



KOWANYAMA ABORIGINAL SHIRE
COUNCIL

Council Meeting Minutes

12 April 2022 10:50am – 12:47pm

Kowanyama Chambers Room and
Cairns Board Room

Present:

Councillors

Deputy Mayor Cameron Josiah (Councillor) – Kowanyama Boardroom

Cr Jacob Elroy Josiah (Councillor) – Kowanyama Boardroom

Cr David Jack (Councillor) – Kowanyama Boardroom

Executive

Gary Uhlmann, Chief Executive Officer – Kowanyama Boardroom

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

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

Absent

Jacqui Cresswell, Executive Manager Roads, Infrastructure and Essential Services

Nicola Strutt, Acting Executive Manager Finance

Caroline Smith, Acting Executive Manager Human Resources

Cr Robbie Sands, Mayor (attended via teleconference 12:00pm – 12:03pm)

Cr Teddy Bernard, Councillor

Meeting Commenced: 10:50am

1) Welcome

The Deputy Mayor, Cameron Josiah welcomed Councillors and Executive Team to the April Council Meeting. Apologies from the Mayor and Councillor Teddy Bernard. CEO also sent apologies for EMRIES, A/EMF and A/EMHR.

Apologies

RESOLUTION – Cr Robbie Sands That Council accept the apologies of Cr Robbie Sands	Moved: Cr Jacob Josiah Seconded: Cr Cameron Josiah All in favour MOTION CARRIED:
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RESOLUTION – Cr Teddy Bernard That Council accept the apologies of Cr Teddy Bernard	Moved: Cr Cameron Josiah Seconded: Cr Jacob Josiah All in favour MOTION CARRIED:
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2) Gulf academy Presentation – Gayle De La Cruz

Presentation for the Gulf Academy was postponed due to time constraints.

3) Minutes from previous Council meeting (March)

RESOLUTION – Minutes (Ordinary Council Meeting) Minutes from March Ordinary Council meeting 15 March 2022 be adopted as true and accurate	Moved: Cr Cameron Josiah Seconded: Cr David Jack All in favour MOTION CARRIED:
RESOLUTION – Minutes (Special Council Meeting) Minutes from March Special Council meeting 29 March 2022 be adopted as true and accurate	Moved: Cr Cameron Josiah Seconded: Cr Elroy Josiah All in favour MOTION CARRIED:

4) Action Items

Action Items register was noted and tabled. All OK – keep progressing on the “in progress” actions, majority have been completed.

5) Reports

a) Chief Executive Officer

i) Information Report

Gary Uhlmann, CEO presented CEO information report;

- There is a flu sickness going around community but is not CoVid.
- Be prepared/aware for a new wave and new variants of CoVid.
- Budget review was extremely positive.
- Next year’s budget will focus more on around Capitol works.

Mayor would like to see 6 x new vehicles across the various departments.

- Nick Lennon, Engineer – has taken surveys of all the roads. Surveys will be input into reports for QRA funding.
- Trial concrete to be used for town roads.
- Trying to finish Topsy Road this year. Gravel price has doubled which is an issue.
- Building costs are also increasing. Risk for Council and the budget.
- Vacant positions – would like all vacant positions for new Organisational Structure to be advertised and filled by the 30 June 22.
- Interviews have been completed for Executive Manager Governance and Finance. Contract has been offered to successful candidate.

CEO acknowledged the great efforts of A/EMF and A/EMGO – they have gone above and beyond to keep the finance and government operations running well.

- Blue Café and Workshop – preferred tenderers have been acknowledged.
- Tuxworth’s are looking at their first run after the wet season to be the Tuesday after Easter, depending on permits to drive the road.
- 3 weeks work to do the road to Dunbar – depending on the weather.
- Carriage Limit – Alcohol Management Plan (AMP) – changes to come into effect on 29 APR 22. Rules and regulations will change for community.
- 2 x 6-pack take-aways. Wine in canteen but not take-away.

Cr Jack asked if there was any movement on the pricing of alcohol at the canteen.

Deputy Mayor and Cr Elroy Josiah advised a possibly drop in price.

CEO – prices need to drop to around \$6 a can.

Cr Jack asked about the Animal Management as there have been some dog attacks around community. There were a pack of dogs attacking a wallaby – the dogs need to be more controlled and all dogs should be registered.

EMCS advised the community are quick to go to Social Media sites instead of addressing Council first. The Animal Control officer has been doing a great job around community. The next vet visit in community will be in May. There has been a lot of animals de-sexed over the last 6 months. Dogs are being registered.

