

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 30 OCTOBER 2024 AT 9.00 AM**

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

IN ATTENDANCE: Richard Wright (CEO), Mike Mair (Director - Corporate Services), Dominique Charpentier (Grants / Governance Officer – Note Taker)

1 MEETING OPEN

Mayor Sexton declared the meeting open at 9.31am.

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 01:30/10/2024

That the minutes of the Ordinary Council Meeting held on 19 September 2024 be adopted.

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

CARRIED 5/5

5 BUSINESS ARISING FROM PREVIOUS MINUTES

Councillor Sands advised that he wished to further discuss the Council Shutdown. He was of the view that Council should pay for all days to staff during this period. CEO reminded Council that this matter had been resolved in the previous meeting and Councillor Sands' view was noted in the

minutes. Councillor Sands maintained that this wasn't fair for some staff that were suffering financial hardship. Councillor Murgha advised that Council also had a responsibility to make sound financial decisions and could not support payment for the full period. He was prepared to have the matter discussed further but held the view that the paid shutdown period should remain at one or possibly two days, if other Councillors were of the same view. CEO advised that if Council wished to amend an existing resolution, appropriate notice is required to be provided and, if Council chose, this matter could be brought again to the next meeting for discussion, with a view of an amended resolution, if required, coming to the meeting after that. Alternatively, Council may wish to debate this now, with an amendment to the resolution coming to the next meeting.

Council debated. Councillor Sands proposed all days be paid. Councillors Underwood and Neal proposed consideration of three days, due to financial impact. Mayor and Councillor Murgha proposed two days, in consideration of financial impact / budgetary restraints. Mayor provided casting decision. CEO instructed to bring amendment to next meeting for two "paid Council Shutdown" days for this period.

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.

Mayor declared a conflict of interest in relation to matters 8.1 (Correspondence - Request for Financial Support - Home Ownership by Anthony Sexton) and 8.3 (Correspondence - Yarrabah Men's Shed - Request for Additional Facilities).

Councillor Sands declared a conflict of interest in relation to matter 8.3 (Correspondence - Yarrabah Men's Shed - Request for Additional Facilities).

Councillor Murgha declared a conflict of interest in relation to matter 7.12 (Confirmation of Aboriginality / Community Affiliation Applicant Form: Irwin Murgha)

CEO confirmed to the Mayor that Councillors had declared these conflicts of interest prior to the meeting. .

10.07 am. Meeting Adjourned.

10.25am. Meeting reconvened.

Mayor noted results of recent State elections and instructed CEO to prepare correspondence of congratulations to the new Premier, Anne Leahy MP, Dale Last MP and the elected member for Mulgrave, once determined.

Letter of congratulations to be sent to Mayor Matt Burnett of Gladstone following his election as LGAQ Chair at the recent LGAQ annual conference.

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 September / October 2024.

The CEO tabled the report.

The CEO noted that at the Reef Guardian Council meeting in Brisbane on 24 October, Councillor Murgha was elected Deputy Chair of the Reef Guardian Councils. Council congratulated Councillor Murgha on his election to this position.

RESOLUTION 02:30/10/2024

That Council accept the CEO Operational Report for the period to 25 October 2024.

Moved: Cr Daryl Sexton

Seconded: Cr Michael Sands

CARRIED 5/5

10.46 am. Meeting Adjourned.

10.58am. Meeting reconvened.

10.58am. 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 30th September 2024.

Director Corporate Services tabled the report and addressed areas of interest.

Councillor Murgha suggested that the graph depicting number of tenants in arrears (page 39 of agenda) be used as a base for community notice with regards to housing debt. CEO to have a draft notice prepared for Council's input.

Councillor Sands commented that now funding for WFQ had been released, was there any advice as to when the toilet block at Wungu would be upgraded, bearing in mind that holiday season was approaching and this was an area well utilised by community. CEO will confirm and advise Council.

RESOLUTION 03:30/10/2024

That Council accept the 30th September 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. Grant Report

Moved: Cr Michael Sands

Seconded: Cr Brian Underwood

CARRIED 5/5

7.3 HOUSING RENT ARREARS WRITE OFF

Housing Arrears write off recommendation.

