



Northern Peninsula Area Regional Council

MINUTES OF NPARC ORDINARY MEETING

Notification Date: Tuesday 5th July 2011
Meeting Date: Tuesday 2nd August 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
Director of Corporate Services	Michael Freeman
Secretary	Esme Newman

Welcome and Declare Meeting Open – Mayor

- Apologies
Nil
- Declaration of Conflicts of Interest
Nil

- Declaration of Material Interests
Nil

CEO informed Council that a Telstra Country Wide team are invited to join the meeting; and as part of the CEO's report, the Telstra team will provide Council with a proposal to target black spot coverage in our communities, and also include coverage of the NPA Airport.

Mayor Elu advised that Council had received an invitation to take a delegation to the Community Cabinet Meeting to be held on the 28th – 29th August 2011 on Thursday Island. Mayor Elu added that this would be a great opportunity for Councillors to attend and put forward any issues.

Cr Elu informed Council of an invite to the Health Minister and the Tourism Minister for the opening of the NPA Menshed at New Mapoon.

Agenda Item (1) - 9:00am to 9:30am

Minutes of previous Council 5th July 2011

CEO noted that request highlighted by Cr Bond at the 7th June meeting at Injinoo was not captured in the previous minutes. CEO advised and assured that it would be included at this 2nd August Minutes of meeting.

Insert - 'Cr Bond advised that Council have had previous discussion with the Dept of Transport and Maritime surrounding the upgrade of the Seisia Wharf, the boat ramps, and about a pontoon for passenger boats and smaller crafts. Cr Bond also raised the ongoing concern about the need of a Renal Unit situated here at the NPA and proper feedback on all these matters'.

Resolution: 19 - 34

THAT: Council accept the minutes of 5th July 2011

Moved: Cr Aniba

Seconded: Cr Bond

Vote: 6/0

Date. 02/08/2011

Resolution number: 01-02.08.11

Matters arising from Minutes of 2nd August 2011.

Housing

Cr Lui refers to Page 24 and queried his previous question as to who owns these houses? And why is the government taking 40year leases, when Council should be paying leases on these houses.

Cr Elu explained the process that the Government provides Council with funds to build these houses, which then become Council assets. Cr Elu said, with the new changes the Government is looking at accessing the land more then the houses and this program is transposed from Northern Territory.

Cr Elu mentioned that houses are really States' assets even though Council owns it; Cr Elu provided clarity to the process and advised that the Houses still belongs to the Crown.

Cr Elu stated that the Government now wants to Lease land under the houses that were built by the Social Housing Programs.

Cr Lui questioned that if these houses are Council's assets, where does the rent payment goes?

CEO stated that the rental is used by Council within its activities and to balance our balance sheets.

Cr Lui highlighted that question was raised 2 years and was advised that the rent goes back to the state. Cr Lui also mentioned options that Council already owns the land and for Council to pay Lease on these houses and use the rental to build houses.

CEO stated that it did raise a concern at that time, and Council could not understand why the State is fixing houses and not collecting the rents.

Cr Lui highlighted how can Council build houses if Council do not have revenue?.

CEO advised that all the income is currently allocated, and for the new Council to decide where to utilise any future surplus funds.

Cr Bond queried if tenants who are currently up to date with their rents can demand repairs & maintenance work to their property?

CEO –it is not happening, good tenants would have high expectation and would expect to be on the priority list compared to tenants that are not paying any rent.

Cr Lui – some tenants have gone down that path and have waited for months, with their rents up to date and they cannot get a 'new lock' fitted on their door. Cr Lui asked if those tenants could fix it or get a contractor to do it.

Cr Elu stated that tenants can get someone else to fix their house but the responsibility lies with Tenant if anything goes wrong.

Cr Lui stated that there are currently concerns in the Communities, saying that QBuild are not delivering the services.

Cr Elu mentioned that a Technical Working Group meeting is schedule for the 23rd August with the Program Office, QBuild and Dept of Communities sitting at the same table. Cr Elu stated that these issues need to be address at that 'table'.

