

**MINUTES OF THE ORDINARY MEETING OF THE TORRES SHIRE COUNCIL
HELD IN THE COUNCIL CHAMBERS ON TUESDAY, 16 FEBRUARY 2010**

PRESENT Mayor Cr. P. Stephen (Chair), Cr. N. Bin Tahal, Cr. B. Shibasaki, Cr. A. Ketchell, Cr. J. Abednego, Mr. B. McCarthy (Chief Executive Officer), Mr. P. Chapman (A/Director Corporate Services), Mr. K. Yorkston (A/Director Engineering Services), Mr. F. Darke (Director Planning & Environmental Services) and Mrs. N. Ward Page (Minute Secretary)

The meeting opened with a prayer by Cr. Bin Tahal at 10am.

ACKNOWLEDGEMENT:

The Mayor acknowledged the traditional owners the Kaurareg People, upon whose land we hold our meeting.

The Mayor welcomed newly appointed Director Planning & Environmental Services, Mr. Franke Darke; Acting Director Engineering Services, Mr. Keith Yorkston, and Acting Director Corporate Services, Mr. Peter Chapman.

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

Mrs. Phylis Ah Loy, Mrs. Kathy Martin, Mr. Alfred Bowie, Mrs. Peta Morseu, Mr. Ray Pau, Bishop Sani Townson, Rev. Pili Waigana, Mr. Michael Hogan and Mr. Mathew Pointing

DISCLOSURES OF INTEREST UNDER THE LOCAL GOVERNMENT ACT: Nil

CONFIRMATION OF MINUTES

Min. 10/02/1 **Moved Cr. Bin Tahal, Seconded Mayor Stephen**
"That Council receive the Minutes of the Special Meeting of 10 December 2009 and confirm as a true and correct record of the proceedings."

Carried

Min. 10/02/2 **Moved Cr. Shibasaki, Seconded Cr. Ketchell**
"That Council receive the Minutes of the Ordinary Meeting of 15 December 2009 and confirm as a true and correct record of the proceedings."

Carried

BUSINESS ARISING FROM PREVIOUS MINUTES

Mayor's Report

- follow up of Data Base Profile – Dept of Communities & DCS
Horn & Thursday Islands information
- follow up of Pre Wet Clean-up

General Business

Cr. Shibasaki

- Requesting assurance that the Acting DES follow up previous items for action following the resignation and departure of DES, Mr. Derek Wiseman.

Attendance: At 10.15am representatives from Ergon Energy arrived & Mayor Stephen welcomed the Project Manager, Grant Behrendorff, Field Officers - Flora Majid, Paul Mills and Patricia Moloney to the meeting.

Mr Behrendorff addressed the meeting on the Powersavvy Energy Efficiency Programme for Horn & Thursday Islands

CEO offered co-operation in displaying and promoting this project.

Adjournment: The Mayor extended an invitation to the visitors to join Council for Morning Tea and the meeting adjourned at 10.35am and resumed at 11am.

MAYOR'S REPORT

I take the opportunity to welcome everyone to the first Ordinary meeting of Council for 2010. I hope that everyone is revitalized from their holidays and prepared to tackle the challenges of the next 12 months. The two major projects Council will complete are the Victoria Parade Beautification and the Horn Island Airport runway development. However this doesn't mean that other projects take lesser priority.

Australia Day Celebration

The Shire draws the 2010 curtains open, hosting another successful Australian Day Celebration with a special focus, acknowledging its two ancient traditional customs and practices. A very special eso! to the Ariw Peonipan Cultural Dance Group and the Northern Exposure for great entertainment. I wish to thank the Councilors and staff for their assistance. As well Congratulations to Councillor Shibasaki, Council staff Nola Ward Page and Peter Chapman for being Awards recipients.

Star of the Sea Aged Home

I received a request from Mrs. Robyn Humphreys, DON for Star of the Sea Aged Home and seeking Council's assistance for a Garden Project for the Home. Mr. Paul Warren (TSRA) will be overseeing the project over 10 months and hopes to engage involvement of the schools and community.

DES will follow up on possible reservoir water access and the DPES will follow up on the use of tanks in the Building Code.

