



KOWANYAMA ABORIGINAL SHIRE
COUNCIL

Council Meeting Minutes

20 July 2021 12.38pm – 2:53pm

Kowanyama Chambers Room and
Cairns Board Room

Present:

Councillors

- Mayor Robbie Sands (Chair) – Kowanyama Boardroom
- Deputy Mayor Cameron Josiah (Councillor) – Kowanyama Boardroom
- Cr Jacob Elroy Josiah (Councillor) – Kowanyama Boardroom
- Cr Teddy Bernard (Councillor) – Kowanyama Boardroom

Executive

- Gary Uhlmann, Chief Executive Officer (CEO) – Cairns Boardroom
- Chris McLaughlin, Acting Executive Manager Governance and Operations (A/EMGO) – Cairns Boardroom
- Andrew Hay, Executive Manager Finance (EMF) – Cairns Boardroom
- Jacqui Cresswell, Acting Executive Manager Roads, Infrastructure & Essential Services, (EMRIES) – Kowanyama Boardroom
- Kevin Bell, Executive Manger Community Services (EMCS) – Kowanyama Boardroom

Apologies:

- Cr. Richard Stafford (Councillor)
- Christine Delaney, Executive Manager Human Resources (EMHR)

Meeting Commenced: 12.38pm

1) Welcome

The Mayor welcomed Councillors and Executive Team to meeting

Apologies

RESOLUTION – Cr Stafford Apologies That Council accept the apologies for Cr Stafford.	MOTION NOT CARRIED
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2) Minutes from Previous Meeting

A/EMGO presented previous minutes and resolution for the June Ordinary Council Meeting and the June Special Council Meeting.

RESOLUTION – Minutes Minutes from previous Ordinary Council Meeting 23 June 2021 be adopted as true and accurate	Moved: Cr Sands Seconded: Cr Bernard All in favour MOTION CARRIED:
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RESOLUTION – Minutes Minutes from previous Special Council Meeting 28 June 2021 be adopted as true and accurate	Moved: Cr Cameron Josiah Seconded: Cr Sands All in favour MOTION CARRIED:
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3) Action Items

A/EMGO presented in progress action items register. Council checked Action Items register – all OK and still progressing. All Executive’s to update as required.

4) Reports

a) CEO Information Report

Gary Uhlmann CEO presented a verbal information report:

- Vaccination team will be in community for their first visit from Monday 9 August until Friday 13 August. The second visit will commence Monday 6 September until Friday 10 September.
- The MPC will be set up for the vaccination team – to be organised and planned with the Director of Nursing (DON) Helen Hewitt.
- There will be a nurse or doctor available to speak with community members regarding any questions they may have regarding the vaccine.

Action Item: EMGO to add vaccine information post to newsletter

- Three (3) letters have been sent to the PBC regarding Rangers, Infrastructure and Cattle Company. Meeting is attempting to be organised for next week with the PBC and the Council for discussion on relevant topics and to help build relationship.

Action Item: EMGO and CEO to draft a letter to PBC regarding start date of muster

Action Item: EMGO to organise meeting with PBC for next week

- Community Safety Plan (CSP) will now be kicking off (stage 2) and to engage with Dr. Chris accordingly. Stage 1 (Alcohol Management) has been submitted to the State Government and needs to be considered by Cabinet.
- Infrastructure and Roads programs are going great and progressing along well
- Kowanyama Sports and Recreation Association (KSRA) lease has been accepted and is almost finalised.
- Submitted new carriage limit and CSP – could be a few months before any correspondence is received
- Sawfish researchers are visiting to do their studies. The aim is to 1. Preserve the sawfish and 2. If proved they are endangered, Council is fully supportive of the research.
- Minister visit to community has been scheduled for Friday 30 July
- Community Public Meeting will be held on Thursday 22 July. Councillors and CEO will meet tomorrow to discuss what is to be on the agenda

b) Executive Manager Governance and Operations

i) Information Report

Chris McLaughlin A/EMGO presented information report:

Canteen Lease - We have now received feedback from the Kowanyama Sports and Recreation Association regarding their draft lease. There are no significant matters raised in the comments and we expect the lease to be finalised by the end of July.

