



MINUTES

Ordinary Council Meeting

18 February 2025

**MINUTES OF TORRES SHIRE COUNCIL ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, THURSDAY ISLAND ON TUESDAY 18 FEBRUARY 2025**

1 AGENDA CONTENTS

2 ATTENDANCE

Cr Elsie Seriat (Mayor), Cr Toshio Nakata (Deputy Mayor), Cr Thomas Loban, Cr Thomas Fujii (Jnr), Dalassa Yorkston (Chief Executive Officer), Edward Kulpa (Executive Manager Projects and Design), Roger Naidoo (Executive Manager Engineering and Infrastructure Services), Isabella Muhamad-Mosby (A/Executive Secretary) and Ethel Mosby (Executive Secretary).

3 MEETING OPENED

The meeting opened with a prayer by Mayor Elsie Seriat at 9:14am.

4 APOLOGIES

Cr Gabriel Bani

RECOMMENDATION Min. 25/2/1

Moved: Cr Thomas Fujii

Seconded: Cr Thomas Loban

That Council receive the apology from Cr Gabriel Bani.

CARRIED

5 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 and the Traditional Owners of Zenadth Kes.

6 CONDOLENCES

A minute's silence was observed as a mark of respect in memory of a deceased person or persons of our community and/or area of the Torres Strait.

Mrs Jessie Billy (nee Sailor)

Mr Robert Sambo (snr)

Ms Serai Bann (nee Zaro)

Ms Emma Alice Whap

Fr. Paul Tom

Mr David Gagai

Ms Christina Auda

7 DECLARATIONS OF INTEREST

7.1 DECLARATION OF INTEREST – CR THOMAS LOBAN

Cr Thomas Loban. stated that he has a declarable a conflict of interest in item 14.11 – Waste Collection Services Contract Increase, as Mr Peter Fraser is a Director of Coral Sea Concrete and is related through marriage (as defined by *Local Government Act 2009, section 150ES (3)(a)(i)*) as follows:

I, Cr Thomas Loban, inform the meeting that I have a declarable conflict of interest due to being a close associate.

In accordance with the Local Government Act 2009, Chapter 6, Part 2, Division 5A, Cr Thomas Loban departed in the Council Meeting and take no in the Agenda Item.

7.2 DECLARATION OF INTEREST – DEPUTY MAYOR TOSHIO NAKATA

Deputy Mayor Toshio Nakata stated that he has a declarable a conflict of interest in item 13.3 – Lot 20 on Crown Plan TS228 – Mount Ernest (Naghir Island), as Mr Patrick Mills is a Director of Naga Tribal Torres Strait Island Corporation and is a relative (as defined by *Local Government Act 2009, section 150ES (3)(a)(i)*) as follows:

I, Deputy Mayor Toshio Nakata, inform the meeting that I have a declarable conflict of interest due to being a close Family Member.

Although I have a declarable conflict of interest, I do believe I am able to stay in the meeting and participate. Therefore, I will choose to remain in the meeting however I will respect the decision of the meeting on whether I can remain and participate in the decision.

RECOMMENDATION Min. 25/2/2

Moved: Cr Thomas Fujii

Seconded: Mayor Elsie Seriat

That Council resolves that Deputy Mayor Toshio Nakata has no greater interest then an ordinary member of the public in this matter and accordingly will remain in this meeting.

CARRIED

8 CONFIRMATION OF MINUTES

8.1 ORDINARY COUNCIL MEETING – 28 JANUARY 2025

RECOMMENDATION Min. 25/2/3

Moved: Mayor Elsie Seriat

Seconded: Cr Thomas Fujii

That the minutes of the Ordinary Council Meeting held on 28 January 2025 be confirmed.

CARRIED

8.2 SPECIAL COUNCIL MEETING – 5 FEBRUARY 2025

RECOMMENDATION Min. 25/2/4

Moved: Deputy Mayor Toshio Nakata

Seconded: Mayor Elsie Seriat

That the minutes of the Special Council Meeting held on 5 February 2025 be confirmed.

CARRIED

9 BUSINESS ARISING

CEO referred to the 'Matters for Action following a Council Meeting' document provided to Councillors with updated information on the 28 January 2025 Council Meeting.

10 NOTIFIED MOTIONS

Nil

11 COUNCILLORS REPORTS

11.1 COUNCILLOR'S MONTHLY REPORTS

RECOMMENDATION Min. 25/2/5

Moved: Cr Thomas Fujii

Seconded: Cr Thomas Loban

That the activities contained in the Mayoral monthly report be endorsed by Council.

