



## Northern Peninsula Area Regional Council

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### MINUTES OF THE MAY 2011 NPARC ORDINARY MEETING

Notification Date: Tuesday 5<sup>th</sup> April 2011  
Meeting Date: Tuesday 3<sup>rd</sup> May 2011  
Meeting Location: New Mapoon Council Office  
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 of Corporate Services	Michael Freeman

#### **Welcome and Declare Meeting Open – Mayor**

- Apologies  
Esme Newman
- Declaration of Conflicts of Interest
- Declaration of Material Interests

## **AGENDA**

### Agenda Item (1) - 9:00am to 9:15am

CEO informed Council that the State Police is invited to update Council at the lunch break with regard to the recent break-ins and anti social behaviour in the NPA

Director of Corporate Services informed council that additional A3 papers have been attached for Council's observation; and as a checklist of recommendations for Council to endorse.

### Minutes of previous Council Meeting 5<sup>th</sup> April 2011

#### **Resolution:**

**THAT:** Council accepts the Minutes of 5<sup>th</sup> April 2011.

Moved. Cr Aniba

Seconded. Cr Nona

Vote. 5/0

Date. 03/05/2011

Resolution number. 01-03.05.2011

### **Agenda Item (2) Chief Executive Officer's Report**

CEO tabled 3 matters.

1. TWG (Technical Working Group) CEO advised of the recent TWG meeting held and the changes made to the 40year leases and what process the TWG has recommended for the Native Title Notification process

CEO tabled a recommendation from the TWG that council can use the s24JAA for post 1996 social housing which is consistent with the notification process council has used for the pre 1996 social houses.

Cr Nona requested clarity.

Cr Elu stated that the current process for 40year leases and mentioned that the Native Title process will take some time to complete. The s24JAA will allow the project to continue but doesn't extinguish Native Title. Meantime we need to take out the lease for the new subdivisions and 64 new houses. But Council needs to start the process now or risk losing the housing funding to other communities that are already building homes.

Cr Elu stated that Native Title still applies pre 1996.

Cr Bond stated that information needs to be provided to the public and the traditional owners about the construction of new subdivisions.

Cr Elu mentioned that the Apudthama Land Trust should be providing all that information to traditional owner groups.

CEO advised that RPS has provided extensive consultation to the Land Trust and Traditional Owners and has forwarded a full set of plans on the proposed projects.

Cr Bond asked about sacred sites.

Cr Elu stated that cultural heritage still applies.

Cr Williams mentioned that the Apudthama Land Trust office is slow in setting up their office, but in future they will be of great benefit to the community.

CEO asked council for their support in allowing the NPARC to assist the progress of the Apudthama Land Trust building “if and when” materials and resources become available

Council agreed to assist with the development of the Apudthama building as requested by the CEO

**Resolution:**

**THAT:** Council resolved that the NPARC will use the Notification S24JAA for the leasing of Social Housing for all post 1996 dwellings.

Moved. Cr Nona

Seconded. Cr Williams

Vote. 5/0

Date. 03/05/2011

Resolution number. 01-03.05.2011

2. QTC.

CEO informed Council that he has met with the new a/Director General, Jack Noye, who may be the new NPARC Government Champion along with Barry Leahy. CEO advised that council had been given approval and a \$4m cash facility had been set-up with QTC (Queensland Treasury Corporation). The cash facility works like a bank overdraft and does not cost the Council any money to have available and we are only charged for the funds used.

CEO advised that Mr Noye will be invited to the next Council meeting.

Cr Elu requested that a letter be forwarded from this council to Mr Noye, to thank him for his support.

3. NPA Newsletter.

Council had a closed door session on an employment matter.

**Resolution:**

**THAT:** Council accepts the May 2011 Report from the Chief Executive Officer.

Moved. Cr Williams

Seconded. Cr Bond

Vote. 5/0

Date. 03/05/2011

Resolution number. 03-03.05.2011

**Agenda Item (3) Director of Corporate Services**

The Director of Corporate Services informed council of the recent meeting with TSC, Cook Shire and NPARC regarding the proposed NPARC Local Government Area boundary change.

Cr Elu stated that discussions went well and we are now waiting on formal reply from the two Councils.

**Resolution:**

**THAT:** Council ratifies the proposed MOU between NPARC and TSRA, and authorises the Mayor to sign on behalf of Council.

Moved: Cr. Williams

Seconded: Cr. Lui

Vote: 5/0

Resolution number: 04 – 03.05.2011

Cr Lui questioned the content of the MOU and stated that he will not commit his community at this stage with only months remaining before the 2012 Local Government Elections, or until he meets with the TSRA to get more information on the intent of the MOU.

