



KOWANYAMA ABORIGINAL
SHIRE COUNCIL

Council Meeting Minutes

19 September 2018 | 10:00am –
5.00

Cairns Board Room and
Kowanyama Chambers Room (via
Videoconference)

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 (CEO)

Katherine Wiggins

Executive Manager Governance and Operations (EMGO)

Aruna Rodrigo

Executive Manager Finance (EMF)

Michelle Vick

Executive Manager Community Services (EMCS)

Guests

Nil

Apologies

Tom Corrie

Executive Manager Infrastructure, Works and Projects (EMIWP)

Christine Delaney

Executive Manager Human Resources (EMHR)

1) Welcome & Apologies

The Mayor welcomed Councillors to the meeting.

2) Updates to Councillor Register of Interest or Related Parties

Nil

3) Minutes from Previous Council Meetings

a)

RESOLUTION – Minutes Minutes for August 2018 Council Meeting That the minutes of the August 2018 Council meeting be adopted as true and accurate.	Moved Cr Fry Seconded Cr Yam MOTION CARRIED, All in favour
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4) Action Items from last Executive Meeting

CEO discussed a meeting he had with Queensland Government regarding the funding of the Men's Shed which occurred on Saturday 15th September. A follow up teleconference will occur at 3pm today.

Action Item EMGO to look at meeting with Price Waterhouse Coopers and the Cattle Company in Cairns on Friday 26th October.
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5) Departmental Updates

a) CEO Update

Mr. Williams CEO presented a verbal update which included the awarding of \$120,000 grant for an Airport Terminal design and also that we have been shortlisted for Institute of Public Works Engineering Australasia Award for projects under \$2 million.

Action Item CEO to confirm that salary packaging is available to elected officials as well as staff.
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Action Item PA to organise travel accommodation and travel allowance for Councillors to travel to Cairns on Thursday 25 th October to attend meetings.

b) Finance

Mr Rodrigo, EMF presented his monthly report:

Key Updates

1. Financial Report August 2018

A monthly Finance report for the month of August 2018 has been prepared as at

Attachment 1.

Key points from the report are as follows:

- The 18/19 year to date original budgeted (expected) net **income** was \$6,751,618
- The 18/19 year to date actual net **income** is \$5,263,970

- The 18/19 year to date original budgeted (expected) **expenditure** was \$6,644,060
- The 17/18 year to date actual **expenditure** is \$5,171,780

Our interim net result is a \$92,190 deficit.

2. Financial analysis of ATM Operation

The negotiations have now been finalized with Commonwealth bank in order to secure attractive terms to minimise loss from ATM machine. The bank has agreed to increase withdrawal fee (revenue to the Council) per transaction from current \$0.35 to \$0.70.

This increase is expected to increase ATM fee revenue by around \$ 8,500.00 per annum.

2 Landfill Rehabilitation

As a part of annual financial reporting, a cost estimate on landfill rehabilitation was done by the Council's contracting engineer.

The landfill rehabilitation consists of two stages, namely landfill closure and annual maintenance for 29 years thereafter.

Two types of estimates have been given as follows.

- Full-scaled landfill rehabilitation which totally eliminates risks of environmental contamination. Costs are:

	\$ Value
Closure costs	3,308,936
Annual maintenance - 29 yrs.	<u>449,500</u>
Total Cost	<u>3,758,436</u>

- Landfill Capping. Costs are:

\$ Value

Closure costs	171,535
Annual maintenance - 29 yrs.	<u>342,200</u>
Total Cost	<u>513,735</u>

The current ICCIP grant approved by the department has an allocation to cover only closure of the existing landfill up to \$ 156,250. Other allocations are only for opening of a new landfill.

Therefore, grants need to be sourced to fund the landfill rehabilitation.

Due to requirement for further scrutiny and confirmation, a provision has been made only for Landfill capping in the financial statements for 2017/18.

3 Credit Card Acquittal

The latest status on acquittal of the Council's credit card was reported to the last Internal Audit and Risk Committee meeting. A copy of acquittals are attached.

The newly appointed Personal Assistant to the CEO and the Mayor will be collecting relevant receipts and vouchers to acquit outstanding items reported on the attached reports.

Action Item

CEO, Mayor and EMFS to meet with Rangers and discuss the breakdown of carbon farming expenditure and revenue.

Action Item

EMFS Monthly Statement for credit card to be provided to the Council meeting.

Lunch 12.45pm

Council meeting resumed at 1.00pm

c) Governance and Operations

Ms Wiggins, EMGO presented her monthly report.

