



KOWANYAMA ABORIGINAL SHIRE  
COUNCIL

**Council Meeting Minutes**

19 October 2021 10:09am – 2:05pm

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Kowanyama Chambers Room and  
Cairns Board Room

**Present:**

**Councillors**

Mayor Robbie Sands (Chair) – Kowanyama Boardroom

Deputy Mayor Cameron Josiah (Councillor) – Kowanyama Boardroom

Cr Teddy Bernard (Councillor) – Kowanyama Boardroom

Cr Jacob Elroy Josiah (Councillor) – Kowanyama Boardroom

**Executive**

Gary Uhlmann, Chief Executive Officer (CEO) – Kowanyama Boardroom

Kevin Bell, Executive Manager Community Services (EMCS)

Nicola Strutt, Acting Executive Manager Finance (A/EMF) – Cairns Boardroom (10:09am to 11:02am)

Caroline Smith, Acting Executive Manager Human Resources (A/EMHR) – Cairns Boardroom (1:40pm to 1:46pm)

**Other**

Judy Austin, Project Officer Governance and Operations (11:04am to 11:58am)

**Apologies:**

Cr. Richard Stafford (Councillor)

Katherine Wiggins, Executive Manager Governance and Operations (EMGO)

Jacqui Cresswell, Executive Manager Roads, Infrastructure and Essential Services (EMRIES)

**Meeting Commenced: 1:22pm**

**1) Welcome**

The Mayor welcomed Councillors and Executive Team to meeting.

**Apologies**

<b>RESOLUTION – Cr Stafford Apologies</b> That Council accept the apologies for Cr Stafford	<b>None in favour</b> <b>MOTION NOT CARRIED:</b>
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**2) Minutes from Previous Meeting**

Gary Uhlmann, CEO presented previous minutes and resolutions for the September Ordinary Council Meeting.

<b>RESOLUTION – Minutes</b> Minutes from Ordinary Council Meeting 21 September 2021 be adopted as true and accurate	<b>Moved: Cr Sands</b> <b>Seconded: Cr Bernard</b>  <b>All in favour</b> <b>MOTION CARRIED:</b>
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### 3) Action Items

Gary Uhlmann, CEO presented action items from previous council meeting.

Deputy Mayor asked when the Canteen refurbishment will be completed.

CEO stated that they are waiting on the painting and floor coverings to be completed.

Mayor Sands asked if Council could contact Jonathon Thurston (JT) to be an advocate for vaccinations in Kowanyama.

**Action Item:** EMCS to contact Jonathon Thurston to follow up on advocacy for vaccinations in community.

### 4) Flood Study Presentation – 11:04am to 11:54am

Mayor Sands welcomed Brett from Langtree Consulting.

Brett presented Flood Study presentation to Council members and Executive Manager's.

#### Agenda Report – Kowanyama Flood Study

Judy Austin presented Agenda report to Council:

<b>RESOLUTION – Kowanyama Flood Study</b> Council adopts the Kowanyama Flood Study as Council Policy to be used: <ul style="list-style-type: none"><li>• In the assessment of development &amp; development applications</li><li>• In the review or development of any KASC planning documents</li><li>• In the consideration of township drainage works</li></ul>	<b>Moved: Cr Sands</b> <b>Seconded: Cr Bernard</b>  <b>All in favour</b> <b>MOTION CARRIED:</b>
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### 5) Reports

#### a) CEO Information Report

Gary Uhlmann, CEO presented a verbal information report:

- CoVid vaccinations – 68% of community have received 1<sup>st</sup> shot and 47% of community have received the 2<sup>nd</sup> shot.

EMCS stated that the vaccine will be available in the school library on Thursday 21 Oct 21 for 12-16yr olds.

- Current strategy is to identify people and help them to the vaccination team.

**Action Item:** EMCS to invite QLD Health, Apunipima and QLD Police to the next LDMG meeting

- QLD Government will open borders on the 17 DEC 21
- Epidemiologists are advising that everyone will get the virus eventually

Mayor Sands stated that the Cairns vaccination rate is quite low as well which could cause problems for the Cairns hospitals.

- Victoria has closed hospitals and moved nurses and doctors into CoVid areas – unless for emergencies.

EMCS had discussion with Royal Flying Doctor Service (RFDS) – the 3<sup>rd</sup> vaccination booster would not be done in Kowanyama straight away.

*Mayor Sands left the meeting at 10:33am and returned at 10:35am*

- Enterprise performance is doing quite well. Airport is the biggest concern.

Cr Bernard asked what was happening with the Bakery and the Blue Café?