Due to confidential nature of list of deceased tenants, document handed to Councillors for review.

Director Corporate Services read to report and confirmed that where there was dual tenancy, only the debt of the deceased tenant was subject of the recommendation, with the other half still being subject of recovery of the other tenant.

RESOLUTION 04:30/10/2024

That Council resolve to write off the deceased debts totalling \$38,410.92

1. There being no legal process to recover the deceased rent arrears that the amount of \$ 38,410.92 be written off and Chintaro updated.

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

CARRIED 5/5

11.43 am. Director Corporate Services left the meeting.

11.43 am. Meeting Adjourned.

11.51 am. Meeting reconvened.

7.4 PEOPLE & COMMUNITIES OPERATIONAL REPORT**PURPOSE OF THE REPORT**

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

The CEO tabled the report.

RESOLUTION 05:30/10/2024

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

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

CARRIED 5/5

7.5 INFRASTRUCTURE OPERATIONAL REPORT**PURPOSE OF THE REPORT**

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

The CEO tabled the report.

RESOLUTION 06:30/10/2024

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

Moved: Cr Amy Neal

Seconded: Cr Daryl Sexton

CARRIED 5/5

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

To report to Council the status/activities of Building Services areas for the months of September – October 2024.

The CEO tabled the report.

RESOLUTION 07:30/10/2024

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

Moved: Cr Michael Sands

Seconded: Cr Hezron Murgha

CARRIED 5/5

7.7 MICROGRID PROJECT UPDATE**PURPOSE OF THE REPORT**

To brief the Council on the Yarrabah Microgrid Project and the option of integrating the Microgrid functions into the Council operations.

The CEO tabled the report.

RESOLUTION 08:30/10/2024

That the Council:

- a. notes the contents of this briefing; and
- b. delegates the CEO to coordinate a presentation by the Microgrid Project Team to Council on the steps to integrate the Microgrid Project delivery functions into the Yarrabah Aboriginal Shire Council.

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

CARRIED 5/5

7.8 PROPOSAL - YARRABAH YOUTH LEADERSHIP COMMITTEE**PURPOSE OF THE REPORT**

To present to Council a projects proposal by the Yarrabah Youth Leadership Committee to influence positive changes to support community aspirations.

The CEO tabled the report.

CEO advised that project one would assist with dealing with graffiti on Council facilities and reduce associated costs in rectification actions. Monies saved as a result could assist in resources for the delivery of this project.

Council noted, in addition to details in the CEO report with regards to developments at the foreshore, due to recent Sorry Business, other alternatives should be considered and the Yarrabah Youth Leadership Committee invited to discuss these options.

RESOLUTION 09:30/10/2024

That Council resolve to:-

1. Commend the Yarrabah Youth Leadership Committee on their proposal.
2. Support the Yarrabah Youth Leadership Committee with the delivery of Project One.
3. Engage with the Yarrabah Youth Leadership Committee to discuss options with regards to Project Two.

Moved: Cr Michael Sands

Seconded: Cr Brian Underwood

CARRIED 5/5

**7.9 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
JAI ROWLES****PURPOSE OF THE REPORT**

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

The CEO tabled the report.

Council debated. No Councillors were in a position to support the application, as the person and family history cited was not known to them.

RESOLUTION 10:30/10/2024

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

1. To not accept the application as submitted. The CEO is instructed to advise the applicant in writing to make application to the relevant PBC for determination.

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

CARRIED 5/5**7.10 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
TARQUIN SINGLETON****PURPOSE OF THE REPORT**

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

The CEO tabled the report.

RESOLUTION 11:30/10/2024

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

1. To accept the application as submitted

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

CARRIED 5/5

**7.11 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
THOMAS BAXTER****PURPOSE OF THE REPORT**

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

The CEO tabled the report.

RESOLUTION 12:30/10/2024

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

1. To accept the application as submitted

Moved: Cr Michael Sands

Seconded: Cr Daryl Sexton

CARRIED 5/5

12.15 pm. Councillor Murgha left the meeting.

