

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON FRIDAY, 26 JULY 2024 AT 10.00AM**

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

IN ATTENDANCE: Richard Wright (CEO), Director - Corporate Services Mike Mair, Executive Assistant Leona Worrell (Minute Taker)

1 MEETING OPEN

Mayor Sexton declared the meeting open at 10.03am.

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 01:26/07/2024

That the minutes of the Ordinary Council Meeting held on 27 June 2024 be adopted.

Moved: Cr Michael Sands

Seconded: Cr Brian Underwood

5/5 CARRIED

5 BUSINESS ARISING FROM PREVIOUS MINUTES**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.

- Councillor Hezron Murgha declared a conflict of interest in relation to 7.14 Confirmation of Aboriginality form for [REDACTED] and 7.16 Confirmation of Aboriginality form for [REDACTED] due to being related to both parties.

CEO confirmed to the Mayor that Councillor Hezron Murgha had declared this conflict of interest prior to the meeting.

- Deputy Mayor Michael Sands declared a conflict of interest in relation to 7.16 Confirmation of Aboriginality form for [REDACTED] and 7.18 Confirmation of Aboriginality form for [REDACTED] due to being related to both parties.

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

- Mayor Daryl Sexton declared a conflict of interest in relation to 7.18 Confirmation of Aboriginality form for [REDACTED] and 7.20 Confirmation of Aboriginality form for [REDACTED] due to being related to both parties.

CEO confirmed to Council that Mayor Daryl Sexton had declared this conflict of interest prior to the meeting.

CEO advised that Confirmation of Aboriginalities 7.13 to 7.19 had been endorsed by Councillors without a declarable conflict prior to this meeting. Formal endorsement was sought by way of resolution. Council may consider that under these circumstances the respective Councillors may stay in chambers during this formality, but refrain from voting where an interest has been declared. Council agreed.

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 June / July 2024.

CEO informed Council of a meeting with Liquor Licensing on 24 July and not covered in this report. Discussion revolved around options if Council desired to consider the establishment of a canteen or club. A meeting will be scheduled with Councillors to allow a comprehensive dialogue about the necessary procedures for setting up such an establishment.

CEO advised Councillors that a workshop had been scheduled with the Department of Local Government for Friday 16 August. This was to assist Councillors to complete their mandatory training within the legislative timeframe.

CEO sought confirmation of Councillors attending an inspection of housing development projects by the indigenous construction company, ZK Constructions on the Sunshine Coast with a view to reviewing their capacity and standards of work due to the potential of large volume of works upcoming in the future. CEO also advised that this trip would also incorporate meetings with LGAQ staff in Brisbane. All Councillors confirmed their participation.

CEO read to the report.

RESOLUTION 02:26/07/2024

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

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

5/5 CARRIED

10.52am Meeting Adjourned

11.07am Meet reconvened

11.08am 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 June 2024.

Director Corporate Services read to the report.

RESOLUTION 03:26/07/2024

That Council accept the 30th June 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 Michael Sands

Seconded: Cr Amy Neal

5/5 CARRIED

7.3 2024-2025 BUDGET**PURPOSE OF THE REPORT**

Council to adopt the 2024/25 Budget

Director Corporate Services read to the report.

CEO confirmed to Council that budget papers presented were as determined in the workshop with Council on 17 May 2024.

RESOLUTION 04:26/07/2024

That Council resolve to adopt Council's budget for 2024-2025.

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

5/5 CARRIED

7.4 FEES, RATES, CHARGES 2024-2025**PURPOSE OF THE REPORT**

Council to adopt the 2024/25 Schedule of Fees & Charges

Director Corporate Services read to the report.

RESOLUTION 05:26/07/2024

That Council resolve to adopt the 2024/25 Schedule of Fees & Charges

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

5/5 CARRIED

7.5 ISR INSURANCE RENEWAL 2024-2025**PURPOSE OF THE REPORT**

Provide an update on the status of Industrial Special Risk insurance renewal for Yarrabah Aboriginal Shire Council.

Director Corporate Services read to the report.

CEO advised Council, as noted in the Director's report, this was subject to comment by the CEO at the previous Council meeting.

RESOLUTION 06:26/07/2024

That Council note & resolve to accept the 2024-2025 Industrial Special Risks Insurance renewal.

