



KOWANYAMA ABORIGINAL  
SHIRE COUNCIL

**Council Meeting Minutes**

23 October 2019 10:12 am 4.45  
pm

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Kowanyama Chambers Room and  
Cairns Board Room

**Present:**

**Councillors**

- Mayor Michael Yam (Chair)
- Cr Territa Dick (Deputy Mayor)
- Cr John Fry
- Cr Wendy Wust, Councillor

**Executive**

- Gary Uhlmann, Chief Executive Officer
- Katherine Wiggins, Executive Manager Governance and Operations (EMGO)
- Nicola Strutt, A/Executive Manager Finance (EMF)
- Chris Delaney, Executive Manager Human Resources (EMHR)
- Jacqui Cresswell, A/Executive Manager Infrastructure Works Projects, (A/EMIWP)
- Kevin Bell, A/Executive Manager Community Services, (A/EMCS)

**Apologies**

- Cr Teddy

**Other**

**1) Welcome & Apologies**

The Mayor welcomed Councillors to the meeting.

<b>RESOLUTION</b> – That Council accept the apology from Cr Teddy for absence at this meeting.	<b>Moved Cr Yam</b> <b>Seconded Cr Dick</b>  <b>All in Favour:</b> <b>MOTION CARRIED</b>
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*Cr Fry left the room 10.16am – 10.18am*

**2) Updates to Councillor Register of Interest or Related Parties**

NIL

### 3) Minutes from Previous Council Meetings

<p><b>RESOLUTION – Minutes</b></p> <p>Minutes from Council Meeting 23<sup>rd</sup> September, 2019</p> <p><b>Minutes</b></p> <p>That the above minutes be adopted as true and accurate.</p>	<p><b>Moved Cr Yam</b></p> <p><b>Seconded Cr Fry</b></p> <p><b>MOTION CARRIED:</b></p> <p><b>All in favour</b></p>
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<p><b>RESOLUTION – Minutes</b></p> <p>Minutes from Special Council Meeting 4<sup>th</sup> October, 2019</p> <p><b>Minutes</b></p> <p>That the above minutes be adopted as true and accurate.</p>	<p><b>Moved Cr Wust</b></p> <p><b>Seconded Cr Yam</b></p> <p><b>MOTION CARRIED:</b></p> <p><b>All in favour</b></p>
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### 4) Action Items from Council Meeting

- a) Ms Wiggins presented the actions from the August Council meeting.
- b) Ms Wiggins presented the “All Current Action Items”.

Councillors went through action items from previous meetings. No questions or comments were made on the outstanding items on the Register. Executive Team will continue working on the outstanding items to make sure that they are actioned in a timely manner.

#### Action Item

A/EMCS – Liaise with family to name the football ground and present to November Council Meeting.

#### Action Item

A/EMWIP – To review options to fund a Mens Shed Coordinator.

### 5) Departmental Updates

#### a) CEO Update

- Council is continuing its track record of success in providing improved facilities and services for community and community members.
- The recent opening of the Sports Complex and the accompanying football and softball carnivals were a great success.
- The roads program approvals have finally been received and work has commenced.
- Planning will ensure that the problems encountered this year will not occur next year. We are currently building a partnership with the QRA to ensure all processes are fast tracked next year.
- The MOU with Carpentaria Shire has been finalised.

- The airport terminal is progressing well and is on schedule for completion in December.
- There are a range of building and refurbishment projects such as the New Carpenters Shed, the Well Being centre and a retainer issued for the design of the new Women's Activity Centre.
- All of these projects are helping to provide additional employment opportunities for community members.
- There is a strong focus on the business entities run by Council with the Blue Café reopening, the bakery operating well and the workshop repairing vehicles, plant and equipment that has not been operational for some time.
- The funding agreement for the provision of the 4 wheel drive bus for on country activities has now been signed with DATSIP and purchasing processes will now commence.
- The CEO and Council have been attending workshops with TCICA and the LGAQ on a range of strategic issues including One Claim activities and Disaster Management planning and preparation for the wet season.
- The major frustration continues to be the repair of the pool facility where there are ongoing delays from the insurance company with the insurance claim and despite numerous attempts, funding requests to repair the rest of the facility have not been successful.

*Cr Dick left the room 11.18am-11.27am*

**Action Item**

EMGO – Provide information on our website of what has been achieved by our Council.

