I hereby give notice that an Ordinary Meeting of Council will be held on:

Date:	**Tuesday, 27 October 2026**
Time:	**9.00am**
Location:	**Torres Shire Council Office**
	68 Douglas Street - Thursday Island

AGENDA AND BUSINESS PAPERS

Ordinary Council Meeting

27 October 2026

MARY BANI
Chief Executive Officer

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ORDER OF BUSINESS

1. MEETING OPENED

1.1 Welcome and Opening of Meeting

1.2 Acknowledgement of Country

On behalf of all Councillors, the Mayor acknowledged the Kaurareg people, Traditional Custodians of the land on which we meet today, and paid respects to their Elders past, present and emerging.

2. ATTENDANCE, LEAVE OF ABSENCE AND APOLOGIES

2.1 Attendance

COUNCILLIORS

Cr Elsie Seriat OAM – Mayor
Cr. Toshio Nakata – Deputy Mayor
Cr. Gabriel Bani
Cr. Thomas Loban
Cr. Thomas Fujii

STAFF REPRESENATIVES

Chief Executive Officer – Mary Bani
Director Corporate and Community Services – Mary Deakin
Director Engineering and Infrastructure Services – Roger Naidoo
Director Planning, Projects and Environment – Ed Kulpa
Executive Assistant – Kimberley Yorkston

2.2 Leave of Absence and Apologies

3. CONDOLENCES / CONGRATULATIONS

A minute's silence will be observed as a mark of respect in memory of a deceased person or persons of our community and/or area of the Torres Strait.

4. DEPUTATIONS / VISITORS – NIL

NIL

5. DECLARATIONS OF INTEREST IN THE MATTER OF THE AGENDA

- Declaration of Prescribed Conflict of Interest of any Item of Business;
- Declaration of Declarable Conflict of Interest of any Item of Business;
- Councillors to review existing Registers of Interest and Related Parties Disclosures.
-

6. MAYORAL NOTIFIED MOTIONS

Nil

7. BUSINESS ARISING OR MATTERS FOR ACTION

7.1 Action Items from previous Ordinary Council Meeting

8. CONFIRMATION OF MINUTES

8.1 Confirmation of Minutes Special Council Meeting 15 September 2026

File Number	**BSC/Governance/ Reporting/ Executive Services Report/ 2026**
Author:	**Kimberley Yorkston, Executive Secretary**
Authoriser:	**Mary Bani, Chief Executive Officer**
Attachments:	**Minutes Special Council Meeting 15 September 2026**

RECOMMENDATION

That the minutes of the Special Council Meeting 15 September 2026 be confirmed

9. COUNCILLORS REPORTS

9.1 Councillor's Monthly Reports

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Cr. Elsie Seriat, Mayor**
Authoriser: **Ed Kulpa, A/Chief Executive Officer**
Attachments: **Cr. Elsie Seriat – Monthly Report**

SUMMARY
Councillors' monthly activity reports.

BACKGROUND/HISTORY
Each month the Councillors report on their external activities. An endorsement of the report is an endorsement of the attended and future activities. Not all activities will be listed in advance due to time constraints. Councillors who are unable to provide a written report will have the opportunity to provide verbal updates at the Ordinary Council Meeting.

LINK TO CORPORATE PLAN

Our Community
1.5 Our Reputation for Integrity and Services (PROVIDE)
A well-informed community with a great awareness of Council's achievements.

Our People
2.4 Our Organisational Alignment and Performance Planning (PROVIDE)
Council delivered strategic outcomes and is resilient and responsive to change.

Our Business
3.3 Our Governance (LEAD)
Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements.

CONSULTATION
As per Mayoral Report.

LEGAL IMPLICATIONS
Nil

POLICY IMPLICATIONS
Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)
Approved Operational Budget

RECOMMENDATION
That the activities contained in the Mayoral monthly report be endorsed by Council.

10. EXECUTIVE SERVICES REPORTS

10.1 Chief Executive Officer's Monthly Report

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Bani, Chief Executive Officer**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **CEO Monthly Report**

SUMMARY
Chief Executive Officer's monthly report.

BACKGROUND/HISTORY
Each month the Chief Executive Office reports on her external activities. An endorsement of the report is an endorsement of the attended and future activities. Not all activities will be listed in advance due to time constraints.

LINK TO CORPORATE PLAN
Our Community
1.5 Our Reputation for Integrity and Services (PROVIDE)
A well-informed community with a great awareness of Council's achievements.
Develop and implement a communication strategy.

Our People
2.4 Our Organisational Alignment and Performance Planning (PROVIDE)
Council delivered strategic outcomes and is resilient and responsive to change.

Our Business
3.3 Our Governance (LEAD)
Council maintain effective governance processes
- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
  - Maintain and meet audit requirements.

CONSULTATION
Various groups and community members as indicated in the attached.

LEGAL IMPLICATIONS
Nil

POLICY IMPLICATIONS
Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)
As per approved Operational Budget

RECOMMENDATION
That the activities contained in the Chief Executive Officer's monthly report be endorsed by Council.

10.2 Corporate and Community Services – Financial Report

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Dorene Riley – Finance Manager**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **Financial Statements – September 2026**

1. **Cash Position**
2. **Income & Expenditure-Airport**
3. **Income & Expenditure-All of Council**
4. **Revenue Graph - Actuals vs Budget**
5. **Expenses Graph – Actuals vs Budget**
6. **Statement of Financial Position**

SUMMARY
Presentation of the financial reports for the month of September 2026 as required under Section 204 of the *Local Government Regulation 2012*.

This report is presented for noting. The September 2026 actual operating result shows an operating deficit of **$2.37 million**, compared with the annual budgeted deficit of **$1.45 million**. The result is mainly driven by operating grants such as FAGs where the advance payment is generally received in June.

Attachment 1 - Cash Position
As at 30 September 2026, Council's net cash on hand was **$33.09 million**, an increase from **$31.65 million** in the previous month. Of this balance, $**33.5 million** is held as restricted cash, reserved for specific purposes including unspent grants, internally restricted funds, employee entitlements and provision for wages and creditor payments, totalling $5.08 million.

Attachment 2 - Airport Financials
Year-to-date airport revenue totalled **$2.39 million**, slightly higher than year-to-date budget by $**41,456.**

Annual to 30 September 2026 actual expenses amounted to $**1.31 million.**

The Airport QTC investment balance at the end of September 2026 is **$7.6 million,** an increase of $230,230 compared to the August balance.

Attachments 3, 4 & 5 - Whole of Council Financials, Revenue and Expenses Graphs

The net result, inclusive of capital grants, is a deficit of **$867,273**, compared with the YTD budgeted surplus of **$1.8 million.**

Total operating revenue year to date is **$7.28 million**, compared with the year-to-date budget of **$7.77 million**. The result is mainly due to the issuance of rates and charges negated by operating grant and subsidies where the advance payment is generally received in June.

Total operating expenses was **$9.66 million** for the financial year, compared with the year-to-date budget of **$9.22 million.** The result is mainly due to overspend in materials and services netted off by the underspend in employee costs.

Please note that the processing of accrual invoices is still in progress.

Capital Expenditure

The capital work in progress year to date expenditure amounted to $666,395 against an annual budget of $19.4 million.

Outstanding Debt Report

Category	**90day+**	**60days**	**30 days**	
Sundry Debtors	151,093	111,274	754,682	
Airport	116,324	11,766	48,843	
Total	**267,418**	**123,040**	**803,525**	**1,193,982**
Rates and Charges	**3 years +**	**2 years**	**1 year**	
	39,245	36,889	154,069	**76,133**
Interest outstanding			45,419	45,419
		Total outstanding debt		1,315,534

LINK TO CORPORATE PLAN

Our Business:

3.3. Our Governance (LEAD)

Council maintain effective governance processes

- Maintain best practice financial and risk management practices;
- Maintain policies, procedures, frameworks and register;
- Maintain and meet audit requirements.

Our Future:

4.1. Our Revenue Generation

Provide a sustainable Community

- Research and build a long-term approach to diversifying Council's revenue streams to support strategic planning imperatives and reduce reliance of rates income;
- Research, plan and implement an approach to securing funding for key elements of Council's accountabilities to ensure sustainability of service provision and asset maintenance.

CONSULTATION

- Executive Leadership Team
- Managers and relevant operational staff

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISKS)

Local Government Regulation 2012 Section 204, which states:

(1) The local government must prepare a financial report

(2) The chief executive officer must present the financial report –
    a. If the local government meets less frequently than monthly – at each meeting of the local government; or
    b. Otherwise – at a meeting of the local government once a month.
(3) The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

POLICY IMPLICATIONS

The following Council policies are relevant to the financial statements.

- Investment Policy
- Debt Policy
- Revenue Policy
- Procurement Policy

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The September 2026 actual operating result shows an operating deficit of $2.37 million, compared with the annual budgeted deficit of $1.45 million. The result is mainly driven by operating grants such as FAGs where the advance payment is generally received in June.

As at 30 September 2026, Council's net cash on hand was $33.09 million, an increase from $31.65 million in the previous month. Of this balance, $33.5 million is held as restricted cash, reserved for specific purposes including unspent grants, internally restricted funds, employee entitlements and provision for wages and creditor payments, totalling $5.08 million

RECOMMENDATION

That Council:

- Note the Financial Report for the period ended September 2026 as presented.
- Note the attachments for the period ended September 2026 listed as follows:
    1. Cash Position September 2026
    2. Income and Expenditure Airport September 2026
    3. Income and Expenditure all of Council September 2026
    4. Revenue Graph Actual vs Budget September 2026
    5. Expenses Graph Actual vs Budget September 2026
    6. Statement of Financial Position September 2026

10.3 Corporate and Community Services Report

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Deakin, Director of Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **NIL**

SUMMARY

The **Community Services function** of Council plays a vital role in enhancing the social wellbeing and cultural vibrancy of its unique remote communities. This department spearheads significant regional events which celebrate the identity of the region. It also manages a dedicated Community Grants Program, providing critical financial and in-kind assistance to local organisations, sporting groups, and individual initiatives that drive economic, cultural, and recreational development.

Operationally, the function is responsible for the upkeep and delivery of essential public infrastructure designed to improve the daily life of residents and visitors. This includes overseeing the library, multiple high-quality sporting facilities (such as the local swimming complex, indoor and outdoor gyms, and the Ken Brown Memorial Oval), and distinct agricultural initiatives like the Frog Gully Community Garden on Thursday Island and the Horn Island Aquaponics Garden.
Furthermore, this function covers customer service, records management, office management, community facilities access and assistance with staff housing.

Sport and Recreation Report
During the initial two quarter of the 2026-27 financial year, the Sports Complexes recorded strong community engagement, capturing a combined total of 7,115 entries across July, August and September (2,317 entries). This demonstrates a substantial growth trajectory compared to the same period in the previous year, which saw 6,668 in the first quarter 2025-26.

Attendance continues to be heavily driven by the Pool facility, which accounted for 3,732 visits, followed closely by a highly consistent Gym membership turnout totalling 2,848 visits.

The Torres Strait Community Sports and Recreation Program continues to support and deliver a range of activities and initiatives aimed at increasing community participation, improving health and wellbeing, and strengthening social connections across the Torres Strait.

Key activation programs and initiatives include:

- Strait Fitness Program (TI Sports Complex) featuring Boot Camp classes, Gentle Aqua Flow pool sessions, and Kids Active activities.
- After-School Sports and Recreation Programs delivered at the Horn Island Sports Complex on Tuesdays and Thursdays, providing structured physical activity opportunities for local youth.
- Community Elders Program, commencing on 30 October 2026 at Horn Island Sports Complex, in partnership with local service providers, promoting active, health, wellbeing, and social engagement.

- Community Sports and Recreation Small Grants Program, supporting high school students and community members travelling away to participate in sporting events, competitions, and representative opportunities.

These initiatives reflect Council's ongoing commitment to increasing access to sport and recreation opportunities, supporting community development, and promoting active and healthy Style.

Facilities Update – TI Splash Park

Please note that the TI Splash Park is currently non-operational and undergoing maintenance works. Team is working to address the required repairs and will provide further updates once the facility is ready to reopen.

