



## Northern Peninsula Area Regional Council

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### MINUTES OF NPARC ORDINARY MEETING NUMBER – 22 Bamaga

<b>Notification Date:</b>	Tuesday 2 <sup>nd</sup> February 2010
Meeting Date	Tuesday 9 <sup>th</sup> March 2010
Meeting Location	Bamaga Conference Room
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
Finance Manager	Peter Anderson

#### Welcome and Declare Meeting Open – Mayor

- Apologies  
Cr Williams will later join the meeting.
- Declaration of Conflicts of Interest  
Cr Bond informed council about a possible conflict of interest

regarding the New Mapoon community forum's decision to support the Nai Beguta corporations coordinated by Ms Lizzy Bond (wife).

- Declaration of Material Interests  
Cr Aniba declared his position as the chair of the NPA-Ngnpui Ikya Ikama Education Council, and its request for council's support.

## AGENDA

### **Agenda Item 1 - 9:00am to 9:15am Minutes of previous meeting of 9<sup>th</sup> March 2010**

Cr Elu informed Council that the change of venue for March council meeting was due to 'sad news' at Injinoo, however the April meeting will be rescheduled for Injinoo.

#### **Recommendation:**

It is resolved that the minutes of the previous NPARC Meeting held on the 9<sup>th</sup> March 2010  
Be accepted true and correct.

**Moved:** Cr Aniba

**Seconded:** Cr Bond

**Carried:** 5/0

**Date:** 09/ 03/ 2010

#### **Matters Arising:**

Cr Elu requested if council had seen the letter regarding the Liquor Accord or attended the Meeting chaired by BEL General Manager, Mr Chris Foord.

CEO - informed Council that it refers to Wine Sales, and Cr Lui was not able to attend due to another meeting.

CEO noted that the director for Community Services did attend in Cr Lui's place and will be able to update council with some information. The AMP Review for the NPA is due in 2010, and this provides Council an opportunity to make a submission.

Cr Elu asked whether the \$40,000 increase in Audit fees also covered auditor's travel and overtime.

CEO informed councillors that council pays under the audit act, and because of the size of the Audit fees and charges, there needs to be a payment plan in place to help Council cover the cost..

The CEO informed council of the exit audit meeting held at Cairns office, and highlighted that there are a few 'moderate risk' audit issues that need to be addressed. - Eg. The beneficial ownership of monies that are left in the NPARC -Injinoo Trust Fund need to be determined.

## **Agenda Item 2 – 9:15am to 9:30am Chief Executive Officers’ Report**

### **Queensland Audit Office.**

CEO informed council that the 2008 -2009 final letter from the audit was received with fee of \$154,000.

Cr Elu – asked for the audit fee and costs to other local government councils within the state

CEO – informed council that the overall additional audit charges to council so far to date is \$300,000 and council will write to the Queensland government seeking to replace the funds lost since amalgamation and funds which were wasted by the LTC.

Cr Bond – asked whether Council pays Fringe Benefits Tax on Council vehicles?

CEO informed council that the Fringe Benefits tax is paid out of council own -use funds and is paid on passenger vehicles only, excluding troop carriers and utility type vehicles.

Council have paid \$43,000 on FBT through Pacifica and as agreed for the 2008-09 FBT year.

### **Recommendation:**

That Council note and adopt the QAO Audit report and recommendations.

**Moved:** Cr Lui

**Seconded:** Cr Aniba

**Carried:** 5/0

**Dated:** 09/03/2010

### **NPARC Non Current Asset Policy.**

CEO informed council that ‘Cardno’ is currently assisting with the council asset register; and Mr Anthony Wright is given the task to write off the old assets inherited from previous councils – where such assets no longer exist.

### **NPARC Finance Delegations Policy.**

CEO comment on the structure council has adopted since March 2008, that it was a ‘flat structure’ and is relevant to the way Council works. CEO has created Financial Delegation Policy for council staffs in taking responsibility when committing council funds.

Cr Elu – Council will need to maintain a register of delegated officers. CEO noted that we do have such a register and each delegated officer receives a letter advising the limit of their delegation.

CEO noted that the Purchase Requisition is the key accountable document. He noted it was acceptable for staff other department officers to sign off on Purchase Orders if the requisition authoriser is not available to sign the order.

**Recommendation:**

That Council accepts the Financial Delegation Policy, that it will remain in force otherwise determined by council.

