

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 20 NOVEMBER 2024 AT 9.00 AM**

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

IN ATTENDANCE: Richard Wright (CEO) Director - Corporate Services Mike Mair, Director - People and Communities Richard Fitowski, Director - Infrastructure Sam Bann, Director - Building Services Wayne Douglas, Executive Assistant Leona Worrell (Minute taker)

1 MEETING OPEN

Mayor Sexton declared the meeting open at 9.23am

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

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

Councillor Hezron Murgha 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

Mayor noted apologies:

Deputy Mayor Michael Sands sent his apologies as he was unable to attend the meeting.

Councillor Amy Neal was delayed and would be attending shortly.

As a quorum was present, meeting proceeded as scheduled.

At 9.30am Councillor Amy Neal entered the meeting

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:20/11/2024

That the minutes of the Ordinary Council Meeting held on 30 October 2024 be adopted.

Moved: Cr Brian Underwood

Seconded: Cr Hezron Murgha

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5 BUSINESS ARISING FROM PREVIOUS MINUTES

Councillor Brian Underwood enquired about the update:

- On Anthony Sexton homeownership maintenance, the CEO responded that legal advice had been received and this matter would be addressed under Agenda Item 8.1.
- Regarding the Men's Shed, the CEO stated the MOU is currently being drafted in line with the recommendations.

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 them now.

Mayor Daryl Sexton declared conflict of interest to item 8.1, due to family ties.

CEO confirmed to the Councillors that the Mayor had declared this conflict of interest prior to the meeting.

At 9.43am Director Building Services entered the meeting

7.5 BUILDING SERVICES OPERATIONAL REPORT (7.1)**PURPOSE OF THE REPORT**

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

Director Building Services read to the report.

RESOLUTION 07:20/11/2024

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

Moved: Cr Daryl Sexton

Seconded: Cr Hezron Murgha

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At 10.16am Director Building Services left the meeting

At 10.17am meeting adjourned

At 10.36am meeting reconvened

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 October / November 2024.

CEO read to the report.

RESOLUTION 08:20/11/2024

That Council accept the CEO Operational Report for the period to 15 November 2024.

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

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At 11.11am 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 October 2024.

Director Corporate Services read to the report.

RESOLUTION 09:20/11/2024

That Council accept the 30th October 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 Brian Underwood

Seconded: Cr Hezron Murgha

4/4/

7.3 QLD AUDIT OFFICE - FINAL MANAGEMENT LETTER**PURPOSE OF THE REPORT**

For Council's information.

The Auditor-General has issued an unmodified audit opinion on the Yarrabah Aboriginal Shire Council's Financial Statements for 2023-2024.

Director Corporate Services read to the report.

RESOLUTION 5:20/11/2024

That Council:

1. Endorse the QAO Financial Management Report for 2023/24 Financial Year.
2. CEO and executive management team instructed to ensure appropriate financial standards are met and actions identified for management attention are resolved in a timely manner.

Moved: Cr Amy Neal

Seconded: Cr Daryl Sexton

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At 11.52am Director Corporate Services left the meeting

At 11.54am meeting adjourned

At 12.54pm meeting reconvened

At 12.55pm Director People and Communities entered the meeting

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.

Director People and Communities read to the report.

RESOLUTION 6:20/11/2024

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

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

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At 1.23pm Director People and Communities left the meeting

At 1.24pm meeting adjourned
At 1.30pm meeting reconvened

At 1.31pm Director Infrastructure entered the meeting

7.6 INFRASTRUCTURE OPERATIONAL REPORT

PURPOSE OF THE REPORT

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

Director Infrastructure read to the report.

RESOLUTION 7:20/11/2024

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

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

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At 2.00pm Director Infrastructure left the meeting

At 2.02pm meeting adjourned
At 2.21pm meeting reconvened

**7.7 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
CALEB THOMAS-SCHRIEBER****PURPOSE OF THE REPORT**

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – Caleb THOMAS-SCHRIEBER.

