



## **TRUSTEE MEETING BOOKLET**

**Northern Peninsula Area Regional Council**

**Trustees Council Meeting #1**

**to commence at 9:00am**

**on**

**Monday 22<sup>nd</sup> April 2024**

**at**

**Bamaga Boardroom**

## **AGENDA**

1.	Welcome and Opening of Meeting .....	3
2.	Acknowledgement of Traditional Land Owners .....	3
3.	Present.....	3
4.	Apologies .....	3
5.	Declarations of Conflict of Interest .....	3
6.	Confirmation of Minutes of Previous Meeting.....	4
7.	Business Arising from Previous Meeting .....	7
8.	Reports	
	8.1 Home Ownership Application – Lot 33 on SP273360.....	8
	8.2 Home Ownership Application – Lot 60 on SP273359.....	11
	8.1 Home Ownership Application – Lot 89 on SP273359.....	14
9.	Other Business.....	17
10.	Close of Meeting.....	17



**Agenda Item 1 to 5**  
**TRUSTEE COUNCIL MEETING #1**  
**22<sup>nd</sup> April 2024**

- 1. Welcome and Opening of Meeting**
- 2. Acknowledgement of Traditional Owners**
- 3. Present**
- 4. Apologies**
- 5. Declarations of Conflict of Interest**
- 6. Confirmation of Minutes of Previous Meeting**



## UNCONFIRMED

Meeting Minutes  
TRUSTEE COUNCIL MEETING #44  
Tuesday 12<sup>th</sup> March 2024  
New Mapoon Boardroom

### Agenda Item 1. Welcome and Opening of Meeting

Cr Gebadi welcomed attendees and opened the meeting at 10:00am with a prayer by Cr Whap.

### Agenda Item 2. Acknowledgement of Country

Cr Gebadi paid respects on behalf of the Trustee to the traditional owners of the land upon which the meeting was held and the traditional owners of the Northern Peninsula area; and to their elders past, present and emerging.

### Agenda Item 3. Present

#### Mayor & Councillors

Cr Kitty Gebadi	Division 3 / Deputy Mayor	
Cr Mabelene Whap	Division 5	
Cr Dennis Getawan	Division 2	
Cr Eric Cottis	Division 4	
Cr Gina Nona	Division 1	Arrived at 10.30am

#### Other Attendees

Kate Gallaway	CEO
Elimau Blarrey	Senior Executive Assistant (Minute Taker)

### Agenda Item 4. Apologies

#### Resolution

##### That Council as Trustees:

Grants a leave of absence to Mayor Yusia due to Skytrans flight.

Moved: Cr Cottis

Vote: 4/0

Seconded: Cr Getawan

Resolution: T4 – 12032024

CARRIED

### Agenda Item 5. Declarations of Conflict of Interest

Nil

### Agenda Item 6. Confirmation of Minutes of Previous Meeting

#### Resolution

##### That Council as Trustees:

Notes and confirms the minutes from the Trustee Meeting held Tuesday 27<sup>th</sup> February 2024.

Moved: Cr Cottis

Vote: 4/0

Seconded: Cr Whap

Resolution: T6.1 – 12032024

CARRIED

**Agenda Item 7. Business Arising from Previous Meeting**

**Resolution**

**That Council as Trustees:**

1. Pursuant to section 84(2) of the *Local Government Act 2009* "LG Act" to close this part of the meeting to the public;
2. Pursuant to section 84(2) of the LG Act:
  - (a) The matters that is to be discussed includes legal advice obtained by the local government as trustee, including contracts proposed to be made by the trustee council for which a public discussion would be likely to prejudice the interests of the trustee (section 84(2)(a) and 84(3)(e) of the LG Act).
  - (b) An overview of what is to be discussed while the meeting is closed is the ongoing business of finalising commercial leasing arrangements as resolved at previous Trustee meetings

**Moved: Cr Cottis**  
**Vote: 4 /0**

**Seconded: Cr Getawan**  
**Resolution: T7.1 – 12032024**

**CARRIED**

Cr Nona attended the meeting at 10:30am.

Action items were discussed as per the Action Task List

**Resolution**

**That Council as Trustees:**

1. Resolve to open the meeting

**Moved: Cr Cottis**  
**Vote: 5/0**

**Seconded: Cr Getawan**  
**Resolution: T7.2 – 12032024**

**CARRIED**



## UNCONFIRMED

Meeting Minutes  
TRUSTEE COUNCIL MEETING #44  
Tuesday 12<sup>th</sup> March 2024  
New Mapoon Boardroom

Agenda Item 8.  
Agenda Item 8.1.

