

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 19 MARCH 2025 AT 9.00AM**

PRESENT: Cr Daryl Sexton (Mayor), Cr Michael Sands, 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 10.46am.

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

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

Councillor Amy 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 01:19/03/2025

That the minutes of the Ordinary Council Meeting held on 19 February 2025 be adopted.

Moved: Cr Michael Sands

Seconded: Cr Amy Neal

CARRIED 5/5

5 BUSINESS ARISING FROM PREVIOUS MINUTES

NIL

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.

No declarations made

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 February / March 2025.

CEO read to the report.

Range Road maintenance - Deputy Mayor Sands suggested that, due to limited staffing resources, Council consider contracting out the maintenance of Range Road into Yarrabah. Council agreed. CEO to action.

Yarrabah Music Festival date – Council considering Saturday 30th August 2025.

Education Forum - YASC Logo Usage

The Yarrabah Leadership Forum requested permission to include the Yarrabah Aboriginal Shire Council (YASC) logo on an Education document for the Education Forum held on December 11, 2024. Council discussed the request and agreed to grant permission, provided that a copy of the document is shared with the Council.

Waive fees to Community Hall for Wake

From: Melissa Thomas [REDACTED]

Sent: Tuesday, 18 March 2025 11:32 AM

To: Leona Worrell [REDACTED]

Cc: Michael Sands [REDACTED] Hezron Murgha [REDACTED] Amy Neal [REDACTED]

[REDACTED] Daryl Sexton [REDACTED]

Subject: Community Hall _ Council donation/contribution

Morning Leona,

Thanks for speaking with me this morning regarding the request for the Community Hall on 04/04/25 for the Wake of the late Richard Thomas.

On behalf of the Thomas family, we would like to request the Community Hall to hold the wake & have the fees waived taking into consideration that Richard was an Elder & previous employee of the Yarrabah Shire Council & Community.

Can you please advise if the Council is open to donating or contributing anything towards the funeral as this would be appreciated. Happy to provide a quote for the vegetables for the Kup Murri at your request.

Thank You for taking this into consideration.

Regards

Melissa Thomas

Director

HEART FELT CARE (QLD) PTY LTD

RESOLUTION 02:19/03/2025

Council resolved to waive the fee for the use of the Community Hall for the wake of the late Mr.

Richard Thomas, in recognition of his service as a respected Elder of the community and former employee of Yarrabah Aboriginal Shire Council.

Additionally, Council will donate \$200.00 towards the funeral costs.

Moved: Cr Daryl Sexton

Seconded: Cr Hezron Murgha

CARRIED 5/5

RESOLUTION 03:19/03/2025

That Council accept the CEO Operational Report for the period to 14 March 2025.

Moved: Cr Daryl Sexton

Seconded: Cr Hezron Murgha

CARRIED 5/5

At 11.45am meeting adjourned

At 12.07pm meeting reconvened

At 12.08pm Director Corporate Services entered the meeting

DRAFT

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

Provide council with monthly financial report. This report covers the financial period to 28th February 2025.

Director Corporate Services read to the report

RESOLUTION 04:19/03/2025

That Council accept the 28th February 2025 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

At 12.56pm Director Corporate Services left the meeting

At 12.57pm meeting adjourned

At 1.45pm meeting reconvened

7.3 ROTATION OF DEPUTY MAYOR**PURPOSE OF THE REPORT**

To inform Council of rotation provisions for position of Deputy Mayor.

CEO read to the report

As per the rotation schedule, Councillor Michael Sands concludes his term as Deputy Mayor, effective 19 March 2025.

Council resolved to appoint Councillor Amy Neal to the position of Deputy Mayor, effective 19 March 2025.

Council extended its appreciation to Councillor Michael Sands for his dedicated service and contributions during his term as Deputy Mayor.

RESOLUTION 05:19/03/2025

That Council resolve to

1. Note that Councillor Michael Sands ceases in the position of Deputy Mayor, effective 19 March 2025.
2. Council appoints Councillor Amy Neal to the position of Deputy Mayor, effective 19 March 2025.

Moved: Cr Brian Underwood

Seconded: Cr Hezron Murgha

CARRIED 5/5

7.4 ROTATION OF LDMG POSITIONS**PURPOSE OF THE REPORT**

To inform Council of rotation provisions for Yarrabah LDMG positions.