CEO – What can we do to stop the packs of dogs attacking?

EMCS – There needs to be a zero tolerance on dog attacks. Euthanasia training to be conducted and money to be invested into the pound to bring up to standard.

b) Executive Manager Governance and Operations

i) Information Report

Chris McLaughlin, A/EMGO presented EMGO information report;

- Operational Plan Q3 Reporting - the combined 2021/22 Q3 Operational Plan reporting for Council to note.
- Enterprise Divestment – Blue Café/ Bakery/ Mechanics Workshop Tender closed Monday 11 April 2022. Assessment occurred Tuesday 12 April 2022 prior to Ordinary Meeting. Recommendation will come to the April Ordinary Meeting.
- Post Office – Liquor Licence - As a result of the proposed carriage limit changes to the Alcohol Management Plan in Kowanyama, Council will be required to hold an Off-Premises Liquor Licence for its Post Office in order for Council to hold over the carriage limit at any given time, for its customers. Customers will be able to transport liquor via mail with new carriage limits. It is likely that the vast majority of liquor will not be detected by post office staff (as lawfully concealed in parcels). This liquor licence is a legal obligation.
- ASA Lease/ Housing Subdivision - Whilst Council awaits demolition of the ASA communications tower (expected by June 2022) and make good of the site by ASA, Council has engaged of the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to undertake survey, subdivision design and Development Application processes on Council's behalf. Council's contribution shall be limited only to survey component per RILIPO's proposal. CEO has delegation to accept the proposal. Formal confirmation of funding approval has been received from the Dept Housing.
- Trustee Advisory Committee - Briefing meeting held for prospective members Thurs 7 April 2022 in Kowanyama. Members to be appointed at the April 2022 Trustee Meeting. Trustee Policy to be amended to allow remuneration (meeting fee) and increase from 5 to 6 members.
- Apunipima Accommodation Proposal - At its December 2021 Ordinary Meeting, Council noted its consent (as Lessor) to the Apunipima Accommodation Proposal at Lot 203, Kowanyama. Apunipima (via its contractor Equity Health Solutions) is now seeking further lessor consent to the construction of a purpose-built dialysis refrigerated storage container on the lease site for use by dialysis patients. It is noted that this structure has already been constructed. Council confirmed its consent to the proposal.
- Audit and Risk Committee – Next meeting scheduled for Friday 20 May 22.
- Cattle Company - Tender for a musterer (2 years) was appointed at the March 2022 Special Meeting, with the Sales Agent Preferred Supplier Arrangement coming to the April 2022 Ordinary Meeting. Council met with the PBC on Thursday 10 March 2022 to discuss the Grazing Licence (amongst other matters). Parties have agreed on the terms of an overall MOU which each party will now work through (no individual agreements achieved yet).

- Carbon Farming – TFT was appointed contractor for the carbon farming project at the March 2022 Ordinary Meeting. The CBA ACCU sales agreement was approved by Council at the March 2022 Ordinary Meeting. Clean Energy Regulator Audit presently ongoing and due end of June 2022.

ii) Agenda Reports

Chris Mclaughlin presented EMGO Agenda Reports to council for resolution:

1. Kowanyama Cattle Sales Agent 2022/23 (preferred supplier)

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.

<p>RESOLUTION – Kowanyama Cattle Sales Agent 2022/23 – KASC-2022-02 – Preferred Supplier Arrangement</p> <p>That pursuant to section 233 of the <i>Local Government Regulation 2012</i> (Qld), Council appoint the following suppliers to its Preferred Supplier List (Sales Agent) for a period of 24 months (2 years):</p> <ul style="list-style-type: none"> • Elders • Nutrien • Prophurst • Queensland Rural • Sugarbag 	<p>Moved: Cr Jacob Josiah Seconded: Cr David Jack</p> <p>All in favour MOTION CARRIED:</p>
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2. Enterprise Divestment – Blue Café/Bakery/Mechanics Workshop

Deputy Mayor Cameron Josiah was noted to have a Material Interest (MPI) so left the meeting at 12:01pm and returned at 12:03pm (paid KSRA employee).

Cr. Jacob Josiah declared a COI and was allowed to vote (unpaid KSRA Board member).

The Mayor was called and attended meeting to make Quorum for this Agenda item.

(Mayor was present via telephone from 12pm to 12:03pm)

Council is owner and operator of the Kowanyama Bakery, Blue Café and Mechanic's Workshop ("the Enterprises").

