

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

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**PRESENT** Mayor Cr. N. P. Stephen (Chairman), Cr. B. Shibasaki, Cr. J. Abednego, Mr. B. McCarthy (Chief Executive Officer), Mrs Dalassa Yorkston, (Director Corporate Services), Mr. F. Darke (Director Planning & Environmental Services), Mr G. Yates, (Director Engineering Services) and Charmaine Zitha (Minute Secretary)

The meeting opened with a prayer by Mayor Stephen at 9:15am

**Acknowledgement:**

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

**APOLOGY** An apology was received from Cr. Bin Tahal and Cr. Allan Ketchell who are unable to attend the meeting.

**Min. 10/11/1 Moved Cr. Shibasaki, Seconded Cr. Abednego**  
“That Council receive the apologies of Cr. Bin Tahal and Cr. Ketchell.”

**Carried**

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

*Mr Liam Thomas Stallar , Mrs Mary Kusu and Mr Bill Gagai*

**DISCLOSURES OF INTEREST UNDER THE LOCAL GOVERNMENT ACT** *Nil*

**CONFIRMATION OF MINUTES**

**Min. 10/11/2 Moved Cr. Abednego, Seconded Cr. Shibasaki**  
“That Council receive the Minutes of the Ordinary Meeting of 19 October 2010 and confirm as a true and correct record of the proceedings.”

**Carried**

**BUSINESS ARISING FROM LAST ORDINARY MINUTES\**

Cr. Shibasaki – The possible establishment of a Japanese garden at the T.I Cemetery  
*DCS responded that advice has been sought from consultant Gordon Grimwade.*

**MAYOR'S REPORT**

**Shadow Ministerial Visit**

Council met with Opposition Representatives Howard Hobbs MP, Shadow Minister for Local Government, Tim Nicholls MP, Shadow Treasurer, Shadow Minister for Employment and Economic Development, Member for Clayfield and Rosemary Menkens MP, Shadow Minister for Community Services & Housing, Shadow Minister for Women, and Member for Burdekin. Council raised issues relevant to each Shadow Minister’s Portfolios such as Local Government’s jurisdiction and boundaries; assistance in home ownership and new housing developments; tourism, State Government’s funding assistance for maintaining and development of sporting and sea transport infrastructure, community gardens and the development of Horn Island Airport to an international airport standard.

## **MAYOR'S REPORT** (cont'd)

### **Min. 10/11/3 Moved Cr. Shibasaki and Seconded Cr Abednego**

“That Council submit appropriate documents and correspondence to the relevant Shadow Ministers in respect of issues raised at the meeting held on 10<sup>th</sup> December 2010.”

**Carried**

### **Cholera in PNG**

### **Min 10/11/4 Moved Mayor Stephen, Seconded Cr Abednego**

“That Council through its appropriate Directors liaise regularly with Queensland Health and Torres Strait Island Regional Council in preparation of a risk assessment for the current threat of Cholera outbreak”.

**Carried**

### **Ministerial Community Function**

Minister Desley Boyle, MP, is seeking Council's advice on wider involvement of community member's attendance to the community function which is scheduled for the evening of Tuesday 30<sup>th</sup> November 2010. Previous Community Reception was held at the Gab Titui Cultural Centre but the Minister believes the venue restricted wider community participation and values Council's guidance.

### **Min 10/11/5 Moved Cr. Abednego, Seconded Cr. Shibasaki**

“That Council provide suggestions for the proposed Ministerial Community Function to be held on Tuesday 30<sup>th</sup> November 2010”

**Carried**

### **TS/NPA Regional Plan Signatories Meeting**

The Regional Plan Signatories Meeting was postponed from Tuesday 9<sup>th</sup> November 2010 to Friday 10<sup>th</sup> December 2010. Torres Shire Council along with Torres Strait Island Regional Council, Northern Peninsula Area Regional Council and Torres Strait Regional Authority are the signatories to the TS/NPA Regional Plan, which co-ordinates and monitors Commonwealth and State's service delivery programs, projects and Community Development at all our isolated communities.

### **Independent Candidate to Contest the Seat of Cook**

Mrs. Yodie Batzke, in her latest media release on 15<sup>th</sup> November 2010, has put MP Jason O'Brien on notice that she will contest the Seat of Cook at the next Queensland State Election. Mrs. Batzke said, “The major parties underestimated the value and worth of Independents during the 2010 Federal Election campaign period.” She is announcing her candidacy early as it is important to establish a strong relationship with the people of Cook during the next 12 months.

### **Min. 10/11/6 Moved Cr. Shibasaki Seconded Cr. Abednego**

“That the Mayor's Report be received.”