CEO advised that Expression of Interests had been received and is to be reviewed in the next week. Council received some good applications.

- Organisational Structure – Industrial Relations Commission – CEO had provided requested papers for the Organisational Structure and is waiting to hear back from union on whether it is to proceed.

**Action Item:** CEO to update on Organisational Structure at next Council meeting

## **b) Executive Manager Governance and Operations**

### **i) Information Report**

Gary Uhlmann, CEO presented EMGO information report:

#### **Attorney General**

David Mackie, Director General, has written to council to acknowledge our request to amend the carriage limit (attachment 1). He has advised that further deliberations and consultation will be taken by State government.

#### **Flood Study**

A flood study has been completed with consultants to identify at risk areas in Kowanyama. An Agenda Report has been prepared and Brett Langtree from Langtree Consultants will be presenting the results to council today.

#### **Canteen Lease**

The drafted lease is currently with Kowanyama Sports and Recreation Association (KSRA) for signoff. We are aware KSRA are awaiting the completion of the build prior to signing.

#### **Cattle Company**

The cattle muster is currently underway. Council continues negotiations with Abm Elgoring Ambung Aboriginal Corporation RNTBC regarding land use.

#### **Audit and Risk Committee**

The Audit and Risk Committee met on Thursday 7 October and endorsed our Financial Statements and External Audit Closing Management Letter which has given us an unmodified result, which is a great result for council. The minutes will be presented at the November council meeting.

#### **New Telstra Network**

Following negotiations with Telstra, Council is upgrading our current network with Telstra which will provide greater speeds and security. Implementation will occur in the coming weeks.

## ii) Agenda Reports

Gary Uhlmann presented EMGO Agenda reports to Council:

### Policy Update – Agenda Report

Changes to Procurement Policy not to be included – the other 4 policies to be endorsed.

<b>RESOLUTION – Policy Update</b> That Council endorse the: <ul style="list-style-type: none"><li>- Records Management Policy</li><li>- Acceptable Councillor Request Policy</li><li>- Fraud and Corruption Policy</li><li>- Fraud and Corruption Control Plan</li></ul>	<b>Moved: Cr Bernard</b> <b>Seconded: Cr Jacob Josiah</b>  <b>All in favour</b> <b>MOTION CARRIED:</b>
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CEO asked how Governance tends to implement policies, so all employees understand and adhere to them. Is there an implementation plan?

**Action Item:** EMGO to advise Council employees on implementation plan for new policies

Mayor Sands said that the auditors advised the Councillor Discretionary funds was not following procedure correctly.

**Action Item:** EMGO to advise Council on the correct procedure for using the Councillor Discretionary Funds

*Lunch Break at 12:54pm and returned to meeting at 1:40pm*

## c) Executive Manager Finance (Acting)

### i) Information Report

Nicola Strutt, A/EMF presented information report to Council:

- Monthly Finance Report as follows:

The YTD September 2021 financials show an actual operating loss of \$1,275,322 compared to a budgeted loss of \$2,268,216.

This favourable variance includes \$324,876 for Carbon Farming resulting from higher than budgeted carbon credit revenue and \$89,688 for General Council mainly due to Community Development Program estimated profit share being higher than originally budgeted. The balance of the variance is due to the timing of receipts and expenditure compared to budget phasing across a number of areas including Heavy Plant \$214,948, Road Contractors Camp \$51,791 and the operating Grants program \$76,730.

Enterprises are showing a YTD profit of \$140,090 which is \$281,183 higher than budget. This mainly relates to the Cattle Co \$224,214 due to sales revenue being ahead of budget phasing and the Airport \$35,024 mainly due to the timing of budgeted repairs and maintenance. In addition, profits are higher than budget for the Batching Plant \$28,091, due to year to date batching volumes being higher than anticipated, Accommodation Centre \$5,889 and Car Hire

\$5,713. Unfavourable variances arose for the Post Office \$14,537 and the Bakery and Blue Cafe which are currently closed.

The variances on the capital program are mainly due to the timing of receipts and expenditure on both grant and council funded projects.

- A few issues to be resolved at the Post Office. Discrepancy of ATM cash – another cash count to be done this week.

Mayor Sands said that there should be a restructure of the Post Office to stop financial loss.

EMCS said that the long-term strategy is to separate works from Australia Post i.e. ATM and power cards. A review of weekly processes to be carried out.

