

**MINUTES OF ORDINARY MEETING OF THE AURUKUN SHIRE COUNCIL  
HELD AT AURUKUN SHIRE COUNCIL CHAMBERS ON TUESDAY, 12 MAY  
2009**

**PRESENT**

<b>Councillors</b>	Cr. Neville Pootchemunka Cr Angus Kerindun Cr Jonathan Korkaktain
<b>Officers</b>	John Bensch – Chief Executive Officer Linda Sivyer – Minute Recorder

**1. OPENING**

The Mayor declared the Meeting open at 9.15 am and asked John Bensch to open with a word of prayer.

**2. MAYOR'S MINUTES**

The Mayor apologised for not having his report to Council but he had only returned from leave, the day prior to the Meeting.

**3. LEAVE OF ABSENCE**

A letter requesting Leave of Absence had been received by the Chief Executive Officer from Cr Patrick Koongotema as he had to accompany his wife to Cairns on a medical appointment. Leave of absence was granted to Cr Phyllis Yunkaporta as she was still currently on her six (6) weeks leave as requested at the April Meeting.

**4. CONDOLENCES**

Nil.

**5. CONFIRMATION OF MINUTES**

09.4978 **RESOLVED THAT** the Minutes of the Ordinary Meeting of Council held on 7 April 2009 be received. **(Cr Kerindun/Cr Korkaktain) CARRIED**

**The general public were allowed into the Meeting from 9.20 am and Mr Stuart Marquardt entered at that time.**

**6. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**

**2. MAYOR'S MINUTES**

**2.2 Councillor's Portfolios**

A workshop for Councillor's Portfolios to be looked at had been set down for 26 May but the Joint Steering Committee (CHALCO) has now been moved to this date. This was considered by Council and it was agreed that the date for the workshop be moved to the following day, Wednesday 27 May 2009 at 9 am.

**2.3 Negotiation Table Date**

The Government Champion, Mr Jim McGowan, had advised that 10 June 2009 was not a suitable date for him to visit Aurukun for the Negotiation Table. Council considered this and agreed that if neither Mr Jim McGowan or Mr Colin Jensen could not attend on 10 June, then the date be moved to 24 June 2009 so that one of them can attend.

**Confirmed as a true and correct record of proceedings .....Mayor**

**6. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETING**

**17.8 Pensioner Units Development**

The Chief Executive Officer advised that tenders have closed for the construction of the new units and the engineers are considering the tenders at present. Council will be advised in the very near future of the best tenders.

**14. OUTSTATION CO-ORDINATOR'S REPORT**

**14.5 Police Involvement**

Cr Kerindun reported that the boat was to be returned on the day of the Council Meeting.

**18. CHIEF EXECUTIVE OFFICER'S REPORT**

**18.10 Town Planning**

The Chief Executive Officer advised that Council has received a grant of \$150,000 to be used for town planning but the cost of this work to be carried out is \$200,000 and Council has to provide the balance.

**09.4979           RESOLVED THAT** Council to top up the difference between funding from the Government and the final cost and that the Chief Financial Officer be authorised to include this shortfall in the Budget for 2009/2010 financial year. **(Cr Kerindun/Cr Korkaktain) CARRIED**

**09.4980           RESOLVED THAT** the Business Arising from the Previous Minutes be received. **(Cr Korkaktain/Cr Kerindun) CARRIED**

**Chris Bradley (Department of Local Government), Ben Klaasen, Bob Fiedler (PCYC), Steve Renouf (Sport and Recreation) and Tom Lui (Sport and Recreation) entered the Meeting at 9.32 am.**

**9. CDEP CO-ORDINATOR'S REPORT**

Nil.

**10. WORKS MANAGER'S REPORT**

**10.1 Road Works**

Noted.

**10.2 Garbage Collection**

Noted.

**10.3 Mechanic Workshop/Depot**

Noted.

**10.4 Water and Sewerage**

Noted.

**10.5 Housing Maintenance**

Noted.

**10.6 Training**

Noted.

