



AGENDA and NOTICE OF NPARC ORDINARY MEETING NUMBER 10 – Bamaga

Notification Date: Friday 30th March 2009
Meeting Date Tuesday 15th April 2009
Meeting Location NPARC Office New Mapoon
Time 9:00am
Catering Morning Tea and Lunch will be provided

Mayor and Councillors

Cr Joseph Elu	(Mayor)
Cr Gina Nona	(Division 1)
Cr Peter Lui	(Division 2)
Cr Reg Williams	(Division 3)
Cr Michael Bond	(Division 4)
Cr Jeffrey Aniba	(Division 5)
CEO	Stuart Duncan
Deputy CEO	Danny Sebasio
Secretary	Esme Newman

Welcome and Declare Meeting Open – Mayor – 9:20AM

- Apologies
- Declaration of Conflicts of Interest
Nil
- Declaration of Material Interests
Nil

AGENDA

Agenda Item 1 - 9:00am to 10:30am Minutes of previous meeting dated the 3rd March 2009 are true and correct

Mayor – Correction to the previous Minutes, apology for the last meeting.

Resolution 1-15.04.09: That the minutes of the previous meeting are true and correct

Moved CR. Bond

Seconded CR. Williams

Carried 5/0

Cr. Bond – noted page 6, the High School principle was to be invited to this meeting
CEO commented that the principle was invited but submitted his apology but this was not recorded in the agenda for this meeting.

Mayor – The Remuneration Tribunal increase has not been passed on to the NPARC councillors
Action – Have the Finance Officer / Payroll officer investigate the Tribunal increase and correct the councillor's remuneration

Agenda Item 2 – 9:30am to 10:00am Chief Executive Officers' Report

General

Council administration continues to complete the amalgamation tasks that are necessary to build the foundation blocks for the NPARC. It is without question that the first 15 month period of this council will be to focus on the amalgamation process, audits, and regulation & compliance outcomes. Effectively the bulk of council resources are being applied to meet State legislative requirements for the establishment of a Local Government, not local government activities.

A snap-shot of tasks completed in the past 12 months.

1. Essential Executive staff recruited
2. Five previous council vehicles, machinery and mobile asset registrations transferred to NPARC
3. All account and service providers changed from the five previous councils to NPARC (including phone and electricity)
4. Council Logo / Brand developed and endorsed
5. New NPARC Council uniforms and outdoor PPE purchased and provided to all employees
6. Corporate Structure completed and endorsed
7. Council Service Structure completed and endorsed
8. Employment instruments mapped, employee classification structure developed, Certified Agreement developed, negotiated, voted upon; and Certified by the Industrial Relation Commission (26th March 2009)
9. Council files and book-keeping systems and policies established and implemented including the appropriate destruction of redundant / obsolete files and data.
10. The NPARC payroll system adjusted to ensure all NPARC employees are receiving their legal entitlements in accordance with the NPARC Certified Agreement
11. NPARC Policy schedule developed

Current Tasks

Tasks	Description	Estimated Completion Date
Five council audits to June 30 th 2008	Accounting staff remain answering queries from the QAO contract auditor for Umagico	June 30 th 2009
Finalisation of the Finance System (Practical)	End of life files (from the previous Councils) completed, re-checked and consolidated. New Job Costing Ledger and General Ledger developed. Existing Financial system ledgers corrected to the new format with incorrectly coded transactions reallocated to modified final ledgers	Mid July 2009
NPARC Budget	The budget will be based on actual expenditure, zero based analysis and true wage costs giving the 2009 – 2010 budget a high degree of creditability	June 2009
Calculating Employee Back Pay in accordance with previous Awards and the NPARC Certified Agreement	Calculating the Employee back-pay is a complex task. The total cost of the back-pay is estimated at \$300, 000	Completed by June 2009
CDEP Job Conversions	The NPARC is working with the Commonwealth on a change management plan to identify what the impact of the changes to CDEP will mean for the NPARC, and how best to meet these challenges. i.e. there are currently 66 Seisia and Bamaga full-time employees who receive top-up through the CDEP program, this represents a wage subsidy of approximately \$800,000 pa that will need to be replaced with alternate funds within the next 18 months	Draft Change Management Plan before Council by October 2009

Mayor – if the NPARC is not the provider in the future for CDEP and Income support the Council will have to decide whether we allow the third party provider to operate in the NPA and what support “if any” is provided by the Council.

