

**MINUTES OF THE ORDINARY MEETING OF THE TORRES SHIRE COUNCIL
HELD IN COUNCIL CHAMBERS ON THURSDAY ISLAND, TUESDAY, 15 SEPTEMBER 2020**

PRESENT Mayor Vonda Malone (Chair), Cr. Thomas Loban, Cr. John Abednego, Cr Allan Ketchell, Dalassa Yorkston (Chief Executive Officer), Shane Whitten (Director Corporate and Community Services), Maxwell Duncan (Director Governance and Planning Services), Edward Kulpa (A/Director Engineering and Infrastructure Services), and Ethel Mosby (Minute Secretary)

The meeting opened with a prayer by Mayor Malone at 9:08am.

ACKNOWLEDGEMENT

Mayor Malone acknowledged the traditional owners the Kaurareg people and all Torres Strait island elders past, present and emerging.

CONDOLENCES a minute of silence was held for:

Mrs Diai Warria (Yam Island)
Mr Murphy Anau (Boigu Island)
Mrs Dorothea Malone

Mayor Malone, on behalf of Council, extended deepest condolences to the families of the loved ones who have passed.

APOLOGY

An apology was received from Deputy Mayor Bani who was unable to attend the meeting.

Min. 20/9/1 **Moved Cr Loban, Seconded Cr. Abednego**
"That Council receive the apology received from Deputy Mayor Bani.

Carried

DISCLOSURES OF INTEREST UNDER THE LOCAL GOVERNMENT ACT

Cr. Abednego – In Committee – Rates Matter

BUSINESS ARISING AND MATTERS FOR ACTION FROM PREVIOUS MEETING

CEO referred to the 'Matters for Action following a Council Meeting' document provided to Councillors with updated information on the 18 August 2020 Council Meeting.

Business Arising - TSC Standing Orders - advice was given to Councillors on the Standing Orders adopted by Council. Council deferred the Confirmation of the Minutes of the August Ordinary Council Meeting pending advice on the application of the Standing Orders as it related to the confirmation of the minutes.

Adjournment: The meeting adjourned for the Queensland Biosecurity Deputation at 10:06am and resumed 10:40am.

Deputation: In attendance were Mick Jeffery, Director Far Northern Biosecurity, Danny Mosby and Michal Zitha met with Council. Biosecurity Queensland presented the proposed invasive pest regulatory instrument. Biosecurity Queensland, in close consultation with the Torres Strait and Northern Peninsula Area Biosecurity Working Group, which includes Torres Shire Council as a member, had developed a regulatory instrument under the *Queensland Biosecurity Act 2014* to reduce the risk of invasive pest spread from the mainland to the Torres Strait communities.

Adjournment: The meeting adjourned for Morning Tea at 10:41am and resumed 11:02am.

MAYOR'S REPORT

Acknowledgement to the traditional owners of Kaiwalagal and of the Torres Strait & elders past and present. To provide an update on representations undertaken by Mayor Vonda Malone for the period 18 August – 14 September 2020.

COVID19 Response

Queensland continues to remain in Stage 3 of the roadmap to easing access restrictions since 10 July. Over the past month the number of COVID cases have been contained with low fluctuations mainly occurring in South East Queensland.

Torres Shire Council (TSC) is pending formal advice and approval from the Chief Health Officer on the proposed COVID-19 Second Wave - Response and Activation Plan as tabled through the Torres Strait Local Disaster Management Group (TSLDMG) and District Disaster Management Group (DDMG) process last month. This matter was also included in the TSC priorities and tabled through the recent Community Cabinet deputations.

Torres and Cape Hospital and Health Services (TCHHS) is keeping TSC and the TSLDMG updated on COVID-19 response with particular attention to Papua New Guinea (PNG). TCHHS recently initiated an extensive exercise and planning with all key agencies using a COVID-19 scenario with PNG nationals. Further feedback on the exercise will be provided at the next TSLDMG.

Current hot spots continue in Victoria, ACT and New South Wales. Queensland border remains closed to these States.

TSC Technical Working Group - 26 August 2020, Cairns

The TSC Technical Working Group (TWG) meeting was held on 26 July following the first meeting in July. At this meeting discussions covered:

- TCHHS - Update on Infrastructure projects in the region including Thursday Island Hospital redevelopment and the Thursday Island Primary Health Care Centre
- Qld Indigenous Waste Strategy.
- Department of Housing and Public Works (DHPW) – Housing update.
- Department of Transport and Mainroads – Transport and Infrastructure Development project update.
- Master Planning and Town Planning – Wasaga Village.
- Employment and Training Update – Revised TSC Community Capacity Statement/Directory.

Key issues raised:

- TSC disappointment on the application for funding under the ATSI TIDS 2019-2020 allocation.
- Vacant Government employee housing and whole-of-government approach to housing allocation.
- Thursday Island Community Hub operations and inadequate allocation of space for the community library.
- Splash Park and ongoing operational cost.
- Transition of social housing to home ownership.
- Water security impact with future Government development.
- Torres Strait Board Facility development.

The next meeting is scheduled for 22 September 2020.

Qld Government Community Cabinet - 31 August -1 September 2020, Cairns

MAYOR'S REPORT

After the initial postponement of the Community Cabinet due to a COVID-19 outbreak in Brisbane, the Community Cabinet resumed in Cairns.