Moved: Cr Hezron Murgha

Seconded: Cr Michael Sands

5/5 CARRIED

12.10pm Director Corporate Services left the meeting

12.10pm meeting adjourned

12.59pm Meeting reconvened

Following a discussion with the Mayor and Deputy Mayor, it has been decided that the CEO will read all the reports. Furthermore, the CEO will take any inquiries received and address them accordingly.

7.6 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.

The CEO advised Council that The Arts & Cultural Precinct has won the CIAF Arts Centre Award yesterday 25th July 2024. Council congratulates all those involved in CIAF.

The Council extends its sincere appreciation to the Community Services team for their exceptional management of the NAIDOC Week events. Their dedication and hard work have significantly contributed to the success of these important community celebrations. The team's efforts have not only honoured our heritage but have also fostered a sense of unity and pride among our residents.

RESOLUTION 07:26/07/2024

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

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

5/5CARRIED**7.7 INFRASTRUCTURE - OPERATIONAL REPORT****PURPOSE OF THE REPORT**

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

CEO read to the report.

Deputy Mayor Michael Sands noted the presence of dogs loitering around the shops. He emphasised the need for clear regulations regarding dogs outside shops to ensure public safety, hygiene, and animal welfare. CEO to have the Director of Infrastructure address this concern with Animal Management to ensure compliance.

RESOLUTION 08:26/07/2024

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

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

5/5CARRIED

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 June / July 2024.

CEO read to the report.

Deputy Mayor Michael Sands raised a concern that contractors are failing to remove their rubbish from job sites. This issue needs to be addressed. CEO to have the Director of Building Services address this concern with contractors to ensure compliance.

Councillors inquired about the removal of the pine trees. The CEO has since confirmed that the trees are being removed to make way for new power lines for the Optus Tower. This has been done in consultation with the Gunggandji Aboriginal Corporation RNTBC.

RESOLUTION 09:26/07/2024

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

Moved: Cr Daryl Sexton

Seconded: Cr Hezron Murgha

5/5 CARRIED

7.9 REQUEST FOR TENDER - SUPPLY, DELIVERY AND INSTALLATION OF SHORT-TERM ACCOMMODATION**PURPOSE OF THE REPORT**

To seek Council endorsement to award the Supply, Delivery and Installation of Short-Term Accommodation.

CEO read to the report.

RESOLUTION 09:26/07/2024

That Council resolve to award the Contract Package for the construction of five (5) cabins to The Trustee for Bt & RI Woodford Family Trust (Asset Cabins and Homes Pty Ltd).

Moved: Cr Amy Neal

Seconded: Cr Brian Underwood

5/5 CARRIED

Amended by Resolution 10:19/09/2024

7.10 REEF GUARDIAN COUNCIL PROGRAM MOTIONS FOR THE LGAQ CONFERENCE**PURPOSE OF THE REPORT**

For Council to consider and support the long-term sustainability Plan of the Reef Guardian Council program - Reef 2050 Plan.

CEO read to the report.

RESOLUTION 11:26/07/2024

That Council resolve to endorse the motions by Cassowary Coast Regional Council to the LGAQ annual conference:-

- The LGAQ calls on the State and Federal governments to support Queensland Local Governments', particularly the Reef Guardian Councils, in their efforts to implement actions under the Reef 2050 Plan, through direct funding and capacity building.
- The LGAQ calls on the Queensland Government to match the Australian Government Reef Guardian Councils Program – Activating Local Councils' Reef Action Plans grant funding to support implementation of the Reef 2050 Long-Term Sustainability Plan

Moved: Cr Michael Sands

Seconded: Cr Hezron Murgha

5/5 CARRIED

7.11 POLICY REVIEW**PURPOSE OF THE REPORT**

Annual review of statutory and other policies.

CEO read to the report.

CEO reminded Council that a policy review workshop was held on 18 June 2024, where the CEO confirmed to Council that there were no significant changes to the policies, aside from minor administrative adjustments. Noting that the policies for the Early Learning Centre were reviewed by the CEO, the Director – People & Communities, and the Early Learning Centre Manager.

RESOLUTION 12:26/07/2024

That Council resolve to endorse the recommendation presented by the Chief Executive Officer to adopt all policies as listed in the attached schedule covering the following areas:

- Statutory and Governance
- Management
- Early Learning Centre

Council authorise the implementation action to be carried out by CEO and Directors.

