



I hereby give notice that a Special Meeting of Council will be held on:

Date: Tuesday, 8 August 2023
Time: 9:00am to 10:00am
Location: Torres Shire Council Office
68 Douglas Street - Thursday Island

AGENDA OF SPECIAL MEETING

Special Council Meeting

8 AUGUST 2023

**Dalassa Yorkston
Chief Executive Officer**

ORDER OF BUSINESS

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ATTENDANCE

MEETING OPENED

APOLOGIES

ACKNOWLEDGEMENT OF COUNTRY

On behalf of all Councillors, the Mayor acknowledged the Kaurareg people, Traditional Custodians of the land on which we meet today, and paid respects to their Elders past, present and emerging.

DECLARATIONS OF INTEREST

OFFICERS REPORTS

CONFIDENTIAL REPORTS

MEETING CLOSED

OFFICERS REPORTS

6.1 LGAQ Annual Conference Motions

File Number**Author:** Executive Secretary**Authoriser:** Dalassa Yorkston, Chief Executive Officer**Attachments:** LGAQ Annual Conference Motions**SUMMARY**

The purpose of this report is to seek Council endorsement of the following draft motions for the 2023 LGAQ Annual Conference:

- Motion 1 - Enshrining Local Government as the third sphere of Government,
- Motion 2 – Implementation of the Masig Statement – Malungu Yangu Wakay “Voice from the Deep” in full,
- Motion 3 – Torres Strait Health - Commission of Inquiry.

BACKGROUND/HISTORY

The LGAQ Annual Conference will be held 16-18 October 2023 at the Gladstone Entertainment Convention Centre. The event brings together Councils from all parts of the state for professional development and networking, and to debate issues of importance to their communities.

Motions for the LGAQ Conference are required to be with the Association by 8 August 2023 and will be submitted using the LGAQ's LG Online system.

The theme for this year's conference is “Stronger Councils, Stronger Communities”. Council continually advocates for its community whether directly or to enable the organisation to conduct its business more efficiently and effectively.

LINK TO CORPORATE PLAN**1. Our Community****1.1. Our Region (LEAD)**

Council is a partner in the determination of significant regional issues

- Engage with Regional, Local, State and Federal Bodies to deliver the community aspiration.

1.2. Our Strong Community Advocacy (LEAD)

Establish TSC as the recognised community advocate, or lead partner in a regional alliance, to address key community issues

Leverage off peak bodies including Local Government Association Queensland (LGAQ), Torres and Cape Indigenous Council Alliance (TCICA), Indigenous Leaders Forum etc

CONSULTATION

- Mayor and Executive Management.

LEGAL IMPLICATIONS

- Nil

POLICY IMPLICATIONS

- Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

- Approved Operational Budget

2023 LGAQ ANNUAL CONFERENCE – ENSHRINING LOCAL GOVERNMENT AS THE THIRD SPHERE OF GOVERNMENT

Who is the key contact for this motion? (required)	Dalassa Yorkston, Chief Executive Officer
Submitting council (required)	Torres Shire Council
Supporting organisation (if applicable)	
Council resolution # (required)	<p>Torres Shire Council resolves to refer the following motion to the 2023 LGAQ Annual Conference:</p> <p>The LGAQ convenes a special conference of delegates to discuss the prospect of constitutional change in both Queensland and the Commonwealth that enshrines local government as the third sphere of government and that delegates examine the Constitution Alteration (Local Government) Bill approved by the Commonwealth parliament but failed to proceed to a referendum in 2013 that would have amended Section 96 of the Australian Constitution.</p>
Date of council resolution (required)	8/08/2023
<input type="checkbox"/> Does this motion have state-wide relevance? (This is a required field) Yes	
Title of motion (required)	Constitutional Recognition – Special Conference
Motion (required)	<p>The LGAQ convenes a special conference of delegates to discuss the prospect of constitutional change in both Queensland and the Commonwealth that enshrines local government as the third sphere of government and that delegates examine the Constitution Alteration (Local Government) Bill approved by the Commonwealth parliament but failed to proceed to a referendum in 2013 that would have amended Section 96 of the Australian Constitution.</p>

What is the desired outcome sought? (required) 200 word limit	A contemporary position is adopted regarding constitutional recognition of local government that may be advocated in Queensland and nationally with the support of ALGA.
Background (required) 350 word limit	<p>The purpose of such change is to ensure that local government becomes constitutionally an independent third level of government in Queensland and so that financial allocations from the Commonwealth are made constitutionally certain.</p> <p>It is to be remembered that constitutional recognition at the federal level has failed in 1974, 1988 and 2013. Given the difficulty of such constitutional change, it is seen as prudent that proper attention be given by delegates at a special conference to this very important matter.</p> <p>The aspiration for such recognition is to achieve legal and financial certainty as well as to reflect contemporary governance and finance practices and not those that applied in the late 19th century and early 20th century.</p>
Case study/ Example (optional) 350 word limit	LGAQ records contain all relevant background information to assist with the proposed special delegates conference.