**09.4981           RESOLVED THAT** the Works Manager's Report be received. **(Cr Kerindun/Cr Korkaktain) CARRIED**

**Confirmed as a true and correct record of proceedings .....Mayor**

The Mayor welcomed the delegation from Sport and Recreation and PCYC to the Meeting and invited Ben Klaasen to speak to Council.

Ben thanked the Mayor and Council and spoke on the program that PCYC would like to work with Council and community to introduce more recreational and sporting facilities into the community. The PCYC has funds for staff and it would be the PCYC's intention to recruit a local person to be the Co-ordinator of the Program and that the PCYC would work with the community to put into place programs suited to the Aurukun community.

Bob Fiedler (CEO of PCYC) said that if Council was in agreement with PCYC coming into the community to help with programs, there would be a Memorandum of Understanding drawn up between the PCYC and Council so that the best could be done for the community and that they would start to implement the programs within approximately six to eight weeks.

Council discussed these options and agreed that it would be a good thing to work together with PCYC on these programs.

**09.4982**        **RESOLVED THAT** Council is in agreement with PCYC and Sport and Recreation that PCYC Programs be implemented In Aurukun and that a Memorandum of Understanding be drawn up and signed between Council and the PCYC regarding this as soon as possible. **(Cr Kerindun/Cr Korkaktain) CARRIED**

**Ben Klaasen , Bob Fiedler (PCYC), Steve Renouf (Sport and Recreation) and Tom Lui (Sport and Recreation) departed the Meeting at 9.55 am.**

**11.        HOUSING REPORT**  
**09.4983**        **RESOLVED THAT** the Housing Report be received. **(Cr Korkaktain/Cr Kerindun) CARRIED**

**12.        ART CENTRE MANAGER'S REPORT**

**12.1        Apologies**  
Noted.

**12.2        University Queensland Art Museum, Brisbane**  
Noted.

**12.3        Art Centre Business Model**  
Council discussed this matter and was in agreement that the process of the divestment of the Art Centre proceed and that it be known as the Wik & Kugu Aboriginal Art and Craft Corporation. Before finalization of the divestment to the new corporation, Council considered it best to look at some Art Centres where they were functioning properly to get a good indication of how to proceed for the best interests of the artists in the community.

The Mayor requested that attention be given to establish a Keeping Place as part of this function.

**09.4984**        **RESOLVED THAT** Council agrees in principle to the divestment of the Art Centre to the Wik & Kugu Aboriginal Art and Craft Corporation but before finalization of the process that the Mayor, Chief Executive Officer, Cr Korkaktain, Cr Kerindun, the Arts Co-ordinator and one male and one female artist from the Arts Centre visit Morning Island Art Centre. **(Cr Kerindun/Cr Korkaktain) CARRIED**

**Confirmed as a true and correct record of proceedings .....Mayor**

Cr Korkaktain suggestion that it would be good for the children if some of the artists from the Art Centre related to the children at school and did some work with them at the school.

**12.4 Sydney Exhibition: Coo-ee Aboriginal Art Gallery, Bondi 2 May 2009**

Noted.

**12.5 Brisbane Exhibition: Andrew Baker Art Dealer July 2009**

Noted.

**12.6 Ghostnet Project for the Cairns Arts Fair**

Noted.

**12.7 Art Centre Financial Management System**

Noted.

**12.8 Artists in Residence**

Noted.

**12.9 Assistant Co-ordinator**

Noted.

**09.4985 RESOLVED THAT the Art Centre Manager's Report be received. (Cr Korkaktain/Cr Kerindun) CARRIED**

**13. COMMUNITY SUPPORT AND JUSTICE PROGRAMS REPORT**

**13.1 Aurukun Community Justice Group**

Noted.

**13.2 Koolkan Early Childhood Centre and Family Hub Support**

**13.2.1 Staff and Training**

Noted.

**13.2.2 Children's Attendance**

Noted.

**13.2.3 Repairs and Maintenance**

Noted.

**13.2.4 Visitors**

Noted.

**13.2.5 Family Support Hub**

Noted.

**13.2.6 Community and Family Support Worker**

Noted.

