

MINUTES
Yarrabah Aboriginal Shire Council
Trustee Meeting
22 January 2015

PRESENT:

<i>Errol Neal</i>	<i>Mayor</i>
<i>Mark Wilson</i>	<i>Deputy Mayor</i>
<i>Henry Miller</i>	<i>Councillor</i>
<i>Malcolm Canendo</i>	<i>Councillor</i>
<i>Bevan Walsh</i>	<i>Councillor</i>

APOLOGIES:

STAFF:

<i>Janelle Menzies</i>	<i>Chief Executive Officer</i>
<i>Kate Steele</i>	<i>Planner</i>

VISITOR'S:

1. WELCOME, OPENING OF MEETING and PRAYER

Mayor Errol Neal declared the meeting open 11.00am. The councillors and staff members present were also welcomed to the meeting. 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.

Prayer to open the meeting – Mayor Percy Neal.

2. CONFIRMATION OF PREVIOUS MINUTES

<u>RESOLUTION 01: 22/01/2015 – That the Council as Trustee – adopt the minutes of the Trustee Meeting on the 22 September, 2014.</u>

MOVED:	Cr Wilson	Carried
SECONDED:	Cr Walsh	

MINUTES
Yarrabah Aboriginal Shire Council
Trustee Meeting
22 January 2015

3. MATTERS FOR DECISION

3.1	Planning Officer	LD 2009/05 C BOUGHY: EOI for a 99 year home ownership lease (lease to an Aboriginal person for private residential purposes) (99YHOI)
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Summary/Purpose: To seek trustee approval to accept the Expression of Interest for leasing land to Christopher Wayne Bounghi and Anita Isabel Hedanek over land at Bloomis Point (Lot 201 on SP167913) for the purpose of home ownership.

RESOLUTION 02: 22/01/2015 – That the Council as Trustee –

- a) Accept the Expression of Interest for the purpose of a 99 year home ownership lease subject to all conditions as detailed in the "Agreement to Lease" being met.
- b) Delegate responsibility for the YASC Planner to undertake the necessary steps to progress this lease application through to settlement.

MOVED:	Cr WILSON	Carried
SECONDED:	Cr CANENDO	

3.2	Planning Officer	LD 2014/35 DOROTHEA MAY (JOHNSTON) EOI for a 99 year home ownership lease (lease to an Aboriginal person for private residential purposes) (99YHOI)
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Summary/Purpose: To seek trustee approval to accept the Expression of Interest for leasing land to DOROTHEA ELSPEETH (JOHNSTON) MAY over land at BACK BEACH ROAD for a 99 year home ownership lease.

RESOLUTION 03: 22/01/2015 – That the Council as Trustee –

- a) Accept the Expression of Interest for the purpose of a 99 year home ownership lease subject to all conditions as detailed in the "Agreement to Lease" being met.
- b) Delegate responsibility for the YASC Planner to undertake the necessary steps to progress this lease application through to settlement.

MOVED:	Cr Walsh	CARRIED
SECONDED:	Cr Wilson	

3.3	Planning Officer	LD 2014/34 GILMORE JOHNSTON: EOI for a 99 year home ownership lease (lease to an Aboriginal person for private residential purposes) (99YHOI)
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Summary/Purpose: To seek trustee approval to accept the Expression of Interest for leasing land to GILMORE FREDRICK JOHNSTON over land at BACK BEACH ROAD for a 99 year home ownership lease.

MINUTES
Yarrabah Aboriginal Shire Council
Trustee Meeting
22 January 2015

RESOLUTION 04: 22/01/2015 – That the Council as Trustee –

- a) Accept the Expression of Interest for the purpose of a 99 year home ownership lease subject to all conditions as detailed in the "Agreement to Lease" being met.
- b) Delegate responsibility for the YASC Planner to undertake the necessary steps to progress this lease application through to settlement.

MOVED:	MILLER	CARRIED.
SECONDED:	WALSH	

3.4	Planning Officer	LD 2014/36 CHRISTABELL STAFFORD EOI for a 99 year home ownership lease (lease to an Aboriginal person for private residential purposes) (99YHOL)
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Summary/Purpose: To seek trustee approval to accept the Expression of Interest for leasing land to CHRISTABELL STAFFORD over land at BACK BEACH ROAD for a 99 year home ownership lease.

RESOLUTION 05: 22/01/2015 – That the Council as Trustee –

- a) Accept the Expression of Interest for the purpose of a 99 year home ownership lease subject to all conditions as detailed in the "Agreement to Lease" being met.
- b) Delegate responsibility for the YASC Planner to undertake the necessary steps to progress this lease application through to settlement.

MOVED:	WILSON	CARRIED.
SECONDED:	CANENDO	

3.5	Planning Officer	LD 2013/56 CHRIS BURNS EOI for a 99 year home ownership lease (lease to an Aboriginal person for private residential purposes) (99YHOL)
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Summary/Purpose: To seek trustee approval to accept the Expression of Interest for leasing land to Christopher Harvey Benjamin Burns over land at Back Beach Road for a 99 year home ownership lease.

RESOLUTION 06: 22/01/2015 – That the Council as Trustee –

- a) Accept the Expression of Interest for the purpose of a 99 year home ownership lease subject to all conditions as detailed in the "Agreement to Lease" being met.
- b) Delegate responsibility for the YASC Planner to undertake the necessary steps to progress this lease application through to settlement.

