

**MINUTES OF ORDINARY MEETING OF THE AURUKUN SHIRE COUNCIL,  
HELD AT THE COUNCIL CHAMBERS, 39 KANG KANG ROAD, AURUKUN  
ON TUESDAY, 23 JULY 2013**

**PRESENT:**

<b>Councillors</b>	Cr Dereck Walpo Cr Angus Kerindun Cr Edgar Kerindun
<b>Officers</b>	Ron Fenner - Acting Chief Executive Officer Jeff Brown – Acting Director of Corporate and Community Services Robert Love – Director of Technical Services Linda Sivyer, Minute Secretary

Guests:

**1. OPENING**

The Mayor declared the Meeting open at 9.10 am and asked Linda Sivyer to offer a word of prayer.

**2. CONDOLENCES**

A minute's silence was taken in respect of the member of the Comprabar family who had passed away in the last week.

**3. LEAVE OF ABSENCE**

Apologies were received from Cr Woolla and Cr Koomeeta.

**4. CONFIRMATION OF MINUTES**

**13.4878 RESOLVED THAT** Council receives the Minutes of the Ordinary Meeting of 18 June 2013 and confirms them as a true and correct record.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**5. BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETINGS**

Nil.

**6. DELEGATIONS**

As referred to during course of Meeting.

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

Nil.

**8. MAYOR'S REPORT**

**8.10 LGAQ Conference**

**13.4879 RESOLVED THAT** the Chief Executive Officer, mayor and councillors all attend the LGAQ Conference in Cairns in October 2013.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**8.11 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER**

**13.4880 RESOLVED THAT** Council confirms the decision of the Mayor in that Mr Ron Fenner be appointed Acting Chief Executive Officer from 1 July 2013 for the period of time while the Chief Executive Officer is on sick leave.

**MOVED: Cr E Kerindun  
CARRIED**

**SECONDED: Cr A Kerindun**

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

**8.12 APPOINTMENT OF ACTING DIRECTOR OF CORPORATE AND COMMUNITY SERVICES**

**13.4881 RESOLVED THAT** Council confirms the decision of the Mayor in appoint Mr Jeff Brown as Acting Director of Corporate and Community Services from 1 July 2013 for the period of time that the Chief Executive Officer is on sick leave.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4882 RESOLVED THAT** the Mayor's Report be received.

**MOVED: Cr E Kerindun  
CARRIED**

**SECONDED: Cr A Kerindun**

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

**9.6 Resolutions Concerning Town Allotments**

**13.4883 RESOLVED THAT** the areas shown as "new road" on Plan DP266598 be opened as road area.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4884 RESOLVED THAT** Lot 70 on DP266598 be included into the Education Institution Purposes Reserve R18.

**MOVED; Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4885 RESOLVED THAT** Lots 3 to 7 on DP266598 be transferred as Aboriginal Freehold title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4886 RESOLVED THAT** the area shown as closed road:

- Between Lot 7 and Lot 8 on DP266597; and
- Shown as Lot 73 on DP266597

Should be closed and added to Lot 8 and be Lot 73 as provided for on DP266597.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4887 RESOLVED THAT** Lot 73 DP266597 be firstly added to R18 and then transferred as Aboriginal Freehold Title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4888 RESOLVED THAT** Lot 9 DP266597 be transferred as Aboriginal Freehold title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4889 RESOLVED THAT** the areas shown as "closed road" and "new road" on DP266596 be closed road and opened road as provided for on DP266596.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

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

**13.4890 RESOLVED THAT** Lot 22 DP266607 be transferred as Aboriginal Freehold title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.  
**MOVED: Cr A Kerindun** **SECONDED; Cr E Kerindun**  
**CARRIED**

**13.4891 RESOLVED THAT** Lots 9 to 11 on DP239435 be transferred as Aboriginal Freehold title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.  
**MOVED: Cr A Kerindun** **SECONDED: Cr E Kerindun**  
**CARRIED**