- Carbon Farming – more credits received than anticipated
- Heavy Plant – QRA work is also generating more than anticipated
- Cattle Company – amount so far to date: \$523k as Council 60% share and Associated costs to date: \$231k

Mayor Sands - Enterprises – Need to continue program for car hire – is it possible to purchase new cars for hire and hire cars to go to departments. Car hire to become part of Airport operations.

**ii) Agenda Reports**

Nicola Strutt presented Agenda report to Council:

**Annual Budget 2021-2022 – Updated Fees & Charges**

<p><b>RESOLUTION – Annual Budget 2021-2022 – Updated Fees &amp; Charges</b>  Pursuant to section 98 of the Local Government Act 2009, the Register of Fees &amp; Charges for the 2021-2022 financial year is adopted by Council.  Reports presented – Updated 2021-22 Fees &amp; Charges</p>	<p><b>Moved: Cr Sands</b>  <b>Seconded: Cr Jacob Josiah</b></p> <p><b>All in favour</b>  <b>MOTION CARRIED:</b></p>
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**d) Executive Manager Roads, Infrastructure and Essential Services**

**i) Information Report**

Gary Uhlmann, CEO presented EMRIES information report to Council:

**Roads.**

The road crew has completed all heavy formation and heavy formation including top up gravel on Topsy Rd including completing new gravel re-sheeting for R2R, LRCI and TIDS ATSI. Emergent works were completed in the National Park with the PBC monitors on site to assist as several areas within the road corridor are very close to culturally significant sites. Included in completed works the Mitchell River crossing has now been opened and is accessible with a four-wheel drive vehicle. The National Park road is still under construction but is trafficable and the road crew was able to transport all the heavy plant onto Pormpuraaw Rd. Works have commenced on Kowanyumvl Rd as part of a full-length medium formation funded through the QRA works program. Works have also commenced from the Coleman River end of Pormpuraaw Rd with a heavy formation on the last 11km. Works have also been completed

on the extension of the burrow pit on Shelfo Rd again with assistance from traditional owners for the extraction of bulk fill material.

Koppens will complete and demobilise from community on Friday 15<sup>th</sup> Oct having completed all contracted works on the town streets and the Kowanyama-Dunbar road of the KASC road network.

The road crew has a tremendous amount of work to complete in the next month in preparation for the wet season.

### **Works - Building & Essential Services**

Plumbers and carpenters are continuing with BAS maintenance works, although timeframes are still problematic.

A carpenter supervisor commenced on 18 October to assist with the workload and supervision of the carpenters

Water mains to the dump and dog pound are underway.

Plumbers and electricians will attend Oriner's to undertake works over the next few weeks.

### **Capital Projects**

#### *Duplexes Construction*

Recommendation on tender for 344 Uwelkorilg Street is included in this meeting.

278 Pindi Street – tender has been advertised with recommendation to November meeting.

### **Major Projects**

*Family bistro/canteen renovation* –All painting works are underway and expected to be completed within 2 weeks, epoxy flooring will commence immediately after. Some fencing works still to be completed.

*Staff house* –Kit houses complete to lock up stage, expected completion by Christmas.

*ICCIP* – Redesign works are continuing at the dump which is looking good, oil pit under construction. Due to road damage car crusher will not come to community but all car bodies are being removed by truck. Tender documents for lining of sewage ponds to be advertised by end October.

Request for a design and construct of a new water testing lab at the water tower will be issued shortly so we can do more comprehensive water testing.

### **Electrical**

Quotes being sought for works at Oriner's, working with essential services regarding water bore and pumps, expected to return to undertake works 24 October.

### **Airport**

Will Bartlett has now left the airport for Pormpuraaw putting extra pressure on staffing, as Raphael has been away. Many thanks to Troy, Jason and Yvonne for filling in, also thanks to Mark Forrest who has been on call on weekends to relieve Dave. HR have been successful in receiving funding for ARO training as more people need training, commencing in early November.

Mandatory training for fuel handling and re-fuelling is required urgently to ensure airport compliancy, this will be undertaken with all qualified ARO staff after completion of their training. Aerodrome manual and MOS 139 compliance ongoing, as is undertaking quotes for fuel farm solution.

CASA Annual Technical inspection this week with Skytrans audit scheduled for 8 November Hinterland Operations Manager, Andrew Sinclair, has been in contact regarding reintroducing flights to Kowanyama in January. Discussions ongoing regarding turn around fees and proposed flight schedule.

### **Workshop**

Contractor currently undertaking works in workshop with 2 local labourer's, there have been a number of vehicles repaired and back in commission in the last month.

## **Rangers & Animal Management**

All rangers undertook training in Cairns including biosecurity training and tour of laboratories, work experience with Bills Marine, weapons training and boat licence course.

