

KOWANYAMA ABORIGINAL SHIRE COUNCIL

Council Meeting Minutes

15 November 2017 | *10:34am – 2:56pm*

Cairns Board Room and Kowanyama
Chambers Room (via Videoconference)

Minutes of the Ordinary Meeting of the Kowanyama Aboriginal Shire Council

Present:

Councillors

Mayor Michael Yam (Chair)
Deputy Mayor Territa Dick
Cr Aaron Teddy
Cr Wendy Wust
Cr John Fry

Executive

Fabian Williams
Chief Executive Officer / Executive Manager of Infrastructure, Works, & Projects (CEO)
Helen Taylor
Executive Manager of Finance (EMF)
Morgan Roddick
Executive Assistant (EA)

Guests

Kate Higgins
Anne-Marie Scully

Apologies

Chris Delaney
Executive Manager of Human Resources (EMHR)
Katherine Wiggins
Executive Manager of Governance and Operations (EMGO)

1) Welcome & Apologies

The Mayor welcomed Councillors to the meeting.
There were no apologies noted.

2) Cr Aaron Teddy – Swearing in Ceremony (Declaration of Office)

Cr Aaron Teddy was sworn in by Kate Higgins and CEO at 10:35am. Cr Teddy stated the following:

“I, Aaron Teddy, having been elected as a Councillor of the Kowanyama Aboriginal Shire Council, declare that I will faithfully and impartially fulfil the duties of the Office, in accordance with the local government principles under the Local Government Act 2009, to the best of my judgment and ability.”

3) Updates to Councillor Register of Interest or Related Parties

Cr Teddy completed his register of interests. No other updates were provided.

***) Kowanyama Clinic Health Updates: Anne-Marie Scully – Director of Nursing**

- Meningococcal Vaccines
- Nursing staff will now be coming for 3 months at a time
- St. Vincent's Care to visit community Dec 6-7, 2017

4) Minutes from Previous Council Meeting

RESOLUTION – Minutes Minutes for October Council Meeting That the minutes of the October 2017 Council meeting be adopted as true and accurate.	Moved Cr Wust, Seconded Mayor Yam MOTION CARRIED
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5) 11:30am – 1:05pm Departmental Updates

a) Office of the CEO

Mr. Williams, CEO, presented an update:

Wet Season Preparation

In preparation for wet season we are doing bulk ordering at stores.

Ordering materials under W4Q in preparation for 17-19FY works to start. This includes the accommodation upgrade, Bike Park

Technology Upgrades

CCTV now being reviewed for installation at the aged care, swimming pool area.

4G connection forecasted transmission 2nd week of December.

Microsoft discussions are continuing in regards to options for Kowanyama to improve youth engagement

Wifi installations have been completed in council buildings. We are also investigating the opportunities for public wifi.

W4Q Projects

Football field completed with some final cleanup of the area required.

Skate Park is completed.

Barbecue area completed with further works continuing.

17-19 W4Q projects being planned ready to execute

Staff Update

Council is in the process of recruiting a new Community Services Manager.

A new Essential Services Manager will commence the week starting 20th November.

New Child care and Women's Shelter Manager has commenced and has settled in well with the team.

New Admin Manager will commence the week 20th November.

Carpentry Supervisor has commenced and will focus on staff housing that has not been maintained over several years. BAS are very supportive of our capacity building and will assist to offset cost.

Plumber being reviewed to supervise local positions and build capacity.

Capacity Building

Negotiations with service providers around investing in Kowanyama to ensure growth opportunities exist. Queensland health have been very supportive and we are currently negotiating options that create jobs and revenue.

Carpentaria shire council negotiations to continue in regards to Kowanyama Aboriginal Shire Council completing some of the road works towards the national park 17-18FY

Natural Disaster Relief and Recovery Arrangements (NDRRA) Work

Works underway however effected for small periods due to wet weather. Progressing well with Shelfo Road progress and quality to a high standard.

Bitumen crew has arrived in Kowanyama to commence airport car park, retail store and community streets.

Occupational Health, Safety and Environment (OHSE)

Electrical License issued to Kowanyama Aboriginal Shire Council

Focus on activities and Personal Protective Equipment (PPE) required for the workforce. This includes training and procedures.

Asset Management

Looking at options to sell some of Council's current equipment and work towards an asset renewal program.

b) Community Services

Mr. Williams, CEO, presented an update:

Aged Care

Aged care management has been separated into 4 different areas of management by current staff while awaiting for the arrival of the new Aged Care Manager.