**13.4892 RESOLVED THAT** the area shown as “new road” on DP239435 be opened as road.  
**MOVED: Cr A Kerindun** **SECONDED; Cr E Kerindun**  
**CARRIED**

**13.4893 RESOLVED THAT** Lots 12 to 14 on DP239436 be transferred as Aboriginal Freehold title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.  
**MOVED: Cr A Kerindun** **SECONDED: Cr E Kerindun**  
**CARRIED**

**13.4894 RESOLVED THAT** lot 15 on DP266608 be transferred as Aboriginal Freehold title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.  
**MOVED: Cr A Kerindun** **SECONDED: Cr E Kerindun**  
**CARRIED**

**13.4895 RESOLVED THAT** Lots of Shire Lease land shown on DP239441 should be transferred as Aboriginal Freehold title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.  
**MOVED: Cr A Kerindun** **SECONDED: Cr E Kerindun**  
**CARRIED**

**13.4896 RESOLVED THAT** Lot 4 on DP234938 be transferred as Aboriginal Freehold title to Aurukun Shire Council to be held for the benefit of Aboriginal people particularly concerned with the land.  
**MOVED: Cr A Kerindun** **SECONDED: Cr E Kerindun**  
**CARRIED**

**13.4897 RESOLVED THAT** Council's Technical Services Officer engage the services of a qualified building inspector to inspect and report on the condition of the two (2) houses owned by the Uniting Church located at Lot War Street and Lot 6 Kang Kang Road.  
**MOVED: Cr E Kerindun** **SECONDED: Cr A Kerindun**  
**CARRIED**

#### **9.7 Legal matters**

##### **Blue Lagoon – A Perrett**

**13.4898 RESOLVED THAT** Council make a “Without Prejudice” offer to Mr Alban Perrett, Director of Cape York Wildlife Adventures, to remove his assets from Blue Lagoon subject to advice to Council of his date of entry and to the availability of Council's representative to supervise this process. If no written advice is received within fourteen (14) days, Council “without prejudice” will assume the assets are to be transferred to Council.  
This in no way impinges on Council's right to recover any monies owing by Cape York Wildlife Adventures.  
**MOVED: Cr E Kerindun** **SECONDED: Cr A Kerindun**  
**CARRIED**

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

**9.8 FK Gardner and Sons Pty Ltd – Houses 244, 233 and 243 Bartlett Street**

**13.4899 RESOLVED THAT** Council approve the setback for the dwellings at

- (i) **Lot 34, 244 Bartlett Street** to be 3169mm on the corner boundary instead of 4500mm setback;
- (ii) **Lease KF, 233 Bartlett Street** to be 3800mm on the corner boundary instead of 5600mm setback;
- (iii) **Lease KR, 243 Tal Tal Street** to be 2120mm on the corner boundary instead of 5600 mm setback.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4900 RESOLVED THAT** the Acting Chief Executive Officer's Report be received.

**MOVED: Cr A Kerindun  
Kerindun  
CARRIED**

**SECONDED: Cr E**

**The Meeting adjourned at 11.07 am and resumed at 11.30 am.**

**10. FINANCE REPORT**

Council asked the Chief Accountant to prepare an in depth report on the Debtors and present this report to Council with recommendations for the next meeting.

A reminder letter is to be sent out to all debtors that money is owed to Council and if not paid, legal action will be taken.

**13.4901 RESOLVED THAT** Council adopts and receives the Finance Report.

**MOVED: Cr E Kerindun  
CARRIED**

**SECONDED: Cr A Kerindun**

**The Meeting adjourned for lunch at 12.30 pm and resumed at 1.40 pm.**

**11. REPORT – ACTING DIRECTOR OF CORPORATE AND COMMUNITY SERVICES**

**11.1 AURUKUN COMMUNITY HOME HELP PROJECT**

Tabled.