**Action Item**

CEO – MOU for road between PDR and Oriners with relevant Local Councils.

**Action Item**

CEO – Liaise with Justice Group regarding current Justice Model, with a view to reviewing the Terms of Reference of the group.

**Action Item**

A\EMCS – Review programs that could be implemented in Kowanyama to reduce offending and increase social and emotional well-being of young people in community.

**Governance and Operations**

Ms Wiggins provided a monthly update for Governance and Operations.

**Newsletter**

Currently working with a firm “Zakazukha” to produce our newsletters. The next newsletter will be published in November, the next copy will be published in February prior to the election. Concept one was voted for the design.

**Annual Report**

The annual report has been finalised for this year and is presented at the meeting today.

**Operational Plan Review**

Our progress towards our 2019-2020 Operational Plan has been reviewed and is being presented at the meeting today.

### **Records Management Officer**

Jessica Cook, our Records Management Officer, has commenced and will be working from the Cairns office.

### **Project Officer**

A Project Officer will be recruited in the following weeks.

### **One Claim**

Council met with Preston Law who advised that the township was not overly impacted by the claim. There may be more implications to Sefton and Oriners.

### **b) Finance**

Ms Strutt provided a monthly update for Finance.

#### **Financial Report October 2019**

A monthly Finance report for the month of September 2019 has been prepared. Key points from the September 2019 YTD report are as follows:

- net operating result is a \$831k deficit, this is \$487k more than budget
- actual operating income is \$160k lower than budget
- actual operating expenditure is \$327k higher than budget
- Untied Cash Funds balance is \$6,601k

### **Credit Card Acquittal**

Council's credit card acquittals are currently being prepared and will be presented at the November meeting

### **c) Infrastructure Works & Projects**

Ms Cresswell provided a monthly update for Infrastructure Works and Projects.

#### **Works -Roads**

Contract has been awarded to successful tenderer, R&K Civil, for both town streets and rural roads, works to commence 2<sup>nd</sup> week October.

#### **Works - Building Services**

Building Services team continue to be extremely busy with ongoing BAS upgrade & maintenance programs along with internal and external works. The new infrastructure administration officer, Yvonne Smart, commenced work 21 October.

Our 2 local building apprentices continue to work on site at the Airport Terminal with contractors undertaking technical trade components our team cannot currently provide to our apprentices.

**Men's Shed** – Works continuing with the CCTV and telephone to be installed.

**Airport Terminal Stage 2-** Works are continuing to schedule with potential completion date pre Christmas.

**Indigenous Communities Critical Infrastructure Program** – Works are continuing with contractors due on site late October.

**Workshop** – The temporary workshop manager, along with a temporary mechanic, continue to complete vehicles. There have been a number of issues identified that negatively impact on profit margin and business development, the acting EMIWP will continue to work with the team to ensure 'best practice' and increase profits.

**Parks and Garden** - The team continue to undertake work as requested. The A/EMIWP will continue to monitor and work with Rise regarding the trainees.

### **Action Item**

A/EMWIP – Source funding after obtain information from Cr Wust for Street lights/solar lights.

#### **d) Community Services**

The Community Services Team has been working well together over an extremely busy period for the team. Team meetings across different sectors have been held for the Line Managers and key staff to discuss service delivery and identify strengths, weaknesses and gaps in services to community. This process will be key to ensuring strong outcomes and best case practice across all services.

**Aged Care** – Aged Care Staff continue to provide quality services to all clients

**Women's Shelter** - Has had a busy September with the Coordinator moving on from Council. Recruitment has been strategic and we have since awarded the job with the new coordinator set to start at the end of October. We have also began accreditation process across the service by engaging a consultant to undertake compliance measures and policy writing across the Kowanyama Women's shelter/Women's services space.

**Women's Meeting Place** - Council have signed off on service agreement and will look begin to plan operations and infrastructure works shortly.

**Family Engagement Officer** – Started the last week of September and began to assist with School holiday workshops.

**Centrelink** – DHS have again postponed their visit due to sorry business implications, we are working together to schedule a new visit to provide support to staff and clients.

**Sport and Recreation and Youth Engagement/Playgroup** – S&R have had a busy September with the team running multiple programs and events over the Month. The team ran its first Community Rugby League/Women's Softball Ball event which collaborated with our community NAIDOC and saw over 1000 people attend the opening of the new Kowanyama Sports Precinct. The team also ran a school holiday program and regular vacation care activities. September saw the appointment of our new Youth and Family Engagement Officer whom we are very excited to have join the team.

