

**MINUTES OF YARRABAH ABORIGINAL SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE YARRABAH ABORIGINAL SHIRE COUNCIL CHAMBERS
ON WEDNESDAY, 18 DECEMBER 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), Director - Corporate Services Mike Mair, Executive Assistant Leona Worrell (Minute taker)

1 MEETING OPEN

Mayor Sexton declared the meeting open at 9.32am.

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

At 9:38 am, Cr Michael Sands left the meeting.

4 CONFIRMATION OF PREVIOUS MINUTES

RESOLUTION 01:18/12/2024

That the minutes of the Ordinary Council Meeting held on 20 November 2024 be adopted.

Moved: Cr Brian Underwood

Seconded: Cr Hezron Murgha

4/4

At 9:45 am, Cr Michael Sands returned to the meeting.

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 them now.

No declarations made

CEO confirmed to the Mayor that there was no conflict of interest declared.

At 9.56 am, the meeting was adjourned in order to host the Hon Steven Minnikin, Minister for Customer Services and Open Data and Minister for Small and Family Business and his entourage. This break allowed for the arrival and welcome of the Minister and his team, ensuring that proper arrangements were made to accommodate them for the scheduled discussions.

At 11.30am 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 November / December 2024.

CEO read to the report.

Deputy Mayor requested that water testing results be included in Council reports in future. CEO to have Director of Infrastructure include this data in operational report.

Cr Murgha requested that information in relation to Grants not approved also be included in CEO report and reasons why. This will allow Council to take a more proactive role when advocating on behalf of community. CEO advised that this would commence in February, due to Grants Officer being on leave until the end of January.

RESOLUTION 02:18/12/2024

That Council accept the CEO Operational Report for the period to 13 December 2024.

Moved: Cr Michael Sands

Seconded: Cr Amy Neal

5/5

At 11.52am meeting adjourned

At 12.01pm meeting reconvened

At 12.02pm 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 November 2024.

Director Corporate Services read to the report.

Current commercial leasing discussed. Confirmed that licence for use of Leisure Centre by Gurriny was due for renewal this month. Deputy Mayor advised that his view was that this should not be renewed and venue could be better utilised for Council purposes. Original agreement was for use of youth activities and they now have their own facility for this purpose. Cr Murgha suggested that Gurriny be requested to provide data as to use of facility - activities conducted and numbers attended, over the past twelve months to allow Council to make informed decision.

Director confirmed that continued use by Gurriny could be ongoing on a month by month basis until Council determined its position on this.

CEO to request information from Gurriny to assist Council with its decision on this matter.

RESOLUTION 03:18/12/2024

That Council accept the 30th November 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 Hezron Murgha

Seconded: Cr Brian Underwood

5/5

At 12.47pm Director Corporate Services left the meeting

At 12.48pm meeting adjourned

At 1.45pm meeting reconvened.

The Mayor advised Council of the apologies of the Deputy Mayor, who had to leave during the lunch break due to an urgent matter that had arisen. Council noted the apology of the Deputy Mayor.

7.3 YARRABAH ABORIGINAL SHIRE COUNCIL: ANNUAL REPORT 2023 - 2024

PURPOSE OF THE REPORT

Present the 2023 - 2024 Annual Report for council endorsement.

CEO read to the report

RESOLUTION 04:18/12/2024

That Council resolve to endorse Annual Report 2023 – 2024 and the following contents:

- Assessment of Performance including Departmental Operational Reports
- Community Financial Report
- Statutory Reporting Items
- Independent Auditors Report
- Audited Financial Statement

An electronic copy of this report must be posted on the council website.

Moved: Cr Amy Neal

Seconded: Cr Daryl Sexton

4/4

At 2:09 pm, Cr Brian Underwood left the meeting.

At 2:15 pm, Cr Brian Underwood returned to the meeting.

7.4 YARRABAH ABORIGINAL SHIRE COUNCIL CORPORATE PLAN

PURPOSE OF THE REPORT

Submit to council the amended Corporate Plan for 2020 - 2027

CEO read to the report

RESOLUTION 05:18/12/2024

That Council resolve to endorse the Corporate Plan as presented by the CEO.

Moved: Cr Brian Underwood

Seconded: Cr Daryl Sexton

4/4

7.5 MICROGRID PROJECT PRE-IMPLEMENTATION CLOSE OUT

PURPOSE OF THE REPORT

To provide Council with an update on the Yarrabah Microgrid Pre-Implementation project and obtain appropriate support to continue to the next stage of the project.