Fire Inspections

Queensland Fire and Emergency Services (QFES) were here and performed fire audits on the Multi Purpose Centre (MPC) and Aged Care Centre. They also looked at the Women's Shelter, Airport and Light Vehicle Workshop. Assistance was given to line managers in creating evacuation plans and running drills with staff.

Child Care

The Child Care Centre budget will be reviewed in the coming month.

c) Governance & Operations

Mr Williams, presented update for Governance and Operations on behalf of Ms. Wiggins, EMGO.

Legal

Topsy Creek – Indigenous Land Use Agreement (ILUA) negotiations are progressing with the PBC. The PBC are planning to meet to discuss the draft ILUA on 28 November with their members. Council has been asked to make a presentation at that meeting and answer any questions the PBC membership may have.

Corporate Plan

As per Local Government legislation Council is required to have a five year Corporate Plan. Our current Corporate Plan expires on 31 December. Council needs to provide the draft plan to the community for “meaningful community engagement” before endorsement. The draft plan has been developed and is being presented at the Council meeting today.

Annual Report

As per the Local Government Regulation, once our Financial Statements are certified, we have one month to endorse our Annual Report – our Financial Statements are being certified on the 19 October which means that our Annual Report will need to be presented to the November Council meeting. The draft Annual Report has been developed and is being presented at the Council meeting today.

Advocacy

We continue to lobby for improvements to the mental health services in community. As a result of this Indigenous Mental Health training has begun to be rolled out for staff members.

We are also now members of the Regional Health Partnership and are involved in the development of the Kowanyama Social and Emotional Wellbeing plan. The draft plan is expected to be complete by 30 November. The Partnership have requested that a community meeting be scheduled Tuesday 21 November for the partnership to present the plan, and that Council lead the presentation.

By Election

The By Election took place on Saturday 4 November, Aaron Teddy was the successful candidate and we welcome Aaron back to Council.

We will be working with the Department of Infrastructure and Local Government Planning to organize Councillor Role and Responsibility training for Cr Teddy and a refresher for all other Councillors.

Fuel Tank

As noted at the October Council meeting, Trinity Petroleum have requested to install a new Fuel Tank next to the retail store. Council provided in principal approval at the October Council meeting and requested a further report to the November 2017 Council meeting:

New Fuel Station (CEO) – Showed drawings of proposed plans and sought council to agree in principal. EMGO to follow-up with the Town Planner. Report to come for November meeting.

EMGO has worked with the town planning consultant to identify any planning issues. The town planner has provided a report as attached at **Attachment 3**. The report has noted that as long as Trinity Petroleum self-assess the tank as being compliant, a Development Application is not required. Trinity Petroleum have been provided this advice and the CEO now awaits the self-assessment. As long as a self-assessment is received without issue the fuel tank can be installed. Trinity Petroleum have also been advised that Council is keen for local artwork to be provided on the tank.

RECOMMENDATION:

It is recommended that Kowanyama Aboriginal Shire Council provide a copy of the Business Activities Code and Infrastructure Code (included at Appendix B) to the Applicant to allow them to determine if the proposed development achieves compliance with applicable Acceptable Outcomes of the codes. If compliance with all of the applicable provisions can be achieved, then the proposed development is Self Assessable and no application is required.

However, if compliance with one or more of the Self Assessable Acceptable Outcomes of the applicable codes cannot be achieved, then the proposed development will become Code Assessable and the Applicant will need to submit a Development Application for a Material Change of Use for a Service Station to Kowanyama Aboriginal Shire Council for assessment.

d) Finance

Ms. Taylor, EMF, presented the Finance update:

Key points from the report are as follows:

- The 17/18 year to date budgeted (expected) net income was \$12,503,562
- The 17/18 year to date actual net income is \$8,907,865

- The 17/18 year to date budgeted (expected) expenditure was \$11,563,519
- The 16/17 year to date actual expenditure is \$6,945,307

Our interim net result variance to budget is \$1,022,515 ahead of budget, predominantly due to Work for Queensland and SGFA income.