TI Stadium Closure – Flooring Maintenance & Repairs
Please note that the TI Stadium will be closed from 7 November 2026 to allow for scheduled flooring maintenance and repair works.

The project is currently estimated to take 4-6 weeks to complete, subject to contractor progress and site conditions. Further updates will be provided as works progress and a reopening date is confirmed by Ed Kulpa.

Ongoing Work – WHS Site Compliance Project

TSC Sports Complex Team continues to progress the Work Health and Safety (WHS) Site Compliance Project across sport and recreation facilities. The project focuses on reviewing facility compliance requirements, identifying and mitigating potential risks, improving operational practices, and ensuring facilities continue to provide a safe environment for staff, contractors, user groups, and the wider community.

Key areas of focus include:

- Facility safety inspections and audits
- Risk identification and corrective actions
- Signage and operational compliance requirements
- Asset and infrastructure safety improvements
- Continuous improvement of workplace health and safety practices

This work forms part of Site KPI’s ongoing commitment to maintaining safe, compliant, and accessible sport and recreation facilities across TI and HI Sports Complexes.

STRAIT FITNESS

ME VS ME • CONSISTENCY IS KEY

4 WEEK FREE PROGRAM!

12TH OCTOBER – 6TH NOVEMBER

45 MIN SESSIONS
BODY WEIGHT + WEIGHTED

T.I SPORTS COMPLEX

ALL FREE

BYO

- Towel
- Mat
- Waterbottle
- Good vibes

TIMETABLE

MONDAY	6AM	BOOTCAMP
TUESDAY	5.45PM	BOOTCAMP
WEDNESDAY	7AM	AQUA FLOW OPEN TO ALL
THURSDAY	6AM / 5.45PM	BOOTCAMP
FRIDAY	6AM	BOOTCAMP
MONDAY	3.45PM	CHILDREN'S FITNESS SESSION

OPEN TO ALL FITNESS LEVELS!

For more information contact Tari on
Straitfitness4@gmail.com or 0488138988

This program is proudly funded by the Queensland Department of Sport through the Torres Strait Community Sports and Recreation Program (TSCSRP).

📲 Scan the QR code to sign up or register at the Horn Island Sports Complex.

⚠️ Please note: Adult supervision is required.

Come along, get active, have fun and connect with friends! 💪
This program is proudly funded by the Queensland Department of Sport Torres Strait Community Sports and Recreation Program (TSCSRP)

#HornIsland #YouthActivities #SportsAndRecreation #TorresShireCouncil #queenslandgovernment #GetActive



2 1

PROJECTS

Records Management System – CEO and I have been scoping out a new software program which can incorporate more functionalities with less resources. We have looked over Government Workflow which seems to be the best system suited for our Council; however, we will need to find $147k for this software.

MagiQ Software – (service requests) retire this module with MagiQ and replace with paid version of Snap, Solve, Send $10k for paid version.

- Currently continuing to use MagiQ Docs software, however we need to decide if we are to continue using this system and upgrade to a Cloud-based platform as the current version is outdated and we need another contract of $54k.

Bookings Software – on-going

- New project to scope early 2026, budget review to look at costs and what we can afford for on-line bookings.
  - Kalair McCarthur had completed some preliminary work.

Sport and Recreation Funding (5th year)

- Grant funding extended for another year.
- Funding will be made available to the community once received.
- 4th year of funding acquitted.
- First round of funding closed on the ?? of September and assessments are underway.

Library

- Visitors to the Library for September 2026 -132 persons
- Programs to commence soon
  - First 5 Forever
  - Pop – up library service (Horn Island) and other sites around TI
  - After School Care program
  - Elders program
- Excited to start planning the relocation of the Library to Loban Road Hall. Refurbishments are underway painting has been undertaken; we are waiting on the new kitchen and flooring replacement in November (contractor availability).

Awaiting outcome of unspent funding report to hopefully utilise funding towards relocation and resources for the library. We are keeping State Library up to date with our library services and what is happening.

Indigenous Literacy Day 2026 – Celebrated on Wednesday 2nd September 2026.

Theme**: Country is our Teacher**
Aunty Mavis did an amazing display to celebrate indigenous literacy which included storytelling (in language and english), singing nursey rymes (in language and english) and an activity involving a turtle. 2 community edlers were also present and engaged an throughtout the morning.


OUR ISLAND




Is this your egg?
OUR ISLAND
Athe




your egg?
Athe





STAFFING

- Reviewing current Customer Services / Admin positions to align with organisational structure to ensure better workflow and resourcing.

Vacancies

- Events positions currently being recruited, Alex, Catherine and Tanya are working together to ensure events services are still being undertaken.

FACILITY HIRE STATISTICS

Facility	Jan 26	Feb 26	Mar 26	Apr 26	May 26	June 26	July 26	Aug 26	Sept 27
ANZAC Park	0	0	0		9	1	0		2
Ken Brown Oval	10	11	16		30	33	25		10
TI Pool	2	17	20		3	4	7		1
TI Stadium	2	20	37		24	30	10		11
Loban Road Hall	9	15	11		14	20	9		16
Tamwoy Hall	12	11	16		11	8	9		20
HI Stadium	0	5	1		0		1		11
HI Conf. Room	2	0	1		5	8	6		9
Total	**28**	**79**	**102**		**96**	**104**	**67**		

Anzac Park

- Community function – Nor Smoke Program
- Multi-Cultural Festival

Ken Brown Oval

- KRL Rugby League Saturday games
- Local Football teams – training
- Drone Training
- Colour Fun Run
- Kiosk hire

TI Pool

- Lifeguard and Resuscitation training (School)

TI Sports Complex

- Volleyball
- Basketball
- Playgroup

Loban Road Hall

- Church Service
- First Aid Course
- School – offsite training

Tamwoy Hall

- Play group and After School Care
- Birthday Parties
- Shaving Party
- Tombstone Opening Feasting

Horn Island Sports Complex

- Stadium sports use
- After School Care Program
- Church Service
- Playgroup
- Meetings (internal and external)

Service Requests for September 2026:

7 Service Request for September (recorded)

- Blocked Drains
- Wheelie bins
- Water leak
- Blocked toilet
- Installation of safety equipment
- Overgrown grass
- Leaking tap (bus stop)

Local Fare Scheme September 2026

10 new Local Fare Scheme applications received.

HOUSING (has been handed over, MCCS still assisting where needed)

Housing is to move across to Dan (Manager Waste & Facilities) and admin officers have been assisting with maintenance and servicing requests. James and Saro assisting with the following.

- Staff Housing calendar/bookings
- Arranging cleaning of staff housing
- Staff housing, arranging repairs & maintenance

EVENTS

Multi-Cultural Festival 2026

Friday 18th September was vibrantly celebrated with a street parade/march from Island Stars to Anzac Park. It was great to see how diverse our community is and appreciated the community members who wore their traditional dress for the day. Many activities were undertaken painting (ceramic squares), weaving, screen printing of Multicultural Festival Day shirts, coconut husking, dance and music performances. Final performance by Joe Gaia was greatly appreciated to end the multicultural Festival.










UPCOMING EVENTS

- Finalise Recruitment – Events Coordinator
- Cruise Ships –
    - 2 December – Viking Orion
    - 16 December – Le Soeal
- Carols in the Park
- Christmas Lights competition
- TSC Staff Christmas Break-up 11th December at the TI Bowls Club.
- New Years Fire Works
- Australia Day 2027

MEETINGS WITH EXTERNAL PARTIES DURING THE MONTH

TSIMA – Multicultural Festival

State Library - Brisbane Branch

Kylie McArthur – Sports and Recreation QLD

TSIMA and Port Kennedy – Carols in the Park

LINK TO CORPORATE PLAN

Our community

1.4.1 Our Multi-Cultural Focus (LEAD)

Embrace and recognise the rich heritage and multi-culturalism of the region and promotes a strong, safe, friendly and connected community.

- Develop a multi-cultural strategy for the Shire
- Maintain annual calendar of events detailing major events and festivals
- Maintain International Sister City Relationship with Kushimoto, Japan

1.7 Our health Consciousness (FACILITATE)

Enhanced community health through provision of amenities, facilities and promotion of active lifestyle.

- Encourage usage of sport and recreation facilities
    - Support the delivery of health active programs

Our People

2.2. Our Qualified Staff (PROVIDE)

A well-qualified workforce with effective leadership

- Develop a staff Training and Professional Development Program

CONSULTATION

NIL

LEGAL IMPLICATIONS

NIL

POLICY IMPLICATIONS

The scoping of a new "Government Workflow" system ($147k) and the decision over whether to decommission or upgrade the outdated MagiQ Docs platform ($54k) directly tie into Council's **Records Management Policy** and state legislative compliance:

- **Public Records Act 2023 Compliance:** Under Queensland law, local councils must ensure public records remain secure, complete, and format-agnostic during system migrations. Abandoning records during system transitions is strictly illegal.
- **Data Migration Policy:** If Council decommissions an outdated system, a strict data migration framework must be drafted to safely transfer data without violating legal retention or privacy obligations under the *Information Privacy Act 2009*.

Sport & Recreation Funding Assessment: Since the first round of the 5th-year funding closed in September and assessments are currently underway, Council must strictly adhere to its **Community Grants Policy** and external state funding criteria. This guarantees merit-based equity, zero conflict of interest during appraisals, and an audit trail ready for future funding acquittals.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The council faces several unbudgeted or pending software expenses to upgrade or replace its existing outdated systems:

- **New Records Management System:** The council needs to secure **$147,000** to implement a new "Government Workflow" software system designed to save resources.

- **MagiQ Docs Upgrade:** The current software version is outdated. To continue using it and upgrade to a cloud-based platform, another contract costing **$54,000** is required.
- **Snap, Solve, Send:** Retiring the MagiQ service requests module and replacing it with the paid version of this application will cost **$10,000**.

Grant Funding and Potential Offsets

- **Sport and Recreation Funding:** The council successfully acquitted its 4th year of funding, and grant funding has been **extended for a 5th year**. Once received, these funds will be made available to the community.
- **Library Relocation:** Refurbishments (painting, upcoming kitchen, and flooring in November) are already underway for the Loban Road Hall relocation. The council is currently waiting on an **unspent funding report** with the hope of utilising leftover funds to help cover these relocation and resource costs.

RECOMMENDATIONS

That Council:

1. Receive and note the report

10.4 CCTV Policy v2

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Deakin, Director of Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **Draft Council Policy 1.9 (CCTV Policy V2)**

SUMMARY

This report recommends that Council adopt the updated Council Policy 1.9 (CCTV Policy V2). The policy has been fully revised to align with significant overhauls to Queensland's information privacy, public record keeping, and data breach notification frameworks. It establishes clear operational guidelines for existing systems and a transparent process for evaluating future camera installations.

1. Purpose and Authority

The purpose of this policy is to provide structured guidance on the establishment, operation, and maintenance of Torres Shire Council's Closed-Circuit Television (CCTV) system.

Under the Local Government Act 2009 (Qld), Council holds the statutory authority to do anything necessary for the good rule and local government of its area. This policy ensures that public surveillance activities are executed lawfully, transparently, and in strict compliance with the Information Privacy Act 2009 (Qld).

2. Key Operational and Information Requirements

The updated Version 2 policy introduces three critical enhancements to Council's public surveillance governance:

1. **Clarified Public Purpose:** Explicitly anchors the system's core purpose to community safety, asset protection, crime deterrence, and supporting law enforcement evidence-gathering.
2. **Standard Retention Loop:** Formalises a mandatory rolling **30-day automatic overwrite loop** for recorded data, ensuring compliance with state archival principles unless footage is flagged for legal holds or active law enforcement requests.
3. **CCTV Assessment Framework:** Mandates a rigid six-stage process (Appropriateness Review, Site Assessment, Stakeholder Consultation, Resource Identification, Decision/Notification, and Evaluation) before any new systems can be introduced to public spaces.