Min. 10/02/3 Moved Cr. Abednego, Seconded Cr. Ketchell

"That Council agree to provide in-kind support through its Parks and Garden team for the delivery of mulch and water for the establishment of the Community Garden Project at the Star of the Sea Aged Home."

Carried

Sister City Relationship

It has been over 12 months since Council made contact with its City Sister - Kushimoto Town Council. Council needs to initiate discussion to progress its proposed delegation visit. It will be unfortunate if Council misses another opportunity not to fulfill its agreement to return the gesture of the Japanese's delegation visit in 2007.

Min. 10/02/4 Moved Cr. Shibasaki, Seconded Mayor Stephen

"That an updated report on a delegation visit to Kushimoto be submitted to Council's March meeting."

Carried

Tamwoy Community Hall

Mr. Paul Fitzpatrick, Regional Director, Department of Communities (Aboriginal and Torres Strait Islanders Services) confirmed Ministerial endorsement for a joint management for the Tamwoy Community Hall by Port Kennedy Association and Kaurareg Traditional Owners. Council has been negotiating for the management and leasing of this facility with the Department of Communities since 2007. Although Council has been unsuccessful with its bids to manage the hall, it is imperative that Council closely monitor and report to ensure full community usage and access by the whole community.

Native Title Authorization Meeting

An 'Authorization' meeting for Native Title Determination Application for Kaurareg islands will be held on Saturday 27th February at the Wongai Hotel, 2 Wees Street, Horn Island. The purpose of the meeting is to convene to authorize one or more persons on behalf of the Kaurareg people to make a native title determination application for Kaurareg island country, including over the Kaurareg islands of: Kirri (Hammond Island), Thursday Island, Palilug (Goode Island), Gealug (Friday Island), Bedanug (Possession Island), Terau (Dayman Island), Parau Island, Wai Weer Islet, Booby Island, White Rocks, Travers Island, Twin Island, East Strait Island, Wednesday Island, Channel Rock and Kapuda Islet and deal with matters arising from a native title determination application for Kaurareg Island country.

Min. 10/02/5 Moved Cr. Shibasaki, Seconded Cr. Ketchell

"That Council seek legal advice and take appropriate action on Council being registered as a party to this Native Title claim for the Kaurareg islands."

Carried

Abandoned Vehicles

The number of abandoned vehicles around our Shire has increased and pose serious public health risks to our community. Whilst I understand Council has conducted a removal program prior to 'the wet' last year, there was some delay with co-ordinating this program with Seaswift and some vehicles were not relocated to safe holding areas such as the depot. As part of public safety and our beautification program these vehicles must be removed from public area such as footpath and nature strips in our communities.

Min. 10/02/6 Moved Cr. Bin Tahal, Seconded Cr. Abednego

"That Council remove these abandoned vehicles and allocate an appropriate holding area at the Council Depot."

Carried

YMCA Queensland Youth Parliament

Mr. Louis Paul Franks, Youth Parliament Co-ordinator is seeking nominations for the 15th Queensland Youth Parliament. Nominations will close at 5pm Friday 26th February 2010. Website – www.ymcaqyp.org

Min. 10/02/7 Moved Cr. Bin Tahal, Seconded Cr. Abednego

"That Council nominate a member of the Torres Shire Youth Council as its representative and the Youth Support Co-ordinator liaise with and encourage a worthy representative, Ms Mishalia Birch, a current TSYC member."

Carried

Min. 10/02/8 Moved Cr. Bin Tahal, Seconded Cr. Shibasaki

"That the Mayor's Report be received."

Carried

1. **CHIEF EXECUTIVE OFFICER**

REPORT

Common Seal Use

Min. 10/02/9 Moved Cr. Bin Tahal, Seconded Cr. Ketchell

“That Council approve the use of the Official Seal by the Mayor as itemised below:

Date attached	Document Description
4/2/2010	TAFE Qld - ID A/TS Islander Descent – Patricia Angela Aniba”

Carried

Staff Appointments (File 1- 606-7)

Position - Airport Manager, Horn Island International Airport

Min. 10/02/10 Moved Cr. Bin Tahal, Seconded Cr. Shibasaki

“That Council endorse the permanent appointment of Ceddy Mayor as Airport Manager, Horn Island as from 30 November 2009.”

