



Northern Peninsula Area Regional Council

MINUTES OF NPARC ORDINARY MEETING NUMBER 28 – Cairns

Notification Date: Tuesday 1st June 2010
Meeting Date Tuesday 6th July 2010
Meeting Location Cairns Pacific International
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
Director – Finance	Peter Anderson

Welcome and Declare Meeting Open – Mayor 9:15am

- Apologies

Mayor welcomed and introduced the new Director of Finance, Mr Andy Smith.

- Declaration of Conflicts of Interest
Nil

Mayor announced that the new NRM Body is now formed and that the Mayor and Cr Williams declared conflict of interest being elected as the Chairman and a Community member on that board.

Declaration of Conflicts new Act released July 1st 2010.

CEO- congratulated both the Mayor and Cr Williams

- Declaration of Material Interests
Nil

AGENDA

Agenda Item 1 - 9:00am to 9:30am Minutes of previous meeting of 1st June 2010

CEO, found numerous statements that would have to be amended in 1st June 2010 minutes as follows:

Page 2 : Paragraph 5 - Page 4 – adding to his portfolio

Page 2 : Paragraph 9 – Special Budget Meeting was now in Bamaga.

Page 3: Paragraph 1 – New Tip sign

CEO- informed council that the 'tip' sign at the Pajinka was again relocated to higher ground at a safer place, and from the tidal water mark.

Cr William questioned whether the Member for Cook was aware of the rust shown on sign that he donated.

CEO advised that it had also cost council \$2,500 to erect that signage

Cr Williams suggested that an article on the Cape York Tip Sign be put into the Torres News.

Recommendation:

That Council noted and accepted the changes to the previous minutes of 6th July 2010.

Moved: Cr Bond

Seconded: Cr Williams

Carried: 6/0

Dated: 06/07/2010

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

Finance Manager provided handouts to council.

CEO stated that in line with the new acts, a review of the previous acts would be taken to the community and collect previous councils documents to prioritise and build into this council corporate plan between 3 parties – Council, Council's principle contractor and the Land trust. CEO will oversee the program.

1. NPARC Total Management Report Project

- Project Process Report
- Local Government Act 1st July 2010
- Next meeting all Executives to do presentations to give feed back to their communities.
- Presentation to Tradition Landowners
- Site survey/ monthly report
- TSRA \$200,000 to start Injinoo sub-division
- \$800,000 complete seal roads to airport Roadtek to assist.
- Professional/Finish on time
- Relationship with funding provider
- Main roads with Council with local contractor and tender projects.

2. CDEP – TSRA Program

- Senior staff/commonwealth
- Risk for council to much workload/payroll expectation

CDEP workshop on 16th August 2010 in Cairns

3. National Awards Asset & Finance Management

CEO congratulated Council on the acceptance of the award.

4. NPARC Re-construction Expenses – Minister Desely Boyle (correspondence)

CEO advised for Council information that a letter was sent to Minister Desely Boyle

5. Land Trust – Local DOGIT area

Ranger caring for country

Copy of letter/copy of map

Recommendation:

That Council note and accept the Report given by the Chief Executive Officer for the Council Meeting of Tuesday 6th July 2010.

Moved: Cr Lui

Seconded: Cr Williams

Carried: 6/0

Date: 06/07/2010

Agenda Item 3 – 10:30am to 11.00am Director of Engineering Report

Cr Bond questioned if there are funds for the car park at Seisia new ramp.

CEO reminded council that the new boat ramp given the current state is being forced into council's hand.

Cr Elu questioned if there is a different funding for the repairs on the Wharf.

CEO input on the original projects which was estimated \$100,000, Qld Transport funded only \$80,000, Council needed to consider weather or not to take on this project. Council would then inherit other structural problems, the current maintenance needed to be dealt with before submitting any tenders for these projects.

CEO advised that these issues would come under the MIP project

Cr Bond raised a concern that it is unsafe with having no lights at the wharf and boat ramps. Especially with the sighting of crocs at the water fronts.

CEO advised that Queensland Transport will be notified of these issues.