Major projects NDRRA 16.16 works and Stage 2 Topsy Creek are still behind schedule.

e) Human Resources

Mr. Williams, CEO presented an update on behalf of Ms. Delaney, EMHR:

- Current appointments:
 - Carpentry Supervisor – Mark Forrest commencing 13/11/17
 - Carpentry Apprentice – Julius Bernard commencing 15/11/2017
 - Women’s and Children’s Services Coordinator – Deborah Fuschtei, commenced
 - Administration Manager – Marijana Vidovic-Vrabel, commencing 21/11/2017
 - Building Services Manager – David Manning, commenced
 - Community Police Officer Trent Banjo, commenced
 - Aged Care Services Manager – Imelda Agars, commencing 16/11/2017
 - Land and Sea Manager – Candidate visiting community week commencing 20/11/2017
- Training:
 - Mental Health First Aid training, commenced
 - Cert III in Water Management, commenced
 - Chainsaw Training, November
 - Gravel Road, 4WD Training, November
 - First Aid Training, November
 - Airport Reporting Officer Training December 2017
 - Forklift, bobcat training planned with TAFE North December, early January
- Staff Accommodation:
 - Draft Tenancy Agreement prepared

6) Agenda Reports

a) Inventory Management Policy (EMF)

Ms. Taylor, EMF presented the Inventory Management Policy:

To develop an Inventory Management Policy and stock take process to address the below issue raised in the QAO Management letter 16/17 and to provide guidance to staff and managers.

RESOLUTION – Inventory Management Policy That Council endorse the Inventory Management Policy	Moved Cr Wust, Seconded Cr Teddy MOTION CARRIED
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b) Annual Report (EMGO)

Mr. Williams, CEO presented the Annual Report on behalf of Ms. Wiggins, EMGO:

As per the Local Government Regulation 2012, Section 182 (1) a local government must prepare an annual report for each financial year and adopt it within 1 month after the day the auditor-general gives the auditor-general's audit report about the local government's financial statements for the financial year to the local government.

Council's certified financial statements were signed on 19 October 2017 therefore Council's Annual Report should be adopted at this (November) Council Meeting.

The annual report has been developed in accordance with the Department of Local Government Infrastructure and Planning annual report Checklist as attached at **Attachment 1** and in collaboration with Council staff.

Many of the photos contained within the report are from the Kowanyama Project Facebook page. Viv Sinnamon has been contacted to authorize use of the photos. Viv has provided approval, other than the image of Uncle Colin Lawrence for the front cover, as attached at **Attachment 2**. Consent is still required from Uncle Lawrence to use the image, Councillors have been requested to seek Uncle Lawrence's consent.

This report has four main sections:

- **Section One - Our Council and Country** - An overview of Kowanyama Aboriginal Shire Council's history, geography, governance structure and aspirations
- **Section Two** - Review of Kowanyama Aboriginal Shire Council's **Operational Performance**
- **Section Three** - Additional **reporting requirements** in accordance with the Local Government Act 2009 and Local Government Regulation 2012

Section Four - Review of Kowanyama Aboriginal Shire Council's **Financial Performance** including the Community Financial Report and Certified Financial Statements

<p>RESOLUTION – Annual Report That Council endorse the Kowanyama Aboriginal Shire Council 2016-201 Annual Report.</p>	<p>Moved Cr Fry, Seconded Mayor Yam</p> <p>MOTION CARRIED</p>
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c) Corporate Plan (EMGO)

Mr. Williams, CEO presented the Corporate Plan on behalf of Ms. Wiggins, EMGO:

Council's current Corporate Plan expires at the end of December 2017. As per the Local Government Regulations and Act, Council must have a Corporate Plan that sets out the strategic direction of council and the performance indicators.

As per Local Government legislation, Council needs to have "meaningful community engagement" prior to the finalised plan is endorsed. Therefore once the draft plan has been endorsed it is proposed that:

- The draft plan be placed on the Council website for community and stakeholders to view for a period of 30 days
- A community meeting is scheduled during November to present the plan and receive comments

- An email address comments@kowanyama.qld.gov.au has been set up to receive any comments via email.

Comments would need to be received by Friday 15 December, with the final plan being endorsed at the Council meeting on 20 December 2017.

<p>RESOLUTION – Corporate Plan That Council endorse the Corporate Plan and issue to community for comment.</p>	<p>Moved Mayor Yam, Seconded Cr Teddy</p> <p>MOTION CARRIED</p>
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d) Delegations Register (EMGO)

Mr. Williams, CEO presented the Corporate Plan on behalf of Ms. Wiggins, EMGO:

As per the Local Government legislation Council must prepare a Delegations Register.

A Delegations Register notes all the responsibilities that a Council has delegated to the CEO and the responsibilities that have been on-delegated from the CEO to an employee.

Area of delegations include Aboriginal Heritage, Food Safety and Animal Management.