**Carried**

**Adjournment** The meeting adjourned for Morning Tea at 10:10am and resumed at 10:35am

# **1 CHIEF EXECUTIVE OFFICER**

## **REPORT**

### **Common Seal Use**

**Min. 10/11/7 Moved Cr. Shibasaki, Seconded Cr. Abednego**

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

<b>Date attached</b>	<b>Document Description</b>	
18/10/10	A/TSI Descent ID – Henry Joseph	Mayor
18/10/10	A/TSI Descent ID – Wonie William Jacob Yusia	Mayor
18/10/10	CL & RL Harris Survey Plan SP224668	Mayor & CEO
25/10/10	Telstra Corporation Limited – Sale of Land Contract	Mayor & CEO
5/11/10	A/TSI Descent ID – Sabrina Seden	Mayor
5/11/10	A/TSI Descent ID – Chanaya Resek-Takai	Mayor
5/11/10	A/TSI Descent ID – Benjamin Doolah	Mayor
9/11/10	A/TSI Descent ID – Rosilind Barkus	Mayor
9/11/10	A/TSI Descent ID – Tolowah Savage	Mayor
9/11/10	A/TSI Descent ID – Stephen Abednego	Mayor ”

**Carried**

### **Local Disaster Management Group File 1-49-13)**

**Min. 10/11/8 Moved Mayor Stephen, Seconded Cr. Abednego**

“That Council receive the minutes of the Torres Shire Local Disaster Management Group meeting held on the 11 November 2010”

**Carried**

### **Annual Report 2009/2010 (File 1-13-1)**

**Min. 10/11/9 Moved Mayor Stephen Seconded Cr. Shibasaki**

“That Council adopt the 2009/2010 Annual Report and the 2009/2010 audited financial statements.

**Carried**

### **MOU Meeting -Torres Strait Regional Authority and Torres Shire Council (TSC) (File 1-31-1)**

**Min. 10/11/10 Moved Cr Abednego Seconded Cr Shibasaki**

“That Council approve a new Memo of Understanding between Torres Strait Regional Authority and Torres Shire Council for the next 3 years until 9 November 2013.”

**Carried**

### **Christmas Party (File 1- 625-7)**

**Min. 10/11/11 Moved Cr. Shibasaki, Seconded Cr John Abednego**

“That Council approve these proposed Christmas Party arrangements.”

**Carried**

### **Christmas Shutdown (File 1-53-7)**

**Min. 10/11/12 Moved Mayor Stephen, Seconded Cr John Abednego**

“That Council approve the closure of the Council Office, Library and Technical Services with the exceptions of the Airport, Garbage Services, Waste Transfer Stations, Sports Complexes and Emergency On Call services between 25 December 2010 with reopening on 4 January 2011 and these arrangements be appropriately advertised in the local media.”

**Carried**

## **1 CHIEF EXECUTIVE OFFICER**

### **REPORT**

#### **Transfer of Local Government Area to Northern Peninsula Area Regional Council (File 1-32-12, 1-70-7)**

**Min. 10/11/13 Moved Cr. Abednego Seconded Cr Shibasaki**

“That Council acknowledge the letter received from NPARC and approve the actions proposed by Mayor and CEO to collate all relevant information in respect of the proposed new NPARC Local Government Area.”

**Carried**

#### **2011 Bank & Torres Strait Multicultural Show Holidays (File 1- 8-1)**

Advice has been received of Ministerial approval on 2 November 2010 and Government Gazettal on 5 November for the following:

- Friday, 3 June 2011 a holiday for the Shire of Torres for the purpose of Mabo Day,
- Friday, 1 July 2011 a holiday for the Shire of Torres for the purpose of the Coming of Light Celebration,
- Friday, 17 September 2011 a holiday for the Shire of Torres for the purpose of the Torres Strait Show Day.

#### **Claim of Jon Douglas Mansfield, Lot 1 on RP846845 – Sewerage Line (File 6-300-10) (Confidential)**

Deferred to the In Committee Section of this meeting

## **2 CORPORATE SERVICES**

### **REPORT**

#### **Cemeteries - Guidelines Exhume Human Remains (File 3-6-10)**

**Min 10/11/14 Moved Cr. Abednego, Seconded Cr Shibasaki**

“That Council approve the following guidelines for exhumation in absence of the local law under the Land Act 1974:”

1. Written application of a person, to the Minister who may give written approval to the exhumation of the human remains.
2. Applications must include written confirmation from a recognised Funeral Director that he/she is prepared to carry out the exhumation, and
3. Lodgement of written consent to the proposed exhumation by the nearest living relative to the deceased,
4. Lodgement of a certified copy of the Death certificate, and
5. Lodgement of details of the new burial place where retirements is to take place.
6. Written advice to Exhume Remains will be given by the Torres Shire Council when application is approved.
7. All works to be conducted in accordance with Occupational, Health and Safety requirements.
8. Torres Shire Council charge a fee for service for each application to the value of \$520.00
9. Adhere to cultural and traditional practices and protocols ”

**Carried**

### **3     ENGINEERING SERVICES**

#### **REPORT**

**Request for assistance from Tagai TAFE re planting of fruiting trees around Thursday Island (File 5-1-7)**

**Min 10/11/15     Moved Mayor Stephen, Seconded Cr. Abednego**

“That (1) Council agree to the principle providing

- a. Ongoing ownership is agreed prior to Council’s full commitment.
- b. Council’s Commitment be dependant on TAFE securing funds through TSRA and QLD Health for the purchase of plants fertilisers and other consumable items.
- c. Suitable Council controlled land can be agreed on for the planting of fruit trees.