**13.2.7 Wik Inana**

Noted.

**13.3 HACC/CACP Program**

Confirmed as a true and correct record of proceedings .....Mayor

09.4986 Noted.  
**RESOLVED THAT** the Community Support and Justice Programs Report be received. (Cr Kerindun/Cr Korkaktain) **CARRIED**

**Justice Group Co-ordinator, David Hooton, Ralph Peinkinna, Dorothy Pootchemunka, Rebecca Wolmby, Roy Landis, Leo Yunkaporta entered the Meeting at 10.35 am.**

The Mayor welcomed the Justice Group Co-ordinator, Chairman and members to the Meeting.

Discussion took place in relation to the appointment of an Assistant Co-ordinator and the Co-ordinator advised that this was in the process and that interviews would be held very soon. The interview panel would be the Co-ordinator, Chairman and the Chief Executive Officers.

The Chief Executive Officer spoke about the Tavern and about juvenile offenders damaging property in town. He also advised that Liquor Licensing Division would be in town on 19 May 2009 and a meeting was to be held at the Justice Centre regarding alcohol and the Tavern.

Council and the Justice Group discussed these matters at length and it was decided that Council should look at making a Local Law in that if juveniles damage property, then the parents be charged and restitution made.

The Mayor thanked the Justice Group Co-ordinator and members for coming to speak with Council.

**The Justice Group Co-ordinator and members departed at 11.23 am.**

**Department of Child Safety officers, Deb Hall, David Goodinson, Annie Roberts, Frances Purcell, Michael Waters and Mark Gutcher entered the Meeting at 11.25 am.**

The Mayor welcomed the Child Safety representatives to the Meeting and thanked them for coming to speak with Council.

Discussion took place at length regarding the removal of children by the Department from the community and in particular one instance, when seven (7) children were removed in one day.

Council expressed its concern that members of the extended families were not consulted and grandparents, uncles and aunts were quite distressed in these children being removed so suddenly without them being informed.

Deb Hall and David Goodinson explained the situation and took on board Council's concerns and also the fact that they were quite prepared for the Department's officers to undergo any Cultural Awareness Training that might help in the course of their duties and also that more reference would be made to the Justice Group and Recognised Entity staff

The Mayor thanked the representatives for coming to Council and allowing the matter to be discussed.

**The Child Safety Officers left the Meeting at 11.50 am.**

**Confirmed as a true and correct record of proceedings .....Mayor**

**John Graham, Joanne Scarini and Andrew Turner from Rio Tinto entered the Meeting at 11.55 am.**

The Mayor welcomed the Rio Tinto representatives to the Meeting and asked Joanne Scarini, General Manager of the Weipa Site, to address Council.

Joanne thanked the Mayor and spoke about Rio Tinto's concerns regarding the realignment of the Shire Boundaries and her response to Council as General Manager.

The concern that Rio Tinto has that in the first stage of the South of the Embley mine it will be a construction site until all the infrastructure is built and in view of this, she felt that it would be difficult to get construction workers to stay onsite for a period of two to three weeks without any alcohol available in view of the Alcohol Management Plan which would apply to this area.

Discussion took place regarding this and it was said that Rio Tinto may be able to apply to Liquor Licensing Division to have a license specifically for the site similar to the license for the Pikkuw which is within the Shire.

The Chief Executive Officer raised the matter which had been discussed and agreed to by Council previously regarding the site for an office in Aurukun for Rio Tinto. It was agreed that Rio Tinto would look at this and Joanne Scarini informed Council that she would consider all the matters discussed and inform Council of Rio's decision.

**The Rio Tinto representatives departed the Meeting at 1.05 pm.**

**The Meeting adjourned at 1.05 pm for a lunch break and resumed at 1.20 pm.**

The Chief Executive Officer informed Council that Mr Chris Bradley from Department of Local Government had to leave at 1.45 pm to catch a plane and asked Council to refer to an item in the Chief Executive Officer's Report.

