



UNCONFIRMED

Meeting Minutes
ORDINARY COUNCIL MEETING #31
Tuesday 22nd November 2022
Bamaga Boardroom

Northern Peninsula Area Regional Council

Ordinary Council Meeting #31

To commence at 9.00am

On

Tuesday 22nd November 2022

Bamaga Boardroom

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Agenda Item 1. Welcome and Opening of Meeting

Mayor welcomed attendees and opened the meeting at 9:38am with a prayer by Cr Tamwoy.

Agenda Item 2. Acknowledgement of Traditional Owners

Agenda Item 3. Present

Mayor & Councillors

Mayor Patricia Yusia	District Mayor
Cr Kitty Gebadi	Division 3
Cr Gina Nona	Division 1
Cr Robert Tamwoy	Division 2
Cr Mabelene Whap	Division 5 (arrived at 10.30am via teleconference)
Cr Eric Cottis	Division 4 (arrived at 9:44am)

Other Attendees

Kate Gallaway	Acting CEO
Rachel Yusia	Executive Assistant/Minute Taker
David Tyson	Acting Executive Manager – Enterprises (arrived at 4pm)
Colin Duffy	Acting Finance Manager (arrived at 4.30pm)

Agenda Item 3.1 Cr Whap has requested to join the Meeting via Teleconference

Resolution:

That Council:

Moves to accept that Cr Whap join the Meeting via Teleconference

Moved: Cr Tamwoy

Vote: 4/0

Seconded: Cr Gebadi

Resolution: C3.1 – 22112022

CARRIED

Agenda Item 5. Declarations of Conflicts of Interest

Cr Gina Nona advised the meeting that she had a prescribed conflict of interest in the matter to be dealt with in agenda item 12.9 'User Agreement for Youth Hub'

Cr Nona stated that the User Agreement to be considered for possible approval is with Northern Peninsula Area Family and Community Services Aboriginal and Torres Strait Islander Corporation (NPAFCS). She stated that NPAFCS was a close associate of herself because she was a current board member of NPAFCS.

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Cr Nona stated that she would handle her prescribed conflict of interest by leaving the meeting room at the time the matter was being discussed and decided upon and would not involve herself further in decision-making.

Cr Nona stated that she had provided information about her prescribed conflict of interest to Council's CEO at the Council Meeting after becoming aware of it.

Council's CEO, Ms Kate Gallaway confirmed that Cr Nona had declared a prescribed conflict of interest in relation to agenda item 12.8 and tabled the relevant record made on that date for inclusion in meeting minutes.

Mayor Patricia Yusia advised the meeting that she had a prescribed conflict of interest in the matter to be dealt with in agenda item 12.9 'User Agreement for Youth Hub'

Mayor Yusia stated that the User Agreement to be considered for possible approval is with Northern Peninsula Area Family and Community Services Aboriginal and Torres Strait Islander Corporation (NPAFCS). She stated that NPAFCS was a close associate of herself because she was a current board member of NPAFCS.

Mayor Yusia stated that she would handle her prescribed conflict of interest by leaving the meeting room at the time the matter was being discussed and decided upon and would not involve herself further in decision-making.

Mayor Yusia stated that she had provided information about her prescribed conflict of interest to Council's CEO at the Council Meeting after becoming aware of it.

Council's CEO, Ms Kate Gallaway confirmed that Mayor Yusia had declared a prescribed conflict of interest in relation to agenda item 12.8 and tabled the relevant record made on that date for inclusion in meeting minutes.

Cr Cottis arrived at Meeting 9:44am

Agenda Item 6. Confirmation of Minutes of Previous Meeting

Resolution:

That Council: Notes and confirm the minutes from the previous Ordinary Council Meeting held Friday 21st October 2022.

