

**MINUTES OF ORDINARY MEETING OF THE AURUKUN SHIRE COUNCIL  
HELD AT AURUKUN SHIRE COUNCIL CHAMBERS ON TUESDAY, 3 MARCH  
2009**

<b>PRESENT</b>	<b>Councillors</b>	Cr. Neville Pootchemunka Cr Phyllis Yunkaporta Cr Angus Kerindun Cr Jonathan Korkaktain Cr Patrick Koongotema
	<b>Officers</b>	John Bensch – Chief Executive Officer Neil Ewart – Chief Operating Officer Barry Bonthuys – Chief Finance Officer

**1. OPENING**

The Mayor declared the Meeting open at 9.30 am and asked the Minute Secretary, Linda Sivyver, to open with a word of prayer.

**4. CONDOLENCES**

The Mayor asked Councillors to pay their respects to the Yunkaporta family in the loss of their family member.

**2. MAYOR'S MINUTES**

**2.1 Mayors' Steering Committee Meeting**

The Mayor advised that some of the issues that were discussed at the Steering Meeting were housing, employment and training. The Mayor informed Council that it is important that Government Departments like AQUIS and Customs continue to provide employment and programs for people like they have done in the past and this needs to be encouraged.

**2.2 ROCCY Meeting**

Noted.

**2.3 Cape York Partnerships Board Meeting**

09.4905

**RESOLVED THAT** Council approve the Mayor's attendance at the Cape York Partnerships Board Meeting in Cairns on 5 and 6 March 2009 and that all costs will be met by Cape York Partnerships. **(Cr Kerindun/Cr Yunkaporta)**  
**CARRIED**

**2.4 Cape York Partnerships**

The Mayor informed Council that he has asked Noel Pearson to come to Aurukun to discuss with Council, the FRC and the School, the issues that are concerning the community regarding the education of the children and the management of the school. He also informed Council that a steering committee needs to be set up to work with Education Queensland in connection with the management of the school.

Council discussed these issues and it was decided that Noel Pearson should be invited to Aurukun to hold discussions with Council, School, the FRC and speak at the next community meeting.

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

**2.5 Community Meeting**

The Mayor advised Council that it is important that it looks at the important matter of keeping the community informed on issues and that dates should be set for regular community meetings. Councillors must also be present to show unity with the Mayor.

**2.6 Concerns**

The Mayor expressed his concern regarding the height of the grass on the runway edges and that it is important to keep these clear.

The Mayor asked if a slasher could be made available to the CDEP Crew for the town area to be kept slashed and the Airport Maintenance Crew for the mowing of the runway edges.

**09.4906           RESOLVED THAT** the Mayor's Minutes be received. **(Cr Koongotema/Cr Kerindun) CARRIED**

**IBA Representatives, Steve Burroughs and Will Eastlake and Marnie Wettenhall from FACSIHA, entered the Meeting at 10.20 am.**

The Mayor welcomed Marnie, Steve and Will to the Meeting and asked them to report to Council on the present situation regarding the renovation of the old General Store building.

Steve Burroughs thanked the Mayor for the opportunity to come and proceeded to explain to Council that he had consulted Centrelink, Cape York Partnerships, Bendigo Bank and the relevant people regarding the Job Shop. Following the consultations with the various parties, plans of the building and a model were prepared and this is what Steve presented to Council for its consideration. The upstairs floor will be extended from the present area to go right across the top of the building and this will provide a conference room which will comfortably seat 200 people. The ground floor area has been designed to contain all the offices and shops which are required.

Marnie Wettenhall confirmed that the Commonwealth will fund the renovation program, two (2) houses, replacement of fuel station and an extension for the Guesthouse through the Welfare Reform Program. Council's contribution in all of this is the \$400,000 from the State Government Q150 Legacy Infrastructure Program.

The commencement date for the renovations will depend on when Council can remove the fuel tanks and the testing of the soil by geophysicists for any lead leakages from petrol.

**09.4907           RESOLVED THAT** Council accept and approve the plans and model of the new Retail Transaction Centre to be built at the site of the old General Store as presented by Indigenous Business Australia and that this building proceed as a matter of urgency with the funding from FACSIHA under Welfare Reform and the \$400,000 grant from the Queensland Government Q150 Legacy Infrastructure Program. **(Cr Korkaktain/Cr Koongotema).**

**Steve Burroughs and Will Eastlake departed the Meeting at 11.15 am.**

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

The Mayor raised the issue with Marnie Wettenhall of the concern in the community of the removal of children in the past week by Department of Child Safety Officers.