Councillor Michael Sands ceases his role as Chair to the Yarrabah LDMG effective 19 March 2025.
Councillor Amy Neal cease her position as Deputy Chair to the Yarrabah LDMG effective 19 March 2025.

Council resolve to appoint Councillor Amy Neal to the position of Chair to the Yarrabah LDMG effective 19 March 2025.

Council resolve to appoint Councillor Brian Underwood to the position of Deputy Chair to the Yarrabah LDMG effective 19 March 2025.

CEO read to the report

RESOLUTION 06:19/03/2025

That Council resolves:

1. To note that Councillor Sands and Councillor Neal ceases in their positions with Yarrabah LDMG, effective 19 March 2025.
2. To appoint Councillor Amy Neal as Chair to the Yarrabah LDMG and Councillor Brian Underwood as Deputy Chair to the Yarrabah LDMG, effective 19 March 2025.

Moved: Cr Daryl Sexton

Seconded: Cr Hezron Murgha

CARRIED 5/5

At 2.00pm meeting adjourned

At 2.14pm meeting reconvened

The Mayor advised Council that Councillor Michael Sands was not able to re-join the meeting due to an urgent matter.

Council noted accordingly.

7.5 COUNCIL ENDORSEMENT - AMBRYM STREET DEVELOPMENT APPLICATION FOR THE RECONFIGURATION OF 15 LOTS.

PURPOSE OF THE REPORT

To seek Council resolution in relation to a Development Application for the subdivision (reconfiguration) of 15 lots into 26 residential lots, one park lot and new road at Ambrym Street, Djenghi.

APPLICANT

Innovate Urban on behalf of Yarrabah Aboriginal Shire Council as trustee for the DOGIT.

LOCATION

Lots 464-478 SP265165 and Lot 157 SP284220, Yarrabah

CEO reminded Council that this matter related to a workshop with Councillors, conducted on 26th March 2025.

CEO read to the report

RESOLUTION 07:19/03/2025

That Council resolve to approve the application for a Development Permit for Reconfiguring a Lot over Lots 464-478 on SP265165 and Lot 157 on SP284220 at located at Ambrym Street Yarrabah, subject to the following conditions:

APPROVED PLANS

The term 'approved drawing(s) and / or document(s)' or other similar expressions means:

Drawing or Document	Reference	Date
Ambrym St Redevelopment Lot Reconfiguration Plan	ARO0319-SK10(B)	10 October 2024
Ambrym St Redevelopment Proposed Lot Layout	ARO0319-SK11(A)	10 October 2024

ASSESSMENT MANAGER CONDITIONS

#	Assessment Manager Conditions	Timing
1	<p>Development</p> <p>The development must be carried out substantially in accordance with the approved plans outlined above and the facts and circumstances of the use as submitted with the application, subject to any alterations:</p> <ul style="list-style-type: none"> a. Found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and b. To ensure compliance with the following conditions of approval; c. Staging of between 3 to 5 stages in accordance with budget, civil design and logistical constraints. 	<p>During the operation and life of the development</p>

2	<p>Timing of effect</p> <p>The conditions of the development permit must be complied with to the satisfaction of Council’s delegated officer.</p> <p>Reason: The development must comply with all planning scheme requirements and definitions as approved and conditioned by this development permit</p>	<p>Prior to Council endorsing the Plan of Subdivision</p>
---	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------

Moved: Cr Brian Underwood
 Seconded: Cr Amy Neal

CARRIED 4/4

7.6 COUNCIL ENDORSEMENT - UNIVERSITY OF QUEENSLAND PROJECT "CLIMATE RESILIENT REGIONAL COMMUNITIES: DECARBONISATION AND WELL-BEING IN HOMES AND ENERGY SYSTEMS"

PURPOSE OF THE REPORT

This report is to provide Council with information in relation to the University of Queensland project “Climate Resilient Regional Communities: Decarbonisation and Well-being in Homes and Energy Systems” and to obtain a formal resolution from Council in relation to participating in the project.