CEO stated that this MOU is a non binding MOU. This MOU will assist with NPARC's submission to the 5<sup>th</sup> round of the Major Infrastructure Program, the TSRA has invited the three Aboriginal community Councillors to attend a meeting next Monday on Thursday Island.

CEO advised the Council that the majority of funds for MIP 4 were allocated prior to the Amalgamation.

Cr Bond mentioned that he will attend the 9<sup>th</sup> May meeting with TSRA to obtain more information before making any commitment.

Cr Nona stated that she would not make any decision at this time.

Cr Elu stated that NPARC will always interact with TSRA. The three aboriginal communities now have that opportunity to be a part of a regional approach and sit at the TSRA table and be involved in the policy making at TSRA.

**Resolution:**

**THAT:** Council receives the Report from the Director of Corporate Services.

Moved. Cr Aniba

Seconded. Cr Bond

Vote. 5/0

Date. 03/05/2011

Resolution number.05-03.05.2011

**Morning Tea 10:00am – 10:30am**

Agenda Item (4) Director of Engineering Report

Cr Williams questioned the current road maintenance work on the Somerset Road. Cr Williams raised his concerns that the approach to the road maintenance could be more efficient.

Cr Williams suggested that council should develop a 5-10 year Road plan with purpose of sealing a section of road each year as apposed to continual maintenance.

CEO advised that the existing road works are funded from 07/08 & 08/09 grant funding. Currently the road workers are doing light road maintenance until the funding for 10/11 is received.

CEO stated that the NDRRA Funding is for the repair of flood affected roads and not for the construction of new roads. .

Cr Elu requested that a committee be formed to look into local road maintenance and to assist with the development of a strategic NPA Road Maintenance Plan

Cr Nona and Cr Williams agreed to be on the committee.

CEO suggested that the Director of Engineering invite Main Roads (Col Moore) to the next meeting.

**Resolution:**

**THAT :** the council endorse in principle the proposed road openings & closures as shown in the draft plan (appendix 1), noting that there are some minor adjustments yet to be made to the current draft plan as survey data becomes more refined.

Moved: Cr Williams

Seconded: Cr Aniba

Vote : 5/0

Resolution number. 06-03.05.2011

**Resolution:**

**THAT :** Council approves the application for Reconfiguring a Lot (sixty (60) Residential Lots byway of Lease Agreement and New Road) on land described as part of Lot 7 on SO53, Elu Street, Bamaga, subject to the following:

**(A) Approved Drawings**

Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:

- a. found necessary by the Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- b. to ensure compliance with the following conditions of approval.

Approved Drawings	Reference	Date
MIP 4B Bamaga Subdivision Concept Plan prepared by RPS Australia East Pty Ltd	PR101857-10 Issue A	10/02/2011
Workscope Plan Roadworks and Stormwater prepared by Cardno Pty Ltd	Q104027	March 2011
Workscope Plan Sewer and Water Reticulation	Q104027	March 2011
Workscope Plan Stage 4	Q104027	March 2011

**(B) Assessment Manager Conditions****Timing of Effect**

1. The conditions of the Development Permit must be effected prior to approval and dating of the Plan of Survey, except where specified otherwise in these conditions of approval.

**Street Layout and Design**

2. The street layout and design must to comply with Queensland Streets and FNQROC Development Manual, to the satisfaction of the Chief Executive Officer, subject to any alterations:
  - a. found necessary by the Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements;

Details of the works, including copy of a plan of the works, must be endorsed by the Chief Executive Officer prior to the commencement of works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the approval and dating of the Plan of Survey.

#### Infrastructure Services

3. The proposed subdivision is required to be adequately serviced by provision of water, sewerage disposal, stormwater drainage, electricity supply, telecommunications connection and sealed road access. Any infrastructure requirement costs are to be borne by the applicant/owner.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual. Details of the works, including copy of a plan of the works, must be endorsed by the Chief Executive Officer prior to the commencement of works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to approval and dating of the Plan of Survey.

4. Services (excluding sewerage) must be contained within the Road Reserve. Each Proposed Lot must be serviced with separate services for water supply, sewer connection, road access, electricity and telecommunications. In any instance where services to one lot are required to be contained within or traverse another lot, registration of necessary easements over the services will be required to the satisfaction of the Chief Executive Officer.

