

**MINUTES OF THE ORDINARY MEETING OF THE TORRES SHIRE COUNCIL
HELD IN THE SHIRE OFFICES, DOUGLAS STREET, THURSDAY ISLAND
ON TUESDAY, 19 APRIL 2016**

PRESENT Mayor Vonda Malone (Chair), Cr. Yen Loban (Deputy Mayor), Cr. John Abednego, Cr. Gabriel Bani, Cr. Thomas Loban, Dalassa Yorkston (Chief Executive Officer) Andrew Brown (Director Corporate and Community Services), Bill Cuthbertson (Director Engineering and Infrastructure Services) and Nola Ward Page (Minute Secretary)

The meeting opened with a prayer by Mayor Malone at 9.08am.

ACKNOWLEDGEMENT

The Mayor acknowledged the traditional owners.

APOLOGY An apology was received from Cr. Gabriel Bani who will be arriving at the meeting later.

Min. 16/04/1 **Moved Deputy Mayor Loban, Seconded Cr. Abednego**
"That the apology received from Cr. Bani be received."

Carried

CONDOLENCES As a mark of respect, Council observed a minute's silence in memory of:

*Mrs Julie Tapau
Mr Sam Kris*

DISCLOSURES OF INTEREST UNDER THE LOCAL GOVERNMENT ACT

Mayor Malone

Planning and Development Services

Item 4.7 IDAS 16/03 Star of the Sea Material Change of Use
Elders Village Upgrade and Multi-Unit Dwelling
121 Waiben Esplanade Thursday Island

CONFIRMATION OF MINUTES

Min. 16/04/2 **Moved Deputy Mayor Loban, Seconded Cr. Abednego**
"That Council receive the Minutes of the Ordinary Meeting of 15 March 2016 and confirm as a true and correct record of the proceedings."

Carried

Min. 16/04/3 **Moved Deputy Mayor Loban, Seconded Cr. Abednego**
"That Council receive the Minutes of the Post Election Meeting of 8 April 2016 and confirm as a true and correct record of the proceedings."

Carried

MATTERS OF ACTION FROM PREVIOUS MEETING

Deputy Mayor Yen Loban

- Requesting an update on item in Planning and Environmental Services
Renewal of Lease – CP Lot 18 on TS180 Prince of Wales Island

REPORT FROM MAYOR

Mayor's Report Ordinary Meeting of the Torres Shire Council Tuesday 19 April, 2016

PURPOSE

To provide an outline of representation undertaken during the period 9-18 April, 2016.

SUMMARY

Garden Fair – 9 April, 2016

Facilitated the opening of the annual Garden Fair hosted by the Torres Shire Council in partnership with key sponsors. The event was well attended with stall holders offering a variety of prizes and giveaways including free seedlings, fertilisers and mulch. Interactive games for both young and old to participate in was also enjoyed by all. Special thanks to the Torres Shire Council and sponsors for delivering a successful community initiative.

Warren Entsch, MP, Federal Member for Leichardt – 11 April, 2016

During his recent visit to TI, Warren Entsch took the opportunity to meet to pass on his congratulations on my appointment. Mr Entsch looks forward to continued good relations with the Council to progress projects including the Prince of Wales Safe Transport Facility.

2016 Torres Strait Arts Industry Forum – 12 April, 2016

Briefly attended the Arts Industry Forum held at the Pork Kennedy Hall and was introduced to members of the Australia Council of the Arts. The Australia Council would like to explore opportunities to support the biannual Zenath Kes Cultural Festival.

Claire O'Connor, Director General, Department of Aboriginal and Torres Strait Islander Partnership – 13 April, 2016 - Cairns

Discussions were held with Claire O'Connor and Mr Allen Cunneen at the DATSIP Cairns office. Key discussions included:

- Advice that Michael Hogan is the assigned Government Champion for the Torres Strait.
- Land transfer proposals for the the following parcels of land:
 - 81-82 Waiben Esplanade
 - Lot 41 and Lot 43 Loban Road
 - 156 Douglas Street
 - Lot 801 Horn Island Housing Affordability Project

The Department acknowledged receipt of these submissions and a formal response is forthcoming.

Investing Together, North Queensland Aboriginal and Torres Strait Islander Investment Forum – 14 April, 2016

Newly elected Mayors were invited by the Treasurer The Hon. Curtis Pitt to attend the Investing Together forum in Cairns. The aim of the forum was to provide an insight on the State Governments platform for future economic growth in Queensland. Key messages highlighting Queensland as the strongest growth State and is open for business. Initiatives such as the State Government's Market-led proposal provided a streamlined way for the Government to work with the private sector to deliver solutions. A number of entrepreneurs and indigenous businesses also shared their programs and success stories at the forum.