An Inventory for each of the Enterprises is **attached as Annexure A** so that suppliers are able to assess what assets are available on site for their use, and what they may need to supply themselves.

Although with respect to the Mechanic's Workshop, it is Council's intention to utilise the supplied mechanical goods and/or services, this is not a tender for those goods and/or services. Instead, this is strictly an EOI for licence of the premises. Any contractual arrangements for provision of mechanical goods and/or services by the successful supplier will follow Council's Procurement Policy. The successful supplier should assume in its EOI the provision of both private (community) and commercial (Council and other entities) supply of mechanical goods and/or services in Kowanyama.

The EOI opened Monday 14 March 2022 and closed Monday 11 April 2022. It was advertised in the following publications:

- Local Kowanyama Noticeboards
- KASC Facebook page
- Cape York Weekly

The following EOIs were received:

Blue Café

- Kowanyama Sports and Recreation Association
- Maddi Lehmann

Mechanics Workshop

- Hayden Shorey Contracting
- Kowanyama Sports and Recreation Association
- Travis Tommy

Bakery

NIL

Responses were assessed by the Assessment Panel on Tuesday 12 April 2022, comprising:

- Gary Uhlmann – CEO (Chair)
- Dr Chris McLaughlin – culturev8/ KASC
- Kate Hams – KASC

<p>RESOLUTION – Enterprise Divestment – Blue Café / Bakery / Mechanics Workshop</p> <p>That the Council agrees to license, for an initial period of twelve (12) months, the following Council premises to the following licensees for the following permitted uses:</p>			<p>Moved: Cr David Jack Seconded: Cr Robbie Sands</p> <p>All in favour MOTION CARRIED:</p>
Premises	Real Property Description	Supplier	
<i>Blue Café</i>	<i>Part of Lot 35 on SP272069</i>	<i>KSRA</i>	
<i>Mechanics Workshop</i>	<i>Part of Lots 76 (Workshop)/ 77 (Heavy Plant Workshop) on SP272069</i>	<i>Hayden Shorey Contracting</i>	
<p>That Council give delegation to the CEO to finalise license negotiations with each prospective licensee, including entry into a license on suitable cost-recovery terms.</p>			

c) Executive Manager Finance

Nicola Strutt, A/EMF – no report this month.

d) Executive Manager Roads, Infrastructure and Essential Services

Gary Uhlmann, CEO presented EMRIES information report:

- **Roads** - Emergency works have been completed on pot hole patching around the community. Erscon have completed the photo pick up of the town streets and the rural roads in preparation for the roads crew to undertake an opening grade on the rural road network. Local contractors have been informed of a time line for works to commence and equipment requirements for emergent works and the possibility of undertaking works on the Kowanyama-Dunbar Road section for Carpentaria Shire Council. This will allow early access to the community for freight and other services and allow the roads department to commence work earlier than expected.
- The infield assessment for works funded by the QRA has been organised for the end of April and will place KASC as one of the first councils in Queensland to undertake these activities.
- **Works – Building** - Currently we have the following major works:
 - Upgrades – 5 ongoing
 - Dismods – 14 approved, 1 waiting approval
 - Home ownership – 13 approved, 5 in progress (waiting on roads)