Adopted 9<sup>th</sup> March 2010

Due for Revision: 06/03/2011

**Moved:** Cr Nona

**Seconded:** Cr Bond

**Carried:** 5/0

**Date:** 09/03/2010

**NPARC MIP Funding Submission**

CEO informed council of the current issue being raised by the TSIRC regarding the original funding agreement to previous 'Island Councils' in NPA, Their argument is that the MIP funding should not apply to the three Aboriginal Communities on the Cape. Our argument is that there are two grantees under the MIP agreement. One is TSIRC, the other is NPARC. It is not NPARC without the three Aboriginal Communities.

The CEO will be meeting with TSIRC to clarify the matter.

Cr Bond- queried on the Local Indigenous Partnership Agreement (LIPA)

Cr Elu – informed council that the Local Government Champions will next visit on 10-13th May 2010. In attendance will be Brian Gleeson from Minister Macklin's Office, the Coordinator-General, together with Mike Fordham from the ICC as well as Alan Tesch and Barry Leahey.

**Permits Cape York Tourist 2010**

CEO informed council of the process under the Office of Liquor & Gaming regulation for tourists visiting Cape York and the need to provide a response under the Liquor Act 1992.

**Recommendation:**

Council has no objection for tour operators applying for restricted area permits under the liquor Act 1992 during 2010 tourist season.

**Moved:** Cr Bond

**Seconded:** Cr Williams

**Carried:** 5/0

**Date:** 09/03/2010

**Newsletter –Edition No. 11**

Cr Aniba –highlighted that Cr Nona was left out of the photo and to make mention to include her.

Cr Williams – spelling 'Locherbie' is incorrect –the correct spelling is 'Lockerbie'.

CEO- called for Councillors to assist in evaluating the arts in the competition.

Cr Williams – Informed council that because of extended family ties, that he will be unable to sit on the panel

Cr Elu has agreed to sit on the panel for the Arts competition.

CEO called for additional panel members to be sought from State Police, the Justice Group and Queensland Health.

Council endorsed the publication of the 11<sup>th</sup> Issue of the NPARC Newsletter.

Moved: Cr Williams

Seconded: Cr Nona

Carried: 5/0

Date: 09/03/2010

**Recommendation:**

That Council note and accept that the report given by the Chief Executive Officer for the Council Meeting of Tuesday 9<sup>th</sup> March 2010.

Moved: Cr Aniba

Seconded: Cr Bond

Carried: 5/0

Date: 09/03/2010

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

CEO -informed Council regarding issue raised by Cr Williams at February's meeting. A letter will be sent to contractors for unauthorised access to Council gravel pits. Mr Foody to provide information on these activities.

Cr Nona - highlighted concerns that community parks and garden are not properly managed.

CEO - requested that the Director for Engineering and the Works manager be asked to attend the April 2010 council meeting.

Cr Lui - our CDEP employees need to be aware that after 2012, there may be no employment for them through council should CDEP cease to operate.

CEO - informed council that CEO & Staff will work with councillors in regarding the MIPS program- community planning etc.

CEO - Informed Council that a letter was provided to Regional Pacific Airlines regarding their outstanding balance for avgas and landing fees.

CEO - responded to a question from Cr Williams about the Airport fencing job. It was noted that the original tenders were much too expensive for the funding available. The tender has been changed to "supervision only" tender. The CEO noted that we should not proceed with jobs unless we are fully funded to do so - otherwise the problems end up in the Council's lap. Cr Nona - highlighted the termination of tenancy agreement for deceased community members and the need for housing officers to involve councillor in housing allocation. In one example the same house was allocated twice. It was agreed that the CEO will follow up the matter.

CEO- advised council that CEO will draft a quick check list for all applicants.

Cr Lui -highlighted that council need to established a process and a check list for all tenants before allocating the property. Ie. employment, renting history etc.

Cr Williams raised the issue of Parks and Gardens. He told Council that all the equipment gets taken to Bamaga where it is not properly maintained. He thought it would be better if each Community had its own gangs and own equipment stock.

Cr Lui noted that there are about 80 to 100 people in Parks and gardens and that it is a dumping ground for staff who cannot work anywhere else and for people who have lost their licence. He said that the only reason they survive is because of the numbers.

Cr Nona expressed disappointment with the job which Parks and Gardens staff had done at Injinoo. Too much had been missed.

It was suggested that Jim and Nick and possibly Titom should attend the next meeting.

Request from Cr Williams. Can councillors be involved in the planning of new subdivisions? CEO said "Yes" the planning for a new subdivision will be part of the MIP Planning.