Reports  
Home Ownership Application – Lot 86 on SP273364

### Resolution

That Council as Trustees:

1. Note the Report
2. Decline the EOI at this time until interest in the property have been resolved.

Moved: Cr Cottis  
Vote: 5 /0

Seconded: Cr Getawan  
Resolution: T8.1 – 12032024

CARRIED

Agenda Item 9.      Other Business

Agenda Item 10.      Close of Meeting

Meeting closed at 11:40am.



**Agenda Item 7**  
**TRUSTEE COUNCIL MEETING #1**  
**22<sup>nd</sup> April 2024**

**7. Business arising from Previous Meeting**

This matter is considered to be confidential under section 84(2) of the *Local Government Act 2009* and the Council is satisfied that the discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with legal advice obtained by the local government as trustee, including contracts proposed to be made by the trustee council for which a public discussion would be likely to prejudice the interests of the trustee (section 84(2)(a) and 84(3)(e) of the LG Act).



**Title of Report: Home Ownership Application – Lot 33 on SP273360**

**Agenda Item: 8.1**

**Classification: For Decision**

**Author: Chief Executive Officer**

**Attachments: Attachment A. EOI from E & L Ober**

**Attachment B. Preliminary Land Assessment Report**

**Attachment B. (a). RPS Plan**

**Attachment B. (b). Extract of SP273360**

**Attachment B. (c). DA Mapping**

### **Officers Recommendation:**

**That Council, as Trustees:**

- (1) Note the report
- (2) Delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the Local Government Act 2009, power to negotiate and finalise on behalf of the Trustee (including by signing necessary documents on behalf of the Trustee), arrangements with Edmund & Leighann Ober on the basis of an Agreement to Grant Lease and Home Ownership Lease for Lot 33 on SP273360.

### **PURPOSE OF REPORT**

To provide the Trustee the information on the preliminary land assessment report for Lot 33 on SP273360.

### **BACKGROUND AND CONTEXT**

On the 6<sup>th</sup> February 2024, an EOI was received from Edmund & Leighann Ober to enter a home ownership lease for Lot 33 on SP273360 (33 Langie-Draha Street, New Mapoon). This was forwarded to the Home Ownership Program of DTATSIPCA who undertook the necessary preliminary assessment to allow consideration by the Trustee and is attached to this EOI.

Below are the key steps for all 99- year home ownership leases including responsible party:

1. EOI submitted – applicant
2. Assess the EOI – trustee
  - a. EOI sent to DTATSIPCA to undergo preliminary assessment report
  - b. EOI presented to Trustee meeting following assessment
3. Notify applicant of outcome – Trustee

**If EOI is approved**





## COUNCIL TRUSTEE MEETING # 1

### Agenda Item 8.1

Monday 22<sup>nd</sup> April 2024

Bamaga Boardroom

4. Notice of intent to lease sent to DCHE, if the EOI is over a social housing dwelling – Trustee
5. Response to the Notice of Intent to lease and confirmation sale price – DHLGPPW
6. Agreement to Lease (ATL) presented to the applicant - Trustee *(DTATSIPCA have confirmed they will prepare these on behalf of the Trustee at no cost)*
7. ATL signed by the applicant and Trustee

#### Conditions of the ATL to be met

8. Finance - applicant to present financial evidence to the Trustee they can cover the sale price – applicant
9. Building and pest inspection – applicant
10. Native Title – address Native Title to enable leasing – applicant *this will be a PAN under the ILUA)*
11. The exiting 40 yr social housing lease needs to be surrendered – DTATSIPCA will arrange

#### When all ATL conditions have been met

12. Deliver the maintenance with in the ATL agreement timeframe – DHLGPPW

#### When the maintenance delivery has been completed

13. Settlement – sale price payment made to the Trustee - applicant
14. Lease document is signed by the applicant and Trustee – Applicant and Trustee
15. ATL and lease document provided to Queensland Revenue Office for duty assessment and payment of any duty – applicant
16. Lease document is lodged with Titles officer for registration -applicant

NPARC has met with Ipima Ikaya a number of times to confirm their position. It appears there is agreement to the compensation arrangements offered following the last meeting and the relevant documents are being progressed.