Cr. Lui - What are the decisions we will have to make in the future when the 3 year employment guarantee ends?

CEO- the decisions that we have to make “are required now” and not in 3 years time, council is already working on strategies to firstly identify the primary workforce i.e. the total number of employees that the NPARC would need to provide basic local government services without state related services, commonwealth related services, employment/ income supported positions (CDEP); or economic development related activities (Enterprises). I estimate that the primary workforce ‘employee establishment’ would be closer to 120 employees not the ‘current’ 293.

Mayor – the only future for us will be the establishment of new enterprise to create local employment

Cr. Lui - Why can't council separate some of its activities like trades and small business enterprise out of council's control and give the community or private individuals an opportunity to operate or own these services.

CEO – the council will always need its own workshops and to directly employ maintenance crews to ensure basic preventative maintenance is carried-out on council own assets, additionally most of the income to provide these services is derived from 'government' special purpose grants and not commercially or private generated income. This would make it difficult for locals to create viable businesses and compete with the existing non-council operators in the NPA for what opportunities were available.

CEO – Tabled a letter from the Endeavour Foundation. Donation to Endeavour Rally –

The Endeavour Foundation Rally is stopping over at Seisia on the 19th and 20th July as part of their Great Endeavour Rally from Mackay to Townsville. Approximately 104 vehicles have already registered with support vehicles maybe a total of 120 vehicles. There will be 300 extra persons in the NPA area during that period. The rally organisers have asked council to make a donation in the form of a reduced fee for passage across the Jardine River Ferry.

Resolution 2-15.04.09 that the Endeavour Rally Participants are charged the local rate of \$11.00 per vehicle

Moved CR. Aniba

Seconded CR. Williams

Carried 6/0

Meeting Agenda was suspended at 9:51AM to allow a presentation by Queensland Libraries

Members of the State Libraries Queensland (Indigenous Knowledge Centres IKC)

Terena Hopkins – Regional Director, State Libraries Queensland

- IKC's are owned by Councils
- What can we do to get more information back to the Community
- There is no Internet connection at New Mapoon (no provision of digital literacy)
- SLQ Workshops are run each year
- A 4 minute movie presentation was shown to council that highlighted some of the work being produced in other communities.
- SLQ has a Blog (web page)
- Communities can post to a blog to highlight activities in their local area i.e. The Men's Shed Program
- A short power point presentation (story) "Bozie's Birthday Bike" was shown (short film about a girl on Dauan Island waiting for her birthday bike)
- A handout was provided to Councillors - Aboriginal and Torres Strait Islander Material Heritage Collections - State Library of Queensland. (Web-site "Picture Queensland") there are currently 900 photos from the NPA in storage waiting for approval from the families / traditional owners so they can be posted to the website for general viewing

11:15 Council Meeting Agenda Resumed.

Cr. Bond – The Community forum members in New Mapoon are interested in working with the IKC's in getting the history of the New Mapoon community collated, and have the history displayed in the NPARC New Mapoon Council Office.

Cr. Aniba – This would also create an opportunity to get the history of the NPA into the schools.

Mayor Elu – We must ensure that any artefacts must have the family blessing to be removed from the family area, and we must be very sensitive about what is made public.

Torres Strait Regional Authority – Torres Strait and Northern Peninsula Area Regional Plan

CEO – Raised the invitation of the TSRA Chairman Toshie Kris, to attend the finalisation of the Torres Strait and NPA Regional Plan on the 1st May 2009.

Cr. Lui How do the Aboriginal Communities who are not covered by the TSRA constitution get involved in this process?

Mayor Elu – The TSRA is only coordinating the development of the plan, the plan is supported by the Mayors of the Torres Shire, Torres Strait Regional Council and the NPARC for matters of regional interest and provides a framework to discuss and document regional issues.

Resolution 3-15.04.09 that the CEO's report is accepted

Moved CR. Lui

Seconded CR. Williams

Carried 6/0

Meeting Agenda was suspended at 11:20 AM to allow a presentation by the Department of Housing

Department of Communities Housing Services – Community Housing Rent Policy for Indigenous Councils

Start 11:23AM

Jim Foody (JF) – Director of Engineering Service attended this presentation

Patrick Cowell (PC) – Service Delivery, Department of Housing, Thursday Island

Frankie Bonomo (FB) - *acting* Principal Project Officer, Program Management, Aboriginal and Torres Strait Islander Housing, Department of Communities.