The Mayor was concerned that there had been no involvement prior to the removal of these children with the Justice Group and the FRC.

Marnie told Council that she would ask what processes had been put in place prior to the removal of the children from the community and would advise Council of her findings.

The Mayor thanked Marnie for her assistance in this matter.

**Marnie Wettenhall departed the Meeting at 11.35 am.**

**Vince Mundraby and Brad Foster of Northern Project Contracting entered the Meeting at 11.35 am.**

The Mayor welcomed Vince Mundraby and Brad Foster to the Meeting and asked them to make their presentation to Council.

Brad Foster gave Council a comprehensive presentation of the work in relating to work readiness, training and job placement that Northern Project Contracting is undertaking in various towns in Queensland and offered to Council their services in the future.

The Mayor thanked both Brad and Vince for their presentation to Council.

**Vince Mundraby and Brad Foster departed the Meeting at 12.30 pm.**

**Dave Bird of PCYC and Wendy Martin of Department of Communities entered the Meeting at 12.30 pm.**

Dave Bird informed Council that the PCYC had funding from the Government for four (4) years to set up a PCYC in Aurukun.

The Mayor thanked Mr Bird for his presentation and requested that more detail be made available to Council, furthermore Council needs to be informed/consulted long ago.

**Dave Bird and Wendy Martin departed the Meeting at 12.55 pm.**

**3. LEAVE OF ABSENCE**

Nil.

**5. CONFIRMATION OF MINUTES**

**09.4908** **RESOLVED THAT** the Minutes of the Ordinary Meeting held on 5 February 2009 be received as a true and correct record. **(Cr Kerindun/Cr Yunkaporta)**  
**CARRIED**

**6. BUSINESS ARISING OUT OF MINUTES**

Nil.

**7. PRESENTATIONS**

As detailed in Minutes.

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

8. **RECEPTION AND CONSIDERATION OF COMMITTEE AND/OR DELEGATES REPORTS**

Nil.

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 **Airport**

Noted.

10.7 **Damage to Assets**

Noted.

10.8 **Training**

Noted.

09.4909 **RESOLVED THAT** the Works Manager's Report be received. (Cr Koongotema/Cr Kerindun) **CARRIED**

**Kevin Sigai and Andrew Ballantyne entered the Meeting at 1.05 pm.**

11. **HOUSING REPORT**

11.1 **QBuild Gas Stove Installment Works Plan**

Noted.

11.2 **Closed houses for cultural reasons**

Noted.

11.3 **Vacant Untenantable Houses**

Noted.

11.4 **Sites for Factory-built Houses and Plug ins**

Noted.

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

11.5 **Letter from Department of Housing**  
09.4910 **RESOLVED THAT** Council give the names of the ten (10) people who have signed Tenancy Agreements to be the participants in the survey. (Cr Kerindun/Cr Yunkaporta) **CARRIED**

11.6 **Trade work carried out on houses**  
Noted.

09.4911 **RESOLVED THAT** the Housing Officer's Report be received. (Cr Koongotema/Cr Kerindun) **CARRIED**

**Kevin Sigai departed the Meeting at 1.30 pm.**

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

14.1 **Outstations Visited**  
Noted.

14.2 **Wathaniin**  
Discussion took place concerning the request from the Wellbeing Centre management regarding the use of the centre and buildings at Wathaniin and it was decided to invite Dereck Walpo, the Co-ordinator of the Wellbeing Centre and the traditional owners to the April Meeting of Council and also Damien Kerr of Springvale Station so that discussion can take place together.

14.3 **Blue Lagoon**  
Noted.

14.4 **Weed and Feral Animals**  
Noted.

14.5 **Love River**  
09.4912 **RESOLVED THAT** the Ward family be sent a trespassing notice and be fined \$1,500 under the Trespassing Bylaws. (Cr Yunkaporta/Cr Kerindun) **CARRIED**

09.4913 **RESOLVED THAT** the Outstation Manager's Report be received. (Cr Kerindun/Cr Yunkaporta) **CARRIED**

**Andrew Ballantyne departed the Meeting at 2 pm.**

**CHALCO representatives, John Sue See, Brett Lainey entered the Meeting at 2 pm.**

The Mayor welcomed the Chalco representatives to the Meeting and asked Brett Lainey to speak to Council.