(2) A working group including Mr Ernst, a TSRA representative, a Qld Health representative, Mayor Stephen and Works Engineer Cadet be set up to solve the potential problems that will arise through the life of this project.”

**Carried**

**Purchase of Loader**

**Min 10/11/16     Moved Cr Abednego, Seconded Cr Shibasaki**

“That (1) Council endorse the purchase of a loader, subject to meeting the necessary purchasing requirements

(2) That Council approve the use of general funds that will then be repaid, once Department Infrastructure & Planning has reimbursed Council for the costs of emergent works undertaken in the 2008-09 financial year.”

**Carried**

**Min 10/11/17     Moved Cr Shibasaki, Seconded Mayor Stephen**

“That (1) no objection be offered to the granting of freehold title over this land, providing that (a) Public access is available at all times on the roads through the site, the car park area and walking tracks set aside as permanent public reservations, and

(b) Access to existing gravel pits is maintained.

(2) That Council write to the lessees of the Pajinka Wilderness Resort requesting that the site be kept in tidy state.”

**Carried**

### **4.     PLANNING AND ENVIROMENT SERVICES**

#### **REPORT**

**Pre Wet Cleanups (File 3-12-11)**

**Min 10/11/18     Moved Cr Abednego, Seconded Cr Shibasaki**

“That Council co-ordinate its pre wet clean up with the Queensland Health campaign.”

**Carried**

**Expression of Interest – Contract Building Certifier (File 4-2-1) (*Confidential*)**

Deferred until the In Committee Section of this meeting

## **IN COMMITTEE**

### **CHIEF EXECUTIVE OFFICER**

**Claim of Jon Douglas Mansfield, Lot 1 on RP846845 – Sewerage Line (File 6-300-10)**

### **DIRECTOR PLANNING & ENVIRONMENTAL SERVICES**

**Expression of Interest – Contract Building Certifier (File 4-2-1)**

**Min 10/11/19 Moved Mayor Stephen, Seconded Cr Abednego**

“That Council discuss the above items ‘In Committee’ under the provisions of the Local Government (Operations) Regulation 2010 (1)(e) contracts proposed to be made by it and (h) other business for which a public discussion would be likely to prejudice the interests of local government or someone else, or enable a person to gain a financial advantage.”

**Carried**

**Min 10/11/20 Moved Cr Abednego, Seconded Cr Shibasaki**

“That Council come out of Committee.”

**Carried**

**Claim of Jon Douglas Mansfield, Lot 1 on RP846845 – Sewerage Line (File 6-300-10)**  
*When Council was in committee, a confidential report was given by CEO on settlement of this claim.*

**Min 10/11/21 Moved Cr. Shibasaki, Seconded Mayor Stephen**

“That (1) Council accept the expression of interest from All Construction Approvals to provide building certification services at the prices quoted.

(2). That Council increase its building fees as follows:

-New Multiple Dwellings/Duplex - \$2,750 plus \$250 for each unit.

-Alteration/extensions to Commercial buildings (Classes 2,3,4,5,6,7,8 & 9)-\$2750 ”

**Carried**

## **6 GENERAL BUSINESS**

### **Cr Abednego**

- Provided a Twilights Markets update and reported on two recent meetings including interim committee and necessity to meet with PKA and QAS in the near future
- Advised that a Council of Elders meeting is to be held on Thursday 18<sup>th</sup> November  
*The Mayor advised that previous Council of Elders attempt information should be sought from TSC files*

### **Cr Shibasaki**

- Attended recent Ports North Meeting, raised car parking issue at Horn Island Wharf and the possible tidying up of Mairu Beach
- Raised issue about the beautification of the water front and extension between Mairu Beach and Main Wharf
- On behalf of Yen Loban, he enquired about the proposed pontoon for Prince of Wales Island  
*The Mayor advised that this project had been put back three years due to land and other issues*
- Advised on the excessive parking of boats outside units on Hargrave Street  
*DPES to investigate*
- Asked how removal of asbestos should be undertaken from private properties  
*DPES advised that there are local licensed tradesmen who are able to do this process.*

## 6 GENERAL BUSINESS (cont'd)

### Mayor Stephen

- Advised that a meeting should be held to discuss the Summer Street driveway into Majid Village
- Advised that Tagai College acknowledges Council's support with fencing and requests Councils assistance to identify a permanent site for the school's canoe.
- Enquired about replacing and planting of Neem trees in Douglas Street relocated from Summer Street.
- Advised that Victoria Parade foundation path needs to have pebbles regularly cleaned away.
- Raised a complaint from D.Takai about Qantas Link flights not coinciding with local ferry/ bus timetable
- Queried on behalf of Tagai College about the Youth Support Co-ordinator position  
*DCS advised that position has just been advertised*
- Advised that on Thursday 18<sup>th</sup> November, Tagai Primary Campus Year 6 will visit the, Council Office.

**DATE OF NEXT MEETING: 14 December 2010**

**CLOSURE:** The meeting closed with a prayer by Mayor at 1:45pm

Confirmed this 14<sup>th</sup> day of December 2010

**MAYOR**