At the onset the Premier, with the full Cabinet, held a Mayor's meeting at the James Cook University Campus. This enabled Mayors to have direct dialogue and raise matters seeking the Labour Government's attention/commitment aligned to the 2020 State Elections. I took the opportunity to raise these matters:

- Local Fare Scheme (LFS) – Long-term commitment from the Qld Government
- TSC COVID-19 Expense reimbursement
- TSC COVID-19 Second Wave – Response and Activation Plan
- Qld Government Procurement equity for local employment under the Qld Government COVID Economic recovery plan

In response, the Premier gave the commitment to the LFS for a further three years and took on notice and referred the other matters to respective Ministers. These matters were discussed in detail at the scheduled TSC deputations.

Following this TSC held the various deputations with relevant Ministers covering the following key priorities for the Shire:

1. Sustainability of a Remote Local Government
2. Regional High Cost of Living
3. TSC COVID-19 Expense
4. TSC COVID-19 Second Wave – Response and Activation Plan
5. Torres Shire Water Security
6. Tourism Infrastructure Development
7. Torres Shire Roads
8. Horn Island Airport – Regional Airport Infrastructure Funding
9. Investigative Study towards the Thursday Island Boat Ramp
10. Affordable Sale of Social Housing Properties in Torres Shire
11. Regional Waste Management Strategy – Vehicle Bond System
12. Regional Waste Management Plan and Recycling Facility
13. Splash Park Election Funding Commitment and Operational Costs
14. Thursday Island Community Hub Commitment and Operational Costs
15. Local Roads of Regional Significance
16. ATSI TIDS Funding

I thank fellow Councillors Deputy Mayor, Cr Bani and Cr Loban for their representation and engagement in the Community Cabinet process.

Metara Mirapu - Torres Regional Housing Summit – 9 September 2020, Cairns

Gur A Baradharaw Kod (GBK) hosted the Torres Strait Regional Housing Summit with stakeholder participation from Torres Strait Regional Authority, Torres Strait Island Regional Council (TSIRC) and TSC along with State Government representatives from the Department of Housing and Public Works (DHPW) and Department of Aboriginal and Torres Strait Island Partnership (DATSIP).

Stakeholders united to collectively discuss ongoing concerns in relation to housing service delivery within the region and highlighted the inconsistency of the historical housing model administered by the DHPW for social housing rental and home ownership. I provided an overview of the good work that TSC had undertaken with DHPW to date stemming from last term and the preparatory work (ie community survey and subdivision of Tamwoy reserve) to enable the potential transition of social housing to home ownership.

These matters were collated and relayed directly to Minister Shannon Fentiman, Torres Strait Ministerial Champion and Mick Gooda, First Nations Housing Advisor through a statement of intent:

Statement of Intent to Minister Fentiman

MAYOR'S REPORT

Metra Mirapu - Torres Regional Housing Summit – 9 September 2020, Cairns – Cont'd

The attendees of the Metra Mirapu Torres Strait Regional Housing Summit comprising representatives from the leadership of the key stakeholders in the region being Gur A Baradharaw Kod, TSC, NPARC and TSRA agree in principle that:

1. The current model of housing is out of date and that a new model is needed that is more responsive, reflective of the current environment and specific to the Torres Strait, NPA and applied equitably across the Region.
2. It is imperative that we – being the Queensland Government and the key stakeholders GBK, TSC, NPARC and TSRA – work together as a collective to setup an independent Regional Housing Body for the Torres Strait and NPA. It must recognise the uniqueness of the Region.
3. A working group be established with representatives of each of the key stakeholders here today to develop a framework for the establishment of the Regional Housing Body and that engages grassroots communities in consultations.
4. The establishment of any Regional Housing Authority is not intended to impede on the ability of individual communities to exercise self-determination in relation to housing related matters.
5. The Queensland Government will resource the above process in order to achieve the deliverables set out in the 2019-2023 Housing Action Plan.

The above resolution is subject to approval by each stakeholder prior to providing written submission to Queensland and Commonwealth Governments.

It was acknowledged that each council will table this statement at their respective council meetings for endorsement.

Recommendation:

- *That TSC formally endorse the Statement of Intent to Minister Fentiman as per the Metra Mirapu Torres Strait Regional Housing Summit.*

Cr. Abednego abstain from supporting the Regional Housing Body – Statement of Intent to Minister Fentiman, pending further advice and information.

Cr. Ketchell abstain from supporting the Regional Housing Body – Statement of Intent to Minister Fentiman, pending further advice and information.

Cr. Loban abstain from supporting the Regional Housing Body – Statement of Intent to Minister Fentiman, pending further advice and information.

RECOMMENDATION

That Council:

1. Notes this brief.

Min. 209/2 Moved Cr. Loban, Seconded Cr. Ketchell
“That Council receives the Mayor’s Report.”

Carried

CHIEF EXECUTIVE OFFICER REPORT

Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020

The 56th Parliament, Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee tabled Report No. 40, Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020 on Friday, 28 August 2020.

CHIEF EXECUTIVE OFFICER REPORT

Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020 – Cont'd

The Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020 is historic as it is the first of its kind in Australia to ever recognise Torres Strait Islander traditional child rearing practice, or Ailan Kastom, and to also incorporate Indigenous language in an integration of 'lore' and 'law'. The Bill was passed in the Queensland Parliament on Tuesday, 8 September 2020.

Further to Torres Shire Council's submission to the Committee, a response from Department of Aboriginal and Torres Strait Islander Partnerships on the Submission was tabled for Council.