#### **Staff are rostered to reflect required hours of operation.**

Multisport program Monday- Thursday 3:00pm – 6:00pm  
Friday Multisport program 1:00 pm- 5:30pm (alternate weeks)  
Friday Disco 6:00pm-10:00pm (alternate weeks)  
Playgroup Monday to Friday 9:00am – 1:00pm  
Men's Group Tuesday fortnightly 5:30pm – 7:00pm  
Women's Group Tuesday fortnightly 5:30pm – 7:00pm  
Community Gym Open Monday – Thursday 4:00pm – 6:00pm

(Pool remains closed until further notice – no staff rostered to this)

**Post Office** – 1 permanent Post Office Assistant has been employed with training underway, we have 1 back up manager is available and fully trained. There are 3 casual back up staff available for the post office.

**National Disability Insurance Scheme (NDIS)** - The National Disability Insurance Agency (NDIA) remote area team visited this month to conduct Community Connector training. This visit also included discussion around closing the NDIS access gap in Kowanyama and the team met with stakeholders in community to present (NDIS) access information. Our Training also included a lunch with the Mayor and CEO and discussion around (NDIS) service capacity and resources for participant capacity building.

*Cr Wust left the room 12.29 – 12.31pm*

*Lunch 12.36 – 1.05pm*

*Cr Dick returned at 1.22pm*

Preston Law provided a presentation on the “One Claim” matter.

<p><b>RESOLUTION –</b> In relation to the Kowanyama Township Area, Council accepts the position of the State and Applicant on the basis that:-</p> <ul style="list-style-type: none"><li>(a) only the People determined to hold native title in the Kowanyama Part C Determination (QUD6119/1998) hold connection over the areas within Kowanyama Aboriginal Shire Council's local government area (the Township); and</li><li>(b) the same rights and interests determined in Kowanyama Part C Determination (QUD6119/1998) exist in relation to the Kowanyama Local Government Area.</li></ul> <p>Council resolves to:</p> <ul style="list-style-type: none"><li>(a) advise the Court that it wishes to take an active role in the separate question hearing limited to questions of law and accepts the Statement of Accepted Facts and Disputed Issues filed by the State;</li><li>(b) once the level of funding is established, consider what extent Council should participate in the Separate Question Hearing.</li></ul>	<p><b>Moved Cr Fry</b> <b>Seconded Cr Wust</b></p> <p><b>All in Favour:</b> <b>MOTION CARRIED</b></p>
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Preston Law advised if any Traditional Owners wanted to become respondent's to the matter they would need to file an application. Other law firms could assist with that.

**e) Human Resources (EMHR)**

Ms Delaney provided a monthly update for Human Resources.

Staff numbers: 131

Current advertised Vacancies: 1

Current Workers Compensation Claims: nil

**Key Details**

- Current vacancies:
  - Executive Manager Infrastructure Works and Projects
  - Roads Crew Supervisor
  - Executive Manager Community Services – *advertised (currently shortlisting)*
  - Project Officer – *advertised*
  - Parks and Gardens Coordinator – *(currently shortlisting)*
  - Administration Officer – *Cairns - interviews scheduled*
  - Workshop Manager – *Temporary manager engaged*
  - Groundsperson – *Swimming Pool and Recreation Precinct –on hold*
  - *Community Police – interviews scheduled for 16/10/219*
- *New Appointments:*
  - Family Engagement Officer – Sereana Tuqiri
  - Women's Services Co-ordinator – Helen Connelly – Commencing 28/10/2019
  - Records Officer – Jessica Cook - Commencing in Cairns 17/10/2019
  - Infrastructure Administration Officer – Yvonne Smart Commencing 21/10/2019
  - Bakery Assistant – Terrance Bernard
  - Blue Café Assistants:
    - Lillian Temple
    - Juanita Flower

- DRFA Roads Crew Camp – Kitchen Hands
  - Lesina Flower
  - Lisa David
  - Martika Hiles
  - Parissa Aidan
- Training: No new training in September, still awaiting the outcome of the 2019/2020 First Start Program allocations.
  - Julius Bernard – Cert III Carpentry
- A request has been placed for 6 Apprenticeships/Traineeships under the 2019/2020 First Start Program. Advice on the outcome will be provided in the next few weeks.

