



## **Wujal Wujal Aboriginal Shire Council**

Ordinary Council | Supplementary Papers for meeting held  
Tuesday 14 November 2023

Time: 9.00am

Venue: Council Chambers, 1 Hartwig Street, Wujal Wujal



**A reportable Loss is a loss as a result of one of the following:**

- a) the commission of an offence under the Criminal Code or another Act; or
- b) the corrupt conduct of a councillor, council employee or council worker; or
- c) conduct of a contractor of the Council that would be corrupt conduct if the contractor were a councillor, council employee or council worker.

**A material loss, for an asset belong to the Council, means:**

- a) for money - a loss of more than \$500; or
- b) for any other asset - a loss valued by the Chief Executive Officer at more than \$5,000

**The Council's fraud register consists of the following data:**

- (1) Date of loss
- (2) Assets description "Cash, fixed asset, inventory etc.
- (3) Monetary Value of the lost asset
- (4) Cause of the loss, for instance theft, correctio act etc.
- (5) Action to recover the loss, "seeking remedy from the responsible party, reporting loss to AFP etc.
- (6) If loss was due to weakness in the Council's operations, actions taken to improve control.
- (7) If the asset has been written off, an authorisation of writing the asset off should be provided.
- (8) The following parties should be notified of the loss i.e. *The Minister, The Auditor General, A Police Officer for a loss resulting from the commission of an offence under the Criminal Code or another Act, The Crime and Corruption Commission [CCC] for a loss resulting from the corrupt conduct of a councillor, council employee or council worker.*

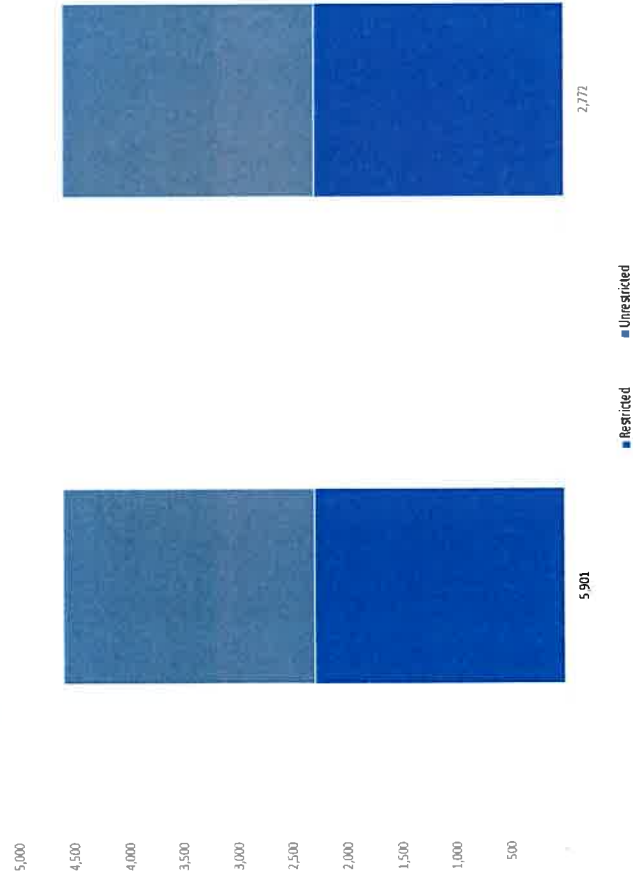
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## Monthly Financial Report as at 31 Oct 2023

### CASH POSITION

Progress this month



#### Money on hand & owing to council

Cash available to pay creditors and wages

Quarantined monies

QTC Investment

Bank balance

2,771,803.80  
2,304,291.24  
3,000,000.00  
8,076,095.04

Total debtors & receivables

619,786.40

Long Term Loan

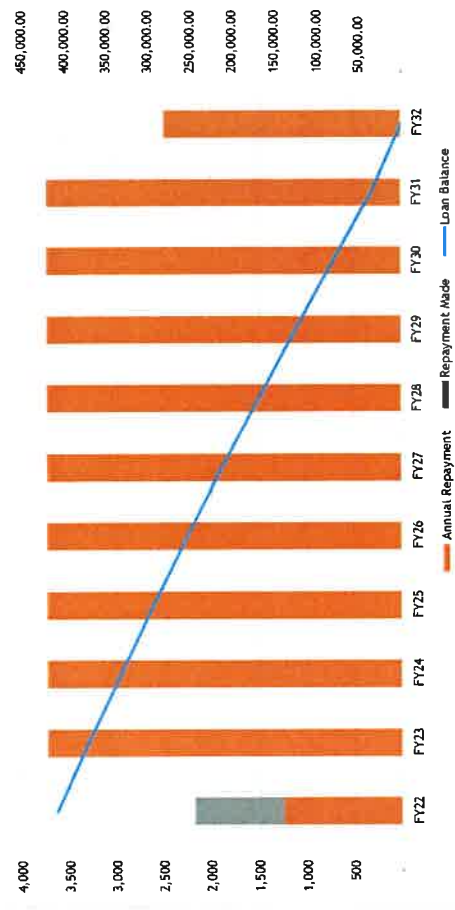
Creditors

Total monies owed

3,172,866.36  
34,429.28  
3,207,295.64

Bank balance is less than last month,  
+\$5.3m in unrestricted; + \$3m invested  
with QTC, still a healthy position

#### Long Term Loan Balance

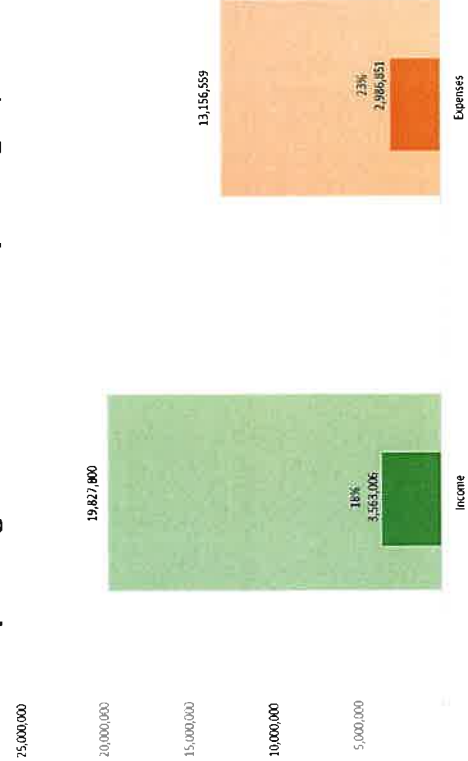


During the month Council has made its monthly repayment of \$35,207



OPERATING POSITION

Council Operating income vs Council Operating expenses



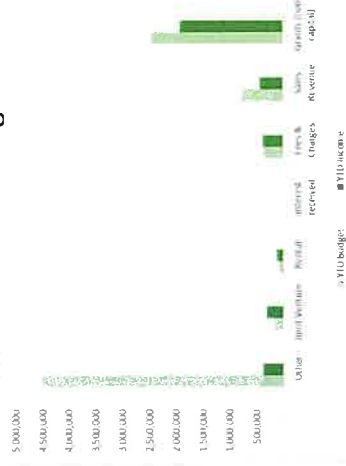
Progress this month

18 cents in each dollar of budgeted revenue  
23 cents in each dollar of budgeted spend

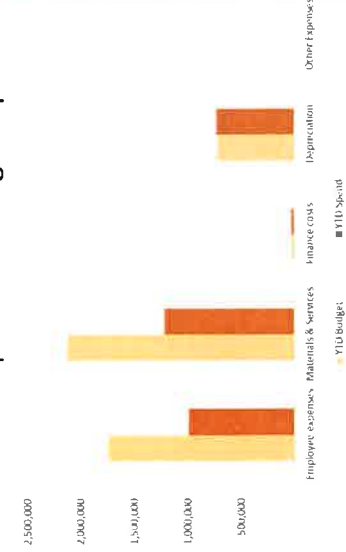


Income & Expenses by Area

Actual income vs Budget income

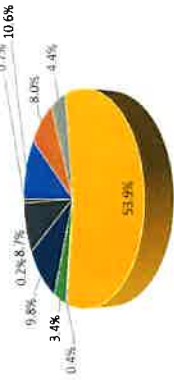


Actual expenses vs Budget expenses



Income & Expenses by Type

Revenue by Category



- Fees & Charges
- Sales Revenue - Building Construction
- Sales Revenue - Enterprise
- Grants, Subsidies, Contributions & Donations

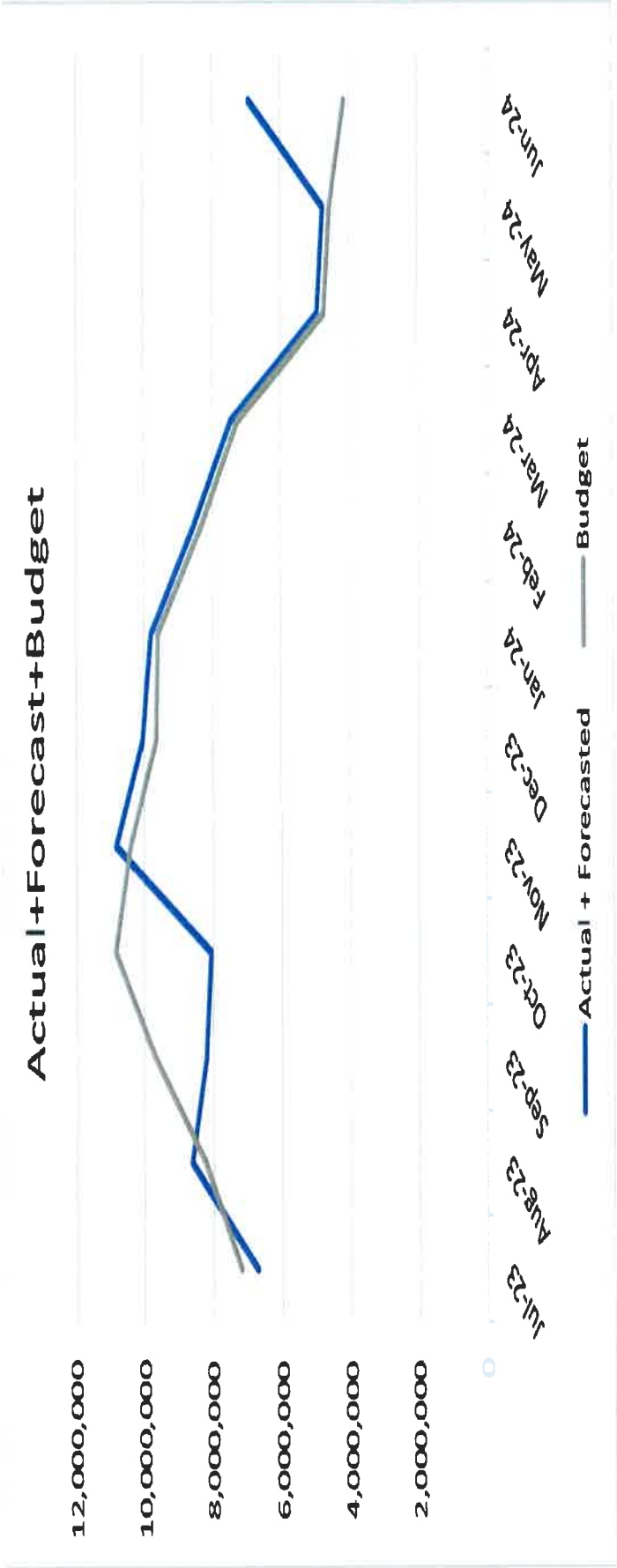
Expenses by Category



- Employee Benefits
- Materials & Services
- Finance Costs
- Capital expenses
- Depreciation



