



Northern Peninsula Area Regional Council

MINUTES OF NPARC ORDINARY MEETING

Notification Date: Tuesday 27th May 2014
Meeting Date: Tuesday 24th June 2014
Meeting Location: Umagico Chambers
Time: 10:29am

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 Elu	(Division 5)

Chief Executive Officer	Ilario Sabatino
Deputy CEO	Danny Sebasio
Executive Assistant	Esme Newman

Welcome and Declare Meeting Open – Mayor

- Apologies - Cr Getawan
- Declaration of Conflicts of Interest - Nil
- Declaration of Material Interests - Nil

Agenda Item (1) - Minutes of previous Council Meeting 27th May 2014

Resolution:

THAT: Council accept the minutes of previous Council Meeting 27th May 2014

Moved: Cr Mara

Seconded: Cr Lifu

Vote: 4/0

Resolution number: 1- 240614

Mayor joined meeting 11:35am

Agenda Item (2) - CEO Report

2.1 Revised Rural & Remote Program Funding

Resolution:

THAT: Council accepts

1. To note presentation and information provided by the Department of Housing and Public Works as represented by Director Remote Programs/Strategic Portfolio Management Housing Services.

Moved: Cr Newman

Seconded: Cr Elu

Vote: 5/0

Resolution number: 2.1-240614

2.2 Transfer of Water Treatment Plant System from State Government to the NPARC

Resolution

THAT Council resolves:-

- *To oppose the actions proposed by the State Government (LGCRR) and the direct intervention outlined, that relies upon the enactment of Section 118 of the Local Government Act 2009 to forcibly transfer full ownership and responsibility of the water supply system to NPARC.*
- *To reassert its belief that this action, and proposed consequential or subsequent actions, are unwarranted, and appear on the surface to be a blatant mis-use and application of the State's powers, and in contravention of the principles and purpose for which Section 118 1(a)(b) was enacted.*
- *To challenge the motives and factual information relied upon in reaching your conclusions and making the decisions, and considers the proposed actions to be completely counter productive and intimidating.*
- *To clearly demonstrate the outlined actions will, without any doubt, undermine the autonomy and principles of self determination and sustainability contained within the Local Government Act 2009, based upon the information currently available.*
- *To seriously test the foundations and justification upon which these conclusions and decisions have been made, as we are confident that they will not be capable of withstanding external scrutiny or review.*

- *To reinforce Council's position and transparent approach by providing current financial documentation, statements and reports to the Department of Local Government, Community Recovery and Resilience, including details of recent operational and financial management systems enhancements, and administrative policy and procedural changes which are consistent with recommendations contained in the BDO consultant's report that you have previously referred to.*
- *To reinforce Council's genuine concern and belief that the current Water Supply System (under the State's ownership and responsibility) is not meeting acceptable or appropriate service standards and is incapable of meeting existing and foreseeable demand, proposed growth and supply to residents without major and significant replacements, capital upgrades and enhancements – it is not sustainable in its present form and on the basis of current strategic financial, asset and risk management practices and principles*
- *To reinforce Council's conclusions and stance to date, that Council would be considered to be seriously derelict in its duty to its communities, and acting in contravention of the principles, and its responsibilities, contained in the Local Government Act 2009;*
 - *to accept the State's current approach to the transfer of ownership and responsibility of the Water Supply to NPARC, and therefore knowingly transferring major and significant capital funding obligations and apparent contingent liabilities from the State to its communities without any tangible means of effectively funding the documented age, condition and capacity ramifications associated with the existing asset base and the apparent capital costs of replacements, upgrades and/or enhancements required in the foreseeable future.*
 - *This action would be considered to be an obvious contradiction our and your stated intention of developing a sustainable Local Government underpinned by sound, meaningful and robust long term financial management plans for our region on the information currently available.*
- *Council's concerns are further reinforced by the fact that the State (DLCRR) appears to be ignoring or evading the need to seriously address these concerns in order for Council to effectively exercise its legislated risk and financial management responsibilities and to consequently develop sound, meaningful and robust long term sustainability plans, taking into account the proposed full ownership model currently proposed by the State (DLGCRR), and Council's current circumstances.*
- *Considering the magnitude and complexity of these issues, and taking into account the principles and stated intentions of the Local Government Act 2009, Council believes that the State's outlined actions, are unreasonable, unwarranted and unconscionable in the circumstances and Council opposes the State effectively forcing NPARC to accept full responsibility for the ownership and operations of NPA water supply system by 1st September. This position is also supported by available reports that have been prepared by external consultants recommending a minimum of 6 months as reasonable.*