CEO read to the report

RESOLUTION 06:18/12/2024

That Council resolves to:

1. Endorse progression of the Yarrabah Microgrid Project to financial close, subject to funding;
2. Note the completion of the Yarrabah Microgrid Pre-Implementation QMPF Milestone report to the Queensland Government;
3. Endorse the Project Management Office / Microgrid Project Ownership and Delivery Structure whereby Council will assume control of the Microgrid Project implementation functions, therefore realising Council as the responsible authority for all aspects of the microgrid project, including management of project financing arrangements, co-ordination of project delivery, establishing future operations and maintenance services, and project risk management.
This preferred option allows full control of delivery of the relevant microgrid project components by Council. On the understanding that:
 - a. Ergon Energy Network would retain responsibility for all electricity distribution network functions;
 - b. Ergon Energy Retail would retain responsibility for all energy retailing obligations;
 - c. Council would not be exposed to any obligations or risks in these areas by undertaking the delivery of the Microgrid Project;
4. Change the name of the Yarrabah Microgrid Project to '*Empower Yarrabah*' as part of the transition of the project to Council as the Project Manager, and in recognition that the Yarrabah Microgrid is more than simply a technical solution and delivers more than functional infrastructure, it contributes the community's overall quality of life;
5. Be the applicant for future grants including to the Australian Renewable Energy Agency and other potential funding sources, on the understanding that support for preparation of the Grant will be provided by Energy Connect, as the entity that has prepared the Yarrabah Microgrid Feasibility Study (February 2022) and the Yarrabah Microgrid Pre-Implementation Strategy (December 2024);
6. Delegate the CEO to:
 - a. prepare and submit the grant applications for the Microgrid Project / Empower Yarrabah Project to the Australian Renewable Energy Agency and other funding bodies;
 - b. undertake actions required to establish the Ownership and Delivery Structure subject to funding;
 - c. establish and integrate the Project delivery functions into the Yarrabah Aboriginal Shire Council;
7. Note and support the draft Community Energy Strategy – Empower Yarrabah (December 2024) and undertake further community engagement and promotion activities as appropriate.

Moved: Cr Daryl Sexton

Seconded: Cr Amy Neal

7.6 REQUEST FOR SUPPORT - MUTKIN RESIDENTIAL AND COMMUNITY AGED CARE FOR RENOVATION AND REFURBISHMENT WORKS

PURPOSE OF THE REPORT

To provide Council with information regarding the renovation and refurbishment works at Mutkin Residential and Community Care Indigenous Corporation (Mutkin) and obtain appropriate Council resolutions.

CEO read to the report

RESOLUTION 07:18/12/2024

That Council resolve, to support the grant with the Commonwealth, represented by Department of Health and Aged Care in relation to Lots 703 and 704 SP265165 at 87 Back Beach Road, and in particular, Council provides:

- a. consent for Mutkin to:
 - i. assign the lease or grant a sublease to the Commonwealth or the Commonwealth's nominee if such assignment or sublease is required by the Commonwealth; and
 - ii. grant a charge and mortgage in favour of the Commonwealth over all of Mutkin's right, title and interest in the lease.
 - iii. carry out the Works on the Property; and
- b. assurance that:
 - i. Mutkin will not, at any time, be obliged to pay any additional rent as a consequence of the improvement value and the improvements will not be taken into account on any rent review;
 - ii. the YASC will not terminate the Lease unless the YASC has given the Commonwealth 60 days' notice of its intention to do so and provide the Commonwealth with an opportunity to rectify any default by the Organisation

Moved: Cr Daryl Sexton

Seconded: Cr Brian Underwood

4/4

7.7 MEMORANDUM OF UNDERSTANDING - CHOPPYS BOXING CLUB**PURPOSE OF THE REPORT**

To present to Council a draft Memorandum of Understanding (MOU) between Yarrabah Aboriginal Shire Council and Choppy's Boxing Club for use of community hall for training and potential tournaments.

CEO read to the report

RESOLUTION 08:18/12/2024

That Council:-

1. Endorse the Memorandum Of Understanding.
2. Authorise the CEO to action the signing.

Moved: Cr Brian Underwood

Seconded: Cr Hezron Murgha

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7.8 CONFIRMATION OF ABORIGINALITY / COMMUNITY AFFILIATION APPLICANT FORM:**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 09:18/12/2024

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 Daryl Sexton

Seconded: Cr Amy Neal

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7.9 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

RESOLUTION 10:18/12/2024

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

Moved: Cr Hezron Murgha

Seconded: Cr Daryl Sexton

4/4**7.10 BUILDING SERVICES - OPERATIONAL REPORT****PURPOSE OF THE REPORT**

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

CEO read to the report

RESOLUTION 11:18/12/2024

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

Moved: Cr Daryl Sexton

Seconded: Cr Amy Neal

4/4

7.11 INFRASTRUCTURE OPERATIONAL REPORT**PURPOSE OF THE REPORT**

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

CEO read to the report

RESOLUTION 12:18/12/2024

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

Moved: Cr Brian Underwood

Seconded: Cr Amy Neal

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8 CORRESPONDENCE

Mayor Daryl Sexton advised Council of a Christmas card from the Premier David Crisafulli, extending Merry Christmas wishes to all.

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 Wednesday 22 January 2025.

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

Meeting closed at 3.40pm.

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MAYOR