Cr Elu mentioned that the 'blue phone' was installed during the past council and clients request would always come to a contact person in the community, but currently clients don't know who they are talking to.

CEO – stated that with the blue phone, repairs & maintenance activities are logged through the blue phone but no one sees the maintenance list and can do follow ups .

Cr Lui mentioned it is an issue now and will be the issue when QBuild take it on. Cr Lui stated that Council write to QBuild and if this would continue then there will be more disgruntled tenants in the communities.

CEO informed Council that NPARC has previously agreed for the State to take over leasing the Lots and over the Tenancy management and since then Council have received no decision from the State.

Cr Elu asked the possibility for the TWG meeting be moved to another date to allow Councillors to attend.

CEO stated that QBuild had approached Council previously and taken the maintenance program due to Council being under resourced.

CEO indicated that Council writes to QBuild regarding these issues and give them 4 weeks to take full control of housing or give Council back

Cr Lui informed Council that currently there are a lot of tenants queuing up for the blue phone.

Cr Bond – where does Q Build get its funds for maintenance.

9.25am Cr Williams entered the room.

CEO stated that they have separate State funding. CEO informed Council that QBuild sits under Public Works, and clarified how the system came about to get the program up to speed.

CEO mentioned that Council previously had put out a press release regarding the situation with housing. CEO mentioned that the State was also asked to take it on.

CEO informed Council that currently there is little information coming from the State with regards to taking over Tenancy management, with the Housing officers and their wages and resources.

CEO – requested that Council bring Department of Communities, QBuild and the Program Office to the September 2011 meeting.

Cr Bond stated that we need to meet with the people who makes decision and not with people that just brings us information.

Cr Williams requested that Council do not provide them questions to answer, but rather raises the questions here at that meeting.

Cr Lui mentioned that there need to be some incentive in place to encourage rent payer.

Cr Bond – possibility of using our rent payments to do repairs & maintenance?

CEO – Council need to force QBuild to use their funds.

Cr Lui highlighted that if Council is the land lord then these building would need to be 'up to standard'. It is not right for tenants to wait 4 months for a repair to the property.

Agenda Item (2) – 9:30am to 10:30am

Chief Executive Officer's Report

CEO provided Council brief information to the Proposal by Telstra Country Wide to erect Antenna Poles around the communities to target black spots and provide mobile coverage.

CEO informed council that in lieu of the first payment of \$6000 council would substitute that payment to install a pole at the NPA Airport. CEO informed Council that Telstra will be coming in at their own expense.

CEO Report – Deputation without notice, Telstra Country Wide – Proposal for enhancement of 3G network to the NPA

Telstra team joined meeting.

Shannon Voyce - Telstra Radio Frequency

Dennis Murer - Telstra Project Engineer

Ivonne Gonzales - TCI - Project Engineer

Victoria Herrmann - TCI - Property Consultant

Mr Voyce of Telstra consultancy group informed Council of their visit and the proposal to install pole at Injinoo, Umagico and Seisia to address some of the black spots in the communities and to improve the coverage at each of the communities.

Mr Voyce Telstra team advised that they will revisit the airport and scope out the work required.

Mr Voyce mentioned that Telstra would need to set up a tower to mount the antenna to provide the coverage and that the size and the footprint need to be above tree heights to cover the whole community and that a suitable location is preferred.

Mr Voyce Telstra team stated that a focus on current Council property and a possibility of using analogue tower.

CEO questioned the timeframe and the height of these towers.

Mr Voyce stated that the forecast of the project is for the Year 2011/12 and that the antenna it will be 15m high and looking at covering all the community.

Ms Herrmann informed Council that the current Council's analogue tower is suitable but the structures need to be checked to carry weight.

Ms Herrmann informed Council that Telstra was originally briefed on the 3 sites, Umagico, Injinoo & Seisia.

Mr Voyce advised that Telstra will add another scope of works to include New Mapoon and the NPA Airport.