CASHFLOW





## Monthly Financial Report as at 31 Oct 2023

### The Numbers

#### Statement of Comprehensive Income

Revenue	Actual	YTD End of Month Reporting - Oct 2023		Variance	Comments
		Budget			
<b>Recurrent Revenue</b>					
Fees & Charges	377,504	369,847		7,657 Favourable	
Sales Revenue - Building Construction	283,475	570,000		(286,525)	Impact of credit notes adjustment from previous year
Sales Revenue - Enterprise	157,181	195,262		(38,082)	Fuel Sales Art Centre and accommodation
Grants, Subsidies, Contributions & Donations	1,919,283	2,453,885		(534,602)	Timing of grant revenues
<b>Total Recurrent Revenue</b>	<b>2,737,442</b>	<b>3,588,995</b>		<b>(851,552)</b>	
<b>Capital Revenue</b>					
Capital, Grants, Subsidies, Contributions & Donations	14,308	4,308,513		(4,294,206)	No meaningful capital projects
Capital Income	347,490	-		347,490	
<b>Total Capital Revenue</b>	<b>361,798</b>	<b>4,308,513</b>		<b>(3,946,715)</b>	
Rental income	122,822	85,927		36,894 Favourable variance	
Interest received	5,801	14,267		(8,465)	
Joint Venture	310,000	170,000		140,000	
Other income	25,143	199,261		(174,118)	
<b>Total Revenue</b>	<b>3,563,006</b>	<b>8,366,963</b>		<b>(4,803,957)</b>	
<b>Expenses</b>					
<b>Recurrent Expenses</b>					
Employee Benefits	998,298	1,750,665		752,366 Fav due to absences and vacancies	
Materials & Services	1,220,077	2,134,224		914,147 Impact of Capital projects	
Finance Costs	32,185	33,600		1,415 Int. on QTC Loan \$6.7k;	
Depreciation	736,291	728,425		(7,866)	
<b>Total Recurrent Expenses</b>	<b>2,986,851</b>	<b>4,646,913</b>		<b>1,660,062</b>	
Capital expenses	-	-		0	
<b>Total Expenses</b>	<b>2,986,851</b>	<b>4,646,913</b>		<b>1,660,062</b>	
<b>Net Operating Surplus/(Deficit)</b>	<b>576,155</b>	<b>3,720,050</b>		<b>(3,143,895)</b>	



Monthly Financial Report as at 31 Oct 2023  
The Numbers

WUJAL WUJAL ABORIGINAL SHIRE COUNCIL  
Statement of Cash Flows

For the year ended 30 June 2024

	Notes	2024 Actual	Amend. 23/24
Cash flows from operating activities:			
Receipts from customers		1,603,767.71	4,318,122.12
Payments to suppliers and employees		(2,293,737.38)	(8,323,340.77)
		(689,969.67)	(4,005,218.65)
Interest received		5,801.29	42,800.00
Rental income		44,745.32	186,472.04
Non-capital grants and contributions		1,518,965.21	4,939,302.08
Borrowing costs		0.00	0.00
Net cash inflow (outflow) from operating activities	25	879,632.15	1,163,365.47
Cash flows from investing activities:			
Payments for property, plant and equipment		86,178.20	1,111,296.00
Proceeds from sale of property, plant and equipment		(2,988.40)	(15,804.00)
Grants, subsidies, contributions and donations	5	(4,538.87)	185,000.00
Depreciation		0.00	(2,170,746.76)
Net cash inflow (outflow) from investing activities		78,660.93	(890,253.76)
Cash flows from financing activities:			
Proceeds from borrowings		0.00	0.00
Repayment of borrowings		0.00	0.00
Repayments made on finance leases		0.00	0.00
Net cash inflow (outflow) from financing activities		0.00	0.00
Net increase (decrease) in cash held		958,183.08	273,101.71
Cash at beginning of reporting period		6,841,448.76	2,815,368.34
Cash at end of reporting period	11	7,887,645.20	2,775,021.68

The above Statement should be read in conjunction with the accompanying notes and the Summary of Significant Accounting Policies.



Report by the State of Queensland under section 24JAA of the Commonwealth Native Title Act 1993

This report is provided under section 24JAA(16) of the Native Title Act 1993 (Cth) (NTA).

This report was completed on 22 November 2021.

Subsequent to notification, a request to be consulted was received on 13 September 2021. Consultation took place in Wujal Wujal on 11 November 2021. The consultation period ends on 30 November 2021. This report is provided before the end of the consultation period, but after consultation has taken place. The future acts will not be commenced until the end of the consultation period in accordance with s 24JAA(6) of the NTA.

The details of the notification and consultation process undertaken by the State of Queensland are set out in the table below.

If you have any queries in relation to the information in this report, please contact:

Kate Marchesi  
Senior Lawyer  
Crown Law  
GPO Box 5221  
BRISBANE QLD 4001  
Telephone: 07 3031 5937  
Fax: 07 3031 5998  
Email: [kate.marchesi@crownlaw.qld.gov.au](mailto:kate.marchesi@crownlaw.qld.gov.au)

Indigenous community
<p>The proposed future acts will take place at Wujal Wujal, Queensland.</p> <p>The land on which the proposed future acts will take place is held in trust by Wujal Wujal Aboriginal Council for the benefit of Aboriginal inhabitants, and as such is covered by section 24JAA(1)(b) of the NTA.</p>
Proposed future acts
<p>The State of Queensland through the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships proposes to carry out the following future acts:</p> <ul style="list-style-type: none"><li>the grant of leases over Lot 2 on SP301682 and part of Lot 34 on SP279562 under the <i>Aboriginal Land Act 1991</i> (Qld) for the construction, operation, use, maintenance or repair of social housing;</li><li>the grant of any easement over part of Lot 34 on SP279562 under the <i>Land Act 1994</i> (Qld) for providing access to the social housing;</li></ul>



<ul style="list-style-type: none"><li>the construction, operation, use, maintenance or repair of social housing; and</li><li>the construction, operation, use, maintenance and repair of supporting infrastructure for the social housing, including an area of road within Lot 2 on SP301682 and Lot 34 on SP279562.</li></ul> <p>The proposed future acts meet the requirements in sections 24JAA(1)(c) and (3) of the NTA.</p>
<b>The relevant native title parties</b>
<p>The relevant native title parties for the area to be covered by the future acts are:</p> <p><i>Registered native title body corporate</i></p> <p>Not applicable.</p> <p><i>Registered native title claimants</i></p> <p>Michael Ross, Silva Blanco, James Creek, Jonathan Korkaktain, Reginald Williams, Wayne Butcher, Clarry Flinders, Phillip Port, HS (deceased) on behalf of the Cape York United #1 Claim.</p> <p><i>Native title representative body</i></p> <p>Cape York Land Council Aboriginal Corporation.</p>
<b>Notification (see copy attached)</b>
<p><i>Date of issue</i></p> <p>The notifications were issued by the State of Queensland on <b>21 July 2021</b>.</p> <p><i>Notification day</i></p> <p>To address the requirement in section 24JAA(12) of the NTA, the notification day was dated 7 business days after the date of issue. The notification day was <b>30 July 2021</b>.</p> <p><i>Required statements</i></p> <p>The notifications contained statements that comments and any requests for consultation must be made within two months from the notification day, as required by section 24JAA(11) of the NTA.</p>

Opportunity to comment
<p>As part of the notification, comments about the proposed future acts were requested to be provided in writing by <b>30 September 2021</b>.</p> <p><i>Comments received</i></p> <p>No comments were received from the notified parties.</p>
Consultation
<p>In the notification, requests to be consulted about the proposed future acts were to be provided in writing by <b>30 September 2021</b>. A request for consultation was made by on behalf of the registered native title claimant on <b>13 September 2021</b>. This request was made within the required time period.</p> <p>Pursuant to section 24JAA(14) of the NTA, consultation was undertaken with the traditional owners of Wujal Wujal on behalf of the registered native title claimant about ways to minimise the impact of the future acts on their registered native title rights and interests, and, where relevant, any access to the area covered by the future acts or the way in which the future acts might be done.</p> <p>Consultation followed the process contained in the Queensland Government Native Title Work Procedures – Module JAA: Public housing and certain government infrastructure on Indigenous land – Attachment A -Consultation process guideline for public housing.</p> <p>Consultation took place on 11 November 2021 at the Wujal Wujal library. The meeting was scheduled from 11:00 am to 2:00 pm and lunch was provided. Attendees included representatives of the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships, Crown Law, Queensland Police Service, and the Cape York Land Council, as well as the traditional owners shown in the attached attendance sheet. A handout was provided at the consultation meeting (a copy of which is attached).</p> <p>Questions raised at the meeting involved funding of the works, construction timeframes, indigenous employment opportunities, and the clearing of vegetation in the area. Discussions also involved the proposed cultural heritage agreement for the works. The traditional owners did not express any objections to the proposed future acts contained in the notice in terms of their effect on native title, but they did indicate a preference for a three-lot social housing subdivision on Lot 34 on SP279562, and a six-lot subdivision on Lot 2 on SP301682 (as opposed to the proposed nine-lot subdivision). The traditional owners also queried whether, if the proposal for Lot 2 were changed to a six-lot subdivision, the remainder of Lot 2 on SP301682 could be used for an emergency facility. Meeting notes are attached.</p> <p>After considering the issues raised during consultation, the State intends to investigate whether part of Lot 2 on SP301682 can be used for an emergency facility. Depending on the outcome of those investigations, a separate process will be undertaken under the NTA in respect of that facility to address native title. In the meantime, the State will proceed with the current proposed future acts after 30 November 2021 for all or part of the Notification Area, subject to funding.</p>