CARRIED

12 EXECUTIVE SERVICES REPORTS

12.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

RECOMMENDATION Min. 25/2/6

Moved: Cr Thomas Fujii
Seconded: Mayor Elsie Seriat

That the activities contained in the Chief Executive Officer's monthly report be endorsed by Council.

CARRIED

ADJOURNMENT: The meeting is adjourned for Morning Tea at 10:17am and resumed 10:52am.

12.3 CAPITAL WORKS PROGRAM REPORT**RECOMMENDATION Min. 25/2/7**

Moved: Deputy Mayor Toshio Nakata
Seconded: Cr Thomas Fujii

That Council receives and notes the Capital Works Program Report for February 2025.

CARRIED

12.4 REQUEST TO TORRES SHIRE COUNCIL FOR MOST APPROPRIATE TENURE FOR LOT 46 ON CP857623 – PRINCE OF WALES ISLAND – DEPARTMENT OF NATURAL RESOURCES AND MINES, MANUFACTURING AND REGIONAL AND RURAL DEVELOPMENT**RECOMMENDATION Min. 25/2/8**

Moved: Deputy Mayor Toshio Nakata
Seconded: Cr Thomas Loban

1. That Council consider the request from the Department Natural Resources and Mines, Manufacturing and Regional and Rural Development for Council's view as to the most appropriate tenure for Lot 46 on CP857623.
2. For further discussions with relevant stakeholders prior to this item coming back to future Council Meeting.

CARRIED

12.5 DEVELOPMENT APPLICATION – IDA S24/17 – MATERIAL CHANGE OF USE – HOME- BASED BUSINESS – PETER JAMES LAWRIE C/ URBAN SYNC PTY LTD – 68 VICTORIA PARADE, THURSDAY ISLAND**RECOMMENDATION Min. 25/2/9**

Moved: Cr Thomas Fujii
Seconded: Deputy Mayor Toshio Nakata

1. That Torres Shire Council approves the application for a Development Permit for Material Change of Use for Home-Based Business (catering business) on land located at 68 Victoria Parade, Thursday Island], formally described Lot 101 on T2071, subject to the following conditions of the report.
2. The State Assessment Referral Agency response dated 28 January 2025 forms part of the Decision Notice.

CARRIED

ATTENDANCE: Claire Alexander (Finance Consultant) joined the Council Meeting at 11:31am via teams to present the Corporate and Community Services - Financial Reports.

12.2 CORPORATE AND COMMUNITY SERVICES – FINANCIAL REPORT

RECOMMENDATION Min. 25/2/10

Moved: Deputy Mayor Toshio Nakata

Seconded: Cr Thomas Loban

That Council:

Note the Financial Statements and attachments for the month of January 2025 as presented.

CARRIED

13 LATE ITEMS

13.1.1 CEO REPORT - WINDS OF ZENADTH CULTURAL FESTIVAL 2027 AND 2029

RECOMMENDATION Min. 25/2/11

Moved: Mayor Elsie Seriat

Seconded: Cr Thomas Fujii

That Council:

1. Endorses the proposed dates for the Winds of Zenadth Cultural Festival in 2027 and 2029 as follows:
 - 2027: Tuesday 14th September to Friday 17th September (one week before the end of Term 3, Queensland School Holidays, and coinciding with the designated show holiday for the Shire).
 - 2029: Tuesday 11th September to Friday 14th September (one week before the end of Term 3, Queensland School Holidays, and coinciding with the designated show holiday for the Shire).
2. Notes that this early identification of festival dates is necessary to allow tour operators to plan marketing and promotional activities, given their advertising cycles operate 18 to 24 months in advance.

3. Delegates to the Chief Executive Officer to formally communicate these endorsed dates to relevant tourism industry bodies, event stakeholders, and government agencies to facilitate long-term event planning.
4. Recognises that early confirmation of festival dates allows Council to apply for funding and seek sponsorship opportunities well in advance, ensuring financial sustainability and enhanced event planning.
5. Specifically invites Cruise Ship operators to the region during the festival to support greater attendance while reducing the additional burden on local accommodation and food services, as guests will stay on the ship.
6. Notes that by increasing access for tourism, Council enhances its opportunities for funding to support the festival.

