



Northern Peninsula Area Regional Council

MINUTES OF NPARC ORDINARY MEETING NUMBER – 21 Cairns

Notification Date: Tuesday 3rd December 2009
Meeting Date Wednesday 9th December 2009
Meeting Location Novotel Cairns Oasis Resort
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 9:15AM – Mayor

- Apologies
 - Esme Newman
 - Queensland Libraries have sent there apology
- Declaration of Conflicts of Interest
Nil
- Declaration of Material Interests
Nil

AGENDA

Agenda Item 1 - 9:00am to 9:15am Minutes of previous meeting of 3rd November 2009

Recommendation: That the council endorse the minutes from the November Meeting as true and correct.

Moved: Cr. Bond
Seconded: Cr. Williams
Carried: 6/0
Resolution: 1-09.12.09

Requested changes: - Nil

Matters arising

Agenda Item 1 - 9:00am to 9:15am Minutes of previous meeting of 3rd November 2009

Mayor - Have we had any contact from the Dept of Housing?

CEO -We've had no contact, they may have contacted Jim Foody (Engineering Dept) to discuss the 40year lease arrangement and Capital works program.

Cr Bond -Docking at Seisia wharf, if there is a mooring and harbour charge? We can discuss the docking fees with Qld Transport latter today?

CEO - Queensland Transport will be giving a presentation toady and will be able to answer or get answers to our concerns with regards to marine fees and charges.

CEO - informed Council that the Director General of Main roads will meet with Council in February 2010.

CEO - Audits for NPARC will commence in mid January 2010. Council's next ordinary meeting is schedule for the 12th January; Council may need to hold a Special meeting in January for the acceptance of the 2008 to 2009 Audit Reports.

Agenda Item 2 - 9:15am to 9:30am Chief Executive Officers' Report

1. Fraud and Corruption Policy

CEO - Presented Council with the NPARC Fraud and Corruption Policy for endorsement.

Recommendation: That Council accept the NPARC Fraud and Corruption Policy

Moved: Cr. Nona

Seconded: Cr. Lui

Carried: 6/0

Resolution: 2-09.12.09

2. Threshold for Asset Classes

CEO presented Council with a policy – Non Current Asset Policy

Recommendation: That Council endorse the NPARC Non Current Asset Policy 2009

Moved:	Cr. Aniba
Seconded:	Cr. Williams
Carried:	6/0
Resolution:	3-09.12.09

3. Seisia to Bamaga Pipeline –Letter from Preston Law

CEO - informed council that no comments were received in relation to the release of the 24KA Notification for the Seisia to Bamaga Pipeline, and the project is now valid and can proceed. The model used to negotiate this project will be a model for future processes, of working with the Traditional Owners and the Apudthama Land Trust.

Recommendation: Council to note.

4. NPA News number 8 – Endorsed for release

CEO - Council Newsletters will need to involve more NPARC issues and regular comments from the Councillors about their communities.

Cr Bond- can we get a piece on TAFE Training / courses for local community to be included in training opportunities.

5. CEO – Tabled a recommendation that Council may need to hold a special meeting in late January 2010 to endorse the QAO findings on the 2008 to 2009 Financial Statements.

CEO informed council that the Audit Fees from the QAO will be in the order of \$172,000.

Recommendation: Council accept that a Special meeting be called in January 2010 to endorse the 2008 / 09 Financial Report and NPARC Annual Report

CEO - informed council of the poor situation surrounding employee performance and the large number of employees losing their licenses which is having a major impact on critical operations including curb-side collection of household waste and the ability to transport employees to the work-sites.

Cr Williams –what do we do with the unlicensed operators?

Cr Lui –we cannot just palm these employees (who have lost their license) on to alternate council work units? The consequence is - if a persons licence is crucial condition of his/her employment and he/she loses it, then this may result in the termination of employment.

Cr. Lui – the State police are enforcing drink driving offenses (Rio-Tinto has a very strict policy). A lot of cases are re-offenders, and mostly by our local community people.