Attachments
<ul style="list-style-type: none"><li>• Notification under s 24JAA of the NTA</li><li>• Request to be consulted</li><li>• Consultation meeting attendance sheet</li><li>• Consultation meeting handout</li><li>• Consultation meeting notes</li></ul>



Your ref:  
Our ref: LT4/DOC452/1119/MAK  
Contact: Kate Marchesi  
Direct ph: 07 3031 5937  
Direct fax: 07 3031 5949  
Email: [kate.marchesi@crownlaw.qld.gov.au](mailto:kate.marchesi@crownlaw.qld.gov.au)

**Crown Law**

Department of  
**Justice and Attorney-General**

21 July 2021

Kirstin Malyon  
Principal Legal Officer  
Cape York Land Council Aboriginal Corporation  
PO BOX 2496  
CAIRNS QLD 4870

**By registered post**

Dear Ms Malyon

**Wujal Wujal Social Housing and Aged Care Facilities s 24JAA Notices**

On behalf of the State of Queensland acting through the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships, please find **enclosed** two notices under section 24JAA(10) of the *Native Title Act 1993* (Cth) for proposed social housing and aged care facilities and associated infrastructure in Wujal Wujal.

As stated in the notice, the notification day is 30 July 2021. Any comments about the proposed future acts must be provided in writing **30 September 2021** to the person identified in Part 8 of the notice.

Yours sincerely

Kate Marchesi  
Lawyer  
for **Crown Solicitor**

Anita Cope  
A/Assistant Crown Solicitor  
for **Crown Solicitor**

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State Law Building  
50 Ann Street Brisbane  
GPO Box 5221 Brisbane  
Queensland 4001 Australia  
**Telephone 07 3031 5600**  
**Facsimile 07 3031 5998**  
ABN 13 846 673 994

Your ref:  
Our ref: LT4/DOC452/1119/MAK  
Contact: Kate Marchesi  
Direct ph: 07 3031 5937  
Direct fax: 07 3031 5949  
Email: [kate.marchesi@crownlaw.qld.gov.au](mailto:kate.marchesi@crownlaw.qld.gov.au)



Crown Law

Department of  
**Justice and Attorney-General**

21 July 2021

Michael Ross, Silva Blanco, James Creek, Jonathan Korkaktain, Reginald Williams, Wayne Butcher, Clarry Flinders, Philip Port and HS (deceased)  
C/- Kirstin Malyon  
Principal Legal Officer  
Cape York Land Council Aboriginal Corporation  
PO BOX 2496  
CAIRNS QLD 4870

**By registered post**

Dear Ms Malyon

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As stated in the notice, the notification day is 30 July 2021. Any comments about the proposed future acts or requests to be consulted must be provided in writing **by 30 September 2021** to the person identified in Part 8 of the notice.

Yours sincerely

Kate Marchesi  
Lawyer  
for **Crown Solicitor**

Anita Cope  
A/Assistant Crown Solicitor  
for **Crown Solicitor**

encl

State Law Building  
50 Ann Street Brisbane  
GPO Box 5221 Brisbane  
Queensland 4001 Australia  
**Telephone 07 3031 5600**  
**Facsimile 07 3031 5998**  
ABN 13 846 673 994

Notification under s 24JAA(10) of the *Native Title Act 1993* (Cth)

Part 1 – Key Dates

**Date of issue by the State:** 21 July 2021

**Notification Day:** 30 July 2021

Any comments or requests to be consulted about the proposed future acts described in this notification must be provided in writing by **30 September 2021** to the person identified in Part 8 below.

Part 2 – Native Title Parties

Registered native title claimants	Michael Ross, Silva Blanco, James Creek, Jonathan Korkaktain, Reginald Williams, Wayne Butcher, Clarry Flinders, Philip Port, HS (deceased) on behalf of the Cape York United #1 Claim
Registered native title body corporate	Not applicable
Native title representative body	Cape York Land Council Aboriginal Corporation

Part 3 – Location

The location of the proposed future acts is described as follows:

**Location:** Wujal Wujal, Queensland.

**Notification Area:**

- Lot 2 on SP301682 and that part of Lot 34 on SP279562 as shown on the map in Attachment A and shaded in yellow; and
- That part of Lot 34 on SP279562 as shown on the map in Attachment B and shaded in yellow, (the **Notification Area**).

**Approximate size of Notification Area:** The Notification Area has an approximate total area of 16,580 m<sup>2</sup>, comprised of an approximate area of 11,180 m<sup>2</sup> described as Lot 2 on SP301682 and an approximate area of 5,400 m<sup>2</sup> described as those parts of Lot 34 on SP279562.

**Proposed tenure within the Notification Area:** Leasehold and areas of new road and easement.

## Part 4 – Future acts

### Background

The State wishes to facilitate the construction, operation, use, maintenance and repair of social housing within the Notification Area. The State also wishes to facilitate within the Notification Area the construction, operation, use, maintenance and repair of supporting infrastructure for the social housing, for example roads, drainage works and pipelines for sewerage and water.

### Proposed future acts

The following future acts, to the extent they are future acts, are proposed within the Notification Area:

- the grant of leases over Lot 2 on SP301682 and part of Lot 34 on SP279562 under the *Aboriginal Land Act 1991* (Qld) for the construction, operation, use, maintenance or repair of social housing;
- the grant of any easement over that part of Lot 34 on SP279562 shown in Annexure B under the *Land Act 1994* (Qld) for providing access to the social housing;
- the construction, operation, use, maintenance or repair of social housing; and
- the construction, operation, use, maintenance and repair of supporting infrastructure for the social housing, including an area of road within Lot 2 on SP301682 and Lot 34 on SP279562.

### The facilities

The facilities identified in the proposed future acts outlined above fall within the list of facilities within section 24JAA(3) of the NTA:

#### A- Housing

- ☒ Public housing provided for Aboriginal people or Torres Strait Islanders living in, or in the vicinity of the area.

#### B- Facilities

- ☐ Public education facilities for the benefit of Aboriginal people or Torres Strait Islanders living in, or in the vicinity of the area;
- ☐ Public health facilities for the benefit of Aboriginal people or Torres Strait Islanders living in, or in the vicinity of the area;
- ☐ Police facilities for the benefit of Aboriginal people or Torres Strait Islanders living in, or in the vicinity of the area;
- ☐ Emergency facilities for the benefit of Aboriginal people or Torres Strait Islanders living in, or in the vicinity of the area

#### C- Staff housing

- ☐ Staff housing provided in connection with housing or facilities covered by A or B above;



D- Other facilities provided in connection with A, B or C above.

☒ Things listed in section 24KA(2) –

s 24KA(2)(a) - a road; s 24KA(2)(d) - an electricity transmission or distribution facility;  
s 24KA(2)(e) - lighting of streets or other public places; s 24KA(2)(h) - a pipeline or other water supply or reticulation facility; s 24KA(2)(i) a drainage facility, or a levee or other device for management of water flows; s 24KA(2)(k) – a sewerage facility, other than a treatment facility;  
s 24KA(2)(l) - a cable, antenna, tower or other communication facility; s 24KA(2)(m) - any other thing that is similar to any one or more of the things mentioned in the paragraphs above.

☐ Sewerage treatment facilities;

☐ Things prescribed by regulation.

#### Part 5 – Indigenous cultural heritage

Obligations under the *Aboriginal Cultural Heritage Act 2003* (Qld) will be addressed prior to the construction, operation, use, maintenance or repair of the social housing and associated infrastructure.

#### Part 6 - Seeking your comments

The State is seeking your comments on the proposed future acts described in this notification.

Please note that this is not a right to veto but an opportunity for you to provide comments about the proposed future acts in relation to the registered native title rights and interests.

You must provide any comments in writing within the two (2) month notification period (**see Part 1 – Key Dates**).

#### Part 7 - Request to be consulted

A registered native title claimant or a registered native title body corporate can make a request to the State to be consulted about the proposed future acts.

If consultation is requested, the State will consult with you about ways of minimising the impact of the future acts on your registered native title rights and interests in relation to the land and/or waters and, if relevant, any access to the land or waters or the way in which anything authorised by the future acts might be done.

You must make this request in writing within the two-month notification period (**see Part 1-Key Dates**)

If consultation is requested there is a further two-month period for undertaking the requested consultation, i.e. up until four months from the notification day.

## Part 8 – Contact details

If you have any queries about the notice, or have any comments or wish to be consulted, please contact:

Maria Grimaldi  
Program Manager – Tenure Resolution  
Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships  
PO Box 5461  
Corporate Tower Level 9  
15 Lake Street CAIRNS QLD 4870

Telephone: (07) 4252 5124  
Mobile: 0418 760 120  
Email: [Maria.Grimaldi@datsip.qld.gov.au](mailto:Maria.Grimaldi@datsip.qld.gov.au)

## Part 9 – Attachments

The area to which this notice applies is identified in the attached maps showing the location of Lot 2 on SP301682 and that part of Lot 34 on SP279562 which are shaded in yellow on the map enclosed as Attachment A, and that part of Lot 34 on SP279562 which is shaded in yellow on the map enclosed as Attachment B, which together comprise the Notification Area.

**Attachment A to notice under s24JAA(10) of the *Native Title Act 1993***

**Location of Lot 2 on SP301682 and that part of Lot 34 on SP279562**





**Attachment B to notice under s24JAA(10) of the *Native Title Act 1993***

**Location of that part of Lot 34 on SP279562**



## Kate Marchesi

---

**From:** Daniel Barker <DBarker@cylc.org.au>  
**Sent:** Monday, 13 September 2021 12:17 PM  
**To:** Kate Marchesi  
**Cc:** Sidonie Berke; Anita Cope; Avril Prior; Kirstin Malyon  
**Subject:** RE: Wujal Wujal Social Housing and Aged Care Facilities s 24JAA Notices

**Categories:** Yellow Category

Good morning Kate,

Our clients are seeking consultations for both the Social Housing and Aged Care Facilities as well as the previously requested consultation for the Police Station.