**7.12 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
IRWIN MURGHA****PURPOSE OF THE REPORT**

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

The CEO tabled the report.

RESOLUTION 13:30/10/2024

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

1. To accept the application as submitted

Moved: Cr Brian Underwood

Seconded: Cr Michael Sands

CARRIED 4/4

12.17 pm. Councillor Murgha returned to the meeting.

12.17 pm. Mayor Sexton left the meeting.

8 CORRESPONDENCE**8.1 CORRESPONDENCE - REQUEST FOR FINANCIAL SUPPORT - HOME OWNERSHIP MAINTENANCE****PURPOSE OF THE REPORT**

To advise Council of correspondence received, requesting consideration of a maintenance programme / payment plan for community members who have undertaken home ownership.

The CEO tabled the report.

Councillors noted that any decision with regards to this correspondence must have a holistic view as it would impact on a number of home owners in the future and possibly impact on budget and debt recovery.

Councillor Murgha requested the CEO to determine and advise Council:

1. When home ownership in this instance was entered into;
2. Condition of residence when handed over;
3. How such matters are addressed in other communities; and
4. Legal opinion as to this matter.

Councillors agreed that this matter will be deferred to a future date to allow the above information to be sourced and provided to Council for consideration.

RESOLUTION 14:30/10/2024

That Council:-

1. Note the correspondence tabled as read.
2. This matter will be deferred to a future date to allow the CEO to provide further advice to assist in Council's determination on this matter.

Moved: Cr Brian Underwood

Seconded: Cr Michael Sands

CARRIED 4/4

12.30 pm. Mayor Sexton returned to the meeting.

8.2 CORRESPONDENCE - CHOPPYS BOXING CLUB - PROPOSAL FOR TRAINING FACILITY**PURPOSE OF THE REPORT**

To advise Council of correspondence received from Choppy's Boxing Club, requesting support in providing a suitable facility for training and potential tournaments.

The CEO tabled the report.

The CEO advised that if Council supported this proposal, the only suitable and available facilities would be the community hall. Council would need to consider the proposed hours of operation, availability for other community events, including wakes, and the ongoing cleaning etc after the use of the hall.

If Council was in agreeance, a Memorandum of Understanding (MOU) could be prepared for Council's consideration.

Council debated and advised CEO to prepare a draft MOU, hire fees to be waived, addressing Council's use has priority, as well as times of use and cleaning. Any MOU should be only initially be for a period of twelve months, with a one month termination clause.

RESOLUTION 15:30/10/2024

That Council:-

1. Note the correspondence tabled as read.
2. Instruct the CEO to prepare a draft Memorandum of Understanding for Council's consideration.

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

CARRIED 5/5

12.43 pm. Mayor Sexton and Councillor Sands left the meeting.

8.3 CORRESPONDENCE - YARRABAH MEN'S SHED - REQUEST FOR ADDITIONAL FACILITIES

PURPOSE OF THE REPORT

To advise Council of correspondence received from Yarrabah Men’s Shed Inc, requesting two other shed be added to original tenure agreement.

The CEO tabled the report.

Council noted the valuable services currently being undertaken by the Men’s Shed. Provisions exist in the current Memorandum of Understanding to protect Council’s future aspirations in this area.

RESOLUTION 16:30/10/2024

That Council:-

1. Note the correspondence tabled as read.
2. Instruct the CEO to amend the current Memorandum of Understanding to include the two additional sheds.
3. All other conditions and dates remain.

Moved: Cr Brian Underwood

Seconded: Cr Hezron Murgha

CARRIED 3/3

12.51 pm. Meeting Adjourned.

1.00 pm. Meeting recommenced.

1.00 pm. Mayor Sexton and Councillor Sands returned to the meeting.

9 STRATEGIC PORTFOLIO UPDATE

Nil

10 CONFIDENTIAL MATTERS

Nil

11 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 20 November 2024.

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

Meeting closed at 1.03 pm.

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MAYOR