CEO –HR Manager will be advised to ensure (where applicable), that a licence requirement is included in the recruitment documentation.

Mayor Elu – Reporting from the recent Minister Roundtable in Cairns – Council Mayors (at the roundtable) wanted the issue of *forced* 40 year leases to be established on all new house lots (or no money will be released), to be forwarded to a law firm to get Legal Advice – The State claims that this arrangement is legal – but this is a form of black-mail.

Cr. Lui – Why the change?

Cr. Elu – Some Council were too soft and did not collect rents.

Cr. Bond – What happens to the DOGIT?

Cr. Elu – The lease is from the State to the Council as Trustees, the DOGIT is unaffected

Cr. Elu – Discussion was made at the last Round Table where all the mayors suggested that an Independent Lawyer should be engaged to review and report on the DOGIT issues.

Cr. Williams – what about the tenancy lease agreement, is it not binding, can they force us to move

Cr. Lui – Is this issue an issue that needs to go the public arena

CEO – This is the responsibility of the Commonwealth and the State Government, to communicate the changes to the public.

Cr. Williams – I have seen a house that was built around the 60's and is now occupied, Q' Build are saying that it is still structurally sound, but it requires a further upgrade. The toilet door opens directly into the kitchen (health issue) and the front door lintel is below the standard height.

Cr. Williams - Private leasing to the local community needs to be established. What has happened to the home ownership program with IBA, DNR and ATSI housing?

Cr Lui – Council will need to have this on the agenda for the next meeting.

Cr Elu – Both State and Federal Governments are targeting local councils only, but it is their responsibility to inform the communities.

Recommendation: That council agrees to establish 40 years leases for new houses only, for those houses that are funded under the current 10 year COAG "Closing the GAP" funding allocation.

Moved:	Cr. Lui
Seconded:	Cr. Aniba
Carried:	6/0
Resolution:	4-09.12.09

CEO – informed Council that the position advertised for the Director of Community Services will be re- advertise due to current applicants not meeting the position’s selection criteria. Russell Symons who is currently acting in the position will continue for a period of 3 to 6 months until an appointment is made.

CEO –also informed Council that Payroll manager –Ms Kylie Sagaukaz has handed in her resignation after taking up an offer of employment from Queensland health.

Recommendation: That Council accept the CEO December 2009 Report.

Moved: Cr. Williams

Seconded: Cr. Aniba

Carried: 6/0

Resolution: 5-09.12.09

Morning Tea 10:15 – 10:30am

Agenda Item 3 – 9:30am to 9:45am Director of Engineering Report

Cr. Bond – The airport fencing contract is underway, council will be requesting the full financials for the project to assess the benefit of doing major projects ‘in-house’ as opposed to going to tender.

Cr Bond – the project is slow and is ‘dragging in’ additional council workers to progress this project I suspect that the cost will be higher than anticipated.

CEO – It will be interesting to see if the outcome is in line with the budget. (CEO will have the full financials ready for the February meeting 2010)

Cr Nona – I am receiving complaints about the state (cleanliness) of the Airport building the toilet is regularly out of toilet tissue and the bins are not being emptied (general public areas).

CEO – Kori Mason is employed as the Airport Manager. The Director of Engineering (Jim Foody) will need to look into this.

Cr Williams –There are local contract cleaners in the NPA if council should call for tenders.

CEO – Director for engineering and Council’s EHW workers will need to draft a tactical plan for Council with regards to public toilets and other council owned public assets.

Recommendation: That Council accept the Director of Engineering Report

Moved:

Cr. Williams

Seconded:

Cr. Nona

Carried:

6/0

Resolution:

6-09.12.09

Agenda Item 4 – 11:14 am to 11:23 am Enterprise Manager Report

Cr Lui – Animal Management Funding – Dogs are a major issue for the NPA and I have noticed a large number of dogs being kept at the Umagico Campground *Lodge*.

CEO – Council to note that there are no ‘stock control’ figures included in the Enterprise Financial reports.

Cr. Bond – There are no rental figures here for the New Mapoon Enterprises. The Director of Enterprise should include the rents for the Buildings (full financials) at each meeting.