Mayor Elu – Welcomed the visitors. “This policy has not been negotiated with Council and does not take into account the fact that we have the highest prices of food, fuel and other essential services, so this type of mandatory policy creation is not very palatable for this council”. I understand that the new Minister for housing is Minister Karen Struthers, and the department is the Department of Communities, Housing and Women?? (Linda Applet is the DG). Council will be writing to the Minister to request a new and agreed NPA Housing Rental Policy is negotiated.

CEO – Council will be reviewing all existing tenancy agreements held with enterprises and private lease holders to ensure they represent fair value or market value. If property lease agreements were entered into by a previous council and the return on that property does not match or exceed the maintenance costs, council will investigate our options to review and correct this oversight.

FB – provided the councillors with a hand-out that summarised the Community Housing Rent Policy for Indigenous Councils.

FB - The original housing rental caps were based on Thursday Island market values; this has now been revised to be assessed on housing market rental values in Coen and applied for the 32 Cape Communities.

Resolution 4-15.04.09 – Council rejects the current Department of Housing Services – Community Housing Rent Policy for Indigenous Councils, and will write to the new Minister and request further negotiation with

the Department to find middle ground for a “new agreed NPARC Rent Policy” and present the new policy to Council for endorsement before the policy is approved at a State Level.

Cr. Williams – Council must request “as part of the letter” that a senior officer from the department meets with Council to negotiate an agreed policy.

Moved CR. Lui

Seconded CR. Bond

Carried 6/0

Lunch at 12:45 PM – 1:14PM

The agenda was modified to accommodate the time taken by Queensland Libraries and the Department of Housing. Agenda Items 4, 5, 6 and 7 will be accepted as tabled reports only; and will not be discussed at today’s meeting.

Engineering Report continued from the housing presentation 1:14PM - 2:15PM

Rental Policy and Tenancy Management

General Housing Financial Report

a) Financial Data on Rents.

July to September 2008 (1st Quarter) Reported as a total of all NPARC communities.

Rent Invoiced \$407,637

Rent Received \$379,879

Arrears for period \$ 27,758

October to December 2008 (2nd Quarter)

Umagico & Injinoo (combined)

Rent Invoiced \$125,198

Rent Received \$111,529

Adjustments \$ 10,603

Arrears for period \$ 24,272

Bamaga

Rent Invoiced \$172,199

Rent Received \$179,276

Adjustments \$ 1,084

Surplus for period \$ 5,993

New Mapoon

Rent Invoiced \$ 79,741

Rent Received \$ 42,244

Adjustments \$ 35,710 (seems to have been duplication of invoices which was later corrected)

Arrears for period \$ 1,516

Seisia

Rent Invoiced	\$ 21,970
Rent Received	\$ 25,879
Adjustments	\$ 5,580
Arrears for period	\$ 1,652

NPARC Totals

<u>Rent Invoiced</u>	<u>\$399,108</u>
<u>Rent Received</u>	<u>\$358,928</u>
<u>Arrears for period</u>	<u>\$ 21,447</u> (Note Bamaga Surplus for the Quarter)

Comments- We are mitigating rent arrears that are evident in the early half of last year. Clearly we have more work to do in the Injinoo & Umagico communities on rent payments. We will attempt to separate the Injinoo & Umagico communities when reporting the 3rd Quarter (Jan to Mar 2009).

Critical Issues & Actions

a) Rent Arrears- While it has been necessary to combine the Injinoo & Umagico financial data, there are indications that the bulk of the 2nd quarter arrears are derived from the Injinoo community. For the next reporting period we will endeavour to indentify the problems.

Action- Seisia & New Mapoon would seem to have relatively small rent payment shortfalls but this could be attributed to peculiarities in the accounting system and will need to be investigated.

It is clear that the Umagico and/or Injinoo communities have some problems that we will concentrate on. Investigations are underway to further identify the problem. The housing dept will also be implementing the existing policy to introduce the 'Council Rental Arrears Recovery Plan' and implement where necessary other NPARC policies including the 'NPARC Eviction Process'.

b) Tenants Rights- It has been found that the NPARC is breaching the tenancy agreement by not providing sufficient data on rental receipts and this will be addressed as a matter of priority.

c) Lack of Resources – Some of the housing officers are unable to carry out their required duties due to lack of computers, suitable office space to conduct confidential interviews and transport.

