



KOWANYAMA ABORIGINAL SHIRE COUNCIL

Council Meeting Minutes

25 October 2017 | 10:15am – 2:06pm

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 Wendy Wust
Cr John Fry

Executive

Fabian Williams
Chief Executive Officer / Executive Manager of Infrastructure, Works, & Projects (CEO)

Cameron Unwin
Deputy Chief Executive Officer / Executive Manager of Community Services (EMCS)

Katherine Wiggins
Executive Manager of Governance and Operations (EMGO)

Helen Taylor
Executive Manager of Finance (EMF)

Morgan Roddick
Executive Assistant (EA)

Apologies

Chris Delaney
Executive Manager of Human Resources (EMHR)

1) Welcome & Apologies

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

2) Updates to Councillor Register of Interest or Related Parties

No updates were provided.

3) Minutes from Previous Council Meeting

RESOLUTION – Minutes Minutes for September Council Meeting That the minutes of the September 2017 Council meeting be adopted as true and accurate.	Moved Mayor Yam, Seconded Deputy Mayor Dick MOTION CARRIED
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4) **10:20am – 1:05pm Departmental Updates**

a) **Office of the CEO**

Mr. Williams, CEO, presented an update:

- **Bore 3** – Bore 3 is moving ahead. The government has committed to fully fund the costs. The aim is to have it finished for the end of financial year.
- **Wet Season** – The government has committed to fully fund the costs. The aim is to have it finished for the end of financial year.
- **Technology Upgrades** – CCTV cameras have been installed at the post office and bakery. Wifi installations have been completed in council buildings. We are also investigating the opportunities for public wifi. This will be discussed as part of the Operational Plan review today.

****School Visit from Year 4 Adopted Class at 10:28pm interrupted proceedings.**

Short tea break was taken to speak with the children.**

New Logo Presentation

Mr. Unwin, EMCS presented a draft logo.

<p>RESOLUTION – Logo</p> <p>That the logo may be passed to a sub-committee of community stakeholders to complete.</p>	<p>Moved Mayor Yam, Seconded Cr Fry</p> <p>MOTION CARRIED</p>
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a) **Office of the CEO Con'd at 11:05am**

- **W4Q Projects**
 - **Football Field** – Turf is to be completed by end of next week depending on the weather.
 - **Skate Park** – Almost completed.
 - **Play Set** – Done in the next few days.
- **Wellbeing Centre** – Funding has been secured.
- **Pool** – Kiosk to be built in at the pool

b) **Community Services**

Mr. Unwin, EMCS, presented an update for Community Services:

- **Aged Care** – Weekend ingredient meal delivery has stopped and now cooked meals are being delivered on Fridays and reheated on weekends. Aged Care Manager Dallas Stephens last day is 1 November 2017.

- **Community Police** – Recruitment of a new Community Police Officer (CPO) has been completed to assist existing staff. Congratulations to Mr. Stanton Malachi on his appointment.
- **Women and Children’s Services** – Interviews for the position were conducted week commencing 16th October 2017. Preferred applicant is now with for CEO approval. This team continues to operate well thanks to the Acting Manager Ms. Irene Major and the team.
- **Men’s Services** – Roadworks to the Men’s Shed have commenced under ‘Working for Queensland’ funding.
- **Community Housing & Tenancy** – Deputy Mayor Territa Dick, Housing Manager / Cultural Adviser Shirley Yam and Deputy CEO have met with Department of Housing Officer’s to streamline and improve communication. This has been a positive process for Council.
- **Remote Indigenous Broadcasting Service (RIBS)** – Council recently undertook a project in conjunction with Kowanyama Sport and Recreation Association and curator of the ‘Kowanyama Collection’ Vivian Sinnamon to record the songs of Kowanyama Kunjen Elder Colin Lawrence Snr. Council identified that it was important to record Mr. Lawrence Snr’s songs and stories for cultural preservation. The recording took place at the Kowanyama Radio Station and Russell ‘DJ Dough’ Kitchener provided support and his expertise. The recordings complemented work done in the 1990’s to record Mr. Lawrence Snr. The work was the subject of TV, Radio and online reports by ABC News - www.abc.net.au/news/2017-10-08/kowanyama-song-man-to-keep-language-alive/9018750
- **Community Events & Engagement** – Special mention needs to be made of Matthew Fry, Manager of the Kowanyama Multi-Purpose Centre (MPC) and 2IC Deidree Paul. The MPC team coordinated a trip by Kowanyama’s Minh Kular Rugby League team to the Gordonvale ‘All Blacks Carnival’ at the Mann Street Football Grounds in Westcourt, Cairns. 20 + players attended, played 5 games, winning one and losing two games by 2 points. This is the first time in the last 4 years that Kowanyama has fielded a team. Full credit to Matthew Fry for coordinating this independently and Christian Clark, Building Services who travelled to support the team.
- **Media** – Kowanyama was recently visited by ABC news which resulted in 3 stories: * Women’s Group plea for visit from Premier; * ‘Kowanyama’s last songman’ story about Colin Lawrence Snr; * Kowanyama Collection with Viv Sinnamon.
- **Cultural Heritage** – See above RIBS report.
- **Cultural Advice** – Council’s Cultural Adviser Shirley Yam has taken responsibility for preparing and issuing ‘Proof of Aboriginality’ documents for Kowanyama Traditional Owners for signing by the Mayor or Deputy Mayor.