Recommendation: That Council accept the Director of Enterprises Report.

Moved: Cr. Aniba

Seconded: Cr. Nona

Carried: 6/0

Resolution: 7-09.12.09

Agenda Item 5 – 11:10am to 11:40am Economic Employment Development Unit Manager Report

Cr Elu – The business proposal from Denis Getawan needs to be assessed by the EEDU and a report submitted to Council.

Cr Lui – Informed Council that the previous Umagico Council decision was to relocate an existing donga from the Service Station to the Umagico Camping Ground.

Cr Bond – The community needs to be notified of any animal baiting programs to ensure the hunters (both local and external) are not affected by the poisonous baits.

Cr Williams – In the past, there were signs displayed around the area informing communities before the 1080 Baiting had taken place.

- CEO will provide some advice on safety issues surrounding poison baiting programs at the next meeting.

Recommendation: That Council endorse the December 2009 report from the Director of the EEDU

Moved: Cr. William

Seconded: Cr. Bond

Carried: 6/0

Resolution: 8-09.12.09

Agenda Item 6 – 11:40am to 11:00am Senior Finance Manager Report

Recommendation: That council accept the December 2009 report from the Senior Finance Officer

Moved: Cr. Nona

Seconded: Cr. Lui

Carried: 6/0

Resolution: 9-09.12.09

Agenda Item 7- 11:15am to 11:30am Mail Register

Council noted the December Mail Registers

Agenda Item 8 – 11:45am to 12:00pm Other Business

Community Forums

1. New Mapoon Forum

Mensheds - to lease / license to occupy the Old Canteen in New Mapoon, the leasing arrangements will need to be in place prior to them taking control of the shed.

PCYC – Requesting office space in the youth centre in New Mapoon – Council agreed, the Director of Community Services is to prepare one page tenancy agreement

2. Bamaga Forum

Bamaga forum requested the NPARC to provide a letter of support to Bamaga Enterprises Limited (BEL) for the Bamaga IBIS store to be operated by BEL. Council agreed to provide a letter of support

CEO - IBIS currently has the Lease Title over the property. Council will write the letter to provide 'in principle' support.

Lunch 12:00pm – 1:30pm

Agenda Item 9 – 1.30pm – 2.00pm Ms Gillian Long NQ Regional Director, Dept of Infrastructure & Planning (Local Government)

Introduction by Mayor Elu

- **Water Services** -the NPA is one of the only local government councils that does not provide water services. Currently the water is delivered by government – via sunwater whose contract expires in 2011. All main stream Councils charge rates to deliver water services (user pays)

CEO – Given the importance and size of the decision to be made with regards to the water supply issue, we need to form a working group to assemble all of the operational, capital works (asset replacement) and other technical information before council can consider

accepting responsibility of the water services and assets. Council can only take on the water services if the service is sufficiently funded.

JL - All current JIHP (Health Infrastructure capital works program) funds are committed and there is no more beyond the current round of funding (the commonwealth has not partnered in new funding for an extension of the program).

JL - It is my understanding that future housing funds will be prioritised toward councils signing up to the 40 year leasing arrangement with the State Government to protect the government's investment in housing assets.

Agenda Item 10 - 2.05pm - 2.30pm Mr Rick Hanlon & Dale Treanor - ALF Cape York Re: Proposal

Rick Hanlon - AFL Queensland - New Mapoon Oval - Set up opportunities for the children to access AFL activities.

Dale Treanor - Visited the NPA with a AFL grounds-keeper to investigate what needs to be done to upgrade and maintain the fields.

- AFL Queensland requires 20 year leases over the field before we proceed.