Queensland Community Cabinet – Council Deputation

The Palaszczuk Government held Community Cabinet in Cairns on Monday, 31 August and Tuesday, 1 September 2020. Mayor Malone, Deputy Mayor Bani, Cr. Thomas Loban and DGPS Maxwell Duncan attended and made representation on behalf of Torres Shire Council.

Councils Community Cabinet Submissions covered.

- *Sustainability of Small Remote Local Government Operating from a Low Rates Base*
- *Regional High Costs of Living*
- *Torres Shire Council Covid-19 Expenses for Students Repatriation*
- *COVID-19 Second Wave - Torres Shire Council Response & Activation Plan*
- *Torres Shire Water Security*
- *Tourism Infrastructure Development*
- *Torres Shire Roads*
- *Horn Island Airport – Regional Airport Infrastructure Funding*
- *Rescinding of Funding for Investigative Study towards the Thursday Island Boat Ramp*
- *Affordable Sale of Social Housing Properties in the Torres Shire*
- *Regional Waste Management – Vehicle Bond System*
- *Regional Waste Management Strategy and Recycling Facility*
- *Splash Park Election Funding Commitment & Operational Costs*
- *Thursday Island Community Hub Commitment & Operational Costs*
- *Local Roads of Regional Significance*
- *Department of Transport – ATSI TIDS Funding*

Various Queensland Government Ministers, Directors-General and Policy Advisors met with the Council delegation and the following commitments were reached:

Minister Stirling Hinchcliffe, Local Government (attended by Mayor Malone, Deputy Mayor Bani, Cr. Loban and Maxwell Duncan)

- Supported the reimbursement of COVID-19 Response Funding
- Acknowledged and supported Trigger Points for Second Wave
- Acknowledged the sustainability of small Councils remains an issue, FAGS and SGFA methodology and agreed for a comprehensive review of funding methodology, and acknowledged TSC's uniqueness
- Supported Regional Waste Management Strategy – arrangement for bond management for vehicles (one-on-one-off), MOU with all agencies

CHIEF EXECUTIVE OFFICER REPORT

Queensland Community Cabinet – Council Deputation – Cont’d

Director-General Damien Walker, Tourism and Darren Cleland (attended by Deputy Mayor Bani, Cr. Loban and Maxwell Duncan)

- Supports TSC Tourism Investment proposal
- Rosehill Boat Ramp, seed funding for study supported

Minister Butcher; Regional Development and Manufacturing, (attended by Mayor Malone, Deputy Mayor Bani, Cr. Loban and Maxwell Duncan)

- Acknowledged comprehensive development plan for Horn Island Airport
- And supported the Regional Significance of the Airport
- Offered a letter of support to the Federal Government for the Horn Island Airport redevelopment
- Supported the reimbursement of COVID-19 Response Funding

Minister Mark Bailey, Transport and Main Roads, Director-General Neil Scales (attended by Deputy Mayor Bani, Cr. Loban and Maxwell Duncan)

- Supported the proposal for Local Roads of Significance (Horn Island)
- Supported the upgrade of the Ring Road on Thursday Island (inspection with TMR)
- Supported the Feasibility Study of Thursday Island Boat Ramps
- Acknowledged comprehensive development plan for Horn Island Airport
- Supported the reimbursement of COVID-19 Response Funding

Minister Mick di Brenni, Housing and Public Works (attended by Cr. Loban and Maxwell Duncan via teleconference)

- Councillors raised \$105m funding and supported previous methodology for distribution and raised the proposal for an Area ILUA on Thursday Island to address homeownership

Minister Deputy Premier, Steven Miles, Haylene Grogan Deputy Director-General Queensland Health, (attended by Deputy Mayor Bani, Cr. Loban and Maxwell Duncan)

- Supported the reimbursement of COVID-19 Response Funding
- Noted the commitment of the Federal Government to reimburse 50% with the State on COVID-19 Expenses
- Haylene Grogan expressed appreciation for TSC response to COVID-19 and its proposal to the Second Wave
- Acknowledged and supported Trigger Points for Second Wave
- Supported the proposal for Local Roads of Significance (Horn Island)
- Supported the upgrade of the Ring Road on Thursday Island (inspection with TMR)
- Supported the Feasibility Study of Thursday Island Boat Ramps

Minister Anthony Lyneham (attended by Deputy Mayor Bani, Cr. Loban and Maxwell Duncan)

- Supported Affordable Sale of Social Housing Properties in Torres Shire submission
- Supported the reimbursement of COVID-19 Response Funding
- Acknowledged and supported Trigger Points for Second Wave
- Supported Tourism Infrastructure Development
- Supported the upgrade of the Ring Road on Thursday Island (inspection with TMR)

CHIEF EXECUTIVE OFFICER REPORT

Queensland Community Cabinet – Council Deputation – Cont'd

Minister Craig Crawford DATSIP (attended by Deputy Mayor Bani, Cr. Loban and Maxwell Duncan)

- Supported the Feasibility Study of Thursday Island Boat Ramps
- Supported the Reimbursement of COVID-19 Response Funding
- Supported Tourism Infrastructure Development
- Supported the upgrade of the Ring Road on Thursday Island (inspection with TMR)
- Supported the proposal for Local Roads of Significance (Horn Island)

Minister Cynthia Lui (attended by Deputy Mayor Bani, Cr. Loban and Maxwell Duncan)