MOVED:	WILSON	CARRIED
SECONDED:	MILLER	

MINUTES
Yarrabah Aboriginal Shire Council
Trustee Meeting
22 January 2015

3.6	Planning Officer	LD 2014/63 JUNE KELLERMEIER EOI for a 99 year home ownership lease (lease to an Aboriginal person for private residential purposes) (99YHOL)
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Summary/Purpose: To seek trustee approval to accept the Expression of Interest for leasing land to JUNE VALERIA KELLERMEIR NEE MUNDRABY over land at Back Beach Road for a 99 year home ownership lease.

RESOLUTION 07: 22/01/2015 – That the Council as Trustee –

- a) Accept the Expression of Interest for the purpose of a 99 year home ownership lease subject to all conditions as detailed in the "Agreement to Lease" being met.
- b) Delegate responsibility for the YASC Planner to undertake the necessary steps to progress this lease application through to settlement.

MOVED:	CANENDO	CARRIED
SECONDED:	WALSH	

3.7	Planning Officer	LD 2014/37 DEANNA KYNUNA: EOI for a 99 year home ownership lease (lease to an Aboriginal person for private residential purposes) (99YHOL)
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Summary/Purpose:

RESOLUTION 08: 22/01/2015 – That the Council as Trustee –

- a) Accept the Expression of Interest for the purpose of a 99 year home ownership lease subject to finalisation of the boundary and all conditions as detailed in the "Agreement to Lease" being met
- b) Delegate responsibility for the YASC Planner to undertake the necessary steps to progress this lease application through to settlement

MOVED:	CANENDO	
SECONDED:	WILSON	

3.8	Planning Officer	LD 2014/37 VELMA KYNUNA: EOI for a 99 year home ownership lease (lease to an Aboriginal person for private residential purposes) (99YHOL)
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Summary/Purpose: To seek trustee approval to accept the Expression of Interest for leasing land to VELMA KYLE over land at Back Beach Road for a 99 year home ownership lease.

RESOLUTION 09: 22/01/2015 – That the Council as Trustee –

- a) Accept the Expression of Interest for the purpose of a 99 year home ownership lease subject to

MINUTES
Yarrabah Aboriginal Shire Council
Trustee Meeting
22 January 2015

finalisation of the boundary and all conditions as detailed in the "Agreement to Lease" being met		
b) Delegate responsibility for the YASC Planner to undertake the necessary steps to progress this lease application through to settlement		
MOVED:	WALSH	CARRIED
SECONDED:	WILSON	

3.9	Planning Officer	Engagement of Gilkerson Legal
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Summary/Purpose: To propose to Council that Gilkerson Legal be engaged to represent Council on matters relating to Native Title and Cultural Heritage, and other legal representation their firm provides.

RESOLUTION 10: 22/01/2015 – That the Council as Trustee –		
Engage Gilkerson Legal to represent Council on matters relating to Native Title and Cultural Heritage, and other legal representation their firm provides.		
MOVED:	CANENDO	CARRIED
SECONDED:	WILSON	

Mayor left the meeting at 11.51 am and returned at 12.09pm
 Mayor Left the meeting at 12.13pm

3.10	Planning Officer	Lot 392 and Gindaja Healing Centre Tenure Resolution
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Summary/Purpose: To finalise the resolution of the boundary encroachment between Lot 392 and the Gindaja

RESOLUTION 11: 22/01/2015 – That the Council as Trustee –		
<p>(a) Offer a 99 year home ownership lease to Conrad Barry Yeatman Snr or his allocated lessee, over the reduced size of Lot 392, that is, existing Lot 392 minus 1,264m² identified as Lease AA on Draft Plan SP260098; and</p> <p>(b) Make the offer outlined in (a) only on the condition that Lot 392 on SP167913 is relinquished from the blockholder lease: that is, the current lessees permanently relinquish the land identified as Lease AA on Draft Plan SP260098 (including historical rights) back to Yarrabah Aboriginal Shire Council as Trustee; and</p> <p>(c) Agree that the equivalent land value prescribed under the <i>Aboriginal Land Act 1991</i> be accepted from Yarrabah Aboriginal Shire Council as Local Government; and</p> <p>(d) Approve the relinquished land for inclusion in the Gindaja Treatment and Indigenous Corporation lease, thereby making the total lease area to Gindaja Lease P and Lease AA on Draft Plan SP260098 (10,422m²);</p> <p>(e) Place the burial site on the Survey Project Stage 2 request to the State to mark out its location; and</p> <p>(f) Afford the most appropriate available protection over the burial site; and</p>		

MINUTES
Yarrabah Aboriginal Shire Council
Trustee Meeting
22 January 2015

(g) Include the subdivision of Lots 391, 393 and 394 on SP167913 if requested by the Lessees on the condition that all lessees agree to the subdivision and the subdivision is approved by relevant third parties.

MOVED:	CANEDNO	CARRIED
SECONDED:	MILLER	

4. COUNCILLOR BUSINESS/GENERAL BUSINESS

Councillor	Comment
Mayor Neal	
Deputy Mayor Walsh	
Cr Miller	
Cr Canendo	
Cr Wilson	
Chief Executive Officer	

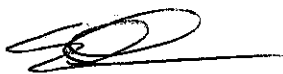
Cr Canendo left the room at 12.25pm

CLOSE OF MEETING

Date for the next Council Trustee Meeting February 2015.

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

Meeting closed at 12.26 pms



Mayor Errol Neal