LINK TO CORPORATE PLAN

This policy directly aligns with the Governance, Leadership, and Community Safety pillars of the Torres Shire Council Corporate Plan. It ensures public space monitoring balances community well-being and security with a high-integrity, legally compliant approach to personal data protection

CONSULTATION

- Chief Executive Officer (CEO)
- Executive Management Team (EMT)
- Queensland Police Service (QPS) – Thursday Island Station
- Council IT and Workplace Health and Safety Officers

LEGAL IMPLICATIONS

This policy mitigates significant legislative compliance risks by removing references to repealed frameworks. It transitions Council operations to the Public Records Act 2023 (Qld) and integrates the Mandatory Data Breach Notification Scheme under Chapter 3A of the *Information Privacy Act 2009*.

This ensures Council fulfills its statutory duty to log and report any unauthorised access or data leaks to the Office of the Information Commissioner (OIC) immediately.

POLICY IMPLICATIONS

Upon adoption, Policy 1.9 V2 will govern all public space surveillance operations within the Shire. To maintain statutory currency, the policy locks in a mandatory 4-yearly review cycle, setting the next formal evaluation for October 2030.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

There are no immediate impacts on the current operational budget. For future expansions, Stage 4 of the integrated *CCTV Assessment Framework* legally mandates a comprehensive "whole-of-life" cost-benefit analysis (including deployment, data storage, and long-term maintenance) before a proposal can be brought to an Ordinary Meeting of Council for funding consideration.

RECOMMENDATIONS

That Council:

1. Receive and note the report provided by the Director Corporate and Community Services.

2. Adopt the revised *Council Policy 1.9 – CCTV Policy (Version V2)* as presented in Attachment 1.

3. Repeal all prior versions of Policy 1.9 (originally adopted 19 July 2022).

4. Authorise the Chief Executive Officer to implement necessary technical and physical controls to support the updated operational requirements.

10.5 Concealed Water Leak Remission Policy v2

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Deakin, Director of Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **Draft Council Policy 1.12 (Concealed Water Leak Remission Policy V2)**

SUMMARY

This report seeks Council's formal adoption of the updated Council Policy 1.12 (Concealed Water Leak Remission Policy V2). The policy has been fully modernised to bring it into strict compliance with current Queensland Local Government regulation 2012, establish clear eligibility protocols, and formalise robust financial delegations based on the dollar value of the remission credit.

1. Purpose and Authority

The purpose of this policy is to establish a structured, transparent, and equitable framework to alleviate the sudden financial burden imposed on ratepayers by infrastructure water leaks that were not readily detected.

This policy operates under the legislative authority of **Chapter 4, Part 10 of the *Local Government Regulation 2012 (Qld)***, which grants Council explicit autonomy to approve and apply remissions or concessions on utility charges.

2. Key Operational and Information Requirements

The revised V2 policy introduces critical governance controls to protect Council assets while supporting eligible ratepayers:

- **Explicit Scope:** Strictly limited to ratepayers with metered connections on Thursday Island and Horn Island.
- **Strict Frequency Caps:** Ratepayers are restricted to a maximum of **three (3) separate leak periods** per property to prevent abuse.
- **Independent Certification:** Claims require formal certification from a licensed plumber, supported by a tax invoice and payment receipt, or physical verification by a Council inspector for self-repaired leaks.
- **Defined Request Windows:** Requests must be formally lodged within **60 days** of receiving the water account.
- **Structured Financial Delegations:** Establishes clear financial tiers to streamline processing while maintaining Council oversight:
    - *Up to $1,000:* Authorised by the Director Corporate and Community Services (DCCS).
    - *$1,001 to $5,000:* Authorised by the Chief Executive Officer (CEO).
    - *Greater than $5,000:* Requires an Ordinary Meeting of Council resolution

LINK TO CORPORATE PLAN

This policy directly supports the Governance and Financial Sustainability pillars of the Torres Shire Council Corporate Plan. By implementing transparent eligibility grids and strict cap metrics, Council

balances compassionate community support with disciplined stewardship of municipal water infrastructure and public revenue.

CONSULTATION

- Chief Executive Officer (CEO)
- Finance Department / Revenue & Rating Officers
- Engineering and Infrastructure Directorate (Water Operations)

LEGAL IMPLICATIONS

Adopting this policy aligns Council operations with the Local Government Regulation 2012 (Qld). It cleanly replaces the repealed *Local Government (Finance, Plans and Reporting) Regulation 2010* referenced in Version 1.

The integration of clear monetary limits ensures that any write-off or credit action complies fully with Section 257 of the *Local Government Act 2009* regarding the formal delegation of administrative powers.

POLICY IMPLICATIONS

Upon approval, Policy 1.12 V2 will supersede all previous leak remission frameworks. The policy mandates a **4-yearly review cycle**, locking in the next scheduled governance evaluation for **October 2030** to ensure continued alignment with Queensland statutory updates.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

There are no new unbudgeted operational costs introduced by this framework. Remission credits will continue to be calculated against a property's verified **prior three-year Average Water Consumption** (excluding the current leaked volume).

All approved remission amounts will be absorbed within the existing budgetary allocations set aside for rate concessions and utility adjustments under the current operational budget, tracked through the internal water remission register.

RECOMMENDATIONS

That Council:

1. Receive and note the report provided by the Director Corporate and Community Services.

2. Adopt the revised *Council Policy 1.12 – Concealed Water Leak Remission Policy (Version V2)* as presented in Attachment 1.

3. Repeal all prior versions of Policy 1.12 (originally adopted 15 November 2011).

4. Direct the Chief Executive Officer to update Council's central Register of Delegations to reflect the newly established utility remission thresholds.

10.6 Credit Card Policy v2

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Deaking, Director Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **Draft Council Policy 1.10 (Corporate Credit Card Policy)**

SUMMARY

This report recommends that Council adopt the updated Council Policy 1.10 (Corporate Credit Card Policy V2). The document has been comprehensively reviewed to integrate rigid fraud-prevention mechanisms, explicit transaction parameters, and a highly transparent, multi-tiered independent approval workflow. These updates ensure full alignment with Queensland Audit Office (QAO) local government expenditure guidelines.

1. Purpose and Authority

The policy is to ensure effective controls, policies and procedures are in place with respect to the use of non-rewards corporate credit cards. The purpose of this policy and procedure is to control the use of corporate credit cards within Torres Shire Council (Council) and to ensure sound governance of expenditure incurred on behalf of Council.

While credit card usage is not a standalone legislated matter, the incurring of expenditure on behalf of Council is controlled by the Local Government Act 2009 (Qld) and the Local Government Regulation 2012 (Qld). This framework establishes the necessary administrative controls to guarantee Council resources are managed with integrity, transparency, and diligence.

2. Key Operational and Information Requirements

The revised Version 2 policy introduces strict operational controls to safeguard public funds and formalize processing steps:

- **Mandatory 4-Step Approval Pathway:** Implements a strict sequential workflow across the Cardholder, Finance Department, Line Manager, and an Independent Executive Authoriser.
- **Segregation of Executive Oversight:** Eliminates historical governance vulnerabilities by removing self-authorization. Credit card statements or missing receipt declarations executed by the CEO or Mayor must be independently audited by Finance and formally signed off by the Director Corporate and Community Services (DCCS).
- **Anti-Fraud and Misuse Protections:** Explicitly prohibits "transaction splitting" designed to circumvent standard procurement thresholds. Confirmed card misuse now triggers immediate card cancellation, internal disciplinary action, and a mandatory statutory referral to the Crime and Corruption Commission (CCC).
- **Defined Limits Architecture:** Clarifies that card caps represent strict maximum Monthly Credit Limits and explicitly details allowances for specific operational positions, including the Airport Manager.

LINK TO CORPORATE PLAN

This policy directly drives the Financial Sustainability and Accountable Leadership targets of the Torres Shire Council Corporate Plan. It ensures public funds are protected by automated administrative procedures that reduce financial risk, remove ambiguity, and maximize transactional transparency.

CONSULTATION

- Chief Executive Officer (CEO)
- Finance Manager
- Directors and Managers

LEGAL IMPLICATIONS

Adopting this framework aligns Council's procurement card oversight with standard public sector fiduciary duties. It ensures that credit card statements are backed by tax invoices that comply fully with *A New Tax System (Goods and Services Tax) Act 1999 (Cth)*, allowing Council to confidently claim valid Input Tax Credits (GST rebates).

POLICY IMPLICATIONS

Upon adoption, Policy 1.10 V2 will govern all corporate card purchasing actions. It incorporates a mandatory 4-yearly review cycle, locking in the next comprehensive policy alignment evaluation for October 2030.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

This policy does not alter existing budget limits or operational allocations. Card limits remain securely capped. Tightening the reconciliation timeline to 7 days reduces processing lags and directly improves Council's end-of-month cash flow accounting accuracy. The current corporate facility limit is set at $30,000. This policy requests an increase in the facility limit to $50,000 to enable an additional 4 cards to be allocated at lower limits as per the table below.

Position	Monthly Limit	Total value
Mayor	$5,000	$ 5,000
Chief Executive Officer	$10,000	$10,000
Director: • Projects, Planning and Environment • Engineering and Infrastructure Services • Corporate and Community Services	$5,000	$15,000

Manager: • Airport • Human Resources/ Work Health and Safety • Finance • Additional card	$2,500	
		$50,000

RECOMMENDATIONS

That Council:

1. Receive and note the report provided by the Director Corporate and Community Services.

2. Adopt the revised *Council Policy 1.10 – Corporate Credit Card Policy (Version V2)* as presented in Attachment 1.

3. Repeal all prior versions of Policy 1.10 (originally adopted September 2022).

4. Approve an increase in the corporate card facility from $30,000 to $50,000 in order to facilitate the Credit Card issuance as per the Corporate Credit Card Policy.

5. Direct the Finance Department to enforce the updated 7-day mandatory monthly reconciliation loop across all cardholders.

10.7 Horn Island Airport Conditions of Use v9

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Deakin, Director Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **Horn Island (Ngurupai) Airport Conditions of Use**

SUMMARY

The Horn Island Airport (HIA) Conditions of Use (COU) document acts as a legally binding framework. It outlines the mandatory operational, safety, security, and financial criteria that all aircraft operators, tenants, vehicle drivers, and airport users must adhere to when accessing HIA or Sadie's Beach Helipad.

The airport terminal is a public space where airport staff, contractors, and the traveling public interact. The COU directly incorporates Council's strict anti-discrimination, anti-bullying, and anti-harassment frameworks.

3. Purpose and Authority

- **Legal Enforcement:** Issued under the *Local Government Act 2009*, *Torres Shire Council Local Law No. 11 (Public Aerodromes)*, and *Local Law No. 1 (Administration) 2011*.
- **Implicit Acceptance:** Accessing or using HIA facilities constitutes automatic acceptance of these terms, whether or not a formal contract or signature is executed.
- **Chain of Command:** All operational communications must funnel through the Airport Manager in the first instance, protecting executive and elected members from direct operational disputes.

4. Key Operational and Information Requirements

- **Data Provision:** Regular Public Transport (RPT) and Charter operators must supply critical business details, insurance certificates, emergency plans, and ground-handling details before using the airport.
- **Mandatory Traffic Reporting:** Operators must submit accurate passenger, and flight counts within 7 working days of the end of each month.
- **Failure to Report Penalty:** If operators fail to provide monthly traffic data, Council will calculate invoices based on 100% maximum seat capacity (or 70% for "Other Operators" as detailed in schedules). Council will not enter adjustments until the penalised amount is paid.

5. Fees, Charges, and Debt Enforcement

- **Aviation and Passenger Tariffs**: Outlines fixed wing ($36.80/t), helicopter ($20.00/t), overnight parking, and strict passenger-movement fees linked directly to security screening infrastructure.
- **Audit and Compliance Rights:** Council retains the right to audit an operator's books. If an under-report of 5% or more is discovered, the operator must reimburse Council for the full cost of the audit. Privileges to self-report will be revoked for non-compliant operators.
- **Unpaid Dues Enforcement:** Grants Council the legal power to detain, relocate, or restrict aircraft and vehicles if fees are left unpaid. Arrears past 30 days accumulate 7% interest per annum compounded daily.