**18. CHIEF EXECUTIVE OFFICER'S REPORT**

**18.15 Councillors' Reimbursement**

The Chief Executive Officer advised that this matter had arisen when Cr Kerindun went to a Department of Housing meeting in Cairns and on his return Cr Kerindun was querying the allowances for Councillors.

The Chief Executive Officer said that the Councillor Reimbursement Policy was adopted by Council in April 2008 and he invited Mr Chris Bradley from Department of Local Government to address Council on this issue.

Mr Bradley said that the Department had "model Councillor Reimbursement Policy" if Council's wished to adopt that or Councils could adopt their own policy.

If Council paid for travel, accommodation and meals, then no other allowances was due to Councillors other than incidentals for example, taxi fares, which could be claimed back from Council on the production of the relevant receipts.

Mr Bradley told Council that he was happy to come again to answer any questions that Councillors may have.

**Confirmed as a true and correct record of proceedings .....Mayor**

**Mr Chris Bradley departed the Meeting at 1.40 pm.**

**Marnie Wettenhall, Tony Martens, Mandy Barsa, Phoebe , Kim McDonald entered the Meeting at 1.40 pm.**

The Mayor welcomed the group from the ICC, Centrelink and Jobfind to the meeting and asked Tony Martens from the ICC to speak to Council.

Tony thanked the Mayor and then informed Council about the new procedures for CDEP which will come into place from 1 July 2009.

He explained that CDEP will now be paid through Centrelink and that it will be linked to employment services and job-readiness. There will be a particular "Participant Pathway" referral which will have to be followed and this must be adhered to in order that CDEP can be received. The Government is offering job packages, traineeships and additional positions for Ranger jobs.

Mandy Barsa said that she would look into the situation at the Centrelink Officer here in Aurukun to see if there is the possibility of getting assistance for the Centrelink Agent.

The Mayor thanked the group for their input into the changes of the CDEP Program.

**Marnie Wettenhall, Tony Martens, Mandy Barsa, Phoebe (Jobfind) and Kim McDonald departed the Meeting at 2.30 pm.**

**14. REPORT – OUTSTATION CO-ORDINATOR**

**14.1 Outstations Visited**

Council discussed the matter of the outstations and it was agreed that people should be encouraged to move back to the outstations so that the assets are maintained and looked after.

**14.2 Permit Scheme**

Noted and the Chief Executive Officer advised that this would be discussed in his report.

**09.4987 RESOLVED THAT the Outstation Report be received. (Cr Kerindun/Cr Korkaktain) CARRIED**

**15. ENVIRONMENTAL HEALTH AND ANIMAL CONTROL WORKER REPORT**

**15.1 Training**

Noted.

**15.2 Pound**

Noted.

**15.3 Ongoing Program**

Council discussed the program and it was also agreed that something had to be done about removing the pigs and cattle from town.

**09.4988 RESOLVED THAT the Environmental Health and Animal Control Worker Report**

**Confirmed as a true and correct record of proceedings .....Mayor**

be received. **(Cr Kerindun/Cr Korkaktain) CARRIED**  
16. **FINANCE AND ADMINISTRATION REPORT**  
Nil.

17. **CHIEF OPERATING OFFICER'S REPORT**

17.1 **Wik Media Rental**  
09.4989 **RESOLVED THAT** Council agrees to set the rental for Wik Media's office space at a 30% discount until 31 December 2009 and that the full amount of rent be paid by Wik Media to Council for office rental from 1 January 2010. **(Cr Kerindun/Cr Korkaktain) CARRIED**

**Andrew Clarkson entered the Meeting at 2.55 pm.**

18. **CHIEF EXECUTIVE OFFICER'S REPORT**

18.1 **Visit by Delegation of Liquor Licensing Division**  
The Chief Executive Officer informed Council that this was an important meeting on 19 May 2009 and that all Councillors should attend the meeting.

Noted.