Carried

Position – Director Engineering Services

Min. 10/02/11 Moved Cr. Bin Tahal, Seconded Cr. Shibasaki

“That Council endorse the appointment of Keith Yorkston as Acting Director Engineering Services with support being provided by Consulting Engineer, Mr Ken Hudson and this arrangement be reviewed on 30 April 2010.”

Carried

Study Course-Director Corporate Services, Dalassa Yorkston (File 1-619-19 & Pers. File)

Mrs Dalassa Yorkston (DCS) has applied for study leave to undertake an Associate Degree of Indigenous Management at Curtin University, Perth, W.A. This course requires her attendance at the 8 weeks study blocks per year for the next 3 years. She will miss attending the February and September Council meetings during 2010. It will be necessary that TSC officers be appointed to cover the absences. Peter Chapman will be Acting DCS and Pam Wasaga will act as HRO/WHs during the absences of 2010.

It is necessary that a study agreement be agreed to between Dalassa Yorkston and Torres Shire Council. I have prepared a document based on that provided by the Local Government Association Queensland.

CEO's Recommendation:

That Council

- approve the attendance of Mrs Dalassa Yorkston, Director Corporate Services (DCS) at the study blocks of this course during 2010,
- require a study course agreement to be signed by CEO and DCS,
- review the study course agreement in November 2010 prior to Mrs Yorkston continuing further study blocks in 2011 and 2012

Min. 10/02/12 Moved Cr. Abednego, Seconded Cr Bin Tahal

“That, upon the request of the Mayor, the recommendation be deferred (until the return to office of the Director Corporate Services, Mrs Dalassa Yorkston), when this issue will be discussed between the Mayor, CEO & DCS.”

Carried

1. **CHIEF EXECUTIVE OFFICER**

REPORT (cont'd)

Tree Planting – Thursday and Horn Islands (File 5-1-9)

Local residents and organisations have been invited to suggest locations where they consider suitable street trees should be planted in streets and public land reserves. As occurs with some other Australian Councils, residents have been encouraged to adopt and care for the trees that are planted in approved locations. Residents or organisations have been asked to donate suitable trees from the approved Council list. Local residents and organisations have and will continue to be urged to become involved in assisting us to green our beautiful islands. This offer closed on 31 January 2010 with no responses received from the community.

A further 30 planting sites have been identified on Thursday Island and nominated sites are required for Horn Island. A further order of advanced trees will be obtained in the next couple of months.

NOTE: *The Mayor advised that positive feedback had been received from the public on the current tree planting programme.*

Remuneration-Annual Resolution to Authorise Councillor Payments (File 1-29-9)

The Tribunal has decided to increase the remuneration levels which may be paid to elected Local Government representatives in line with the revised remuneration payable to Members of the Queensland Legislative Assembly (MLA). On the 11 December 2009, it was announced that the MLA rate would increase to \$130,540 from 1 January 2010, resulting in an approximately 3% increase to the remuneration levels payable to Local Government representatives. It is however up to each Council to determine the actual level of remuneration within the applicable category range to be paid, pursuant to section 236A of the Act.

The Tribunal has determined that no change to categorisation will occur and as such Torres Shire Council remains as a Special Category Council.

Min. 10/02/13 Moved Mayor Stephen, Seconded Cr. Shibasaki

“That in accordance with Section 236A of the Local Government Act 1993, remuneration for Mayor and Councillors of the Torres Shire Council be paid as listed below, for the fulfilment of the duties of office, including performing the role of a Councillor (Section 229) and of Mayor (Section 231) to the best of their ability, further that the payments of the base fee be made to Councillors on a fortnightly basis, with effective date from 1 January 2010.

Mayor	70%	of rate payable MLA	(Special Category)
Deputy Mayor	42.5%	of rate payable MLA	(Special Category)
Councillor	35%	of rate payable MLA	(Special Category) ”

Carried

2009/2010 Operational Plan - Quarterly Report (File 1-22-8)

Min. 10/02/14 Moved Cr. Shibasaki, Seconded Cr. Abednego

“That Council receive and note the 2009/2010 Operational Plan - Progress Report and Quarterly Review to 31 December 2009.”

Carried

NOTE: *The Mayor requested that the Draft Climate Change Report be distributed to the elected arm.*

Departure: Cr. Bin Tahal left the meeting at 12.05pm.

