



Northern Peninsula Area Regional Council

Minutes Council Ordinary Meeting

Notification Date: Tuesday 26th February 2013
Meeting Date: Tuesday 26th March 2013
Meeting Location: Injinoo Chambers
Time: 9:36am

Mayor and Councillors

Cr Bernard Charlie	(Mayor)
Cr Anthony Mara	(Division 1)
Cr Dennis Getawan	(Division 2)
Cr Edward Newman	(Division 3)
Cr Trevor Lifu	(Division 4)
Cr Benjamin Gebadi	(Division 5)
Chief Executive Officer	Ilario Sabatino
Deputy CEO	Danny Sebasio
Secretary	Esme Newman

Welcome and Declare Meeting Open – Mayor

- Apologies - Cr Ben Gebadi, Cr Charlie
- Declaration of Conflicts of Interest
Nil
- Declaration of Material Interests
Nil

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

Minutes of previous Council Meeting 26th & 27th February 2013

Agenda Item 3 – Director of Operations

6.0 Operations Services Departmental Reports for Council Resolution

The following are matters for Council that require resolution or endorsement by Council.

1. Amendments to Pavement Contract – Bamaga and Injinoo Sub divisions

Recommendation. That Council -I

- 1) Amends the name of the successful contractor to Rob Roy Earthmoving P/L
- 2) The CEO enters into the Contract as previously approved by Council, and
- 3) Endorses the action of the Director of Operations to expedite the works

Resolution:

- 1) Amends the name of the successful contractor to Rob Roy Earthmoving P/L*
- 2) The CEO enters into the Contract as previously approved by Council, and*
- 3) Endorses the action of the Director of Operations to expedite the works*

Moved: Cr Mara

Seconded: Cr Lifu

Vote: 4/0

Resolution No: 3-260313.1

2. Regional Refuse Truck

Resolution:

THAT: Council approves Russ Equipment ACCO 2350 (with electronic rust proofing) at a cost of \$357,105.29 (to be confirmed when ordering on confirmation of rust proofing costs.

Moved: Cr Mara

Seconded: Cr Lifu

Vote: 4/0

Resolution No: 3-260313.2

3. Major Infrastructure Project 5 (MIP5) project scope works. This recommendation seeks Council endorsement of a number of identified projects to be placed under consideration for MIP 5 projects.

Recommendation – Council endorses the key projects for considerations, as MIPS 5 Funded Projects.

Alternate Resolution:

That : Council seek further information and refer to the April meeting.

Moved: Cr Getawan

Seconded: Cr Mara

Vote: 4/0

Resolution No: 3-260313.3

4. Project Delivery Structure – This recommendation seeks Council endorsement to implement a project management structure to assist Council to effectively and efficiency deliver Council and community project within the NPA.

Recommendations - Council

1) Endorses the progression of the structure to progress future projects within the NPA, and

2) Councillors with the Operations portfolio and the Director of Operations form the key membership of the In-house Bid Team along with other key staff as required

.Alternate Resolution:

That Council seek further advice and refer to the March meeting.

Moved: Cr Newman

Seconded: Cr Getawan

Vote: 4/0

Resolution No: 3-270213.4

Resolution:

THAT: Council accept the minutes of previous Council Meeting 26th & 27th February 2013.

Moved: Cr Mara

Seconded: Cr Getawan

Vote::4/0

Resolution number:: 260313

Agenda Item (2) - 9:15am – 9:45am

CEO Report

Requiring Resolution

1. February – unresolved Finance resolutions

Purpose

Re-table for Council consideration finance Resolutions.

Summary

At Februarys' 2013 Council Meeting a number of recommendations was tabled for consideration based on the review undertaken by the Director of Finance and associate including issues raised by the QAO during November/December 2012 and March 2013.

Impact on Council Budget or regulatory compliance

Recommendations presented are critical to meeting both Council budget and regulatory compliance.

Recommendation

That: council consider all recommendations presented and resolute accordingly.

Resolutions to be considered/approved March Council Meeting – left from February Council Meeting

1.1 Budget

Resolution;

That the Council accepts and adopts the finance recommendation that Council gets its budget deficit reduced further down from current levels in 2013/2014 financial year and reaches breakeven (income and expenditure matches) in 2014/2015 financial year.