Two rangers are in Cairns undertaking training with Savannah Guides for Oriner's tourism project.

Animal registrations have commenced, however due to the AMO being away community promotion has been limited. The fence audit has also been delayed, a temporary AMO has commenced work – ex Aurukun - to assist with the implementation until position filled on a permanent basis.

## **Parks & Gardens**

Funding being sought to replace irrigation pipes at the market garden after recent vandalism and fire destroyed them all.

Rubbish removal of town streets continuing with public awareness of throwing rubbish on the ground needing to, again, be advertised.

Mayor asked if the new Carpenter Manager could be “hands on” with the local carpenters to help encourage them with their work.

The new Animal Control Officer – is he being received well by community?

RSPCA to attend the school and promote caring for animals.

Is there a plan (in the next 12 months) to re-establish a permanent employee for the workshop?

## **ii) Agenda reports**

Gary Uhlmann, CEO presented EMRIES Agenda reports to Council:

## **Xtra Co Contracts exceeding \$200,000**

As per Council's Procurement Policy, the Chief Executive Officer's financial delegation is \$200,000 and transactions that total in excess of \$200,000 for a particular company, over a year, require Council's endorsement.

Council has requested Xtra Co to supply quotes for the supply and delivery of Road Materials under the Local Buy Contract LB 288

An exemption exists to Council's Procurement policy as the tender process has been undertaken by Local Buy therefore is exempt under Local Government Regulations.

Council has received notification of the Queensland Reconstruction Authority (QRA) funding has been confirmed for this project.

<b>RESOLUTION – Xtra Co Contracts exceeding \$200,000</b>	<b>Moved: Cr Bernard</b> <b>Seconded: Cr Cameron Josiah</b>
That in line with Council's financial delegations Council endorse payment of \$613,684.74 to Xtra Co.	<b>All in favour</b> <b>MOTION CARRIED:</b>

## **Approval for Nutrien Ag Solutions to be a Sole Supplier**

As per the Local Government Regulation 2012, Council's must seek 3 written quotes for all contracts over \$15,000. Exemption to this is if there is a genuine emergency or sole supplier situation.

Council was approached by Marshall Wheatley to purchase the attached cattle crush for use during the muster. Funding for equipment has been sourced from Dept Prime Minister &



Cabinet. Mr Wheatley contacted several rural equipment specialists for these goods but was unable to source another quote of the same steel strength and immediate availability.

<p><b>RESOLUTION – Approval for Nutrien Ag Solutions to be a Sole Supplier</b> That Council endorses Nutrien Ag Solutions for sole supplier section 225 of the Local Government Regulation. This is equipment required for the cattle muster by Wheatley Rural Contracting and is funded by PM&amp;C</p>	<p><b>Moved: Cr Sands</b> <b>Seconded: Cr Bernard</b></p> <p><b>All in favour</b> <b>MOTION CARRIED:</b></p>
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### **Contract Award – TKASC2021-06 Social Housing Lot 344**

Tenders were called for the supply and installation of Construction Works for Social Housing Lot 344 as funded by Department of Housing and Public Works.

Tenders were advertised in the Cairns Post & Cape York Times on 18th September with an online campaign.

Tenders Closed at 4pm on 11th October 2021.

3 offers were received from Bartos Construction, HC Building & Construction & James Construction Qld.

<p><b>RESOLUTION – Contract Award – TKASC2021-06 Social Housing Lot 344</b> To award contract for TKASC2021-06 for the supply &amp; installation of Social Housing Lot 344 (PWD Complaint) to James Constructions Qld</p>	<p><b>Moved: Cr Sands</b> <b>Seconded: Cr Jacob Josiah</b></p> <p><b>All in favour</b> <b>MOTION CARRIED:</b></p>
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### **e) Executive Manager Community Services**

Kevin Bell, EMCS presented information report to Council:

- Aged & Disability Services – Aged Care Manager has moved to Pormpuraaw – Kaylie Clarke is now the Acting Aged Care Manager.
- HACC staff are continuing their Cert III training.
- NDIS – Good news story – After 30+ years of being absent from his homeland country of Wallaby Island NDIS participant Arnold Possum finally goes home with the help of the Kowanyama Rangers. ABC News crew are in community today to help promote the program.
- There has been some damage to the pool shade sail. Holes have been created from sparklers.
- Sport Rec staff rallied together with other council workers to have the Rodeo arena up to running standard for the Kowanyama Rodeo. The community showed off its finest riders for its annual event supported by KSRA.
- Fishing competition also was a success.
- This month, Kowanyama Women’s Shelter and Kowanyama Community Cultural Support Workers welcomed a new manager on board. Maddi began her position with the council on Monday 27th September and has been warmly welcomed by all.