Cr Nona asked about progress on the Injinoo sports field. The CEO told the meeting that the Injinoo Sports field was going to be attended to after the Umagico sports field. He noted that the problem was to secure an independent source of water to ensure the grass stayed green. He noted that they were about to undertake a pump test on the Injinoo bore to see if it could sustain sufficient volume .

**Recommendation:**

It is resolved that the Director of Engineering Report for the Council Meeting of the 9<sup>th</sup> March 2010 be accepted.

**Moved:** Cr Bond

**Seconded:** Cr Williams

**Carried:** 5/0

**Date:** 09/03/2010

**Agenda Item 4 – 9:45am to 10:00am Senior Finance Officer Report**

**Recommendation:**

It is resolved that the Senior Finance manager Report for the council meeting of Tuesday 9<sup>th</sup> March 2010 be accepted.

**Moved:** Cr Lui

**Seconded:** Cr Aniba

**Carried:** 5/0

**Date:** 09/03/2010

**Morning Tea 10:00am – 10:30am**

**Agenda Item 5 – 10:30am to 10:45am Enterprise Manager Report**

**Recommendation:**

It is resolved that the Enterprise manager report for the council meeting of Tuesday 9<sup>th</sup> March be accepted.

**Moved:** Cr Aniba

**Seconded:** Cr Williams

**Carried:** 5/0

**Date:** 09/03/2010

**Agenda Item 6 – 10.45am to 11:00am Director of Community Service Mangers Report**  
**-Russell Simons Presentation.**

**Weed it Out Program** –with Crime Stoppers team includes John Harris program coordinator, Gary Hunter of Cairns police drug squad, and Kevin Gowan –Snr Det. Northern Drug Squad.

Gary Hunter – introduced the program and updated council with the current situation regarding the use of drugs (marijuana) and other illicit substances by Community members and even children under the age of 10years.

Cr Lui – asked whether Crime Stoppers was Active in NPA?

John Harris - Crime stopper is active nationally, with all information collected and kept in confidence. NPA is the first on trial for the Cape. He noted that there has been an increase in cannabis usage in the Indigenous Communities and suggested that this may be due partly to the Alcohol Management Plans in place. Some people are changing their substance abuse habits to counter the reduced availability of alcohol. He also noted the high cost of drugs in remote communities. One gram of cannabis might cost \$20 in Cairns, but it would cost as much as \$70 in a remote Community. For Crime Stoppers to be successful there needs to be identification of Growers and Distributors.

Cr Lui asked how many calls had been made to crime Stoppers. He was advised that only 1 call had been made last year. The Police assured Council that people providing information to crime Stoppers would remain anonymous.

Cr Lui told Council that there needed to be support for residents to stop importing and using dangerous substances. He was concerned, however, that a crackdown on alcohol, cannabis and speed might simply drive people to take up sniffing petrol, glue etc.

Russel told the meeting that people need to have “Quality of Life” outside of drugs. He thought an Outdoor Pursuit Centre would be a good idea.

Cr Elu said the issue was one of jobs – (or lack of them)

CEO – informed council of the ‘Respect NPA’ and the logo design which will be used at the NPA Show 2010.

Cr Elu – reminded council about previous discussion at an AMP workshop in New Mapoon. That AMP had promised to construct a Rehab Centre for the community - which has not happened so far?

CEO- informed council that a Draft of the billboard will be forwarded to Crime stoppers.

**School Buses.**

Community Services Manager informed council of the current increase with the school bus usage; from a count of 78 in 2009 to 236 in 2010. Mr Symons said he was working on resolution to the problem of needs for busses. This includes Bus stops, Bus routes and schedules.

It was agreed that after the Council meeting there would be discussions between the CEO, and the Directors of Engineering and community Services. It was agreed that Community residents using the bus services need to make a contribution towards the services they receive.

**Funeral Costs.**

Cr Nona – council to investigate the funeral expenses and claims by Funeral Director at Thursday Island. The Centre link Funeral Assistance Claim includes caskets delivered to gravesite.

Cr Nona – Council look at the possibility of constructing caskets locally to assist the community.

**New Mapoon play grounds.**

Cr Bond – informed council that the New Mapoon disability playground currently has further delays and need to start the construction.

**RIBS Operators.**

Cr Williams – RIBS programmer to be encouraged to do live interviews during community activities.

**Community Police.**

Community Services Director informed council of the current situation regarding the community police.

The CEO noted that there are numerous issues which need to be fixed and that the Community Police as a whole group need to be on an improvement plan. He noted that the police had ‘damaged’ the engine in one of the Police Utilities because they ran it without water in the radiator until the engine seized.

