



Kowanyama Aboriginal Shire Council

February Council Meeting Minutes

22 February 2023, 10:12 AM – 13:27 PM

Kowanyama Chambers and Cairns Boardroom

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Present

Councillors

Kowanyama Boardroom

Mayor Robbie Sands
Deputy Mayor Cameron Josiah
Cr. David Jack
Cr. Jacob Elroy Josiah

Executive

Cairns Boardroom

Joe Cristaldi, Executive Manager Corporate and Financial Services (EMCFS)
Chris McLaughlin, Acting Manager Governance

Kowanyama Boardroom

Kevin Bell, Chief Executive Officer (CEO)
Trent Marshall, Executive Manager Roads, Infrastructure and Essential Services
Ani Seruvatu, Acting Executive Manager Community Services and Cultural Heritage (A/EMCS&CH)

Condolences

Cr. Teddy Bernard

1. Opening/Welcome

Meeting commenced at 10:12 AM.

Mayor Robbie Sands welcomed the Councillors and Executive Team to the February Council Meeting.

2. Declarable Conflict of Interest

NIL declared.

3. Apologies

RESOLUTION: Cr. Teddy Bernard

That Council accept the apologies of Cr Teddy Bernard.

Moved: Cr. Cameron Josiah

Seconded: Cr. Jacob Elroy Josiah

CARRIED

4. Previous Minutes

RESOLUTION: Minutes (January Ordinary Council Meeting)

Minutes from the January Ordinary Council Meeting 25 January 2023 to be adopted as true and accurate.

Moved: Cr David Jack

Seconded: Cr. Robbie Sands

CARRIED

Cr David Jack advised that he had enquiries as Business Arising from the previous Minutes regarding the ceasing Payroll Deductions from the January Ordinary Meeting. The discussion is summarised below:

- Cr Jack stated staff members had mentioned they were unhappy with the new policy that Council ceased all Payroll Deductions without any community consultation.
- Cr Jack advised that it was his opinion that the decision was not open and transparent and had pushed along without consideration to the needs of staff. Management was pushing this forward, not Councillors.
- Cr Jack was also advised that some community members had been told they could not do payroll deductions prior to 25 January 23. CEO advised that Payroll Deductions were still being completed right up until the day of the January Council Meeting (25/01/23).

Action item: EMCFS to discuss allegation with HR to ascertain whether a request was declined prior to the January Ordinary Meeting.

- Cr Jack made enquiries about the Facebook post by Council after the Ordinary Meeting and how the original post did not make a reference to revocation of the Payroll Deduction Policy to “commercial” payments only.
- Cr Jack suggested management should seek out the legal advice obtained from lawyers in 2007 last time the legality of the Payroll Deduction Policy was questioned.
- Cr Jack suggested that further consultation is required with staff on the policy.
- CEO advised Councillor Jack of his declarable interest recorded on this item at the January Ordinary Meeting. Cr Jack stated that he did not consider he had a COI. CEO advised that his concerns could not be actioned because of the COI.
- Cr Jacob Elroy confirmed he also had been hearing similar complaints around time. Deputy Mayor confirmed also.
- CEO said that any potential action/ next steps would need to be instigated in response to Cr Elroy and Deputy Mayor’s concerns only due to Cr Jack’s COI.
- Cr Jack raised what he considered to be illegal actions of Council in previously administering the Payroll Deductions Policy – processing payroll deductions and then processing third party payments “two weeks

later". EMCFS responded to this. Cr Jack suggested third party payments should be made immediately upon payroll deduction.

- Mayor ended the conversation stating that if on further consultation, staff members supported the reintroduction of the policy, it could be considered by Council at a future meeting along with all other relevant factors.
- Mayor asked if Human Resources Manager could clarify the percentage of the Council work force that is being affected? Some families are in hardship and 60% of their income is already spent.

Action item: EMCF to get details of payroll deductions as of 25 January 2023 and % of pays going to third parties (deidentified).