- Supported the Feasibility Study of Thursday Island Boat Ramps
- Supported the Reimbursement of COVID-19 Response Funding
- Supported Tourism Infrastructure Development
- Supported the upgrade of the Ring Road on Thursday Island (inspection with TMR)
- An hour was spent with Member for Cook where there was detailed discussion with every submission, full support was offered to each of the initiatives

Premier of Queensland, (attended by Mayor Malone)

- Update of meeting outcomes as reported by Mayor Malone under Mayoral Report

Minister Shannon Feintimen (attended by Deputy Mayor Bani)

- Update of meeting outcomes to be provided by Deputy Mayor Bani

Coronavirus Novel COVID-19 Update

As at 0700hrs on Thursday, 10 September 2020 there are:

- *1143 confirmed cases in Queensland.*
- *1091 recoveries in Queensland.*
- *0 new cases in the last 24 hours.*

COMDISPLAN activated by Director General, Emergency Management Australia in response to COVID-19 on 23/03/2020.

The State level Disaster Declaration made at 1220hrs on 22/03/2020 and extended until 02/10/2020.

The Governor-in-Council has made the regulation, under the *Public Health Act 2005*, which extends the declared public health emergency relating to COVID-19 from 17 August 2020 until 2 October 2020. The District Disaster Management Group held an Extraordinary Meeting on Tuesday, 8 September 2020, this was to provide a single meeting for all LDMGS of the Far North to receive a briefing from Queensland Health as it relates to COVID-19.

Executive briefings were provided by Dr Richard Gair, Ms Tina Chinery and Ms Bev Hamerton of the three health services on COVID-19 matters. A presentation by Queensland Health regarding 'Theoretical modelling of how the health system can respond' was tabled for Council.

Impact of COVID-19 in remote and regional settings - Theoretical modelling of how the health system can respond.

A single case of COVID 19 in a remote community is considered an outbreak and will likely spread quickly.

- Large households / families living together, close mixing in groups and between households will likely lead to the rapid spread of infection.

CHIEF EXECUTIVE OFFICER REPORT

Coronavirus Novel COVID-19 Update – Cont'd

- Once the first case in a community is identified, it is likely there are many other cases already in the community.
- By the time a first case is found, there are probably many other people in the community who have already been infected.

What can we do about this?

It is most important that we find cases as soon as possible so that we can respond to them

- Encourage people to get tested as soon as they have any symptoms, even if their symptoms are not strong.
- Make sure test results don't take too long to come back and are delivered to person.
- If you feel sick, or are waiting for test results, keep away from other people (in 'isolation').

Quarantine

Quarantine is when you are well but may have been in contact with someone with COVID 19. If this happens you will be required to stay away from other people to prevent the spread of the virus.

Isolation

When you are unwell, waiting for test results, or have been diagnosed with COVID 19. You should stay by yourself, or away from others in your house.

How does quarantine and isolation help?

Isolation is making sure that sick people stay away from others to limit further infection (spreading the virus)

Quarantine makes sure that people who have been in contact with a sick person stay away from others, in case they have already been infected. It takes some time for the virus to 'incubate' in a person before they start spreading it or feeling sick.

Who should be quarantined?

The modelling looked at whether quarantine was useful, and whether it was better to quarantine:

1. Everyone in the same house the person lived in, in the 2 days before they got sick AND/OR
2. Everyone who the person said they had been in contact with in the 2 days before they got sick AND/OR
3. Everyone in the 'extended household'.

How useful is community lockdown? Community lockdown is when everyone needs to stay in their house for 14 days even if they're not a household contact of the person who got sick. It would be put into place after one or more cases of COVID 19 in the community. Lockdown is very effective in preventing cases and even more effective when everyone has a clearance test before ending lockdown.

Coronavirus remains a concern for the peoples of the Torres Strait, ongoing monitoring is occurring.

Torres Shire Council – Queensland Human Rights Commission

Torres Shire Council, along with selected Queensland Local Governments received an official request for information regarding human rights culture in the organisation – Section 98 *Human Rights Act 2019*. The Queensland Human Rights Commission (QHRC) questionnaire sent to the Mayor, Cr. Vonda Malone.

CHIEF EXECUTIVE OFFICER REPORT

Torres Shire Council – Queensland Human Rights Commission – Cont'd

Torres Shire Council's response to the information request was due by 30 September 2020. Council has forwarded this response to the QHRC early, in order that Council may respond to any follow up questions or requests the QHRC may have prior to the due date in response to the following HRC Indicators:

- Indicator 1: Education and staff development
- Indicator 2: Community consultation and engagement about human rights
- Indicator 3: Awareness raising and support for related entities (including functional public entities engaged by the entity i.e. contractors)
- Indicator 4 – reviews and development of local and subordinate laws
- Indicator 5: Review of policies and procedures
- Indicator 6: Implementation of internal complaint management for human rights complaints
- Indicator 7: Future plans - What future plans does the council have to achieve the objects of the Act.

CEO Guidelines (the Guidelines) Associated with Councillor and Mayoral service requirements

Introduction

In accordance with statute and in order that Councillors and the Mayor receive a quality service response to an acceptable request made in accordance with the *Local Government Act 2009 (QLD) (LGA09)* and the *Local Government Regulation 2012 (QLD), (LGR12)* the following Chief Executive Officer (CEO) Guidelines shall apply. The Guidelines are in accordance with Section 170A and, from 12 October 2020, Section 170AA of the LGA09.

Service Standards

These Guidelines do not apply to matters that are prohibited by law or contrary to Torres Shire Council policy. The Guidelines apply to a permissible request. A permissible request is an acceptable request. A permissible request is not the same as a Mayoral direction.