CEO read to the report

RESOLUTION 08:19/03/2025

That Council resolve to participate in the University of Queensland project “Climate Resilient Regional Communities: Decarbonisation and Well-being in Homes and Energy Systems” subject to:

- a. No financial contribution being required from Council;
- b. Council being acknowledged as a partner in the project in all formal reporting;
- c. Council being given a copy of the final report and supporting materials at the completion of the project;
- d. The University employing local knowledge holders where appropriate and paying residents for their participation in the project through interviews or other research workshops, to ensure that local knowledge is incorporated into the project outcomes.

Moved: Cr Hezron Murgha
 Seconded: Cr Daryl Sexton

CARRIED 4/4

At 2.39pm meeting adjourned
 At 2.42pm meeting reconvened

At 2.43pm Director People & Communities entered the meeting

7.7 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 09:19/03/2025

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

Moved: Cr Brian Underwood

Seconded: Cr Hezron Murgaha

CARRIED 4/4

At 3.23pm Director People & Communities left the meeting

At 3.24pm Director Building Services entered the meeting

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

To report to Council the status/activities of Building Services areas for the months of February 2025 to March 2025.

Director Building Services read to the report

RESOLUTION 10:19/03/2025

That Council accept the Director of Building Services Operational Report, tabled as read.

Moved: Cr Hezron Murgaha

Seconded: Cr Brian Underwood

CARRIED 4/4

At 3.47pm Director Building Services left the meeting

At 3.48pm meeting adjourned

At 3.57pm meeting reconvened

At 3.58pm Director Infrastructure entered the meeting

7.9 INFRASTRUCTURE - OPERATIONAL REPORT

PURPOSE OF THE REPORT

To report to Council the status/activities of Infrastructure Department areas for the month of February 2025

Director Infrastructure read to the report

RESOLUTION 11:19/03/2025

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

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

CARRIED 4/4

At 4.19pm Director Infrastructure left the meeting

8 CORRESPONDENCE

8.1 CORRESPONDENCE - JABU MUGAY YARRABAH LEADERS FORUM

PURPOSE OF THE REPORT

To table correspondence to Council from the Jabu Mugay Yarrabah Leaders Forum (JMYLF).

CEO read to the report

Council discussed. Council determined that it is still not in a position to make a determination and desire all Councillors to be present for further discussions and subsequent determination. Matter to be deferred to next Ordinary Meeting. CEO confirmed that outstanding funding has been returned to DWATSIPM (previously known as DATSIP)

Council advised the CEO to inform the JMYLF that:

- Council is currently reviewing its position regarding the matter outlined in the correspondence.
- The funding referenced in the correspondence has been returned to the Department of Women, Aboriginal and Torres Strait Islander Partnerships and Multiculturalism (DWATSIPM). (previously known as DATSIP). For further details, it is recommended that DWATSIPM be contacted directly.

9 CONFIDENTIAL MATTERS**CLOSED SESSION****RECOMMENDATION**

That Council considers the confidential reports listed below in a meeting closed to the public in accordance with Section 275 of the Local Government Act 2012:

9.1 Legal Matters

This matter is considered to be confidential under Section 275 - f of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with starting or defending legal proceedings involving the local government.

CEO read to the report

RESOLUTION 12:19/03/2025

That Council resolves to move into Closed session.

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

CARRIED 4/4

9.2 MOVED OUT OF CLOSED SESSION**RESOLUTION 13:19/03/2025**

That Council resolves to move out of Closed Council and resume in Open Council.

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

CARRIED 4/4

9.3 TENANCY LEASE**RESOLUTION 14:19/03/2025**

The CEO is instructed to:

- Issue the tenancy lease to the occupant identified in this item, noting that succession of the tenancy does not apply.
- Offer the occupant to consider downsizing to a single-bedroom residence when such residence becomes available.

Moved: Cr Daryl Sexton
Seconded: Cr Brian Underwood

CARRIED 4/4

9.4 WOMENS RESOURCE CENTRE LEASE

RESOLUTION 15:19/03/2025

Council authorises the CEO to issue a commercial lease to the Yarrabah Women’s Resource Centre as per the attached plan, being part of Lot 905 for a period of 30 years.

Moved: Cr Daryl Sexton
Seconded: Cr Brian Underwood

CARRIED 4/4

10 CLOSE OF MEETING

Date for the next Council Ordinary Meeting is Wednesday 16 April 2025.

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

Meeting closed at 5.26 pm.

.....

MAYOR