

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL  
ORDINARY COUNCIL MEETING  
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS  
ON THURSDAY, 27 JUNE 2024 AT 3.00PM**

**PRESENT:** Cr Daryl Sexton (Mayor), Cr Michael Sands (Deputy Mayor), Cr Amy Neal, Cr Brian Underwood, Cr Hezron Murgha,

**IN ATTENDANCE:** Richard Wright (CEO), Executive Assistant Leona Worrell (Minute taker)

**1 MEETING OPEN**

Mayor Sexton declared the meeting open at 3.27pm. The mayor noted that the commencement of today's meeting was delayed in respect of Sorry Business. It is also important to acknowledge that Sorry Business will also be observed tomorrow.

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

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

Councillor Neal opened with a word of Prayer.

**2 ACKNOWLEDGEMENT TO COUNTRY**

The Mayor acknowledged the traditional custodians the Gunggandji 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 all Yarrabah people whose elders past present and emerging also call Yarrabah home and support progress in the Shire.

**3 APOLOGIES**

Nil

**4 CONFIRMATION OF PREVIOUS MINUTES**

**RESOLUTION 01:27/06/2024**

That the minutes of the Ordinary Council Meeting held on 13 May 2024 be adopted.

Moved: Cr Michael Sands

Seconded: Cr Brian Underwood

**5/5 CARRIED**

**5 BUSINESS ARISING FROM PREVIOUS MINUTES**

Councillor Underwood advised that he was not informed of the outcome of the resolution when he and Councillor Neal returned to the meeting on 13 May 2024 following their leaving due to Conflict Of Interest provisions.

CEO noted the Councillors concern and undertook to ensure this was rectified in future.

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

The Mayor reminded the councillors of the need to declare their conflicts of interest as required for items in the meeting.

The Mayor emphasised the requirement to declare conflicts of interest to the CEO prior to the meeting and called on all Councillors to re-declare then now.

No declarations made

UNCONFIRMED

**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 May / June 2024.

CEO brought to the Councillors attention:

- Due to time constraints with the commencement of the meeting and following discussions with the mayor, the CEO will read to all reports and take any questions on notice.
- Previous Council had appointed International Insurance Brokers for a term of two years from June 2023 – June 2025 to source the industrial Special Risks insurance. This type of insurance covers all of Councils Buildings and Social housing risk stock. This is the second year of their appointment. International Insurance Brokers achieved a saving of \$39K versus the other tenderer for 2023-2024 ISR business displaying the ability to source comprehensive coverage at a highly competitive price. The 2024-2025 premium is \$1,157,574.99 (Inc GST) which represents a very modest 8.65% premium increase. Management assess this as being an excellent financial outcome for Council.
- The Department of Local Government has requested CEOs remind Councillors of the compulsory completion of Module 1 training within six months of their appointment, which is due by October 2024. Failure to fulfill this requirement may result in the termination of their position as Councillors. Compliance is essential to maintain their standing and continue serving in their official capacity.

Council noted this accordingly.

CEO read to the report.

**RESOLUTION 02:27/06/2024**

That Council accept the CEO Operational Report for the period to 21 June 2024.

Moved: Cr Daryl Sexton

Seconded: Cr Amy Neal

**5/5 CARRIED**

## 7.2 YASC MONTHLY FINANCIAL REPORT

### PURPOSE OF THE REPORT

Provide council with monthly financial report. This report covers the financial period 31st May 2024.

CEO read to the report.

### RESOLUTION 03:27/06/2024

That Council accept the 31st May 2024 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 Daryl Sexton

Seconded: Cr Michael Sands

**5/5 CARRIED**

## 7.3 PEOPLE & COMMUNITIES - OPERATIONAL REPORT

### PURPOSE OF THE REPORT

To provide Council an update on operational activities undertaken within the Department of People and Communities.

CEO read to the report.

Councillor Murgha suggested that the Council distribute informational flyers addressing rental debt and the renovation of houses, as well as detailing activities available during the school holidays. Consideration should also be given to tenants being temporarily relocated to transition housing with regards to damages caused and restrictions to excessive noise.

### RESOLUTION 04:27/06/2024

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

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

**5/5 CARRIED**

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

To report to Council the status/activities of Building Services areas for the months of May / June 2024.

CEO read to the report.

Deputy Mayor requested update to completion timeframes of new constructions. CEO advised that there were some delays with power connections by Ergon. Status of practical completion dates will be confirmed and provided to Council.

**RESOLUTION 05:27/06/2024**

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

Moved: Cr Daryl Sexton

Seconded: Cr Hezron Murgha

**5/5 CARRIED****7.5 INFRASTRUCTURE - OPERATIONAL REPORT****PURPOSE OF THE REPORT**

To report to Council the status/activities of Infrastructure Department areas for the month of May up to 08 June 2024.

CEO read to the report.

**RESOLUTION 06:27/06/2024**

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

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

**5/5 CARRIED**

**7.6 EXTERNAL AUDIT UPDATE**

**PURPOSE OF THE REPORT**

QAO Interim Audit Report May 2024.

CEO read to the report.

**RESOLUTION 07:27/06/2024**

That Council acknowledge and note the QAO Interim Audit Report May 2024.