**11.2 INDIGENOUS KNOWLEDGE CENTRE**

Tabled.

**11.3 KOOLKAN EARLY CHILDHOOD CENTRE AND FAMILY SUPPORT HUB**

Tabled.

**11.4 ART CENTRE REPORT**

Tabled.

**11.5 BUSINESS DEVELOPMENT AND GRANTS OFFICER'S REPORT**

Tabled.

**LATE ITEM – CODE OF CONDUCT POLICY**

**13.4902 RESOLVED THAT** Council adopts the Code of Conduct as per attached Policy.

**MOVED: Cr E Kerindun  
CARRIED**

**SECONDED: Cr A Kerindun**

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

**13.4903 RESOLVED THAT** Council adopts and receives the Acting Director of Corporate and Community Services Report.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**Scott McIntyre and Scott Goodson of Rio Tinto Alcan entered the meeting at 2.07 pm.**

The Mayor welcomed the gentlemen to the Meeting and asked them to address Council.

Scott McIntyre briefed Council on the current position of the South of the Embley Project, the sublease for the office space at the Business Precinct and the sublease for the land of the house which Rio Tinto Alcan plans to building in Aurukun for staff purposes.

**Scott McIntyre and Scott Goodson departed the Meeting at 3 pm.**

**Senior Sergeant Brendon McMahon entered the meeting at 3 pm.**

The Mayor welcomed Senior Sergeant Brendon McMahon and asked him bring Council up to date on any issues that he wished to regarding the community.

Senior Sergeant McMahon briefed Council on current issues and sought Council's assistance if possible on tax money coming into the community. He also spoke about the excellent job that the Community Police Officers were doing in the community.

**Senior Sergeant Brendon McMahon departed the Meeting at 3.50 pm.**

## **12. REPORT – DIRECTOR OF TECHNICAL SERVICES**

### **12.2.3 Batch Plant**

**13.4904 RESOLVED THAT** the Director of Technical Services liaise with the Chief Accountant to create an options analysis of the different ways the batching plant can be retained in the community.

**MOVED: Cr E Kerindun  
CARRIED**

**SECONDED: Cr A Kerindun**

### **12.6 Environmental Health/Animal Control Officer Positions**

**13.4905 RESOLVED THAT** Council's Organisational Structure be changed to reflect that the Animal Control Officer reports to the Environmental Health Officer.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4906 RESOLVED THAT** the Director of Technical Services and Director of Corporate and Community Services develop a policy for Council bus and barge usage.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

**13.4907 RESOLVED THAT** Council adopts and receives the Director of Technical Services report.

**MOVED: Cr A Kerindun  
CARRIED**

**SECONDED: Cr E Kerindun**

## **13. CORRESPONDENCE**

### **13.1 Rio Tinto Alcan – Aurukun Office and Accommodation.**

Noted.

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

**13.2 Bottoms English Lawyers**

Noted,

**13.3 Teresa Gibson, Royal Flying Doctor Service**

Noted.

**13.4 Hon Jeff Seeney, Deputy Premier, Minister for State Development, Infrastructure and Planning**

Noted.

**13.5 RAATSICC Proposal for Parenting Program in Aurukun**

**13.4908** **RESOLVED THAT** Council supports RAATSICC in its application to provide the Parenting Program in Aurukun subject to RAATSICC addressing the subject of accommodation for their staff.

**MOVED: Cr E Kerindun**

**SECONDED: Cr A Kerindun**

**CARRIED**

**14. PRESENTATION OF PETITIONS**

Nil.

**15. CONSIDERATION OF NOTIFIED MOTIONS**

Nil.

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

Nil.

**17. QUESTIONS ON NOTICE OF MOTION**

Nil.

**18. QUESTIONS FROM PUBLIC GALLERY**

Nil.

**19. GENERAL BUSINESS**

Nil.

**There being no further business, the Mayor closed the Meeting at 4.40 pm.**

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