Moved: Cr Tamwoy

Vote: 5/0

Seconded: Cr Gebadi

Resolution: C6 – 22112022

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Cr Whap joined the meeting at 10.30am

Agenda Item 7. Business Arising from Previous Meeting

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Council meeting closed for lunch at 1:00pm

Moved: Cr Tamwoy

Second: Cr Gebadi

6/0

CARRIED

Council meeting open after lunch at 1:37pm

Moved: Cr Tamwoy

Second: Cr Cottis

4 / 0

CARRIED

Cr Gebadi rejoined the meeting at 1:42pm

Cr Whap rejoined the meeting at 1:43pm

Agenda Item 8. Mayoral Report

- Correspondence sent to Minister Miles, Minister Butcher and Mike Kaiser requesting a review into amalgamation.
 - Meeting held with Jae Lancaster on 18 November to follow up on request
 - Minister Miles is writing to Torres Shire Council regarding their position on the boundary change
 - Follow up with Cook Shire who have confirmed they agree to the boundary change
- Correspondence sent to Minister Crawford and Minister de Brenni regarding street lights
 - Minister Crawford confirmed Minister de Brenni is replying
- Correspondence sent to Minister Enoch and Clare O'Connor requesting urgent development of an allocation policy
 - To be followed up at quarterly governance meeting
- Meeting with Neil Scales, DG TMR on 18/11
 - Support to follow up with Brendon Moon and Bruce Scott to secure federal funding for the airport runway. State contribution if federal contribution given
 - Currently undertaking a program with the Feds regarding a comprehensive view of marine infrastructure and ensuring all facilities appear on the asset register
- Meeting with Dr Richard Stewart to confirm NPA will be included in the transition support service to include access to boarding school, support with accessing and navigating Centrelink, follow up and support for students when they are away
- Community Advisory Group meeting with NQPHN to confirm support from NQPHN for emerging NPA issues

MASIG Statement

- Agreement to form a Regional Organisations of Council "ROC" with TSIRC and TSC

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- Agreement to form a Local Thriving Community Board with TSIRC, TSC, GBK, TSRA and Ipima Ikaya Aboriginal Corporation RNTBC.

Resolution:

That Council: Note and accept the Mayor's verbal report held Tuesday 22nd November 2022.

Moved: Cr Tamwoy

Vote: 6/0

Seconded: Cr Gebadi

Resolution: C8 – 22112022

CARRIED

Cr Whap left the meeting at 2:25pm

Cr Whap rejoined the meeting at 2:27pm

Cr Gebadi left the meeting at 3:43pm

Cr Gebadi rejoined the meeting at 3:45pm

Agenda Item

9. Acting CEO Report

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Resolution:

That Council:

- Note the Report
- Appoint Cr Tamwoy to be on the recruitment panel for Executive Manager – Regulatory and Community Services and Executive Manager – Finance and Corporate Services

Moved: Cr Cottis

Vote: 6/0

Seconded: Cr Nona

Resolution: C9 -22112022

CARRIED

Agenda Item **10. Executive Reports**

Cr Cottis left the meeting at 4:33pm

Cr Cottis rejoined the meeting at 4:35pm

Agenda Item **10.1. Acting Executive Manager Business Enterprises Report**

Resolution:

That Council:

Note the Report.

Moved: Cr Tamwoy

Vote: 6/0

Seconded: Cr Gebadi

Resolution: C10.1 -22112022

CARRIED

Agenda Item **10.2. Executive Manager Operations Report**

Resolution:

That Council:

Note the Report.

Moved: Cr Tamwoy

Vote: 6/0

Seconded: Cr Whap

Resolution: C10.2 -22112022

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Cr Cottis left the meeting at 5:16pm

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C Cottis rejoined the meeting at 5:18pm

Cr Cottis left the meeting at 5:23pm

Cr Cottis rejoined the meeting at 5:26pm

Agenda Item 11.1 Finance Reports

Resolution:

That Council:

That Council note and accept the Finance Report for the period ending 31st October 2022.