9.45am CEO introduced senior staff – Annette King – Grants Manager & Hanna Woolcot – Grants Officer Assistant to Councillors.

Cr Nona enquires about the turfing at Injinoo Sporting oval.

CEO advised that discussion was made with Sunwater, to tap into untreated water main to water the Umagico and Injinoo ovals. CEO will meet with councillor and provide update at next Council Meeting.

Cr Lui – noted that the current sand pit between Umagico and Injinoo is closed and stated his uncertainties of erosion if sand was then to be taken from between Umagico and Seisia. Cr Lui mentioned that council would need to look at an environmental study up front. Cr Lui also stated that Umagico currently have no land panel to provide recommendations, but would be happy to meet with the traditional owners before making a decision.

Cr Williams -highlighted that the Director of Engineering Services need to provide council with a proposal of a future 10year plan for a new Sand pit, without using the coastline, and a new dump site. Current dump site should be a residential subdivision.

Cr Nona informed council that the traditional land owners gave the Director of Engineering Services some options for a sandpit, and between Umagico and Seisia was his choice given that it is closer to town.

Cr Nona said the previous Injinoo council have also taken sand from the Muttee heads sand dew.

Cr Lui informed council that the regeneration and rehabilitation is currently an issue we have with the current sand pit. Our beach front should be prime real estate.

CEO highlighted that council need to have the MIPS program in place to properly manage the area including the residential area, sand and gravel quarry issue rehabilitation issues, the relocating of the batching plant and its local traditional owners.

Cr Lui enquired about the Airport Fencings.

CEO replied that it's now completed.

CEO also informed council that the Regional Airlines have gone 'belly up' and will no longer provide service. Regional Airlines knew they could not provide further services to the NPA, but continued to refuel their aircrafts. Council have now engaged legal services to recover the cost.

CEO mentioned that Skytrans will put on extra flights with specials discount fares.

CEO also mentioned that at his recent meeting with Seaswift, that their freight concession rates according to their books is only 4% profit. Seaswift has also decided to provide council a discount rate for the NPA Show.

CEO informed Council aware of the Airport not being up to standards with cleanliness.

Recommendation:

It is resolved that the Director of Engineering Report for the Council Meeting of Tuesday 6th July 2010 be accepted.

Moved: Cr Aniba

Seconded: Cr Williams

Carried: 6/0

Date: 06/07/2010

Morning Tea 10:00am – 10:30am

Agenda Item 4 – 11:00am to 11:30am Senior Finance Manager Report

The current Director of Finance advised Council that this would be his last report he will submit to Council, the new Director of Finance Andy Smith will now be taking on this role.

The Director of finance also stated that the 2009 -10 roll over is now completed. The council creditors are currently \$64,000 with the debtors at \$2m with most of the amount inherited from previous councils. The Finance section current exercise is to review and to collect as much as we can.

Deficit budget is a worry and council can only do so much.

CEO informed council that there was a lot of staff(s) doing overtime without any authorization, A memo was sent out to all staff. That overtime must be approved by directors before doing the work.

Cr Nona enquired about the traditional owners' trust fund.

CEO mentioned the ticket sale at the Jardine River contribution to the Land Trust account show \$40,000 in the bank.

Cr Elu questioned was rent still the major debt issue.

Director of finance mentioned that the debt was from the legacy councils.

CEO advised the housing movements of tenants that were not followed up, and a forensic analysis would need to be done.

It was an ongoing issue with family history of rent then pass through council legislation act.

Mayor suggested that Council should be looking after their own housing affairs.

CEO advised that Council is still waiting on the officers from the Department of Housing - program office.

Cr Lui – in the meantime while waiting on the department our debtors were increasing.

CEO advised that the housing debtors list will be separate from the age debtor report.

Cr Lui questioned what happens with deceased tenant's rental charges?

Director of Finance advised in cases as deceased tenants write off.

Cr Lui arise the matter of whether our housing data was mainstream like ATSI housing.

Cr Elu confirmed that this is why it was difficult to monitor bad rental tenants.

CEO advised this was one of the issues to bring up with the Department. CEO will write a letter with the Mayor to sign.