Moved: Cr Amy Neal

Seconded: Cr Daryl Sexton

5/5 CARRIED

7.12 ENDORSEMENT OF YARRABAH LDMP 2024**PURPOSE OF THE REPORT**

To seek Council approval of the amended Yarrabah Local Disaster Management Plan 2024

CEO read to the report.

RESOLUTION 13:26/07/2024

That Council resolve to endorse the Yarrabah Local Disaster Management Plan 2024

1. Authorise the Deputy Mayor (as Chair of the Yarrabah LDMG) and CEO (as Local Disaster Coordinator) to sign the plan.
2. CEO to have the endorsed plan posted on Council's website.

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

5/5 CARRIED

2.30pm meeting adjourned

2.48 pm meeting reconvened

7.13 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 14:26/07/2024

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:

- [REDACTED]

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

Moved: Cr Michael Sands

Seconded: Cr Amy Neal

5/5 CARRIED

Councillor Murgha declared his conflict due to being related to the applicant – Shatner Tilberoo-Murgha and as discussed at the beginning of the meeting, would be refraining from voting.

7.14 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 15:26/07/2024

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:

- [REDACTED]

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

Moved: Cr Daryl Sexton

Seconded: Cr Amy Neal

4/4 CARRIED

7.15 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 16:26/07/2024

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:

- [REDACTED]

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

Moved: Cr Michael Sands

Seconded: Cr Amy Neal

5/5 CARRIED

Deputy Mayor Michael Sands and Councillor Hezron Murgha declared their conflict due to being related to this applicant, Kunjul Sands-Murgha and as discussed at the beginning of the meeting, would be refraining from voting.

7.16 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 17:26/07/2024

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:

- [REDACTED]

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

Moved: Cr Daryl Sexton

Seconded: Cr Amy Neal

3/3 CARRIED

7.17 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 18:26/07/2024

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:

- [REDACTED]

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

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

5/5 CARRIED

Mayor Daryl Sexton and Deputy Mayor Michael Sands declared their conflict due to being related to this applicant, Devetta Mundraby and as discussed at the beginning of the meeting, would be refraining from voting.

7.18 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 19:26/07/2024

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:

- [REDACTED]

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

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

3/3 CARRIED

7.19 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 18:26/07/2024

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:

- [REDACTED]

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

Mayor Daryl Sexton declared their conflict due to being related to this applicant, Malcolm Canendo and as discussed at the beginning of the meeting, would be refraining from voting.

7.20 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 19:26/07/2024

That Council resolve, in relation to the application for confirmation of Aboriginality/Community Affiliation as submitted by [REDACTED]

1. To accept the application as submitted

Moved: Cr Amy Neal

Seconded: Cr Hezron Murgha

4/4 CARRIED

7.21 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:

[REDACTED]

PURPOSE OF THE REPORT

Present information to council from community resident seeking Confirmation of Aboriginality endorsement consideration. Applicant – [REDACTED]

CEO read to the report.

RESOLUTION 20:26/07/2024

That Council resolve, in relation to the application for confirmation of Aboriginality/Community Affiliation as submitted by [REDACTED]

1. To accept the application as submitted

Moved: Cr Amy Neal

Seconded: Cr Hezron Murgha

5/5 CARRIED

8 CORRESPONDENCE**8.1 CORRESPONDENCE - OFFICE OF THE COMMISSIONER - QUEENSLAND FIRE AND EMERGENCY SERVICES****PURPOSE OF THE REPORT**

Tabling of correspondence from Queensland Fire and Emergency Services Commissioner, Stephen Smith, dated 15 July 2024.

CEO read to the report.

RESOLUTION 21:26/07/2024

That Council note the correspondence tabled, as read.

Moved: Cr Michael Sands

Seconded: Cr Brian Underwood

5/5 CARRIED

8.2 CORRESPONDENCE - QUEENSLAND RECONSTRUCTION AUTHORITY - RESULT OF THE DISASTER AND EMERGENCY MANAGEMENT REFORMS**PURPOSE OF THE REPORT**

Tabling of correspondence from the CEO of the Queensland Reconstruction Authority, Jake Ellwood dated 16 July 2024.

CEO read to the report.

RESOLUTION 22:26/07/2024

That Council note the correspondence tabled, as read.

Moved: Cr Amy Neal

Seconded: Cr Michael Sands

5/5 CARRIED

9 STRATEGIC PORTFOLIO UPDATE

Councillors to provide 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 Thursday 22 August 2024.

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

Meeting closed at 2.57 pm.

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MAYOR