

**MINUTES OF THE ORDINARY MEETING OF THE TORRES SHIRE COUNCIL
HELD IN COUNCIL CHAMBERS ON THURSDAY ISLAND, TUESDAY, 18 AUGUST 2020**

PRESENT Mayor Vonda Malone (Chair), Cr. Gabriel Bani (Deputy Mayor), Cr. Thomas Loban, Cr. John Abednego, 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 (Executive Assistant)

The meeting opened with a prayer by Deputy Mayor Bani at 9:11am.

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:

Mr Horace Baira (snr) (Badu Island)
Mr Stephen Matthew (snr)
Mr Joe Reuben
Mr Robert Edward Sailor
Ms Evelyn Levi-Lowah
Mrs Sharon Sabatino

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

The Mayor advised Councillors that a deputation involving Hon. Warren Entsch, Member for Leichhardt was occurring at the Council Meeting today at 11am.

APOLOGY

An apology was received from Cr. Allan Ketchell who was unable to attend the meeting.

Min. 20/8/1 Moved Cr. Loban, Seconded Deputy Mayor Bani
"That Council receive the apology received from Cr. Allan Ketchell.

Carried

DISCLOSURES OF INTEREST UNDER THE LOCAL GOVERNMENT ACT

Mayor Malone – CEO Report – Indigenous Affairs Committee – Food pricing and food security in remote communities – Invitation to attend a public hearing on 19 Auguts 2020

Cr. Abednego – CEO Report – Torres Strait Regional Governance – Wednesday 12 August 2020

Cr. Abednego – In Committee – Regulatory Matter

CONFIRMATION OF MINUTES

Min. 20/8/2 Moved Deputy Mayor Bani, Seconded Cr, Loban
"That Council receive the Minutes of the Ordinary Meeting 21 July 2020 and confirm as a true and correct records of the proceedings."

Carried

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 21 July 2020 Council Meeting.

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 22 July – 17 August 2020.

COVID19 Response

Torres Shire Council (TSC) continues to be actively engaged in a series of meetings in response to COVID19:

1. Chief Health Officer meeting with Mayors – 21 July 2020
2. Premier and Mayors Meeting – 31 July 2020
3. Torres and Cape Hospital and Health Services (TCHHS) meeting with TSC – 4 August 2020
4. Premier and Mayors Meeting – 5 August 2020
5. TSLDMG Executive Meeting – 11 August 2020
6. Australian Border Force (ABF) Meeting with TSC – 11 August 2020
7. Qld Remote and Discrete Communities Meeting – 13 August 2020

Key issues discussed over the various meetings include:

- Closure of the Qld Border to NSW and ACT and the management of the border.
- Drafting of TSLDMG response and activation plan pending the second wave of COVID-19 emphasising certain trigger points including Cairns, Cape and Top Western communities.
- PNG/Australia International Border and enhancement of surveillance of the hard border by law enforcement agencies
- COVID-19 cases in PNG and Australia's support to PNG particularly in Western Province.
- Point-of-Care (POC) Testing rollout and further POC needed for Boigu Island.

The current hot spots are Victoria, ACT and New South Wales.

TSC Technical Working Group - 22 July 2020

The first TSC Technical Working Group (TWG) meeting was held on 22 July and it was specifically setup to walk through Councillors and staff on the role of the TWG. The TWG is a mechanism that facilitates a whole-of-government approach to infrastructure development. The TWG is designed to get the right people at the table to make timely decisions and accelerate council's/community aspirations. In the past term TSC held joint TWG's with TSIRC covering matters across the whole region. TSC has now matured to hold its own specific meeting to be more focused on Torres Shire matters and progress our projects in a timely manner.

It was highlighted that the TWG leverages off the expertise that DATSIP's Remote Indigenous Land and Infrastructure Program Office (RILIPO) offering expertise to infrastructure works covering:

- Tenure Resolution
- Home Ownership
- Cultural Heritage
- Native Title
- Land Development
- Land Holding
- Survey and Town Planning
- Economic Participation
- Integrated Capital Works
- Master Planning

At the initial meeting a number of key matters were discussed including the review of the draft terms of reference, major projects for standing agenda items, frequency of meeting and timing. The next meeting is scheduled for 26 August in Cairns.

MAYOR'S REPORT

Torres and Cape Indigenous Councils Alliance (TCICA)

Remote Indigenous Housing – 28 July 2020

TCICA held a videoconference with Minister Mick de Brenni to followup on the allocation of the \$105m Commonwealth funding for housing. The outcome of the discussions included:

- First \$5 million transferred to the Queensland Government.
- Remaining \$100 million will come after the Commonwealth Budget is handed down in October.
- Will take some time before the \$100 million is then passed to the State, eg will not be with the Queensland Government before the election on 31 October 2020.
- The flow of funds to Councils will be contingent upon the sign-off of local housing plans.
- Minister cannot guarantee that funding for housing will be retained following the election if Labor is not re-elected.

A workshop is planned to coincide with Community Cabinet in Cairns on 25 August, to discuss where planning for new housing is at, the development of local housing plans, and next steps going forward as well as:

- The local housing plans are needed to help provide clarity about how Councils will deliver new housing in their communities.
- Local housing plans do not need to be completed by the August workshop, however councils are urged to work on them now to ensure construction of new housing can get underway as soon as funding flows.
- It was noted that some communities have not been contacted as yet by DHPW to discuss the development of local housing plans.