- **Financial Risk Mitigation:** Council may demand a Bank Guarantee or Bond from operators with a history of late payments or active debt collection.

6. **Insurance, Liability, and Risk Allocation**

- **Mandatory Coverage:** Operators must hold a minimum of AUD $20 million in public and products liability insurance. Failure to produce a Certificate of Currency allows Council to immediately suspend airport access.
- **Liability Exclusion:** To the furthest extent of the law, Council excludes liability for property damage, scheduling disruptions, or temporary airport closures.
- **Indemnity:** Users must fully indemnify Council against claims, deaths, injuries, or property damage caused by their airside operations, equipment, or staff negligence.

7. **Airside Safety and Public Local Laws**

- **Airside Vehicle Controls:** Drivers must hold an Airside Driving Authority and an annual Airside Vehicle Entry Permit. Escort fees apply for unpermitted or after-hours operations.
- **Hazard Prevention:** Grants Council powers to issue enforcement notices to neighbouring landholders to lop trees or dismantle structures breaching the Obstacle Limitation Surface (OLS) to protect flight safety.
- **Behavioural Thresholds:** Integrates zero-tolerance policies regarding workplace bullying, discrimination, or harassment for all terminal stakeholders, contractors, and users.

LINK TO CORPORATE PLAN

Our People (PROVIDE)

2.3 Our wellbeing

A WORKFORCE THAT IS SAFE AND HEALTHY

- Continue to achieve high standard of Workplace Health and Safety

3.3 Our Governance

Council maintain effective governance processes

- Maintain policies, procedures, frameworks and registers

CONSULTATION

After the Conditions of Use are adopted, Council will provide operators with written notice of the document. Council will also present the adopted Conditions of Use document to the Airport Stakeholders group.

LEGAL IMPLICATIONS

Relying solely on Local Laws regulates behaviour but fails to create a commercial contract. Not adopting a Conditions of Use document leaves the Torres Shire Council exposed to severe common-law liability, lacks an indemnity shield for catastrophic airside events, reduces airside security and safety and reinforces Council's legal leverage to forcefully recover bad debts, or penalise under-reported passenger data.

POLICY IMPLICATIONS

Without this document, Council lacks a policy mechanism to bind third-party commercial operators and handling agents to these specific Queensland human rights standards. This creates an inconsistent operational environment where Council staff are bound by human rights policies, but commercial tenant's airside are not contractually forced to mirror them.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Failing to adopt the Conditions of Use document creates severe financial and resource risks for Council, leaving it without a robust contractual framework to enforce its "user-pays" revenue model or protect internal staff.

Furthermore, it strips operational staff of immediate leverage to detain or restrict non-paying aircraft, forcing Council to exhaust heavy legal and court resources to recover debts.

Finally, lacking this formalized framework removes the administrative shield that redirects commercial disputes through the Airport Manager, over-exposing the Chief Executive Officer and Elected Members to direct operational lobbying and draining executive resources.

RECOMMENDATIONS

That Council:

1. Adopt the Horn Island (Ngurupai) Airport Conditions of Use

10.8 Enterprise Risk Framework Policy and Plan

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Director Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: 1. Enterprise Risk Management Framework
2. Enterprise Risk Management Policy

SUMMARY

This report requests the formal Council adoption of Version V2 documents. It notes that both were successfully endorsed by the Audit and Risk Committee (ARC) on 5 August 2025 under resolution ARC07/08/25 but were never presented to the Ordinary Council Meeting (OCM) for final adoption.

The Framework and Policy outline the newly established risk parameters, including **Zero Tolerance** settings for *Reputation, Workplace Health and Safety, Environment, Cultural Heritage, and Native Title*, and **Moderate Tolerance** for *Financial & Economic and Business Continuity* items.

LINK TO CORPORATE PLAN

Our Governance (LEAD)

Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements.

CONSULTATION

The Framework and Policy were endorsed by the Audit and Risk Committee (ARC) on 5 August 2025 under resolution ARC07/08/25

LEGAL IMPLICATIONS

Explicitly updates Council's governance framework from the outdated *AS/NZS ISO 31000:2009* standard to the modern ISO 31000:2018 standard. It references compliance with the *Local Government Act 2009* and *Local Government Regulation 2012*.

POLICY IMPLICATIONS

It also establishes that a mandatory "Risk Management" evaluation table must be embedded into all future decision-making memos.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

NA

RECOMMENDATIONS

That Council adopts the:

1. Enterprise Risk Management Framework and

2. Enterprise Risk Management Policy

10.9 Local Laws Review

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Director Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments:

SUMMARY

1. Purpose Authority

The purpose of this report is to seek Council's approval to undertake a comprehensive review update of Council's seven (7) Local Laws. Most of Council's core Local Laws and Subordinate Local Laws were enacted in 2013, making them over 13 years old.

Under Queensland's regulatory frameworks specifically governed by the *Legislative Standards Act 1992* and older provisions of the *Local Government Act 1993* local laws are subject to automatic expiration (sunsetting rules) if they are not explicitly reviewed, re-gazetted, or extended after a maximum period (typically **10 years**).

The **Local Law No7 Blasting** and **Local Law No.9 Jetties/Ramps** were modified back in 2003 and legally lapsed. Any old, un-reformed 2003 instruments that somehow survived sunsetting were legally superseded by the streamlined, two-tier system (*Local Laws* and *Subordinate Local Laws*) introduced under **Chapter 3, Part 1 of the *Local Government Act 2009***. *Local Law No. 7 (Blasting)* lost its validity; it was effectively overridden by modern, uniform state measures like the *Explosives Act 1999.*

In reviewing the Local Laws all but one (Local Law 5. Waste Management) are over 10 years old. Minor amendments have been made to some of the Local Laws since, including the recent changes, still in the process of being adopted, to prohibit smoking and e-scooters. However, the entirety of Council's Local Law framework has not been subject to a full review for more than a decade.

More recently, Council considered a review of its Aerodromes Local Law, but the proposed reviewed Public Aerodrome Local Law was never officially Gazetted and is deemed to still be an internal draft.

A statutory review and associated modernised replacement of the Local Law framework, is required to align Council's regulatory framework with contemporary community standards, operational requirements, the *Local Government Act 2009 (Qld)*.

This report provides a structured work program and a "back of the envelope" cost breakdown prepared by Council's legal provider.

Because this scope was not anticipated during the regular budget cycle, Council must approve a new budget allocation to fund the project through the upcoming quarters.

2. Key Operational Information Requirements

Age of Current Framework: Local Law Nos.

Number	Local Law	Subordinate	Enacted
	Cemetries	Yes	2012
1	Administration	Yes	2013
2	Animal Management	Yes	2013
3	Community Environmental Management	Yes	2013
4	Local Government Controlled Areas, Facilities Roads	Yes	2013
5	Waste Management		2018
11	Public Aerodromes	undated	

Regulatory Gaps: The current framework lacks adequate up-to-date integration for critical modern infrastructure, such as an updated **Aerodromes Local Law** to govern aerodrome airport activities smoothly.

Legal Support: A legal firm has been contacted to outline a proposal to complete the suite of updated instruments based on Model Local Laws, facilitate interactive workshops, manage anti-competitive reviews public notification processes.

WORK PROGRAM TIMELINE

Adopting the updated local laws within the 2026 calendar year is logistically unlikely due to reporting limits holiday closures.

Phase 1: Initiation and Drafting

- **Late October 2026**
  - Council approves the unbudgeted funding allocation.
  - Formal instructions current Local Laws are issued.
- **Mid-November 2026 (Within 3 weeks of start)**
  - Delivery **Draft 1** of the updated Local Laws Subordinate Local Laws (including the new Aerodromes Local Law).

Phase 2: Workshops and Initial Council Endorsement

- **Late November 2026**
  - **Workshops 1 and 2:** Two 4-hour interactive briefing sessions held with Councillors senior staff to review Draft 1.
  - Amendments Draft 1 to incorporate all workshop feedback.
- **December 2026 (Targeting ordinary Council Meeting)**
  - A report is tabled to Council.
  - Council formally resolves to propose the local laws approves the **Draft 1 Anti-Competitive Review**.

Phase 3: Public Consultation and State Review (Statutory Clock)

- **Mid-December 2026 – Late January 2027 (Minimum 1 Month)**
  - The mandatory **1-month public consultation period** opens.
  - Public notices are placed on Council's website in local media.
  - Drafting packages are sent away for State Interest Checks Ministerial reviews.
  - *Note: This period accounts for Christmas/New Year closure delays.*

Phase 4: Review, Final Adoption and Gazettal

- **Early February 2027 (Within 2 weeks of consultation closing)**
    - Review all community State submissions.
    - **Draft 2** is compiled, incorporating any required final alterations.
- **Late February 2027 (Targeting ordinary Council Meeting)**
    - A final report is presented to Council.
    - Council passes a formal resolution to **adopt the final Draft 2 Local Laws**.
- **March 2027 (Within 14 days of adoption)**
    - A notice is published in the **Government Gazette**.
    - Certified copies are provided to the Minister.
    - Council's website is updated with the fresh, updated laws, successfully closing the project.

LINK TO CORPORATE PLAN

This project directly links to the Governance Leadership priority areas of Council's Corporate Plan by ensuring regulatory transparency, statutory compliance with State frameworks, robust operational models that protect community lifestyles environment.

CONSULTATION

Internal Consultation: Full cross-directorate staff workshops are embedded into the work program.

External Consultation: The program allocates a mandatory minimum 1-month formal public consultation period State interest check phase to gather community ministerial feedback.

LEGAL IMPLICATIONS

The seven core Local Laws of Torres Shire Council were enacted in 2013 and are crossing into their 13th year of operation. Under **Section 54 of the *Statutory Instruments Act 1992 (Qld)***, regulatory instruments are subject to automatic 10-year sunset provisions to reduce unnecessary regulatory burdens.

Legacy items on Council's historical records, such as *Local Law No. 7 (Blasting Operations)* and *Local Law No. 9 (Jetties, Barge Loading Ramps and Boat Ramps)*, have effectively lapsed due to these statutory timelines, or have been rendered invalid under **Section 27 of the *Local Government Act 2009 (Qld)*** due to the operation of modern, overriding State frameworks.

Engaging a legal expert to execute this work program ensures Council maintains strict compliance with drafting requirements under **Section 29(5) of the *Local Government Act 2009*** and satisfies Fundamental Legislative Principles outlined in **Section 4 of the *Legislative Standards Act 1992***.

POLICY IMPLICATIONS

The project will lead to the wholesale amendment or replacement of Council's seven regulatory Local Laws Subordinate Local Laws. It will directly modernise enforcement options, public notification procedures, criteria used by authorised officers for animal control, waste compliance, local road management.

FINANCIAL RESOURCE IMPLICATIONS (BUDGETARY)

This project was **not budgeted for** in the current operational cycle. Funding must be allocated explicitly via a formal budget variation or mid-year budget review.

High-level cost estimation ranges between **$29,240 $38,980 plus GST** for professional legal fees. A **4% technology expense recovery charge** applies across professional fees, creating a true financial range of **$30,410 to $40,540 plus GST**.

In-person workshops physical public consultation attendance will incur extra outlays (flights accommodation) billed at cost.

RECOMMENDATIONS

That Council:

1. Approve the implementation of the comprehensive Local Law Review Project the proposed work program spanning late 2026 to early 2027.

2. Authorise the Chief Executive Officer to execute the project scope as detailed in the work program.

3. Approve a non-budgeted operational expenditure allocation of up to $50,000 plus GST to fund professional fees, technology charges, statutory processes, funded via a budget review.

10.10 Quarterly Budget Review

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Director Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **Quarterly Budget to Actual Report**

SUMMARY

Section 174 of the Local Government Regulation 2012 requires Council to prepare and adopt an Annual Operational Plan for each year and report on progress quarterly.

Elected members should approach the quarterly budget review by asking three fundamental, non-accounting questions:

- **Are we tracking on time and on budget** to deliver what we promised the community this year?
- **What significant, unexpected changes occurred** this quarter, and why?
- **Is our overall financial position safe**, or do we need to adjust our spending?