Action- Engineering Services is endeavouring to make additional vehicles available to the housing officers. Prices are being sought with a view to purchasing additional computers. It is considered an absolute necessity that each community housing must have a private office in which to conduct tenant interviews. The Director of Engineering Services is examining how this objective may be achieved

Financial and Resource Implications

The need for the NPARC to report financial data to ATSIC housing in a timely and correct manner is paramount to avail ourselves of available funding. We have experienced some difficulty in reporting to acceptable standards in the past but this should be over now. With the revised methods we have developed we should be able to conform to ATSIC housing reporting requirements in the future.

Urgently Needed Infrastructure:

- Injinoo Subdivision- There is few available vacant lots in Injinoo. This community requires at least a 15 lot Subdivision to meet planned housing construction over the next 5 years. Estimated cost \$1.2M
- Integrated Waste Management System- As the current NPA landfill is nearing the end of its life we need to develop a waste management system that will provide for the NPA for the next 50 years. Such a system may involve a single large landfill with transfer stations for each community. Estimated cost \$4M
- Upgrades & Repairs to Sewerage Systems- We are currently having problems with Injinoo, Umagico and New Mapoon sewer systems. Problems range from blocked sewers, pumps repeatedly failing,

leaks in rising mains and lack of holding capacity (Injinoo) during power outages. Estimated minimum cost \$250K

Action- Further planning will be ongoing and we are now at a point where we need input from the councillors and traditional owners. We should also be actively pursuing funding for these infrastructure projects.

NPARC Sewerage Pump Stations –

We find now also Bamaga's pump station requires an extensive overhaul. All pump stations now currently in use throughout the NPA need immediate and costly repairs.

Action- Repairs are underway on all pump stations, however it will cost around \$80,000.00 to bring them up to a minimum standard.

NPARC Staff Discipline & Behaviour –

All departmental managers are reporting an increase in unexplained absenteeism and declining work ethics.

Action- Recent disciplinary action has caused some improvement. Managers & supervisors have been advised to closely monitor and record all and any incidences.

Seisia Sewerage Scheme Rising Main -

The long overdue completion of this project has far reaching implications for the NPARC and NPA communities. Further housing development in Seisia is affected and M.I.P. funding in the NPA may be drastically reduced as a result of failure to complete this project.

Action- A cultural heritage assessment was recently undertaken by local elders to inspect the proposed alternative route with no issues being noted. With the lack of further discussion the matter is being referred to the CEO

Vehicle Radio Communications –

This item is back on the critical list. A recent review of work methods has highlighted the need for more 2-way radios in work vehicles.

Action – Austek Communications has been contacted with a view to providing more radios however project funding is yet to be clearly identified.

EPA Compliance – The NPARC has a number of critical issues to remedy to become fully compliant with EPA regulations. While there are many issues, the major issues are listed as follows:

- Sewerage Pump Station Repairs (Min \$80K)
- Extensions to the NPA Landfill (Approx \$40K)
- Remediation of illegal dump (Approx \$35K)
- Works to get the Bamaga Workshop full EPA complaint (Approx \$80K)

Action – Council is currently discussing the issues with the EPA.

Bamaga Housing Program – The Construction company has requested an extension of time to complete the 8 houses in Bamaga. The business owner has stated that their previous site supervisor for the project has caused some problems that have led to delays in the expected completion date (March 2009). This supervisor has been removed from the site.

A meeting was held at the NPARC Cairns office on the 24/3/09 to resolve the issues. Present for the NPARC were the Director of Engineering Services, Cairns Office Manager, Project Manager and the CEO. The owner of GE Constructions was in attendance. Also in attendance was a solicitor from the NPARC's appointed Legal Firm, Preston Law. The owner of the Construction firm was asked explain the cause of the delays and show how they intend to rectify the current situation.

It should also be noted that the construction company was awarded further house construction contracts late last year when they were fully compliant with their current contract obligations. These contracts are now under review pending a good outcome of the current situation. However, should we dismiss the existing

company from these new works and seek the next highest bidder, the NPARC will have to greatly reduce the overall scope of works on these new projects as the next lowest tender is considerably higher than the current firm.

Umagico & Injinoo Sports fields- We have successfully negotiated a suitable 'freight rate' for the turf and the project will commence as soon as all funding bodies confirm the money is available.