2023 LGAQ ANNUAL CONFERENCE – IMPLEMENTATION OF THE MASIG STATEMENT – MALUNGU YANGU WAKAY “VOICE FROM THE DEEP” IN FULL.

Who is the key contact for this motion? (required)	Dalassa Yorkston, Chief Executive Officer
Submitting council (required)	Torres Shire Council
Supporting organisation (if applicable)	
Council resolution # (required)	<p>Torres Shire Council resolves to refer the following motion to the 2023 LGAQ Annual Conference:</p> <p>The LGAQ calls upon the Queensland and Commonwealth Governments to support the implementation of the Masig Statement – Malungu Yangu Wakay “Voice from the Deep” in full.</p>
Date of council resolution (required)	8/08/2023
<input type="checkbox"/> Does this motion have state-wide relevance? (This is a required field) Yes	
Title of motion (required)	Masig Statement – Malungu Yangu Wakay
Motion (required)	The LGAQ calls upon the Queensland and Commonwealth Governments to support the implementation of the Masig Statement – Malungu Yangu Wakay “Voice from the Deep” in full.
What is the desired outcome sought? (required) 200 word limit	That all levels of government work to ensure the implementation of the Masig Statement in full.
Background (required) 350 word limit	<p>The Masig Statement was signed as part of the 85th Anniversary celebrations of the First Island Councillor Conference that took place on Masig Island on 23rd August 1937.</p> <p>The Masig Statement seeks to achieve self-determination for the peoples of the Torres Strait and Northern Peninsula Area, “to freely determine our political status and to freely pursue our economic, social and cultural development. In exercising our right to self-determination, we have the right to autonomy or self-government in matters relating to our internal and local affairs, as well as ways and means for financing their autonomous functions.</p>

	Therefore, we will create partnerships with Key Regional Stakeholders, the Queensland and Australian governments together with other relevant organisations to better equip us to work together to achieve our regional goals and aspirations; and in working together as peoples of the Torres Strait and Northern Peninsula Area obtain and safeguard our human rights enshrined in international, national and Queensland law”.
Case study/ Example (optional) 350 word limit	Refer national and Queensland media coverage and media conference with Prime Minister. Refer LGAQ paper “LGAQs concerns regarding Path to Treaty, First Nations Voice Project Review and the Treaty Advancement Report”

2023 LGAQ ANNUAL CONFERENCE – TORRES STRAIT HEALTH – COMMISSION OF INQUIRY

Who is the key contact for this motion? (required)	Dalassa Yorkston, Chief Executive Officer
Submitting council (required)	Torres Shire Council
Supporting organisation (if applicable)	
Council resolution # (required)	<p>Torres Shire Council resolves to refer the following motion to the 2023 LGAQ Annual Conference:</p> <p>The LGAQ calls upon the Queensland and Commonwealth Governments to support An Order by Council to establish an Independent Commission of Inquiry.</p>
Date of council resolution (required)	8/08/2023
<input type="checkbox"/> Does this motion have state-wide relevance? (This is a required field) Yes	
Title of motion (required)	Torres Strait Health Commission of Inquiry
Motion (required)	The LGAQ calls upon the Queensland and Commonwealth Governments to support An Order by Council to establish an Independent Commission of Inquiry on the high prevalence of avoidable death rates in the Torres Strait.
What is the desired outcome sought? (required) 200 word limit	<p>Palaszczuk Government by Order in Council establish an Independent Commission of Inquiry.</p> <p>Torres Strait Leaders have raised concerns to the Premier and the Opposition Leader regarding the parlous state of primary health care and clinical practice in the region with a high prevalence of avoidable death rates every week, we seek a Commission of Inquiry to examine, life expectancy; potentially avoidable deaths; chronic disease prevalence; and other key health status indicators including an examination of our health care service.</p> <p>Our health services and health are failing around us, we are Queenslanders, we are Australians and we deserve access to</p>

	culturally safe and quality health care services.
Background (required) 350 word limit	<p>The Palaszczuk Government by Order in Council established various Independent Commissions of Inquiry dealing with the Crime and Corruption Commission, Forensic DNA testing in Queensland, Queensland Police Service responses to Domestic and Family violence, to name a few. Previous administrations also went down this path, such as the Public Hospitals Commission of Inquiry (30 Nov 2005) dealing with complaints at the Bundaberg Base Hospital regarding Dr Jayant Patel.</p> <p>The Terms of Reference for the Torres Strait Health Commission of Inquiry to Assess trends over the last 20 years (where data is available) of the health status of Aboriginal and Torres Strait Islander people through examination of:</p> <ol style="list-style-type: none"> 1. life expectancy; 2. potentially avoidable deaths; 3. chronic disease prevalence; 4. other key health status indicators including an examination of our health care service.
Case study/ Example (optional) 350 word limit	Refer national and Queensland media coverage and media conference Premier, Opposition Leaders and Minister for Health.

RECOMMENDATION

That Council:

1. Endorses and tables the motion titled 'Enshrining Local Government as the third sphere of Government' at the 2023 Queensland Local Government Association Conference;
2. Endorses and tables the motion titled 'Implementation of the Masig Statement – Malungu Yangu Wakay "Voice from the Deep" in full' at the 2023 Queensland Local Government Association Conference;
3. Endorses and tables the motion title 'Torres Strait Health Commission of Inquiry' at the 2023 Queensland Local Government Association Conference; and
4. Delegates authority to the Chief Executive Officer in accordance with Section 257 of the Local Government Act 2009 (QLD) to make amendments, if required, to the motions

CONFIDENTIAL REPORTS**7.1 – In Committee – Finance Report – Insurance Premium**

This matter is considered to be confidential under s.254J(3)(c) of the *Local Government Regulations 2012*, 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 the Local Government's Budget.

7.2 – In Committee – Torres Strait Health

This matter is considered to be confidential under s.254J(3)(g) of the *Local Government Regulations 2012*, and the Council is satisfied that a public discussion would be likely to prejudice the interests of the local government;

7.3 – In Committee – Cost of Living Summit - \$64m Freight Subsidy

This matter is considered to be confidential under s.254J(3)(g) of the *Local Government Regulations 2012*, and the Council is satisfied that a public discussion would be likely to prejudice the interests of the local government;