Mr Voyce stated that the change from previously 3 towers to 5 towers, will temporary delay the project however he advised that he is confident that it will go ahead.

Cr Aniba questioned the area it would cover?

Mr Voyce stated that the poles would need to be high to cover the whole Community.

Cr Elu highlighted the black spots between communities, and the need to fill these areas.

Mr Voyce mentioned if Telstra install higher towers then the cost would increase.

Cr Bond questions the effects of EMR? (Electro Magnet Radiation)

Mr Voyce Telstra – all Telstra towers are design to carry .0001 or 100th of 1%. Level

Cr Bond mentioned that Optus will have a wider coverage.

Mr Voyce stated that Telstra is upgrading its infrastructure at Bamaga site to provide more services to the NPA, mobile phone traffic grow lot in npa.

Cr Bond informed Council that Optus EMR is .0004 but it will provide more coverage allowing for that population growth.

CEO advised that Council will now discuss the matter and will formally notify Telstra.

2. Delegation of Powers

Ceo informed Council that there needs to be that delegation of powers to the Chief Executive Officer which was updated since amalgamation.

CEO requested that Council to resolve the delegation of powers in order for council to carry out operational duties

Director of Corporate Services mentioned that there some pages missing out of the main agenda and needed to be separately bound due to the amount of pages.

Director of Corporate Services mentioned that it is a requirement under the Local Government Act and there are over 400 pages of delegation.

CEO stated that the list of delegations will be improved and the appropriate adjustments to delegations brought back to council. CEO mentioned it is a standard local government procedure.

Cr Elu – informed Council of the CEO delegation, then sub delegate to council's directors to run its operations.

Cr Bond – what if the CEO makes the wrong decision? And council gets a backlash from the community – then who's to blame?

Cr Elu – the 'buck' stops here with council whether right or wrong decision.

CEO stated that as 'elected members' or 'statutory officer of the State' we are all bound by principles and the code of conduct – for the misuse or abuse your power in office and CEO for the misuse or abuse of power as a Statutory Officer.

Director of Corporate Services refers to page 43 of agenda – delegation examples.

Cr Elu requested that Council to approve the delegations now, and for the CEO to bring back to Council a list of revised delegations appropriate for this council.

Resolution:

THAT: Council approves the attached delegations to the Chief Executive Officer

Moved: Cr Williams

Seconded: Cr Nona

Vote: 6/0

Date. 02/08/2011

Resolution number: 02-02.08.11

The CEO highlighted the updated policies that required Council approval.

Resolution:

THAT: Council approves the following polices.

a) Procurement Policy

b) Financial Delegation

c) Vehicle Usage

Moved: Cr Lui

Seconded :Cr Aniba

Vote: 6/0

Date. 02/08/2011

Resolution Number: 03-02.08.11

2. Councillor Remuneration.

CEO advised Councillors of the requirement of the Local Government Remuneration Tribunal, and the adjustment to councillors for their underpayment of remuneration since January 2011.

CEO advised that Director of Corporate Services and HR manager will be making the financial adjustment and provide elected members with a letter.

Resolution:

THAT: That Council endorse the maximum allowable payment as described in the Remuneration and Discipline Tribunal Report 2010

Moved: Cr Aniba

Seconded: Cr Lui

Vote: 6/0

Date. 02/08/2011

Resolution number: 06-02.08.11

Resolution:

That Council support the proposal as presented by TCI who represent Telstra Country Wide to install additional transmission towers to provide 3G Mobile coverage to the Communities of the NPA, and Council agree to approve two (2) Ten year leases with the first lease being at nil costs in lieu of Telstra also providing 3G Mobile coverage to the NPA Airport, and the second lease attracting an annual lease fee of \$6,000 pa increasing each year by 3%.