1. **CHIEF EXECUTIVE OFFICER**

REPORT (cont'd)

New 5 year Shire Corporate Plan (File 1-22-1)

Due to the following reasons:

- the requirement for Torres Shire to implement a 10 year Community Plan by 1/12/2011 under the new Local Government Act , which comes into effect from 1/7/2010;
- the details and required content of the 10 year Community Plan still being determined
- the Corporate Plan, 5 years period, to be derived out of the Community Plan;

I have recently had extensive discussions with Lew Rojahn, Acting Regional Manager, and Gordon Malcolm, Assistant Policy Advisor, both of the Local Government & Planning Group, Department of Infrastructure and Planning. They have agreed that pursuant to Section 287, Local Government Act 1993 that Council may extend the end date of its current Shire Corporate Plan until 30/6/2012 to enable the new Community Plan to be fully investigated, consulted and implemented at the same time.

Min. 10/02/15 Moved Cr. Ketchell, Seconded Cr. Shibasaki

“That Council extend its current Corporate Plan until 30/6/2012, adopt a new Community Plan by the required date 31/12/2011 and this extension be advertised in the Torres News, TS Flyer and other local media outlets.”

Carried

Indigenous Employment Strategy (File 1- 606 - 009)

For Council's information the following figures have been prepared and demonstrates that Torres Shire Council is a regional leader in indigenous employment as we currently have an 87% indigenous employment rate. I have not been made aware of any large regional employer that has a higher indigenous employment %.

Staff - Torres Shire Council

Employment by Indigenous %

Category	Indigenous	Non Indigenous	Total	%
Administration	9	3	12	75
Water & Sewer	9	1	10	90
Environment	1	0	1	100
Airport	8	0	8	100
Quarry	5	0	5	100
Child Care	20	1	21	95.24
Workshop/Depot	26	2	28	92.86
Sports Complex	3	3	6	50
Executive	2	2	4	50
TOTALS	83	12	95	87.37

NOTE:

CEO advised that he will continue working on a draft strategy and provide when all necessary appropriate information comes to hand.

1. **CHIEF EXECUTIVE OFFICER**

REPORT (cont'd)

Annual Workshop for all Elected Members, CEO and Senior Staff (File 1-39-7)

Local Government Association Queensland advises that they are conducting an all day workshop at the TSC Council Chamber, Thursday Island, on Tuesday, 2 March 2010 from 8.45am to 4.00pm.

Min. 10/02/16 Moved Cr. Mayor Stephen, Seconded Cr. Shibasaki

“That the Mayor, Councillors and senior staff attend the LGAQ Elected Members Workshop on Tuesday, 2 March 2010 and any persons not able to attend please advise the Executive Secretary by 23 February.”

Carried

Cost of Freight Torres Strait Region (File 2-17-1)

Letter from Hon. Paul Lucas, MP, Acting Premier advises that a working group, to investigate high cost of food and possible identification of options to reduce costs across the entire IBIS supply chain in the Torres Strait, will be lead by Aboriginal and Torres Strait Island Service and will include representatives from the Department of Premier and Cabinet, Queensland Transport and the Department of Environment and Resources Management. The group's findings are to be presented to Government consideration by mid 2010.

NOTE: *CEO to make enquiries as to who are the Aboriginal & Torres Strait Island Service representatives of this region.*

2. **CORPORATE SERVICES**

REPORT

Christmas Lights Competition 2009 (File 1-068-002)

Another successful competition was held for the Shire in 2009. Presentations were held at the Council Office which included the presentation of trophies and prizes to the winners. A perpetual trophy was purchased which will be displayed in the Council Office foyer. This trophy will record all the commercial premises winners from 2009 onwards.

Best Commercial	<i>TSRA</i>	Trophy
Highly Commended	<i>Port Kennedy Association</i>	Certificate of Appreciation
Best House & Garden	<i>Freda Filewood</i>	Trophy & gift vouchers
Highly Commended	<i>K'Yoshi Nakata & Sam Mills</i>	Certificate of Appreciation
Best Novelty Theme	<i>Blackburn Family</i>	Trophy & gift vouchers
Highly Commended	<i>Charlotte, Brian & Haddassa Gela</i>	Certificate of Appreciation

The following organisations/businesses donated prizes:

Islander Board of Industry & Service	Gift Voucher - \$100
Rotary Club of Thursday Island	\$100
See Hops Trading	\$50
Bobby's Snackbar	Gift Voucher - \$50
M & D Ahboo	Gift Voucher - \$50
TSRA	2008 Competition – prize money \$100

NOTE: *The Mayor suggested that Ergon Energy be requested to contribute a prize towards the next Christmas Lights Competition to be held this year.*

2. CORPORATE SERVICES

REPORT (cont'd)

NAIDOC Theme 2010 (File 5-50-7)

The National Committee for NAIDOC has announced the theme for NAIDOC 2010.