Leases

Canteen – agenda report tabled for today's meeting

Blue café – agenda report tabled for today's meeting

Apunipima – second draft with Preston Law

Housing

Correspondence was been sent to the Minister for Housing in June 2018 to clarify house sale price methodology and Katter Lease entitlements, two further requests have been provided to the Ministers office, currently awaiting a response.

Legal

One Claim – next hearing to take place on November 6 2018

Telecommunications

Currently working with Telstra for 4G to be connected to the Council office.

Policies

Procurement Policy – updates as per Audit and Risk Committee suggestions. Agenda Report to be tabled for today's meeting.

Complaints about a Public Official and Complaints Policy – the Crime and Corruption Commission have requested that our current Complaints Management Policy be amended so that there is a stand-alone policy detailing complaints about a public official. Agenda Report to be tabled for today's meeting.

Audit and Risk Committee Meeting

The Risk and Audit committee is took place 11 September in Cairns, minutes will be presented in Closed Business.

Action Item

EMFS to investigate property values and depreciation costs.

Audit and Risk Committee Meeting

The Risk and Audit committee took place on 11 September in Cairns. The minutes will be presented in Closed Business.

Ms Wiggins presented the current outstanding action items.

Action Item

Cr Wust and Cr Yam asked for updates on the following action items;

Ref No 5 August 2017 – Abandoned Cars

Ref No 1 May 2018 – Justice Group – Terms of Reference (TOR) to be requested and for EMGO to liaise with Justice Group and Department of Justice and Attorney General to ensure community needs are being met in regards to offending in the community with particular relevance to young people.

[Yellow Box]

d) Infrastructure Works & Projects

In Mr Corrie's absence, CEO Fabian Williams provided an update.

Executive Summary

There are a number of projects currently being delivered in community in a number different areas. The line manager's team are still in the process of building their business arms whilst maintaining service delivery. A common cause of concern is the non-attendance of staff whilst trying to complete the works before them. A particular social habit seem to be the major cause of non-attendance with the workforce.

Key Details

ICCIP Project

A selection panel has reviewed and scored the RFT Expressions of Interest. Selection consisted of EM IWP, Manager, Essential Services, Council Infrastructure Portfolio holder and Grants Manager.

The assessment form and Selection Panel recommendation is attached for Councils endorsement

Building and Construction

The building team has struggled a little this month with key personnel on leave, the administration officer and Executive officer have carried the operations during this period. To date the work has been maintained with assistance from BAS staff on the ground. The Building Unit has also utilised existing Council program units to undertake the transitional housing internal and external cleans that will further generate income for Council.

The Building Services Manager role was advertised with shortlisting and interviews being undertaken on Friday 7th September. The interview panel has identified 2 prospective applicants however both require an extended timeframe before commencement, these applicants will be provided to the CEO for final endorsement.

Topsy Creek Tender

On inspection the works are progressing well with sealing of road sections to be completed by latest this week.

Author's Comment

This portfolio has a number of keys positions that have been through the interview and assessment stages, it is hoped to have final endorsement on these roles to commence new and maintain current operations across the board.

Action Item

CEO to schedule Special Council Meeting for Indigenous Councils Critical Infrastructure Program (ICCIP) Request for Tender Application assessment and endorsement

<p>RESOLUTION – Accommodation Centre</p> <p>That council endorse the current arrangement of the new donga accommodation at the training centre with no further adjustments to be made other than the last donga being rotated and gardens, walkways, decks and shade areas to be installed.</p>	<p>Moved Cr Wust Seconded Cr Teddy</p> <p>MOTION CARRIED, All in Favour</p>
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e) Community Services

Mrs Vick, EMCS presented her monthly report.

Overview

There is constant movement in Community Services activity with new staff commencing in positions, newly created positions and routine positions for Aged Care advertised on our website and with Rise.

Manager Name: Shelina Bartlett		For Month Ending: August 2018	
Statistics for the Month			
Admissions	CHSP 2	HCP	QCC
Discharges	CHSP	HCP	QCC
Number of Meals	CHSP 909	HCP 971	QCC 62
Number of Transport Trips	CHSP 155	HCP 286	QCC 5
Personal Care hours	CHSP 28	HCP 34.75	QCC
Domestic Assistance	CHSP 22	HCP 39.5	
Flexible	CHSP	HCP	
Social Support Individual	CHSP 17	HCP 12.5	
Social Support Group	CHSP 65	HCP 193.5	QCC 2
Yard Maintenance	CHSP 28	HCP 12	