Cr Elu mentioned that if the Housing Department do not come to us, then this council will need to put forward its plan to manage these houses.

Director of Finance commented that the Department of Housing was not as keen as council to resolve these debtors.

The new Director of Finance commented that the aged debtors are noted in the Auditors' report.

Cr Williams said we needed to recover debts if council don't do anything the department will say we can't cope.

The new Finance Director will have further discussion with the Housing department.

CEO mentioned that the Debtor accounts would need to be separated, with housings on a separate report.

CEO mentioned that council to consider evicting tenants and garnish through court.

Cr Williams asked why weren't these tenants evicted these were the same offender what are their reasons, there was no excuse.

Cr Lui mentioned if there is a data base for all NPA tenants and a link to the housing commission data base? This would assist us with the movement of tenants that they cannot pay a minimum rent here in the npa but can afford to pay rent in Cairns.

CEO advised that Department of Housing was to implement the policy to following up at the next meeting.

Cr Elu stated that Council appreciates and would like to thank Mr Andersen of his role as the Finance Manager for the past 2 years and welcomed Mr Smith. Who is the newly appointed Finance Director.

Recommendation:

It is resolved that the Senior Finance Manager Report for the Council Meeting of Tuesday 6th July 2010 be accepted.

Moved: Cr Williams

Seconded: Nona

Carried: 6/0

Date: 06/07/2010

Agenda Item 5 – 11:30am to 12:00pm Director of Enterprise Manager Report

Cr Elu said there was a shortage of staff at the Jardine River Ferry on Sunday 4th July, and mentioned why wasn't these staff making use of that new staff housing.

CEO advised Council needed to consider separating the ferry operation from the shop and camp ground.

Cr Williams asked if it will be a tender to run the Campgrounds at Jardine.

CEO mentioned that the Ferry is currently outside the dogit boundary and is in trust land.

Cr Lui was approached by some tourist who wanted to know why they had pay another camping fee of \$20.00 at Somerset when they had already pay \$88.00 at Jardine Ferry.

Council should consider reducing the cost of the ferry to \$55.00 and allow campers to collect their own rubbish. This is to be monitored by rangers. a resolution was made by council.

Cr Elu highlighted that council need to provide tourist with information regarding regulated campsites. Information on where tourist can and cannot camp, with areas allocated for a day visits only. Cr Elu gave an example where certain area like Muttee Heads is regulated for a day visit.

Cr Lui asked about our tourist information centre.

CEO advised that it would be leased out to Bamaga Enterprise Ltd.

Mayor suggested that tourist information pamphlets should be distributed at the Bramwell Station.

CEO also suggested on the website and flyers to put up. CEO will work with directors and councillors to draw up a proposed policy and services at the ferry and campgrounds.

Cr Bond said the amount of tourist we have in town season were probably advised at Sydney Show.

Cr Bond also suggested that council put out a survey to obtain feedback from tourists so council can learn and improve for the following tourist season.

Mayor commented that recent CYFS Survey feedback had complaints on the development roads to Jardine River.

Recommendation:

It is resolved the Director of Enterprises Manager report for the Council Meeting of Tuesday 6th July 2010 be accepted.

Moved: Cr Lui

Seconded: Cr Williams

Carried: 6/0

Date: 06/07/2010

Lunch 12:00pm – 1:00pm

Agenda Item 6 - 1:00pm to 1:30pm Economic Employment Development Unit Report

Cr Bond advised of error on page 2 of the EEDU report 2nd paragraph Certificate 1 should be Certificate 11.

CEO informed council that we will not tender for the Torres Strait CDEP.

Cr Lui said that ICC was changing guideline all the time, making this very complicated on policy and variations.

Cr Elu commented that the Government were responsible for these changes eventually it will be difficult to run.

CEO announced that a CDEP meeting will be held at 16th August in Cairns. Issues regarding top up and workplace guarantee will be looked into.

Recommendation:

It is resolved that the Economic Employment Development Unit Manager Report for the Council Meeting of Tuesday 6th July 2010 be accepted.