We propose for consultation to be after 11 October 2021.

Kind regards

**Daniel Barker**  
**Legal Officer**

Tel: 07 4053 9222 / 1800 623 548  
Mob: 0419 599 485  
Fax: 07 4051 0097  
Email: [DBarker@cylc.org.au](mailto:DBarker@cylc.org.au)

*CYLC accepts the invitation contained in the Statement from the Heart and will continue to work together with Aboriginal and Torres Strait Islander peoples in a movement of the Australian people for a better future.*



Cape York Land Council Aboriginal Corporation—1990—2020  
ICN 1163  
32 Florence Street / PO Box 2496  
Cairns QLD 4870

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---

**From:** Kate Marchesi <Kate.Marchesi@crownlaw.qld.gov.au>  
**Sent:** Monday, 13 September 2021 9:57 AM  
**To:** Kirstin Malyon <KMalyon@cylc.org.au>; Daniel Barker <DBarker@cylc.org.au>  
**Cc:** Sidonie Berke <SBerke@cylc.org.au>; Anita Cope <Anita.Cope@CrownLaw.qld.gov.au>; Avril Prior <Avril.Prior@crownlaw.qld.gov.au>  
**Subject:** RE: Wujal Wujal Social Housing and Aged Care Facilities s 24JAA Notices

Hi Kirstin

Have there been any further updates on this? I'm hoping to set aside some dates for a consultation meeting soon if possible.

Kind regards

Kate



**Kate Marchesi**

Senior Lawyer | Native Title and Resources  
Native Title, Resources and Dispute Resolution Branch

**Crown Law**

**P** 07 3031 5937 **E** [kate.marchesi@crownlaw.qld.gov.au](mailto:kate.marchesi@crownlaw.qld.gov.au)

**A** 50 Ann Street, Brisbane QLD 4000 **W** [www.crownlaw.qld.gov.au](http://www.crownlaw.qld.gov.au)

\*In the event that the State Law Building is closed due to COVID-19, please send mail (that you would ordinarily send via Australia Post) electronically to my email address or the central records team at [cl.records@crownlaw.qld.gov.au](mailto:cl.records@crownlaw.qld.gov.au) who will re-allocate it accordingly.

---

**From:** Kate Marchesi

**Sent:** Wednesday, 11 August 2021 3:05 PM

**To:** Kirstin Malyon <[KMalyon@cylc.org.au](mailto:KMalyon@cylc.org.au)>; Daniel Barker <[DBarker@cylc.org.au](mailto:DBarker@cylc.org.au)>

**Cc:** Sidonie Berke <[SBerke@cylc.org.au](mailto:SBerke@cylc.org.au)>; Anita Cope <[Anita.Cope@CrownLaw.qld.gov.au](mailto:Anita.Cope@CrownLaw.qld.gov.au)>; Avril Prior <[Avril.Prior@crownlaw.qld.gov.au](mailto:Avril.Prior@crownlaw.qld.gov.au)>

**Subject:** RE: Wujal Wujal Social Housing and Aged Care Facilities s 24JAA Notices

Hi Kirstin

No worries, thank you for the update, I'll let the department know.

Kind regards

Kate



**Kate Marchesi**

Senior Lawyer | Native Title and Resources  
Native Title, Resources and Dispute Resolution Branch

**Crown Law**

**P** 07 3031 5937 **E** [kate.marchesi@crownlaw.qld.gov.au](mailto:kate.marchesi@crownlaw.qld.gov.au)

**A** 50 Ann Street, Brisbane QLD 4000 **W** [www.crownlaw.qld.gov.au](http://www.crownlaw.qld.gov.au)

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**From:** Kirstin Malyon <[KMalyon@cylc.org.au](mailto:KMalyon@cylc.org.au)>

**Sent:** Wednesday, 11 August 2021 3:03 PM

**To:** Kate Marchesi <[Kate.Marchesi@crownlaw.qld.gov.au](mailto:Kate.Marchesi@crownlaw.qld.gov.au)>; Daniel Barker <[DBarker@cylc.org.au](mailto:DBarker@cylc.org.au)>

**Cc:** Sidonie Berke <[SBerke@cylc.org.au](mailto:SBerke@cylc.org.au)>; Anita Cope <[Anita.Cope@CrownLaw.qld.gov.au](mailto:Anita.Cope@CrownLaw.qld.gov.au)>; Avril Prior <[Avril.Prior@crownlaw.qld.gov.au](mailto:Avril.Prior@crownlaw.qld.gov.au)>

**Subject:** RE: Wujal Wujal Social Housing and Aged Care Facilities s 24JAA Notices

Hi Kate

We will get back to you on this. We have had to postpone a number of meetings in Wujal Wujal due to sorry business and still need these meetings to occur in the coming weeks.

Kind regards

Kirstin Malyon  
Principal Legal Officer

Tel: 07 4053 9222 / Free call: 1800 623 548  
Fax: 07 4051 0097  
Mobile: 0407 157 737  
Email: [KMalyon@cylc.org.au](mailto:KMalyon@cylc.org.au)

*CYLC accepts the invitation contained in the Statement from the Heart and will continue to walk together with Aboriginal and Torres Strait Islander peoples in a movement of the Australian people for a better future.*



Cape York Land Council Aboriginal Corporation—1998—2020  
ICN 1163  
32 Florence Street / PO Box 2496  
Cairns QLD 4870

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**From:** Kate Marchesi <[Kate.Marchesi@crownlaw.qld.gov.au](mailto:Kate.Marchesi@crownlaw.qld.gov.au)>  
**Sent:** Wednesday, 11 August 2021 2:45 PM  
**To:** Kirstin Malyon <[KMalyon@cylc.org.au](mailto:KMalyon@cylc.org.au)>; Daniel Barker <[DBarker@cylc.org.au](mailto:DBarker@cylc.org.au)>  
**Cc:** Sidonie Berke <[SBerke@cylc.org.au](mailto:SBerke@cylc.org.au)>; Anita Cope <[Anita.Cope@CrownLaw.qld.gov.au](mailto:Anita.Cope@CrownLaw.qld.gov.au)>; Avril Prior <[Avril.Prior@crownlaw.qld.gov.au](mailto:Avril.Prior@crownlaw.qld.gov.au)>  
**Subject:** RE: Wujal Wujal Social Housing and Aged Care Facilities s 24JAA Notices

Hi Kirstin and Daniel

Just checking in about this consultation meeting which we were hoping to organise over the next few weeks. Will this need to be delayed due to the current COVID19 restrictions for communities? Is there any update on this?

Kind regards

Kate



**Kate Marchesi**

Senior Lawyer | Native Title and Resources  
Native Title, Resources and Dispute Resolution Branch  
Crown Law

P 07 3031 5937 E [kate.marchesi@crownlaw.qld.gov.au](mailto:kate.marchesi@crownlaw.qld.gov.au)  
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**From:** Kate Marchesi  
**Sent:** Monday, 26 July 2021 2:02 PM  
**To:** [KMalyon@cylc.org.au](mailto:KMalyon@cylc.org.au); [DBarker@cylc.org.au](mailto:DBarker@cylc.org.au)  
**Cc:** [SBerke@cylc.org.au](mailto:SBerke@cylc.org.au); Anita Cope <[Anita.Cope@CrownLaw.qld.gov.au](mailto:Anita.Cope@CrownLaw.qld.gov.au)>; Avril Prior <[Avril.Prior@crownlaw.qld.gov.au](mailto:Avril.Prior@crownlaw.qld.gov.au)>  
**Subject:** RE: Wujal Wujal Social Housing and Aged Care Facilities s 24JAA Notices

Hi Kirstin and Daniel



Following Avril's email below, could you please let me know whether it is still looking like we can proceed to a consultation meeting in late-August 2021 for all three Wujal Wujal s 24JAA notices (assuming consultation is requested for the aged care and social housing projects too)? If so, could you please send through a list of available dates?

Kind regards

Kate



**Kate Marchesi**

Senior Lawyer | Native Title and Resources  
Native Title, Resources and Dispute Resolution Branch  
Crown Law

P 07 3031 5937 E [kate.marchesi@crownlaw.qld.gov.au](mailto:kate.marchesi@crownlaw.qld.gov.au)  
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**From:** Avril Prior <[Avril.Prior@crownlaw.qld.gov.au](mailto:Avril.Prior@crownlaw.qld.gov.au)>

**Sent:** Thursday, 22 July 2021 11:36 AM

**To:** [KMalyon@cylc.org.au](mailto:KMalyon@cylc.org.au)

**Cc:** [DBarker@cylc.org.au](mailto:DBarker@cylc.org.au); [SBerke@cylc.org.au](mailto:SBerke@cylc.org.au); Kate Marchesi <[Kate.Marchesi@crownlaw.qld.gov.au](mailto:Kate.Marchesi@crownlaw.qld.gov.au)>; Anita Cope <[Anita.Cope@CrownLaw.qld.gov.au](mailto:Anita.Cope@CrownLaw.qld.gov.au)>

**Subject:** Wujal Wujal Social Housing and Aged Care Facilities s 24JAA Notices

Dear Kirstin,

I refer to our telephone discussion on 16 July 2021 regarding the social housing, aged care facilities and associated infrastructure proposed for Wujal Wujal.

Please find **attached** two notices under s 24JAA(10) of the *Native Title Act 1993* (Cth) issued on 21 July 2021 on behalf of the State of Queensland acting through the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships. The notices were sent by registered post, and a copy of the covering letters is attached for your records.

Please also find **attached** a copy of the following documents, for reference:

- current title searches for Lot 2 on SP301682, Lot 34 on SP279562, and Lot 134 on SP263792;
- survey plan SP263792; and
- preliminary mapping showing the location of the proposed social housing development on Lot 2 on SP301682 and those parts of Lot 34 on SP279562.

Please do not hesitate to contact me if you would like to discuss the notices or require further information.

