

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS  
ON WEDNESDAY, 26 JULY 2023 AT 9.00AM**

**PRESENT:** Cr Brian Underwood, Cr Kenneth Jackson, Cr Hezron Murgha

**IN ATTENDANCE:** Richard Wright (CEO), Leona Worrell (EA - Minute Taker)

**1 MEETING OPEN**

Attending Councillors discussed and agreed that Cr Jackson was to Chair the meeting.

Cr Jackson declared the meeting open at 9.38am.

Cr Jackson welcomed councillors and staff members present to the meeting.

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

Councillor Cr Hezron Murgha opened with a word of Prayer.

**2 ACKNOWLEDGEMENT OF COUNTRY**

Cr Jackson acknowledged the traditional custodians the Gungandji People whose country this meeting is being held today, acknowledgement to their elders, past present and emerging.

Acknowledgment also offered to the other Trustees of this land the Northern & Southern 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**

CEO advised Council that Mayor was presently away, as per previous advice to Councillors and CEO. Due to the importance of discussions relating to the adoption of the 2023-2024 budget, the Mayor would be available to participate by telephone for this discussion, if approved by Council.

CEO advised Council that Cr Lucrecia Willett (Deputy Mayor) remained on sick leave and was not able to attend the meeting.

**RESOLUTION 01:26/07/2023**

Council accept the apology of the Mayor and approve the Mayor's participation by telephone in consideration of the 2023-2024 budget being tabled in this meeting.

Council accept the apology of Cr Willett.

Moved: Cr Hezron Murgha

Seconded: Cr Brian Underwood

**CARRIED 3/3**

**4 CONFIRMATION OF PREVIOUS MINUTES**

Minutes tabled and accepted without change.

**RESOLUTION 02:26/07/2023**

That the minutes of the Ordinary Council Meeting held on 29 June 2023 be adopted.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

**CARRIED 3/3**

**5 BUSINESS ARISING FROM PREVIOUS MINUTES**

Nil.

**6 DISCLOSURE OF INTEREST – COUNCIL / REGISTER UPDATES**

Cr Jackson 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.

Cr Murgha declared a prescribed Conflict of Interest, pursuant to section 150EL of the Local Government Act 2009 in relation to Agenda item 7.8 "*Change To Existing Conditions Community Care Centre And Reconfiguring A Lot Over Part Of Lot 18 Sp284220*". Cr Murgha is an employee of the applicant organisation, however has no decision making powers in this position.

Cr Underwood declared a declarable Conflict of Interest, pursuant to section 150EQ of the Local Government Act 2009 in relation to Agenda item 7.8 "*Change To Existing Conditions Community Care Centre And Reconfiguring A Lot Over Part Of Lot 18 Sp284220*". Cr Underwood is on the Board of Directors of the applicant organisation, and therefore has decision making powers in this position.

**7 MATTERS FOR DISCUSSION**

CEO advised that due to staffing availability, the CEO would table and read to all Departmental operational reports, with the exception of Finance papers, and take any questions that could not be satisfactorily responded to on notice.

**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 June 2023 / July 2023.

The CEO read to the Report.

**RESOLUTION 03:26/07/2023**

That Council accept the CEO Operational Report for the period to 17 July 2023.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

**CARRIED 3/3**

10.20am meeting Adjourned

10.34am meeting reconvened

10.34am Director – Corporate Services entered the meeting

**7.2 YASC MONTHLY FINANCIAL REPORT****PURPOSE OF THE REPORT**

Provide council with monthly financial report. This report covers the financial period 30 June 2023.

Director Corporate Services read to the Report.

**RESOLUTION 04:26/07/2023**

That Council accept the 30 June 2023 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 Hezron Murgha

Seconded: Cr Kenneth Jackson

**CARRIED 3/3**

11.21am Mayor called into meeting by telephone

**7.3 2023-2024 BUDGET****PURPOSE OF THE REPORT**

Council to adopt the 2023/24 Budget

Director Corporate Services read to the Report.

Council noted that the budget had been prepared in conjunction with all Directors and workshopped with Councillors prior to presentation. Relevant adjustments identified during this process were now implemented in the papers presented.

**RESOLUTION 05:26/07/2023**

That Council resolve to adopt Council's budget for 2023-2024.

Moved: Cr Brian Underwood

Seconded: Cr Kenneth Jackson

**CARRIED 4/4**

11.31am Mayor Ross Andrews left the meeting

**7.4 FEES, RATES, CHARGES 2023-2024****PURPOSE OF THE REPORT**

Council to adopt the 2023/24 Schedule of Fees & Charges

Director Corporate Services read to the Report.