Commitment to establishing Aboriginal and Torres Strait Islander housing body

- COVID-19 has challenged the tender process for the establishment of a housing body, however DHPW expects to go to a select tender next week.
- Decision on an auspicing body to be made in September, with arrangements in place by the end of 2020.
- DHPW will provide an update on the establishment of an Aboriginal and Torres Strait Islander housing body at the workshop in August.

TCICA Out-of-Session Meeting – 12 August 2020

TCICA's out-of-session meeting enabled members to regroup to address the following:

- COVID-19 - Discussion held on status and concerns under Stage 3.
- Extension of Section 24JAA - Discussion with Dr Nathan Boyle, Senior Adviser, Housing Branch, NIAA on section 24JAA, Native Title Act. The Australian Government is conducting targeted consultations on the possibility of retaining section 24JAA on a temporary basis. LGAQ on behalf of Indigenous Councils put forward an application to the Commonwealth through Minister Wyatt to issue a further 10 year extension. Section 24JAA has been instrumental in the delivery of essential infrastructure, in particular with the rollout of public houses and critical infrastructure. TCICA supported the further extension aligned to LGAQ's request.
- Cape York NRM and appointment of local government director vacancy.

Teleconference with Minister Keith Pitt, Minister for Resources, Water and Northern Australia – 13 August 2020

TCICA held a meet and greet with Minister Keith Pitt who was recently appointed to the Northern Australia portfolio superseding Senator Matt Canavan. Minister Pitt gained an appreciation on the makeup and mandate of TCICA. An overview of TCICA's priorities was highlighted and questions were posed on potential larger economic initiatives including expansions of airports, marine facilities and the Peninsula Development Road.

MAYOR'S REPORT

Torres Strait Boarding Facility – 5 July 2020

Mr Ned David, TSIREC facilitated a meeting with TSC, TSRA and Minister Shannon Fentiman, Torres Strait Champion to progress the Torres Strait Boarding Facility. The facility is scheduled to be established on Horn Island within the Horn Island TAGAI primary school precinct. The funds allocated by the State will enable 24 beds as part of stage 1. It was agreed that community input via a reference group was required as oversight to the project and to ensure that the tender and building works enabled maximum local employment outcome. The State is in the process of commencing the tender process.

Parliamentary Committee - Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020 - 6 August 2020

TSC met with the Parliamentary Committee and Ms Cynthia Lui, Member for Cook, to provide feedback on the Bill and put forward TSC's submission. Some key points tabled with the Committee included and as outlined in TSC submission included:

- The limited consultation process within the Torres Strait now adequately covering the different clusters of Western and Eastern Islands.
- Concerns on inadequate timing for thorough consultation.
- Definitions and terminology within the Bill.
- The complexity of the proposed structure and the practical application and use by Torres Strait Islander families.
- The need for appropriate community guidance to support the decision making of the Commissioner.

Following TSC's deputation the committee held a public consultation meeting at the TRAWQ Hall and also allowing members of the public to engage in private hearings. The committee is required to report back to Parliament on this process by Friday 28 August 2020.

OBON – 15 August 2020

TSC hosted the Japanese OBON ceremony jointly with the Consular-General of Japan Mr Naohio Hayakawa and the Reverend Jim Wilson (Tetsuyu), Jodoshu Buddhist Priest. During the ceremony Mr Hayakawa expressed sincere thanks on behalf of the Japanese Government for the collaboration and respectful relations established with TSC. Mr Hayakawa and the Consulate was also pleased with the good progress achieved by TSC and the Japanese families on the gravesite marking project initiated last year. The Brisbane Consulate is keen to continue to complete this project and would like TSC to formally write to reignite stage 2.

Recommendation:

1. *TSC formally writes to the Japanese Consulate to seek support to initiate stage 2 of the gravesite marking project.*
2. *TSC reviews Stage 1 of the project to confirm the number of gravesites completed and how many are remaining.*

Other Representation

1. TSIMA Interview Update on Council Matters including Water Security – 5 August 2020

RECOMMENDATION

That Council:

1. Endorses the recommendations as outlined.
2. Notes this brief.

Min. 20/8/3 Moved Cr. Abednego, Seconded Cr. Loban
"That Council receives the Mayor's Report."

Adjournment: The meeting adjourned for Morning Tea at 10:05am and resumed 10:20 am.

Deputation to Council Meeting: Vanessa SeeKee held the deputation discussing the WW2 Slit Trench Project on Horn Island to Council from 10:20am until 10:55am.

The CEO advised the Mayor that the Councillors should be brought up to date about the meeting between the Mayor and the Member for Leichhardt on Monday 17 August 2020, as the meeting was about the Prince of Wales Safe Landing Facility. She advised the Mayor that this should occur today prior to the deputation.

Hon. Warren Entsch, Member for Leichhardt arrived at the Council Meeting at 11:00am.
The Mayor directed that the CEO, DEIS, DGPS and Minute Secretary depart the Council Meeting.

Departure: The CEO, DEIS, DGPS and Minute Secretary departed the meeting at 10:57am returned at 1:06pm.

The Council Meeting stopped at 10:57am.

There was no Adjournment at the Council Meeting in accordance with the Standing Orders, nor did Council enter into In Committee under Section 275 of the Local Government Act.

The Council Meeting restarted at 1:06pm.