- **Essential Services** - Water main construction to the ponds is nearly completed on the 20th April 2022 which will service proposed gas storage shed and the dump buildings. A new water main from the men's shed to the market garden is completed with a connection due to complete to the batching plant. A new water chlorination pump has been installed with the old one being sent out for repair but is unrepairable. No issues reported with water quality.
- **Parks & Gardens** - The Parks and Gardens crew has been very busy across the community cleaning up rubbish, mowing and clearing common areas to reduce the amount of long grass and weeds as a result of the wet season. The Parks and Garden team now consists of 10 workers that are doing an excellent job around the community.
- **Capital Projects - Duplexes Construction**
- Both tenders have now been issued with works to commence in the dry.
- **Major Projects - 27 Kowanyama** – Fencing and carports completed. Awaiting shower screens and mirrors for completion
- Women's Meeting Place Stg 2 – Tender proposed to be issued, advertised and recommendation to be provided to Council at May 2022 meeting.
- **ICCIP** - The redesign of the dump is now complete, wet season impacts are being monitored to see what further works may need to be undertaken.
- Concreting of the road access to the dump is due to commence on the 20th April 2022. The driveway access is 2082m² and will be all concrete.
- Works are underway to complete contract with Koppens for works at the sewerage ponds. Concrete prices will need to increase due to supply cost increase and will need attention as soon as possible.
- Request for a design and construct of a new water testing lab at the water tower will be issued as soon as departmental approval received so we can do more comprehensive water testing.
- All following tenders have been awarded for ICCIP program.
- Upgrade of pump station 3 & 4 (new roof and slab, fence)
- New safety lids for pump stations 1-5 with company Mass Products
- New safety ladder for the .8 meg has been awarded to Safety Ladders
- New pool filters have been purchased and is awaiting delivery via road transport.
- The 1 meg water tank a new roof has been designed and a contract to install.
- **Electrical** - Ongoing air conditioning maintenance. Repairs and maintenance of KASC buildings and equipment
- **Airport** - The airport has been extremely busy this month with increase flights with Hinterland Aviation, Justice Aircraft, RFDS and Skytrans. We have also seen an increased amount of freight being brought into community due to the road into community still inaccessible.
- The airport staff also assisted in the search and rescue undertaken for 2 missing tourists that were located broken down at Landing Rd with 2 fixed wing aircraft and 1 helicopter undertaking the search. This was a successful operation with the assistance of rangers, roads crew, carpenters and community members with a successful outcome of the search.
- **Workshop** - The EOI for the operation of the workshop closes on the 11th April 2022 and the assessment of these EOI will commence as soon as possible after the closing date.
- External work has been undertaken for several government department and service providers across the community.

Cr Jack mentioned that with the Local fare Scheme (LFS) changes from 1 JUL 22 – this will increase airport traffic and more people flying in and out of community.

e) Executive Manager Community Services

Kevin Bell, EMCS presented EMCS information report:

Aged and Disability Services

- Four positions to be filled within Aged Care & Disability Services. Aged Care Services Team Lead, Disability Services Team Leader and two Support Workers. Community encouraged to apply for the roles through Rise. On-the-job-training provided
- Aged Care & Disability Services have set up a weekly outing that has become not only a great success but popular. The outing is designed to take out clients who do not use all their package funds.
- Commonwealth Home Support – Negotiations approved for CHSP increase in services charges from 2022-2023.
- Two (2) new CHSP clients to Aged Care
- Home Care Packages – HCP monthly claim - \$60k and Administrations Grant - \$65k

NDIS

- NDIS Monthly Claim - \$26k
- Two (2) new NDIS clients
- CV's and much time spent with NDIS clients upskilling and development

Sports Recreation and Children's Services

- This month had the Sport Rec team busy back into schedule of helping Kowanyama State School Physical Education classes at the Multi-Purpose Centre (MPC). Sport Rec staff were quick to jump onboard and help the new flow of teachers in our sporting facilities. Our pool has been busy getting its workout with of over 50 community members daily. Playgroup back in full swing with four new enrolled kids. Playgroup has had some great engagement over the last month with our New Team Leader providing some great ideas engaging more families. Staff were able to kick off the month with two Big On-Country outings. Staff are utilizing community bus and getting our young families out and seeing more of our community. Family members are loving the new structure and planning of activities allowing more one-on-one intimate time with their infant/child on country.

Women's Services

- Throughout March, Kowanyama Women's Shelter and Kowanyama Community Cultural Support Group – Women's Group continued to work with internal and external stakeholders, to provide temporary support accommodation, center-based activities and COVID-19 support.

Women's Shelter

- Kowanyama Women's Shelter staff were able to transition back to working regularly from the shelter due to the reduced number of COVID positive cases within the Kowanyama community. Working from the shelter means that staff are always readily available to provide support to those women who are in need.
- Women's Shelter Staff continue to participate in regular team meetings to discuss the Human Services Quality Framework (HSQF) standards/indicators and complete self-assessments, in preparation for the next stage of the HDAA Maintenance Audit, which is scheduled for April 2022.

Community Cultural Support Workers

- In March, Kowanyama Community Cultural Support Workers provided on-country and community center-based activities to many women and elderly clients in the community. The team integrated with HACC Staff and Clients to deliver weekly on-country activities, where elderly clients were able to participate in fishing, yarnning and story sharing out on-country. International Women's Day was successfully celebrated in March by the Women's Group, where women were able to celebrate by decorating and enjoying delicious cupcakes. Apunipima kindly donated lovely giftpacks, which were distributed to women in the Kowanyama community as a part of the International Women's Day celebrations.
- Women's Group meetings and gatherings were held to support women in the community and discuss the many opportunities for events and gatherings throughout the year. Engaging with women in the community and asking for feedback regarding activities and events, ensures that the Women's Group Program can facilitate activities and events of interest to Women and families in the community.