- *Re-affirms its intention to work co-operatively and constructively with the Department of Local Government, Community Recovery and Resilience and commits to a formal 12 month transitional program and action plan as proposed by Council (copy attached) that will achieve the stated intentions and outcomes required by the State (DLGCR) through a responsible, informed and robust process, with Council assuming full ownership, control and responsibility of the NPA Water Supply System, based upon a sound, meaningful and robust Sustainability Model for Council from the 1st October 2015.*
- *Re-affirm its belief that the development of the Sustainability Model will, without doubt, highlight and address the genuine concerns of Council and the obvious significant financial impact that a decision of this nature will have on the State(DLGCR) and Council, particularly given the asset and system management documentation currently available.*
- *Re-affirm its conviction to take ownership and responsibility for the implementation of the proposed action plan and requests the Department of Local Government, Community Recovery and Resilience to provide immediate seed funding for Council to provide assistance, additional resources and support to our nominated project Manager, Wayne Price (Executive Manager Finance) ,to effectively implement the action plan once finalised and agreed.*
- *Re-affirm its genuine desire to develop and strengthen the knowledge, skills and resources within Council, and as a consequence its partner agencies, that will build the capacity, capability and proficiency of Council to responsibly and effectively deliver this project and achieve its objectives to ensure a sustainable NPARC; as outlined in Council's proposed "Sustainability Model Action Plan".*
- *To acknowledge the urgent need, and provide its support for the Department's immediate requirement, to appoint a responsible professional water supply system operator and maintenance contractor to continue to maintain and sustain these essential services and assets in the short term on behalf of the State Government, particularly given the possible need to phase in the Sustainability Mode, and the indicated time-frames proposed by Council.*
- *To invite the Minister and Director General of the Department of Local Government, Community Recovery and Resilience to:*
 - *Formally acknowledge Council's genuine concerns (and underlying circumstances) regarding the proposed transition to date, and the Council's genuine commitment to achieving ownership and full responsibility for the NPA Water Supply System without compromising the future sustainability of Council and its communities.*
 - *To meet with Council to constructively and responsibly discuss and actively progress the Council's proposed 'Draft Sustainability Model Action Plan' in the interests of both parties, and consistent with the State's and the considering the timeframes involved, and consistent with the principles and outcomes contained within the Government's Queensland 30 year Water Strategy.*

To secure the State's (DLGCRR) input, endorsement and commitment to the plan as an accountable and answerable partner, and as a responsible and effective means to developing and implementing a robust, transparent and accountable management framework and process to ensure the future sustainability of the Council and its communities.

Moved : Cr Mara
Seconded Cr Lifu
Vote : 4/0
Resolution Number : 2.2-240614

Agenda Item (3) – Executive Manager Finance

3.1 Financial Report

Resolution:
THAT: Council has read and considered the Financial Report as at 31 May 2014 and accept and adopt the report.
Moved: Cr Mara
Seconded: Cr Lifu
Vote: 4/0
Resolution number: 3.1-240614

Cr Elu excused himself from the meeting 12:18pm

Agenda Item (4) – Executive Manager Corporate Report

Report Part B

4.1EOI New Mapoon Aboriginal Corporation (NMAC) request for land for 50th Anniversary Historical Centre Site

Resolution;

THAT :Council endorse the project in principal however an alternative site is to be found and detailed engineering drawings to submitted for Council assessment.

Moved : Cr Mara
Seconded : Cr Lifu
Vote 45/0
Resolution Number : 4.1B-240614

4.2 NPARC Councillor Remuneration policy

Resolution; That Council endorses the above NPARC Councillor remuneration policy, effective 1st July 2014.

Moved : Cr Mara
Seconded : Cr Newman
Vote : 4/0
Resolution Number : 4.2B-240614

Report Part C- Bamaga Lease Proposals

4.1 EOI to lease Bamaga Heritage Centre, next door to BP Service Station, Bamaga

Resolution; That Council endorses offering BPIC the above lease and lease terms for the purposes of reopening as Tourism and Heritage Information Centre only.

Moved : Cr Newman

Seconded Cr Mara

Vote : 4/0

Resolution Number : 4.1C-240614

4.2 EOI to lease 800sqm land for NPA Judo Club, Bamaga

Resolution; That Council endorses offering NPA Judo Club the above lease and lease terms for 800 square metres of vacant land in the Bamaga Community Precinct.