CEO – It is important that I inform Council that there is a possibility that this project will run over budget by an estimated \$60,000. It was necessary to progress this project immediately to prevent higher cost overruns, or lose the project funding altogether.

Umagico Sports Centre Stage 1- Tenders have closed and an evaluation process is underway.

Cr. Williams left the Chambers 2:05 PM

Resolution 5-15.04.09 That Council accept the Director of Engineering Report

Moved CR. Bond

Seconded CR. Aniba

Carried 5/0

Cr. Williams returned to the Chambers 2:18 PM

Agenda Item 8 – 2:18pm to 3:18pm Cairns Office Managers Report

General Report

Correspondence Management

Reporting Officer : Jeff Jenkins

Purpose of Report : Progress Report and Action Plan.

Roz Howland from InOrder will be returning to the NPA in early April as we have purchased appropriate storage containers for paper files for the NPA climate. Inorder will be creating a new files storage system.

Corporate Apparel including PPE

Reporting Officer: Jeff Jenkins

Purpose of Report: Progress Report

On my next visit to the NPA I will be making a handover with the Stores staff. All future orders will be processed through the Stores area.

Training

Reporting Officer: Jeff Jenkins

Purpose of Report: Progress Report

Staff are continuing to attend the six module training. Councillors have shown an interest in the training and Cr Nona and Cr. Bond have shown an interest in the training.

Asset Divestment - Seisia

Reporting Officer: Jeff Jenkins

Purpose of Report: To initiate divestment of Seisia enterprises.

The Technical Advisory Group (TAG) met on the 27th of February and raised a number of points that needed to be considered to ensure the process continued smoothly, the TAG arranged a meeting with representatives from the Seisia Community Torres Strait Islander Corporation.

This meeting was most beneficial and set a new direction for the divestment. A report will be presented to Council when the TAG has completed its review of the SCTSIC's request.

Asset Divestment - Alau

Reporting Officer: Jeff Jenkins

Purpose of Report: Progress Report on Alau Enterprises.

A draft Memorandum of Understanding has been forwarded to representatives from Alau Eagles Sporting Association and I am awaiting a response to the MOU. A public meeting will be held to present the proposal to the community.

Asset Divestment – New Mapoon

Reporting Officer: Jeff Jenkins

Purpose of Report: Progress Report on New Mapoon Enterprises

At the March meeting, Council resolved to write to New Mapoon Enterprises asking them to submit a request to divest. See report presented to this meeting.

Asset Divestment – Injinoo

I have been approached by representatives of Injinoo Enterprises asking about divestment. I advised them of the process and at the March meeting Council resolved to write to Injinoo Enterprises asking them to submit a request to divest. See report presented to this meeting.

Transfer of Sewerage Infrastructure Assets from TSIRC to NPARC

Preston Law has been instructed to draft transfer documents and I am still awaiting the final document.

NPARC Web Page

Currently negotiations are taking place between NPARC, Telstra, SOS Computing and Rutten Technology as to the best way of delivering the web page, Internet and Intranet with the technology available. This is still 'work in progress'.

Conferences

Reporting Officer: Jeff Jenkins

Purpose of Report: To update Council on Conferences attended.

Nil

Meetings

Reporting Officer: Jeff Jenkins

Purpose of Report: To update Council on meetings attended.

1. **Indigenous Coordination Centre** – I met with two staff from the ICC to discuss outstanding acquittals and the release of funds. The acquittals have been finalised and funds will be released for future projects.
2. **Australian Workers Union** – I met with the Union and Organised to discuss the Certified Agreement and visits to the NPA.
3. **Department of Local Government, Sport and Recreation** – I had a meeting with officers from the Department to discuss the release of funds to assist with the streamlining of the newly established accounting system. They have agreed to provide funding for this to occur.
4. **InOrder** – I met with Inorder to discuss the next stage of the Data Management project. Inorder has sourced storage boxes suitable for the NPA climate and will be moving our records into these new boxes in early April.
5. **Corporate Card Policy (FIN 001)** – Was presented to council and endorsed
6. **Recognition of Length of Service Policy (HR 005)** – Was presented to Council and endorsed
7. **Mayor** – commented on the work offered by Indigenous Community Volunteers (ICV) and the ICV can provide expert assistance with providing on-site advice to emerging enterprises.