Brett Lainey spoke to Council regarding the barge landing and presented photographs and plans of where the landing will be built and the structure style of it.

The jetty will be available for community use and will be built under the Common Infrastructure Plan.

The site for the Customs Office was also located near the jetty.

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

Council was supportive of the project but would like to see the plans again before the final decision is made.

Training and employment needs were also spoken about briefly.

**The CHALCO representatives departed the Meeting at 2.30 pm.**

The Mayor and the Chief Executive Officer asked John Sue See what he knew about the Cultural Heritage application which was made by Wik Projects on the northern section of the Shire lease.

**09.4914 RESOLVED THAT** Council seek legal advice as to the legality of Wik Projects having the cultural heritage rights over this land without any referral to Council as the leaseholder. **(Cr Koongotema/Cr Korkaktain) CARRIED**

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

**12.1 Apologies**

Noted.

**12.2 Outcome: Gabrielle Pizzi Exhibition, Melbourne – November/December 2008**

Noted.

**12.3 Sydney Exhibition: Coo-ee Aboriginal Art Gallery, Bondi – April 2009**

Noted.

**12.4 Brisbane Exhibition – Andrew Baker Art Dealer – May 2009**

Noted.

**12.5 Artistic Professional Development Workshops – Aurukun Women Painting**

Noted.

**12.6 Cairns Art Fair**

Noted.

**12.7 Carving Workshop**

Noted.

**12.8 Arts Queensland, Backing Indigenous Arts, Funding Application**

Noted.

**12.9 Art Centre Financial Management System**

The Chief Financial Officer advised that the present accounting system that Council is using is quite satisfactory and there is no need to have anything different for the Art Centre and with more staff in the Finance Section there will be more assistance available.

**04.4915 RESOLVED THAT** the accounting system remain the same for the Art Centre. **(Cr Koongotema/Cr Korkaktain) CARRIED**

**12.10 ICC National Arts and Crafts Industry Support, Funding Application**

Noted.

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

- 12.11 **Local Jobs**  
Noted.
- 12.12 **Administration Assistant – Artists Management System**  
Noted.
- 12.13 **Committee and Business Plan**  
Noted.
- 12.14 **University of Queensland Art Museum**  
Noted.
- 12.15 **Aurukun Artist Commission for the new Cairns Airport Terminal Building**  
Noted.
- 09.4916 **RESOLVED THAT** the Art Centre Manager's Report be received. (Cr Kerindun/Cr Koongotema) **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**  
Noted
- 13.3 **HACC/CACPS Program**  
Noted.
- 09.4917 **RESOLVED THAT** the Community Support and Justice Programs Report be received. (Cr Korkaktain/Cr Koongotema) **CARRIED**
15. **FINANCE AND ADMINISTRATION REPORT**
- 15.1 **Financial Statements**  
Noted.
- 15.2 **Administration Cost Recovery**
- 09.4918 **RESOLVED THAT** an administration fee of 5% with a minimum of \$5,000 be levied on all programs managed by Council for the recovery of administration costs. (Cr Yunkaporta/Cr Koongotema) **CARRIED**
- 15.3 **ISOLATION LEAVE AND ANNUAL LEAVE BENEFITS AND HOME AWAY ALLOWANCES**
- 09.4919 **RESOLVED THAT**
- (i) The travel allowance for those employees who qualify and are making use of their own vehicle be increased to \$600. This allowance will only be paid once per year for isolation leave and once per year for annual leave.
  - (ii) The home away allowance be increased to \$90 per day without meals – this means that if Council has to pay for meals, the allowance is not payable, unless meals are provided as part of training/meeting costs.
- (Cr Yunkaporta/Cr Korkaktain) CARRIED**

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

15.4 **DEBTORS TO BE WRITTEN OFF**  
09.4920 **RESOLVED THAT** an amount of \$18,696.07 for the Debtors listed below be written off as irrecoverable:

Walter Ampeybegan	\$1,000.00
Aurukun Sports Club	\$2,850.98
Cape York Partnerships	\$4,801.00
Tony Miller	\$90.00
Mungalla Aboriginal Corporation	\$2,000.00
National Management Consultants	\$190.00
QBE Commercial	\$1,595.00
QBuild Property Management	\$2,366.00
RACQ-GIO Insurance Ltd	\$80.60
RMR Training	\$1,210.00
Andrew Shaw	\$120.82
Western Cape Regional Consultants	\$2,401.68

**(Cr Kerindun/Cr Yunkaporta) CARRIED**

09.4921 **RESOLVED THAT** the Finance and Administration Report be received. **(Cr Koongotema/Cr Yunkaporta) CARRIED**

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

16.1 **Correspondence**  
Noted.