A Mayoral direction may only be given to the CEO; must be in accordance with a policy/resolution of Council; and the CEO must record and report these directions. To streamline this process, a dedicated email site has been provided to the Mayor.

A councillor will make a permissible request to the CEO through the dedicated email site and the CEO will retain a register of these requests as required by statute. An acceptable request does not apply to information or a document—

- (a) that is a record of the conduct tribunal; or
- (b) that was a record of a former conduct review body; or
- (c) if disclosure of the information or document to the councillor would be contrary to an order of a court or tribunal; or
- (d) that would be privileged from production in a legal proceeding on the ground of legal professional privilege.

Having made the permissible request in the prescribed manner, the following timeframes shall apply:

- A simple administrative request or a request that is not complex but is of an urgent nature will be actioned within 24 hours;

CHIEF EXECUTIVE OFFICER REPORT

CEO Guidelines (the Guidelines) Associated with Councillor and Mayoral service requirements – Cont'd

Examples: a request to resolve an iPad set up; a Council vehicle allocated to the Mayor needs a replacement alternator; the councillor needs a deduction included in their payroll.

- For an information request, the CEO will ensure that a councillor receives information within 5 days of the request;
- If the information requested is complex requiring research or analysis, or is subject to external or internal review, councillors will make the request more than 5 days in advance of its required date; and
- This provision does not apply to the Mayor or a chairperson of a council committee if the request relates to their role as Mayor or chairperson; in which case, due care and attention will be given by the CEO to ensure that the request is attended to at the earliest possible opportunity, but in any event, within prescribed guidelines.

Examples of non-urgent matters that are considered complex: a statistical report regarding a matter raised by a constituent; a summary of Council submissions made to either Queensland or Commonwealth Governments to assist a councillor who has been approved by council to give a public address in a month's time.

In accordance with S170AA of the LGA09, the following process will apply to community service request:

- Council's usual practice of lodging service requests from the community will apply such that these requests are lodged with customer service staff located at Council's Reception.
- Any requests outside normal business hours is via Council's on-call emergency telephone number.

Any urgent request for support, advice or assistance or any request outside of the hours of 8.30AM – 5.30PM on a weekday or at any time over the weekend must first be directed to the CEO. In the event that the CEO is unavailable, the request must be directed to her delegate, the Business Services Manager (BSM).

The BSM will assist the Mayor and councillors with the following requests:

- Following direction from the CEO, locating readily accessible information for councillors such as legislation, information from Council's website or other sources.
- Answering telephone calls when the Mayor is absent or at appointments.
- Arranging media interviews and other community events at which the Mayor or councillors are attending as part of Council business.
- The CEO, in accordance with Council policy will continue to prepare community communications and media releases (in consultation with the Mayor, where appropriate) and be first point of contact for media requests.
- Managing the Mayor's correspondence flows and drafting or typing replies to simple correspondence.

As the Mayor has been provided a Council vehicle, Council staff will not provide a chauffeur service on Thursday Island but will chauffeur the Mayor and councillors on Horn Island and will assist in pickups and transport of guests or official visitors, as directed by the CEO. The councillors may request access to a Council vehicle to use for Council purposes on Thursday Island.

The Executive Secretary will:

CHIEF EXECUTIVE OFFICER REPORT

CEO Guidelines (the Guidelines) Associated with Councillor and Mayoral service requirements – Cont'd

- Make travel bookings, room bookings, accommodation and flight bookings for the Mayor and Councillors.

The Records Management Officer (RMO) will:

- Manage the Mayor's email inbox and appointments calendar and, if required, the dedicated councillor request email site but not the requests lodged on the site as they must be received and actioned by the CEO;
- Photocopy print and order stationery, where requested in accordance with office protocols.

The Rates and IT Officer (R&ITO) will:

- Provide assistance to councillors and the Mayor regarding Council-supplied phones and IPADs and/or desktop computers, together with related software.

Councillors and the Mayor are advised that administrative staff are to be treated with courtesy, honesty and fairness in accordance with the Code of Conduct for Councillors in Queensland and, consistent with S197 of the LGA09, must direct their concerns regarding administrative staff to the CEO. In accordance with the LGA09, the Mayor and councillors may not direct administrative employees or contractors of Council as this constitutes misconduct.

If staff have any concerns about the conduct of, or the nature of requests made by the Mayor or councillors, they must raise their concerns with the CEO or her delegate, the BSM.

The usual practice of the local government receiving advice and support from the CEO and Executive staff at relevant Council meetings applies.

The CEO will review these Guidelines biennially, having regard to any practical suggestions made by the Mayor or councillors.

Recommendation:

Min. 20/9/3

Moved Cr. Loban,

Seconded Cr. Ketchell

That Council note the CEO Guidelines (the Guidelines) Associated with Councillor and Mayoral service requirements.

Carried

Local Government Reforms – Integrity Act

The Department of Local Government, Racing and Multicultural Affairs is holding online workshops in September through to October 2020 to support Councillors and Council employees with the implementation of Integrity Act reforms coming into effect in October 2020.

The workshops are planned to be interactive and include scenario discussions regarding the legislative changes, managing conflicts of interests, effective decision-making and running effective meetings.

All Mayors and Councillors are strongly encouraged to attend along with the CEO and Executive Staff.