Moved; Cr Mara

Seconded;Cr Lifu

Vote;4/0

Resolution number;2-260313-1.1

1. 2 Business Manager

Resolution;

That the Council accepts and adopts the finance recommendation for a Business Manager to be appointed to oversee the management of the Enterprises with the intention to bring the m back to a minimum of 'break even' operations.

Moved; Cr Getawan

Seconded; Cr Mara

Vote; 4/0

Resolution number :2-260313-1.2

1.3 Motorpass Fuel Card System

Resolution;

That the Council accepts and adopts the financial recommendation to install a 'Motorpass fuel card system' for Council to purchase all its fuel requirements as per the finance governance review recommendations.

Moved; Cr Mara

Seconded; Cr Lifu

Vote; 4/0

Resolution number : 2-260313-1.3

1.4 Corporate Credit Card

Resolution;

That the Council accepts and adopts the finance recommendation to increase the number of corporate credit card from one to four; to be used as follows;1 for the Cairns office to be used instead of petty cash, 1 for the Bamaga office (currently have),1 for the Director of EEDU and 1 for the Director of Community Services with the following conditions:

- Each card holder is responsible for monthly reconciliation of the credit card in their possession
- No personal use is allowed under any circumstances
- Guidelines under the credit card policy must be followed at all times

Moved; Cr Lifu

Seconded; Cr Getawan

Vote; 4/0

Resolution number :2-260313.1.4

1.5 Tenancy Agreements – Staff, Social and Corporate Houses

Resolution;

That the Council accepts and adopts the finance recommendation that all staff, social and corporate houses must have a current tenancy agreement in place and that all payments are required to be made via automatic rent deductions from a nominated bank account.

Moved; Cr Mara

Seconded; Cr Getawan

Vote;4/0

Resolution number : 2-260313-1.5

1.6 Cairns Office

Resolution;

That the Council accepts and adopts the recommendation to not close the Cairns office until the current lease has expired on 31 January 2015 when it will be reconsidered as an option, or

That the Council does not accept and adopt the recommendation to keep the Cairns office open and has resolved to close the Cairns office

Alternate Resolution :

That the Council does not accept and adopt the recommendation to keep the Cairns office open, however will review various options.

Moved;Cr Mara

Seconded; Cr Lifu

Vote; 4/0

Resolution number :2-260313.1.6

1.7 QAO Management Report

Resolution;

That the Council accepts and adopts the finance recommendation to act on and finalize all of the QAO Management Report Recommendations from November/December 2012 and March 2013 by the 30 June at the latest.

Moved; Cr Mara

Seconded; Cr Lifu

Vote; 4/0

Resolution number : 2-260313-1.7

1.8 Commercial Leases/Agreement

Resolution;

That the Council accepts and adopts the finance recommendation for Corporate Services to clarify and possibly renegotiate the service terms of any commercial leases/agreements put in place both prior to amalgamation and post amalgamation to ensure they are fair, equitable, and in Council's best interests as a matter of some urgency.

Moved; Cr Getawan

Seconded; Cr Mara

Vote; 4/0

Resolution number :2260313-1.8

1.9 Seisia Enterprise

Resolution;

That the Council accepts and adopts the finance recommendation to complete the process for the divestment of Seisia Enterprises in regards to transferring loans and lease tenure implications.

Alternate Resolution :

Council request further advice in view of finalizing the transfers in regards to transferring loans and lease tenure implications.

Moved; Cr Mara

Seconded; Cr Lifu

Vote; 4/0

Resolution number : 2-260313-1.9

1.10 Divestment of Enterprises

Resolution;

That the Council accepts and adopts the finance recommendation that the process for Divestment of Enterprises is revisited, changed where required (if required) and followed through to continue with the divestment process.

Moved; Cr Mara

Seconded; Cr Lifu

Vote; 4/0

Resolution number : 2-260313-1.10

1.11 Business Manager

Resolution;

That the Council accepts and adopts the finance recommendation that the Business manager in consultation with Senior Management and Enterprise duty Managers/Supervisors develops business plans and budgets for each Enterprise and monitor and report business performance on a monthly basis to Council.

Moved; Cr Mara

Seconded; Cr Getawan

Vote; 4/0

Resolution number 2-260313-1.11

1.12 Policies – Website Update

Resolution;

That the Council accepts and adopts the finance recommendation that the policies currently uploaded to the Council Website are updated, approved and uploaded so that we meet legislative requirement/compliance under the Local Government Act 2009.