Action item: CEO to address concerns regarding recent changes to deductions policy – consultation to be had with Council employees.

Action Items

Action Items register was noted and tabled.

5. Reports

5.1. Chief Executive Officer

5.1.1. Information Report – Verbal

Kevin Bell (CEO) presented the CEO information report to Council. Information report was noted and tabled by Council.

Overview of all areas of Council:

- Thriving Communities model – \$100k from DSDSATSIP – Administration person
- Draft – Sly Grog Strategy / Project
- Sports Precinct
- Early Years – Childcare Space – progressing rapidly – Timeline (new year)
- Special Holidays 2023 – live on website
- Community Safety Plan – speed humps and paramedics – will update in new version
- Corporate – New policies and policy changes
- Budget forecast – March meeting
- PRAG re-established – first meeting next week.
- Asset Management System
- Brief Corporate Planning – meeting has been had with Councillors
- Website has been renewed
- Cyclone Vault and Splash Park
- Airport Fuel Farm
- Stabilisation work for Magnificent Creek
- CEQ Lease (DSDSATSIP)

Mayor left meeting at 10:49am and returned 11:17am

Cr Jack asked about the damage to council vehicles – grader and low loader

CEO advised it was an operator error – works to be done for repairs. RISE and Jenagar are organising training for Heavy Plant (March).

6 funerals to be held for community. Due to weather there have been some complications at the cemetery as water is filling the graves when being dug. Council is exploring all possibilities.

Cr Jacob Elroy Josiah left meeting @ 10:59am – 11:17am

Mayor asked if the planning scheme could identify potential new sites for cemetery – to work with the PBC. Possibly to have new site outside the township area.

Action item: AMG to ensure new Planning Scheme consider new cemetery area.

5.2. Executive Manager Corporate Services and Finance

5.2.1. Governance Information Report

Chris McLaughlin, Acting Governance Manager presented the Governance Information Report to Council. Information report was noted and tabled by Council.

- Firearms / Weapons – Rangers

Rangers hold their own individual licences (recreational use). Weapons are all owned and stored by the individual. No Weapons Register within Council as they are all private individual licences.

Animals are euthanised in township by Queensland Police Service (QPS)

There is no requirement in the Position Description for Rangers for the use of firearms or to euthanise animals etc. Therefore, Council cannot ask Rangers to capture and cull feral animals etc. To be done in a personal capacity.

5.2.2. Finance Information Report

Joe Cristaldi, Executive Manager Corporate and Financial Services presented Finance Information Report to Council. Information report was noted and tabled by Council.

Chris McLaughlin left the meeting at 11:25am and returned at 11:27am

5.2.3. Agenda Report – Model Meeting Procedures and Standing Orders

Chris McLaughlin, Acting Manager Governance presented Agenda Report to Council:

RESOLUTION:

1. That Council adopt the Model Meeting Procedures (Nov 2022)
2. That Council adopt the Standing Orders (Nov 2022)

Moved: Cr. Robbie Sands

Seconded: Cr. Jacob Elroy Josiah

CARRIED

5.2.4. Agenda Report – Delegations Register – Council to CEO

Chris McLaughlin, Acting Manager Governance presented Agenda Report to Council:

RESOLUTION: Pursuant to section 257 of the Local Government Act 2009 (Qld), Council resolves to adopt Delegations Register – Council to CEO, as presented.

Moved: Cr. Cameron Josiah
Seconded: Cr. Jacob Elroy Josiah

CARRIED

5.2.5. Agenda Report – Audit and Risk Committee Chair

Chris McLaughlin, Acting Manager Governance presented Agenda Report to Council:

RESOLUTION: That Council resolve to seek Expressions of Interest from qualified and experienced persons to be appointed to Council's Audit and Risk Committee as both a member and Chair from 20 May 2023 for a term of up to three (3) years.