Moved: Cr Gebadi

Vote: 6/0

Seconded: Cr Nona

Resolution: C11.1 – 22112022

CARRIED

Agenda Item 11.2 Report into the Jardine River Ferry Business & ticket prices review

Resolution:

That Council:

1. Note the report; and
2. Amend the NPA resident fee – Car only to \$55
3. adopt the new fees for the Jardine Ferry with these fees to commence from 1 January 2023 and cover the calendar year to 31 December 2023

Moved: Cr Gebadi

Vote: 6 /0

Seconded: Cr Whap

Resolution: C11.2 – 22112022

CARRIED

Agenda Item 11.3 Request to Write Off Debt

Resolution:

That Council:

Write off Invoice 3041979 and the amount of \$10,370.00 as an uncollectable debt.

Moved: Cr Tamwoy

Vote: 6/0

Seconded: Cr Gebadi

Resolution: C11.3 – 22112022

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Agenda Item 12. Other Business

Agenda Item 12.1 Trustee and Council Meeting Dates 2023

Resolution:

That Council

notes and accepts the Ordinary Council meeting dates for 2023 commencing at 9am as per scheduled venue:

- Wednesday 25th January 2023 - Bamaga
- Wednesday 15th February 2023 - Injinoo
- Wednesday 22nd March 2023 - Umagico
- Wednesday 19th April 2023 – New Mapoon
- Wednesday 24th May 2023 - Seisia
- Wednesday 21st June 2023 - Bamaga
- Wednesday 19th July 2023 - Injinoo
- Wednesday 23rd August 2023 - Umagico
- Wednesday 20th September 2023 – New Mapoon
- Wednesday 25th October 2023 - Seisia
- Wednesday 15th November 2023 - Bamaga
- Wednesday 20th December 2023 – Cairns

Moved: Cr Tamwoy

Vote: 6/0

Seconded: Cr Nona

Resolution: C12.1 – 22112022

CARRIED

Resolution:

That Council

accepts the dates for the 2023 NPARC Trustees' meeting commencing at 10am at the Bamaga Council Chambers.

- Tuesday 24th January 2023
- Tuesday 14th February 2023
- Tuesday 21st March 2023
- Tuesday 18th April 2023
- Tuesday 23rd May 2023
- Tuesday 20th June 2023
- Tuesday 18th July 2023
- Tuesday 22nd August 2023
- Tuesday 19th September 2023
- Tuesday 24th October 2023
- Tuesday 14th November 2023
- Tuesday 19th December 2023 - Cairns

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Moved: Cr Tamwoy
Vote: 6/0

Seconded: Cr Gebadi
Resolution: C12.1.1 – 22112022

CARRIED

Agenda Item 12.2 December 2022 Community Meetings

Resolution:

That Council:

1. Note the Report
2. Postpone the community meetings until January 2023
3. Request updated dates at the December 2022 Council Meeting

Moved: Cr Whap
Vote: 6/0

Seconded: Cr Gebadi
Resolution: C12.2 – 22112022

CARRIED

Agenda Item 12.3 Pajinka Precinct Plan in principle support request

Resolution:

That Council:

1. Endorse the NPARC providing RILIPO in principle support for the development of a Precinct Plan for the proposed GYAC Tourism Development project at Pajinka.
2. Requests that the CEO provide the necessary letter to the Department of, Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnership (DSDSATIP).

Moved: Cr Tamwoy
Vote: 6/0

Seconded: Cr Gebadi
Resolution: C12.3 – 22112022

CARRIED

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Agenda Item 12.4 Development Application Lease B on Lot Plan 89SP243595

Resolution:

That Council resolves to:

1. Approve the proposed reconfigure a portion of Lot 89 of SP243595 to allow for a lease of greater than ten years (subject to the following conditions):

Administration

- 1.1. The developer is responsible to carry out the approved development and comply with relevant requirements in accordance with:
- 1.2. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within relevant technical reports;
- 1.3. The development must unless stated, be designed, constructed, and maintained in accordance with relevant Council policies, guidelines, and standards and with the relevant design guidelines in the Far North Queensland Regional Organisation of Councils (FNQROC) Development Manual;
- 1.4. The conditions of approval, the requirements of Council's Planning Scheme and best practice engineering.