CHIEF EXECUTIVE OFFICER REPORT

Torres Shire Council Tenders & Quotations

As Council progresses to construction stage of current grant funded projects, a number of tenders and quotations have been prepared and called. In particular the following tenders is open:

Tender/Quotation	Particulars	Closing Date
02/2020 Tender – Contract for Heavy Machinery and Earth Moving Equipment	Tenders are invited for the supply and delivery of CAT-branded Earth Moving Equipment and/or Heavy Machinery Equipment.	Monday, 7 September 2020

Recommendation:

Min. 20/8/4 Moved Deputy Mayor Bani, Seconded Cr. Loban

“That Council acknowledge the current tenders/quotations 02/2020 Tender Contract for Heavy Machinery and Earth Moving Equipment.”

Carried

Indigenous Affairs Committee - Food pricing and food security in remote communities - Invitation to attend a public hearing on 19 August 2020

Mayor Malone 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 I am the Chair of Community Enterprise Queensland (CEQ) 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.20/08/5

Moved Cr. Loban, Seconded Cr. Abednego

"That Council has determined that Mayor Malone does not have either a real conflict of interest or perceived conflict of interest in the matter and is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter."

Carried

Indigenous Affairs Committee - Food pricing and food security in remote communities - Invitation to attend a public hearing on 19 August 2020 – cont'd

Torres Shire Council submitted to the House of Representatives Standing Committee on Indigenous Affairs Inquiry into food prices and food security. The Indigenous Affairs Committee has launched this inquiry into food prices and food security in Remote Communities to examine "the situation in remote Indigenous communities, and the effect of supply chains and local businesses on the cost of food. The inquiry will also look at the role of regulators in dealing with the situation" (Parliament of Australia, Media Release, 28 May 2020).

As part of its inquiry into food pricing and food security in remote communities, the Committee will be holding a public hearing on Wednesday, 19 August 2020, and has invited Council to speak with them by either teleconference or videoconference from 2.20pm – 3.00pm.

The Chief Executive Officer has been registered to be a witness of behalf of Torres Shire Council to the House of Representatives Standing Committee on Indigenous Affairs Inquiry into food prices and food security.

Please see below the full program below for Councillors information:

Time	Witness
9.00am	Torres Strait Regional Authority (Submission 53)
9.40am	Kowanyama Aboriginal Shire Council (Submission 62)
10.20am	Yarrabah Aboriginal Shire Council (Submission 88)
11.00am	<i>Break</i>
11.20am	Seisia Community Torres Strait Island Corporation (Submission 5)
12.00pm	Gidgee Healing (Submission 64)
12.40pm	Apunipima Cape York Health Council (Submission 87)
1.20pm	<i>Lunch</i>
2.20pm	Torres Shire Council (Submission 17)
3.00pm	Wirrimanu Aboriginal Corporation (Submission 66)
3.40pm	Metcash
4.20pm	<i>Close</i>

Torres Strait Regional Governance – Wednesday 12 August 2020

Cr. Abednego 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 I am a Member of TSRA Governance Committee 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.

CHIEF EXECUTIVE OFFICER REPORT

Cr. Abednego declares a Conflict of Interest – cont'd.

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.20/08/6

Moved Deputy Mayor Bani, Seconded Cr. Loban

"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 is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter."

Carried

Torres Strait Regional Governance – Wednesday 12 August 2020

On 12 June 2020, Torres Strait Regional Authority Chair Pedro Stephen requested a telephone link up with leaders to discuss a regional leadership forum on the progression of the Regional Governance. The last Elected Leadership forum was conducted at Thursday Island in 2014.

With the progression of this important Regional Governance issue being discussed, a timetable and associated documentation have been provided to as an overview of our actions since the Leaders Forum in 2014. Management will await the decision and direction from the Council on this matter.

Regional Governance Timeline for Torres Shire Council

6 May 2014	Leaders Forum The Leaders Forum was hosted by the Coalition Mayor Pedro Stephen of Torres Shire Council (TSC), Mayor Fred Gela of Torres Strait Island Regional Council (TSIRC), Dr Joseph Elu Chair of Torres Strait Regional Authority (TSRA) and Mayor Bernard Charlie of Northern Peninsula Area Regional Council (NPARC) who form the Executive.
18 June 2014	Presentation by Coalition to the Prime Minister Hon. Tony Abbott , Parliament house, Canberra. Coalition Executive's Submission That The Hon. Tony Abbott MP, Prime Minister of Australia: 1. Acknowledge that the plight for Greater Autonomy has been the aspiration of Torres Strait Islanders and Aboriginal Peoples

	<p>of the Torres Strait and Northern Peninsula Area since 1937 and since have been the major part of proceeding dialogue between subsequent State Premiers and Prime Ministers and Leaders of the Torres Strait and Northern Peninsula Area; and</p> <p>2. In acknowledging the aspirations of the people, to further assist the Coalition Executive to establish a Implementation Committee to progress the regional aspirations for Greater Autonomy under a Management Committee comprising both Government Officials and Leaders; and</p> <p>3. Support Legislative changes necessary for the establishment of the new Body by 2016, repealing the Aboriginal and Torres Strait Island TSRA Act 2005.</p>
17 May 2016	<p>Ten Point Election Plan – One Boat Regional Governance</p> <p>Min. 16/05/7 Moved Cr. Gabriel Bani, Seconded Deputy Mayor Yen Loban</p> <p>“That Council re-affirm its position endorsed at its Council Ordinary Meeting held on 24 June 2014 that it supports the ‘Towards Greater Autonomy in the Torres Strait Region – One Boat.’”</p>
23 & 24 November 2017	<p>Governance Workshop – One Boat in Cairns</p> <p>Following the ongoing conversations between all Coalition partners regarding the November date for our next Coalition workshop TSIRC formally invited the TSRA Board or Governance Committee to join with them in Cairns on 23 and 24 November 2017.</p> <p>An independent facilitator, Dr William Sanders from Australian National University, had been approached to facilitate the two-day workshop. There is an agreement across Coalition members to share costs.</p>
11 December 2018	<p>Regional Governance in the Torres Strait</p> <p>During the Council Meeting held on 23 October 2018 at TRAWQ Hall, Torres Strait Regional Authority (TSRA) Chair Mr Napau Pedro Stephen AM and Secretary Consultant Mr Phillip Mills presented to Council the Torres Strait Regional Authority – Regional Governance in the Torres Strait.</p> <p><i>Mayor Malone tabled a copy of a letter dated 7 December 2018 from the Director General of Local Government Racing and</i></p>