Moved: Cr Aniba

Seconded: Cr Bond

Carried: 6/0

Date: 06/07/2010

Agenda Item 7- 1:30pm to 2:00pm Director of Community Services Manager Report

CEO advised council that the date finalized for the NPA show is the 6th of August 2010. Dept of Communities has currently given council with \$70,000.

CEO mentioned that the community police is council funded and would be a opportunity for the Queensland Police Services to take on.

CEO also mentioned that the Croc Lumley Production is requesting council's support to make a DVD segment of the NPA Show. CEO will sign and approve the letter.

Recommendation:

It is resolved that the Director of Community Services Report for the Council Meeting of Tuesday 6th July 2010 be accepted.

And to accept the Croc Lumley Productions media release form.

Moved: Cr Aniba

Seconded: Cr Nona

Carried: 6/0

Date: 06/07/2010

Agenda Item 8 - 2:00pm to 2:30pm - Rio Tinto Alcan

Recommendation:

It is resolved that Council note and accept the following:

1. Consider the briefing note regarding the Northern Peninsula Area Regional Council representation on the Western Cape Communities Trust (WCCT) Boards and Committees and seek clarification on any of the information provided.
2. Consider the appropriate governance arrangements required by NPARC to be put in place (through formal resolution) to ensure that no non-New Mapoon representative can be appointed to the WCCT Boards or Committees; and
3. Consider that the representative for Division (New Mapoon community) automatically assumes the role as the New Mapoon representative on the WCCT Boards and Committees and atha the NPARC informs the WCCT Executive Officer, Ms Georgina Richters WCCCA of the details of formal resolutions and names of the appointed Councillors following Local Government elections.

Move: Cr Nona

Seconded: Cr Lui

Carried: 6/0

Date: 06/07/2010

Agenda Item 9 – 2:30pm – 3:00pm – Mail Register

Recommendation:

It is resolved that council note the inwards & outwards Mail Register.

Moved: Cr Lui

Seconded: Cr Bond

Carried: 6/0

Dated: 06/07/2010

Agenda Item 13 – 2:15pm – 2:30pm – Other Business

Community Forum

New Mapoon Forum

1. Council approves that all the materials purchase for the New Mapoon Show Committee by WCCCA funding is transferred to the New Mapoon Enterprise Ltd for a distribution of those materials to the Community.

CEO advised that council will need to check if the payments did come from the WCCCA Funding.

2. Council ensures that the New Mapoon Community Form are involved in the process of the community project and town planning under the legislation (LG Act 1993 – 1559ZZ1 Function of Community Forum). This includes CDEP Project.

CEO advised that the forum has council support.

Injinoo Forum

1. Council work together with the Traditional Owners group in respect to 'Welcome to Country' ; and that Council have a process is in place for all future visitors, Ministerial visits and Politicians to meet, and to give that recognition to the traditional owners before touring the Northern Peninsula Area.

CEO invited all traditional land owners to breakfast with the Governor on Sunday 17th July 2010.

Cr Williams pointed out a typing error that the clan group of 'Wuthati' is a part of the Lockhart River traditional owners. The major traditional owners of this area are Atambaya, Gudang, Angkamuthi and Yadikanu.

Umagico Forum

Cr Lui informed council that Umagico currently have no forum, and councillor will be working with the Land Trust Chair –Mr Bernard Charlie and Mr Charles Woosup.

CEO would seek advice from Minister regarding Forums

1. Ergon Energy

Letter was tabled from Ergon Energy seeking housing for their staff. CEO advised that nothing is currently available at this stage. Other organisation such as Centrelink, ICC and State Police have also requested land.

CEO will respond to the Letter from Ergon Energy. CEO also informed council that the MIP's process will help free up block of land.

2. NPARC Newsletter Issue.15

Council pointed out typing errors in the Newsletter.

Page 1. Photo of Injnoo Apudthama Indigenous Corporation

1. Page 1. Picture stated names of new members (Left to Right) it should be in the order of (Right to Left)
2. Page 1. Picture Desmond Taylor it should be Desmond Taley

Mayor advised that Councillors overlook newsletter advise of any other amendments before end of the week.