Cattle Company - A tender has been completed for the first muster and will be discussed at the meeting today.

PBC Communications - In order to further improve information sharing between Council and Abm Elgoring Ambung Aboriginal Corporation RNTBC three letters have been sent to Chair Holness:

- Rangers – clarifying roles and duties of our Rangers and providing a program of Ranger activities
- Infrastructure – provided details of the upcoming infrastructure projects for either noting for information or requesting cultural monitors (as attached)
- Cattle Company – requesting a mutually acceptable agreement

Special Holiday's - The current remaining Special Holidays allocated to Kowanyama for 2021 are:

- Friday August 6 - Kowanyama Annual Rodeo
- Friday August 20 - Kowanyama DOGIT DAY

Advice is sought as to whether the public holidays in 2022 should remain on Friday or move to a Monday (as in previous years)

RESOLUTION – Special Holidays Councillors support that Special Public Holidays be changed to Mondays for 2022	Moved: Cr Sands Seconded: Cr Elroy Josiah All in favour MOTION CARRIED:
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Working with Children (Indigenous Communities) Amendment Bill 2021 –

Robbie Katter MP has written to Council to seek views on whether Council would support new legislation (a Bill) which would provide flexibility to Indigenous communities in determining their whether community members should be able to work with children - even if they have a conviction.

Due to the inability of some community members to gain a blue card due to old and unrelated convictions, it would appear that council would be in agreement in principle.

Mayor will speak with TCICA and provide feedback at the next Council meeting.

RESOLUTION – Working with Children (Indigenous Communities) Amendment Bill 2021 Councillors support new legislation which would provide flexibility to indigenous communities in determining whether community members should be able to work with children – even if they have a conviction	Matter left lying on the table for consideration at the next meeting.
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ii) Agenda Report – Cattle Muster Tender

Chris McLaughlin A/EMGO presented Agenda Report to Council:

Following the recent acquisition from the former Kowanyama Cattle Company Pty Ltd, the Kowanyama Aboriginal Shire Council now owns and manages more than 5,000 head of branded and cleanskin cattle which graze across 244,000 hectares of Aboriginal Land – lots 19 sand 53 comprising PIC QBCP0029, as well as across two (2) pastoral leases (known as Oriner’s and Sefton Stations (lots 12 and 29 - together comprising PIC QACP0043) located in Kowanyama, Queensland.

After considering options for mustering, it was agreed that a short and productive bull and mickey catch and sale program (approximately eight (8) weeks in duration) would be the most suitable muster option as it would provide a capital injection to the enterprise.

As per the Local Government Regulation, council must advertise a tender for contracts expected to be worth \$200,000 or more.

Council engaged two Independent Industry Experts (IIEs) Des Burns and Alan Pederson, to provide advice on the tender and to sit on the tender evaluation panel.

The Tender was advertised on Monday 14 June in QC (Queensland Country Life), NQ (North Queensland Register) the Express Newspaper, Council’s Facebook page and the Kowanyama Notice Board Page as well as our website.

The tender closed on Monday 12 July (extended by one week). 12 submissions were received. The Tender Panel, as approved by the CEO and Executive Manager Finance were:

- Katherine Wiggins, Executive Manager Governance and Operations
- Chris McLaughlin, Culturev8
- Des Burns
- Alan Pederson

All panel members confirmed they had no actual or perceived Conflict of Interest with any of the tenderers.