Moved; Cr Getawan

Seconded; Cr Mara

Vote; 4/0

Resolution number : 2-260313-1.12

1.13 NPARC Plan

Resolution;

That the Council accepts and adopts the finance recommendations to either develop or review the following plans to ensure they are current, relevant and meet Councils needs:

- Community Plan
- Operational Plan
- Financial Plan
- Corporate Plan
- Service Delivery Strategy
- Financial Management Strategy
- Asset Management Strategy

Moved; Cr Getawan

Seconded; Cr Lifu

Vote; 4/0

Resolution number : 2-260313-1.13

1.14 NPARC Policies

Resolution;

That the Council accepts and adopts (CEO to sign-off) the revised 2013 policies undertaken by finance and up-loading to NPARC website. Policies are in response to the Management Report recommendations by QAO whilst others are due to the requirement for better financial management and to reduce the possibility of fraudulent activity.

These include:

- Internal Audit Policy (PN: IA – 001) – (2012) reviewed
- Asset Management Policy (PN: AM/001) – (2011) reviewed
- Corporate Card Policy (PN: FIN/001) – (2011) wasn't originally approved.
- Procurement Policy (PN: FIN/002) – (2011) reviewed
- Borrowing Policy (PN: FIN/003) – (2009) reviewed
- Register of Electoral Gifts Policy (PN: FIN/006) - 2009
- Debt and Revenue Policy (PN: FIN/007) - 2011
- Debt Recovery Policy (PN: FIN/008) - 2011
- Banking Policy (PN: FIN-010) - new

Moved: Cr Lifu

Seconded: Cr Getawan

Vote: 4/0

Resolution number: 2-260313-1.14

Following on from a meeting that the Mayor, Acting Director of Finance and a State Government Representative had whilst in Cairns in March, the following two requests for resolutions have been made by the mayor for inclusion in the March Council Meeting papers;

1.15 10 Year Community Plan

Resolution;

That Council accepts and adopts the Mayors request for the CEO to write a letter to Alan Cuneen requesting funding for the 10 year Community Plan. Letter to be signed off by the Mayor.

Moved; Cr

Seconded;

Vote; 4/0

Resolution number : 2-260313-1.15

1.16 Welfare Reform

Resolution;

That Council accepts and adopts a recommendation from the Mayor that Council passes a resolution stating that there will be no Welfare Reform brought into the NPA without the consultation and full consent of Council.

The CEO to write a letter to the Commonwealth Government notifying them of the resolution passed by Council, letter to be addressed to Tony Abbott and cc to Warren Entsch

Moved; Cr Getawan

Seconded; Cr Mara

Vote; 4/0

Resolution number: 2-260313-1.16

2. Impact on Council Budget and regulatory compliance \$15,000

Resolution;

That Council accepts in this instance only the increase of relocation from \$11,000 to \$15,000.

Moved: Cr Mara

Seconded: Cr Lifu

Vote:4/0

Resolution number: 2-260313

3.LGAQ to undertake independent review of current structure

Purpose

Independent review of current structure.

Summary

At Februarys' 2013 Council Meeting a number of recommendations was tabled for consideration based on the review undertaken by the Director of Finance and associate including issues raised by the QAO during November/December 2012 and March 2013.

Impact on Council Budget or regulatory compliance

Recommendations presented are critical to meeting both Council budget and regulatory compliance.

Resolution;

That the Council approves the CEO in conjunction with senior management to develop a scope of works including the potential engagement and cost associated with engaging LGAQ to undertake this activity.

Moved: Cr Mara

Seconded: Cr Lifu

Vote: 4/0

Resolution number: 2-260313.3

5. Financial and Sustainability Strategies

Resolution :

THAT: Council in reference to Financial and Sustainability Strategies it be recommended to Council that this report be receive and that the following matters identified be investigated, with a view towards the implementation of appropriate fees and charges where appropriate to do so.

Moved: Cr Mara

Seconded: Cr Getawan

Vote: 4/0

Resolution number: 2-2603.5

Resolution :

THAT: Council receives the report from the Chief Executive Officer Report.