Mayor's Breakfast with The Hon. Curtis Pitt, MP Treasurer and Minister of Aborinal and Torres Strait Islander Partnership and Sports – 15 April, 2016

A breakfast meeting was held by Treasurer Curtis Pitt, MP to have the opportunity to meet with all Mayor, particularly the newly-elected mayors of Aboriginal and Torres Strait Island Shire Councils. Main issues of relevance to the Torres Strait Region raised during discussions included:

- The need for the continued rollout of the Department of Transport and Main Roads, Local Fare Scheme past 30 June, 2016.
- State Governments position on the White Paper on Developing Northern Australia.

RECOMMENDATION

That Council notes this brief.

Min. 16/04/4 Moved Cr. Abednego, Seconded Deputy Mayor Loban
“That Council receive the Mayor’s Report.”

Carried

Adjournment: The meeting adjourned for Morning Tea at 10.05am and resumed at 11.08am.

Attendance: Cr. Gabriel Bani arrived at the meeting at 11.08 am.

1. CHIEF EXECUTIVE OFFICER

REPORT

Section 5 In Committee - Item 1 TSC Organisational Overview
brought forward out of sequence for the benefit of newly elected Council.

Min. 16/04/5 Moved Deputy Mayor Loban, Seconded Cr. Abednego
“That Council go into Committee.”

Carried

Min. 16/04/6 Moved Cr. Abednego, Seconded Cr. Loban
“That Council come out of Committee.”

Carried

Min. 16/04/7 Moved Deputy Loban, Seconded Cr. Bani
“That Council acknowledge the summary delivered by the CEO, in the brief timeframe of the meeting, of Council’s organisational structure, grants and funding, local laws, update of Council projects and infrastructure, Council Policies including:

- Media/Public Statement Policy & Procedures
- Councillor Code of Conduct
- Councillor Use of Information
- Councillor Confidentiality of Council Information

and providing detailed answers to questions from the newly elected Council.”

Carried

Adjournment: The meeting adjourned for lunch at 1pm, which was blessed by Cr. Bani, and resumed at 1.35pm

Min. 16/04/8 Local Government Association of Queensland - Elected Members Update
Moved Cr. Abednego, Seconded Deputy Mayor Loban
“That Council approve the Mayor and all Councillors, Chief Executive Officer and Directors attend the Local Government Association of Queensland Elected Members Professional Development Training Workshop in Cairns on 10 and 11 May 2016.”

Carried

Min. 16/04/9 Local Government Association of Queensland - Indigenous Leaders Forum
Moved Cr. Loban, Seconded Deputy Mayor Loban
“That Council approve the Mayor, Councillors and the CEO to attend the Local Government Association of Queensland Indigenous Leaders Forum in Cairns on 8th and 9th June, 2016.”

Carried

Min. 16/04/10 Reparations Scheme – Acknowledging the Past Campaign (File 1-30-30)
Moved Deputy Mayor Loban, Seconded Cr. Bani
“That Council support the promotion of the Queensland Government’s ‘Reparations Scheme – Acknowledging the Past Campaign’ and approve the links to the Council website and social media page.”

Carried

1. **CHIEF EXECUTIVE OFFICER** (cont'd)

REPORT

- Min. 16/04/11** **Torres Shire Annual Garden Fair Community Event**
Moved Mayor Malone, Seconded Deputy Mayor
“That Council thank all the sponsors of the Torres Shire Garden Fair and extend an appreciation to the staff of Torres Shire for coordinating the 3rd Torres Shire Garden Fair held on Saturday, 9 April 2016.” **Carried**

ANZAC Day - 25 April

This year ANZAC Day falls on a Monday and is a Public Holiday throughout Australia and New Zealand. Council co-ordinates the programme for the day commencing with the Dawn Service on Green Hill, which this year will commence at 6am and not 5.30am as in previous years.

The programme is uplifted to Council's website, advertised in the Torres News and distributed throughout our Community.