**RESOLUTION 06:26/07/2023**

That Council resolve to adopt the 2023/24 Schedule of Fees & Charges

Moved: Cr Hezron Murgha

Seconded: Cr Brian Underwood

**CARRIED 3/3**

11.38am Director Corporate Services left the meeting

11.39am Meeting adjourned

12.40pm Meeting reconvened

**7.5 PEOPLE & COMMUNITIES - OPERATIONAL REPORT****PURPOSE OF THE REPORT**

To provide Council an update on operational activities undertake within the Department of People and Communities for the period June 2023 to July 2023.

CEO read to the Report.

**RESOLUTION 07:26/07/2023**

That Council accept the Director of People and Communities Operational Report, tabled as read.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

**CARRIED 3/3**

**7.6 BUILDING SERVICES - OPERATIONAL REPORT****PURPOSE OF THE REPORT**

To report to Council the status/activities of Building Services areas for the month of June 29<sup>th</sup> up to July 26<sup>th</sup> 2023

CEO read to the Report.

**RESOLUTION 08:26/07/2023**

That Council accept the report of the Director – Building Services, tabled as read.

Moved: Cr Hezron Murgha

Seconded: Cr Brian Underwood

**CARRIED 3/3**

**7.7 INFRASTRUCTURE - OPERATIONAL REPORT****PURPOSE OF THE REPORT**

To report to Council the status/activities of Infrastructure Department areas for the month June up to 08 July 2023.

CEO read to the Report.

**RESOLUTION 09:26/07/2023**

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

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

**CARRIED 3/3**

**7.8 CHANGE TO EXISTING CONDITIONS COMMUNITY CARE CENTRE AND RECONFIGURING A LOT OVER PART OF LOT 18 SP284220****PURPOSE OF THE REPORT**

Report prepared by Planz Town Planning

To seek Council resolution to correct an error in the conditions for the Development Application for Material Change of Use – Community Care Centre and Reconfiguring A Lot –over part of Lot 18 SP284220 at Muka Street.

The CEO read to the report.

**MOTION – DECISION DEFERRED**

Moved: Cr Kenneth Jackson

That due to the declared conflicts of Cr Murgha and Cr Underwood this matter to be deferred to the next meeting, to allow participation of the Mayor & Deputy Mayor in its consideration.

**7.9 REQUEST BY THE GUNGGANDJI-MANDINGALBAY YIDINJI PEOPLES PRESCRIBED BODY CORPORATE FOR APPROVAL TO TEMPORARILY OCCUPY PART OF LOT 308 SP278074****PURPOSE OF THE REPORT**

Report prepared by Planz Town Planning

To obtain Council's approval for the Gunggandji-Mandingalbay Yidinji Peoples Prescribed Body Corporate (GMYP) to temporarily use part of Lot 308 SP278074 for GMYP administration and ranger purposes.

The CEO read to the report.

**MOTION– DECISION DEFERRED**

Moved: Cr Kenneth Jackson

Seconded: Cr Hezron Murgha

That due to the importance of and impact any decision made would have in relation to ongoing decisions of a similar nature, Councillors in attendance decided that this matter should be deferred to allow participation of the Mayor and Deputy Mayor in any determination..

**CARRIED 3/3**

**7.10 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:  
DIANNE HODGES****PURPOSE OF THE REPORT**

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – Dianne HODGES.

**RESOLUTION 10:26/07/2023**

That Council resolve, in relation to the application for confirmation of Aboriginality/Community Affiliation as submitted by Dianne HODGES.

1. To accept the application as submitted.

Moved: Cr Kenneth Jackson

Seconded: Cr Brian Underwood

**CARRIED 3/3**

**8 CORRESPONDENCE**

Nil

**9 STRATEGIC PORTFOLIO UPDATE**

Cr Murgha represented Council at FNQROC in Canberra on 31 July – 2 August 2023.

**10 CONFIDENTIAL MATTERS**

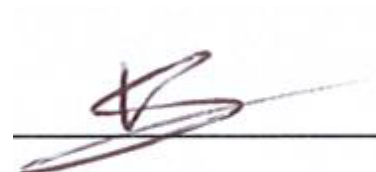
Nil

**11 CLOSE OF MEETING**

Date for the next Council Ordinary Meeting is Wednesday 23 August 2023.

Cr Jackson thanked the councillors and staff for their participation and attendance at the meeting.

Meeting closed at 1.56 pm.



**Cr Jackson (Chair)**