Moved: Cr. Lui

Seconded: Cr. Aniba

Carried 6/0

Date. 02/08/2011

Resolution 2-08.2011

Resolution:

THAT: Council receives the report from the Chief Executive

Moved: Cr Williams

Seconded: Cr Nona

Vote: 7/0

Date. 02/08/2011

Resolution number: 05-02.08.11

Agenda Item (3) – 10:45am to 11:00am

Director of Corporate Services

The Director of Corporate Services refers Council to page 510 of his report and regarding construction camp at Umagico's Budget lodge.

The Director of Corporate Services stated that it will have 18 fully self contained units and a large kitchen. The Director of Corporate Services stated that the tenants will have access to cook their own meals; or can make arrangement with the campground manager to have their meals cooked for an additional cost.

Cr Bond questioned the changes in profit margin of budget lodge for the 2010/11 year?

Director of Corporate Services stated that the electricity accounts for the budget lodge were incorrectly charged to the New Mapoon camp ground.

CEO advised that it was an adjustment with the accounting ledger and journal costs.

Cr Lui stated that he has not yet seen the Business plan for the Umagico Budget Lodge & Campground.

Director of Corporate Service will make it available to Cr Lui.

Director of Corporate Services stated that the new operators at the budget lodge can expand additional services by offering visitors or contractors meals which will be their responsibility and risks.

Director of Corporate Services stated that the kitchen is available to all boarders and those additional services to contractor workers are also made available.

Director of Corporate Services also mentioned that Council Media Liaison officer will be visiting Councillors to take photos and Councillors' profiles for a media release to the local Torres Newspapers. Director of Corporate Services also asked that elected members provides their profiles which will be included in the website.

Resolution:

THAT: Council receives the report from the Director Corporate Services.

Moved: Cr Bond

Seconded: Cr Lui

Vote:6/0

Date. 02/08/2011

Resolution number: 06-02.08.11

Agenda Item (4) – 11:00am to 11.15am

Director of Engineering Report

The Director of Engineering delivered a brief report on current works and planning report.

CEO informed Council of the process of the S24JAA, and that the letter was finalised last Friday 29th August by Preston Law and was sent to the Federal Minister.

CEO advised that a Roof will also be put over the staff donga at Snake Gully to protect the Council asset.

CEO informed Council that we have received a petition signed by 290 community members regarding horses in the community.

Cr Lui questioned the recent outbreak of the 'Hendra Virus'.

CEO informed Council that it starts with the flying foxes, then to the horses and then to the people.

Cr Elu also advised that it is to with owners coming in contact with the saliva of the affected animal.

Cr Bond requested the removal of old vehicles in the communities.

Cr Aniba asked about the repairs on the Seisia community hall.
Director of Engineering advised that the work is being carried out.

Fencing

Cr Williams questioned the fencing currently being done in our community. Cr Williams highlighted that recently Council's CDEP team had been doing extensive fencing training and has done fencing works in the community.

The Director of Engineering stated that information was given to QBuild that there were no local contractors available. Director of engineering will raise this at the next JOM meeting.

Cr Lui stated that the information provided by QBuild was totally incorrect and that they did not contact any local contractors or publically tenders the contract.

Cr Williams questioned why hasn't Council tender for the project? And that CDEP could have done this fencing project. Cr Williams highlighted that CDEP workers had only just finish their fencing course and are capable of doing these fences.

The Director of Engineering stated that QBuild was in charge of this project and they engaged the contractor that was registered in their system as preferred supplier.

CR Williams stated that QBuild should have approached Council asking what is available before engaging outside contractors.

Cr Elu mentioned that QBuild need to have a process of works being done in the NPA and to keep Council informed of any contract in these communities.

CEO advised Council to look at the certified contractors with QBuild and if Council can have an exemption. CEO stated that Council will need to consider at least 4 months before the contract is processed.

Cr Elu requested that Council will write a formal letter of complaint to QBuild to expand the process for local contractors and NPARC need to get on the preferred list of supplier.

Cr Bond requested that the fallen guttering at the New Mapoon youth centre needs to be fixed. Cr Bond highlighted the risk to children and to the community.

Resolution: (Pages 515 – 522)

THAT: Council receives the report from the Director of Engineering.