- Min. 16/04/12** **Request for Letter of Support - University of Sydney – Pilot Research and Evaluation Study (File 3-2-7)**
Moved Cr. Abednego, Seconded Cr. Loban
“That Council forward a letter of support to the University of Sydney Pilot Research and Evaluation Study about the effects of the Indigenous Marathon Foundation and the IMP Program on the condition that Council receives a copy of the Research and Evaluation findings pertaining to the Torres Shire local government area.” **Carried**

- Min. 16/04/13** **Moved Deputy Mayor, Seconded Cr. Bani**
“That the report of the Chief Executive Officer be received.” **Carried**

2. **CORPORATE AND COMMUNITY SERVICES**

REPORT

- Min. 16/04/14** **Financial Statements**
Moved Cr. Abednego, Seconded Deputy Mayor Loban
“That Council adopt the Comprehensive Income, Financial Position, Cash Analysis, Interim Capital Works Financial Statements and Aged Debtors presented for March 2016 including the revised estimates for 30th June 2016.” **Carried**
- Min. 16/04/15** **Internal Audit**
Moved Mayor Malone, Seconded Deputy Mayor Loban
“That Council adopt the Minutes of the Internal Audit Meeting held on Monday 18 April 2016 and further accept the audited General Purpose Financial Statements for the year ended 30 June 2015.” **Carried**
- Min. 16/04/16** **Moved Cr. Abednego, Seconded Cr. Bani**
“That the report of the Director Corporate & Community Services be received.” **Carried**

3. ENGINEERING AND INFRASTRUCTURE SERVICES

REPORT

Attendance: The Regulatory Manager attended the meeting at 2.45pm.

Min. 16/04/17 Moved Cr. Abednego, Seconded Cr. Bani

“That the report of the Director Engineering and Infrastructure Services be received.”

Carried

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

IDAS 15/06 – Australian Maritime Safety Authority – Appeal against decision to refuse development application – Building works assessable against Planning Scheme

Min. 16/04/18 Moved Deputy Mayor Loban, Seconded Cr. Abednego

“That Council instructs King and Company to negotiate with AMSA to significantly reduce the area covered by the proposed structures associated with the navigation beacon on Hammond Rock.”

Carried

Local Government Infrastructure Plan (LGIP) (File 4-1-20)

Min. 16/04/19 Moved Cr. Bani, Seconded Deputy Mayor Loban

“That Council resolves to prepare a Local Government Infrastructure Plan in accordance with the requirements of the *Sustainable Planning Act 2009*; and applies to the Minister for Infrastructure, Local Government and Planning for an extension to the timeframe to prepare the Local Government Infrastructure Plan in accordance with the project plan; and delegates authority to the Chief Executive Officer, in accordance with the *Local Government Act 2009* to advance any and all matters associated with the preparation of the Local Government Infrastructure Plan.”

Carried

Declaration of Conflict of Interest made by Mayor Malone

DECLARATION

I declare I have a real conflict of interest in the following matter in

Section 4 Planning and Environmental Services

Item 4.7 IDAS 16/03 Star of the Sea Material Change of Use – Elders Village Upgrade and Multi-Unit Dwellings 121 Waiben Esplanade Thursday Island Lot 32 on TS808375 as defined in Section 173 of the Local Government Act 2009 due to my related party association.

IDAS 16/03 Star of the Sea Material Change of Use - Elders Village Upgrade and Multi-Unit Dwellings 121 Waiben Esplanade Thursday Island Lot 32 on TS808375

Min. 16/04/20 Moved Deputy Mayor Loban, Seconded Cr. Loban

“That the report of the Regulatory Manager be received.”

Carried

Attendance: The Regulatory Manager departed the meeting at 4.32pm.

IN COMMITTEE

(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss—

(a) the appointment, dismissal or discipline of employees; or (b) industrial matters affecting employees; or (c) the local government's budget; or (d) rating concessions; or (e) contracts proposed to be made by it; or (f) starting or defending legal proceedings involving it; or (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain financial advantage.

Min. 16/04/21 Moved Cr. Abednego, Seconded Cr. Bani
“That Council go into Committee.”

Carried

Min. 16/04/22 Moved Cr. Abednego, Seconded Mayor Malone
"That Council come out of Committee."

Carried

Finance - Debt Management

Min. 16/04/23 Moved Deputy Mayor Loban, Seconded Cr. Abednego

"That Council approve the accounts as identified for a total amount of \$28,425.51 to be adjusted, withdrawn or written off to reflect the non recoverable status of the debt when appropriate."

Carried

Finance - Council Depot

Min. 16/04/24 Moved Mayor Malone, Seconded Cr. Bani

“That Council approve the reallocation of \$38,000 from Plant and Equipment within the 2015/2016 Capital Budget to fund the security of the Thursday Island Council Depot boundary fencing, gates and buildings.”

Carried

DATE OF NEXT MEETING: Tuesday, 17 May 2016

CLOSURE: The meeting closed with a prayer by Cr. Gabriel Bani at 5.02pm

Confirmed this

day of

MAYOR