Moved : Cr Lifu

Seconded : Cr Newman

Vote : 4/0

Resolution Number : 4.2C-240614

4.3 EOI to lease Old Catholic Church site, 3 Wasiu Street, Bamaga

Resolution; That Council endorses in principle offering Bamaga Enterprises Ltd the above lease and lease terms for the Old Catholic Church site, 3 Wasiu Street, Bamaga for the express purpose of residential accommodation only.

Moved : Cr Newman

Seconded :Cr Lifu

Vote : 4/0

Resolution Number : 4.3C - 240614

4.4 EOI to lease Lot 223 Adidi Street, Bamaga

Resolution; That Council supports in principle for lot 223 Adidi Street, Bamaga, commercial development however, requires more details from the applicant regarding future development plans.

Moved : Cr Newman

Seconded ; Cr Lifu

Vote : 4/0

Resolution Number : 4.4C - 240614

4.5 EOI to lease 308 Poi Poi Street, Bamaga

Resolution; That Council endorses offering the Jehovah's Witness Congregation the above lease and lease terms for lot 308 Poi Poi Street Bamaga, with the offer expiring after 28 days if not accepted by the Jehovah's Witness Congregation. Bamaga Enterprises Ltd to be encouraged to lodge EOI for alternate 3000 square metre site identified as part of this lease assessment process.

Moved : Cr Newman

Seconded : Cr Mara

Vote : 4/0

Resolution Number : 4.5C-240614

4.6 EOI to lease lot 60, Lease K at the Bamaga Resort, reconfiguration of a lot.

Resolution; That Council endorses offering Bamaga Enterprises Ltd the above lease and lease terms for lot 60, Lease K at the Bamaga Resort by reconfiguration of a lot.

Moved Cr Newman

Seconded : Cr Lifu

Vote : 4/0

Resolution Number : 4.6C-240614

4.7 EOI to lease - "Lease East" Lui Street, Bamaga

Resolution; That Council requires more details from the applicant regarding future development plans.

Moved : Cr Newman

Seconded Cr Mara

Vote : 4/0

Resolution Number : 4.7C -240614

4.8 EOI to lease BP Bamaga and Manager's Residence, Pajinka Rd, Bamaga, reconfiguration of a lot.

Resolution; That Council endorses offering Bamaga Enterprises Ltd the above lease and lease terms for BP Bamaga and Manager's residence, Pajinka Road, Bamaga by reconfiguration of a lot.

Moved : Cr Mara

Seconded Cr Newman

Vote : 4/0

Resolution Number : 4.8C-240614

4.9 Endorsement of revised survey plan for Bamaga SnackBar/Bakery, Lease U, Adidi Street, Bamaga

Resolution; That Council endorses the revised survey plan for Lease U and authorise the CEO and Mayor to sign off on Council's behalf.

Moved : Cr Newman

Seconded : Cr Mara

Vote : 4/0

Resolution Number : 4.9C-240614

4.10 EOI to lease lots 179 and 180 Adidi Street, Bamaga.

Resolution; That Council requires more details from the applicant regarding future development plans.

Moved : Cr Newman

Seconded : Cr Lifu

Vote : 4/0

Resolution Number : 4.10C- 240614

Meeting Closed 4:30pm meeting recommence Wednesday 25th June 2014

MINUTES OF NPARC ORDINARY MEETING

Notification Date: Tuesday 24th June 2014
Meeting Date: Wednesday 25th June 2014
Meeting Location: Bamaga Chambers
Time: 10:10am

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 Elu	(Division 5)

Chief Executive Officer	Ilario Sabatino
Deputy CEO	Danny Sebasio
Executive Assistant	Esme Newman

Welcome and Declare Meeting Open – Mayor

- Apologies - Cr Getawan & Cr Elu
- Declaration of Conflicts of Interest - Nil
- Declaration of Material Interests -

New Mapoon proposals:

4.1 EOI to lease Nursery Site, New Mapoon

Resolution; That Council endorses offering Michael Bond the above lease and lease terms for the Nursery Site, New Mapoon.

Moved : Cr Mara

Seconded : Lifu

Vote : 4/0

Resolution Number : 4.1A-250614

4.2 Extension to existing lease Qld Govt Disability Services, Office at New Mapoon

Resolution; That Council endorses offering Queensland Government Disability Services the above lease and lease terms for 13.5 square metres of office space at New Mapoon.