The tender submissions were assessed by the following criteria:

Criteria	Weighting (%)
Price	50
Contractor’s Experience and Methodology	40
Indigenous Economic Opportunities	10
Total	100

The number 1 ranked tenderer was Wheatley Rural Contracting with a total weighted score of 80.40%. Marshall Wheatley demonstrated a competitive price, an established business infrastructure, experience in and a commitment to Indigenous Employment, a commitment to animal welfare and experience in Kowanyama (being a former contract musterer of the Liquidator of the former Kowanyama Cattle Company in 2018/19).

Contract Negotiations - On endorsement from Council the CEO will progress contract negotiations with the following provisions:

- That a full Indigenous Employment Opportunities Plan (IEOP) be developed and agreed to by both parties (including employment of local tenderers to assist preferred tenderer)
- That Council will undertake inspections of the operations every two weeks
- That Council will choose the sale agent
- That to ensure animal welfare and reduce financial losses due to loss of cattle weight, the Cattle are sold at Mareeba and no other location at a further distance,

RESOLUTION – Cattle Muster Tender That Council resolve to engage Wheatley Rural Contracting as the successful tenderer for Council Tender Cattle Muster: TKASC2021-4, and delegate powers to the CEO to negotiate contract terms, and that if contract terms cannot be negotiated, that Council resolve to accept the number “2” rated tenderer and delegate powers to the CEO to negotiate contract terms.	Moved: Cr Sands Seconded: Cr Bernard All in favour MOTION CARRIED:
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Kevin Bell left meeting at 1:27pm

c) Executive Manager Finance
i) Information Report

Andrew Hay EMF presented information report:

- Currently finalising the end of financial year 2020-2021
- Audit Committee meeting organised for the 18 August 2021

ii) Agenda Reports

Prequalified Supplier Agreements.

Andrew Hay, EMF presented Agenda Report – Prequalified Supplier Agreements.

As per the Local Government Regulation, council must seek quotes from suppliers when a contract is over \$15k. This can cause inefficiencies in project management and service delivery as the quoting process can take valuable time to complete. Local Government legislation recognises this and so allow council to generate a list of “prequalified suppliers”. Once a supplier is on the prequalified list council does not need to seek quotes. In order for this list to be developed council must advertise the opportunity to be added to the list for a minimum of 21 days, this is called a “Request of Tender (RFT)”.

Peak services were engaged by Council to manage this process as council did not have sufficient internal resources to manage the project.

A Request for Tender (RFT) was issued by Peak Services on behalf of council on 25 May and closed at 2:00pm on 22 June 2021. Adverts were placed in the Cairns Post and on the community notice boards. The services requested was for Plant Hire

Council received tender responses from 26 tenderer (applicants). Peak Services managed the tender process for Council and supplied the Tender Evaluation Review Report that was reviewed and endorsed by the Council Internal panel.

The Tender evaluation was undertaken by the Panel on the 15th July 2021.

The applicants were assessed by the following criteria:

Criteria	Weighting (%)
Pricing & Compliance to Contract terms	40
Expertise & Tenderer’s previous Experience	40
Community Benefits	10
Local Content	10
Total	100

Applicants were assessed as being recommended for the prequalified list if they were scored. There is no necessary for Council to use any of these selected suppliers but the higher the scoring the more that supplier has addressed the criteria.

<p>RESOLUTION – Prequalified Supplier Agreements That Council resolve to enter into Prequalified Supplier Arrangements with all 26 suppliers for a period of 2.5 years commencing 01 July 2021 and ceasing 31 December 2023 and to delegate authority to CEO to negotiate contracts.</p>	<p>Moved: Cr Elroy Josiah Seconded: Cr Bernard</p> <p>All in favour MOTION CARRIED:</p>
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Asset Disposal – Council Assets

Andrew Hay, EMF presented Agenda report – Asset Disposal – Council Assets

As per Council’s Asset Disposal Policy, all asset disposals need to be disposed either via

1. Council’s Annual Asset Disposal Plan and adopted annual Budget
2. or a specific Council Resolution

We propose the disposal of assets at the following addresses:

1. 117 Kokoberra Street – Private home ownership transfer
2. 327 Karrenganang Street – Dwelling has been demolished
3. 267 Pindi Street – Private home ownership transfer
4. 279 Kunjen Street – Private home ownership transfer
5. 298 Gilbert White Street – Private home ownership transfer
6. Donated Assets - Housing works BAS Upgrades - This represents the capital works undertaken by BAS on Council’s Housing Network and needs to be recorded as an Asset Renewal against the Asset.