Currency Period

- 2.1 The currency period applicable to the Reconfiguring a Lot is 4 years.

Approved Site Drawings/Plans

- 3.1 The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval:

Plan/Document Name	Drawing Number	Date/DWG
Plan of Lease B in Lot 89 on SP24595	49017928	2/12/2020

- 3.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 3.3 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council.

2. Requests that the CEO & EMO forward the relevant decision notice to the RPS's Ian Doust, within the appropriate time.

Moved: Cr Gebadi

Vote: 6/0

Seconded: Cr Cottis

Resolution: C12.4 – 22112022

CARRIED

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Agenda Item 12.5 Development Application Leases 1091 and 1081

Resolution:

That Council resolves to:

1. Approve (subject to the following conditions):

Administration

- 2.1. The developer is responsible to carry out the approved development and comply with relevant requirements in accordance with:
- 2.2. The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within relevant technical reports;
- 2.3. The development must unless stated, be designed, constructed, and maintained in accordance with relevant Council policies, guidelines, and standards and with the relevant design guidelines in the Far North Queensland Regional Organisation of Councils (FNQROC) Development Manual;
- 2.4. The conditions of approval, the requirements of Council's Planning Scheme and best practice engineering.

Currency Period

- 2.2 The currency period applicable to the Reconfiguring a Lot is 4 years.

Approved Site Drawings/Plans

- 3.4 The development of the site is to be generally in accordance with the following plans that are to be the approved Plans of Development, except as altered by any other condition of this approval:

Plan/Document Name	Drawing Number	Date/DWG
Proposed Lease Plan 9832-75E	9832-75E	10/11/2022
Lease A in Lot 109 SP288881 and Lease B in Lot 108 SP28881	SP339699	8/11/2022

- 3.5 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.
- 3.6 Where conditions require the above plans or documents to be amended, the revised document(s) must be submitted for endorsement by Council.

3. Requests that the CEO & EMO forward the relevant decision notice to the RPS's Ian Doust, within the appropriate time.

Moved: Cr Gebadi

Vote: 6/0

Seconded: Cr Tamwoy

Resolution: C12.5-22112022

CARRIED

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Agenda Item 12.6 - Bamaga Horse & Pound Paddock

Resolution:

That Council:

1. Note the cost estimate to undertake the identified works required to convert this area into an appropriate horse paddock.
2. Note the cost estimate to undertake a horse euthanasia program
3. Note the open discussion with NPARC animal management and Skydog vet staff
4. Commence consultation with Ipima Ikaya Aboriginal Corporation RNTBC, Apudthama Land Trust and Horse owners regarding a horse management program including euthanasia
5. provide feedback on consultation to the February 2023 council meeting.

Moved: Cr Cottis

Vote: 6/0

Seconded: Cr Tamwoy

Resolution: C12.6 – 22112022

CARRIED

Agenda Item 12.7 - NPARC Policy Framework

Resolution:

That Council:

Endorse the Policy Framework attached to this report.

Moved: Cr Gebadi

Vote: 6 /0

Seconded: Cr Nona

Resolution: C12.7 –22112022

CARRIED

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Agenda Item 12.8 - Masig Statement

Officers Recommendation:

That Council:

1. That Council:
2. Affirm their support to form the ROC (Regional Organisations of Councils) made up of Torres Shire Council, Northern Peninsula Area Regional Council and Torres Strait Island Regional Council

Moved: Cr Cottis
Vote: 6 /0

Seconded: Cr Gebadi
Resolution: C12.8.1 – 22112022

CARRIED

Officers Recommendation:

That Council:

1. That Council:
2. Affirm their support to form an Interim Local Thriving Communities Board made up of Torres Shire Council, Northern Peninsula Area Regional Council, Torres Strait Island Regional Council, Torres Strait Regional Authority, Gur A Baradharaw Kod Sea and Land Council Torres Strait Islander Corporation and Ipima Ikaya Aboriginal Corporation RNTBC
3. Nominate the following two councillors to be the representation of Northern Peninsula Area Regional Council
 - Councillor Kitty Gebadi
 - Councillor Robert Tamwoy

Moved: Cr Nona
Vote: 6/0

Seconded: Cr Cottis
Resolution: C12.8.2 – 221120222

CARRIED

Agenda Item 12.9 User Agreement for Youth Hub

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Having declared a prescribed conflict of interest in relation to this agenda item, Cr Nona left the meeting at 6:13pm.