It is noted that a number of additional applicants are included on the Home Ownership EOI. Additional applicants make lease management a more complex avenue. In line with previous advice, it is Council Officer recommendation the Home Ownership Lease is entered into with the tenants, with future assignment managed under the Home Ownership Legislation framework.

## CRITICAL DATES

Nil

## OTHER OPTIONS CONSIDERED

The Trustee can decline the EOI

## LEGAL AND LEGISLATION CONSIDERATIONS

Aboriginal Land Act 1991



## **COUNCIL TRUSTEE MEETING # 1**

**Agenda Item 8.1**

**Monday 22<sup>nd</sup> April 2024**

**Bamaga Boardroom**

### **POLICY CONSIDERATIONS**

NA

### **FINANCIAL AND RESOURCE CONSIDERATIONS**

NA

### **CONSULTATION**

DATSIP

RPS

**Title of Report: Home Ownership Application – Lot 60 on SP273359**

**Agenda Item: 8.2**

**Classification: For Decision**

**Author: Chief Executive Officer**

**Attachments: Attachment A. EOI from J Soki**

**Attachment B. Preliminary Land Assessment Report**

**Attachment B. (a). RPS Plan**

**Attachment B. (b). Extract of SP273359**

**Attachment B. (c). DA Mapping**

### **Officers Recommendation:**

**That Council, as Trustees:**

- (1) Note the report
- (2) Delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the Local Government Act 2009, power to negotiate and finalise on behalf of the Trustee (including by signing necessary documents on behalf of the Trustee), arrangements with Joyce Robyn Soki on the basis of an Agreement to Grant Lease and Home Ownership Lease for Lot 60 on SP273359.

### **PURPOSE OF REPORT**

To provide the Trustee the information on the preliminary land assessment report for Lot 60 on SP273359.

### **BACKGROUND AND CONTEXT**

On the 5<sup>th</sup> January 2024, an EOI was received from Joyce Soki to enter a home ownership lease for Lot 60 on SP273359 (60 Danalgub Street, Seisia). This was forwarded to the Home Ownership Program of DTATSIPCA who undertook the necessary preliminary assessment to allow consideration by the Trustee and is attached to this EOI.

Below are the key steps for all 99- year home ownership leases including responsible party:

1. EOI submitted – applicant
2. Assess the EOI – trustee
  - a. EOI sent to DSDSATSIP to undergo preliminary assessment report
  - b. EOI presented to Trustee meeting following assessment
3. Notify applicant of outcome – Trustee

**If EOI is approved**

4. Notice of intent to lease sent to DCHE, if the EOI is over a social housing dwelling – Trustee
5. Response to the Notice of Intent to lease and confirmation sale price – DHLGPPW
6. Agreement to Lease (ATL) presented to the applicant - Trustee *(DTATSIPCA have confirmed they will prepare these on behalf of the Trustee at no cost)*
7. ATL signed by the applicant and Trustee

**Conditions of the ATL to be met**

8. Finance - applicant to present financial evidence to the Trustee they can cover the sale price – applicant
9. Building and pest inspection – applicant
10. Native Title – address Native Title to enable leasing – applicant *this will be a PAN under the ILUA)*
11. The exiting 40 yr social housing lease needs to be surrendered – DTATSIPCA will arrange

**When all ATL conditions have been met**

12. Deliver the maintenance with in the ATL agreement timeframe – DHLGPPW

**When the maintenance delivery has been completed**

13. Settlement – sale price payment made to the Trustee - applicant
14. Lease document is signed by the applicant and Trustee – Applicant and Trustee
15. ATL and lease document provided to Queensland Revenue Office for duty assessment and payment of any duty – applicant
16. Lease document is lodged with Titles officer for registration -applicant

NPARC has met with Ipima Ikaya a number of times to confirm their position. It appears there is agreement to the compensation arrangements offered following the last meeting and the relevant documents are being progressed.