CEO read to the report.

RESOLUTION 8:20/11/2024

That Council resolve, in relation to the application for confirmation of Aboriginality/Community Affiliation as submitted by Caleb THOMAS-SCHRIEBER.

1. To accept the application as submitted

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

4/4

**7.8 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
TOBIAS MOSSMAN****PURPOSE OF THE REPORT**

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

CEO read to the report.

RESOLUTION 9:20/11/2024

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

1. To accept the application as submitted

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

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**7.9 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
RYDER WHITTLE****PURPOSE OF THE REPORT**

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

CEO read to the report.

RESOLUTION 10:20/11/2024

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:

- Ryder WHITTLE

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

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

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**7.10 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
RODERICK JONATHON WHITTLE****PURPOSE OF THE REPORT**

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – Roderick Jonathon WHITTLE.

CEO read to the report

RESOLUTION 10:20/11/2024

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:

- Roderick Jonathon WHITTLE

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

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

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**7.11 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
SHYLAH WHITTLE****PURPOSE OF THE REPORT**

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

CEO read to the report

RESOLUTION 11:20/11/2024

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:

- Shylah WHITTLE

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

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

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**7.12 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
ARIAH S WHITTLE****PURPOSE OF THE REPORT**

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

CEO read to the report.

RESOLUTION 12:20/11/2024

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:

- Ariaah WHITTLE

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

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

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**7.13 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:
NASH WHITTLE****PURPOSE OF THE REPORT**

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

CEO read to the report.

RESOLUTION 13:20/11/2024

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:

- Nash WHITTLE

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

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

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7.14 AMMENDMENT TO PREVIOUS RESOLUTION - ANNUAL CLOSEDOWN- CHRISTMAS PERIOD 2024**PURPOSE OF THE REPORT**

To seek Council endorsement to amend Resolution 06:19/09/2024 relating to Annual Closure during Christmas & Festive Season – 2024.

CEO read to the report.

RESOLUTION 15:20/11/2024

That Council resolve that the period of shutdown is not affected by this amendment.

Council resolve to amend the number of paid “Council Shutdown days from 1 to 2.

As a result, Council resolves that clauses 2 and 3 of the original resolution are amended accordingly to:-

2. Council further resolves to provide 2 paid “Council Shutdown” days to all employees during this period.
3. Council further resolves that staff required to work as part of required service delivery during this period will accumulate the 2 paid “Council Shutdown” days and will be required to take these days in the first quarter of 2025.

Moved: Cr Hezron Murgha

Seconded: Cr Brian Underwood

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At 2.26pm Mayor Daryl Sexton left the meeting due to conflict of interest to the next item 8.1

8 CORRESPONDENCE**8.1 CORRESPONDENCE - REQUEST FOR FINANCIAL SUPPORT - HOME OWNERSHIP MAINTENANCE (DEFERRED FROM 30/10/2024)****PURPOSE OF THE REPORT**

(Matter deferred from Ordinary Council Meeting on 30 October 2024).

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

CEO read to the updated report, noting outcome of actions arising from the previous meeting to provide Council with advice as to:-

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.

RESOLUTION 16:20/11/2024

That Council:-

1. Note the correspondence tabled as read and outcome of inquiries.
2. Council particularly notes legal advice and the provisions of section 111 of the Local Government Act 2009, and as a result can not consider providing a maintenance programme / payment plan for community members who have undertaken home ownership.

Moved: Cr Brian Underwood

Seconded: Cr Hezron Murgha

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At 2.45pm Mayor Daryl Sexton returned to the meeting.

9 STRATEGIC PORTFOLIO UPDATE

Councillors provided updates on Meetings and Trips and other information for the meeting.

10 CONFIDENTIAL MATTERS

Nil

11 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 18 December 2024.

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

Meeting closed at 2.47 pm.



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MAYOR