CARRIED

13.1.2 CEO REPORT - SUBMISSION TO JOINT SELECT COMMITTEE ON NORTHERN AUSTRALIA – THE ENERGY, FOOD, AND WATER SECURITY INQUIRY

RECOMMENDATION Min. 25/2/12

Moved: Cr Thomas Fujii

Seconded: Deputy Mayor Toshio Nakata

1. That Council notes the Joint Select Committee on Northern Australia is in response to the Energy, Food, and Water Security Inquiry;
2. That the Mayor and CEO be delegated to make representation on behalf of Council to Joint Select Committee on Northern Australia in response to the Energy, Food, and Water Security Inquiry.

CARRIED

13.1.3 CEO REPORT - LOT 20 ON CROWN PLAN TS228 – MOUNT ERNEST (NAGHIR ISLAND)

RECOMMENDATION Min. 25/2/13

Moved: Cr Thomas Fujii

Seconded: Mayor Elsie Seriat

That Council consider the deputation, noting that the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development is the responsible agency for issuing and managing a Lease under the Land Act 1994.

CARRIED

14 CONFIDENTIAL REPORTS**RECOMMENDATION**

That Council consider the confidential report(s) listed below in a meeting closed to the public in accordance with Regulation s.254J of the *Local Government Regulation 2012*:

- 14.1 Capital Works Program Report
- 14.2 Horn Island Projects Tender Award
- 14.3 Thursday Island Projects Tender Award
- 14.4 Prince of Wales Island Projects Tender Award
- 14.5 Engagement of Veterinary Services for Torres Shire
- 14.6 Second Budget Review 2024-2025
- 14.7 Ex-Gratia Payments Policy
- 14.8 Grants Report
- 14.9 Thursday Island Post Office
- 14.10 Torres Strait Air Pty Ltd
- 14.11 Waste Collection Services Contract

Time: 12:10pm

RECOMMENDATION Min. 25/2/14

Moved: Cr Thomas Loban

Seconded: Cr Thomas Fujii

That Council go into In Committee.

CARRIED

DEPARTURE: Deputy Mayor Toshio Nakata departed the Council Meeting at 12:11pm and return to the meeting at 12:13pm.

DEPARTURE: Claire Alexander (Finance Consultant) departed the Council Meeting at 12:26pm.

DECLARATION OF INTEREST – CR THOMAS LOBAN

DEPARTURE: Cr. Thomas Loban departed the Council Meeting at 12:36pm whilst item 14.11 - Waste Collection Services Contract Increase Matter was discussed.

Time: 1:04pm

RECOMMENDATION Min. 25/2/15

Moved: Deputy Mayor Toshio Nakata

Seconded: Cr Thomas Fujii

That Council come out of In Committee.

CARRIED

14.11 WASTE COLLECTION SERVICES CONTRACT INCREASE**RECOMMENDATION Min. 25/2/16**

Moved: Deputy Mayor Toshio Nakata

Seconded: Mayor Elsie Seriat

1. That Council note the adjustment to the Waste Services Contract with the current provider.
2. That Council make representation to the State Government in relation to the increase cost and impose that has been placed on Council.
3. That Council look into alternative solutions to deliver this essential service for the Shire.

CARRIED

ATTENDANCE: Cr. Thomas Loban returned the Council Meeting at 1:05pm.

DEPARTURE: Mayor Elsie Seriat departed the Council Meeting at 1:06pm and Deputy Mayor Toshio Nakata took the Chair.

ADJOURNMENT: The meeting was adjourned for Lunch at 1:06pm and resumed 2:16pm.

Time: 2:17pm

RECOMMENDATION Min. 25/2/17

Moved: Cr Thomas Loban

Seconded: Cr Thomas Fujii

That Council go into In Committee.

CARRIED

Time: 3:42pm

RECOMMENDATION Min. 25/2/18

Moved: Cr Thomas Loban

Seconded: Cr Thomas Fujii

That Council come out of In Committee.

CARRIED**14.1 CAPITAL WORKS PROGRAM REPORT****RECOMMENDATION Min. 25/2/19**

Moved: Cr Thomas Loban

Seconded: Cr Thomas Fujii

That Council receives and notes the Capital Works Program Report for February 2025.

CARRIED

14.3 THURSDAY ISLAND PROJECTS TENDER AWARD**RECOMMENDATION Min. 25/2/20**

Moved: Cr Thomas Fujii
Seconded: Cr Thomas Loban

It is recommended that Council;

- 1) Appoint **TI Concrete Works** as preferred tenderer to enter into a contract with Torres Shire Council for QRA Program TSC.PR01.2324.REC – Thursday Island for the sum of **\$688,130.19 including GST**,
- 2) delegates authority to the Chief Executive Officer, under section 257 of the *Local Government Act 2009 (QLD)*, the ability to execute the contract, approve payments, negotiate and finalise minor administrative or financial amendments and approve any variations, if required, and
- 3) Instruct SLH Projects to lodge a market price update request with the QRA to address the funding gap for the projects.