#### Fill Requirements

5. Details of Fill Requirements, including copy of a plan of the works, must be endorsed by the Chief Executive Officer prior to the commencement of works. All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to approval and dating of the Plan of Survey.

#### Lawful Point of Discharge

6. The applicant/owner must ensure that the flow of all external stormwater from the proposed lots is directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

**Moved: Cr. Williams**

**Seconded: Cr. Aniba**

**Vote: 6/0**

**Resolution number: 8-03.05.2011**

Cr Williams mentioned that the type of houses to be constructed need to be suitable for this area.

CEO advised that consultation has been made between the Program Office and Council.

Cr Lui stated that brick homes are better and require less maintenance.

Cr Williams mentioned that high set homes are good, and families have access to more living space.

Cr Bond highlighted that consideration needs to be given to elderly people and disabilities.

CEO advised that all the housing designs are adaptable for tenants with disabilities.

Cr Elu informed council that the next Technical Working Group meeting is schedule for the 30-31<sup>st</sup> May and councillors can also invited to attend.

Cr Williams also stated that tenants should have the opportunity to select the paint colour for their house

Cr Elu requested that the new subdivisions should have vacant lots made available to locals and local business to lease and build private or staff accommodation.

**Resolution :**

**THAT:** the council endorse these fundamental design principle and the house designs based thereon.

Moved: Cr Williams

Seconded Cr Aniba

Vote. 5/0

Resolution number. 07-03.05.2011

**Resolution:**

**That Council approves the application for Reconfiguring a Lot (forty-seven (47) Residential Lots, New Road and four (4) Parks byway of Lease Agreement) on land described as part of Lot 7 on SP210089, Snake Gully Road and Donga Road, Injinoo, subject to the following:**

(A) Approved Drawings

Development must be carried out generally in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, and subject to any alterations:

- a. found necessary by the Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- b. to ensure compliance with the following conditions of approval.

Approved Drawings	Reference	Date
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Injinoo Concept Plan prepared by RPS Australia East Pty Ltd	PR101857-6 Issue C	04/02/2011
Design Report Plans Roadworks and Stormwater prepared by Cardno Pty Ltd	Q104024	March 2011
Workscope Plan Sewer and Water Reticulation	Q104024	March 2011

(B) Assessment Manager Conditions

Timing of Effect

1. The conditions of the Development Permit must be effected prior to approval and dating of the Plan of Survey, except where specified otherwise in these conditions of approval.

Street Layout and Design

2. The street layout and design must to comply with Queensland Streets and FNQROC Development Manual, to the satisfaction of the Chief Executive Officer, subject to any alterations:
  - a. found necessary by the Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements;

Details of the works, including copy of a plan of the works, must be endorsed by the Chief Executive Officer prior to the commencement of works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to the approval and dating of the Plan of Survey.

Infrastructure Services

3. The proposed subdivision is required to be adequately serviced by provision of water, sewerage disposal, stormwater drainage, electricity supply, telecommunications connection and sealed road access. Any infrastructure requirement costs are to be borne by the applicant/owner.

All the above works must be designed and constructed in accordance with the FNQROC Development Manual. Details of the works, including copy of a plan of the works, must be endorsed by the Chief Executive Officer prior to the commencement of works.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to approval and dating of the Plan of Survey.

4. Services (excluding sewerage) must be contained within the Road Reserve. Each Proposed Lot must be serviced with separate services for water supply, sewer connection, road access, electricity and telecommunications. In any instance where services to one lot are required to be contained within or traverse another lot, registration of necessary easements over the services will be required to the satisfaction of the Chief Executive Officer.

## Fill Requirements

5. Details of Fill Requirements, including copy of a plan of the works, must be endorsed by the Chief Executive Officer prior to the commencement of works. All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to approval and dating of the Plan of Survey.

## Lawful Point of Discharge

6. The applicant/owner must ensure that the flow of all external stormwater from the proposed lots is directed to a lawful point of discharge such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

**Moved :Cr. Williams**

**Seconded : Cr. Aniba**

**Vote: 6/0**

**Resolution Number: 09 – 03.05.2011**

### **Resolution:**

**THAT:** Council receives the Report from the Director of Engineering.

Moved. Cr Williams

Seconded. Cr Lui

Vote. 5/0

Date. 03/05/2011

Resolution number. 06-03.05.2011

**Lunch 12:00pm – 1:00pm**

### Agenda Item (5) Director of Finance Report

CEO highlighted on the report, that \$951,565 is recorded as a budget deficit and this is to do with the voluntary redundancies paid to employees.