Having declared a prescribed conflict of interest in relation to this agenda item, Mayor Yusia left the meeting at 6:13pm.

Cr Mabelene Whap advised the meeting that she had a prescribed conflict of interest in the matter to be dealt with in agenda item 12.8 User Agreement for Youth Hub'

Cr Whap stated that the User Agreement to be considered for possible approval is with Northern Peninsula Area Family and Community Services Aboriginal and Torres Strait Islander Corporation (NPAFCS). She stated that NPAFCS was a close associate of herself because she was a current board member of NPAFCS.

Cr Whap stated that she would handle her prescribed conflict of interest by leaving the meeting room at the time the matter was being discussed and decided upon and would not involve herself further in decision-making.

Cr Whap stated that she had provided information about her prescribed conflict of interest to Council's CEO at the Council Meeting after becoming aware of it.

Council's CEO, Ms Kate Gallaway confirmed that Cr Whap had declared a prescribed conflict of interest in relation to agenda item 12.8 and tabled the relevant record made on that date for inclusion in meeting minutes.

Having declared a prescribed conflict of interest in relation to this agenda item, Cr Whap left the meeting at 6:13pm.

Mayor Yusia nominated Deputy Mayor Gebadi to chair the meeting in her absence.

Cr Gebadi left the meeting at 6.35pm

The remaining councillors appointed Cr Cottis to chair the meeting.

The matter remained undecided.

Cr Nona and Mayor Yusia returned to the meeting at 6.54pm

Cr Cottis left the meeting at 7:08pm

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Agenda Item 12.10 Presentation of Torres and Cape Indigenous Council Alliance Financials

Resolution:

That Council:

Note the audited financial statements of Torres and Cape Indigenous Council Alliance

Moved: Cr Tamwoy

Vote: 3/0

Seconded: Cr Nona

Resolution: C12.10 – 221120222

CARRIED

Cr Cottis returned to the meeting at 7:09pm

Agenda Item 12.11 Planning Application Bamaga Farm

Resolution:

That Council:

1. Defer the decision to the December 2022 Council Meeting

Moved: Cr Tamwoy

Vote: 4/0

Seconded: Cr Cottis

Resolution: C12.11 – 221120222

CARRIED

Agenda Item 13. General Business

Agenda Item 14. Close of Meeting


Meeting Closed at 7.12pm with a prayer by Cr Tamwoy.

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DECLARATION - PRESCRIBED CONFLICT OF INTEREST

Councillor Name	Mabelene Whap	
Timing of declaration	<input type="checkbox"/> Declaration made before meeting <input checked="" type="checkbox"/> Declaration made at meeting	
Meeting type	<input checked="" type="checkbox"/> Council meeting	
Meeting date	22/11/2022	
Description of business matter	User Agreement for Youth Hub	
Item number	12.9	
<p>Pursuant to section 150EL of the <i>Local Government Act 2009</i>, I hereby provide notice that I have a prescribed conflict of interest in this matter, the nature and particular of which are as follows:</p>		
General nature of the prescribed conflict of interest.	<ul style="list-style-type: none"> I am a director of NPA Family and Community Services which is the subject of the agenda item for NPARC to enter into a user agreement with 	
<input type="checkbox"/> The prescribed conflict of interest involves a gift or loan or sponsored travel or accommodation benefit or contract	The value of the gift or loan or benefit or contract	NA
<input type="checkbox"/> The prescribed conflict of interest involves an application for which a submission has been made	The subject of the application	NA
	The nature of the submission on the application	NA
<input type="checkbox"/> An entity other than myself has an interest in the matter	The name of the entity, that has an interest in the matter	NA
	The nature of my relationship with the entity	NA
	Details of the entity's interest in the matter	NA
<input checked="" type="checkbox"/> I have an interest in the matter	Executive Officer of a Corporation	Board member of NPA Family and Community Services Aboriginal and Torres Strait Islander Corporation
<input checked="" type="checkbox"/> As required by legislation, I will not participate in decision-making on the matter.		
Councillor's Signature	22/11/2022	<i>Electronic</i>