Regards,

Avril



**Avril Prior**

Lawyer | Native Title and Resources  
Native Title, Resources and Dispute Resolution Branch  
Crown Law

P 07 3031 5936 E [avril.prior@crownlaw.qld.gov.au](mailto:avril.prior@crownlaw.qld.gov.au)  
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\*\*\*\*\*

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ATTENDANCE REGISTER  
Wujal Wujal Consultation  
Thursday 11 November 2021 - Wujal Wujal Library

No.	Full Name	Address	Email	Contact Number	Signature
1.	Daniel Becker	32 Florence St, Cairns	dbecker@7llc.org.au	0419594485	
2.	Zach Kulka	980 Reservoir Rd, Cairns	2kulka@cyclc.org.au	0411883127	
3.	DAWN HARRISON	910 CAPE TRIGRATION ROAD MURAL MURAL Q 4895	ranger@services@jabaluna.com.au	0448 822 471	
4.	Steve Victor	WUASC	stave@wujal.org.au	0418 695 955	
5.	Mary Baker	QPS	barlow.mary@pblc	07 40507668	
6.	Victor Mills	WUASC	Victor@wujal.org.au	07 40859122	
7.	Bobby Ball	Local Eden	N/A	N/A	
8.	Sack Ball (SAC)	" "	N/A	N/A	
9.	Dore Nandny	Community Henderson	N/A	N/A	
10.	Stella Pastani	" "	N/A	N/A	
11.	Kallam Clarke	611 Boundary St, Cooktown QLD 4855	ranger@kallam@jabaluna.com	0407909564	
12.	Charlie Ross-Kelly	Lot 2 Angus gully Rd Rossville QLD 4895	charlie.rosskelly@gmail.com	0457824658	
13.	Alister Libson	77 Hawthorn St, Haydon Ngad			
14.					



No.	Full Name	Address	Email	Contact Number	Signature
15.	Kathleen Walker	10 Kern St WU			Kathleen Walker
16.	Angela Carter	17 <del>Wendover</del> St Church Cove, St. John's		45004900	Angela Carter
17.	Jackie Ball Jnr	Hortwig St Wyjal Wyjal			
18.	PATRICIA BUCHANAN	Hartwig St Wyjal - WUJAL		0499108229	Patricia Buchanan
19.	STELLA BASSANI	HARTWIG ST Wyjal			
20.	Doreen Ball	48 Leis St		0456181441	hl Ball
21.	Lucinda Casson	Chine Lanning		0437903934	Lucinda Casson
22.	Delroy Mandy	Wyjal Wyjal			Delroy Mandy
23.					
24.					
25.					
26.					
27.					
28.					
29.					
30.					

Verified by Staff: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Page: \_\_\_\_/\_\_\_\_

## AGENDA

<b>Meeting</b>	Wujal Wujal s 24JAA Consultation		
<b>Date</b>	11 November 2021: 2.5 hours		
<b>Time</b>	11:00am		
<b>Location</b>	Wujal Wujal Library		
<b>Chair</b>	Dawn Harrigan		
<b>Attendees</b>	Maria Grimaldi, Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships Peter Symonds, Queensland Police Service Andrew Cowie, Queensland Police Service Kate Marchesi, Crown Law Avril Prior, Crown Law Daniel Barker, Cape York Land Council Zach Kulka, Cape York Land Council Community Members (refer to separate Attendance Sheet)		
<b>Apologies</b>	Nil known		
No.	Name/Topic	Points of discussion	Time frame
1.	Introductions and acknowledgements, Kate Marchesi, Crown Law		11:00am-11:10am
2.	Overview of the s 24JAA process and purpose of consultation, Kate Marchesi, Crown Law		11:10am-11:20am
3.	Comments, Cape York Land Council		11:20am-11:30am
4.	Police Facilities Project, Peter Symonds and Andrew Cowie, Queensland Police Service	Questions and answers regarding the Police Facilities Project	11:30am-12:00pm
5.	Lunch		12:00pm-12:30pm
6.	Social Housing Project, Maria Grimaldi, Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships	Questions and answers regarding the Social Housing Project	12:30pm-1:00pm
7.	Aged Care Facility Project, Maria Grimaldi, Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships	Questions and answers regarding the Aged Care Facility Project	1:00pm-1:30pm
8.	Meeting with Traditional Owners	Cultural heritage	1:30pm-2:00pm
9.	Meeting close		2:00pm

Dawn Harrigan

CHAIR:

11/11/2021



## Section 24JAA Consultation

### *Welcome to consultation and introductions*

This meeting is the consultation under s 24JAA of the *Native Title Act 1993* (Cth) for the proposed police facilities, social housing and aged care facilities and associated infrastructure in Wujal Wujal.

The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships sent information about these projects to Cape York Land Council Aboriginal Corporation and Michael Ross and others on behalf of the Cape York United Number 1 Claim on 8 March 2021 and 21 July 2021 and requested comments.

Cape York Land Council has advised that you would like to be consulted about these projects.

### *Housekeeping*

- Attendance sheet – your name and contact details; and
- Agenda.

### *Purpose of this consultation*

This consultation is part of the legal process under section 24JAA of the *Native Title Act 1993* (Cth). It is about the proposed future acts – the construction of the new police facilities, social housing and aged care facilities, the grant of leases for the police facilities and social housing, and the grant of an easement for the social housing. The areas to be affected are shown on the attached maps. These developments also include things like water, electricity and sewage connections and roads.

The purpose of the consultation is to give you an opportunity to comment on the doing of the acts so far as they affect your registered native title rights and interests. You are invited to give your views about:

- (a) ways of minimising the acts' impact on registered native title rights and interests in relation to land or waters in the areas in which the acts are to be done; and
- (b) if relevant:
  - i. any access to the land or waters; or
  - ii. the way in which anything authorised by the acts might be done.

The 24JAA consultation process does not give a right to stop the acts being done but does give you a right to be consulted about the acts and to have your views considered.

The State will provide a written response to you (via your legal representatives) regarding this consultation and its outcome. If the State decides to proceed with the projects and provides a report about this 24JAA process to the Attorney-General, the construction of the police facilities, social housing and aged care facilities, the grant of leases for the police facilities and social housing, and the grant of an easement for the social housing will be valid for native title purposes.

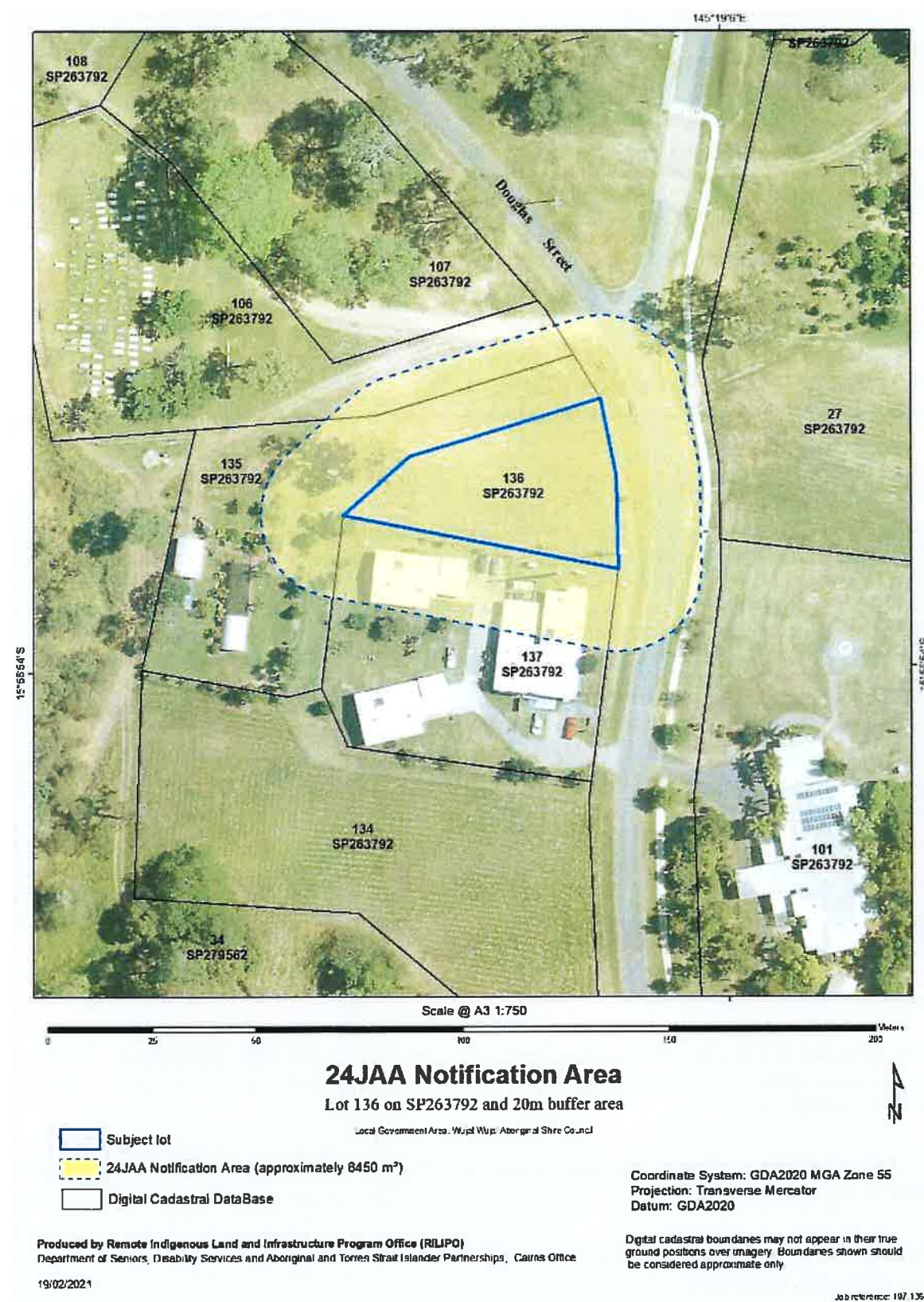
Thank you for your attendance today. We look forward to working with you to bring these new projects to Wujal Wujal.