It is suggested by the Department of Local Government, Racing and Multicultural Affairs that Torres Shire Council attend as a group through the online meeting platform Zoom, or teleconference from a Council meeting room (ensuring COVID-19 workplace plans are adhered to) to allow all participants from your Council to discuss scenario activities together. Alternatively, Councillors or employees can participate via Zoom from individual devices if required. Council is advised the training will take up to 3 hours and this will include a fifteen-minute break.

Council was to advise of 2 suitable workshop date/s that we can attend for the following available timeframe.

CHIEF EXECUTIVE OFFICER REPORT

Local Government Reforms – Integrity Act – Cont'd

- Week commencing 14 September (short week, Public Holiday on 18/09/20)
- Week commencing 28 September
- Week commencing 5 October

1st preference as per above: Wednesday, 30 September - 9am to 12pm:

2nd preference as per above: Thursday, 8 October - 9am to 12pm

The department is also planning to hold future workshops in October to assist Councils with new requirements for completing Registers of Interests and this information will be circulated closer to the date.

Min. 20/9/4 Recommendation
Moved Cr. Abednego, Seconded Cr. Ketchell
That Council nominate to attend the Local Government Reforms Integrity Act Training on either:

1st preference: Thursday, 1 October - 9am to 12pm

2nd preference: Thursday, 8 October – 1pm to 4pm

Carried

Aboriginal and Torres Strait Islander Housing Action Plan 2019-2023, Affordable Sale of Social Housing Properties in Torres Shire

Further to Council Resolution Min. 20/02/20, the Department of Housing and Public Works have made contact with Torres Shire Council to continue the negotiations and finalise Council's position.

Recommendation:
Min. 20/02/20 Moved Deputy Mayor Loban, Seconded Cr. Loban

Who is the sale open to	The current Local Aboriginal and/or Torres Strait Islanders occupant of the house. If the House is vacant any other Local Aboriginal and/ or Torres Strait Islanders on the social Housing waiting list.
How many properties will be available for sale:	Maximum of twenty (20) sales.
What happens with funds raised from sale?	Held in Trust for use in the Torres Shire Council footprint.
Discount applied to market valuation	Not deemed viable.
An Income multiplier is used to set the Sale Price of dwellings	Not deemed viable.
Shared equity or Joint Ownership product	Not deemed viable.
House and Land values	Not deemed viable.
House Values	To be further investigated.
Prices based off what that dwelling cost DHPW to build when constructed	To be further investigated.
Price based off what that dwelling cost DHPW to build	To be further investigated.
Price set directly by the Department	To be further investigated.

Carried

CHIEF EXECUTIVE OFFICER REPORT

Aboriginal and Torres Strait Islander Housing Action Plan 2019-2023, Affordable Sale of Social Housing Properties in Torres Shire – Cont'd

Where are we at in the process – September 2020?

Jacob McKenna, A/Manager, Remote Home Ownership has provided for Council the following update, a further detailed In Committee report will be presented to Council on the Thursday Island (Torres Shire) Housing for a Council resolution.

Education and Support

Communication and Engagement with Tenants and Potential Owners

- A key objective of this program, along with the sale of dwellings is to ensure a greater understanding of the concept of home ownership for local social housing tenants.
- This includes education and information on:
 - The roles and responsibilities of private home owners
 - How to prepare for Home Ownership.
 - Existing Pathways to Home Ownership in the Torres Shire
- To support this work, a staff member located in the Thursday Island HSC has been identified to support these discussions locally and provide further references to the Remote Home Ownership team as required.
- Resources have also been sourced from Torres Strait Regional Authority and are being made available to social housing tenants who visit the office and for mail-out activities.
- Questions relating to home ownership knowledge and aspirations have also been proposed for inclusion in activities to support development of local housing plans.
- *Further discussion on the Horn Island Home Ownership project and its relationship to this work, including any promotional material to support this project is required.*

Support for tenants and potential owners:

- Work has been finalised/is nearing completion on the following:
 - Existing financial products to support owners
 - Finance and budgeting support
 - Potential support with other home ownership costs (insurance, access to repairs and maintenance)
 - Capital works prior to transfer
- *The State requests further discussions with Council regarding potential rates/service charge concessions available to new home owners.*

Project Modelling

- The differences between sales of dwellings on Reserve Land and Freehold Land are likely to be addressed via two (2) different approaches to ensure equitable and transparent outcomes, with 99-year home ownership leases for dwellings located on Reserve Land.
- Work to further develop the two (2) models to deliver the projects is progressing well.
 - *Further discussions with Council and other key local stakeholders required to support this modelling.*
- Financial modelling work is ongoing and progressing well.
- Modelling to be further informed by the outcome of stakeholder discussions and finalisation of freehold v leasehold options.
 - *Further discussions with Council and other key local stakeholders required to support this modelling.*
- There are various legislative and Queensland Government Policies regarding the sale/transfer of Government 'owned' assets and work to identify and address these constraints is ongoing and requires clarity on this matter to support modelling and discussions over the coming weeks.

Other Concepts requiring further discussion

- Eligibility of applicants (spouses, minimum length of tenancy)
- Eligibility of dwellings (age, presence of modifications)

CHIEF EXECUTIVE OFFICER REPORT

Aboriginal and Torres Strait Islander Housing Action Plan 2019-2023, Affordable Sale of Social Housing Properties in Torres Shire – Cont'd

- Eligibility oversight (particular importance to leasehold product)
- Potential Rates Concessions

Progress has been made on the project with further discussion with Council and other key stakeholders required to further progress a number of key items.