The CEO noted that when the local police station goes to a 10 man station, 4 of those positions will be QATSIP’s. He noted that our current community police have a good chance of securing those positions.

Cr Lui – Community police to utilise the Tenancy Laws to enter property.

CEO – informed council of the community Bi Laws being unified to the Local Laws.

CEO – requested that the Director of Community Services provides Council with a recommendation regarding the future operation of the Community Police. CEO highlighted that fundamentally the community police does utilise councils funds, time and assets. A report to be tabled before the Council at the June 2010 meeting.

Referring to the Liquor Accord, Mr Symons suggested that the Community Forums could be a good way of getting information to Community members. The CEO noted that under the proposed new Local Government Act, the Community Forums may be optional only. He suggested that Public Forums may be a better method.

The Director of Community Services commented on progress with the All Abilities Playground at New Mapoon. The project manager is the Centre for Appropriate Technology (CAT) and they are outsourcing the engineering aspects of the project. Mr Symons noted that he would be meeting with CAT later in the day to establish both a project and construction time line.



The subject of funerals was discussed. Mr Symons to follow up on this matter. It was noted that coffins must come from Thursday Island, but they are of poor quality. Mr Duncan commented that we need to have the ability to make coffins in the NPA, pointing out that this suggestion had been raised 6 meetings ago.

Cr Elu commented that there needs to be a proper undertaker available on the NPA and they need a proper business structure and planning to make the business viable.

Cr Williams asked where the RIBS/BRACS service was at. He noted that there used to be interviews and videos for the interest and education of Community residents.

Mr Symons told the meeting that the changes to the system were only to do with broadcasting and that the improvements have got rid of the lack of compatibility between the previous five old systems. There is also a far greater coverage than was possible before.

Mr Symons told the meeting that Cheryl Howell, who is an arts administrator, will be available to assist the New Mapoon Arts and crafts staff. He noted that the Arts support function was supposed to help the local artists rather than provide facilities for the staff to pursue their own artistic talents. To this end, Agnes Mark and Susan Kennedy are enrolled in a micro-business skills course at the TAFE College.

**Recommendation:**

It is resolved that the Director of Community Services Report for the Council Meeting of Tuesday 9<sup>th</sup> March be accepted.

**Moved:** Cr Nona

**Seconded:** Cr Lui

**Carried:** 5/0

Date: 09/03/2010

**Agenda Item 7- 11:15am to 11:30am Economic Employment Development Unit Manager Report**

Cr Elu - informed council in regards to the election of the new Cape York Regional Natural Resource Management Board. He said that the new board will be made of 10 members of which 5 members will be local indigenous people.

Cr Elu also informed Council that the terms of the board will be from the 30<sup>th</sup> April 2010 to 30<sup>th</sup> June 2013. Nominations are now in place for the representative of the 6 sectors in the board. He noted the importance of having representation on the Board, because it is this Board which will control the distribution of the funding to Natural Resource Management.

**Resolution:** That Cr Elu is nominated by the NPARC to represent the Local Government Sector in the Cape York Regional NRM Board.

Moved: Cr Bond

Seconded: Cr Williams

Carried: 5/0

Date: 09/03/2010

**Recommendation:**

It is resolved that the Economic Employment Development Unit Manager report for the Council meeting of 9<sup>th</sup> March 2010 be accepted.

**Moved:** Cr Nona

**Seconded:** Cr Aniba

**Carried:** 5/0

**Date:** 09/03/2010

**Agenda Item 8 – 11:45am to 12:00pm Mail Register****Recommendation:**

It is resolved the Council note the Inwards & Outwards Mail Register.

**Moved:** Cr Lui

**Seconded:** Cr Williams

**Carried:** 5/0

**Date:** 09/03/2010

**Lunch 12:00pm – 1:30pm****Visitors.****Agenda Item 9 – 1.30pm – 2.00pm Ergon Energy- Power Savvy Presentation**

Presentation is made by Grant Berendoff, Ms Wendy Phineasa and Ms Leonie Christian.

- NPA & TI are a test case to all remote community, targeting the amount of energy consumed by householders.
- Ergon Energy team will be visiting householders to provide information on energy saving tips. They noted the big energy users are air conditioners and old style fridge/freezers.
- Qld Government current subsidy plan on installation of Solar Panels, with Ergon supplying Council 4 x PV System installed at council buildings.

Cr Elu asked if the Ergon staff could come back to Council in June or July to report on their house to house visits.

**Agenda Item 10 – 2.00pm – 2.30pm State Police (Bamaga), NPA Issues**

Sergeant Dave Rutherford informed Council regarding the traffic violation where vehicles are seen carrying people in the back of the utility.