Future Activities Planned			
		Community Engagement	New vehicles/repairs have been ordered to assist with clients accessing social support in the country / community, Shade awning to be constructed in courtyard to provide a meeting space for activities such a tool making weaving and social activities. Lounge ordered and plans made to enhance client dining room into a welcoming area for meals and social gatherings.
Compliments			
Total Number for Month:	Topic:		
Complaints			
Total Number for Month:	Topic:		
Suggestions for Improvement			
Monitoring Activities Completed for Month			
External Visitors			
Who	Reason for Visit	Who	Reason for Visit
DoH		DBMAS	
ACAT		Clinic Visits	
SDAP	BCA visited during August for Quality Review which has	Other	

	been delayed until 3 October		
Client Incidents			
Name of Client	Description of Incident	Result	
P.E	Aggressive behaviour	Under review	
Staff Incidents			
Name of Staff Member	Description of Incident	Result	
F.B Staff aggression toward Manager – Under review			
Client Concerns			
Client Incident under review.			
Staff Concerns			
1 incident report under review			
Staff Report			
Staff Name	Days Worked	Days Absent	Performance Comments
C. Barney	22	1	
I Tommy	16	2	
F Butterworth	18	5	
L Archie	18	5	
B Holness	23	1	
S Conrad	15	8	
M Archie	20	3	
J David	12	11	Great performance when attends
N Sinnamon	8	4	
A Anthony	10	13	
W Barney	20	3	
L Raymond	11	1	
A. Daniel	12		

Centrelink– Training to be undertaken prior to months end. Leave Application in for 10 days during October.

Women’s Shelter and Play Group : Coordinator’s position has been filled with new arrival due to commence. Christine has come to us with years of experience and we look forward to her mentoring staff over the course of her contract.

Post Office – No changes have been implemented at this time. Plans are being made for improvement.

Disaster Management Coordination – Nadine Oosen and James Gegg will be attending community during next week to assist with disaster management planning. The first LDMG will be held at 1.30 on Tuesday 25 September this is a core group meeting intended to set agenda and dates for disaster season meetings, the invite will be extended to other stakeholders for these meetings. Councils Disaster management plan will undergo it annual assessment on 26 September.

Sport and Recreation – The Sport and Recreation team has had smaller numbers in August then our previous two months due to sorry business in community.

We have ran programs where we could with families blessings and below is a list of programs with the appropriate stats of attendance and engagement.

- **After School Sport:** 314 kids aged between 4-12
240 young people aged from 13-18
14 community members aged 19-40
- **School Sport & Recreation Lessons:** 138 kids aged between 4-12
108 young people aged from 13-18
6 young people over 18 years old
- **Multipurpose Gym over 17s:** 38 community members have used the gym.
- **Indoor Soccer over 17s:** 79 community members engaged in first two soccer rounds.

Overall August was a quiet month. We had some sorry business in community which drastically impacted service delivery, we weren’t able to conduct any community discos for the youth. Sports and Rec Manager was on leave for a week which affected sport and rec team attendance. Moving forward to September we are excited about the roll out of new and improved programs with our play groups @ the MPC as well as our September school holiday programs, its surly going to be a busy month with lots of exciting and innovative programs.

A family Engagement officer has been recruited pending funding to work closely with the sports and rec team and to mentor a local person specially recruited for this purpose. We aim to see community growth and development through strong mentoring roles.

Action Item

EMCS to coordinate a meeting regarding a High Risk Patient who is currently a residence at Aged Care with Mayor, Deputy Mayor and family.

f) Human Resources

Staff numbers: 117

Current advertised Vacancies: 6

Current Workers Compensation Claims: 1

Key Details

- Current vacancies:
 - Building Services Manager – interviews have been conducted
 - Workshop Manager
 - Accounts Receivable
 - Community Police
 - Women’s and Children’s Services Manager – letter of offer sent
 - Youth Engagement Officer (funded positions) – letter of offer sent
- Appointments:
 - Personal Assistant to the CEO and Mayor – Gemma Shaw
 - Project Officer – Pamela Lumsden
 - Aged Care Finance/Administration (funded position) – Sharon Bailey
- Staffing:
 - Current staffing numbers by Department (*vacant positions in brackets*)

Executive	7	Airport	3
Kowanyama Admin	7	Batching Plant (<i>currently not being advertised</i>)	(1)
Cairns Admin	6 (1)	Post Office	2
Building Services	10 (1)	Accommodation	7
Parks And Roads	3	Radio Station	2
Centrelink	1	Women’s Shelter	4 (0.5)
Community Police	1 (1)	Child Care	6 (0.5)
Electrical	1	Multipurpose Centre	13 (1)
Essential Services	6	Aged Care Facility	16
Purchase Store	4	Environmental Health/Animal Control	2
Workshop	5 (1)	Land And Sea Office	11

6) Agenda Reports

a) Complaints Management Policy and Complaints about a Public Official

EMGO stated that at the June 2018 Council meeting, Council endorsed the Complaints Management Policy. Chapter 7 of the Policy details the procedure for complaints against a public official.