ACTION ITEM EMHR	Cultural Training to be implemented for staff and new residents in Kowanyama.
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- **Post Office** – David Jack, Manager has begun work with EMCS to improve the display of items for sale at the Post Office. This should lead to increased awareness of the range of products available through the Post Office. The Commonwealth Bank (CBA) has begun free ATM transactions for cardholders from any bank. This should increase the money available to community members by allowing them use of a fee free CBA ATM via the Post Office. The CEO and EMCS are working with community stakeholders to ensure smooth operation of the ATM.

Councillors raised concerns around ATM fees and the dispersible amounts of \$200 being too low at non-Commonwealth ATM's.

ACTION ITEM CEO	Update on ATM situation with ongoing feedback.
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ACTION ITEM EMF	Breakdown of Post Office Trading for the last 2 months to be sent to CEO.
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c) **Governance & Operations**

Ms. Wiggins, EMGO, presented an update for Governance and Operations:

- **Legal Topsy Creek** – Indigenous Land Use Agreement (ILUA) negotiations are progressing with the PBC. The draft ILUA has been submitted to the PBC awaiting their comment. Minor changes from lawyers.
- **Katter Leases** – Tracy Board, A/Manager Home Ownership Department of Aboriginal and Torres Strait Islander Partnerships is visiting Kowanyama on Tuesday 24 to Thursday 26 October to meet with community and Council discuss Katter Leases. One information session was held on Tuesday 24 and the other is to be held Thursday 26 at lunch time.
- **Corporate Plan Planning Day** – Council's new five year Corporate Plan needs to be endorsed by the end of December 2017. Prior to that the plan would need to be available for community's comments for at least one month. Initial discussions on the Corporate Plan were undertaken at the May and September Community meetings. The Plan will be issued to community for one month for their comments before being endorsed at the December Council meeting.
- **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. In preparation for this we are starting to compile the information required for the Annual Report. Items for inclusion should be provided by 20

October.

- **Advocacy** – The CEO and EMGO met with Apunipima on Monday 9 September to progress the health strategy in Kowanyama. Further operational meetings will now take place to progress council's Operational Plan at an operational level. Other meetings organized by the Health Action Team (with the Chair and Mayor) will also continue to take place.

Robin Wright PHN CEO will be coming to community and bringing a health economist.

- **By-Election** – The By-Election will be taking place Saturday 4 November. Location was discussed. Pre-polling to be held at Council Office and election day at the School.

Many thanks to Morgan Roddick, EA, who has been assisting with duties of the Assistant Returning Officer. Robert Barry is the official "Returning Officer" and will be in Kowanyama from 30 October to 4 November.

- **Compliance** – The Mayor and CEO needed to approve an emergency Community Grants Policy request on Friday 6 for accommodation for the Football team who were due to travel to Cairns. It has been recomunicated with the Executive team and staff that Community Grants requests should be submitted and provided to Council for their review and Authorisation prior to the activity. This is to ensure transparency in the decision process and equity to other community members.

The cost of the accommodation was \$2448.18, available community grants budget now stands at \$17,551.82. Additional costs for vehicle breakdown have yet to be received.