‘Unsung Heroes – Closing the Gap by Leading Their Way’ - This year’s theme is about recognising the people who contribute to Australian society, often going without recognition. These unsung heroes are quiet achievers in Indigenous communities who are leading their own way, and in doing so, helping other Indigenous people set their own direction for the future.

NOTE: *The Mayor requested our Council enter a Nomination towards the National NAIDOC Awards.*

‘How Much Does Your Garden Grow’ Competition 2010 (File 1-68-23)

Due to the great response and community participation in the ‘How Much Does Your Garden Grow’ Competition hosted during Local Government Week in 2009, Torres Shire Council should consider hosting its second ‘How Much Does your Garden Grow’ Competition for all residents of the Shire in 2010.

What the judges will look for:

- A pleasing first impression, few or no weeds
- Good planning in layout and selection of plants
- A tidy appearance all round, hoses put away
- Fruit & vegetable garden products

This year we will be encouraging the following categories:

1. **Residential** – Home garden, should emphasise trees, shrubs, and climbers. Colour should come mainly from flowers and foliage. The whole garden is judged.
2. **Pensioners/Seniors Garden** – A garden maintained by a pensioner or senior (aged over 60 years). The guidelines are the same for Home Garden.
3. **Community Facilities/Clubs** – includes churches, halls, clubs and others.

Key dates for Competition

Date	Milestones
Tues 1 st June	Nominations open – nomination forms can be obtained from the Torres Shire Council reception.
Fri 11 th June	Nominations close
Sat 19 th June	Judging will take place from 10am. Please ensure a nominee is available to accompany judges.

Attendance: Cr Bin Tahal returned to the meeting at 12.30pm.

Min. 10/02/17 Moved Cr. Abednego, Seconded Cr. Ketchell

“That Council host its second “How Much Does Your Garden Grow” competition in June 2010 with the following categories 1st prize - The Number One Garden in the Shire 2nd prize - Shire Encouragement Award and include a 3rd prize in a new “Adopt a Tree” category and seek major sponsorship as soon as possible.”

Carried

2. CORPORATE SERVICES

REPORT

Indigenous Advisory Committee 2010 -2012 (File 1-71-9) (cont'd)

Min. 10/02/18 Moved Cr. Abednego, Seconded Cr. Ketchell

“That pursuant to Section 452 & 453, Local Govt Act 1993, Council establish the Torres Shire Indigenous Advisory Committee as soon as possible and approve the calling of nominations from community members to participate and be an active member on the Torres Shire Indigenous Advisory Committee 2010 -2012.”

Carried

2010 Year of Women in Local Government (File 1-39-13)

Min. 10/02/19 Moved Cr. Abednego, Seconded Cr. Bin Tahal

“That Council become a Bronze category sponsor for the 2010 Year of Women in Local Government, an investment of \$500, which will list Torres Shire Council in the bronze partner listing and will provide us with the logo and words to add to our email signature”

Carried

Torres Strait WW2 Conservation Project, Horn Island Sites (File 1-358-99)

Min. 10/02/20 Moved Cr. Bin Tahal, Seconded Cr. Abednego

“That Council approve and support the Torres Strait WW2 Conservation Project and agree to auspice all grant funding applications for the project, take on the role of Project Manager and become an active partner for the project.”

Carried

YOUTH SUPPORT CO-ORDINATOR

TSC Youth Council Meeting

The first meeting is to be held on the 19th of February at the Torres Shire Council Office. The TSC Youth Council members are doing a recruitment drive and flyers have been printed and distributed around the schools. YSYC will arrange a rep from each boarding college. This meeting will have Don Bowie from the Navy giving a 20 minute presentation.