There has been 1 incident reported for the past 4 months. The matter is being looked into.

**Action Item**

EMHR – Speak to Rise regarding staff for Road Camp.

**Action Item**

EMHR – To provide ‘Communications and Social Media Policy’ to Line Managers to remind them about appropriate use of social media.

The Royal Australian Airforce together with The Royal Australian Army gave a presentation to Council requesting permission and assistance with Exercise Christmas Drop.

Date 4<sup>th</sup> December 2019 between 09.00am and 12noon.

To provide gifts for the community for all age groups.

*Cr Dick 2.39 – 2.50pm and Cr Fry 2.39pm – 2.41pm left the room*

**6) Information Report**

**a) Alcohol Management Plans (EMGO)**

Ms Wiggins presented the report.

Ms Wiggins advised that one of council’s operational plan goals is for the Alcohol Management Plan to be reviewed:

**Review of Alcohol Management Plan (AMP)**

- *Advocate for a review of the AMP, including research into the short and long-term social, health and economic impacts of fining and charging community members*
- *Collaborate with community groups, and Local, State and Federal government departments to ensure the AMP meets the needs of community*

Over the past two years council has been calling for the AMP to be reviewed and has discussed this at various meetings with State and Federal Ministers, MPs and public servants.

On the 3 September, DATSIP provided details of an “AMP review” to council, and stated that the AMPs were being “refreshed”, but that they were broadly working and only “minor” amendments would be considered.

The details provided by DATSIP have been reviewed by the Executive and the following concerns have been highlighted:



- The potential detrimental impact to the economy does not appear to have been included in the review.
- That council was not involved in information gathering for the review

## **b) Information Report Thriving Communities (EMGO)**

Ms Wiggins presented the report.

In recent months the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) have stated that it was their intention to roll out a “Thriving Communities” strategy across Cape York (also known as Tracks to Treaty).

The Thriving Communities strategy aims to create groups across Cape York and the Torres Strait that will advise on the particular needs of the community.

On 26 June 2019 Dr Chris Sarra, Director General DATSIP, met with council to discuss the board idea of Thriving Communities. There were concerns put to Dr Sarra.

- That local Councillors were already representatives of Kowanyama
- That Kowanyama already had a Justice Group and Health Action Team so whether an additional group would be necessary.
- That an additional group would create an unnecessary 4<sup>th</sup> tier of government and increase bureaucratic costs, thus dilute the amount of funding that could be directly provided for the benefit of community.
- Whether the Thriving Communities groups would be elected
- Whether the Thriving Communities groups would remove decision making from local councils
- Whether Thriving Communities would delay decision making.

On 3 September DATSIP provided further details of the Thriving Communities strategy to council. Dr Chris Sarra noted in that correspondence that:

“As you are aware, Local Thriving Communities aims to build on the existing strengths of communities, and increase self-determination and empowerment as part of reframing the relationship between remote and discrete Aboriginal and Torres Strait Islander communities and the Queensland Government”

Cr Wust and Cr Fry confirmed that they did not agree with the model as it stands. It was agreed that concerns should be noted to TCICA and request further discussion in that form.

### **Action Item**

EMGO – Contact TCICA to request “Thriving Communities” is discussed at next meeting.

Cr Wust left the room 3.05pm – 3.07pm

Cr Wust left the room 3.09pm – 3.11pm

## **c) Agenda Report – Master Plan (EMGO)**

Ms Wiggins presented the report.

In recent months the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) have been developing a Masterplan for Kowanyama. The purpose of the Masterplan is to provide a long term planning document that will inform where new infrastructure is built.

Council endorsed the Masterplan at the August 2019 Council meeting. DATSIP have now amended some final costing figures for the projects as below, therefore the plan needs to be re-endorsed.

Relocation of Batching Plant

Was \$2,330,736 in August plan, now “the cost of the project is subject to detailed investigation and has not been costed as part of the Master Plan”

Industrial Bypass Road

Was \$5,288,285 in August Plan, now “\$230,738”

<p><b>RESOLUTION – That Council</b></p> <p>(a) endorses the Kowanyama Master Plan, in its current form, acknowledging that it will be reviewed and amended to align with the changing needs of the community,</p> <p>(b) endorses the Kowanyama Master Plan as a policy of Council in support of the Kowanyama Aboriginal Shire Council Planning Scheme 2012, and</p> <p>(c) delegates authority to the CEO to make minor amendments to the Kowanyama Master Plan from time to time.</p>	<p><b>Moved Cr Yam</b></p> <p><b>Seconded Cr Dick</b></p> <p><b>MOTION CARRIED:</b></p> <p><b>All in favour</b></p>
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**d) Agenda Report Operational Plan Final Q1 Review (EMGO)**

Ms Wiggins presented the report.