8. Purpose and Authority

In accordance with section 174 of the Local Government Regulation 2012 Council must prepare and adopt an annual operational plan for each financial year.

Council's Annual Operational Plan must state how the local government will progress the implementation of the Corporate Plan 2025-2030 during the period of 2026/27 financial year. A written assessment of Council's progress towards implementing the annual operational plan and will be presented to Council quarterly throughout the year.

9. Key Operational and Information Requirements

The process used to formulate the Operational Plan, and associated budget is as follows:

- Identify and determine which strategic actions are to be progressed during the 2026/27 financial year from the Torres Shire Council Corporate Plan 2025 – 2030 yet to be adopted by Council
- Review the relevant risk registers and risk treatment plans to determine prioritised actions to address identified risks.
- Review Audit reports to ensure that all items that have been identified have been considered.
- Consider other significant opportunities for improvement identified by the Executive Leadership Team in consultation with Managers.
- Consider any other key corporate deliverables.

LINK TO CORPORATE PLAN

3.3. Our Governance (LEAD)

Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements.

CONSULTATION

A copy of the Annual Operational Plan and Budget will be available on Council's website and Quarterly reviews will form part of Council publicly available agenda.

LEGAL IMPLICATIONS

Section 175 of the Local Government Regulation 2012 requires that the annual Operational Plan must:

1. be consistent with its annual budget; and
2. state how the local government will—
    2.1. progress the implementation of the 5-year corporate plan during the period of the annual operational plan; and
    2.2. manage operational risks; and
    2.3. include an annual performance plan for each commercial business unit of the local government.

In Queensland, deficit budgeting breaches core legislative expectations and triggers intensive independent scrutiny. Under the *Local Government Act 2009* (QLD) and the *Local Government Regulation 2012*, local councils are legally required to maintain **financial capital and infrastructure capital over the long term**. Spending more than they earn directly erodes this base.

POLICY IMPLICATIONS

Quarterly reporting on the implementation of the Plan and the budget will enable Council and the community to monitor and review progress of Council's annual operational plan and budget.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The Operational Plan sets out Council's objectives for 2026/27. The budget has been prepared to ensure that the resource utilisation is affordable and effective. This has been done in isolation as Council does not have an Annual Operating Plan for the 2026-27 financial year.

Council has budgeted for a deficit. Budgeting for an operating deficit in local government erodes financial reserves, increases long-term debt, and compromises a council's capacity to maintain community infrastructure and services.

RECOMMENDATIONS

That Council:

1. Receive and Note: The reports provided inclusive of a budgeted deficit of $5,791,414 an amount that is consistent with the actual deficit year to date of $2,340,543.

2. Authorise the Chief Executive Officer to revise the half yearly budget to eliminate the budgeted deficit.

3. Recognise in the absence of an Annual Operating Plan that Council cannot determine if they are able to deliver

4. Direct the Chief Executive Officer to finalise the Annual Operating Plan following the adoption of the Corporate Plan 2025-2030

10.11 Debt Recovery and Hardship Policy #1

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Deakin, Director Corporate and Community Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **1.19 Debt Recovery and Financial Hardship Policy V1**

SUMMARY

1. Purpose and Authority

This report seeks Council's formal adoption of the **NEW** Council Policy **1.19: Debt Recovery and Financial Hardship Policy** version 1 (Attachment A), alongside its operational instrument, the Application to Pay Rates by Instalments Form (Attachment B).

This framework establishes structural guidelines ensuring efficient outstanding debt control while protecting vulnerable community members via transparent hardship concessions under Section 257 of the Local Government Act 2009.

2. Key Operational and Information Requirements

The framework bridges statutory compliance with social equity by segmenting standard debtors from individuals experiencing valid, documented short-term financial distress. It explicitly sets an escalating collection path for commercial/standard accounts while immediately suspending active litigation or interest accrual for approved hardship applicants who maintain structured payment schedules.

LINK TO CORPORATE PLAN

3.3. Our Governance (LEAD)

- Council maintain effective governance processes
- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements.

CONSULTATION

Internal operational consultations were conducted extensively across the Corporate Services Directorate, the Revenue and Rates Department, and executive management. Legal structures were reviewed to guarantee complete alignment with state-wide local government debt guidelines and modern human rights legislation.

LEGAL IMPLICATIONS

The implementation of this policy strictly fulfills the legal mechanisms prescribed under the Local Government Act 2009 and the Local Government Regulation 2012 regarding the levying, collection, and recovery of overdue rates and charges. Furthermore, in accordance with the Human Rights Act 2019, proper consideration has been embedded to protect individual dignity and property rights throughout all enforcement stages.

POLICY IMPLICATIONS

Upon formal resolution, this comprehensive document completely replaces and supersedes any outdated debt recovery structures previously maintained by Council. It operates in parallel with, but does not override, Council's overarching Revenue Policy. Lease or license collection processes remain independently governed by their respective legal agreements.

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

While the policy permits the temporary freeze of interest charges and standard legal debt recovery actions for approved hardship applicants, it stabilizes Council's wider cash-flow pipeline by establishing predictable, enforced payment plans. It proactively mitigates the risk of unrecoverable long-term bad debt through structured early intervention. Administrative overheads required to handle applications will be fully absorbed within current budgetary allocations for the Revenue and Rates Department.

RECOMMENDATIONS

That Council:

1. Adopt and implement 1.19 – Debt Recovery and Financial Hardship Policy V1, effective immediately, superseding any prior instruments.

2. Approve the formal integration of the Application to Pay Rates by Instalments Form as the primary assessment mechanism for property owners seeking relief.

3. Delegate operational execution authority, including the suspension of interest and active collection actions during authorized relief windows, to the Chief Executive Officer and designated finance executives in accordance with Section 5 of the Policy.

10.12 Audited Financial Statements 2025/26

File Name **Audited Financial Statements 2025/26**

Author **Mary Deakin – Director Corporate and Community Services**

Authoriser **Mary Bani – Chief Executive Officer**

Attachments **Audited Financial Statements 2025/2026**

SUMMARY

1. Purpose and Authority

This report presents the Council's Audited Financial Statements for the financial year ended 30 June 2026 to Council for formal adoption. In accordance with statutory local government frameworks, Council is required to review, consider, and formally receive the audited statements along with the Independent Auditor's Report

2. Key Operational and Information Requirements

The external audit has been successfully concluded by the state audit office (or appointed contract auditors). The financial statements reflect a true and fair view of the Council's financial position, operational performance, and cash flows. Key highlights from the financial statements include stable liquidity metrics, targeted capital works execution, and adherence to operating budget parameters.

LINK TO CORPORATE PLAN

1.3. Our Governance (LEAD)

Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements.

CONSULTATION

Extensive internal consultation has occurred across all key directorates to compile and reconcile asset registers, operational ledgers, and commitments. Externally, closing discussions were conducted with the appointed External Audit Engagement Partner to finalize accounting treatments, disclosures, and management letter items.

LEGAL IMPLICATIONS

Council has a statutory obligation under relevant Local Government Regulations and Acts to prepare, audit, and adopt its annual financial statements within specified legislative timeframes following the close of the financial year. Failure to formally adopt these audited statements would constitute non-compliance with statutory fiscal deadlines.

POLICY IMPLICATIONS

The presentation and preparation of these statements conform completely with Council’s existing Financial Management Policy, Asset Accounting Policy, and professional accounting standards. Applying Council’s Risk Management Framework, this issue is categorized as a Low Risk administrative

and reporting item, given that a clean, unqualified audit opinion has been secured. (Note: A failure to adopt would elevate this issue to a High / Critical Risk due to regulatory breaches).

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

There are no direct negative budgetary or resource implications resulting from the adoption of this report. The external audit expenses have been fully accommodated within the Corporate Services approved operational budget for the 2025/26 financial cycle. The certified financial balances detailed within the attachments will serve as the baseline historical actuals for future long-term financial modelling and upcoming budget adjustments.

RECOMMENDATIONS

That Council:

1. RECEIVE and ADOPT the Audited Financial Statements for the financial year ended 30 June 2026, as attached to this report.

2. NOTE the Auditor's Closing Report issued by the Auditor-General.

3. AUTHORISE the Mayor and Chief Executive Officer to sign the formal financial certification certificates on behalf of Council.

10.13 Corporate Plan 2025-2030

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Bani, Chief Executive Officer**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **1. Corporate Plan 2026-2031**

SUMMARY

The purpose of this report is for Council to adopt the Corporate Plan 2026-2031.

BACKGROUND

In accordance with the *Local Government Regulation 2012*,
Part 2 Financial planning documents
Division 1 5-year corporate plan

165 Preparation of 5-year corporate plan

(1)A local government must prepare a 5-year corporate plan for each period of 5 financial years.
(2)A local government must adopt its 5-year corporate plan in sufficient time to allow a budget and annual operational plan, consistent with the corporate plan, to be adopted for the first financial year that is covered by the plan.

(3)A local government may, by resolution, amend its 5-year corporate plan at any time.
(4)A local government must discharge its responsibilities in a way that is consistent with its 5-year corporate plan.

166 5-year corporate plan contents
A local government's 5-year corporate plan must—
(a)outline the strategic direction of the local government; and
(b)state the performance indicators for measuring the local government's progress in achieving its vision for the future of the local government area; and
(c)include the following information for each commercial business unit—
(i)an outline of the objectives of the commercial business unit;
(ii)an outline of the nature and extent of the significant business activity the commercial business unit will conduct.

Please note the following:

- that the presentation of the Corporate Plan 2026-2031 to Council has been delayed due to management turnover since September 2025.
- The draft `Corporate Plan 2026-2031 was presented at Special Council Meeting, 5 August 2026 at which time the item was left on the table.

LINK TO CORPORATE PLAN

Our Business

3.4 Our Governance (LEAD)

Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements

LEGAL IMPLICATIONS

Section 165 – Local Government Regulation 2012
Preparation of 5-year corporate plan

POLICY IMPLICATIONS

N/A

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

N/A

RECOMMENDATION

That Council adopt the Corporate Plan 2026-2031 as presented.

10.14 Annual Report 2024-2025

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Mary Bani, Chief Executive Officer**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **1. Torres Shire Council Annual Report 2024-2025**

Background
The purpose of this report is for Council to adopt the Annual Report 2024–25, which includes the audited financial statements for the year ended 30 June 2025.

In accordance with the *Local Government Regulation 2012,* Section 182:
– (1) A local government must prepare an annual report for each financial year.
– (2) The annual report must be adopted within one month after the Auditor-General provides the audit report on the financial statements.
– (3) The Minister may extend this timeframe by notice.
– (4) The annual report must be published on the local government's website within two weeks of adoption.

Sections 183 to 190 of Division 3 of the *Local Government Regulation 2012* outline the specific information required to be included in the annual report.

Please note that presentation of the annual report to Council has been delayed due to management turnover since September 2025.

LINK TO CORPORATE PLAN

Our Business:
3.3. Our Governance (LEAD)
Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and register
    - Maintain and meet audit requirements.

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISK)
Section 182 to 190 – Local Government Regulation 2012
Preparation of annual report

POLICY IMPLICATIONS
N/A

CONSULTATION

- Executive Management

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)
There is a recurrent budget allocation for the preparation of the council annual report.

RECOMMENDATION

That Council adopt the Annual Report 2024-25 and the signed Financial Statements 2024-25.

10.15 Capital Works Program Report

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Ed Kulpa, Director Projects, Planning & Environment**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **Nil**

SUMMARY
The report outlines progress of Council's Capital Works Program up to 30 September 2026. The following covers engineering and infrastructure capital works for the Torres Shire Council.