8. **NPARC Working On Country Ranger Program** - Funding has become available from the Federal Government to assist with the provision of Rangers for the purposes of monitoring threatened species and re-establishment of habitat, mapping cultural sites, managing access trails in sensitive areas and managing visitation. Council is making a submission to obtain this funding to establish a joint NPARC / Traditional Owner Natural Resource Ranger Program.

Mayor – mentioned the Natural Heritage Trust 1 and Natural Heritage Trust 2 programs and the Sustainable Futures proposal. Sustainable Futures is attempting to setup an NRM Board in for Cape York communities, I support this submission and whatever programs council establish can dove-tail in with the Regional Boards objectives and programs.

Resolution 6-15.04.09: That council accept the Cairns Office Managers Report

Moved CR. Nona

Seconded CR. Aniba

Carried 6/0

The Cairns Office Manager table a separate paper for motion

1. Introduction

As part of the amalgamation process Council was required to consider the divestment of any assets that were transferred to it as a result of the amalgamation.

Council at the meeting of the 2nd of July 2008 expressed its desire to divest viable assets in an appropriate manner and at the meeting on the 7th of September 2008 Council adopted the Asset Divestment Policy.

2. Background

Prior to the amalgamation of the five Councils, and under the existing legal arrangements, each Council had the opportunity to operate enterprises that benefitted their respective communities.

All Councils established a diverse range of Enterprises that following amalgamation were required to be evaluated and either divested or retained and reinvigorated. Council has chosen to undertake the following process: a) establish a policy of divestment; b) establish a Technical Advisory Group; c) seek divestment applications from appropriate agencies and d) reinvigorate or retain some assets.

The Technical Advisory Group consists of a Lawyer, an Accountant/Probity person, a Business Advisor, and Industrial Relations person and a senior officer of the NPARC.

3. Report

Having passed the Asset Divestment policy at the meeting on the 7th of September 2008 Council now needs to implement the divestment process. The process will be as follows:

1. Under Section 492 of the Local Government Act 1993, Council will seek submissions from appropriate community not-for-profit bodies to which it would divest the assets.
2. The Technical Advisory Group will undertake a viability assessment that will include:
 - review of the enterprise's current operational model;
 - review of the enterprises or organisation's governance model;
 - financial history and current position including known assets, liabilities, future commitments and employee entitlements;

- asset inventory and management including replacement and upgrades;
 - land tenure or occupancy arrangements including ability to meet specific lease provisions, assignment of tenure or grant of appropriate tenure;
 - working capital requirements and future access by the enterprise to working capital;
 - reliance on government programmes or funding and assistance including CDEP and the impact of the assistance being removed;
 - amount of future NPARC resourcing required (if any);
 - land use and compatibility with surrounding land uses;
 - competition from similar established enterprises;
 - relationship with regional economy and transport network;
 - estimated refurbishment and maintenance costs required for the enterprise to be a “going concern”;
 - any identified risk factors including business and economic, environmental, community, council;
 - an assessment of social and cultural considerations;
 - any practical issues to consider;
 - any other relevant viability consideration identified by the NPARC.
2. The Technical Advisory Group will provide a report of their recommendations to the Chief Executive Officer.
 3. The CEO will provide a report to the Council.
 4. Council will make a recommendation based on the CEO’s report.
 5. The Officers will implement the Council’s recommendation.

4. Policy and Legal Implications

Council must adhere to Section 492 of the Local Government Act 1993 and to its Asset Divestment Policy.

5. Financial and Resource Implications

The Disposal of Assets is undertaken at no financial disadvantage to the Council. It also must not diminish Council’s ability to deliver services to its community.

6. Delegations/Authorisations

Within the delegation of the Northern Peninsula Area Regional Council as prescribed in the Local Government Act 1993, Section 492.

7. Communication

All staff will be notified of the divestment and appropriate discussion will be undertaken with those directly affected by the divestment.

8. Conclusion

That Council needs to commence the divestment process as per the Asset Policy guidelines.

Cr. Bond - How can the divestment groups / bodies get assistance with professional administration?

Cr. Lui – We need to get effective training from the top (Executive down to all enterprise employees)

CEO – As per the Mayor’s earlier comments, council will contact Indigenous volunteers Australia to investigate their opportunities to provide expert volunteers, and the council will provide assistance where required.