Moved: Cr Amy Neal

Seconded: Cr Michael Sands

**5/5 CARRIED**

UNCONFIRMED

**7.7 NEW LEASE REQUEST FROM WUGU NYAMBIL - YARRABAH DIGITAL SERVICES CENTRE****PURPOSE OF THE REPORT**

Wugu Nyambil Ltd respectfully request to lease RTC building rooms 1 and 2. to have these rooms converted to commercial tenancy.

CEO read to the report.

CEO referred to employment opportunities for community members and discussions held by Wugu Nyambil with Mayor and Deputy Mayor. Deputy Mayor raised concerns as to potential for limited training space for organisations in community. CEO advised that other spaces were available both at other Council facilities and other community organisations. Example, being two additional training/meeting rooms at administration building.

Cr Murgha inquired as to option of a twelve month lease.

CEO advised that set-up expenses for the Digital Service Centre were being incurred by Wugu Nyambil, and due to these associated costs, Council may wish to consider a 2 year lease with option to extend may be more appropriate.

**RESOLUTION 08:27/06/2024**

That Council approve a new lease being issued to Wugu Nyambil Ltd to commence the Digital Service Centre and endorse the following actions:

1. That the exception pursuant to section 236(1)(b)(ii) of the *Local Government Regulation 2012* applies to enable Council to dispose of a valuable non-current asset other than by tender or auction, specifically by entering into a lease with Wugu Nyambil Limited ACN 626 751 255, being a community organisation, for the Premises described as Training Room 1 & 2 at the Rural Transaction Centre and
2. To delegate to the Chief Executive Officer the authority to negotiate and finalise all terms and conditions related to the Lease of 24 months with an option to extend and to sign the Lease on behalf of Council.

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

**5/5 CARRIED**

**7.8 HOLIDAY ACT FOR 2025 - YASC SPECIAL HOLIDAYS****PURPOSE OF THE REPORT**

Secure dates for 2025 Special Holiday in accordance with Holiday Act 1983 – Local Governments  
CEO read to the report.

Deputy Mayor advised that his view was that Foundation Day should be held on the actual day, being 17<sup>th</sup> June. CEO advised that Council had previously considered the benefit of providing for the public holiday for the day to be on a Friday or Monday, allowing employees in community to have a long weekend. Cr Murgha agreed with this option, however would support the view of the majority.

Council debated and determined that the public holiday for Foundation Day would be 17<sup>th</sup> June. No objection to the recommendation by the CEO for other days.

**RESOLUTION 09:27/06/2024**

That Council resolve to endorse

1. the public holiday dates for 2025, as:-

|         |                 |                                |
|---------|-----------------|--------------------------------|
| Tuesday | 17 June 2025    | Yarrabah Foundation Day        |
| Friday  | 11 July 2025    | Yarrabah NAIDOC Day            |
| Friday  | to aligned with | Cairns Show Day once confirmed |
| Monday  | 27 October 2025 | Yarrabah DOGIT Day             |

2. Authorise the CEO to confirm these dates with the Office of Industrial Relations.

Moved: Cr Daryl Sexton

Seconded: Cr Amy Neal

**5/5 CARRIED**



**7.9 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:  
KAIMANA FATNOWNA****PURPOSE OF THE REPORT**

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

CEO read to the report.

**RESOLUTION 10:27/06/2024**

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

- Kaimana FATNOWNA

It is further recommended that this action is moved and seconded by the signing Councillors.

Moved: Cr Michael Sands

Seconded: Cr Daryl Sexton

**5/5 CARRIED**

**7.10 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:  
KELLY NOBLE****PURPOSE OF THE REPORT**

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

CEO read to the report.

**RESOLUTION 11:27/06/2024**

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

- Kelly NOBLE

It is further recommended that this action is moved and seconded by the signing Councillors.

Moved: Cr Daryl Sexton

Seconded: Cr Michael Sands

**5/5 CARRIED**

**8 CORRESPONDENCE**

**8.1 CORRESPONDENCE - OFFICE OF THE INSPECTOR-GENERAL OF EMERGENCY MANAGEMENT**

**PURPOSE OF THE REPORT**

Tabling of correspondence from the Inspector-General of Emergency Management, Alistair Dawson, dated 20 May 2024.

**RESOLUTION 12:27/06/2024**

That Council note the correspondence tabled, as read.

Moved: Cr Brian Underwood

Seconded: Cr Michael Sands

**5/5 CARRIED**

**8.2 CORRESPONDENCE - CEO STATE LIBRARY OF QUEENSLAND**

**PURPOSE OF THE REPORT**

Tabling of correspondence from the CEO, Vicki McDonald of the State Library of Queensland, dated 13 May 2024.

**RESOLUTION 13:27/06/2024**

That Council note the correspondence tabled, as read.

Moved: Cr Daryl Sexton

Seconded: Cr Hezron Murgha

**5/5 CARRIED**

**9 STRATEGIC PORTFOLIO UPDATE**

Nil

**10 CONFIDENTIAL MATTERS**

Nil

**11 CLOSE OF MEETING**

Date for the next Council Ordinary Meeting is Wednesday 17 July 2024.

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

Meeting closed at 5.48pm.

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**MAYOR**