	<p><i>Multicultural Affairs, Mr Warwick Agnew addressed to TSRA Chair Mr Napau Pedro Stephen AM.</i></p> <p>Min. 18/12/10 Moved Cr. Bani, Seconded Cr. Loban</p> <p>“That Council acknowledge (1) the letter from the Director General of Department of Local Government Racing and Multicultural Affairs and (2) that Council defer the discussions pending the integrated discussions on the One Boat and proposed Regional Assembly for the Torres Strait.”</p>
19 February 2019	<p>Torres Shire Council – 2019 Federal Government Election Plan</p> <p>Ten Point Election Plan - Point 1-1</p> <p>AUTONOMY IN THE TORRES STRAIT – ONE BOAT</p> <p>Details and Overview tabled for Council’s deliberation and approval.</p> <p>TORRES SHIRE COUNCIL seeks: The Federal Government’s commitment to progressing regional autonomy through the ONE BOAT governance model</p> <p>Min. 19/02/6 Moved Cr. Bani, Seconded Deputy Mayor Loban</p> <p>“That Council endorse the Ten Point Election Plan – Point 1-1 Autonomy in the Torres Strait – One Boat.”</p>
15 March 2019	<p>Min. 19/03/15 Moved Cr. Bani, Seconded Cr. Loban</p> <p>“That Council (1) endorse the Submission to the Queensland Government Point 1 Autonomy in the Torres Strait – One Boat, and (2) notes that further consultation will be conducted with the TSRA, TSIRC and NPARC on regional autonomy and One Boat.”</p>
12 August 2020	<p>Regional Governance Teleconference</p> <p>Background: On 12 June 2020, Chair Pedro Stephen requested a telephone link up with leaders to discuss a regional leadership forum on the progression of the Regional Governance. The last Elected Leadership forum was conducted at Thursday Island in 2014.</p>

Queensland Government Community Cabinet – Cairns 23 to 25 August 2020

The Queensland Government is hosting a Community Cabinet Meeting in Cairns on from Sunday 23 August until Tuesday 25 August 2020. Council is seeking deputations with relevant Ministers to progress the Matters under the current and revised 10-Point-Plan.

CHIEF EXECUTIVE OFFICER REPORT

Queensland Government Community Cabinet – Cairns 23 to 25 August 2020 – cont'd

Premier of Queensland - Hon. Annastacia Palaszczuk

- **All Shire Matters**

Member for Cook - Hon. Cynthia Lui

- **All Shire Matters**

Deputy Premier and Minister for Health - Hon. Steven Miles

- **TSC COVID-19 Expenses for Students Repatriation**
- **COVID-19 Second Wave - Torres Shire Council Response & Activation Plan**

Treasurer / Minister for Infrastructure and Planning - Hon. Cameron Dick

- **TSC COVID-19 Expenses for Students Repatriation**

Minister for State Development, Tourism and Innovation - Hon. Kate Jones

- **Tourism Infrastructure Development**

Minister for Transport and Main Roads - Hon. Mark Bailey

- **Shire Roads**
- **Horn Island Airport**
- **Rosehill and Quarantine Boat Ramp Extensions**

Minister for Housing and Public Works - Hon. Mick de Brenni

- **Housing Issues**

Minister for Employment and Small Business and Minister for Training and Skills Development - Hon. Shannon Fentiman

- **All Shire Matters**

Minister for Environment and GBR, Science and the Arts - Hon. Leeanne Enoch MP

- **Waste Management**

Minister for Local Government - Hon. Stirling Hinchliffe

- **TSC COVID-19 Expenses for Students Repatriation**
- **COVID-19 Second Wave - Torres Shire Council Response & Activation Plan**

Minister for Aboriginal and Torres Strait Islander Partnerships - Hon. Craig Crawford

- **TSC COVID-19 Expenses for Students Repatriation**
- **COVID-19 Second Wave - Torres Shire Council Response & Activation Plan**

Minister for Regional Development and Manufacturing - Hon. Glenn Butcher

- **Horn Island Airport**
- **Tourism Infrastructure Development**

CHIEF EXECUTIVE OFFICER REPORT

Torres Shire Council Submission to the Queensland Government

Torres Shire Council's Submission to the Queensland Government builds on the issues of One Boat (autonomy and constitutional recognition), Home Ownership, the Horn Island Affordable Housing Project, Regional Tourism Development, Regional Transport Investment, Regional High Cost of Living, Low Rates Base – Reform and Equitable Returns, Torres Housing Transfer – Own Source Revenue, Disease Control – Waste Management and Investment in Shire Roads are all priority concerns for our Shire and our people.

Therefore, Council respectfully seek that the State Government support, in a real and meaningful way, Torres Shire Council's 10-Point Plan.