- **Fraud and Corruption** – A Fraud and Corruption Control Plan and Risk Register is now complete, these documents are being presented later today. Katherine Wiggins, EMGO is currently the lead contact officer for staff to report allegations of Fraud and Corrupt Conduct.

One of the actions in the Fraud and Corruption Plan is development of a Travel and Accommodation Policy to ensure 1) transparency and accountability of travel and 2) to ensure sufficient time is given to processing requests to reduce the risk of employees and Council's travelling without funds. This is being presented at the meeting today.

d) Finance

Ms. Taylor, EMF, presented the Finance update:

- **Yearly Reports** – First time in 6 years our financial statements were signed off on time. Just waiting on final sign off, but already have the green light. On the road to being completely unqualified.
- **Monthly Report** – A monthly Finance report for the month of September has been prepared. An overview of the budget tracking was presented.

Key points from the report are as follows:

- The 17/18 year to date budgeted (expected) net income was \$9,702,662
- The 17/18 year to date actual net income is \$6,727,499

- The 17/18 year to date budgeted (expected) expenditure was \$8,808,226
- The 16/17 year to date actual expenditure is \$4,227,046

Our interim net result variance to budget is \$1,606,017 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.

We will receive payment of \$600k from the cattle company in November.

Some concern from our enterprise business numbers. Airport requires work as it's not currently generating an income. Building and Assets is \$100k in profit so far this year.

e) Human Resources

Mr. Williams, CEO presented a Human Resources update for Ms. Delaney, EMHR:

Current Staff numbers: 135

Current advertised Vacancies: 5

Current Workers Compensation Claims: 1

HR Policies for Approval

Key Details

- Current advertised vacancies:
 - Carpentry Supervisor (*closed currently shortlisting for interview*)
 - Women's and Children's Services Coordinator (*closed currently shortlisting for interview*)
 - Administration Manager (*interviews conducted*)
 - Building Services Manager (*interviews conducted*)
 - Community Police Officer (*interviews conducted*)
- Roslyn Gilbert – Appointed as Accommodation Manager
- HR Policies for Approval
 - KASC Time in Lieu Policy – October 2017

5) Agenda Reports

a) Time Off in Lieu Policy (EMHR)

Mr. Williams, CEO presented the policy on behalf of Ms. Delaney, EMHR.

<p>RESOLUTION – Time Off in Lieu Policy That Council endorse the Time off in Lieu Policy as presented.</p>	<p>Moved Cr Fry, Seconded Cr Wust</p> <p>MOTION CARRIED</p>
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b) Operational Plan Q1 Review and Update (EMGO)

Ms. Wiggins, EMGO presented Operational Plan Review and Update.

Review

The purpose of an Annual Operational Plan is to set the projects that Council employees will be working on during the year to ensure that employees can effectively plan projects and to ensure council employees use resources as agreed by the Council. The projects contained in the Operational Plan are linked to the annual budget (which also needs to be approved by council).

As per the Local Government 2012 Regulations, every three months (a quarter) the Chief Executive Officer must present a written assessment of the local government's progress towards implementing the annual operational plan.

The updates also includes a description for the expected progress over the next 3 months.

Progress has been colour coded using through a "traffic light" system, as below, as well as recording an estimated percentage completed:

Complete	Green
On track	Yellow
Delayed	Red

The updates are split across the five departments, as below:

- Office of the CEO – Page 1
- Executive Manager Community Services and D/CEO – Page 1 & 2
- Executive Manager Finance – Page 2 & 3
- Executive Manager Governance and Operations – Page 3
- Executive Manager Human Resources – Page 3 & 4
- Executive Manager Infrastructure, works and Projects – Page 4 & 5

New Projects

As per the Regulations, Council may amend the projects within an Operational Plan during the year, but must do so with a resolution:

(4) A local government may, by resolution, amend its annual operational plan at any time before the end of the financial year.

Following recent meetings between the CEO and Telstra, it is proposed that an additional project be added to the Operational Plan to commence from Quarter 2 (1 October to 31 December):

ACTION ITEM CEO	“Council advocate for a “digital hub” in community” – to be lead by the CEO.
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The “digital hub” would be a physical space that would support community member’s to access technology, health services and education.

It is not proposed that the digital hub receive any direct council funding, but instead that Council advocate with the State and Federal Government, community groups and business to establish a digital hub.

As such the Operational Plan has been amended to add this project.

Media policy was noted as something that needs to be addressed. Sam from LGAQ to assist with making of policy.