16.2 **General**  
09.4922 **RESOLVED THAT** Council confirm its decision to issue a Trespass Notice to members of the Ward family in relation to their being at the Love River landing without permission and request the assistance of the Police. **(Cr Kerindun/Cr Yunkaporta) CARRIED**

09.4923 **RESOLVED THAT** Council write a letter to the management of the Wellbeing Centre requesting that Gordon Glenbar be advised to concentrate his efforts as an employee of the Wellbeing Centre on the business relating to the Wellbeing Centre and not concern himself with Council and Justice Group affairs. **Cr Kerindun/Cr Koongotema. (CARRIED)**

09.4924 **RESOLVED THAT** the Chief Operating Officer's Report be received. **(Cr Yunkaporta/Cr Korkaktain) CARRIED**

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

17.1 **General Store Committee**  
Discussion took place regarding the appointment of the formation of a General Store Committee and whether it should have members solely from Council or a combined membership of community representatives and Council members.

Cr Koongotema nominated Herbert Yunkaporta Jnr to be a member on the Committee.

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

09.4925 **RESOLVED THAT** Council accept the nomination of Herbert Yunkaporta Jnr and notify the community to nominate members and submit their names to the Chief Executive Officer for consideration by Council and that the Committee will comprise three (3) community members together with the Mayor and Chief Executive Officer. **(Cr Kerindun/Cr Yunkaporta) CARRIED**

17.2 **Application for General License at Tavern – Kanjo Group**

Mr Sam Kanjo withdrew from his agreement to operate the Aurukun Three Rivers Tavern and Takeaway on Monday 2 March 2009 and this is will be discussed in detail under 17.10 in this report.

17.3 **Gazebo at Wellbeing Centre**

09.4926 **RESOLVED THAT** Council approves the request to build a gazebo close to the Wellbeing Centre on the far left hand side of the building for outdoor meetings and clinics. **(Cr Kerindun/Cr Koongotema) CARRIED**

17.4 **Rio Tinto Development**

09.4927 **RESOLVED THAT** Council nominate the Mayor to be its representative on any issues involved with the impact assessment process for the Rio Tinto South of the Embley Project and the Chief Executive Officer will be the Mayor's proxy for such meetings. **(Cr Kerindun/Cr Yunkaporta) CARRIED**

17.5 **Development at Kleidon and Bowenda Drive**

09.4928 **RESOLVED THAT** Council as far as possible sites in the new development area, Kleidon and Bowenda Drives, be allocated for Departmental development. **(Cr Yunkaporta/Cr Korkaktain) CARRIED**

17.6 **Dates of Court in Aurukun**

Noted.

17.7 **Entry Permits – Visitors to Aurukun**

Council discussed the issues involved with entry permits to the Shire area and in particular the administration costs involved in this.

09.4929 **RESOLVED THAT** Council charge a daily fee of \$50 (inclusive) per day for visitors in the jurisdiction of Aurukun and \$20 per day per vehicle, \$20 per boat, \$20 for quad bike and any other vehicle. **(Cr Yunkaporta/Cr Korkaktain) CARRIED**

17.8 **Pensioner Units Development**

09.4930 **RESOLVED THAT** Council has considered the engineer's report concerning the age and state of the building of these units and the finding of some asbestos and approves of the building being demolished and a new building to be built using the old concrete slab to save on costs. **(Cr Koongotema/Cr Yunkaporta) CARRIED**

17.9 **Tender – General Store**

09.4931 **RESOLVED THAT** Council accept the proposals from Island & Cape with the following changes:

17.9.1 That Council require interest of current bank rate plus 1% to be paid on outstanding amount to be paid in installments of eleven (11) installment;

17.9.2 That Council also wants Island & Cape to take over the management of

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

the fuel station and selling of Power Cards but not as sole provider;

- 17.9.3 That Council agrees to the hours from 8 am to 5 pm weekdays and 9 am to 1 pm Saturday and that the change of trading hours be finalized by the Store Committee in time to come;
- 17.9.4 That Council agrees to the present rental of the residential houses but with an inflation rate of 5% adjustment annually;
- 17.9.5 That Council agree to the rental but payment needs to be every second month with payment at the end of the third month;
- 17.9.6 That Council delegates the authority to the Mayor and the Chief Executive Officer to finalise the final agreement which will be finalized within the next two (2) months.