NOTE: *The Mayor and CEO will attend and reminders of this meeting are to be sent out by the Youth Support Co-ordinator.*

Attendance: Finance Manager, Marina Schaefer attended the meeting at 12.50pm to present the following financial reports in the absence of the Director Corporate Services, Dalassa Yorkston.

Lip-Air Pty Ltd T/as Aerotropics

Min. 10/02/21 Moved Cr. Abednego, Seconded Mayor Stephen

“That Council endorse the offer of \$45,000 to LipAir Pty Ltd (trading as Aerotropics) to settle this debt which has been registered in the Torres Shire Council financial statements 2008/2009 and that Council will refer all leases to our legal advisers to ensure Council is listed as a secured creditor in all Airport leases.”

Carried

2. CORPORATE SERVICES

REPORT (cont'd)

Finance and Audit Committee Meeting

This meeting is scheduled for Tuesday, 9th March 2010 and the Finance Manager will email the venue & commencement time of meeting to Members.

Departure: The Finance Manager departed the meeting at 1.12pm at the same time the meeting adjourned for Lunch and resumed at 1.50pm.

3. ENGINEERING SERVICES

REPORT

Victoria Parade Beautification Q.150 (File 2-52-4)

Dig-it Landscapers have completed 20% of the landscaping works. An extension of the completion time has been requested by Dig It from the Project Managers (PDR), this is due to high levels of rainfall for December and mainly January. The new completion time for the landscaping works will be 12 April 2010.

Civil works performed by our Council staff include earthworks, armour rock seawall, roadworks, stormwater drainage Stages 1 & 2. To date 50% of the Civil Works is completed. The remaining works is programmed to be completed by 30th April 2010.

Note: *The Mayor addressed the issues of contour and level of the road at the corner of Victoria Parade & Normanby Street & Cr Shibasaki made comment on the number of parking areas.*

Disposal of Surplus Plant (File 2-23-13)

Min. 10/02/22 Moved Cr. Bin Tahal, Seconded Cr. Abednego

“That Council dispose of Plant No.150 2003 Hino Truck Reg 698HFC by public tender”.

Carried

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

Affordable Housing Project – Horn Island (File 4-1-4)

An application was made to the Department of Environment and Resource Management (DERM) in August 2009 for the purchase of 2.4ha of land in Savage Street, Horn Island (Lot 1 on Plan AP15574) for development as affordable housing. DERM has advised that the application has been approved and the Minister has determined the purchase for the land to be \$400,000.00 exclusive of GST.

The land available is sufficient to subdivide into 30 lots. Based on the above purchase price, the raw land cost per lot is \$13.3K, on top of this is needed to be added a development cost of at least \$100k per lot. Adding building costs on top of this, it will be difficult to keep the cost of the house and land package below the target cost of \$300,000 per dwelling.

Min. 10/02/23 Moved Cr. Stephen, Seconded Cr. Shibasaki

“That a letter be forwarded to Premier Bligh and copied to Minister of Housing, Karen Struthers & Minister of Natural Resources, Mines & Energy, Stephen Robertson to seek the State’s in-kind contribution in waivering the cost of the purchase price of the land described as Lot 1 on Plan AP15574 at Savage Street, Horn Island for affordable housing for potential indigenous owners.”

Carried

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT (cont'd)

- Min. 10/02/24** **Milman Hill Subdivision – Reconfiguration of 1 Lot into 6 (File IDAS 06/18)**
Moved Mayor Stephen, Seconded Cr. Ketchell
“That Council endorse the Survey Plan 219771 on the signing of the Infrastructure Agreement by all parties and the receipt of the bond to the value of \$750,000 of the estimated cost of the road works required by condition 3 of Development Permit 06/18.”
Carried

- Min. 10/02/25** **Proposal for alternate uses of redundant 120 litre wheelie bins (File 3-16-14)**
Moved Cr. Bin Tahal, Seconded Mayor Stephen
“That Council approve the redundant 120 litre (small) bins being made available to residents at no charge for use as compost bins following full assessment of viability.”
Carried

IDAS 09-16: Material Change of Use – Major Utility (Helipad) Prescribed Tidal Work & Operational Works on State Coastal Land – 163 Douglas Street, Thursday Island being Lot 1 on SP1400906 & Unallocated State Land (Ellis Channel) Parish of Port Kennedy Applicant Queensland Health