Moved : Cr Newman

Seconded : Cr Lifu

Vote : 4/0

Resolution Number : 4.2A-250614

Umagico Lease Proposals:

4.3 EOI to lease Old Umagico Service Station, Umagico

Resolution; That Council endorses offering Dennis Getawan the above lease and lease terms for the Old Umagico Service Station, Umagico.

Moved : Cr Mara

Seconded : Cr Newman

Vote : 4/0

Resolution Number : 4.3A -250614

4.4EOI to lease half of ITEC Building, Umagico

Resolution; That Council endorses offering the NPA Justice Group the above lease and lease terms for half of the ITEC Building, Umagico.

Moved : Cr Lifu

Seconded : Cr Newman

Vote : 4/0

Resolution Number : 4.4A -250614

4.5 EOI to lease Old Anglican Church site, Umagico

Resolution; That Council endorses offering the Uniting Pentecostal Church lease terms for the old Anglican Church site at Umagico.

Moved : Cr Newman

Seconded : Cr Lifu

Vote : 4/0

Resolution Number : 4.5A - 250614

4.6 EOI to lease Old Umagico Tavern, Umagico

Resolution; That Council declines the offer of Peter Lui lease for the Old Umagico Tavern, and encourage him to submit a EOI for the Injinoo Youth Centre.

Moved : Cr Mara

Seconded : Cr Newman

Vote : 4/0

Resolution Number : 4.6A -250614

Seisia Lease Proposals

4.7 Commercial Lease Amnesty - EOI to lease lot 34 Tradesmans Way, Seisia

No Resolution, referred to next Meeting , 20th July 2014.

4.8 Commercial Lease Amnesty – EOI to lease lot 38 Tradesmans Way, Seisia

No Resolution, referred to next Meeting , 20th July 2014.

4.9 Commercial Lease Amnesty – EOI to lease lot 35 Tradesmans Way, Seisia

No Resolution, referred to next Meeting , 20th July 2014.

4.10 Commercial Lease Amnesty - EOI to lease Top End Motors (lot 331) and Top End Engineering (lot 332), Tradesmans Way, Seisia

No Resolution, referred to next Meeting , 20th July 2014.

4.11 EOI to lease NPARC Works Compound, 222 Tumema Street, Seisia

Resolution; That Council endorses offering Toll Marine Logistics the above lease and lease terms for the NPARC Works Compound, 222 Tumema Street Seisia.

Moved : Cr Mara

Seconded : Cr Lifu

Vote : 4/0

Resolution Number : 4.11A-240614

4.12 Commercial Lease Amnesty – EOI to lease lot 32 Tradesmans Way, Seisia

Resolution; That Council endorses offering Seaswift the above lease and lease terms for lot 32 Tradesmans Way, Seisia as part of the Commercial Lease Amnesty.

Moved : Cr Mara

Seconded Cr Newman

Vote : 4/0

Resolution Number : 4.12A-240614

4.13 Commercial Lease Amnesty – EOI to lease Seisia Fishing Association, Seisia

Resolution; That Council endorses offering Seisia Fishing Association the above lease and lease terms for their site occupied at the corner of Mugai Street, Seisia as part of the Commercial Lease Amnesty.

Moved Cr Mara

Seconded Cr Newman

Vote : 4/0

Resolution Number : 4.13A-240614

4.14 EOI to lease rear of 3 Sunai Street (facing Tumema Street), Seisia

Resolution; That Council endorses offering Stephen Nawia (Seisia Hire Car) the above lease and lease terms for the land at the rear of 3 Sunai Street (facing Tumema Street), Seisia.

Moved : Cr Lifu

Seconded : Cr Newman

Vote : 4/0

Resolution Number : 4.14A- 240614

4.15 Commercial Lease Amnesty - EOI to lease rear of lot 32, Tradesmans Way, Seisia

No Resolution, referred to next Meeting , 20th July 2014.

4.16 Finalisation of Leasing Matters

Resolution:

That Council authorises all leasing matters, once passed by Council and Trustee's, to be finalised by Mayor and CEO.

Moved : Cr Lifu

Seconded : Cr Newman

Vote : 4/0

Resolution : 4.16A - 240614

Agenda Item : 5 Executive Manager Governance & Community Report

5.1 NPA Show – 8 & 9th August 2014

Resolution; That Council accepts and support the NPA Show 2014 community events and notes the draft budget expenditure.

Moved : Cr Newman

Seconded : Cr Mara

Vote : 4/0

Resolution Number : 5.1 - 250714

Agenda Item (5) 11:00am – 12:00pm

Other Business

5.1 – NPARC Action Plan

5.2 – Judo Club

Meeting Closed 4:12pm