Cr. Elu - this issue needs to go the New Mapoon Land Panel, then to Council for endorsement

- Some of the benefits of establishing AFL in the NPA are:-
 - Single men's quarters to be constructed for umpires and/or ground keeper.
 - Train grounds keeper for other fields and the AFL sports field.
 - Foundation - Kids making positive choices
 - Scholarship program

Agenda Item 11 - 2.38pm - 3.00pm Mr Ken McAndrews - Maritime Qld Re: Seisia wharf and marine infrastructure

- Provided some hand-outs (Seisia Jetty handed to the department in 1995)
- Needed to provide a more detailed management plan for marine infrastructure
- Qld Transport will remain the owner; council will be engaged to manage the assets. Appoint an officer with powers to make infringement notices
- Logging damage activities (daily / weekly inspections)
- Council will raise invoices and manage the collection of fees
- Fees collected would be collected by the council and forwarded to the department to be held for maintenance activities
- Anticipated revenue is in the order of \$195k (inc Gst)
- No fees have been collected since 2002
- The proposed fees are based on Thursday Island charges with 100% of the full charge achieved over time (starting at \$11:00 per tonne)

- Reduced initial fees of 50% for the first year with increases of 10% each year until it matches TI/target rates.
- Local officer at \$30k paid quarterly (can be reviewed)
- One-off payment of \$20k upfront for training and the like
- Review council local laws to authorise infrastructure officers
- Develop council reporting templates with the department (reporting to the Harbourmaster)
- Dredging in the channel will be required within the next 2 years (estimated cost of \$2M)

Cr Bond – once we have these charges applied to the carriers, the freight costs will increase and be passed on the passengers.

Afternoon Tea 3.00pm – 3.30pm

Agenda Item 12 – 3.30pm – 4.00pm – Ms Angelika Ziehl – Wild Rivers – Govt Wild Rivers

Steve Smith
Gillian McCloskey
Angelika Ziehl

The project team will visit with stakeholders – starting next week

- The Jardine, Jacky Jacky and Ducie river systems are rivers of interest for declaration under the wild river legislation

Cr Bond – sounds like things have changed a little – at a meeting I attended in Weipa, the participants assumed that no activities were permitted within the high preservation area.

Cr Williams – we were thinking of clearing land for growing trees

- The clearing of land is already regulated by the vegetation clearing act

Cr Nona – I would prefer that you negotiate through the Injinoo Land Trust for traditional owner consultation

General business:

Cr Bond – Funding for Roads and Drainage for New Mapoon (review of grants)

Cr. Nona – The community is keen for trees to be planted (around the service station area) and the parks (check with Cr Nona for the locations)

Cr Williams – Quarantine – If council produces fruit and vegetables, can we investigate opportunities for changes to the coastal zones for the shipping of fruit and vegetables to the communities to the south and take better control of monitoring the Zone.

Cr Williams – Council equipment for tender – I am very concerned that some council assets are being removed from the workshop to the land-fill area for storage \ auctioning purposes; and being removed by community members for personal use. An example is a

bob-cat loader which was removed from the dump by a community member, repaired and then hired back by Council??

CEO- to investigate

Cr Lui – I have been meeting with council and Cape PCYC officers to investigate setting up an NPA Sporting Association to manage all the sporting events for the NPA under one ‘umbrella’.

Cr. Lui - Football, this year the council –Sports & Recreation ran the rugby league; it appears that the system failed. The system has crashed and PCYC is ready to get involved in developing a new business plan. The NPA sporting association would be made up of stakeholders such as -AFL/NPARC/Qld Health /Qld Police /NPAWS /QRL

Council currently has lots of resources and no competitions, we need a mixture of sports such as – volley ball / boxing / basketball / softball.

CEO – The Director of Community Services needs to get involved in the establishment of sport and recreational services.