Current 10-Point-Plan as at April 2019	Revised 10-Point-Plan	Comments
Regional Governance in the Torres Strait – One Boat	Regional Governance in the Torres Strait – One Boat	Item remains a priority of TSC
Home Ownership and Land Tenure	Home Ownership – Lots and Proposed Outlays	Item remains a priority of TSC
Horn Island Affordable Housing Project	Horn Island Affordable Housing Project	Item remains a priority of TSC
Regional Tourism Development	Regional Tourism Development	Item remains a priority of TSC
Regional Transport Investment Shipping, Road, Air	Regional Transport Investment	Item remains a priority of TSC
Regional High cost of Living	Regional High Cost-of-Living	Item remains a priority of TSC
Low Rates Base – funding Shortfall	Low Rates Base – Reform and Equitable Returns	Item remains a priority of TSC
Torres Housing Transfer	Torres Housing – Own Source Revenue	Item remains a priority of TSC
Environmental Management	Disease Control -Waste Management	Item remains a priority of TSC
Crocodile Management	Investment in Shire Roads	Crocodile Management item is now resolved and replaced with Shire Roads

COVID-19 Second Wave - Torres Shire Council Response & Activation Plan

A COVID-19 Second Wave Response & Activation Plan has been developed by the Torres Shire Council to ensure risks and issues associated with the triggering of regional restrictions around a coordinated framework and its implementation.

Council sought the TSLDMG agreement and have identified the following trigger points as a pre-condition to the reintroduction to Stage 2 restrictions.

Torres Shire Council and the Queensland Government, in consultation with Aboriginal and Torres Strait Islander Communities, will continue to initiate emergency requirements determined under the relevant Acts by the Minister for Health, which aim to restrict people from entering designated areas as it is necessary to do so.

CHIEF EXECUTIVE OFFICER REPORT

COVID-19 Second Wave - Torres Shire Council Response & Activation Plan – cont'd

The Torres Strait Local Disaster Management Group (TSLDMG) agreed to the following trigger points as a pre-condition to the reintroduction to Stage 2 restrictions. The TSLDMG has requested that the Chief Health Officer (CHO) approve the below trigger points and authorise the reintroduction of Stage 2 restriction, when necessary.

	Level 1	Level 2	Level 3	Level 4
<i>COVID-19 Activity Indicators</i>	No cases in Cairns, TSLDMG area, NPARC LDMG Area and no cases from PNG Nationals presenting to Torres and Cape Hospital and Health Service (TCHHS) facilities.	Evidence of sporadic cases in Cairns, or local indigenous Cape communities, Weipa or cases in PNG.	Evidence of clustered cases in Cairns, or local indigenous Cape communities, Weipa or cases in PNG.	Evidence of community transmission, mass presentation of PNG Nationals to Torres and Cape Hospital and Health Service facilities.
<i>Restriction response</i>	Easing of restrictions, equivalent to the rest of Queensland	Revert to Stage 2 Restrictions (Absent Cairns, Mareeba, Douglas & Tableland Shires) Remote Communities, under Chief Health Officer Direction	Revert to Stage 1 Restrictions Remote Communities, under Chief Health Officer Direction	CHO advice on community lockdown
<i>Date of implementation</i>	Date to commence 12 July 2020	5x Days	2x Days	Same Day

Roles and Responsibilities

The below Action Table identify some of the key Departments and Agencies inside the Torres Shire and their potential role in restriction being reactivated in response to further COVID-19 hotspots or outbreaks.

By who	What action	By what date
1 Torres Shire Council (TSC)	Makes representation to the LDMG who writes to the CHO to activate Stage 2 for Torres	Within 5 days of a confirmed COVID-19 Case in Cairns, or local indigenous cape communities, Weipa or cases in PNG.
2	Reactivate the Regional Register on website	Testing and Recommissioning once written activation to CHO is issued. Activated once Stage 2 active for Torres

3	QPS (Queensland Police Service)	Manage the Cairns & Horn Island Airport checks. Support security at the Rosehill Boat Ramp and support Border Force at the Seisia, Horn and Thursday Islands Ports Council-appointed security and cultural chaperones to manage the security of the Quarantine and Isolation Facilities. QPS to support Council-appointed security. QPS to manage the Horn Island Airport security	MOU between QPS and TSC required. TSC to notify QPS that CHO has been requested to restrict region. Once Stage 2 active for Torres
4	Queensland Health (QH) - inclusive of TCHHS	Responsible for Infection Control protocols and practices of any Quarantine and Isolation Facilities	MOU between QPS and QH/TCHHS required. TSC to notify TCHHS that CHO has been requested to restrict region. Commence responsibility of 'what action' once Stage 2 active for Torres
5	Australian Defence Force (ADF)	Responsible for supplementary security and safety support (if necessary) - inclusive of security of any Quarantine and Isolation Facilities as well as Horn Island Airport.	Arrangement between QPS and ADF Commence responsibility of 'what action' once Stage 2 active for Torres
6	Border Force (BF)	Responsibility for Security and Safety at Torres Straits Ports including Thursday Island and Horn Island (As required) Responsible for supplementary security and safety support - inclusive of security at Quarantine and Isolation Facilities as well as Horn Island Airport.	Arrangement between QPS and BF Commence responsibility of 'what action' once Stage 2 active for Torres
7	Torres Strait Regional Authority (TSRA)	Responsibility for Whole of Region support and communications inclusive of provision for additional Human and Financial Resources to Councils as required to ensure safe and compliant implementation of lockdown/restrictions.	MOU Between TSRA and TSC required. TSC to notify TSRA that CHO has been requested to restrict region. Resourcing once Stage 2 active for Torres
8	Department of ATSI Partnerships (DATSIP)	Responsibility for Whole of Region support and Communication inclusive of provision for additional Human and Financial Resources to Councils as required to ensure safe and compliant implementation of lockdown/restrictions.	MOU between DATSIP and TSC required. TSC to notify DATSIP that CHO has been requested to restrict region. Resourcing once Stage 2 active for Torres
9	Torres Strait Local Disaster Management Group (TS-LDMG)	Coordinate disaster operations for the local group Report regularly to the local group about disaster operations. Ensure, as far as practicable, that any decisions of the local group about disaster operations are implemented.	TSC to notify TS-LDMG that CHO has been requested to restrict region.