- Min. 10/02/26** **Moved Cr. Bin Tahal, Seconded Cr. Abednego**
“That Council approve the development application for a Material Change of Use – Major Utility (Helipad), Prescribed Tidal Work And Operational Works on State Coastal Land over land described as Lot 1 on SP140906 and Unallocated State Land (Ellis Channel), Parish of Port Kennedy located at 163 Douglas Street, Thursday Island, subject to the following conditions:

Assessment Manager Conditions

1. The proposed Plans of Development, as noted below is approved subject to any alterations. The applicant/owner must at all times during development of the land carry out the development and construction of any building thereon and conduct the approved uses(s) generally in accordance with:
 - a. The plans, specifications, facts and circumstances as set out in the application submitted to Council;
 - b. To ensure that the development complies in all respects with the following conditions of approval and the requirements of Council’s Planning Scheme; and
 - c. Subject to any alterations found necessary by Council at the time of examination of Engineering Plans or during construction of the development because of particular engineering requirements.

Except for any variation required to comply with these conditions of approval.

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

IDAS 09-16: Material Change of Use – Major Utility (Helipad) Prescribed Tidal Work & Operational Works on State Coastal Land – 163 Douglas Street, Thursday Island being Lot 1 on SP1400906 & Unallocated State Land (Ellis Channel) Parish of Port Kennedy (cont'd)

Approved Plans

2. The approved Plans of Development are as follows:

Plan Description	Reference	Date
Location Plan with Aerial	Nil	Nil
Site Plan Prepared by Suters	54057/CD/A01 Issue T1	8 May, 2009
Foundation Plan Prepared by GHD	54084/CD/S/201 Issue T1 1/1	29 April, 2009
Elevation Top Chord Layout Prepared by Aluminium Offshore Pty Ltd	Sheet 1 of 1	11 February, 2009
Elevation Bottom Chord Layout Prepared by Aluminium Offshore Pty Ltd	Sheet 2 of 2	11 February, 2009

Engineering Certification

3. A Registered Professional Engineer of Queensland shall certify engineering drawings and specifications for all engineering works, which shall be submitted in conjunction with an application for Development Permits for Building Works and/or Operational Works.

Excavation and Filling

4. Excavation and filling is carried out so that the visual amenity of the area and the privacy of adjoining properties are not compromised and excavation or filling does not result in:

- The instability of a site or adjacent land; or
- A detrimental change to the run off characteristics of a site or nearby land; or
- A reduction of the water quality of receiving waters.

ADVICE

1. This approval, granted under the provisions of the *Integrated Planning Act 1997*, shall lapse four (4) years from the day the approval takes effect in accordance with the provisions of Section 3.5.21 of the *Integrated Planning Act 1997*.

2. All building site managers must take all action necessary to ensure building materials and/or machinery on construction sites are secured immediately following the first potential cyclone warning and that relevant emergency telephone contacts are provided to Council Officers, prior to Commencement of Works.

3. Pursuant to the *Building and Construction Industry (Portable Long Service Leave) Act 1991*, if the cost of Operational Works exceeds \$80,000, then a portable long service levy is required to be paid. In accordance with Section 77 (1) of the Act, Council is required to sight the approved form issued by the Building and Construction Industry (Portable Long Service Leave) Authority that confirms that the requirements of the Act have been satisfied.

4. PLANNING AND ENVIRONMENTAL SERVICES

REPORT

IDAS 09-16: Material Change of Use – Major Utility (Helipad) Prescribed Tidal Work & Operational Works on State Coastal Land – 163 Douglas Street, Thursday Island being Lot 1 on SP1400906 & Unallocated State Land (Ellis Channel) Parish of Port Kennedy (cont'd)

ADVICE (cont'd)

4. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.

5. For information relating to the Integrated Planning Act 1997 log on to www.dip.qld.gov.au.”

Carried

5 REPORTS “IN COMMITTEE”

- 1. J. Mansfield, Miskin Street, Horn Island – Claim (File 6-300-10)**
- 2. Three-Year Cleaning Contract – TSC Council Office and TI Child Care Centre, Thursday Island (File 2-71-03-10)**
- 3. Horn Island Airport – Proposed Runway Improvements (File 6-1-10)
Quarry – Crushing Equipment (File 6-262-10)**

Min. 10/02/27 Moved Cr. Shibasaki, Seconded Cr. Bin Tahal
“That Council discuss the above matters in Committee under the provisions of 377(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 – (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 a financial advantage.”