The next steps in the process

Council needs to determine a suitable time to discuss the above and also work out a plan for regular meetings with the State and other key stakeholders to keep this work progressing in partnership.

Min. 20/9/5 Moved Cr. Abednego, Seconded Cr. Loban
"That Council receives the report of the Chief Executive Officer."

Carried

TSC CORPORATE - CALENDAR FOR 2020

Event	Date	Venue	Attendees
Ordinary Council Council	15 September	Council Chambers	All Councillors & Executives
Torres Shire Garden Expo	18 September	(gazetted public holiday – Show Day)	
Queen's Birthday	5 October	(public holiday)	
Ordinary Council Meeting	20 October	Council Chambers	All Councillors & Executives
Naidoc Week	8-15 November		
Ordinary Council Meeting	17 November	Council Chambers	All Councillors & Executives
Ordinary Council Meeting	8 December	Council Chambers	All Councillors & Executives
Christmas	25 December	(public holiday)	
Boxing Day	28 December	(public holiday)	

CORPORATE AND COMMUNITY SERVICES REPORT

Financial Statements and Report

The following financial statements and reports are as at 31 August 2020;

- Revenue Graph YTD Actuals vs YTD Budget
- Expenses Graph – YTD Actuals vs YTD Budget
- Statement of Financial Position
- Balance Sheet Graph
- Cash Analysis
- Capital Grants Statement
- Capital / Project Works Statement
- Financial Statement - Horn Island Airport
- Financial Statement - Quarry Operation

Recommendation

Min. 20/9/6 Moved Cr. Loban, Seconded Cr. Abednego

“That Council adopt the Financial Reports for Comprehensive Income, Financial Position, Cash Analysis, Capital Works, Grants Register, Horn Island Airport and Quarry Financial Positions as presented as at 31 August 2020.”

Carried

Recommendation

Min. 20/9/7 Moved Cr. Loban, Seconded Cr. Ketchell

“That Council receives the report of the Corporate and Community Services.”

Carried

GOVERNANCE AND PLANNING SERVICES REPORT

New Torres Shire Council Planning Scheme

A new Torres Shire Council Planning Scheme (the Scheme) has been assessed by State Government representatives of the Minister for State Development, Manufacture, Infrastructure and Planning for State Interest Review.

As a consequence of the review minor amendments have been proposed to the Scheme. Representatives of the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) together with Council’s planners propose to report to Council on the States requested changes prior to the Council meeting in October 2020.

DGPS is proposing to submit the amended scheme to Council at the meeting on 20 October 2020.

DGPS request that the Mayor and Councillors consider meeting with representative of DATSIP on either 13 or 14 October 2020 to consider in detail the amendments to the Scheme prior to the October Council meeting.

Animal Management

Councils Compliance Officer have continued to focus on animal management. The focus of these activities are the significant dog and cat populations on Thursday and Horn Islands.

The animal management statistic for both months are set out hereunder:

Dogs impounded	fifteen (15)
Dogs euthanised	ten (10)

GOVERNANCE AND PLANNING SERVICES REPORT

Cats impounded	fourteen (14)
Cats euthanised	fourteen (14)

Animal management and compliance remains a challenge for Council, particularly on Horn Island.

Plant removal – Biosecurity

Council Compliance Officers have continued to remove Leucaena Trees and sprayed for other noxious weeds on Thursday and Horn Island. The following areas of focus are detailed below:

- Leucaena cut and spraying at Thursday Island Cemetery
- Leucaena tree spray and removal Hargrave and Normanby Streets
- Leucaena tree spray and removal Chester Street
- Leucaena tree spraying Chester Street and Jardine Lane
- Leucaena tree basal bark spraying Elikiam Holiday Park water front (Horn Island)
- Prickly pear spraying in front of the Wongai Hotel
- Rubber vine spraying on Water Pipe Line Road, Horn Island
- Reclaimed area basal bark spraying sand pit, Horn Island Quarry
- Pond apple basal bark spraying on Miskin Street (Horn Island)

Council compliance officers also conducted the following planning activities during late August 2020:

- Survey Leucaena tree locations Horn Island
- Survey rubber vine locations on Horn Island

Invasive Species

Council compliance officers commenced an audit of minor birds on Horn Island in response to biosecurity concerns.

Water Restrictions

Council compliance officers also continued to enforce water restrictions during this period by the targeted delivery of water compliance notices.

Min. 20/9/8 Moved Cr. Abednego, Seconded Cr. Ketchell
"That Council receives the report of the Director Governance and Planning Services."

Carried

Adjournment: The meeting adjourned for Lunch at 12:28pm and resumed at 1:23pm.

ENGINEERING AND INFRASTRUCTURE SERVICES REPORT

Water Conservation and Usage

Loggy Creek Dam volume	76.29%	1320 MI	as at 4 th September 2020
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Dam Water Level is at 76.29% however practical capacity is at 55.0%
Torres Shire Council has implemented Level 3 Water Restrictions.
Dam water level has dropped -2.30% capacity over July 2020 (0.35m drop).

Township Usage – August 2020

Average Australian design water consumption is 500L per day.

Average Monthly Consumption	Megalitres	Population	Litres per person/ day
Horn Island Township	9.21 ML	531	559
	-	-	-
Thursday Island	52.91 ML	2,938	581
Hammond Island	3.37 ML	268	405

Major Capital Works Update

A report on the update and progress of the Major Capital Works was tabled for Council information.