Communication Plan

The below table summarises the preliminary communication schedule for a reactivation of regional restrictions:

Question	Response
Is there a Communication Plan in place to notify residents of any changes to the current COVID-19 situation? (Y/N) <i>e.g. cases in community, changes to entry restriction requirements</i>	<i>Torres Shire Council has a COVID-19 Communication Plan (Business Continuity Management Plan) Torres Strait Local Disaster Management Group has a Sub Plan A10 Public Information and Warnings</i>

Question		Response
How will information be disseminated to the community when there is a case?		<i>Torres Shire Council Face Book Page, Website, Email to all Councillors, Staff and Community Networks. Post Office Box Drop, Local TSIMA Radio, Local Notice Boards If an emergency situation arises, staff can call every listed business Door-to-door community notice drop off Local community network</i>
	By who?	<i>Mayor & Co-Chair TS LDMG – approves media release CEO & Deputy TS LDMG Coordinator - approves public notice, Council staff to deliver the messaging</i>
	Which media platforms?	<i>Media, Radio, Notice Boards Word by mouth Emails Facebook and Website Text Message using our Telstra Whispa System</i>
How will information be disseminated to the community when there is a widespread outbreak?		<i>Torres Shire Council Face Book Page, Website, Email to all Councillors, Staff and Community Networks. Post Office Box Drop, Local TSIMA Radio, Local Notice Boards If an emergency situation arises, staff can call every listed business Door-to-door community notice drop off Local community network</i>
	By who?	<i>Mayor & Co-Chair TS LDMG – approves media release CEO & Deputy TS LDMG Coordinator approves public notice, Council staff to deliver the messaging</i>
	Which media platforms?	<i>Media, Radio, Notice Boards Word by mouth Emails Facebook and Website Text Message using our Telstra Whispa System</i>

Min. 20/8/7 Recommendation:
Moved Cr. Loban, Seconded Deputy Mayor Bani
 “That Council acknowledges the CEO Report COVID-19 Second Wave - Torres Shire Council Response & Activation Plan”.

Carried

Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee - Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020

Mayor Vonda Malone, Cr. John Abednego, CEO and DGPS met with the members of the Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee including Member for Cook Cynthia Lui MP on Thursday 6 August 2020. Council tabled our submission on the Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020.

The policy objectives of the Bill are to recognise Ailan Kastom child rearing practice, establish a process for applications to be made for the recognition of the practice, and provide for a decision-making process that will establish the legal effect of the practice.

Committee Members present at the Thursday Island Parliamentary (public and private) Hearing today; Aaron Harper MP, Chair – Member for Thuringowa Ms Joan Pease MP - Member for Lytton Mr Michael Berkman MP - Member for Maiwar Mr Martin (Marty) Hunt MP - Member for Nicklin.

CHIEF EXECUTIVE OFFICER REPORT

Health, Communities, Disability Services and Domestic and Family Violence Prevention Committee - Meriba Omasker Kaziw Kazipa (Torres Strait Islander Traditional Child Rearing Practice) Bill 2020 – cont'd

The Committee also heard from witnesses during the parliamentary hearing and public hearing at TRAWQ Hall.

Growing Indigenous Tourism in Queensland Fund Expression of Interest

Minister for State Development, Tourism and Innovation, Hon, Kate Jones had called for Expression of Interest for the \$7 million Growing Indigenous Tourism in Queensland Fund as part of the Year of Indigenous Tourism to grow and support jobs for Aboriginal and Torres Strait Islander Queenslanders.

Torres Shire Council's Expression of Interest has been successful in progressing to Full Application in accordance with the funding guidelines. Council's application was for the maximum under the fund (\$1 million) towards the \$3.2 million required to deliver the Tourism Information and Business Centre Facility on Thursday Island.

Rescinding of Funding for Investigative Study by TMR towards the Thursday Island Boat Ramp

The Thursday Island Boat Ramp at Rose Hill suffers from significant congestion and spatial design issues, which pose a significant risk to Community.

On the 2 June 2020, the Torres Shire Council was pleased to receive formal approval from Transport and Main Roads (TMR) to fully fund further investigations, planning and design works for the Thursday Island Boat Ramp. This decision to fund Council has since been rescinded and no clear reason has been presented to Council.

Boat ramps numbers were holistically measured across the Local Government Area (LGA). The overwhelming number of the LGA's population is based on Thursday Island. For an island LGA, the analysis should have been divided between islands, landing sites and their respective ramps.

TMR reports do not consider landside area congestion – they are non-compliant and unsafe due to no formalised carparking, wayfinding and pedestrian/vehicular separation.

