded to the Department of Jobs

MOVED:	Cr Andrews	CARRIED.
SECONDED:	Cr Patterson	

4.5	Amendment to Drug & Alcohol Policy	Human Resources, Risk & Regulation Manager
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Summary/Purpose Council to approve the Amended Drug & Alcohol Policy

**RESOLUTION 06:27/03/2018 –** that the council resolve to adopt the amended Drug & Alcohol Policy.

MOVED:	Cr Sands	CARRIED.
SECONDED:	Cr Andrews	

Cr Sands left the meeting at 3.20 pm

4.6	Update of Rectory House	CEO
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Summary/Purpose: Update on request for mediation as requested at last meeting

**RESOLUTION 07:27/03/2018 –** that council resolves to support allocation of 3 Smith Street being designated for the priest in charge for the continuous ongoing ministry of spiritual health of St Albans Church to the community of Yarrabah.

This is unfortunate that we have to request the current tenant to vacate the premises as we would like to support the work of the Anglican Church for the whole community.

Council gives delegation to the CEO to carry out the process under the Tenancy Act.

MOVED:	Cr Andrews	CARRIED.
SECONDED:	Cr Patterson	

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4.7	Local Tenancies	CEO
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Summary/Purpose : Update on Local Tenancies and Rent Collection

tabled		
MOVED:		
SECONDED:		

4.8	Legal Matters	CEO
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Summary/Purpose CEO update on Legal Matters

<u>RESOLUTION 08:27/03/2018</u> – that the council resolve give direction for the CEO to give final notice to move out commercial tenants who have not made any attempt to pay their rent.		
MOVED:	Cr Andrews	
SECONDED:	Cr Cannon	CARRIED.

4.9	Update from Audit Committee	CEO
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Summary/Purpose to provide council will update

<u>RESOLUTION 09:27/03/2018</u> – that the council resolute to accept the Audit Committee Meeting.		
MOVED:	Cr Andrew	
SECONDED:	Cr Cannon	CARRIED.

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4.10	Sponsorship Yarrabah Seahawks Rugby League Football and Sports Club Aboriginal Corporation	CEO
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Summary/Purpose The Yarrabah Seahawks Rugby League Football and Sports Club Aboriginal Corporation are requesting sponsorship of \$3000 to balance of Jerseys

RESOLUTION 10:27/03/2018 - that the council resolve to sponsor the Yarrabah Seahawks Football Club Aboriginal Corporate \$3000 to go towards the Players jerseys.

MOVED:	Cr Cannon	CARRIED.
SECONDED:	Cr Patterson	

4.11	Sandra Houghton and Bruce Lee	CEO
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Summary/Purpose Renewal of Supermarket Lease

RESOLUTION 12:27/03/2018 – That the Council adopt to accept the option on the Supermarket Lease.

MOVED:	Cr Cannon	CARRIED.
SECONDED:	Cr Patterson	

4.12	Quarterly Report on Operational Plan	CEO
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Summary/Purpose Quarterly Report Operational Plan at 31/12/2017

Draft was tabled

MOVED:		
SECONDED:		

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4.13	Development Application over Lot 40 SP279560	CEO
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Summary/Purpose Consider Development Application over Lot 40 SP279560 Back Beach Rd for:

1. Reconfiguration of a Lot (1 lot into 2); and
2. Material Change of Use (Dwelling House)

**RESOLUTION 14:27/03/2018 – that the council resolve to**

1. Assess and decide a development application, pursuant to Section 53 (3) even though some of the requirements of the development assessment rules have not been complied with, on the basis that the noncompliance has not—
  - (a) Adversely affected the public’s awareness of the existence and nature of the application; or
  - (b) Restricted the public’s opportunity to make properly made submissions about the application.
2. Approve the development application for the Reconfiguring of a Lot, and Dwelling House over land described as Lot 40 SP 279560, located at Back Beach Road, Yarrabah, subject to the following conditions:

**PART 1: APPROVED DRAWING/S AND DOCUMENT/S**

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

Drawing or Document	Reference	Date
Cairns Quality Homes	3br dwelling approx. 12m x 14m and Specification	03/08/2017
Plan of Lots 40 & 41	RPS SP298399	24/04/2017

**PART 2: DEVELOPMENT CONDITIONS GENERAL**

Assessment Manager Conditions

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1. This Approval, granted under the provisions of the Planning Act 2016, shall lapse four (4) 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 drawing(s) and/or document(s),
  - a. The specifications, facts and circumstances as set out in the application submitted to Council;
  - b. The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval

**Timing of Effect**

3. The conditions of the Development Permit must be effected prior to Commencement of Use, except where specified otherwise in these conditions of approval.

**Water Supply and Sewerage Works Internal**

4. Undertake the following water supply and sewerage works internal to the subject land:
  - a. Provide a single internal water connection to the new Lot 41;
  - b. Provide a single internal sewerage connection to the new Lot 41.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the commencement of the use.

**Electricity**

5. The new Lot 41 shall be connected to electricity to the standard of infrastructure normally associated with the particular use / activity in the area and in accordance with the requirements of the electricity provider.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements

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and satisfaction of the Chief Executive Officer prior to the commencement of the use.

**Driveways and Crossovers**

6. The new lot 41 shall be provided with a sealed driveway from the edge of the bitumen to the property boundary.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the commencement of the use.

**Minimum Fill and Floor Levels**

7. All floor levels in all newly constructed buildings must be located a minimum of 300 mm above the Q100 flood immunity level. In the absence of detailed flood height information, the floor height shall be equal to or greater than the floor heights of existing residential development in Schreiber Street.
8. The development is to have a no-worsening drainage and flooding effect on surrounding properties.

**Lawful Point of Discharge**

9. All stormwater from the properties 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.

MOVED:	Cr Andrews	CARRIED.
SECONDED:	Cr Cannon	



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**05. CORRESPONDENCE**

15	Community Correspondence	Various	
16	Clarence Fourmile	Complaint	CEO to contact Rhys Newton
17	ALGA	2018 National General Assembly	Mayor to attend
18	Neil Scales	Flooding	Tabled
19	Dispute Resolution Centre	Information	Tabled
20			
21			
22			

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**06. STRATEGIC PORTFOLIO FEEDBACK**

<b>Councillor</b>	<b>Comment</b>
Mayor Andrews	Palm Island 20 April
Deputy Mayor Sands	
Cr Cannon	
Cr Cedric	
Cr Patterson	
CEO	

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**CLOSE OF MEETING**

Date for the next Council Ordinary Meeting Tuesday 24 April, 2018, The Mayor thanked the councillors and staff for their participation and attendance at the meeting.

Meeting closed at 3.55 pm

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Mayor Andrews