RESOLUTION – Operational Plan Review and Update That Council endorse the Operational Plan Review and Update	Moved Deputy Mayor Dick, Seconded Cr Fry MOTION CARRIED
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c) Fraud and Corruption Control Plan and Risk Register (EMGO)

Ms. Wiggins, EMGO presented the Fraud and Corruption Control Plan and Risk Register.

Within their 2016-2017 Interim Management report, the Queensland Audit Office highlighted deficiencies with council’s current response to Fraud and Corruption, as below:

No.	Component	Issue	QAO recommendation
3.1.1	Corporate Governance	<p><i>Lack of Fraud Control Plan (COSO element - Control Environment)</i></p> <p>Observation: <i>Council does not currently have in place a Fraud Control Plan.</i></p> <p>Implication: <i>Without a fraud control plan, council lacks a structured path for the prevention, detection and response to fraud.</i></p> <p><i>One of the consequences of council fraud is a reduction of funds available to benefit the community through delivery of services. This loss can multiply as council funds may become further absorbed due to fraud-related expenses such as investigations, legal proceedings, additional information technology (IT) support, rectification of the situation, loss of revenue, and undermining of electorate confidence in council operations and services.</i></p> <p><i>Fraud can also damage employee morale and relationships with stakeholders, including the community.</i></p>	<p><i>We recommended that council:</i></p> <ul style="list-style-type: none"> • <i>prepare and adopt a fraud control plan as a matter of priority.</i> <p><i>Council should consider including the following in its plan:</i></p> <ul style="list-style-type: none"> • <i>An outline of the structure of the council.</i> • <i>A statement of the council's attitude, definition and approach to fraud.</i> • <i>Links to an up to date risk assessment.</i> • <i>Summary of the fraud risks identified.</i> • <i>Outline the key controls in place to address all identified high rated fraud risks.</i> • <i>Address both internal and external fraud risks.</i> • <i>Include a timeline for taking actions on all strategies.</i> • <i>Assign ownership for the design, implementation and evaluation of identified fraud controls.</i> • <i>Reinforce the responsibilities that all employees have for fraud control.</i>

These deficiencies are placing council at Financial and reputation risk.

In order to resolve these deficiencies a Fraud and Corruption Control Plan has been developed.

The Fraud and Corruption Control Plan is a standard council document that details:

- Examples of Fraud and Corruption
- The responsibilities for Councillors and employees in regard to:
 - ethical conduct
 - reporting of fraud and corruption
 - responding to fraud and corruption
- Fraud Risk Assessment
- The investigation process
- The protections offered to employees when reporting Fraud
- The Action Plan and deliverables Council

These documents provide a framework for Council’s response to fraud over the coming months. It is essential that the Plan and Register receive the full support of the Council and Executive in order to lead by example and promote an ethical culture within council

RESOLUTION – Fraud and Corruption Control Plan and Risk Register That Council endorse the Fraud and Corruption Control Plan and Risk Register	Moved Deputy Mayor Dick, Seconded Cr Fry MOTION CARRIED
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d) Travel and Accommodation Policy (EMGO)

Ms. Wiggins, EMGO presented the Travel and Accommodation Policy.

Currently Council does not have a clear process for the request or Authorisation of Travel and Accommodation requests. This has been identified as a risk to Council, as noted in the draft Fraud Risk Register:

Ref.	Risk Identified	Examples of Possible Causes	Consequence	Likelihood	Consequence	Residual Risk Rating	Existing Risk Treatment	Control Effectiveness	Is risk rating acceptable? Y/N	Proposed Additional Controls (Actions required to be taken)	Target Risk Rating - Likelihood	Target Risk Rating - Consequence	Target Risk Rating - Overall
FRD004	Obtaining a improper benefit.	- Supplier Favouritism - People acting inappropriately - Failure to declare or decline gifts and incentives - Obtaining benefit by deceit - Inadequate internal controls - Misuse of powers and duties	- Influence over decision-making - Reputational Risk - Financial Impact - Prosecution risk - Efficiency and productivity loss - Failure to deliver services or projects - Poor Customer Service - Corrupt conduct	Possible	Minor	Moderate Risk	- Fraud Policy - Fraud and Corruption Control Plan - Procurement Policy	3 - Fair	No	- Public Interest Disclosure Policy - Travel and Accommodation Policy - Councillor Remuneration, Expenses Reimbursement and Resources Policy - Guideline: Managing Conflicts of Interest & Material personal interests	Possible	Moderate	High Risk

To improve compliance and to mitigate this risk Council requires a Travel and Accommodation Policy. The Policy aims ensure consistency, accountability, transparency and efficiency in the payment of travel and related expenses. The policy will ensure Council meets auditing obligations as well our obligations as detailed in the “Fraud and Corruption Control Plan”.

