



KOWANYAMA ABORIGINAL SHIRE  
COUNCIL

**Special Council Meeting Minutes**

29 March 2022 10:17am – 11:44am

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Kowanyama Chambers Room and  
Cairns Board Room

**Present:**

**Councillors**

Mayor Robbie Sands (Councillor) – Cairns Boardroom

Deputy Mayor Cameron Josiah (Councillor) – Kowanyama Boardroom

Cr David Jack (Councillor) – Kowanyama Boardroom

**Executive**

Gary Uhlmann, Chief Executive Officer – Cairns Boardroom

Kevin Bell, Executive Manager Community Services (EMCS) – Kowanyama Boardroom

Jacqui Cresswell, Executive Manager Roads, Infrastructure & Essential Services, (EMRIES) – Cairns Boardroom

Nicola Strutt, Acting Executive Manager Finance (A/EMF) – Cairns Boardroom

Chris McLaughlin, Acting Executive Manager Governance and Operations (A/EMGO) – Cairns Boardroom

**Apologies:**

Cr Teddy Bernard (Councillor)

Cr Jacob Elroy Josiah (Councillor)

**Meeting Commenced: 10:17am**

**1) Welcome**

The Mayor welcomed Councillors and Executive Team to the Special March Council Meeting.

**2) Declarable Conflict of Interests**

Councillors confirmed there are no conflict of interests.

**Apologies:**

<p><b>RESOLUTION – Cr Teddy Bernard Apology</b> That Council accept the apologies for Cr Bernard</p>	<p><b>Moved: Cr Robbie Sands</b> <b>Seconded: Cr Cameron Josiah</b></p> <p><b>All in favour</b> <b>MOTION CARRIED:</b></p>
<p><b>RESOLUTION – Cr Jacob Josiah Apology</b> That Council accept the apologies for Cr Josiah</p>	<p><b>None in favour</b> <b>MOTION NOT CARRIED</b></p>

### 3) Agenda Report

#### i) Kowanyama Cattle Muster 2022/23 – KASC-2022-01

Chris McLaughlin A/EMGO presented Agenda Report:

Following the 2020/21 acquisition from the former Kowanyama Cattle Company Pty Ltd, the Kowanyama Aboriginal Shire Council (“Council”) now owns and manages more than 8,000 head of branded and cleanskin cattle which graze across 244,000 hectares of Aboriginal Land – lots 19 and 53 comprising PIC QACP0029, as well as across two (2) pastoral leases (known as Oriners and Sefton Stations (lots 12 and 29 - together comprising PIC QACP0043) located in Kowanyama, Queensland.

(together “the Land”).

The Aboriginal Land component is subject to Native Title and since 19 June 2013, is held by the *ABM Elgoring Ambung Aboriginal Corporation RNTBC* under the *Aboriginal Land Act 1991* (Qld) on behalf of common law holders of Native Title (Traditional Owners). The Stations are held by the Council as long-term lessee of the pastoral leases (and are not subject to Native Title). The Council and the Traditional Owners are presently in negotiations to secure a long-term grazing license over the Aboriginal Land for the cattle operations.

The Council is seeking tenders from suitably experienced tenderers to undertake Muster Services over the 2022 and 2023 seasons (2 years). The expected duration each season will be 6+ months over the dry season (April – November).

Over the 2021 season (August – November), 1,480 cattle were caught and transported to sale (Mareeba Saleyard), sourced from the Aboriginal Land only. It is noted that Oriners-Sefton Station was not Mustered in 2021. Council is seeking experienced tenderer who can demonstrate superior Muster methodologies that will both maintain animal welfare whilst maximising cattle volumes, weight and sale price.

The Tender opened 28 February 2022 and closed Monday 22 March 2022. It was advertised in the following publications:

- Local Kowanyama Noticeboards
- KASC Facebook page
- Ag Trader
- The Express
- Cape York Weekly

11 tenders were received. Only one (1) of these tenders was considered non-conforming and was **not** assessed.

Tenders were assessed by the Tender Assessment Panel on Friday 25 March 2022, comprising:

- Dr Chris McLaughlin – culturev8/ KASC – Chair
- Kate Hams – KASC representative
- Des Burns
- Alan Pederson

The following is a summary of the top three (3) scored tenderers (weightings applied):

1. **Wheatley Contracting Pty Ltd – 73%**
2. Paradise Holdings – 58%
3. MSP Cattle Company – 57%

**RESOLUTION – Kowanyama Cattle Muster  
2022/23 – KASC-2022-01**

That Council appoint Wheatley Rural Contracting as the preferred tenderer for the Kowanyama Cattle Muster 2022/23 and give delegation to the Chief Executive Officer to enter into post-tender negotiations with the preferred tenderer with respect to achieving sustainable pricing methodology on terms no less favorable to Council than as tendered, and then doing all other things necessary to enter into a two (2) year contract with the preferred tenderer on those terms.

**Moved: Cr Cameron Josiah  
Seconded: Cr Robbie Sands**

**All in favour  
MOTION CARRIED:**

**ii) Revised Budget 2021/22**

Gary Uhlmann, CEO acknowledge the EMF for how well set out the budget review has been presented.

**4) Closed Business**

**RESOLUTION – Closed Business (10:43am)**

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:

- The Council's budget

**Moved: Cr Robbie Sands  
Seconded: Cr Cameron Josiah**

**All in favour  
MOTION CARRIED:**

**RESOLUTION – Closed Business (11:40am)**

That Council move out of Closed Business

**Moved: Cr Cameron Josiah  
Seconded: Cr David Jack**

**All in favour  
MOTION CARRIED:**

**RESOLUTION – Budget Review**

That Council adopts in accordance with s169 and s170 of the Local Government Regulation 2012 an amended budget for 2021/2022 Financial Year as presented, including:

- Statement of Comprehensive Income
- Statement of Financial Position
- Statement of Cash Flows
- Statement of Changes in Equity
- Capital Budget
- Long Term Financial Forecast
- Financial Sustainability Ratios
- Fees and Charges Schedule
- General Rates Equivalent & Utility Charges
- Revenue Policy
- Revenue Statement
- Investment Policy
- Debt Policy
- Procurement Policy

Includes the financial delegation to the CEO for Council to purchase items per business case / quotations provided where they individually exceed CEO's financial delegation.

**Moved: Cr Robbie Sands**  
**Seconded: Cr Cameron Josiah**

**All in favour**  
**MOTION CARRIED:**

**Meeting Closed: 11:44am**