Moved: Cr Williams

Seconded: Cr Aniba

Vote: 6/0

Date. 02/08/2011

Resolution number : 07-02.08.11

Agenda Item (5) – 11:15am to 11: 30am

Director of Finance Report

CEO advised that there are no exceptions to the Director of Finance Report.
CEO stated that Council have clean out the old debtor records removing anomalies regarding deceased tenants or people that have moved away.

CEO also advised Council that the Budget is on target and that Council is halfway through the 2010-11 end of financial year audit process.

CEO mentioned that the end of financial year statements will come to Council for the Mayor and CEO to sign at the September meeting and that Council will have an unqualified audit.

CEO advised that the usual Annual Report would need to be done on time and that the Budget meeting is set for the 30th August 2011.

CEO stated that Council invites the Director of Finance to the 6th September 2011 meeting.

Cr Elu asked if Council have heard again from the Auditors.

CEO stated that the Auditors will be returning end of August 2011 to do their audit validation check, and then their final report in October 2011.

<p>Resolution: (Pages 525 – 553) THAT: Council receives the report from the Director Finance Moved: Cr Aniba Seconded: Cr Nona Vote 6/0 Resolution number: 08 – 02.08.11</p>	<p>Date. 02/08/2011</p>
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Agenda Item (6) – 11:30am to 11:45am

Director of Economic Employment Development Unit Report

CEO advised Council that there are no exceptions to the report from the Director of Economic Employment Development Unit report.

CEO informed Council to have a record included each month of participants engaged in registered training and being recognised which will be a great outcome for CDEP.

Cr Bond mentioned to ‘streamline’ participants that have multiple qualifications and have them trained in a specialised area that would show them a lifelong career pathway.

CEO highlighted the changes to CDEP affected from the 1st of July 2011 which will increase the CDEP utilisation rate.

Cr Lui mentioned that the participant that misses a day will have their name registered with JSA's and those staying away on consecutive dates are taken off the system. Cr Lui advised that they are still listed on the schedules but their payment now stops.

Cr Elu asked the end date for the CDEP agreement.

Cr Lui mentioned – December 2012.

Resolution: (Pages 557 – 560)

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

Moved: Cr Williams

Seconded: Cr Aniba

Vote: 6/0

Date: 02/08/2011

Resolution number: 09 – 02.08.11

Agenda Item (7) – 11:45am to 12:00pm

Director of Community Services Report

CEO advised Council that there are no exceptions to the report from the Director of Community Services.

CEO mentioned the NPA Family Fun Day marked for the 5th August, and the Northern Pride game to be held on the 20th August 2011.

CEO advised that Council had provided the Northern Pride with a letter of support to have their game in the NPA and the first played in any remote indigenous community. CEO advised that the media will also be covering the game which will be a huge event.

CEO also referred to item 1.2 in the Community Services report where a child broke her leg at the Tropical Amusement Side show. CEO advised that the matter is now handed to the WH&S Officer at Thursday Island.

CEO advised Council that he will have a dialogue with Cr Williams and the Director of Community Services in regards to the future of the old HACC Building.

Cr Bond informed Council that the organising of the Fun day was left too late. Cr Bond said that New Mapoon Aboriginal Corporation was put in a position to sponsor the firework for the NPA Family Fun Day to occur.

CEO stated that the Director of Community Services made other arrangements but it 'fell through'. CEO mentioned that there needs to be better Planning for these events.

CEO advised that Council has passed a resolution to have the NPA Show Day every 2 years with the exception of a family fun day on the following year.

Cr Elu mentioned that the Family Fun Day is thought to be fun day supported by in-kind donation where no money is involved. Cr Elu mentioned that bigger events need to have sponsors where banners are display to advertise the value of a business that sponsored.

CEO mentioned that 2012 will be the NPA Show Day, and the 2013 Family Fun Day. CEO stated that the planning will need to come before Council 6months prior to the date of the event.