<p>RESOLUTION – Asset Disposal That in line with Council's Asset Disposal Policy, Council endorse the disposal of the following asset/s:</p> <ol style="list-style-type: none"> 1. 117 Kokoberra Street – Private home ownership transfer 2. 327 Karrenganang Street – Dwelling has been demolished 3. 267 Pindi Street – Private home ownership transfer 4. 279 Kunjen Street – Private home ownership transfer 5. 298 Gilbert White Street – Private home ownership transfer 6. Donated Assets - Housing works BAS Upgrades 	<p>Moved: Cr Bernard Seconded: Cr Cameron Josiah</p> <p>All in favour MOTION CARRIED:</p>
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d) Executive Manager Roads, Infrastructure and Essential Services

Jacqui Cresswell EMRIES presented information report:

- Roads - Council's road crew successfully completed the additional Transport Infrastructure Development Scheme (TIDS) funding works with special mention being given by the Director General of Department of Transport and Main Roads (TMR) at the last Regional Road Group (RRG) for their outstanding contribution to the program.
- Currently completing formation grades on Landing Road which should be finalised early next week. Gravel deliveries are continuing on Topsy Road and they will return to the area to undertake laying out for Roads to Recovery (R2R), TIDS and (Local Roads and Community Infrastructure Program)
- LRCI funding, along with top up gravel funded by Queensland Reconstruction Authority (QRA).
- QRA Infield assessment to be held this week for National Park, South Mitchell & Pormpuraaw Roads.
- Koppens were the successful tenderer for the town streets project and will commence early August. They will be undertaking traffic controller training for Council staff, contact has been made with RISE for casual workers for this project, who can also undertake the training.
- Plumbers are continuing with BAS maintenance works. Current water testing results show water condition is excellent.
- 5 new BAS upgrade works have been sent to quote with works to be issued by 20 July.
- Car body removal will be undertaken soon with a machine coming into town to crush the car bodies and remove. Public notices need to be issued requesting all vehicles wanting to be retained to be moved into yards, any cars not in boundary will be removed unless permit received.
- Men's shed sewer and water are nearly complete, with water to the dump being commenced this week.
- Capital Projects - Duplexes Construction - Detailed architectural designs currently being engineered ready for tender.
- Major Projects - Workshop compound – Complete

- Family bistro/canteen renovation – Majority of major works completed with the canteen able to trade. New bar, tables and chairs have been installed and existing reupholstered. All painting works to commence this week.
- Ergon due to arrive next week for connection, all roofing works complete, with block wall to be constructed.
- Wellness centre/Town Hall – Complete
- Contractors camp/storage area – Works continuing with screening and security still to be done, Ergon due next week for connection.
- Women’s meeting place - Stage 1 – Complete
- Staff house –Kit houses currently being constructed, with framing complete.
- Men's shed Power & Water supply – electrical connection waiting for Ergon availability. Water connection due to be complete this week.
- Indigenous Councils Critical Infrastructure Program (ICCIP) – The dump and pond designs are waiting final approval and then will go out to tender, hopefully end of July.
- Electrical - All works are continuing with QBuild, back log being reduced. Council air conditioner maintenance schedule is continuing. Council electricians are currently undertaking electrical works for both the Apunipima and Queensland Health.
- Airport - Facemasks are still compulsory due to Covid19 restrictions.
- A quote has been obtained from NRM (Northern Refuelling Maintenance) for upgrades and critical repairs to airport fuel farm. Mandatory training for fuel handling and re-fuelling is required urgently to ensure airport compliancy.
- Skytrans are constantly changing the flight schedules which has become problematic for staff rostering, with early and late flights impacting on staffing.
- Workshop – Council mechanic has resigned. In the short term, contractor Hayden Shorey to take over.
- One hoist is broken and awaiting repair.
- Rangers & Animal Management - The rangers have just returned from a successful burning program at Oriner’s and will continue to be out on country, this week with the sawfish research and next week camping at Wallaby Island undertaking research.
- Work has commenced with RISE participants to construct breeding/nesting material for crimson finch.
- Animal Management Plan implementation has commenced and will continue until becoming effective 1 August 2021. Animal registration can take place Monday/Wednesday/Friday between 9-11am and Tuesday/Thursday between 1-3pm. Posters are currently being placed around town advertising this.
- Parks & Gardens - Recent vandalism and fire at the market garden has destroyed all irrigation pipes which will need replacing. An arborist will be required to trim the mango trees. Two (2) new employees for Parks & Gardens will start tomorrow.
- Rubbish removal of town streets continuing with public awareness of throwing rubbish on the ground needing to, again, be advertised.