CARRIED

14.4 PRINCE OF WALES ISLAND TENDER AWARD**RECOMMENDATION Min. 25/2/21**

Moved: Cr Thomas Loban
Seconded: Cr Thomas Fujii

It is recommended that Council;

- 1) Appoint **TI Concrete Works** as preferred tenderer to enter into a contract with Torres Shire Council for QRA Program TSC.PR01.2324.REC – Prince of Wales Island for the sum of **\$1,290,639.35 including GST**,
- 2) delegates authority to the Chief Executive Officer, under section 257 of the *Local Government Act 2009 (QLD)*, the ability to execute the contract, approve payments, negotiate and finalise minor administrative or financial amendments and approve any variations, if required, and
- 3) Instruct SLH Projects to lodge a market price update request with the QRA to address the funding gap for the projects.

CARRIED

14.5 ENGAGEMENT OF VETERINARY SERVICES FOR TORRES SHIRE**RECOMMENDATION Min. 25/2/22**

Moved: Deputy Mayor Toshio Nakata
Seconded: Cr Thomas Loban

It is recommended that:

- a) Council engages with *Thursday Island Animal Support Group Inc'* in ensuring that veterinary services meet all required service supply and planning requirements, and
- b) delegates authority to the Chief Executive Officer, under section 257 of the *Local Government Act 2009 (QLD)*, the ability to execute any related contracts, approve payments, negotiate and finalise minor administrative or financial amendments if required.

CARRIED

14.6 SECOND BUDGET REVIEW 2024-2025

RECOMMENDATION Min. 25/2/23

Moved: Cr Thomas Loban

Seconded: Cr Thomas Fujii

That Council adopt the following revised budget documents as shown in **Schedule A**:

- Revised Budget Financial Statements 2024-2025 and the following two years;
- Revised Long Term Financial Statements 2024-2025 and the following nine years;
- Revised Long Term Sustainability Ratios;

CARRIED

14.7 EX-GRATIA PAYMENTS POLICY

RECOMMENDATION Min. 25/2/24

Moved: Cr Thomas Fujii

Seconded: Cr Thomas Loban

This agenda item lays on the table until a future Ordinary Council Meeting.

CARRIED

14.8 GRANTS REPORTS

RECOMMENDATION Min. 25/2/25

Moved: Deputy Mayor Toshio Nakata

Seconded: Cr Thomas Fujii

That Council acknowledge the update provided on the status of grants currently being applied for, successfully secured, or under implementation by Council.

CARRIED

14.9 THURSDAY ISLAND POST OFFICE

RECOMMENDATION Min. 25/2/26

Moved: Deputy Mayor Toshio Nakata

Seconded: Cr Thomas Fujii

1. That Council resolves to make representation to the local owner, State Member for Cook, Federal Minister and to Australia Post in relation to the current state of the Thursday Island Post Office.
2. That Council resolves to delegate to the Chief Executive Officer the power to take all steps necessary to resolve the current deficiencies experienced by the community at the Thursday Island LPO.

CARRIED

14.10 TORRES STRAIT AIR PTY LTD

RECOMMENDATION Min. 25/2/27

Moved: Cr Thomas Loban

Seconded: Cr Thomas Fujii

That Council notes the tabled confidential report on Torres Strait Air Pty Ltd.

CARRIED

DECLARATION OF INTEREST – DEPUTY MAYOR TOSHIO NAKATA

This declaration was made subsequent to the Agenda item 14.10 Torres Strait Air Pty Ltd being presented to and discussed by Council.

Deputy Mayor Toshio Nakata stated that he had a declarable conflict of interest in Agenda Item 14.10 Torres Strait Air Pty Ltd, as Mr Andrew Nakata is an employee of Torres Strait Air Pty Ltd and Mr Andrew Nakata is the Deputy Mayor's brother (as defined by *Local Government Act 2009, section 150ES (3)(a)(i)*) as follows:

I, Deputy Mayor Toshio Nakata, inform the meeting that I have a declarable conflict of interest due to being a close Family Member.

NOTED

DATE OF NEXT MEETING: Tuesday, 18 March 2025

CLOSURE: The meeting closed with a prayer by Dalassa Yorkston (CEO) at 4:05pm.

Confirmed this day of

MAYOR