**If you would like any further information, please contact:**

**Maria Grimaldi – (07) 4252 5124**

**Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships.**

## Map of Police Facilities Notification Area





## Maps of Social Housing Notification Area

Location of Lot 2 on SP301682 and that part of Lot 34 on SP279562



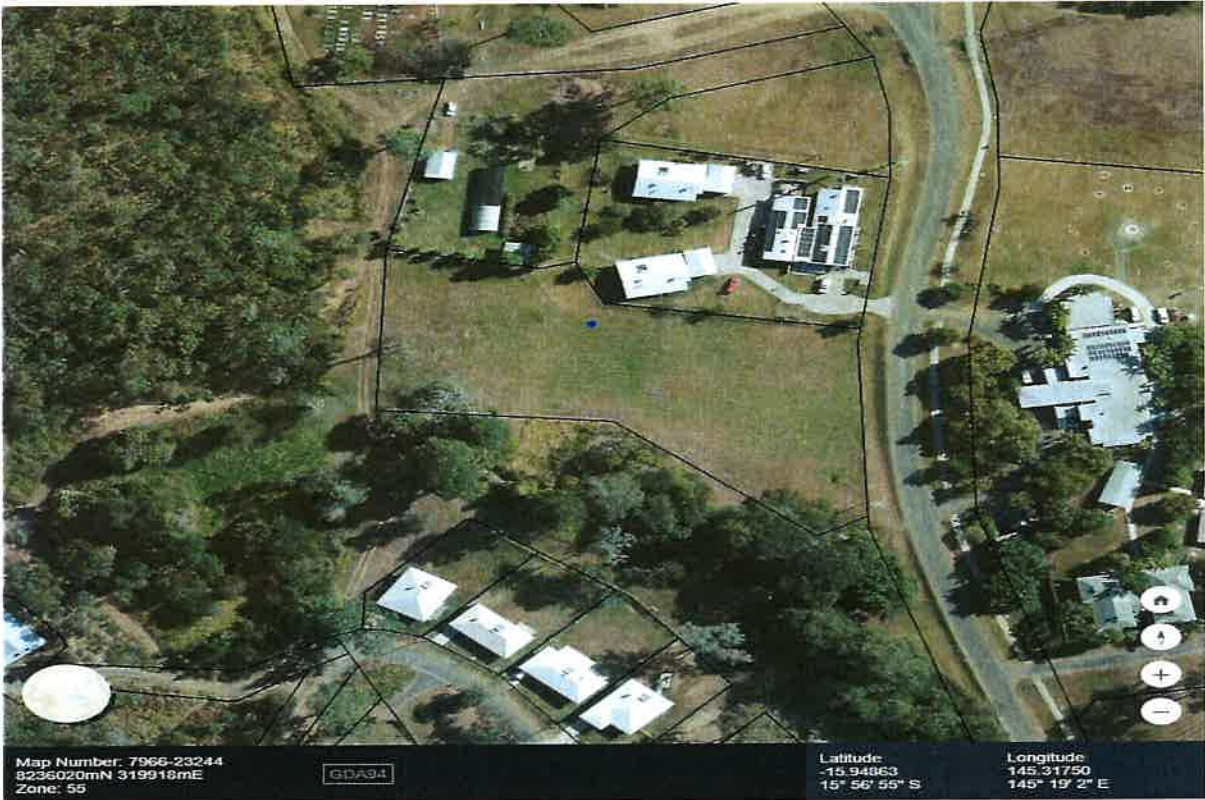
**Location of that part of Lot 34 on SP279562**





# Maps of Aged Care Facility Notification Area

Lot 134 on SP263792 as shown on the map shaded in green



Meeting Minutes

Matter number:	DOC452/1119
Details:	Consultation under s 24JAA of the <i>Native Title Act 1993</i> (Cth) ( <b>NTA</b> ) for proposed police facilities, social housing, aged care facilities and associated infrastructure in Wujal Wujal
Chair:	Dawn Harrigan ( <b>DH</b> )
Attendees:	Maria Grimaldi ( <b>MG</b> ), Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships ( <b>DSDSATSIP</b> )  Alex Bowen ( <b>AB</b> ), DSDSATSIP  Andrew Cowie ( <b>AC</b> ), Queensland Police Service ( <b>QPS</b> )  Peter Symonds ( <b>PS</b> ), QPS  Kate Marchesi ( <b>KM</b> ), Crown Law  Avril Prior, Crown Law  Daniel Barker ( <b>DB</b> ), Cape York Land Council ( <b>CYLC</b> )  Zach Kulka, CYLC  Stephen Wilton ( <b>SW</b> ), Wujal Wujal Aboriginal Shire Council  Community members ( <b>TOs</b> ) (refer to separate attendance sheet)
Date:	11 November 2021

[Meeting commenced at 11:45 am]

[Attendance sheet, agenda and handout circulated]

- KM:** An attendance sheet is being passed around, if everyone could please sign it. I would like to acknowledge the traditional owners of the land on which we are meeting today and would also like to thank CYLC for organising today’s meeting. This meeting is about a few projects the Queensland government is proposing. The Queensland government has issued notices under the NTA for each of these projects. They are an aged care facility, social housing, and an upgrade of the police facility in Wujal Wujal. We will talk about these a little more in turn. We have MG here to talk about social housing and AC and PS to talk about the police upgrade. Under the NTA, for projects like these, the process is for Queensland government to issue notices and invite TOs to discuss with us. We then take notes of the meeting and take this back to the departments responsible for the projects and compile a report for the Commonwealth government. That’s the process for each of these projects today.
- DB:** What are the timeframes for construction, etc. of the projects? We look forward to hearing more about each of the projects.
- KM:** Hopefully we can address timeframes with a bit more certainty. First, let’s talk about the upgrade to the police facility.

**DH:** My name is Dawn and I will be chairing the meeting. Welcome to our guests today. Just a few housekeeping matters (fire exit, location of toilets, etc.). I would like to invite my mother, Kathleen to do a formal welcome to country.

[Kathleen declined to give the welcome to country, so this was given by DH instead]

**KM:** So first, PS could I ask you to give a brief overview of the police facility project?

**PS:** Thank you, it's nice to be here. It's my first time to Wujal Wujal. I work in the property area of QPS in Brisbane. In 2018, Council approached QPS and identified they had an interest in a block of land adjoining the existing police station for a future aged care facility. We agreed we would consider relinquishing this from our current lease. In return, it was understood that Council would offer a block of land on the opposite side of the station. That's when we started to discuss with MG and her team how we would proceed. We need to consider native title, so we rely on MG and her team for that and working with the TOs and the Council. At this stage, we don't have any immediate plans for anything to be constructed on the additional parcel of land. From an operational perspective, we are working with MG and the Council to formalise the tenure requirements.

**KM:** I'll hand out a map to show the area PS is talking about.

[Map showing the location of the proposed police facility circulated]

**PS:** QPS have held a lease over the lot to the South for some time. This is the larger lot at the bottom of the map. Now, it is proposed for QPS to surrender this lot for Council to use for an aged care facility. The area outlined in blue is to be offered up in return.

**AC:** Thank you very much for having us here today. The purpose of today is for us to engage with you and let you know that the purpose of us retaining the land to the north of the station is to assist with our future accommodation and infrastructure. Currently, there are only two police located in Wujal Wujal. What we have seen over the previous couple of years is an increase in the number of people moving through here and we're aware of the demands this places on our resources so we can keep the community safe. It may be the case that further resources, infrastructure and accommodation are required. I'd ask that you give consideration to this future purpose. We are not looking in the next couple of years; this functionality increase will probably be required around five years down the road as with Cooktown and other communities up the coast. We are seeing a change in venues. Many years ago this was an isolated community, but it's not anymore. It's important for us to maintain a safe response system. Thank you, does anyone have any questions about the operation of the police facility?

**DB:** Just to clarify, they are not looking to commence any construction for around five years and then it will depend on the needs of the community? There will be a further consultation when construction is to go ahead?

**AC:** Yes, we are very aware of the need for engagement. We have a very high level of support within the community. We know that the legitimacy that we have to operate comes from that community consultation and we thank everyone here for the opportunity to go through that process. We have a preventative presence and not an enforcement presence. In five years, we will go through the consultation process because it is very important we are aware of the cultural significance of that site and we are aware of the need to involve the local community in that.

**TO:** With the extra stress put on by COVID-19 and everything else, police presence is needed. With the borders opening up soon, we will be one of the first areas to get hit with tourists from New South Wales and Victoria. These are the people that feel it every time.

**AC:** We are happy to go through that process to keep everyone safe, particularly in a COVID space. It is important that the risk is mitigated by very high levels of immunisation. We see that as a good thing because the Elders in the community are much safer now. We are noticing a lot more people moving through. It's fantastic country to come through and with you sharing your country with people there are going to be risks. We need to make sure we engage to manage these risks.

**KM:** Thank you. We'll hand over to MG to give a brief overview of social housing and aged care.

**MG:** I'll start with aged care.

[Map showing the location of the proposed aged care facility circulated]

**MG:** Following on from the police areas, the area shaded green on the map is intended to be given up by police and we will look at developing this area for an aged care facility. There are currently no exact plans for what that facility will look like. In most cases when it comes to requesting funding from government, one of the questions we are always asked is have you got land and are you ready to build, because if there's a break in the weather they need to be able to act quickly. Councils are under the same degree of scrutiny and need to demonstrate they have addressed native title and land requirements. In doing all of this prep work, we are making the community 'land ready'. Once there is confirmed availability of money, we will design what the aged care facility will look like and this will take into account the demographics of the community (spread of people, age groups, how many of these people will be permanent residents as opposed to transitional residents, etc.). This will change for every community. The whole idea is to make sure this community is as ready as possible so when there is some funding available, you can put your hands up. There are no fixed concept plans as this is the lead in work in making sure you are in the best possible position to attract and be successful in any funding submissions.

**SW:** That's pretty well on the mark. I think all of the residents are aware that there is a need in the community for aged care. At the moment, as people grow older, if they are able to stay in their own home, that's great. But we don't have a facility where they can stay in the community if they do need a level of care. They've got to go away. There's not much land around Wujal Wujal so that's when we opened discussions with QPS. I thank Commissioner Carroll because in initial discussions we were pretty stonewalled. We were able to progress discussions with the Commissioner and Minister and negotiate the land swap so in the future we would be able to develop an aged care facility.

**MG:** That lot is larger than what police are getting in exchange. One of the takeaways from that is that whatever the future requirements for police, there will have to be some good design work to ensure they will sit well within the new allocated lot. With good design, we can achieve a lot. It is important to have that larger lot because the elderly population is going to grow and we need to have the space available for increased aged care. It is very generous of the Commissioner. It is a flat lot, well located and close to police.

**SW:** More importantly, it is across the road from the clinic.

**MG:** Yes, that is important. Any questions?



**SW:** Is there any money available for the development?

**TO:** We are trying to change from a different funding concept to an aged care facility as this is a bigger funding package. People recognise that we don't have access to other outside facilities at the moment. This is to cater for the young ones as well. In disaster management time, we are trying to get our people from here up to Cooktown for dialysis. We have to put ourselves at risk to do this. We are looking at an 18-bed facility at this stage but once we have a final concept, we come back to you for your final needs. I am sick of hearing of people going off country for treatment and dying and we then have to bring them home. If you have these things in the community, you can have one-on-one care from across the road or other packages to cater for them. It's also for the young ones. We have stats of 170 in the health centre.