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 first quarter of this financial year was 1 July 2019 to 30 September 2019.

Self-assessment updates from the Executive Managers have been provided.

<p><b>RESOLUTION – That Council endorse the 2019-2020 Operational Quarter 1 Review.</b></p>	<p><b>Moved Cr Dick</b></p> <p><b>Seconded Cr Yam</b></p> <p><b>Motion Carried:</b></p> <p><b>All in favour</b></p>
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**Action Item**

CEO – With EMGO will ensure that the self-assessment is more rigorous.

### e) Community Grants (A/EMWIP)

Ms Cresswell presented the report for a Community Grant for Tania Major Consulting for an arts project.

Kowanyama is the only community on the Cape not involved in arts and craft space. This project will assist in the following objectives:

- Increase Youth/Adult Engagement/CDP participation in RISE Activities by providing something new and fresh to Kowanyama participants.
- Increase the knowledge and skills of participants in the various artistic genres; sculpture, photography and painting.
- Enhance skills and creative capabilities outside of current projects and value add to current creative projects
- Have Kowanyama people's Art and Culture exhibited at the 2020 Cairns Indigenous Art Fair (CIAF). (Platform for economic growth)
- Team building, developing a sense of place through the Art gang and community pride through community sculptures and local exhibition

Council agreed "in kind" contribution could be provided, but cash contribution was not to be provided.

**RESOLUTION** – That Council endorse "in kind" contribution up to \$5000 to Tania Major Consulting for the The Kowanyama Arts and Cultural Aspiration Building and Mentoring Project, towards rent, electricity and opening night expenses, not to include wages payments.

**Moved Cr Wust  
Seconded Cr Fry**

**Motion Carried:  
All in favour**

### f) Agenda Report Annual Report 2018-2019 (EMGO)

Ms Wiggins presented the report.

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 provided by Queensland Audit Office on the 27 September 2019 therefore Council's Annual Report should be adopted at this (October 2019) Council Meeting.

The annual report has been developed in accordance with the Department of Local Government, Racing and Multicultural Affairs Annual Report Checklist, and in collaboration with Council staff.

**RESOLUTION** – That Council endorse the Kowanyama Aboriginal Shire Council 2018-2019 Annual Report.

**Moved Cr Wust  
Seconded Cr Yam**

**MOTION CARRIED:  
All in Favour**

### 7) Closed Business

<p><b>RESOLUTION</b> – The Council moves into Closed Business.</p>	<p>Moved Cr Fry Seconded Cr Yam</p> <p><b>MOTION CARRIED:</b> All in Favour</p>
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<p><b>RESOLUTION</b> – The Council moves out of Closed Business.</p>	<p>Moved Cr Yam Seconded Cr Fry</p> <p><b>MOTION CARRIED:</b> All in Favour</p>
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<p><b>RESOLUTION</b> – That Council endorse the New Housing Build Allocation for 2 bedroom duplexes.</p>	<p>Moved Cr Fry Seconded Cr Yam</p> <p><b>MOTION CARRIED:</b> All in Favour</p>
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<p><b>RESOLUTION</b> – That Council endorse the Sale Price of Social Housing Methodology of 1/6 of council valuation for a 1 year trial period.</p>	<p>Moved Cr Yam Seconded Cr Fry</p> <p><b>MOTION CARRIED:</b> Cr Wust declared MPI and was not present. Cr Dick in favour</p>
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<p><b>RESOLUTION</b> – That Council delegate the decision for the housing cultural approval for 410 Arwin Amay Street to CEO.</p>	<p>Moved Cr Yam Seconded Cr Fry</p> <p><b>MOTION CARRIED:</b> All in favour</p>
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<p><b><u>Action Item</u></b> CEO – Contact Housing Unit to confirm Council Endorsement of 410 Arwin Amay Street.</p>
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**Council meeting closed at 4.45pm**