Project Name	Funding Scheme	Budget ($ ex GST)	Remaining Funds ($ ex GST)	Comment
TI Cycleway Stg 4	DTMR	2,067,883	278,260	Anticipated finish mid-November
HI Landfill Stg 2	TSRA, CMIG round 3 18/19. CTG	8,200,000	7,982,131	Co-funding Secured through Closing the Gap ($7.2m)
TI Road work – unsealed roads	QRA REPA TSC.0031.2526G.REC	469,899		Works will be done by TSC road crew
HI Roadwork – unsealed roads	QRA REPA TSC.0031.2526G.REC	3,904,275		Project awarded
POW Island Road Works	QRA REPA TSC.0032.2526G.REC	808,708		Project awarded
Quarantine Boat Ramp – Cook ESP	MSQ, LGGSP 2024-28	395,000	-	Tender has been advertised by TMR. Potential tenderers visit site and inspect TSC rock supply.
Aplin Park Development	W4Q 2024-27	415,000	415,000	Concept and costing being developed for endorsement.
Roads 2 Recovery 2024-29	Roads 2 Recovery 2024-29	1,375,339	1,375,339	Application for Rose Hill / Waiben elevated zebra crossing in progress
Council Chambers roof Replacement	W4Q 2024-27	489,000	464,000	Investigation of material replacement works to match budget
TI Stadium sport court replacement	W4Q 2024-27	126,000	117,500	Council has opted for Helsinki Floor. Variation requests have gone through to funding body.

				Work is still scheduled for Oct/Nov start.
				Louvre replacement – proposed for in-house project
Torres Strait and Northern Peninsula Area Climate Resilience Officers	Department of Industry, Science and Resources	3,079,000	3,064,219	2 CRO's engaged. 3rd person interviewed, anticipated mid-November start
TI and HI infrastructure Planning	Residential Activation fund	695,810	593,175	Contractor engaged
Submarine line planning	Residential Activation fund	944,190	169,797	Contractor engaged
Cox Road Jump Up	QRA	5,644,685	5,644,685	Currently in design stage. Propose to be delivered early 2027
Victoria Parade Pavement	QRA	3,181,711	3,127,711	Tender awarded
Erub Court Pavement	QRA	987,427	961,427	Start date is postponed until October.
Milman Pavement	QRA	1,239,354	1,203,354	Tender awarded
Aubrey Parade Seawall	QRA	570,160	536,160	Tender documentation being prepared
Solar Panel Installation	Community Energy Upgrades Fund (CEUF) Round 2	447,331	447,331	Grant Agreement signed. Scoping and planning of work underway.

LINK TO CORPORATE PLAN

Our Community

1.5 Our Reputation for Integrity and Services (PROVIDE)

A well-informed community with a great awareness of Council's achievements.
Develop and implement a communication strategy.

Our People

2.4 Our Organisational Alignment and Performance Planning (PROVIDE)

Council delivered strategic outcomes and is resilient and responsive to change.

Our Business

3.5 Our Governance (LEAD)

Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements.

CONSULTATION

Executive Leadership Team
Stakeholder Funding Bodies

LEGAL IMPLICATIONS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

As per approved Operational Budget

RECOMMENDATION

That Council receives and notes the Capital Works Program Report for October 2026.

10.16 IDAS10-03 Currency Period Extension - Development Approval – IDAS 10/03 – Jon Mansfield c/ Gilvear Planning Pty Ltd – 1 Tom Street, Horn Island

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Reel Planning Pty Ltd C/- Ed Kulpa, Director PP&E**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **N/A**

SUMMARY

PROPERTY DETAILS	
Site Address	1 Tom Street, Horn Island
RP Details	Lot 1 on RP846845
Landowner	Jon Mansfield
Existing Use of Land	Accommodation unit development (stage 1 - 16 units and caretakers residence – complete and operational)
APPLICATION DETAILS	
Application No.	IDAS 10/03
Applicant	Jon Mansfield c/ Gilvear Planning
Approval Description	Extension Application Development Permit for Material Change of Use – Two stage accommodation building (24 x studio accommodation units) and Caretakers Residence (2 bedrooms) Stage 1 - 16 Accommodation units and Caretakers Residence Stage 2 - 8 Accommodation Units
Date Application Lodged	23 September 2026
Decision Due Date	21 October 2026
Council Meeting	20 October 2026

The subject site is situated on the corner of Tom Street and Miskin Street, Horn Island. The approved development has substantially commenced, with stage one, comprising of 16 accommodation units, caretakers residence, recreation BBQ area and associated sheds and carparking areas and perimeter fencing complete and operational. One cabin in Stage 2 has been constructed (not operational).



Figure 1 – Aerial of Subject Site (Qld Globe).

The applicant is seeking an extension to the currency period for a further twelve (12) months up to 10 December 2027.

The applicant has advised that the extension is to enable sufficient time to complete construction works for the final component of the development (8 units). The applicant advised the extension is required due to delays in obtaining technical survey advice, obtaining construction materials and labour. Stage 1, comprising of 16 accommodation units and the caretakers residence is complete and operational.

BACKGROUND/HISTORY

Approval history

The original application for a Development Permit for a Material Change of Use for an Accommodation Building (30 studio accommodation units) and a Caretakers Residence (2 bedrooms) was originally approved by Council in May 2010. In June 2013 Council approved a permissible change to the approval to introduce staging to enable fifteen (15) units and the caretakers dwelling to be constructed in the first stage and the remaining fifteen (15) units constructed in the second stage. The applicant paid the infrastructure charges applicable to the first stage in July 2013. An Operational Works approval was approved by Council in July 2016.

Council at its meeting held on 16 November 2021, approved a minor change to the development approval to undertake the development over three stages and minor changes to the approved plan of development.

A further minor change was approval by Council at its meeting held on 19 August 2025 to reduce the overall number of units to 24 over two stages.

Currency of approval

The original approval lapsing date was 10 June 2017. Prior to the lapsing the applicant applied for an extension to the relevant period under the *Sustainable Planning Act 2009*. Council approved the extension for a further four (4) years with the approval lapsing on 10 June 2021.

Prior to the application lapsing the applicant submitted a request for a further extension, which was approved by Council at its meeting held on 15 June 2021, the currency period was extended to 10 December 2023. This extension included the first automatic 6 month COVID-19 extension.

The Minister for Planning issued a further two (2) Extension Notices under COVID, 1 September 2021 (6 month extension) and 29 April 2022 (12 month extension) under section 275R of the *Planning Act 2016,* extending the currency period to 10 June 2025. Council at its meeting held on 15 April 2025 approved an eighteen (18) month extension, lapsing on **10 December 2026**.

TOWN PLANNING CONSIDERATIONS

An application to extend the currency period of a Development Permit is made under section 86 of the *Planning Act 2016*.

The application has been made prior to the lapsing of the approval, made by the owner and application fee paid.

In accordance with section 87(1) of the *Planning Act 2016* Council may have regard to the following;

87(1) When assessing an extension application, the assessment manager may consider any matter that the assessment manager considers relevant, even if the matter was not relevant to assessing the development application.

Assessment

The original application was lodged and assessed against the superseded *Torres Shire Planning Scheme 2007.*

The original application was Impact Assessable and subject to public notification. During the notification period two (2) submissions were lodged raising concerns regarding economics, density of development, impact on roads, impact on stormwater, car parking and provision of private and communal open space. These matters were addressed in the original Council report which recommended approval subject to conditions. The development of the site has been substantially completed for a number of years raising no concerns with the community awareness of the development and expectation the development would be completed.

The original development approval did not trigger a referral to any State Government referral agencies.

LINK TO CORPORATE PLAN

Our People

2.4 Our Organisational Alignment and Performance Planning (PROVIDE)

Council delivered strategic outcomes and is resilient and responsive to change.

Our Business

3.6 Our Governance (LEAD)

Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements.

CONSULTATION

Reel Planning Pty Ltd provided planning advice to Torres Shire Council
State Government Referral not required

LEGAL IMPLICATIONS

Not applicable

POLICY IMPLICATIONS

Not applicable

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Not applicable.

RECOMMENDATION

That Torres Shire Council approve the request to extend the currency period for the Development Permit for Material Change of Use – two stage accommodation building (24 x studio accommodation units) and Caretakers Residence (2 bedrooms) on land located at 1 Tom Street, Horn Island, formally described as Lot 1 on RP846845 for a further twelve (12) months until 10 December 2027.

10.17 IDAS26-04 Material Change of use and reconfiguring a lot - 58 Summer Street

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Reel Planning Pty Ltd C/- Ed Kulpa, Director PP&E**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **A – Proposed Plan of Development – Dual Occupancy**
B – Proposed Plan of Development – Reconfiguring a Lot
C – Infrastructure Charges Calculations

SUMMARY

PROPERTY DETAILS	
Site Address	58 Summers Street, Thursday Island
RPD	Lot 1 SP219773
Landowner	Adam James Fahey
Existing Use of Land	Dwelling House
APPLICATION DETAILS	
Application No.	IDAS26/04
Applicant	A & J Fahey Pty Ltd as Trustee for A J Homes Superannuation Fund c/ Gilvear Planning
Application Description	Development Permit for Material Change of Use (Dual Occupancy) and Development Permit for Reconfiguring a Lot (1 lot into 2 lots)
Council Meeting	20 October 2026
Decision Due Date	23 October 2026

The subject lot is an irregular shaped lot with existing development comprising a dwelling house located in the north-eastern portion accessed via a sealed driveway from Summers Street. The cut batter along the western side of the driveway is approximately 2m in height.

The current undeveloped portion is dominated by natural slopes towards the south-east varying from around 15º to 35º. The site is well vegetated.

The existing dwelling is serviced by reticulated water and sewerage and has access to electricity, and telecommunication services. There are no easements burdening the site.

Development in proximity to the site is characterised by residential uses comprising detached dwellings and units on residential zoned land to the east and south. The site adjoins larger vegetated reserve and community facility lots to the north and west.



FIGURE 1: Subject Site

The subject lot and adjoining Lot 4 SP219773 (56 Summers Street) were created from an earlier development approval for reconfiguring a lot (IDAS07/28, amended decision notice dated 23 September 2016). The approval was for 1 into 4 lots over a staged approval. Only stage 1 was carried out, creating one additional lot (subject site – Lot 1).

The existing dwelling house on the lot was subject to a development approval for material change of use (IDAS17/07, Decision Notice dated 29 June 2017).
This application seeks Council approval for an additional dwelling house on the lot, resulting in two dwellings on one lot (dual occupancy) and reconfiguration of the lot to subdivide the lot into two lots.

The applicant is seeking flexibility in how the development proceeds. While the consultant has indicated the landowner intends to undertake the construction of the dwelling house prior to the subdivision of the lot, the development conditions and infrastructure charges notice have been drafted to enable either development component to be undertaken first or only one component of the approval to be acted on.

Proposed Dual Occupancy

The proposed development comprises of two detached dwelling houses; the existing dwelling house and a proposed new dwelling accessed via the existing driveway.

The proposed new dwelling is an elevated dwelling comprising three bedrooms, living areas and deck on the upper storey and carparking and storage on ground level. The dwelling has

an overall height of 7.4 m and will require cut and fill to create a level building pad. The existing access driveway will need to be extended to provide access to the new dwelling.

The dwelling achieves a setback in excess of 20m from the road frontage and at minimum 4m setback from the common boundary with the adjoining lot.

