Kowanyama Aboriginal Shire Council

April Council Meeting Minutes

30 April 2024, 10:18 AM – 3:09PM

Kowanyama Chambers and Cairns Boardroom

Table of Contents

1. Opening/Welcome 2
2. Declarable Conflicts of Interest 2
3. Monty Gilbert - deputation 3
4. Previous Minutes 3
5. Action Items 3
6. Reports 3
   6.1. Chief Executive Officer 3
   6.2. Executive Manager Corporate and Financial Services 3
   6.3. Executive Manager Roads, Infrastructure and Essential Services 6
   6.4. Executive Manager Community Services and Cultural Heritage 7
7. Other Business 7

Present

Councillors

Kowanyama Boardroom

Territa Dick, Mayor
Teddy Bernard, Deputy Mayor
Charmaine Lawrence, Councillor
Coralie Lawrence, Councillor
Joe Cristaldi, Executive Manager Corporate and Financial Services
Leah Chambers, Community Services Manager
Don Sutherland, Executive Manager Roads, Infrastructure and Essential Services

Executive

Cairns Boardroom

Richard Stafford, Councillor
Chris McLaughlin, Acting Manager Governance
Danae Maltby, Governance Officer

Condolences

NIL

1. Opening/Welcome

Meeting commenced at 10:18 AM.

Mayor Territa Dick welcomed the Councillors and Executive Team to the April Council Meeting

2. Declarable Conflicts of Interest

Cr. Teddy Bernard declared a potential Conflict of Interest for agenda report **6.2.2.c Native Title Determinations.**

Cr. Charmaine Lawrence declared a potential Conflict of Interest for agenda report **6.2.2.c Native Title Determinations.**

Cr. Coralie Lawrence declared a potential Conflict of Interest for agenda report **6.2.2.c Native Title Determinations.**

Cr. Territa Dick declared a potential Conflict of Interest for agenda report **6.2.2. c Native Title Determinations.**

Cr. Richard Stafford declared a potential Conflict of Interest for agenda report **6.2.2. c Native Title Determinations.**

3. Monty Gilbert - deputation

Monty Gilbert requested a deputation with Council to discuss the below matter:

- Issues with not being able to obtain insurance for his LHA/Katter lease.

Action Item: A/Governance Manager and Mayor to attend a meeting with Monty Gilbert and insurer to discuss matter further.

4. Previous Minutes

RESOLUTION: Minutes (March Ordinary Council Meeting)

Minutes from the March Ordinary Council Meeting 12 March 2024 to be adopted as true and accurate.

Moved: Cr. Teddy Bernard
Seconded: Cr. Coralie Lawrence

CARRIED

Action Item: The 12 March 2024 Ordinary Meeting of Council meeting minutes to be rectified to include Cr. Teddy Bernard as attended / present.

RESOLUTION: Minutes (March Special Council Meeting)

Minutes from the Special Meeting – Swearing in of Council Meeting 3 April 2024 to be adopted as true and accurate.

Moved: Cr. Richard Stafford
Seconded: Cr. Charmaine Lawrence

CARRIED

5. Action Items

Action Items register was noted and tabled.

6. Reports

6.1. Chief Executive Officer

6.1.1. Information Report

Kevin Bell – Chief Executive Officer presented the CEO information report to Council.

Information report was noted and tabled by Council.

6.2. Executive Manager Corporate and Financial Services

6.2.1. a. Information Report – Governance Report

Chris McLaughlin - Acting Governance Manager presented the Governance report to Council.

- Information report was noted and tabled by Council.

Cr. Charmaine Lawrence left the meeting at 11:19AM and returned to the meeting at 11:22AM

Cr. Teddy Bernard left the meeting at 11:28AM and returned to the meeting at 11:30AM

b. Information Report – Finance Report

Joe Cristaldi - Executive Manager Corporate and Financial Services presented Finance Report to Council.

- Information report was noted and tabled by Council.

Cr. Territa Dick left the meeting at 11:40AM and returned to the meeting at 11:43AM

c. Information Report – HR report

Joe Cristaldi - Executive Manager Corporate and Financial Services presented HR Report to Council.

- Information report was noted and tabled by Council.

Cr. Richard Stafford left the meeting at 12:12PM and returned to the meeting at 12:13PM

Cr. Territa Dick left the meeting at 12:14 and returned to the meeting at 12:15PM

Lunch break: Meeting closed at 12:15PM and re-opened at 1:00PM

6.2.2. Agenda Reports

a. **Agenda Report - Policy and Procedures**

Danae Maltby – Governance Officer presented Policy and Procedures Agenda Report to Council:

RESOLUTION: Policy and Procedures

That Council adopts the following policies:

1. ICT Change Management Policy
2. ICT Security Awareness Policy
3. ICT User Access Management Policy
4. ICT Incident Response Policy
5. ICT CCTV Policy
6. Officer Code of Conduct

Moved: Cr. Charmaine Lawrence
Seconded: Cr. Coralie Lawrence

CARRIED

Cr. Coralie Lawrence left the meeting at 1:06PM and returned to the meeting at 1:07PM

Cr. Charmaine Lawrence left the meeting at 1:10PM and returned to the meeting at 1:12PM.