CEO advised that this figure is a part of the unfunded liabilities that council had carried forward.

CEO advised that staff have continued to work with councils aged debtors report to amend a large amount of inherited aged debtors, mainly housing rentals.

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CEO stated that council will investigate all of the old leases and develop a report for Council

Cr Elu stated that council will need to consider the charges with the sewer, rubbish and unimproved rates.

CEO advised that council will standardise all leases and services charges.

Cr Nona stated her concerns with the Injinoo rental arrears and questioning if the housing officers are doing their job?

CEO will provide Cr Nona with a report.

**Resolution:**

**THAT:** Council receives the Report from the Director of Finance.

Moved. Cr Lui

Seconded. Cr Aniba

Vote. 5/0

Date. 03/05/2011

Resolution number.11-03.05.2011

**Agenda Item (6) Director of Economic Employment Development Unit Report**

CEO advised council that tasks are yet to be complete with the CDEP Programs.

Cr Bond mentioned that the disable ramp is to be constructed to the waiting shed at the Seisia wharf. Cr Bond also suggested that council look at installing a tap at the waiting shed to hose down the floor.

Cr Bond queried that the reports may need to be more specific. EEUD report stated that fencing was completed in New Mapoon Community but it is not mentioned where?

Cr Lui stated that this would be the New Mapoon sporting oval and not Quarry Heights.

Cr Lui stated that currently there is no feedback from the ICC for grant application for Lights at the Umagico Sports Oval. It is not mentioned if the application was successful and the type of grant we applied for?

CEO stated that the Director of Corporate Services will look into the matter with the Grants officer.

CEO also stated that council will look into getting a new hearse and will be submitting a grants application to TSRA.

**Resolution:**

**THAT:** Council receives the Report from the Director of Economic Employment Development.

Moved. Cr Bond

Seconded. Cr Nona

Vote. 5/0

Date. 03/05/2011

Resolution number. 12-03.05.2011

Agenda Item (7) Director of Community Services Report

Cr Lui requested that directors be more specific with their reports. Cr Lui also raised a concern with and when directors and not in the community then who would take responsibility of ensuring services for these communities are maintained.

CEO asked Cr Williams if he was consulted with the site of the new HAAC building.

Cr Williams – yes.

**Resolution:**

**THAT** Council receives the Report from the Director of Community Services.

Moved. Cr Lui

Seconded. Cr Nona

Dated. 03/05/2011

Vote. 5/0

Resolution number. 13-03.05.2011

Agenda Item (8) Mail Register

The CEO apologised for the Mail Registers not being included in the meeting papers, this was due to a printer break-down

Agenda Item (9) Other Business

Community Forums.

Bamaga – Leases to Jehovah Witnesses

Cr Williams informed council that the Bamaga land panel had made recommendation that the block of land requested by the Jehovah Witnesses is marked for industrial purposes. Bamaga land panel had suggested that another block of land is given to the organisation at the end of Poi Poi Street pass Williams's crescent.

CEO stated that council will now write to the Jehovah Witnesses.

Cr Williams also informed council that the Bamaga Land Panel had agreed for BEL request to lease the 'old catholic church' site.

Cr Williams then mentioned that Robert Poi Poi's request to lease has also been agreed to; and that the lease area has been reduced to a more reasonable area.

#### New Mapoon Optus Lease.

Cr Bond stated that the New Mapoon land panel had teleconference with Optus representative. The land panel had queries but it was later resolved by teleconference; but the land panel called the Gudang traditional Owners into the forum meeting and they raised concerns that they were not consulted.

Cr Elu questioned the clan group and then stated that the Apudthama Land Trust is the recognised organisation representing the NPA Traditional Owner Groups.

#### Other Matters:

Bamaga. –Cr Williams raised his concerns.

1. Toilet for the Bamaga Cemetery – Cdep Team could consider this as a project
2. Bamaga Sports Oval – Council to disallow all vehicles driving onto the mound because of near misses where vehicles rolled downhill endangering children's lives.
3. Cr Williams would like to have input into the Street names for the new Bamaga subdivision.

Seisia – Nil

Umagico – Cr Lui is still concern about the old store and the old Child care buildings. Buildings have asbestos and are a risk to his community.

Injinoo – Nil

New Mapoon – Cr Bond highlighted the need for a 'no dumping' sign displayed on the back road. This has been previously requested and is not yet seen..

**Meeting Close. 3.30pm**

**Next Meeting – Tuesday 7<sup>th</sup> June 2011**

**Injinoo Office**