18.2 **Business Ventures BPO Office**  
09.4990 **RESOLVED THAT** Council does not support the establishment of accommodation business at CHALCO and views training for the mine to be focused on mining activities. **(Cr Kerindun/Cr Korkaktain) CARRIED**

18.3 **Divestment of Blue Lagoon**  
09.4991 **RESOLVED THAT** Council accept the tender of Wild Adventures to lease Blue Lagoon complex for a period of ten (10) years with an option of five (5) years for an annual payment of \$20,000 and authorises the Mayor and Chief Executive Officer to finalise the agreement and that a fee for client and a fee per person who stays at the complex during the time of the lease be included in the agreement.. **(Cr Kerindun/Cr Korkaktain) CARRIED**

18.4 **Control of Entry Local Law**  
Council discussed the concerns of people entering the Shire without permission and the Chief Executive Officer advised Council that rangers or staff could enforce the local law of trespassing on Shire land and that fines of \$250 for the first offence and \$500 for the second or more could be applied.

09.4992 **RESOLVED THAT** Council approve a penalty for trespassing at \$250 for the first offence and \$500 for each offence thereafter. **(Cr Korkaktain/Cr Kerindun) CARRIED**

18.5 **Code of Conduct – Councillors and Staff**  
This matter had been dealt with in the Chief Operating Officer's Report and Councillors took note of the importance to comply.

18.6 **ROCCY Meeting 30 April 2009**  
Noted.

18.7 **Service Delivery – Skytrans**  
Noted.

**Confirmed as a true and correct record of proceedings .....Mayor**

- 09.4993 18.8 **Temporary Accommodation for HACC**  
**RESOLVED THAT** Council accept the prefab buildings from Weipa as an interim centre for the HACC Program on the condition that it be resourced, the old building is to be demolished by the end of July 2009. **(Cr Kerindun/Cr Korkaktain) CARRIED**
- 09.4994 18.9 **Application – Richard Ornyengaia**  
**RESOLVED THAT** Council approve the Mayor to sign the certificate from IBA that Richard Ornyengaia is a resident of Aurukun and has lived in Aurukun all his life. **(Cr Korkaktain/Cr Kerindun) CARRIED**
- 09.4995 18.10 **Request for erection of signs – Crime Stoppers**  
**RESOLVED THAT** Council agrees to the erection of Crime Stoppers signs in town and that the Chief Executive Officer be authorised to manage the project in collaboration with John Harris of Crime Stoppers. **(Cr Kerindun/Cr Korkaktain) CARRIED**
- 09.4996 18.11 **Additional Telephone Booth**  
**RESOLVED THAT** Council not proceed with the request for an additional telephone booth in Aurukun due to the fact that so many people have mobile phones and damage which happens to the telephone booths. **(Cr Kerindun/Cr Korkaktain) CARRIED**
- 09.4997 18.12 **Appointment of General Store Steering Committee**  
**RESOLVED THAT** Herbert Yunkaporta Jnr, Douglas Ahlers and Cr Angus Kerindun be appointed to the General Store Steering Committee with the Mayor and the Chief Executive Officer. **(Cr Kerindun/Cr Korkaktain) CARRIED**
- 18.13 **Department of Justice – Agreement**  
The Mayor asked Andrew Clarkson if he could follow this matter through with the Department of Justice so that Council could be paid for auspicising the service of the Community Justice Group.
- 18.14 **Meeting with Elders**  
Council discussed the matter of the behaviour of children and damages to property in the town at length and felt that it was a matter for families and elders to handle, not Council's role. The Mayor asked Andrew Clarkson if he could advise how this matter could be handled and he informed Council that these matters could be referred to the Police and Justice of the Peace Courts for the matters to be dealt with at this level.
- Andrew Clarkson said that he would arrange a meeting with the Magistrate, Justice Group and Council to discuss these issues.
- 18.15 **Councillors' Reimbursements**  
This matter had been dealt with earlier but Councillors should complete a travel allowance form and inform the Chief Executive Officer's Personal Assistant how wished their travel arranged.
- 09.4998 18.16 **Application for Fireworks Display**  
**RESOLVED THAT** Peter Gilmore be allowed to visit Aurukun with his Family Fun Show but that he change the dates to the school holidays in June/July 2009. **(Cr Korkaktain/Cr Kerindun) CARRIED**