Kevin Bell returned to meeting at 2:12pm

e) Executive Manager Community Services
i) Information Report

Kevin Bell EMCS presented a verbal Information report:

Attended the DDMG meeting today – there is 1 case of COVID19 in Mareeba. Waiting to confirm if it is the “Delta” strain. Very little risk – infected person has already been vaccinated. The person living with infected person has tested negative.

QLD Health don’t believe there is a great risk to communities.

The person was picked up from the airport in a private vehicle was taken straight home and was tested the next day.

120 passengers were on the same flight – all have been put into quarantine for 14 days

- Children and youth programs were run over the holiday period.
- The Gulf Cluster football competition has been running and Kowanyama hosted 1 of the games.
- Kowanyama will now be the home ground for the Kowanyama vs Pormpuraaw games.
- The pool is still out of service – we are awaiting on new vacuum. Due to some vandalism the vacuum was damaged.
- Daily programs still being run at the MPC and football grounds.
- The Manager position for the Women’s Shelter still being advertised.
- Stage 1 of the Women’s Meeting place is complete, and Stage 2 will start to be developed.
- CoVid vaccination planning to be organised for the MPC
- CSP – will discuss with Dr Chris McLaughlin to get finalised

f) Executive Manager Human Resources

i) Information Report

Mr Gary Uhlmann CEO presented EMHR information report:

- Changes to Superannuation Payments – from 01 July 2021 superannuation payments for 98 staff will increase from 9.5% to 10%. This includes the Mayor and Councilors. The majority of these are casual staff and a handful of permanent staff who have not worked for more than 12 months with Council.
- Business Enterprise Manager – interviews completed, and recommendations have been made
- Parks and Gardens – 2 x new employees to start tomorrow
- New Appointments – 2 x Team Leaders for Aged Care as part of restructure. Team Leader of Kitchen and food services and Team Leader of Admin.
- Training – Council to take a much stronger approach to be made across all areas/departments. Encourage employees to do Cert training as well as general skills training.
- There have been a few attempted break-ins and break-ins. To be mentioned at the community meeting. Police to be doing night patrols - speak with minister when in community.

Mayor mentioned that there will be carnivals held in Kowanyama near the end of the year, and would it be possible for community members who work at those carnivals to be part of the Food Handling courses with RISE?

Action Item: EMHR to discuss with RISE the possibility of adding more community members to the Food Handling / Safety courses being conducted

5) Other Business

- Transition Houses – how many are in community? Waiting on list from Technical Working Group (TWG)
- Insurance monies for house fires – has not been received yet – 1 claim has been accepted.

Mayor mentioned that the family whose house burned down are still homeless – do they get emergency housing (transition housing)?

EMF stated that the house was a Katter Lease not under a tenancy management plan. More details required and will follow up.

Meeting Closed: 2:53pm