Carried

Min. 10/02/28 Moved Cr. Bin Tahal, Seconded Cr. Shibasaki
“That Council come out of Committee.”

Carried

CHIEF EXECUTIVE OFFICER - REPORT

**Min. 10/02/29 J. Mansfield, Miskin Street, Horn Island – Claim (File 6-300-10)
Moved Cr. Bin Tahal, Seconded Cr. Abednego**
“That Council contact TSRA and/or Maunsell (Project Managers) for detailed information on the consultation process and notice given to the affected landowners of the Horn Island sewerage scheme at the time and defer this matter to the next meeting.”

Carried

DIRECTOR CORPORATE SERVICES – REPORT

**Three-Year Cleaning Contract – TSC Council Office and TI Child Care Centre,
Thursday Island (File 2-71-03-10)**

Min. 10/02/30 Moved Cr. Bin Tahal, Seconded Cr. Ketchell

“1. That Council accept the tender from Absolute Cleaning for the amount of \$52,860 (fifty-two thousand, eight hundred and sixty dollars excluding GST) per annum for Cleaning Services to the Council Office.

2. That Council accept the tender from Piero Friolo for the amount of \$47,900 (forty seven thousand, nine hundred dollars) excluding GST per annum for Cleaning Services to the Thursday Island Child Care Centre.”

Carried

DIRECTOR ENGINEERING SERVICES – REPORT

**Horn Island Airport – Proposed Runway Improvements (File 6-1-10)
Quarry – Crushing Equipment (File 6-262-10)**

Min. 10/02/31 Moved Cr. Shibasaki, Seconded Cr. Abednego

“That Council adopt the recommendation of MacDonnells Law to proceed with Option 3 – Extension of Tender Period to: Advise all tender applicants that the tender period has been extended to 11 March 2010 due to the requirement of further information;

1 References from two independent parties supporting, confirming and evidencing the Tenderer’s capability to undertake the obligations required by Council under this tender. Ideally the reference should have been written in the past 5 years and from a party the Tenderer has completed work for in the past or who is in a position to verify the capability of the Tenderer to complete the Tender work;

2 With respect to the Tenderer’s capability to produce screenings for the airport runway upgrade at a rate significantly above current production rates; and

3 On the proposed employment and training opportunities that can be provided to assist Council to achieve the desired outcomes with respect to its proposed indigenous employment strategy.”

Carried

GENERAL BUSINESS

Cr. Abednego

➤ Advising that the once a week rubbish collection is not ample for householders
Extensive discussions with A/DES took place regarding this service to the public

Household Recyclable Items

Min. 10/02/32 Moved Cr. Shibasaki, Seconded Cr. Bin Tahal

“That Council encourage recycling and waive fees for the dumping of recyclable items at the Transfer Station.”

Carried

GENERAL BUSINESS (cont'd)

Cr. Ketchell

- More tree planting at Tamwoy is required.

Cr. Shibasaki

- Expressing appreciation for the nomination & his Australia Day Award for "Citizen of the Year"
- Suggested that the Basketball Marathon Trophy be kept at the Council office.
- Sea Wall – erosion occurring at the reclaimed area and Engineer's Wharf

Cr. Bin Tahal

- Wasaga Hall – grounds and guttering cleaning required.
A/DES advised delays have occurred due to the wet season and staff on leave.
- Horn Island Playground requires a surround to be laid around the base due to washout from the wet.
- Horn Island foreshore – beautification plan required to be resurrected and put in place.
- Ngurupai Sports Complex – query on the hire out of tables and chairs.
CEO advised that these items are not to be hired out.

Mayor Stephen

- Seeking endorsement from Council for the Mayor & CEO to be authorised to have the seal binder product used on projects.
Council agreed to this request.

Chief Executive Officer

- Advised that the Council Meeting date for April may be altered from Tuesday, 20th to Wednesday, 21st

DATE OF NEXT MEETING: 16 March 2010

CLOSURE: The meeting closed with a prayer by Mayor Stephen at 3.55pm

Confirmed this 16th day of March 2010



Mayor