**CRITICAL DATES**

Nil

**OTHER OPTIONS CONSIDERED**

The Trustee can decline the EOI

**LEGAL AND LEGISLATION CONSIDERATIONS**

Torres Strait Islander Land Act 1991

**POLICY CONSIDERATIONS**

NA

**FINANCIAL AND RESOURCE CONSIDERATIONS**



## **COUNCIL TRUSTEE MEETING # 1**

**Agenda Item 8.2**

**Monday 22<sup>nd</sup> April 2024**

**Bamaga Boardroom**

NA

## **CONSULTATION**

DATSIP

RPS



## COUNCIL TRUSTEE MEETING # 1

### Agenda Item 8.3

Monday 22<sup>nd</sup> April 2024

Bamaga Boardroom

**Title of Report: Home Ownership Application – Lot 89 on SP273359**

**Agenda Item: 8.3**

**Classification: For Decision**

**Author: Chief Executive Officer**

**Attachments: Attachment A. EOI from K Sunai**

**Attachment B. Preliminary Land Assessment Report**

**Attachment B. (a). RPS Plan**

**Attachment B. (b). Extract of SP273359**

**Attachment B. (c). DA Mapping**

### Officers Recommendation:

**That Council, as Trustees:**

- (1) Note the report
- (2) Decline the homeownership EOI on the basis that the property is vacant

### PURPOSE OF REPORT

To provide the Trustee the information on the preliminary land assessment report for Lot 60 on SP273359.

### BACKGROUND AND CONTEXT

On the 19<sup>th</sup> March 2024, an EOI was received from Kawia Sunai to enter a home ownership lease for Lot 89 on SP273359 (6 Danalgub Street, Seisia). This was forwarded to the Home Ownership Program of DTATSIPCA who undertook the necessary preliminary assessment to allow consideration by the Trustee and is attached to this EOI.

Below are the key steps for all 99- year home ownership leases including responsible party:

1. EOI submitted – applicant
2. Assess the EOI – trustee
  - a. EOI sent to DSDSATSIP to undergo preliminary assessment report
  - b. EOI presented to Trustee meeting following assessment
3. Notify applicant of outcome – Trustee

#### **If EOI is approved**

4. Notice of intent to lease sent to DCHE, if the EOI is over a social housing dwelling – Trustee
5. Response to the Notice of Intent to lease and confirmation sale price – DHLGPPW



6. Agreement to Lease (ATL) presented to the applicant - Trustee *(DTATSIPCA have confirmed they will prepare these on behalf of the Trustee at no cost)*
7. ATL signed by the applicant and Trustee

**Conditions of the ATL to be met**

8. Finance - applicant to present financial evidence to the Trustee they can cover the sale price – applicant
9. Building and pest inspection – applicant
10. Native Title – address Native Title to enable leasing – applicant *this will be a PAN under the ILUA)*
11. The exiting 40 yr social housing lease needs to be surrendered – DTATSIPCA will arrange

**When all ATL conditions have been met**

12. Deliver the maintenance with in the ATL agreement timeframe – DHLGPPW

**When the maintenance delivery has been completed**

13. Settlement – sale price payment made to the Trustee - applicant
14. Lease document is signed by the applicant and Trustee – Applicant and Trustee
15. ATL and lease document provided to Queensland Revenue Office for duty assessment and payment of any duty – applicant
16. Lease document is lodged with Titles officer for registration -applicant

NPARC has met with Ipima Ikaya a number of times to confirm their position. It appears there is agreement to the compensation arrangements offered following the last meeting and the relevant documents are being progressed.

This is a vacant property which has been subject to previous Home Ownership EOI. On the previous occasion, it was rejected with direction provided to Department of Housing to tenant the property. Communication was provided to the previous applicant with this advice and to encourage them to work with Department of Housing to occupy the premise. This did not occur and Department of Housing has not tenanted the property and accepted a further EOI for the premises.

**CRITICAL DATES**

Nil

**OTHER OPTIONS CONSIDERED**

The Trustee can decline the EOI

**LEGAL AND LEGISLATION CONSIDERATIONS**

Torres Strait Islander Land Act 1991

**POLICY CONSIDERATIONS**



## **COUNCIL TRUSTEE MEETING # 1**

**Agenda Item 8.3**

**Monday 22<sup>nd</sup> April 2024**

**Bamaga Boardroom**

NA

## **FINANCIAL AND RESOURCE CONSIDERATIONS**

NA

## **CONSULTATION**

DATSIP

RPS





**Agenda Item 9**  
**TRUSTEE COUNCIL MEETING #1**  
**22<sup>nd</sup> April 2024**

- 9. Other Business**
- 10. Close of Meeting**