**(Cr Kerindun/Cr Yunkaporta) CARRIED**

**17.10 Kanjo Group Agreement**

The Chief Executive Officer advised that Mr Kanjo had been to see the Mayor and himself on the afternoon of Monday 2 March 2009 and that Mr Kanjo told the Mayor and the Chief Executive Officer that he had decided to withdraw from Aurukun and wished to be released from his agreement with Council to operate the Aurukun Three Rivers Tavern. The decision to withdraw from the agreement leaves Council with two options:

- 1. Council take over the stock which he bought and he will then leave within a day;
- 2. Kanjo Group will have to stay till the end of March to get rid of/sell the stock after which they will leave.

The Mayor accepted their proposal and informed them that he would take the matter to Council for a decision on the two options.

The Chief Executive Officer advised Council that there was also a considerable amount of stock missing and this was approximately to the value of \$20,000. Mr Kanjo had created a lot of problems since he arrived and commenced business without a licence or agreement. The present licence that had been signed by both parties can only commence when the Liquor Licensing Division approves Mr Kanjo's application. Sam Kanjo does not understand this and insisted to proceed with the business without taking note of the legal advice. The Chief Executive Officer informed Council that Mr Sheehan is ready to take over and proceed with the business and will be able to manage Aurukun as well as Kowanyama for which he has already applied.

**09.4932 RESOLVED THAT**

- 17.10.1 Council agrees to confirm the Mayor's decision to release Kanjo Group and its representative, Mr Sam Kanjo, from its agreement with Council for the operation of the Aurukun Three Rivers Tavern and Takeaway.
- 17.10.2 That Mr Sheehan be allowed to take over the Tavern arrangements as is and that the Mayor and the Chief Executive Officer be authorised to finalise the agreement on behalf of Council;

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

17.10.3 That Mr Sheehan be requested to start with the business as soon as possible and to apply for the Liquor License.  
**(Cr Kerindun/Cr Korkaktain) CARRIED**

**09.4933** **RESOLVED THAT** the Chief Executive Officer's Report be received. **(Cr Yunkaporta/Cr Kerindun) CARRIED.**

**18. CORRESPONDENCE**

**18.1 Lenny Koowarta**

Council agreed that Lenny Koowarta could come back to Aurukun on condition that it is his last chance to show commitment and behave. At this present stage there are no positions available for employment and he can check again when he returns after his release from Lotus Glen Correctional Centre.

**18.2 Pastor Ralph Peinkinna, Aurukun Uniting Church**

Council does not agree with the Church using the Justice Group bus for Sunday Services and the use of the bus must stop and the Church must get their own bus.

**18.3 Brian Hughes**

Permission was granted for the members of the Mental Health Review Tribunal to visit Aurukun on 30 March.

**18.4 Family Responsibilities Commission**

Informing Council that the FRC does not deal with acts of vandalism by juveniles and that it only has involvement with matters relating to Education Queensland, Department of Child Safety, Department of Housing and Magistrates Court.

Council agreed to refer this letter to Noel Pearson.

**18.5 Townsville Correctional Centre**

Invitation to the Mayor to attend the opening of the new Women's Section of the Centre on Tuesday, 10 March 2009. Council agreed that the Deputy Mayor should attend as the Mayor had other meetings that day, but travel depended upon whether the travel and accommodation would be paid by the Townsville Correctional Centre.

**19. DEPUTATIONS AND DELEGATIONS**

Nil.

**20. PRESENTATION OF PETITIONS**

Nil.

**21. CONSIDERATION OF NOTIFIED MOTIONS**

Nil.

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

Nil.

**23. QUESTIONS ON NOTICE OF MOTION**

Nil.

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

**24. QUESTIONS FROM PUBLIC GALLERY**

Nil.

**25. GENERAL BUSINESS**

**25.1 Aurukun Wetland Charters**

Notice has been received from SPER advising that the fines issued to Aurukun Wetland Charters last year are still outstanding.

As Council is the registered owner of the boat, the Chief Executive Officer advised that Council will pay the fine and then recover it from Aurukun Wetland Charters.

**25.2 Robert and Lynette Adidi**

08.4934

**RESOLVED THAT** residency status be given to Lynette and Robert Adidi to live in Aurukun. **(Cr Korkaktain/Cr Koongotema) CARRIED**

**There being no further business, the Mayor closed the Meeting at 5 pm.**

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