Resolution 7-15.04.09 – That Council invite New Mapoon Enterprises and Injinoo Enterprises to submit a request for identified assets within the New Mapoon Division and the Injinoo Division respectively

Moved CR. Williams

Seconded CR. Aniba

Carried 6/0

Agenda Item 9 – 2:45pm to 3:15pm Grants Officer / Finance Manager's Report

1. Practical System Conversion

Reporting Officer : Peter Anderson

Purpose of Report : Progress Report.

The Practical Accounting system was shut down for conversion at close of business Thursday 15th January and restarted Tuesday 20th January. The system is operational but only at the most basic level. It has been agreed that the General Ledger and Job Costing Systems will need to be restructured before any useful management or control reporting can be done. Additional skilled resources will be required. The Grants Officer has had his duties extended to assume responsibility for the councils Strategic Financial Direction.

2. Grants Files

Reporting Officer: Peter Anderson

Purpose of Report: Progress Report

The Grants Officer has located about 150 of the estimated 200 grant files in existence. Those files are now in Cairns Office. Little work has been done on the files themselves due to other priorities.

3. Funding Bodies Liaison

Reporting Officer: Peter Anderson

Purpose of Report: Progress Report

One of the key aspects of the task is liaison with funding bodies. Relationships with Funding Bodies are being treated as a priority and every effort is being made to keep them informed of progress. Extensive work has been undertaken with a number of them, including some longstanding problem areas such as the Umagico Sports Hall acquittal. DOTARS were finally prepared to accept our work and will be forwarding the final payment shortly. Roads to Recovery are a similar problem – being addressed in cooperation with Jim Foody.

4. Relocation of Grants Officer

Reporting Officer: Peter Anderson

Purpose of Report: Advice Only

The Grants Officer is now located in the Cairns Office, but is now spending 2 weeks out of 3 in the NPA.

5. Audit Results

Reporting Officer: Peter Anderson

Purpose of Report: Advice Only Update as at 3rd April 2009

Seisia 2007/08 - QAO Audit Report Issued – Unqualified

New Mapoon 2007/08 - QAO Audit Report Issued – Unqualified

Injinoo 2007/08 - QAO Audit Report Issued – Unqualified

Bamaga 2006/07 - We have been advised that the Auditor General will qualify this audit report based on issues with the closing 2006 stock figures. However they are happy with the closing 2007 stock figures so the qualification will not flow to the Bamaga 2007/08 report – for that reason at least.

Bamaga 2007/08 - The financials have been with the QAO for a week.

Umagico 2007/08 – The NPARC Contract Accountant is working on the final 8 queries from the contract auditors KPMG. The financial statements are being redrafted by BDO Kendalls and hope to have all materials to the QAO by the end of April.

6. Staff

Reporting Officer: Peter Anderson

Purpose of Report: Advice Only Update as at 3rd April 2009

Discussions have been held with staff at a number of levels. The purpose has been to assess their skills and desire for advancement. It has also been to inform any proposal to improve our efficiency of working by encouraging some staff to relocate. Staff have responded well and with a few exceptions, seem to be keen to help Council as it strives to improve and overcome the hurdles from the Amalgamation.

7. Financials

Reporting Officer: Peter Anderson

Purpose of Report: Advice Only Update as at 3rd April 2009

Council's cash reserves appear to be relatively stable and the CEO continues to impose the expenditure "safe mode" by mitigating unnecessary expenditure; however, without a financial reporting structure it is difficult to provide useful information for Council. Considerable efforts are being made to restructure the financial system at present. It is hoped that the new structure will be operational by 30th June 2009, or at least sufficiently soon after that to allow us a clear path to audit.

Resolution 8-15.04.09 – That council accept the Grant Officer Report

Moved CR. Lui

Seconded CR. Bond

Carried 6/0

<i>Afternoon Tea 3:00pm – 3:15pm</i>

Agenda Item 10 Mail Registers

Cr. Nona – In past meetings I have requested a couple of letters to be sent to me and I have not received them. CEO will investigate and ensure that all correspondence requested by Councillors is dispatched in a timely manner.

Resolution 9-15.04.09 – That the Inwards mail Register and the Outwards Mail Register is accepted

Moved CR. Lui

Seconded CR. Aniba

Carried 6/0

Agenda Item 11- Other Business

1. Cr. Williams - Fencing at the Primary school, has this been repaired
2. Cr. Williams - Toilets at Cemeteries, draft a design to build toilets.
3. Cr. Williams Forum Minutes - Action items to Danny
4. Cr. Aniba – Taps at Gazebo's can we have taps fitted to the pipes
5. Cr. Aniba – Toilet at the Seisia Car park (cleaning and maintenance)
6. Cr. Bond – Lights at the New Mapoon sports oval are being turned on and left on
7. Cr. Bond – Land between the school farm and cemetery, can council do a lease search on this parcel of land.