Land & Sea

- Department of Environment and Science sent 2 Parks and Wildlife Officers to Kowanyama for 5 days to assist our Rangers with the removal of large saltwater crocodile from car crossing
- Rangers have continued patrols of magnificent creek looking for signs of any other large saltwater crocodiles
- Turtle monitoring and beach clean ups at Topsy Beach
- Grass and weed control within town supporting Parks and Gardens teams

Animal Control/Environmental Health

- AMO has registered many dogs in community
- Vets visit from the 7th – 11th with 50 dogs desexed (33 female and 17male)
- 5 dogs euthanized 1 of which had signs of E-canis (sample sent to DAF and came back negative)
- Treated a huge amount dog for worms, ticks, fleas, and mange via a door-to-door approach whilst continue to educate owners about desexing and responsible ownership and registration
- Identified works that we will need to undertake at pound prior to being able to securely house dog's short term

f) Executive Manager Human Resources

Caroline Smith, A/EMHR – No report

Council Meeting Closed – 12:33pm

6) Trustee Meeting

RESOLUTION – Trustee Meeting That Council moved into Trustee Meeting at 12:33pm	Moved: Cr Cameron Josiah Seconded: Cr Jacob Josiah All in favour MOTION CARRIED:
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i) Agenda Report – Trustee Decision Making Policy

Chris McLaughlin, A/EMGO presented Agenda report:

Following the establishment of the Community Forum pursuant to section 85(3) of the *Local Government Act 2009* (Qld) at the Ordinary Meeting of Council in December 2021, it was identified that the provision only applied to “*Indigenous Regional Councils*” and not “*Indigenous Local Governments*”. The distinction renders Council ineligible to have a community Forum under section 85(3). However, this Agenda Report seeks to establish, in essentially an identical form, an Advisory Committee to the Trustee Council to perform the same function. The Trustee Decision Making Policy substantially mirrors the Community Forum Terms of Reference approved at the December 2021 Ordinary Meeting of Council and will perform the same function.

RESOLUTION – Trustee Decision Making Policy 1. That the Trustee adopt the Trustee Decision Making Policy (as amended). 2. That the Trustee appoint the following Members to the Trustee Advisory Committee:	Moved: Cr Cameron Josiah Seconded: Cr David Jack All in favour MOTION CARRIED:									
<table border="1"><tr><td>Michael Yam</td><td>Roy Zingle</td><td>Evans Josiah</td></tr><tr><td>Maxanne Brumby</td><td>Irene Major</td><td>Gleneth Greenwool</td></tr><tr><td>Maxwell Luke (Proxy)</td><td>Darby Horace (Proxy)</td><td>Fitzroy Laurence (Proxy)</td></tr></table>	Michael Yam	Roy Zingle	Evans Josiah	Maxanne Brumby	Irene Major	Gleneth Greenwool	Maxwell Luke (Proxy)	Darby Horace (Proxy)	Fitzroy Laurence (Proxy)	
Michael Yam	Roy Zingle	Evans Josiah								
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Maxwell Luke (Proxy)	Darby Horace (Proxy)	Fitzroy Laurence (Proxy)								

RESOLUTION – Trustee Meeting That Council moved out of Trustee Meeting at 12:36pm	Moved: Cr Cameron Josiah Seconded: Cr Jacob Josiah All in favour MOTION CARRIED:
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<p>RESOLUTION – Re-open Council Meeting That Council re-opened Ordinary Council Meeting at 12:36pm</p>	<p>Moved: Cr Jacob Josiah Seconded: Cr Cameron Josiah</p> <p>All in favour MOTION CARRIED:</p>
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7) Other Business

Cr Jacob Josiah asked about the new cleaning crew
CEO – Still have the same Training Centre cleaners. New cleaners are for the MPC, Airport, Council Building, Contractors Camp etc. So, Council now have 2 different teams to cover all areas.

Cr David Jack asked if there were any applicants for the bakery?
CEO advised that Council are starting discussions with RISE regarding a bakery program.
Cr David Jack asked about restoring the laundromat as it would be beneficial to community.

Action item: EMCS to look into restoring the laundromat in community

EMCS advised the model for the Post Office. Looking at separating the post office and the bank. Costs for fitting out shop and different staffing models.

Cr David Jack said that the handicap access to the post office is an issue.

Meeting Closed: 12:47pm