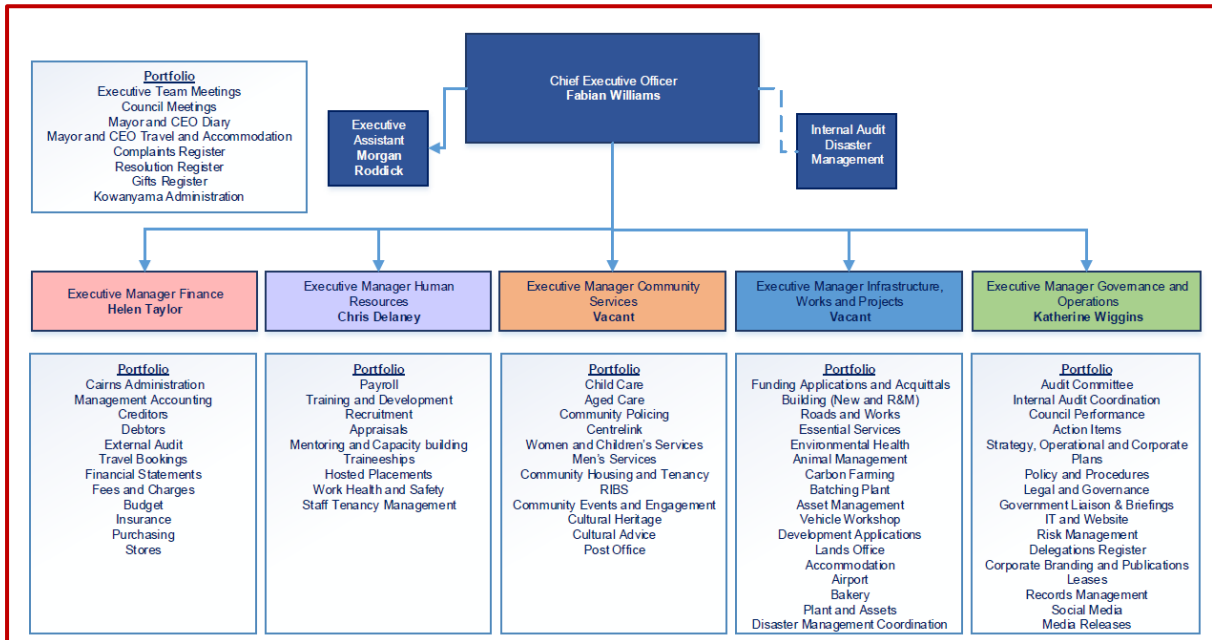
A further report noting the delegations between the CEO and the Executive will be provided to Council once the full Executive Team are in place.

<p>RESOLUTION – Delegations Register That Council endorse the Delegations Register</p>	<p>Moved Mayor Yam, Seconded Cr Teddy</p> <p>MOTION CARRIED</p>
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Closed Business

<p>RESOLUTION – Closed Business</p> <p>Move into Closed Business 1:35pm</p> <p>That in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss:</p> <ul style="list-style-type: none"> • Council's Budget • Contracts proposed to be made by it 	<p>Moved Cr Wust, Seconded Mayor Yam</p> <p style="text-align: center;">MOTION CARRIED</p>
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<p>RESOLUTION – Corporate Structure</p> <p>The Council resolve to change the corporate structure as presented on a 6 month trial basis.</p>	<p>Moved Mayor Yam, Seconded Cr Fry</p> <p style="text-align: center;">MOTION CARRIED</p>
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<p>RESOLUTION – Aviation Fees That Council endorse to reduce the turnaround fee charged to Hinterland Aviation from \$350 (as per our Fees and Charges Schedule 17/18), to \$125 until 31 January 2018.</p>	<p>Moved Cr Fry, Seconded Cr Teddy</p> <p>MOTION CARRIED</p>
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<p>RESOLUTION – Sale of Housing The Council note the 2014 proposed sale price of social housing and undertake further analysis of a suitable sale price for Kowanyama.</p>	<p>Moved Mayor, Seconded Cr Fry</p> <p>MOTION CARRIED</p>
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ACTION ITEM	CEO to work with EMFS and EMGO to review house sale prices and present to January Council Meeting
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<p>RESOLUTION – Moved Out of Closed Business at 2:20pm</p> <p>The Council resolve to move out of Closed Business.</p>	<p>Moved Cr Wust, Seconded Cr Teddy</p> <p>MOTION CARRIED</p>
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General Business

Priscilla Major Petition – Community petition lead by Priscilla Major with 220 signatures. Received the morning of November 15th, addressed to all Councillors. Due to the late entry of the petition the matter was tabled for further discussion at the December Council meeting. All points presented will be looked at and a response will be provided after the December meeting.

Council Meeting Closed 2:06pm