The usage of the landing facility as a commuter point between Islands (particularly Hammond) and the effects this has to the operation of the ramp itself has not been quantified (instead, it appears to have been intentionally omitted). Demand Assessment did not consider the high frequency of boat usage specific to the area.

Council Actions

Council has implemented significant strategic, financial and business initiatives by taking the first steps in analysing, identifying and raising this issue. A Preliminary Demand Analysis – Thursday Island Multi-purpose Maritime Facility (May 2020) which further details and articulates the background, need and justification for urgent investigations.

Min. 20/8/8 Moved Deputy Mayor Bani, Seconded Cr. Abednego
"That Council receives the report of the Chief Executive Officer".

Carried

TSC CORPORATE - CALENDAR FOR 2020

Event	Date	Venue	Attendees
OBON Japanese Ancestral	15 August	Cemetery	All Councillors & Executives
Ordinary Council Meeting	18 August	Council Chambers	All Councillors & Executives
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 July 2020;

- Statement of Comprehensive Income
- Monthly Profit and Loss Graph
- 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. 20/8/9

Moved Cr. Loban, Seconded Deputy Mayor Bani

“That Council adopt the Financial Reports for Comprehensive Income, Financial Position, Cash Analysis, Capital Grant Statement, Capital/Project Works Statement, Horn Island Airport and Quarry Financial Positions as presented as at 31 July 2020”.

Carried

Min. 20/8/10

Moved Deputy Mayor Bani, Seconded Cr. Loban

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

Carried

ENGINEERING AND INFRASTRUCTURE SERVICES REPORT

Water Conservation and Usage

Loggy Creek Dam volume	78.6%	1380 ML	as at 5th August 2020
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Dam Water Level is at 78.6% however practical capacity is at 57.5%

Torres Shire Council has implemented Level 3 Water Restrictions.

Dam water level has dropped -2.67% capacity over July 2020 (0.401m drop).

Township Usage – July 2020

Average Australian design water consumption is 500L per day.

Average Monthly Consumption	Megalitres	Population	Litres per person/ day
Horn Island Township	9.44ML	531	573
Thursday Island	55.8ML	2,938	613
Hammond Island	2.657ML	268	320

Major Capital Works Update

A report on the update and progress of the Major Capital Works is attached for Council information.

Min. 20/8/11

Moved Cr. Abednego, Seconded Cr. Loban

“That Council receives the report of the Director Engineering and Infrastructure 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, Manufacturing, 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 State's requested changes prior to the Council meeting in October 2020.

Thereafter, the following draft schedule is proposed, so that the Scheme may proceed to the consultation phase and final State Government approval:

- Council to consider the amendments to the Scheme and approval of a Scheme at its Ordinary Meeting of 20 October 2020: The following documents will be considered.
 - The consultation draft Planning Scheme;
 - The consultation draft Local Government Infrastructure Plan (LGIP); and
 - A Schedule for Public Consultation.
- Should Council approve the Scheme and LGIP, the public consultation phase will commence in mid-November and run until mid-January 2021. The public consultation will consist of:
 - Public notices in newspapers and at Council buildings and local community signboards;
 - Copies of the proposed Scheme being made available for inspection on Thursday Island, Horn Island, Prince of Wales Island and at Seisia as well as on Councils Website; and
 - Community consultation opportunities at Thursday Island, Horn Island, Prince of Wales Island and at Seisia, so that the community will have the opportunity to ask questions and/or clarify aspects of the scheme.
- At the conclusion of the consultation period, a submissions' paper will be prepared for the consideration of Council at its Ordinary Meeting in February 2021.
- Should Council approve the final draft Scheme and LGIP, the documentation will be presented to the State for approval in March/April 2021.

The above is presented for Council information

New Torres Shire Council Planning Scheme – Department of Housing and Public Works request for continuation of current zoning

As part of the State Interest Review of the draft Scheme the Department of Housing and Public Works (DHPW) has requested that the zoning of the below referenced lots on Horn Island remain as Residential instead of the proposed Industrial zoning.

In the current Planning Scheme, the properties are zoned for Residential purposes as shown hereunder.

GOVERNANCE AND PLANNING SERVICES REPORT

New Torres Shire Council Planning Scheme – Department of Housing and Public Works request for continuation of current zoning – Cont'd



The three allotments have been developed for residential purposes by DHPW with relatively new structures on the sites.



In the draft Scheme as currently proposed the sites are zoned industrial. The rationale for the zoning was to link the industrial land on Horn Island at the harbour and airport.



DHPW request that the three sites be retained with a Residential zoning as indicated in the current Planning Scheme. The rationale is to protect the current occupants.

DHPW furthermore request a buffer to the three properties to provide amenity to the residents. This buffer could be provided through the proposed road (shown in blue) to the east of the three properties and the retention of a Residential zoning to the single dwelling to the west (shown in yellow) of the three properties. DHPW and the single residence share a combined driveway in the form of an easement over both properties.



The future intent of Council to allow Industrial type uses to the north of Airport Rd will be entrenched in the Strategic Intent part of the draft Scheme clearly indicating that the properties namely three DHPW residential properties and the single residential property will over time be allowed to be developed for Industrial purposes should the use change.

GOVERNANCE AND PLANNING SERVICES REPORT

Animal Management

During May and June 2020 animal management compliance activities were significantly affected by the delay in obtaining the necessary pharmaceutical products (schedule 1 Narcotic), occasioned by the biosecurity restrictions. This obstacle has now been overcome and animal management compliance activities have recommenced. 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	nine (9)
Dogs euthanised	nine (9)
Cats impounded	eleven (11)
Cats euthanised	eleven (11)

A veterinary visit was conducted between 7- 9 August 2020 on Thursday Island. The visit was well attended with over fifteen consultations each day. Thirteen dogs were de-sexed.