The Crime and Corruption Commission (CCC) have reviewed our Complaints Management Policy and instructed that Council should have a stand-alone policy for "Complaints against a public official"

In order to comply with this instruction, the Complaints Management Policy has been amended to remove chapter 7 and an additional Policy has been developed as requested.

RESOLUTION – Complaints Management Policy That Council endorse the Complaints Management Policy as presented.	Moved Cr Yam Seconded Cr Dick MOTION CARRIED, All in Favour
RESOLUTION – Complaints Management Policy and Complaints about a Public Official That Council endorse the Complaints about a Public Official Policy as presented	Moved Cr Teddy Seconded Cr Yam MOTION CARRIED, All in Favour

b) Procurement Policy

EMGO presented the report.

At the Audit and Risk Committee meeting 11 September 2018 it was requested that the Procurement Policy, Section 7 Corporate card be amended as follows:

8.2 The Chief Executive Officer and Executive Manager Finance must be provided training and guidelines on the appropriate use of the credit card, record keeping and credit limits, prior to being issued a credit card. The training is to be provided by the Finance Governance and operations department.

"8.11. Expenditures are to be reconciled by an independent officer (not a card holder) within 14 days from the Statement issue date"

RESOLUTION – Procurement Policy That Council endorse the Procurement Policy as presented	Moved Cr Fry Seconded Cr Teddy
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	MOTION CARRIED, All in Favour
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c) Drug and Alcohol Policy

EMGO presented the amended policy on behalf of EMHR.

EMGO stated that the reviewed policy now includes a provision for employees to be offered counselling support (where appropriate) if they experience a substance abuse problem rather than just disciplinary action being enforced

<p>RESOLUTION – Drug and Alcohol Policy That Council endorse the Drug and Alcohol Policy as presented</p>	<p>Moved Cr Yam Seconded Cr Dick</p> <p>MOTION CARRIED, All in Favour</p>
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d) YAM Funeral Contribution

CEO presented the report.

Philip Yam (aka Brolga) passed away earlier this year, Philip was instrumental in the carbon farming project and was involved with it since its inception.

The Yam family requested Council donate \$4,100 from its Carbon Farming budget to upgrade his burial casket. Whilst Council were initially in agreement to do this it would set a precedent for other community requests, and we were advised not to proceed.

As Aboriginal Carbon Fund (AbCF) have also been involved in this project from the beginning I requested they contribute a percentage toward the cost. It was decided that Council, through its Community Grants Program, would donate \$2,500 with AbCF donating the other \$1,600. This enabled the Yam family to purchase the casket they desired.

<p>RESOLUTION – YAM Funeral Contribution That Council endorse the contribution to the YAM Funeral of \$2,500.00 as a Community Grant</p>	<p>Moved Cr Teddy Seconded Cr Fry</p> <p>MOTION CARRIED, All in Favour</p>
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7) Closed Business

RESOLUTION – The Council moves into Closed Business.	Moved Cr Teddy Seconded Cr Wust MOTION CARRIED, All in Favour
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RESOLUTION – The Council moves out of Closed Business.	Moved Cr Wust Seconded Cr Teddy MOTION CARRIED, All in Favour
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a) Audit and Risk Committee September 2018 Meeting Minutes

RESOLUTION – The Council endorse the September 2018 minutes of the Audit and Risk Committee.	Moved Cr Seconded Cr MOTION CARRIED, All in Favour
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b) Sports and Recreation Request Canteen Lease September 2018

RESOLUTION – That Council provide the Sports and Recreation with a new lease for the canteen with terms negotiated by the CEO and EMGO.	Moved Cr Seconded Cr Against Cr Dick Abstain Cr Fry (absent) declared his MPI and was not present MOTION CARRIED, Cr Yam, Cr Wust, Cr Teddy in Favour
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c) **Sports and Recreation Request Blue Cafe Lease September 2018**

<p>RESOLUTION – That Council provide the Sports and Recreation with a new lease for the Blue Cafe with terms negotiated by the CEO and EMGO</p>	<p>Moved Cr Seconded Cr Against Cr Dick Abstain Cr Fry (absent) declared his MPI and was not present MOTION CARRIED, Cr Yam, Cr Wust, Cr Teddy in Favour</p>
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d) **Prime Minister and Cabinet Deputation Briefing – did not occur.**

8) Other Business

Nil

Council Meeting Closed at 5.00pm