Cr. Territa Dick declared a prescribed COI for agenda report 5.2.2.b Social Housing – LHA / Homeownership Policy and left the meeting at 1:09PM. The applicant is the Mayor's mother.

b. **Agenda Report – Social Housing – LHA / Homeownership Policy**

Chris McLaughlin - Acting Governance Manager presented Social Housing – LHA / Homeownership Policy Agenda Report to Council:

RESOLUTION: Social Housing – LHA / Homeownership Policy

That Council resolve to support case-by-case social housing development in the subdivision and/or on available township greenfield sites (inclusive of surrendered LHA leases) provided proposed tenant allocations are based on "need" and supported by the Social Housing Wait List (in consultation with the State).

Moved: Cr. Richard Stafford
Seconded: Cr. Coralie Lawrence

CARRIED

Cr. Territa Dick returned to the meeting at 1:24PM

Cr. Teddy Bernard declared a prescribed COI in agenda report 6.2.2.c Native Title Determinations and left the meeting at 1:26PM. Cr Bernard is a paid member of the OSEF Advisory Committee.

c. **Agenda Report – Native Title Determinations**

Chris McLaughlin - Acting Governance Manager presented the Native Title Determinations Agenda Report to Council:

RESOLUTION: Native Title Determinations

That the Kowanyama Aboriginal Shire Council, as respondent to the Cape York #1 Native Title Claim:

1. Agree and consent to a determination of native title on the terms contained on the following section 87A Agreements:
    a. Olkola
    b. Kowanyama #2
    c. Kowanyama #3 Identified Parcels
    d. Olkola and Kunjen Olkol shared area
    e. Kowanyama and Kujen Olkol shared area
    f. Kowanyama, Kujen Olkol and Kowanyama shared area; and
    ("the agreements")
2. Delegate authority and authorise the Chief Executive Officer to:
    a. Consider any minor amendment to the Agreements, and if appropriate, approve the amendments on behalf of Council;
    b. do all things necessary to give effect to the Agreements.

Moved: Cr. Charmaine Lawrence
Seconded: Cr. Coralie Lawrence

CARRIED

Cr. Teddy Bernard returned to the meeting at 1:37PM

d. **Agenda Report – EOI Blue Café Licence Agreement**

Danae Maltby – Governance Officer presented the EOI Blue Café Licence Agreement Agenda Report to Council:

RESOLUTION: EOI Blue Café Licence Agreement

That Council resolve to award EOI KASC-2024-021 (Kowanyama Blue Cafe) to Tandly Treats (ABN 645 993 915) for a period of two (2) years, with an additional year possible at Council's discretion, and enter into a license agreement with the successful applicant of the Kowanyama Blue Cafe (being part of lot 35 on SP272069), and delegate power and authority to the Chief Executive Officer to do all things necessary to bring effect to these arrangements and to pay invoices thereunder.

c.

Moved: Cr. Territa Dick
Seconded: Cr. Charmaine Lawrence

CARRIED

6.3. Executive Manager Roads, Infrastructure and Essential Services

6.3.1. Information Report

Don Sutherland - Executive Manager Roads, Infrastructure and Essential Services presented EMRIES Information Report to Council.

- Information report was noted and tabled by Council.

a. **Agenda Report – KASC-2024-019 DRFA Program Tender**

Chris McLaughlin – Governance Officer presented KASC-2024-019 DRFA Program Tender the Agenda Report to Council:

RESOLUTION: KASC-2024-019 DRFA Program Tender

That Council resolve to award Lackon Pty Ltd ACN 635 594 571/ ABN 67 635 594 571 contract KASC-2024-019 for a total price of $901,569.60 (GST Excl) and delegate authority to the Chief Executive Officer to do all things necessary to enter into the contract and pay invoices thereunder as and when due.

Moved: Cr. Teddy Bernard
Seconded: Cr. Charmaine Lawrence

CARRIED

6.4. Executive Manager Community Services and Cultural Heritage

Leah Chambers, Community Services Manager presented EMCS Information Report to Council.

- Information Report was noted and tabled by Council.

Cr. Territa Dick left the meeting at 2:48PM and returned to the meeting at 2:49PM

7. Other Business

- NIL matters

Meeting Closed: 3:09PM