**MG:** This allows them to stay connected to their family which we know contributes to longevity and wellness. Once we take that away, we see a decline regardless of the medical intervention. We can counteract this by having people remain as close as possible to family. This keeps morale up and enables you to better withstand treatment which requires a lot of effort from your body. Dialysis is not a straightforward treatment and can make you feel quite sad and isolated.

**TO:** I am really happy for this. I want to die in my home. We don't want to go and die in other people's homes. Here, we can hear the waterfall, it is our grandfather calling to us. I said to my son, who is a councillor, that this is really good. Not only for us, but for the young people. We see them struggle with alcohol so they are the ones that will go first. Not only that, but more jobs for our young people. We don't want outside people to come and work.

**MG:** There will be opportunities for people working in health and aged care and then all the other jobs like cleaning, etc. The hardest part is explaining to government about the benefits these projects provide in terms other than infrastructure and service. We understand this very well, but it is about building this up into a submission. Our department is very focused on reconciliation and not doing things *to* people and instead doing things *with* people and we want to express this through the submissions. Any other questions?

**TO:** This is my home. I was born here and don't want to go anywhere else to die. I want to die in my home.

**TO:** He triggered all this. He approached me and said he was born here and wants to die here. There is a tree he was born under and has preserved it.

**TO:** I still walk everywhere.

**TO:** I am happy to see this happen so my brother can be back up here. It is very hard for him to come back at the moment, it's too far. He is old and needs to be close to the hospital.

**AC:** The block is better suited for accessibility to health. It is fairly level and across the road.

**TO:** We need to get it level and compliant with the flood line.

**MG:** Yes, we will look at this as part of the development application. The planner has looked at this briefly. The only issue is raising certain areas.



**TO:** In 2019, the flood line came up to the driveway of the morgue. Everything becomes an island.

**SW:** To clarify, this process is about making the land available. At this point in time, we don't have funding available. We have started looking but were unsuccessful in our first bid. But this is a very important step in the process as you have to be ready to start when the funds become available.

**TO:** We have spoken to Leanne about this and she was going to speak to Council later on. We told her about today's meeting and she was very interested.

**SW:** Leanne is our Ministerial champion.

**TO:** The Minister for Housing.

**TO:** This is not just for Aboriginal people, it is for white people too.

**AC:** Anything that helps people have dignity in later years is really important to us. They need to be surrounded by family and health care and they need to be able to move through the community too, so it is well located.

**TO:** We have alcohol now every weekend, and the young people are asking the old people for money.

**TO:** Security is important.

**AC:** Yes.

**TO:** It's good it's near the police station.

**MG:** We have rules around who can assess aged care facilities, especially at the moment with COVID. We want to say we are ready and have sorted out the surveys, native title processes and planning issues.

**DB:** If the community decides entering into a cultural heritage agreement is necessary?

**MG:** Absolutely, even if there was historical disturbance to the land, the development would be so intensive and vast that it would be inappropriate to do any ground disturbance works without monitoring.

**PS:** We would be able to feed into that from QPS, if there were any plans to construct on the top lot.

**MG:** Yes, for the police facility also. We would be insisting a cultural heritage agreement be entered into for this. We need to ensure this is protected and that there are appropriate finds processes.

**TO:** Also the old graves.

**MG:** That is the most worrisome thing. It's not just in cemeteries. We know there have been burials in people's backyards or on cultural land and that there are unmarked graves.

**SW:** And that's why you have monitoring.

**MG:** When it comes time to construct, if someone has knowledge of these then knowing this upfront is very useful. We will implement mitigation strategies to ensure the design layout doesn't harm that site. We will ensure there is advanced notice of this so that we understand what the limitations are for those lots. It's not about giving away cultural heritage secrets. We just need to know it's an area of cultural significance and will do the design layout around this. We could include monuments for these areas.

**TO:** Work has already been done on identifying where graves are and areas of cultural significance.

**MG:** This is important for master planning to ensure we are fully aware of this. Any other questions?

**TO:** Will it be built before wet season?

**SW:** Not this wet season.

**MG:** Sorry, there is no funding at the moment. This is preparatory work. Agencies start to look at funding bids around about now, but we don't know what the government throws up.

[Break from 12:25 pm to 12:36 pm]

**KM:** The last project we are talking about is social housing.

[Map showing the location of the proposed social housing circulated]

**MG:** This is the final project, it is straight forward.

[MG proceeded to identify the relevant lots on the map].

**MG:** The pointy bit is because it will be opened as a road and that's covered in the notice. This is a nine-lot subdivision. We have some preliminary designs. We need to consider infrastructure more closely and look at broader engineering issues. There will also be internal roads. We will finalise the designs once we know more closely what the concept is. The reason why we're doing this is because there is a Commonwealth allocation for housing that's going to be spread across all 34 communities. Wujal Wujal is one of the communities that's going to be getting some Commonwealth funding for houses. Just because we've proposed a nine-lot subdivision doesn't mean you're getting nine houses. It just means when it comes to designing subdivisions, we have to look at economies of scale. It will cost us just as much to build a nine-lot subdivision as it would a five-lot subdivision, so for the future expansion of housing in the community, you're better off doing a nine-lot subdivision. Then you have the lots available if there is a spontaneous funding arrangement. If it's a couple of million dollars, you'll probably get three or four houses out of that. Next to the men's shed, we will be looking at a four-lot subdivision. Again, we are making provisions for the future by ensuring there is available, surveyed land with services and development approvals sorted so Council can utilise funding quickly. This is fairly straight forward, we have done lots of social housing in Wujal Wujal in the past. This will be better designed as it won't be as rushed. This will be a better outcome for the community in our view. Any questions?

**SW:** I'll just make a couple of comments.

**MG:** Sure.

**SW:** There's no developed land in Wujal Wujal at the moment. If we got \$1 million today and said go and build four houses and have it done in one to two years' time, we couldn't do it because we have no land to build on. Almost all the funding that comes through has timeframes because governments need to meet targets.

**MG:** To build houses, you need supporting infrastructure. You will need to dedicate money to this. This allows us to look more closely at engineering (water, sewerage, power, etc.) and what it will cost. You can't build houses without services. If we know exactly what's involved, we can do the costing. That's exactly the discussion we had with Nepari. They had around \$1.14 billion to build houses across communities. We said that's fine, but we need to source available land. We had to develop the land and put services in. This allowed us to go back to the Commonwealth and ask for more money.

**SW:** The Commonwealth has provided us with some money so we can develop the land. Hopefully we will get this up and running but we can't do anything until we've sorted the land tenure.

**MG:** Engineering costs money. We need to be shovel ready.

**TO:** MG keeps talking about being 'shovel ready'. The government needs to see water, power, everything ready to go. That's costs money before you even build. The last four-bedroom house that was built in Wujal Wujal cost \$800,000 for that one house. If you get like \$2.35 million from the government, it won't allow us to build much at all. It will allow us to get things ready, and that's about it.

**DB:** Is the plan to have infrastructure for all nine lots put in and then it will sit there on the land until houses are to be built?

**MG:** Basically, we will go to the Council and say what funding we have and what we can do with that. The four-lot subdivision, for example, will be a staged project approach. In terms of building, this will have to be programmed as well once decisions are made with Council and Housing.

**SW:** So when there's funding available, they will look at the register of need for families in Wujal Wujal. That will be looked at early.

**MG:** The register of need will also allow Council to go back to the government to discuss need.

**TO:** The TOs have asked whether there is a possibility of them building back on their country.

**MG:** Which land is that?

**TO:** Land that's been given back to them. Thompson Creek, all that area. Other areas also.

**MG:** So areas of land that aren't close to a township? That just ends up costing more money for infrastructure. Were money not an issue, we could look at developing there and in more remote settings. But at the moment, there is only a finite bucket of money and you could spend that money on infrastructure for aspirational living or you could address your needs. It's a hard discussion and has to be community led. We are not going to tell you what to do. Houses built previously were under a different funding model under the previous government.

**SW:** I have to leave to attend another meeting.

[SW left the meeting at 12:52 pm]

**TO:** The discussion comes back to us as the TOs. In the area next to the men's shed, we have put in for a four-lot subdivision, but it could be a three-lot subdivision now. We have to compensate for the tree in case it falls down. These could be townhouses with upstairs/downstairs areas to cater for the young ones. It comes back to what you want.

**MG:** It depends on what the community wants. A three-lot subdivision looks better in terms of responding to the Commonwealth. The other lot is larger and has no tree issues. This will allow for a higher yield.

**TO:** Are the trees outside the boundary of the lot the property of DNRME?

**MG:** It's about the tree heights.

**AB:** Trees are protected under the Vegetation Management Act. This is mapped as remnant vegetation as it has been there forever. You can't build right up against the boundary but can still use the site. Also, you can't cut the trees down, so you would want to ensure they aren't too high as this is a safety issue. The lots are also in the Wet Tropics Area. An access area is also to be included and an extension of the existing road.

**TO:** This is ridiculous, there are millions of trees. It's supposed to be about reconciliation.

**AB:** I'm on your side, but we have to work within the confines of the legislation.

**TO:** The vegetation was cleared previously.

**AB:** Yes, but once it grows back you cannot clear it. You can still build within the cleared areas.

**MG:** This is not impossible, we just need to ensure we design it properly.

**TO:** What if a tree is young but then grows? I'm concerned about fire more than anything.

**AB:** It's a matter of height versus distance. We can clear a fire break, it just has to be outside of the mapped vegetation.

**MG:** Again, we propose to enter into a cultural heritage agreement for this area, even though it has previously been cleared.

**TO:** When would you like feedback from the TOs?

**KM:** I thought I'd give you a chance to discuss between yourselves. I am interested in hearing your feedback on the effect on native title in terms of the leases granted and any concerns accessing these areas while the infrastructure is there. In terms of cultural heritage, there will be an opportunity to negotiate a cultural heritage agreement before construction commences. I am happy to answer any questions.

[Break from 1:03 pm to 1:27 pm for discussion between TOs]

**DB:** For the police facility and lease over the adjacent block and construction of the infrastructure, everyone in attendance is happy with the proposal and the generation of the lease due to the

increasing permanent and transitional population. For the aged care facility, everyone is happy for the lease to be transferred from police. There is tension around the social housing proposal. For the smaller block (lot 34), three houses are proposed due to the trees and other planning restrictions. Everyone agreed to creating sub-blocks away from native title areas. For the northern block (lot 2), we would like to discuss what purposes other than social housing are available.