CEO – Council will purchase road signs and install them on the Pajinka road.

Sergeant Rutherford –also suggested that ‘no standing’ signs for vehicles at the Bamaga Bakery and after hours 10pm – 6am. This will then allow State Police to monitor people who leave the Tavern and simply go across the road and stand around the Bakery.

Sgt Rutherford noted that the plan is not to prohibit drinking, but to promote responsible drinking.

Sgt Rutherford told Council he was concerned that the AMP was not working. Cr Elu noted that when the AMP was brought in to Palm Island the takings of the Island store dropped by 40% because people simply took their pay packets across to Townsville and returned later "drunk and broke".

Sgt Rutherford felt that there needed to be more support for people such as a de-tox centre and a half way house. He said that domestic violence increases when people cannot get access to drugs or alcohol.

CEO noted that we need local solution for this local problem. Cr Lui told the meeting that Mossman are trialling a curfew on wine sales limiting availability between 10am and 4pm. Wine is the most popular drink for its high alcohol content.

Sgt Rutherford noted that there has been an increase in the number of drink-drivers and un-licensed drivers. He noted that it is also important that people do not ride about in the back of Utes.

In response to a question from Cr Williams, Sgt Rutherford told the meeting that a person did not need to have a gun, in order to hold a fire arms licence. However, if they did own a gun, then they did have to be licensed.

Sergeant Rutherford -informed Council regarding the AMP Liquor Accord and the amendments, which are due for review. The school attendance has now increased to 85% in 2010 compared to 62% in 2009.

CEO informed Sergeant Rutherford of council intention regarding the future of the Community Police.

#### **Agenda Item 11 – 2.30pm – 3.00pm Other Business**

##### **New Mapoon Community Forum**

Council endorsed the request to support Nai Beguta Agama Corporation's letter for temporary accommodations for Child Safety worker and Child safety Halfway house.

Council endorsed the request for New Mapoon Enterprises Office space under the divestments arrangement with 12 months no rent charges, as requests by the previous New Mapoon council.

##### **Cape York Traders – Transfer of Commercial Tenancy Agreement**

Council endorsed the transfer of Commercial Tenancy Lease Agreement on property 202 Lui Street, submitted by Keiron Young to Fabienne Blanco. Endorsed - unanimous

##### **Ngurpai Ikya Ikama Council.**

Council endorsed the letter of support of NPA- Ngurpai Ikya Ikama Education Council NPA to provide an office space at Seisia.

##### **NPA Family & Community Services ATSI Corporation**

Letter was tabled requesting Land needs for NPA Family & Community Services ATSI Corporation

**Lot 300 Adidi Street**

Seeking support from Council for their organisation to utilise on Lot 300 Adidi Street for the purpose of extending the NPA Family Resource Centre allocated funds of \$10m from Federal Indigenous Health Minister Warren Snowen. It now only a matter to sort out the land issue before this project can commence.

Also tabled for Council review was a letter from Bamaga Enterprise Ltd supporting NPA Family & Community Services ATSI Corporation

**Resolution:** That Council support and approves the lease to NPA Family Community Services ATSI Corporation to allow the expansion of the Centre.

Moved: Cr Nona

Seconded: Cr Lui

Carried: 5/0

Date: 09/03/2010

**House Blocks Required**

With approved funds they are also requesting 5-8 residential blocks to build staff housing.

Council at present have no current blocks available.

**Lot 239 Little Lui Street**

Require this block to operate a Safe house for children requiring placement with foster carers in the NPA and would like to extend existing women shelter.

Cr Williams advised council that this block was currently leased by Mr Kenny Newman on a perpetual residential lease.

CEO was advised to investigate further into this matter.

**Afternoon Tea 3.00pm – 3.30pm**

**Other Business Councillors****Cr Williams**

Jehovah Witness

Are seeking a block of land allocated in Lui Street next to Catholic Church.

CEO advised that they needed to approach this matter to Bamaga Community Forum and Land Panel.

**Cr Bond**

PCYC

PCYC is requesting that Council install a kitchen at the New Mapoon Youth Centre to cater for their activities, approval was granted by the New Mapoon Community Forum under the condition that PCYC is fully responsible for the maintaining of this facility.

**Cr Nona**

**Audit Report**

Cr Nona congratulated CEO and Finance Manager on Council outstanding efforts on the unqualified audit.

<b>Meeting Close 3.30 pm</b>
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**Next Meeting – 7<sup>th</sup> April 2010**