In addition to improving compliance, the policy aims to improve the efficiency of processing request by finance staff to ensure that employees and Councillors receive travel and Accommodation allowances prior to travel and prevent mistakes in bookings occurring.

Once approved the Travel and Accommodation request form will be updated to reflect the new policy.

The key items in the policy are:

- Accommodation and travel allowance requests must be submitted **two full working days** prior to travel.
- **Levels of approval** are:
 - For an **employee** - Be approved by the employee's departmental line manager, departmental Executive Manager and CEO
 - For a **Line Manager** - Be approved by the departmental Executive Manager and CEO
 - For an **Executive Manager** - Be approved by the CEO
 - For a **Councillor**, Mayor or Deputy Mayor - be approved by the CEO
 - For the **CEO** - be approved by the Mayor or Deputy Mayor
- Where possible, **travel should occur as close as possible within normal working hours.**
- The **minimum accommodation** standards are:
 - A sole occupancy room with own bathroom facilities (shared rooms and shared bathroom facilities should only be allocated if agreeable by the employee or Councillor)
 - 3 star accommodation standard
- Requests for **additional rooms** to accommodate family members can be booked through the accommodation booking process but the gap in costs must be paid by the employee or Councillor
- **Vehicles must be to a good standard** before they are driven, unless they are being driven to attend repairs.
- **Location:**

Travel, Accommodation and Travel Allowance requests for work purposes can only be authorised under the following circumstances:

- **Councillors, Deputy Mayor and Mayor** - If the 'work purpose' physically occurs outside of the Kowanyama Local Government Area and it would not be appropriate to attend via videoconference or teleconference.
- **Kowanyama based employees** - If the 'work purpose' physically occurs outside of the Kowanyama Local Government Area and it would not be appropriate to attend via videoconference or teleconference.
- **Cairns based employees** - if the 'work purpose' physically occurs outside of Cairns Local Government Area and it would not be appropriate to attend via videoconference or teleconference.

Example: a Cairns based employee could not receive Travel Reimbursement to attend a meeting within the Cairns Local Government Area

<p>RESOLUTION – Travel and Accommodation Policy That Council endorse the Travel and Accommodation Policy</p>	<p style="text-align: right;">Moved Cr Fry, Seconded Mayor Yam</p> <p style="text-align: right;">MOTION CARRIED</p>
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Closed Business

<p>RESOLUTION – Closed Business</p> <p>Move into Closed Business 1:05pm</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"> • Childcare Centre • Aged Care Update • Bad Debt Write Offs 	<p style="text-align: right;">Moved Mayor Yam, Seconded Deputy Mayor Dick</p> <p style="text-align: right;">MOTION CARRIED</p>
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<p>RESOLUTION – Bad Debt Write Off - Euraba</p> <p>The Council resolve to write off Euraba’s debt.</p>	<p style="text-align: right;">Moved Cr Fry, Seconded Mayor Yam</p> <p style="text-align: right;">MOTION CARRIED</p>
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<p>RESOLUTION – Bad Debt Write Off – Thomas Hudson</p> <p>The Council resolve to write off Thomas Hudson’s debt.</p>	<p style="text-align: right;">Moved Mayor Yam, Seconded Deputy Mayor</p> <p style="text-align: right;">MOTION CARRIED</p>
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<p>RESOLUTION – Moved Out of Closed Business at 1:30pm</p> <p>The Council resolve to move out of Closed Business.</p>	<p>Moved Mayor Yam, Seconded Deputy Mayor Dick</p> <p>MOTION CARRIED</p>
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General Business

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.

Telehealth (CEO) – Print outs given to Councillors on capability of new telehealth system that is to be implemented.

Transitional Housing for Katter Lease Renovation Tenants – Temporary housing locations discussed, but no agreement was reached. Tabled for further discussions.

Council Meeting Closed 2:06pm