General Business

BAMAGA -Cr Williams

Engineering Projects Inspection Private Contractors - It was brought to Cr Williams attention of a local contractor was not doing his job properly, Council needs to do regular inspection of these projects to ensure it is done properly.

Mosby Creek – Bridge -The rails of bridge were beginning to be safety issue to many people are getting hurt. Council needs to maintain the bridge and get proper rails.

Blue Scope Steel – BH- expressed their interest in supplying flat pack Prefab housing.

Vacant Housing -What is happening with all the vacant housing why haven't new tenants moved in? what was the hold up?

Employment – (DUI) – What was Council doing about the numerous DUI offenders in the workforce?

CEO advised that under the workplace guarantee Council could not terminate these offenders.

Public Toilets (NPA) – No public toilets available in the centre of town and Council needs to do something.

CEO advised that this would be an issue for council to look for at the MIP planning later in December. Where do councillors want their public toilets?

Qld Education – Blocks of land behind the old NPA College are being used to build staff housing. These blocks are known to have cultural heritage and that vacant land would need an ILUA process. The Apudhama Land Trust should write to Qld Education notifying them.

UMAGICO

CR Lui – related back to the issue Employment DUI this code of practice should be stated in the certified agreement, these case employees can be instantly dismissed.

CEO input that new recruitment will have this code of practice will state in their Letter of Offer and position description, as of 15th March 2010 new Council policy will be in place.

Alau Tavern

Cr Lui asked about the funds of \$130,000 that was allocated to fit out the former Alau Tavern.

CEO mentioned that there were no more funds left for that project.

Cr Lui highlighted that there was funds put aside by previous Umagico council and for the legal cost.

Community Forum

Upgrading our Forum members to include a representative from all service providers ie. Police, Health, Justice Group etc. The Director of Community Services will assist with the ground works.

SEISIA – Cr Aniba

Cr Aniba mentioned that the community oval needs to be watered. The water pump That was utilizing for pump the water has been stolen. The gazebo taps are still not fitted.

Cr Aniba also queried that given the change of the new land act, and if it does affect their representation at TSRA meetings.

Seisia Forum

Cr Aniba informed council that a resignation letter from a forum member was received and currently we are looking at finding a replacement.

Cr Aniba also mentioned that Mr Devenish and My O'Neil have had a meeting to inform the Seisia forum with update on the Land Act and issues in regards to land planning.

Noise Issue

Cr Elu informed Council that there seemed to be a lot of ongoing party causing disturbance in the Seisia Community, mostly when he was away on business. Council should consider stating a noise clause in their Tenancy Agreement.

Cr Elu asked if a Letter to be written and forwarded to all tenants.

NEW MAPOON - Cr Bond

Cr Bond requested information regarding the agreement for a Garbage Truck by the previous New Mapoon council.

CEO advised that the CYLC recommended that the agreement for the Garbage truck is withdrawn given that this is a non profit project for the benefit of the community.

CEO will write to TSRA and to provide a response to community forum.

New Mapoon Dam

Cr Bond advised that the new mapoon water dam needs to be dug again. It was done 2 years ago to hold water for community parks and football oval.

Cr Williams requested that council invites Black & Moore to the next Council meeting.

INJINOO - Cr Nona

Cr Nona informed council that the directors for the Injinoo Enterprise Corporation is in place. Cr Nona is enquiring about the next phase with the volunteer from ICV returning to the community in September 2010 for the ORIC training.

Cr Lui mentioned that Umagico directors could work with the Injinoo directors doing the ORIC training.

CEO tabled a Letter from Isaac Makaku - Gudang /Yadikanu, Native Title Aboriginal Corporation requesting temporary office space.

CEO highlighted that currently there is a statutory body (the Apudthama Land Trust) established in the NPA and council would deal with through them. The letter will be referred to the Apudthama Land Trust and Injinoo Community Form

Council has also requested further information on the membership and the corporate structure of the Gudung Yadikanu Native Title Corporation.

Meeting Close 3.25pm

Next Meeting - Tuesday 3rd August 2010