**MG:** This block was suggested because we thought it could be used for housing. There is a Council resolution for this use, but if you would like it to be diversified, we can look into alternatives. With the land in Wujal Wujal you are constrained due to the vegetation issues and their impact on the location of the infrastructure. With the infill lots, once these are allocated there will not be any further allocations. There is not a lot of land, so you have to prioritise the community's needs. There could be a need for housing or for something else.

**TO:** Six housing lots are available, and space for a community hub consisting of safety for victims of domestic violence and a cyclone shelter.

**MG:** We will put this down. If we continue with the s 24JAA process, we can't just design whatever we want. If we look at a community hub with six blocks, we can't use the same notice footprint. We would have to commence a new process and be very specific about the proposed use. We will take your views away and note that a nine-lot subdivision is not supported but a six-lot subdivision is.

**TO:** Does a community hub count as an emergency facility?

**KM:** A cyclone shelter could be an emergency facility. Section 24JAA applies to certain facilities only and is limited in its application. If you want part of this lot to be used for something else, we will need a separate process. If a community hub doesn't fit under this section, we can look at something else.

**TO:** What is the back corner of the lot used for?

**MG:** Part of it is used for vanilla bean.

**TO:** So the bottom part of the lot could be used for a community hub?

**MG:** Yes, we would have to be careful of contamination issues. This may affect our ability to build on this area.

**AB:** This area used to be a dump. They capped it, but issues may arise once you start digging.

**MG:** Lot 2. We may need to reconsider.

**TO:** If we get COVID through here, our health centre can't cater for this.

**MG:** You could have an emergency facility primarily used for COVID impacts, cyclones, flooding, etc.

**TO:** If there are nine blocks, could we repurpose old housing to build a cyclone shelter?

**MG:** I don't see why not, but you would have to find suitable land. Would this be to the detriment of social housing, or would it create a greater benefit to the community overall? We will take this back to the Council and get some planning advice as well.

**TO:** Is there any room within the master plan?

**MG:** Yes, this is an evolving document.

**AB:** Currently under the master plan, this site has been identified as being suitable for social housing but, if this has changed, we can work around this. It is about what the community needs and what is considered suitable. Is it better to try and get grants to build a shelter rather than housing? If so, we can look at this. The process supports social housing. If you want something else, we may need a different process. That's okay but it will delay things. We want to ensure you've had your say.

**TO:** We have started discussions with Douglas Shire Council about the freehold lots and maintenance works.

**MG:** Has Douglas Shire Council given an analysis of costs?

**TO:** Yes, the feasibility study.

**MG:** As long as it's profitable.

**KM:** Anything else?

**TO:** We need an emergency shelter. I can fit 20 people in my house. This is a little island, you can't go anywhere. My house was underwater. We will be having a visit from a crocodile, there are creeks everywhere. The big tree is going to fall down on my house, but I don't want to move from here. I am sad for my people here. You need to listen to us. We are the experts here. The government thinks they know everything, but they know nothing. We are on the ground and know that housing is alright, but we need safe housing.

**TO:** Because it is a valley, the choppers can't even come in. I had to drive around and rescue people.

**MG:** Is lot 2 the best for an emergency facility?

**TO:** Yes, it is the most accessible.

**KM:** Thank you for that feedback. So, lot 2 is the most suitable?

**TO:** Yes.

**TO:** When are the TOs going to be monitoring?

**KM:** Before we start any works, we will agree this with you. The contractor hires the monitors. There are usually around four monitors during groundworks. In the event of a find, they will let the contractor know. Works will stop within the boundary of the find while it is dealt with.

**TO:** It was the same situation with Cairns, with indigenous economic employment opportunities.

**MG:** The grant for the social housing development will go to Council. They can create indigenous economic employment opportunities. This will be more relevant if the contract goes to tender.

**TO:** For Donovan Range and the Zigzag Road there was not one indigenous contractor for all of the works. Nothing was going back into the community. I can arrange workers. We should be using our fellas for this (spotting, machinery operation, etc.).

[Meeting ended at 2:00 pm]



Avril Prior  
**Lawyer**

5 Lot Residential Development

Company Name  
Project Lead

TASK	ASSIGNED TO	PROGRESS	START	END
Development Application (MCU, Rat)				
Task 1	Prepare Layout design and consult design with council and community	100%	2019-10-21	2020-01-08
Task 2	Material Change of Use (MCU)	100%	2019-10-21	2020-01-09
Task 3	Reconfiguring a Lot (RaL)	100%	2019-10-21	2020-01-09
Task 4	Section 22A vegetation Clearance	100%	2019-12-05	2020-01-09
Task 5	Decision Notice (WWASC)	100%	2020-01-09	2020-01-23
Note: DTATSIPCA undertook the above project for WWASC at no cost to council				
Survey				
Task 1	Topography survey	100%	by Council	by Council
Task 2	Cadastre Survey	100%	2020-01-09	2023-06-02
Task 3	Registration of Plans	100%	2023-06-02	2023-06-02
Note: DTATSIPCA undertook the above project for WWASC at no cost to council				
Native Title				
Task 1	Issues of 24JAA notices	100%	2021-07-30	2021-09-30
Task 2	24JAA consultation	100%	2021-11-11	2021-11-11
Task 3	report to Attorney Generals	100%	2021-11-22	2021-11-22
Task 4	native title validity obtained	100%	2021-11-30	2021-11-30
Note: DTATSIPCA undertook the above project for WWASC at no cost to council				
Development Application (OPW)				
Task 1	WWASC to appoint a Civil Eng	0%	date	date
Task 2	Geotechnical Investigation	0%	date	date
Task 3	Design Operational Works infrastructure	0%	date	date
Task 4	Peer Review of Designs	0%	date	date
Task 5	Development Application (OPW)	0%	date	date
WWASC to fund and undertake task 1-3				
DTATSIPCA will support WWASC with task 4 & 5 at not cost to council				
Construction Tender process				
Task 1	WWASC to appoint a Civil Eng	0%	date	date
Task 2	Civil Eng finalise OPW designs for tender purposes	0%	date	date
Task 3	Civil Eng determine development costs	0%	date	date
Task 4	Civil Eng Draft Tender Documentation	0%	date	date
Task 5	Post Tender	0%	date	date
Task 6	Civil Eng assess submitted responses and make recommendation	0%	date	date
Task 7	WWASC appoint a preferred contractor	0%	date	date
Construction Phase (Infrastructure Services)				
Task 1	Contractor and WWASC sign contract	0%	date	date
Task 2	WWASC appoint a project manager for the project	0%	date	date
Task 3	Construction phase	0%	date	date
Task 4	Practical Completion	0%	date	date
Task 5	Defects Liability Period	0%	date	date
Task 6	Final handover of infrastructure to WASC	0%	date	date
Housing Construction				
Task 1	WWASC to appoint a designer, contractor, Building Certifier and Plumbing Certifier for the project	0%	date	date
Task 2		0%	date	date
Task 3		0%	date	date
Task 4		0%	date	date
Task 5		0%	date	date
Electrical Installation				
Task 1	WWASC to appoint an Electrical Eng to manage the Ergon process	0%	date	date
Task 2		0%	date	date
Task 3		0%	date	date
Task 4		0%	date	date
Task 5		0%	date	date
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9 Lot Residential Development

Company Name  
Project Lead

TASK	ASSIGNED TO	PROGRESS	START	END
Development Application (MCU, Rat)				
Task 1	Prepare Layout design and consult design with council and community	100%	2020-12-15	2021-03-12
Task 2	Material Change of Use (MCU)	100%	2021-02-18	2021-06-07
Task 3	Reconfiguring a Lot (Rat)	100%	2021-02-18	2021-06-07
Task 4	Decision Notice (WWASC)	100%	2021-06-07	2021-09-03
Task 5	WTMA Application	100%	2021-02-18	2021-03-15
Note: DTATSIPCA undertook the above project for WWASC at no cost to council				
Survey				
Task 1	Topography survey	100%	by Council	by Council
Task 2	Cadastre Survey	100%	2020-01-09	2023-06-02
Task 3	Registration of Plans	100%	2023-06-02	2023-06-02
Note: DTATSIPCA undertook the above project for WWASC at no cost to council				
Native Title				
Task 1	Issues of 24JAA notices	100%	2021-07-30	2021-09-30
Task 2	24JAA consultation	100%	2021-11-11	2021-11-11
Task 3	report to Attorney Generals	100%	2021-11-22	2021-11-22
Task 4	native title validity obtained	100%	2021-11-30	2021-11-30
Note: DTATSIPCA undertook the above project for WWASC at no cost to council				
Development Application (OPW)				
Task 1	WWASC to appoint a Civil Eng	0%	date	date
Task 2	Geotechnical investigation	0%	date	date
Task 3	Design Operational Works Infrastructure	0%	date	date
Task 4	Peer Review of Designs	0%	date	date
Task 5	Development Application (OPW)	0%	date	date
WWASC to fund and undertake task 1-3				
DTATSIPCA will support WWASC with task 4 & 5 at not cost to council				
Construction Tender process				
Task 1	WWASC to appoint a Civil Eng	0%	date	date
Task 2	Civil Eng finalise OPW designs for tender purposes	0%	date	date
Task 3	Civil Eng determine development costs	0%	date	date
Task 4	Civil Eng Draft Tender Documentation	0%	date	date
Task 5	Post Tender	0%	date	date
Task 6	Civil Eng assess submitted responses and make recommendation	0%	date	date
Task 7	WWASC appoint a preferred contractor	0%	date	date
Construction Phase (Infrastructure Services)				
Task 1	Contractor and WWASC sign contract	0%	date	date
Task 2	WWASC appoint a project manager for the project	0%	date	date
Task 3	Construction phase	0%	date	date
Task 4	Practical Completion	0%	date	date
Task 5	Defects Liability Period	0%	date	date
Task 6	Final handover of infrastructure to WASC	0%	date	date
Housing Construction				
Task 1	WWASC to appoint a designer, contractor, Building Certifier and Plumbing Certifier for the project	0%	date	date
Task 2		0%	date	date
Task 3		0%	date	date
Task 4		0%	date	date
Task 5		0%	date	date
Electrical Installation				
Task 1	WWASC to appoint an Electrical Eng to manage the Ergon process	0%	date	date
Task 2		0%	date	date
Task 3		0%	date	date
Task 4		0%	date	date
Task 5		0%	date	date
Insert new rows ABOVE this one				