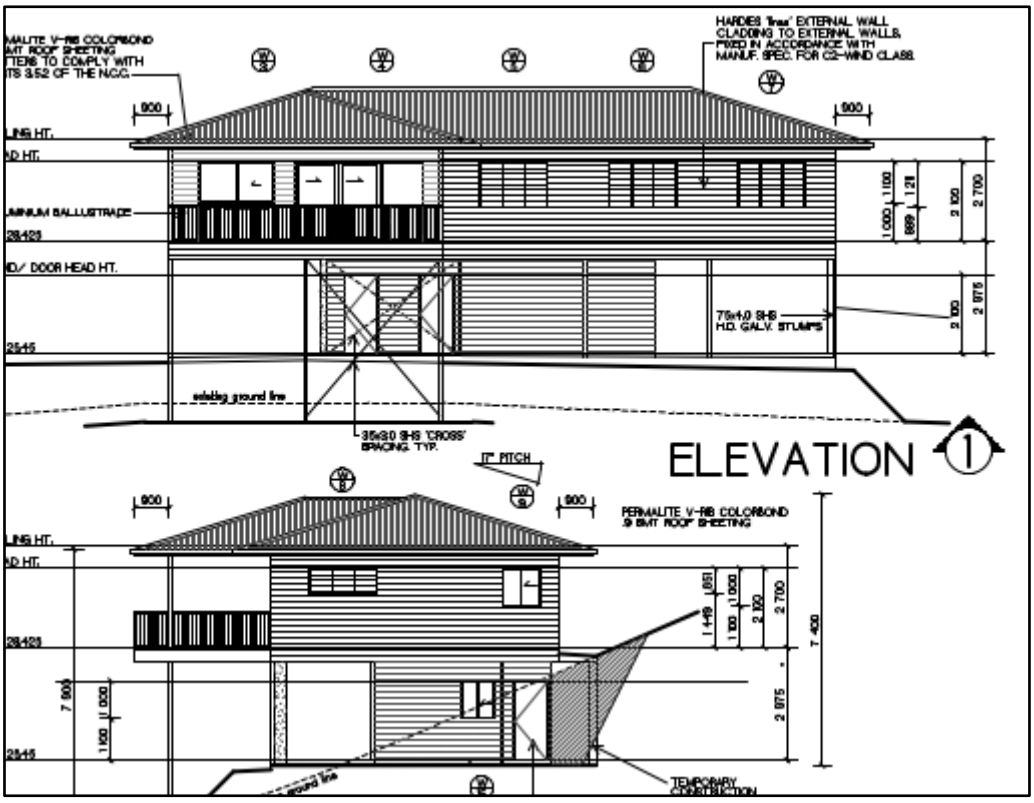


FIGURE 2: Proposed material change of use – new dwelling on proposed lot 1 (extract plans)

Reconfiguring a Lot

The proposal seeks to reconfigure the subject site into two lots. An easement over the existing driveway is proposed over lot 2 providing access to lot 1.

Proposed lot	Lot size (approx.)	Improvements
Lot 1	2,080m²	Vacant
Lot 2	1,590 m²	Existing dwelling house

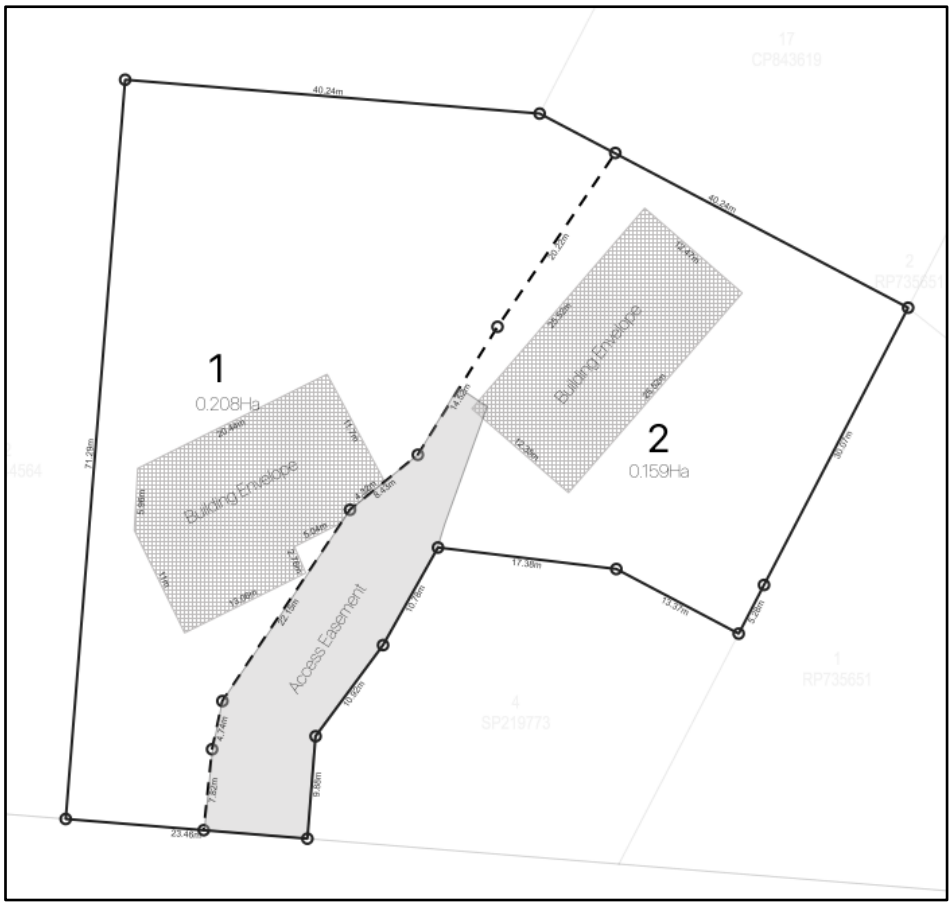


FIGURE 3: Proposed reconfiguring a lot – 1 into 2 lots (extract plans)

BACKGROUND/HISTORY

PLANNING ASSESSMENT

In accordance with section 45 (3) of the *Planning Act 2016*, Code Assessment is an assessment that must be carried out –

a) Against the assessment benchmarks in a categorising instrument for the development; and

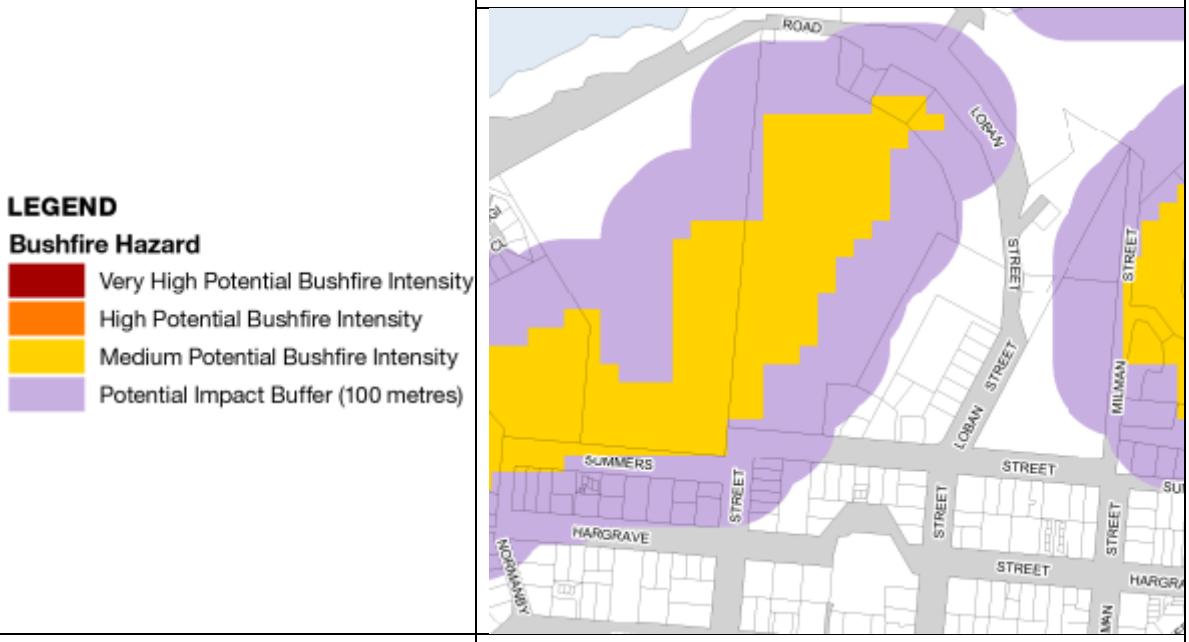
b) Having regard to any matters prescribed by regulation for this paragraph.

Pursuant to section 45 (3)(a) of the Act, the categorising instrument for the development is the *Torres Shire Council Planning Scheme 2022 (v1.0).*

Sections 26 and 27 of the *Planning Regulation 2017* prescribe additional assessment benchmarks and matters that must be considered in deciding a Code Assessable development application.

TABLE 2 – ADDITIONAL ASSESSMENT BENCHMARKS

Assessment Benchmarks	Comment
Schedule 9	Schedule 9 is not applicable as the application is not for building work under the Building Act

Assessment Benchmarks	Comment
Schedule 10	Not applicable. No referrals triggered.
Regional Plan	Not applicable. The Torres Strait and Northern Peninsula Area Regional Plan 2009-2029 is not a statutory plan.
State Planning Policy, part E	The current version of the SPP (July 2017) is reflected in the Planning Scheme. The subject site is mapped in very high and high potential bushfire mapping in the SPP. Refined bushfire mapping undertaken as part of the planning scheme (2022) designate the western portion of the site in the potential impact buffer.
	
Temporary State Planning Policy	There are no Temporary State Planning Policies.
Local Government Infrastructure Plan (LGIP)	This matter is addressed in a separate section of this report.
Any development approval for, and any lawful use of the premises, or adjacent premises	The development approval history has been considered in the assessment of the application.
The common material	All the material received about the application has been assessed and has informed the recommendation of this report.

5.1 TORRES SHIRE PLANNING SCHEME 2022

5.1.1 Land Use Zone

The subject site is located within the low-medium density residential zone.

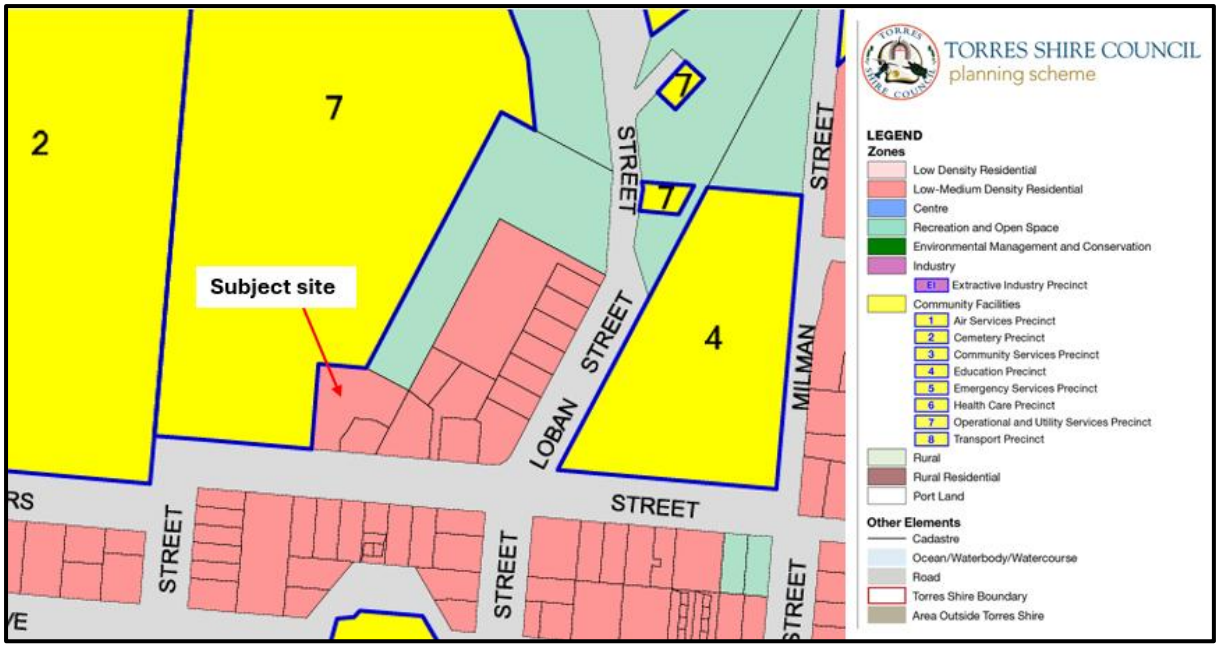


FIGURE 4: Extract of zoning map (Torres Shire Planning Scheme 2022)

5.1.2 Land Use Definition

The proposed development is defined under the *Torres Shire Planning Scheme (2022)* as:

> ***Dual Occupancy***
>
> *(a) means a residential use of premises for two (2) households involving –*
>
> *i. two (2) dwellings (whether attached or detached) on a single lot or two (2) dwellings (whether attached or detached) on separate lots that share a common property; and*
>
> *ii. any domestic outbuilding associated with the dwellings; but*
>
> *(b) does not include a residential use of premises that involves a secondary dwelling.*

The land use definition is generally consistent with the land use definition in Schedule 24 of the *Planning Regulation 2017*. The land use definition in the Regulation was amended to remove reference to household. In the case of any inconsistency the Regulation overrides the scheme definition.