Confirmed as a true and correct record of proceedings .....Mayor

18.17 **Applications to rent Council Facilities**  
09.4999 **RESOLVED THAT** Council does not make any exceptions for renting of facilities except a discount which will be considered by Council well ahead of time. **(Cr Kerindun/Cr Korkaktain) CARRIED**

18.18 **Ceremonial Sittings of the Court – Native Title**  
09.5000 **RESOLVED THAT**  
(1) Council takes note of the content of Philip Hunter’s email and discusses the matter with him at his next meeting with CHALCO, and that  
  
(2) Council agrees to provide the Sport and Recreation Hall for the Ceremonial Sitting of Court on 29 July 2009.  
**(Cr Korkaktain/Cr Kerindun) CARRIED**

09.5001 **RESOLVED THAT** the Chief Executive Officer’s Report be received. **(Cr Kerindun/Cr Korkaktain) CARRIED**

19. **CORRESPONDENCE**

19.1 **Tim and Anamarie Jones**  
Approval in principle given to Tim and Anamarie Jones to commence a small business but subject to Council’s Small Business Policy and providing a business plan. Further consideration will be given after they have completed all documentation and conditions of the Small Business Policy.

19.2 **Trish Sarago**  
Council approved in principle the concept of a Market/Bazaar Day but further information is required from Mrs Sarago before final approval is given such as  
(a) How many stall holders do you anticipate?  
(b) How many times a year do you propose to have these “market days”;  
(c) Is the main aim to set individual stall holders as a small business?  
(d) Are the profits from sales to go to charity or for individual gain?  
(e) Will this be a small business, if yes, who will manage the business or be part of it.  
(f) What is the view from CHALCO on this matter?

19.3 **Stuart Marquardt**

**The Mayor asked Mr Marquardt (observer) to leave the Meeting whilst this was discussed.**

Council considered Mr Marquardt’s letter requesting residency in Aurukun and the fact that he had provided all documentation as requested in line with Council’s policy.

09.5002 **RESOLVED THAT** Council approve in principle that residency status be given to Stuart Marquardt but that a six (6) month probation period apply from the date of this Meeting, and if this is satisfactory, then his permanent residency will be confirmed.. **(Cr Kerindun/Cr Korkaktain) CARRIED**

**Mr Marquardt returned to the Meeting.**

19.4 **Paget – Density Mapping**

**Confirmed as a true and correct record of proceedings .....Mayor**

Requesting permission for density mapping of the area over Cape York and Council decided to refer this matter to the PBC for their consideration and if approved by them then permission be given.

**19.5 Bruce Martin**

Bruce requested permission for ten (10) of his friends from University to visit Aurukun after the Laura Festival. Council would like more information as to where they will be staying in Aurukun before approval is given.

**20. DEPUTATIONS AND DELEGATIONS**

Nil.

**21. PRESENTATION OF PETITIONS**

Nil.

**22. CONSIDERATION OF NOTIFIED MOTIONS**

Nil.

**23. RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING**

Nil.

**24. QUESTIONS ON NOTICE OF MOTION**

Nil.

**25. QUESTIONS FROM PUBLIC GALLERY**

Nil.

**26. GENERAL BUSINESS**

**26.1 Drug and Alcohol Issues in Community – Cr Korkaktain**

Cr Korkaktain informed Council that he is concerned about the drug and alcohol issues in the community and looking back over a period of time, these issues are still happening. He asked what are we doing as a community about these problems.

The community as a whole needs to take control of these issues and not rely on other people to do it for us.

The Mayor asked Andrew Clarkson if he would bring a report to Council on function of Aurukun Local Partnership Project.

Andrew thanked the Mayor and advised they are presently engaging in a Skills Audit of community members, which includes the level of education etc, Driver's License training and training for 100 people to gain their Blue Card.

They were also currently doing business plans for business like the bakery, sugarbag and a shop. Assistance was also being sought for Council for funding for the town plan.

The Mayor thanked Andrew for his report.

**There being no further business, the Meeting closed at 4.55 pm.**

**Confirmed as a true and correct record of proceedings .....Mayor**