Moved: Cr Mara

Seconded: Cr Lifu

Vote: 4/0

Resolution number: 2-260313

Agenda Item (3) - 9:45am – 10:15am

Director of Operations Report

6.0 Operations Services Departmental Reports for Council Resolution

The following are matters for Council that require resolution or endorsement by Council:

1. **Current Financial issues** - This is for Councils information and noting and relates to the most serious financial impacts of day to day operations.
 - The provision of ongoing maintenance services for social housing;
 - The ongoing payment for subcontract services; and
 - The ongoing opportunity to continue with a secure source of income for Council in the short/medium term.

Staff are continuing to monitor the situation and will take necessary actions to manage this situation.

RECOMENDATION

That Council

- 1) That this information be received and noted.

Moved : Cr Mara

Seconded Cr Lifu

Vote : 4/0

Resolution Number : 3-260313-1

2. **MIP 4 Asset Sustainability Upgrade Project - Fluoride Treatment Upgrade funding.** This recommendation seek Councils approval for the amendments to the funding provisions for the supply of funds by MIP for the Fluoride Treatment plant upgrade at Bamaga.

RECOMENDATION

That Council

- 1) That this information be received and noted.

Moved : Cr Mara

Seconded Cr Getawan

Vote : 4/0

Resolution Number : 3-260313-2

3. **Continuation of MIP 4 core scope items.** This report is for noting by Council and outlines the completion of a number of core scope items that are part of the MIP 4 Asset Sustainability project and potential MIP 5 project funding

RECOMENDATION

That Council

- 1) That this information be received and noted.

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Moved : Cr Mara
Seconded : Cr Getawan
Vote : 4/0
Resolution Number : **3-260313-3**

4. **Engagement of Council for delivery of small lot subdivision works in Seisia and Umagico.** This report informs Council of a request by the Program Office via RPS to price civil works associated with the aforementioned projects.

RECOMENDATION

That Council:

1)That this information be received and noted and further information required.

Moved : Cr Lifu

Seconded : Cr Getawan

Vote : 4/0

Resolution Number : 3-260313-4

Resolution:

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

Moved: Cr Mara

Seconded: Cr Lifu

Vote:4/0

Resolution number:

Agenda Item **(4)** – 10:30am to 11:00am

Dept of Housing & Works – Mr Scott Ferguson

Resolution:

THAT: Council receives and note the presentation Department of Housing & Works – Mr Scott Ferguson – Area Manager.

Moved: Cr Getawan

Seconded: Cr Lifu

Vote: 4/0

Resolution number: 4-260313

Agenda Item (5) – 11:00am – 11:30am

Director of Finance

Resolution:

That Council accept and note the Financial Report as at 28 February 2013.

Moved: Cr Mara

Seconded: Cr Lifu

Vote: 4/0

Resolution number : 5-260313

Agenda Item (6) – 11:30am – 12.00pm

NPA Ngurpai Ikama Ikya Education Council – Mr Jeffery Aniba & Mr David Ahboo

Resolution:

THAT: Council receives and note the presentation from NPA Ngurpai Ikama Ikya Education Council – Mr Jeffery Aniba & Mr David Ahboo.

Moved: Cr Mara

Seconded: Cr Lifu

Vote: 4/0

Resolution number: 6-260313

Agenda Item (7) – 1:00pm- – 1:15pm

Director of Community Services

Resolution:

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

Moved: Cr Mara

Seconded: Cr Lifu

Vote: 4/0

Resolution number: 7-260313

Agenda Item (8) – 1:15pm – 1:30pm

Director of Employment Economic Development Unit Report

Resolution :

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

Moved:Cr Lifu

Seconded: Cr Getawan

Vote: 4/0

Resolution number: 8-260313

Agenda Item (9) – 1:30pm – 2:00pm

Other Business/Matters Outstanding

Cr Getawan – Umagico

1. Noise Complaint Forms
2. Budget Lodge
3. Workers Union

Cr Lifu – New Mapoon

1. Fencing – Quarry Heights
2. Bus Stop – Repair & Maintenance

Cr Mara – Injinoo

1. Injinoo Workshop –Rental
2. Streetlights
3. Bus Stop – opposite Mimi Close
4. Road Drainage – Cleaned

Cr Newman

1. Poi Poi Street
2. Horses
3. Streetlights