Moved: Cr. Jacob Elroy Josiah
Seconded: Cr. David Jack

CARRIED

5.2.6. Agenda Report – Corporate Plan

Joe Cristaldi, Executive Manager Corporate and Financial Services presented Agenda Report to Council:

RESOLUTION: That pursuant to section 165(3) of the Local Government Regulation 2012 (Qld), Council resolve to amend its Corporate Plan to expire 30 June 2024 (rather than 30 June 2023) to facilitate genuine community engagement.

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

CARRIED

5.2.7. Agenda Report – Time off in Lieu & Overtime Policy

Joe Cristaldi, Executive Manager Corporate and Financial Services presented Agenda Report to Council:

RESOLUTION: That Council resolve to adopt the Time Off in Lieu & Overtime Policy

Moved: Cr. Robbie Sands
Seconded: Cr. Jacob Elroy Josiah

CARRIED

5.2.8. Agenda Report – Workers Camp Precinct Plan

Chris McLaughlin, Acting Manager Governance presented Agenda Report to Council:

RESOLUTION: That Council resolve to include lots 80, 522 and 152 as alternatives for the Worker’s Camp Precinct and that identified Shelfo Road hard stand area (part of lot 55) be considered for relocation of heavy machinery.

Moved: Cr. Robbie Sands

Seconded: Cr. Jacob Elroy Josiah

CARRIED

Lunch Break – 12:04 PM to 12:46 PM

5.3. Executive Manager Roads, Infrastructure and Essential Services

5.3.1. EMRIES Information Report

Trent Marshall, Executive Manager Roads, Infrastructure and Essential Services presented the EMRIES Information Report to Council. Information report was noted and tabled by Council.

5.3.2. Agenda Report – Purchase of new Garbage Truck

Trent Marshall, Executive Manager Roads, Infrastructure and Essential Services presented Agenda Report to Council:

RESOLUTION: That Council resolve to approve financial delegation of \$430,000 (GST Excl) for payment of grant funds to STG Global for purchase of a garbage truck under Deed of Agreement with the State of Queensland (as represented by the Department of Environment and Science).

Moved: Cr. Robbie Sands

Seconded: Cr. Jacob Elroy Josiah

CARRIED

5.4. Executive Manager Community Service and Cultural Heritage

5.4.1. EMCS&CH Information Report

Ani Seruvatu, Acting Executive Manager Community Services and Cultural Heritage presented the EMCS&CH Information Report to Council. Information report was noted and tabled by Council.

5.4.2. Sly Grog Strategy / Project Information Report

Ani Seruvatu, Acting Executive Manager Community Services and Cultural Heritage presented the Sly Grog Strategy / Project Information Report to Council. Information report was noted and tabled by Council.

5.4.3. Agenda Report – Sports and Recreation Minor Infrastructure Program Grant

Ani Seruvatu, A/EMCS&CH presented Agenda Report to Council:

RESOLUTION: That Council resolves to support the grant application to the Department of Tourism, Innovation and Sports.

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

CARRIED

5.4.4. Agenda Report – Arthur Beetson Foundation (ABF) Merchandise

RESOLUTION: That council resolves to support the sale of ABF Merchandise.

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

CARRIED

6. Closed Business

RESOLUTION: That pursuant to section 254J(3)(b) of the Local Government Regulation 2012 (Qld), Council resolve to close the meeting to consider industrial matters affecting employees. (Closed at 1.21pm)

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

CARRIED

RESOLUTION: Move out of Closed Business (1:26pm)

Moved: Cr. Jacob Elroy Josiah
Seconded: Cr. Cameron Josiah

CARRIED

6.1. Information Report – Aged Care Review

Ani Seruvatu, Acting Executive Manager Community Services and Cultural Heritage presented Aged Care Review Information Report. Report was noted and tabled by Council.

7. Other Business

Cr. Jacob Elroy Josiah asked if the Human Resources position is going to be Kowanyama based and if it has been advertised / interviewed.

Meeting Closed: 13:27 PM