Meeting Close 4:34 PM

Next Meeting – 12th January 2010 Bamaga

Matters Raised by	Date Raised	Matters Raised	Responsibility of	Current Status	Estimated Completion Date
Cr. Nona	16.09.08	The sewage pump station at Injinoo has no holding capacity and will over flow within 4 hours of a power outage	Engineering Services	This requires a major upgrade to the pump station and inlet works. Engineering Service will investigate and provide report	Submitted to the Major Infrastructure Program for investigation (2010)
Cr. Nona	16.09.08	Injinoo lookout where the Army set-up its camp – can we get funds to convert the area into a historic site	Economic Development	Engineering Service to consult with the community & investigate and provide a Budget report	Ongoing
Cr. Nona	19.08.08	Injinoo Parks are need of irrigation systems.	Parks and Gardens / SunWater to assess and report		Ongoing (meeting arranged with the State and Commonwealth as of the 23.11.09)
Cr. Nona	19.08.08	With the high costs of Funerals, can the council consider producing locally made coffins to reduce costs and provide skilled employment	Engineering Service / CEO	Director of engineering to discuss with the NPARC Joinery staff	December 2008, reviewed and ongoing as-of December 2009
Cr. Nona	10.06.08	Can we investigate the opportunity to re-open the Injinoo Kiosk	CEO / Director of Engineering Services	Waiting for the electrical safety report	Ongoing – Investigating the opportunity to expand the Injinoo Service Station to provide limited food services (December 2009)

Cr Nona	10.06.08	Reported the Street Lights at the Boat Ramp at Injinoo are not working	Director of Engineering	Being investigated	Ongoing – Ergon to assess the street lights in the NPA and provide an estimate of cost as of October 2009
Cr. Lui	10.06.08	Can we provide house “green waste” bulk bags	CEO / Director of Engineering Services	Options Report	Ongoing – User pays for the service
Cr. Williams	07.11.08	Main Roads – Meet with Main Roads to review what is required to become a principle contractor before next wet-season	CEO / Engineering Services	Arrange meeting with Main Roads	Ongoing as of December 2009
Cr. Aniba	07.11.08	Lights at Seisia Wharf are not working and dangerous	Engineering Services	Write to the Department of Transport	December 2008 – waiting on a report to Council from QT due for the December 2009 meeting.
Cr. Aniba	07.11.08	Toilets at the Seisia wharf need repairing and maintaining - Seisia Supermarket and IBIS Bamaga need to be monitored as well	EHW / Engineering Services		Ongoing
Cr. Bond	Feb 2009	What has happened to the establishment of “council history artefacts” being set-up in display cabinets in each council office	Community Services		Ongoing
Cr Williams	April 2009	Toilets at Cemeteries, draft a design to build new toilets			
Cr. Bond	April 2009	Toilet at the Seisia Car park (cleaning and maintenance)	Community Services		
Cr. Lui	September 2009	Central Park Umagico – Basketball court surface needs urgent attention	Engineering Service		
Cr Bond	September 2009	Training for Land Panel and Councillors (Governance)	EEDU		

Cr Bond	September 2009	Policy for Cemetery e.g. distance between grave plots (to include marking and plot register)	Engineering Services		
Cr. Aniba	September 2009	Taps on Gazebo's – can the taps at public assets be replaced with tamper proof fittings	Engineering Services		
Cr Aniba	September 2009	Public Toilets – Safety issue (good signage)	Engineering Services		
Cr Aniba	September 2009	Sign 'Welcome to Seisia (burnt one to be removed)	Engineering Services		
Cr. Williams	September 2009	Swimming Pool Times (to be reviewed 9:00AM – 6:00PM)	Community Services Engineering Services		
Cr Williams	September 2009	Horses – Identify some land to detain horses that are found wondering the community – Fines etc..)	State / Council – Council will need powers under a local law process		Ongoing (as of December 2009) CEO has discussed council by-laws with the State
Cr. Elu	September 2009	Bamaga Gym – cables for the machines are broken and lighting and general maintenance is not being done	Recruitment of Community Services Director		
Cr Nona	September 2009	Fire Breaks – Review all communities fire breaks	Engineering Services		Review April 2010
Cr Nona	September 2009	Public Bus Service (Options report with costs)	Community Services	<i>Recruitment of Community Services Director</i>	
Cr. Nona	September 2009	Bus at Injinoo appears to be being used for private use.	Community Services	<i>Recruitment of Community Services Director</i>	
Cr Nona	September 2009	Bus Stop – pick-up at the top of the new subdivision (kids are currently walking down the hill)	Engineering / Community Services	<i>New sub-division due in 2010</i>	