Min. 20/9/9 Moved Cr. Abednego, Seconded Cr. Ketchell
“That Council receives the report of the Director Engineering and Infrastructure Services”.
Carried

IN COMMITTEE

Min. 20/9/10 Moved Cr. Loban, Seconded Cr. Abednego
“That Council go In Committee”
Carried

Time Commenced: 2:16pm

Min. 20/9/11 Moved Cr. Loban, Seconded Cr. Ketchell
“That Council come out of In Committee”
Carried

IN COMMITTEE

Rates Matters

Cr. Abedengo declares a Conflict of Interest

I declare a conflict of interest in the above matter (as defined the *Local Government Act 2009*, section 175D as follow:

I am a Member of TRAWQ Corporation and I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest of the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to section 175E (4) of the *Local Government Act 2009*. –

(a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter, and

(b) if so, whether: -

i. I must leave the meeting while this matter is discussed or voted on; or

ii. I may participate in the meeting in relation to the matter, including by voting on the matter.

Recommendation

Min.20/09/12 Moved Cr. Loban, Seconded Cr. Ketchell

"That Council has determined that Cr. Abednego does not have either a real conflict of interest or perceived conflict of interest in the matter, and no greater interest than any other member of the community and is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter."

Carried

Min. 20/9/13 Moved Cr. Loban, Seconded Cr. Ketchell

"That Council go In Committee"

Carried

Time Commenced: 3:07pm

Min. 20/9/14 Moved Cr. Abednego, Seconded Cr. Loban

"That Council come out of In Committee"

Carried

Adjournment: The meeting adjourned for Afternoon Tea at 3:31pm and resumed at 3:51pm.

CONFIRMATION OF MINUTES

Further to Council's request for advice on the application of the Standing Orders as they relate to the confirmation of minutes, advice was obtained from Preston Law for Council. The Advice was tabeld. The confirmation of the Minutes of the Ordinary Meeting 18 August 2020 was deferred until the next Council Meeting.

IN COMMITTEE

Min. 20/9/16 Moved Cr. Loban, Seconded Cr. Ketchell

"That Council go In Committee"

Carried

Time Commenced: 4:18pm

Departure: The DCCS, DEIS and Minute Secretary departed the Council Meeting at 4:31pm and returned at 5:01pm.

Statement: Mayor Malone made the following statement in relation to the Prince of Wales Island Landing Facility, the Mayors response to potential Councillor conflict of interest – matters relating to court proceedings:

I received the legal advice from King and Company late yesterday 14/9/20 afternoon and was not afforded time to respond. I accept this advice. However, I do not accept that I have a personal interest or conflict interest under the *Local Government Act 2009*, as I have no greater interest than that of the public interest and acted in my role as Mayor to serve in the interest of our constituents. I have every confidence that you the councillors will continue to act in the public's interest. I will refrain from any further discussions and leave the meeting.

Departure: Mayor Malone departed the Council Meeting at 4:56pm and Cr. Abednego took the Chair.

Min. 20/9/17 Moved Cr. Ketchell, Seconded Cr. Loban
"That Council come out of In Committee"

Carried

Marine Safe Landing Facility Matters

Recommendation:

Min. 20/9/18 Moved Cr. Abednego, Seconded Cr. Loban

That Council resolves to continue with the proposed marine safe landing facility at the Pearl Harbour site, and any litigation associated therewith.

In accordance with Council's resolution Min.19/01/13 of the Ordinary Meeting of 29 January 2019, Council reconfirms its commitment to continuing to engage with traditional owners and native title holders of the land and sea.

Carried

Attendance: Mayor Malone returned to the Council Meeting at 5:55pm and took the Chair.

Lease Matters

Recommendation:

Min. 20/9/19 Moved Cr. Loban, Seconded Cr. Ketchell

Council resolves to delegate to the Chief Executive Officer the authority to enter into a Agreement to Grant a Lease to Torres Strait Air for the construction of a hangar on lease sites N, O, P, Q and R at Horn Island Airport, and a long term commercial lease to Torres Strait Air of the hangar site.

Carried

2019/20 QAO Interim Audit Report

Recommendation:

Min. 20/9/20 Moved Cr. Ketchell, Seconded Cr. Loban

That Council:

1. Note the QAO 2020 Interim Report to the Mayor.

Carried

2019/20 Financial Statements

Recommendation:

Min. 20/9/21 Moved Cr. Abednego, Seconded Cr. Ketchell

That Council:

1. Notes the DRAFT financial statements and accompanying notes for the year ended 30 June 2020, and;

2. Endorses the provision of the DRAFT financial statements and accompanying notes to QAO for the purposes of undertaking the final audit for the year ended 30 June 2020.

Carried

GENERAL BUSINESS

Cr. Abednego

- Local Law - House parties and noise after hours at Council facility
- Tackle Shop at the Rosehill ramp

Cr. Ketchell

- Dogs around Tamwoy

Cr. Loban – Working group signage

- TMR review u-turn on Douglas Street
- Commercial carpark area Rosehill ramp
- Intersection (Primary School, KBO, Olandi St & Normanby St)

Mayor Malone

- Street light audit
- Disposal signage Rosehill ramp & Bach beach
- NPA Tip Plaque

DATE OF NEXT MEETING: Tuesday, 20 October 2020

CLOSURE: The meeting closed with a prayer by Maxwell Duncan at 6:22pm.

Confirmed this

day of

MAYOR