Animal management and compliance remains a challenge for Council, particularly on Horn Island. An animal management officer has commenced work on Horn Island, which has enhanced the implementation of the TSC animal management plan.

The plan includes:

- community education and awareness sessions on Horn Island to advise of the need for dog and cat registration and the availability of veterinary assistance and de-sexing services;
- responsible dog and cat ownership;
- local law (animal management) enforcement to encourage registration; and
- local laws enforcement.

Leucaena Trees

Council Compliance Officers have continued to remove Leucaena Trees on Thursday and Horn Island.

Min. 20/8/12 Moved Cr. Loban, Seconded Cr. Abednego

"That Council receives the report of the Director Governance and Planning Services."

Carried

Adjournment: The meeting adjourned for Afternoon Tea at 3:24pm and resumed 3:44pm.

IN COMMITTEE

Min. 20/8/13 Moved Deputy Mayor Bani, Seconded Cr. Loban

"That Council go In Committee"

Carried

Time Commenced: 3:42pm

Regulatory Services Matter

Cr. Abednego 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 I am a Member of the 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.

IN COMMITTEE

Cr. Abednego declares a Conflict of Interest – cont'd.

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.20/08/14 Moved Deputy Mayor Bani, Seconded Cr. Loban

"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 is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter."

Carried

The Mayor directed that the DEIS, DCCS and Minute Secretary depart the Council Meeting during the In Committee Item Prince of Wales Update.

Departure: The DEIS, DCCS and Minute Secretary departed the meeting.

Min. 20/8/15 Moved Cr. Abednego, Seconded Cr. Loban

"That Council come out of In Committee"

Carried

Goods Island Helipad

Recommendation:

Min. 20/8/16 Moved Cr. Abednego, Seconded Deputy Mayor Bani

That Council resolve to extend the time for the completion of the construction under the Decision Notice dated 16 May 2017 in relation to IDAS 17/05 until 17 August 2021.

Carried

Community Hub

Recommendation:

Min. 20/8/17 Moved Deputy Mayor Bani, Seconded Cr. Loban

That Council resolves not to enter into a lease in the short term for the space at the Community Hub for the reasons outlined in this report for its limited library services; and that Council determines its library services after a report is received on the results of the community survey.

Carried

Regulatory Services Matter

Recommendation:

Min. 20/8/18 Moved Cr. Abednego, Seconded Cr. Loban

Council resolves:

(a) To propose to adopt *Local Law No. 6 (Aerodromes) 2020*, in terms of the draft circulated at Council's meeting ("**the New Local Law**");

(b) pursuant to section 257 of the *Local Government Act 2009* ("**the Act**"), to delegate to the Chief Executive Officer of Council its powers to:

IN COMMITTEE

Regulatory Services Matter – cont’d.

- (i) under section 29(1) of the Act, decide the public consultation requirements for the New Local Law and proceed with public consultation;
 - (ii) under section 29A of the Act, carry out State interest checks on the New Local Law;
 - (iii) under section 38 of the Act and section 15 of the *Local Government Regulation 2012*;
- A. decide how the review of the New Local Law for anti-competitive provisions (**“the Review”**) is to be conducted;
- B. identify the matters with which the Review of the New Local must deal;
- C. decide the consultation process and how the process is to be used in the Review.

Carried

KALT / Resumption

Recommendation:

Min. 20/8/19 Moved Deputy Mayor Bani, Seconded Cr. Loban

That Council delegates to the Chief Executive Officer the authority to settle the outstanding matter of the KALT costs of the resumption application.

Carried

Finance Report – Asset Revaluation

Recommendation:

Min. 20/8/20 Moved Deputy Mayor Bani, Seconded Cr. Abednego

That Council;

1. Endorse the current valuation of \$785,670 for inclusion in the financial statements for the year ended 30 June 2020; and
2. Endorse the accounting treatment proposed for a non-cash (expense) valuation adjustment in the Statement of Comprehensive Income after each allotment being deposited of.

Carried

Finance Report – Asset Revaluation

Recommendation:

Min. 20/8/21 Moved Cr. Abednego, Seconded Cr. Loban

That Council;

1. Accepts the valuation methods, indices and values attributed by “Australis” to Council assets
2. Endorse that no adjustment be made to the financial statements for the year ended June 2020 with respect to the revaluation
3. Endorse the adjustment of Lot Plan 82SP153363 in the financial statements for the year ended June 2020.

Carried

Council note that there were extensive discussions in In Committee about the Marine Safe Landing Facility and accordingly a Special Council Meeting was proposed to be held on Thursday, 20 August 2020 at Council Chambers at 11am.

GENERAL BUSINESS

Mayor Malone

Water usage projections for Torres Shire
Footpath in front of the IBIS Service Station is caving in
Front Honour Board to be updated
Group Photo for 2020 Councillors
Pot Holes at NAB Car Park

GENERAL BUSINESS

Mayor Malone – cont'd

Trucks on Douglas Street

Cr. John Abednego

Update on the Rosehill Seawall Project

DATE OF NEXT MEETING: Tuesday, 15 September 2020

CLOSURE: The meeting closed with a prayer Deputy Mayor Bani by at 6:11pm.

Confirmed this

day of

MAYOR