8. Cr. Bond – The vehicle (John Bond's work Ute) I am using for council business has bald tyres
CEO – Council will have the workshop provide a full inspection of the vehicle
9. Cr. Bond – I have noticed council vehicles at the boat ramp over the weekend
CEO to remind Directors that council vehicles are not to be used for private use
10. Cr. Nona – Housing, how do we go about working with the allocation process for available houses, what are the options and can we clarify this in a report to council.
Director of Engineering Services to investigate and provide a report to council
11. Cr. Lui – As a matter of urgency we need to develop Public Guidelines to give to community members that are seeking social housing.
12. Cr. Nona – The Injinoo Service Station would greatly benefit from the installation of an Ice Machine and a spare freezer for storage of the Ice
Director of Enterprises to investigate
13. Cr. Nona – Road around the lookout at Injinoo needs to be graded
14. Cr. Nona – The Injinoo Boat Ramp light is not working
15. Cr. Nona – what's happening with all the grass cutting around the community and particularly the cemeteries
16. Cr. Nona – Can we get a vehicle for the family to use to prepare for funerals.

BEL Sublease (Centre link Building)

CEO – Tabled a letter in relation to a sublease from Bamaga Enterprises Limited to Centrelink, of the Centrelink building on Adidi Street. This is a sublease under the registered Trustee Lease between NPARC (formerly BIC) and BEL.

Council received all previous documents from BEL's solicitor for consideration. This sublease has been proposed and discussed between the parties for some time (BIC and BEL), and was intended to commence upon construction of the building the subject of the lease. As previously advised, under the terms of the Trustee Lease, the Trustee's consent is required to formally register the sublease. This consent is set out by the Council executing the Form 18. Construction of the building was completed earlier this year. Since this time we have therefore attempted to progress the sublease to registration.

The 2006 BIC resolution consenting to the sublease included a resolution allowing the CEO to apply the Council seal to execute the Form 18. Since the resolution, this aspect was attempted to be finalised and two Form 18s were executed, the second after the first one was misplaced and unable to be located by BEL's solicitor, BEL or BIC's solicitors. BEL has a copy of the second Form 18 and has been trying to obtain a response from NPARC to ascertain the location of the original and whether this is at the Council office.

In the meantime, before the sublease could be registered due to the above, the amendments to the *Torres Strait Islander Land Act* occurred. This has required some liaison with the DNRW to amend the terms of the lease to reflect the new legislation. The substance of the sublease provisions have not, in the main, been affected. The changes are simply to either legislation references or replacing the reference to Ministerial consent with that of the Trustee (in accordance with the TSILA amendments) – Clauses A12, A14, A41.6, A46.9 and definition of 'Sublease'.

NPARC received

- (a) the previous version of the sublease considered by the BIC (28 Aug 2007)
- (b) the current version, following DNRW discussion, with marked up amendments (including the references to the sections of the TSILA the changes relate to) (Nov 08),
- (c) and the final, clean version of (b).

Recommendation – That council endorse the execution of the form 18a for the sub-lease between BEL and Centerlink as submitted to the NPARC CEO for signing. *Council unanimously endorsed the recommendation.*

Deputy CEO – Presented an application for exception Queensland Development Code – MP 4.2 (Water Savings Targets) and MP 4.3 (Alternative Water Sources)

The development code relates to the requirement to install rainwater tanks into each new dwelling being constructed, additionally the regulation calls for each rainwater tank to be plumbed into the dwelling. Council submits its request of application for exemption on the basis that to adhere to this regulation none of the funds would come from the house-holder leaving the costs to install the tanks would need to be borne by the grant providing the houses. This would result in a reduction in available funds to construct new houses in an area that has very high housing density rates.

Resolution 10-15.04.09 – That council support the submission of the exemption to the Queensland Development Code – MP 4.2 (Water Savings Targets) and MP 4.3 (Alternative Water Sources)

Moved CR. Lui

Seconded CR. Bond

Carried 6/0

<i>Meeting Close</i>

Meeting Closed 4:45 PM

Next Meeting – Wednesday 5th May 09 (Seisia)