Cr Williams highlighted that Council need to control vehicles, as a safety issue from parking on the mounds at the Yusia Ginau Sports oval. Cr Williams stated that vehicles need to be parked at an identified area.

CEO informed Council that the State Police will be bringing in extra staffs for that weekend.

Resolution: (Pages 563 – 565)

THAT: Council receives the report from the Director Community Services.

Moved: Cr Lui

Seconded: Cr Nona

Vote: 6/0

Date. 02/08/2011

Resolution number: 10 – 02.08.11

Agenda Item (8) – 1:00pm – 1:30pm

Mr Marc Harbrow – AFL Presentation

Marc Harbrow – Senior Developer for AFL Cape York to implement and co-ordinate the AFL programs, currently being run in the NPA Communities until September 2011.

1. Kick Start– AFL

- National AFL Program runs differently and individually in each State.
- No school No play Australian Government initiative and that the program is not only based on AFL but also on Education opportunity. That the program was also signed by other sporting organisations.
- Awards kids for going to school Weekly Comp Senior & Junior Games
- Rewarding students with sporting opportunities ie. To spend a week with Gold Coast Suns, how they train, play and prepare themselves.
- Program is based on ‘build school attendances’, and provide kids opportunity to go to universities.
- NPA has 90% rating of school attendance and AFL is currently working with the schools targeting the non- attendance.

2. No Boundaries program

- Role base here in the NPA has a similar focus to target school attendances
- Partnership program to develop a formal agreement with NPARC/ NPA College / Gold Coast Suns AFL

- To develop and coordinate weekly junior competitions with the opportunity for senior members to also participate.
- Focus is AFL is not trying to taking over the sporting codes but will be working together with other sporting organisation, with AFL's program runs outside rugby league competition, touch football or Basketball competition so these games do not clash.
- AFL is keen to be involved with community activities and events.
- NPA Pathway program played against TI, and then picked for the regional side, and being selected to become a Crusader which is a representative in the Under 12, 14 & 16 at state level.

Cr Bond questioned the current status of the program, with improve attendance.

Mr Harbrow advised that the Program has been run for over 13years and kids are realising that they need to attend school to be included in AFL.

Mr Harbrow stated that at the end of September/October AFL will have a comparison of a true attendance record.

Cr Lui asked if AFL is looking at running competitions in 2012.

Mr Harbrow stated, this is a pilot program and with the interests if there is room for that to happen then it will happen.

CEO requested a schedule of current AFL events? and if the program was handed to Council Media Officer.

Mr Harbrow mentioned that it will be included in this next issue.

Mayor requested that AFL provide Council an update every 2 or 3 months.

Resolution:

THAT: Council acknowledges to the AFL Program

Moved: Cr Aniba

Seconded: Cr Bond

Vote: 6/0

Date. 02/08/2011

Resolution number: 11 – 02.08.11

Agenda Item (9) – 1:30pm – 1:45pm

Mail Register

Resolution: (Pages 571 – 575)

THAT: Council receives the report from the Mail Register.

Moved: Cr Lui

Seconded: Cr Bond

Vote: 6/0

Date. 02/08/2011

Resolution number: 12 – 02.08.11

Agenda Item (10) – 1:45pm – 2:30pm

Other Business

1. NPARC Newsletter 28 - Page 11 Photo of late Billy Billy should be Billy Baira
2. Other Business/Matters Outstanding

Bamaga-

Cr Williams not happy with the newly installed energy sufficient Hot Water system.

Cr Williams requested that Council's DoES contact Harry Krause / Col Moore regarding the opportunity provided to Council to relocate the Carol's Crossing Bridge to NPA.

Injinoo –

Cr Nona requesting more fencing for these community houses

Cr Nona requested that the registration forms for 2012 Election be made available at the divisional offices.

Umagico -

Cr Lui requested that a letter sent to John Charlton at Seisia re unauthorised entry on holiday camps of local community members.

CEO to investigate.

New Mapoon -

Cr Bond requested an ongoing concern to clean up rubbish along Galloways beach.