- This month, Kowanyama Community Cultural Support Workers facilitated 3 women's groups gatherings - a movie night hosted in partnership with RAATSICC, lunch at the Community Hall and weekly Women's Walking Group. Staff have continued to partner with internal council stakeholders, external stakeholders and service providers to support and deliver structured Women's Group Meetings and events within the Kowanyama Community.
- Staff partnered with community stakeholders to assist with the facilitation of the Kowanyama Rodeo and Rodeo Ball. In partnership with QLD Health, the Community Cultural Support staff supported COVID Vaccinations through cooking lunches, meals, drawing out prizes.
- Later in September, staff worked in partnership with RFDS and gathered community members to visit the clinic to receive their second vaccination dose. These support services continued throughout September as staff assisted with the facilitation of the visiting Breast Screen Clinic, encouraging women in the community to look after their health.
- Men's Shed for men's group meetings has not been functioning for the last 6 weeks.

Deputy mayor mentioned that the ladies are not allowed to go to the men's shed.

Mayor asked if possible to fence the men's shed?

**Action Item:** EMCS to organise a men's shed meeting in November for the Councillors, EMCS & CEO

#### **f) Executive Manager Human Resources (Acting)**

Caroline Smith, A/EMHR presented information report to Council:

- 5 x current employment vacancies. Manager Aged & Disability Services, Manager Post Office, Animal Management Officer, Executive manager Finance, Executive Manager Human Resources.
- 11 x new appointments. Carpentry Supervisor, Animal Management Officer (casual), Administration Officer, DRFA works, Cleaner, Support Workers (Sport & Rec), Cultural Advisors.

Training:

- Cert III Plumbing – David Paul and Leon “Scotty” Gilbo to attend first block at TAFE next month (Nov)
- Airport Reporting Officer (ARO) training to take place next month in conjunction with Pormpuraaw ASC

Currently in Planning:

- Literacy and Numeracy (*in conjunction with RISE - two projects – one for female and one for males*)
- Cert III Conservation and Land Management
- Certificate 1 Maritime Operations
- Agricultural Chemicals Distribution Control

State wage increase 2.5% award rate from 01 September 2021.

#### **6) Closed Business**

In accordance with the provisions of section 254J of the Local Government Regulation 2012, a local government may resolve to close a meeting to the public to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

<p><b>RESOLUTION – Closed Business (1:53pm)</b>          THAT the meeting be closed to the public to discuss the following items, which are considered confidential in accordance with section 254J of the Local Government Regulation 2012, for the reasons indicated:</p> <p><b>Financial Incentive</b> - this report is in closed business due to section 3c – “the local government’s budget” – discussion of Audit and Risk Committee Minutes.</p>	<p><b>Moved: Cr Jacob Josiah</b>  <b>Seconded: Cr Cameron Josiah</b></p> <p><b>All in favour</b>  <b>MOTION CARRIED:</b></p>
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<p><b>RESOLUTION – Closed Business</b>          That Council moved out of Closed Business at 2:04pm</p>	<p><b>Moved: Cr Sands</b>  <b>Seconded: Cr Jacob Josiah</b></p> <p><b>All in favour</b>  <b>MOTION CARRIED:</b></p>
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**Council Meeting Closed at 2:05pm**

**7) Trustee Meeting**

<p><b>RESOLUTION – Trustee Meeting - Closed Business</b>          That Council moved into Trustee Meeting, Closed Business at 2:05pm          Pursuant to section 254J(3)(e) and s84(1) of the Local Government Regulation 2012 (Qld), Council resolves to close the meeting of the Trustee as this report contains privileged legal advice obtained by the Trustee and is therefore likely to prejudice the interests of the trustee should the meeting remain open to the public.</p>	<p><b>Moved: Cr Sands</b>  <b>Seconded: Cr Jacob Josiah</b></p> <p><b>All in favour</b>  <b>MOTION CARRIED:</b></p>
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<p><b>RESOLUTION – Trustee Meeting - Closed Business</b>          That Council moved out of Trustee Meeting, Closed Business at 2:10pm</p>	<p><b>Moved: Cr Jacob Josiah</b>  <b>Seconded: Cr Bernard</b></p> <p><b>All in favour</b>  <b>MOTION CARRIED:</b></p>
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**Trustee Meeting Closed at 2:10pm**