DECLARATION - PRESCRIBED CONFLICT OF INTEREST

Councillor Name	Patricia Yusia	
Timing of declaration	<input type="checkbox"/> Declaration made before meeting <input checked="" type="checkbox"/> Declaration made at meeting	
Meeting type	<input checked="" type="checkbox"/> Council meeting	
Meeting date	22/11/2022	
Description of business matter	User Agreement for Youth Hub	
Item number	12.9	
<p>Pursuant to section 150EL of the <i>Local Government Act 2009</i>, I hereby provide notice that I have a prescribed conflict of interest in this matter, the nature and particular of which are as follows:</p>		
General nature of the prescribed conflict of interest.	<ul style="list-style-type: none"> I am a director of NPA Family and Community Services which is the subject of the agenda item for NPARC to enter into a user agreement with 	
<input type="checkbox"/> The prescribed conflict of interest involves a gift or loan or sponsored travel or accommodation benefit or contract	The value of the gift or loan or benefit or contract	NA
<input type="checkbox"/> The prescribed conflict of interest involves an application for which a submission has been made	The subject of the application	NA
	The nature of the submission on the application	NA
<input type="checkbox"/> An entity other than myself has an interest in the matter	The name of the entity, that has an interest in the matter	NA
	The nature of my relationship with the entity	NA
	Details of the entity's interest in the matter	NA
<input checked="" type="checkbox"/> I have an interest in the matter	Executive Officer of a Corporation	Board member of NPA Family and Community Services Aboriginal and Torres Strait Islander Corporation
<input checked="" type="checkbox"/> As required by legislation, I will not participate in decision-making on the matter.		
Councillor's Signature	22/11/2022	

DECLARATION - PRESCRIBED CONFLICT OF INTEREST

Councillor Name	Gina Nona	
Timing of declaration	<input type="checkbox"/> Declaration made before meeting <input checked="" type="checkbox"/> Declaration made at meeting	
Meeting type	<input checked="" type="checkbox"/> Council meeting	
Meeting date	22/11/2022	
Description of business matter	User Agreement for Youth Hub	
Item number	12.9	
<p>Pursuant to section 150EL of the <i>Local Government Act 2009</i>, I hereby provide notice that I have a prescribed conflict of interest in this matter, the nature and particular of which are as follows:</p>		
General nature of the prescribed conflict of interest.	<ul style="list-style-type: none"> I am a director of NPA Family and Community Services which is the subject of the agenda item for NPARC to enter into a user agreement with 	
<input type="checkbox"/> The prescribed conflict of interest involves a gift or loan or sponsored travel or accommodation benefit or contract	The value of the gift or loan or benefit or contract	NA
<input type="checkbox"/> The prescribed conflict of interest involves an application for which a submission has been made	The subject of the application	NA
	The nature of the submission on the application	NA
<input type="checkbox"/> An entity other than myself has an interest in the matter	The name of the entity, that has an interest in the matter	NA
	The nature of my relationship with the entity	NA
	Details of the entity's interest in the matter	NA
<input checked="" type="checkbox"/> I have an interest in the matter	Executive Officer of a Corporation	Board member of NPA Family and Community Services Aboriginal and Torres Strait Islander Corporation
<input checked="" type="checkbox"/> As required by legislation, I will not participate in decision-making on the matter.		
Councillor's Signature	22/11/2022	