5.1.3 Category of Development and Assessment

In accordance with the relevant categorisation tables, the category of development and assessment and applicable assessment benchmarks are identified in Table 3 and Table 4 below.

TABLE 3 – MATERIAL CHANGE OF USE PLANNING SCHEME PROVISIONS (Part 3 Categorisation Tables)

Zone or Overlay	Category of Development and Assessment	Applicable Assessment benchmarks – Merit Outcomes / Standard Outcomes
Low-medium density residential Zone	Code Assessable (MCU and RaL)	6.1.6 - Low-medium density residential zone 6.2.1 - Accommodation Activities 6.3.1 - Landscaping 6.3.2 - Parking, Access and Transport 6.3.3 – Reconfiguring a Lot 6.3.5 - Works, Services and Infrastructure
Airport Environs Overlay - Airport facility - Wildlife Hazard Buffer Zone – 8 kilometres	No change to level of assessment (MCU and RaL)	6.4.2 - Airport Environs Overlay Standard Outcomes
Bushfire Hazard Overlay - Potential Impact Buffer (100m)	No change to level of assessment (MCU) Code Assessable (RaL)	6.4.3 - Bushfire Hazard Overlay Standard Outcomes
Environmental Significance Overlay	No change to level of assessment (MCU) Code Assessable (RaL)	6.4.5 – Environmental Significance Standard Outcomes
Heritage Overlay - Indigenous Heritage High Risk Area	No change to level of assessment (MCU and RaL)	6.4.7 - Heritage Overlay Standard Outcomes
Potential and Actual Acid Sulfate Soils Overlay - Land above 5m AHD and below 20m AHD	No change to level of assessment (MCU and RaL)	6.4.8 - Potential and Actual Acid Sulfate Soils Overlay
Slope Stability Overlay - Moderate Risk Area	No change to level of assessment (RaL) n/a (MCU)	6.4.9 Slope Stability Overlay

5.1.4 Assessment Benchmarks – Standard Outcomes

A summary of compliance with the applicable standard outcomes of the relevant assessment benchmarks are identified in Table 4 below.

TABLE 4 – STANDARD OUTCOMES

Low-Medium Density Residential Zone (6.1.6)	Compliance ✓ / ✕ / NA	Standard Outcome Compliance Assessment
SO1, SO2 Building Height and Site Cover	✓	Building height of approximately 7.4 m complies with overall height provision of 12 metres and three (3) storeys. Development complies with maximum site coverage of 50%.
SO3 Front boundary setback	✓	Approx 20m front boundary setback complies with the required 6m setback.
SO4 – SO5 Side and rear boundary setback	✓	Dwelling house achieves compliance with minimum required setback of side boundary setback of 2.5m and rear boundary setback of 3m.
SO6 Building to boundary wall	n/a	
SO7 Building wall articulation	✓	
SO8 and SO 9 Building Design	✓	In summary it is considered that the proposed building has been appropriately designed and responsive to the character of the Thursday Island. The design achieves compliance with the Design principles in Planning Scheme Policy 1.
SO10 Landscaping	Can comply	The front boundary setback provides opportunities for landscaping along the front boundary. Existing vegetation is required to be retained.
SO11 Fencing	✕	***Assessment required against Amenity and Privacy Merit Outcomes*** Taking into consideration the size of the allotment, extent of vegetation and adjoining land uses, a 1.8m high screen fence along the boundaries adjoining community facility zoned lots is not considered reasonable or practical.
SO12-13	✓	Proposed lot sizes of 1,590m² (proposed lot 1) and 2,080m² (proposed lot 2) complies with the minimum lot

Reconfiguring a Lot – minimum lot size and frontage		size of 450m². Both lot frontages are greater than minimum frontage width of 15m.
SO14 Land Constraints	✓	Site is not identified as being subject to former mining activity.

Accommodation Activities (6.2.1)	**Compliance ✓ / × / NA**	**Standard Outcome Compliance Assessment**
SO1 Minimum lot size	✓	Subject site of 3,669m² complies with the minimum lot size of 800 m² for multiple dwelling.
SO2 Window height for habitable rooms within 3 m	n/a	
SO3 – SO4 Private open space	✓	Each dwelling house is provided sufficient areas of private open space.

Landscaping (6.3.1)	**Compliance ✓ / × / NA**	**Standard Outcome Compliance Assessment**
SO1-SO4 Landscaping	Can comply	The immediate area around each dwelling provides sufficient areas for landscaping. Existing vegetation is required to be retained.

Parking, Access and Transport (6.3.2)	**Compliance ✓ / × / NA**	**Standard Outcome Compliance Assessment**
SO1 Number of parking spaces	✓	In accordance with Table 6.3.2b, the prescribed carparking rate for a dual occupancy is one (1) covered space per dwelling and one (1) uncovered space per dwelling, requiring a total of four (4) spaces. Each unit is provided two covered spaces on the ground level. Designated visitor carparking spaces are not required for a dual occupancy.
SO2 SO3, SO6 Carparking design	Can comply	Carparking areas as sufficient size and dimension.
SO5, SO8, SO12 Vehicle Access	✓	Vehicle access to the site will remain from the existing access crossovers from Summers Street. The existing internal driveway will need to be extended providing access to the new dwelling house.

SO6, SO7, SO9 - SO11, SO13- SO20 Carpark location and access for other land uses	n/a	

Reconfiguring a Lot	Compliance ✓ / ✕ / NA	Standard Outcome Compliance Assessment
SO1	✓	Lot included in one land use zone
Infrastructure SO2	✓	Can comply – condition of approval will require structures and infrastructure to be wholly contained within each lot boundary.
SO3 Access easement	✕	***Assessment required against Reconfiguring a Lot Merit Outcomes*** The existing access driveway will provide access to both lots with rights protected under an easement. Taking into consideration the slope of the lot no concerns are raised regarding the shared access.
Setbacks SO4	✓	Refer boundary setback assessment in zone code assessment above.
SO5 – SO7 Access handle	NA	No rear lots created as part of this development.
SO8 New Road	NA	Proposal does not involve creation of new road.
SO9 Subdivision Design	NA	Does not relate to the creation of a new subdivision.

Works, Services and Infrastructure (6.3.5)	Compliance ✓ / ✕ / NA	Standard Outcome Compliance Assessment
SO1-SO2 Water and Sewerage connection	✓	Subject site is currently serviced by Council's reticulated water and sewerage infrastructure
SO3- SO5, SO13 Stormwater	Can comply	Lawful point of discharge is Summers Street. Compliance with the stormwater management plan will be required as a condition of approval. Works will require formalisation of drainage paths with concrete lining (as recommended in Geotechnical report),

		extension of the concrete driveway with kerbing to control stormwater, roof stormwater to be conveyed to lined drains or kerb and channel and subsoil drainage behind retaining walls.
SO6-SO7 Access to electricity and telecommunications	✓	Subject site currently serviced by connections to electricity and telecommunication services.
SO9-SO10 Amenity – lighting and screening	Can comply	Standard conditions regarding lighting compliance and screening of mechanical services.
SO08, SO11-SO12 Public assets	Can comply	Standard condition regarding no damage to existing infrastructure.
SO14- SO15 Access	Can comply	Existing access crossover will be utilised.
SO16, SO17 Reconfiguring a Lot and signage	n/a	
SO18 Refuse storage	✓	Adequate area on ground level for bin storage areas.
SO19-SO20, SO22 Retaining walls , Contaminated site	Can comply	Condition of approval will require retaining walls to be undertaken in accordance with the geotechnical report.
SO21 Filling and excavation	Can comply	Standard condition requiring erosion and sediment control plan and compliance with the stormwater management plan and geotechnical report.

Airport Environs Overlay (6.4.2)	**Compliance ✓ / × / NA**	**Standard Outcome Compliance Assessment**
SO1-SO6 Light restriction zone	n/a	
SO7-SO9 Building Restricted Area	✓	Complies with permitted maximum height limit.
SO10-SO12 Wildlife Hazard buffer zone (8 Kilometres)	n/a	Use does not involve land uses that attract wildlife.

Bushfire Hazard Overlay (6.4.3)	**Compliance ✓ / × / NA**	**Standard Outcome Compliance Assessment**
SO1, SO13, SO18	×	The entire site is located within the mapped Potential Impact Buffer (100m).

		Assessment required against Natural Hazards Merit Outcomes. A condition of approval will require compliance with the bushfire management plan submitted with the application. The proposed building envelope has been developed taking into consideration the required asset protection zone around the dwelling which will need be maintained and clear of vegetation.
SO2- SO12, SO14, SO15-SO16, Reconfiguring a Lot, lots greater than 2,000m², hard to evacuate uses, community infrastructure	n/a	
SO17 Water supply	✓	Development will be connected to Council's reticulated water supply.
SO20-SO21 Signage	n/a	Signage not applicable for a Class 1 building

Environmental Significance Overlay (6.4.5)	**Compliance ✓ / × / NA**	**Standard Outcome Compliance Assessment**
SO1 Vegetation clearing	×	***Assessment required against Environmental Significance Merit Outcomes*** A vegetation assessment has been submitted with the application confirm the site does not provide essential habitat for the identified species. The development will result in clearing of vegetation to facilitate the construction of the dwelling and associated access. A building envelope plan has been proposed in conjunction with the bushfire management plan limiting the area of vegetation to be cleared. A condition of approval will require a pre-clearance assessment to identify the presence of any fauna, habitat features or active breeding places.

Heritage Overlay (6.4.7)	**Compliance ✓ / × / NA**	**Standard Outcome Compliance Assessment**
SO4	×	***Assessment required against Heritage Merit Outcomes***

Development on Indigenous heritage high risk area		A desktop cultural heritage and native title assessment report was submitted with the application recommending due to the undisturbed nature of the site, formal consultation with Kaurareg People #3 and risk assessment management strategies. The requirement is reflected in a condition of approval.

Potential and Actual Acid Sulfate Soils Overlay (6.5.8)	**Compliance ✓ / ✕ / NA**	**Standard Outcome Compliance Assessment**
SO1 Management Plan	n/a	Development does not require extensive excavation.

Slope Stability Overlay (6.4.9)	**Compliance ✓ / ✕ / NA**	**Standard Outcome Compliance Assessment**
SO1-SO3, SO5, SO6, SO7, SO8, SO9 Slope Stability assessment	Can comply	A geotechnical assessment report has been undertaken as the site is mapped moderate risk area. The risk assessment determined the risk rate as very low and low. The report recommended the treatment of the existing cut batter along the western side of the driveway to limit further erosion and potential slumping., filling and excavation requirements, retaining walls, footing design and drainage measures. The geotechnical report was taken into consideration in the stormwater management report. Compliance with the report is reflected in a condition of approval.

5.1.5 Assessment Benchmarks – Merit Outcomes

In accordance with section 3.1(11) of the Planning Scheme non-compliance with a Standard Outcome requires an assessment against the applicable Merit Outcomes. The applicable Merit Outcomes are addressed in the table above. Overall, it is considered the proposal has adequately addressed the site constraints, can be appropriately conditioned, is a suitable use for the site taking into the consideration the constraints and achieves compliance with the specific and general merit outcomes.

5.2 Relevant Matters

There are no relevant matters to take into consideration.

LINK TO CORPORATE PLAN

Our People

2.4 Our Organisational Alignment and Performance Planning (PROVIDE)

Council delivered strategic outcomes and is resilient and responsive to change.

Our Business

3.7 Our Governance (LEAD)

Council maintain effective governance processes

- Maintain best practice financial and risk management practices
- Maintain policies, procedures, frameworks and registers
    - Maintain and meet audit requirements.

CONSULTATION

The proposed development application was subject to code assessment and statutory public notification was not required.

The application did not trigger a referral to the State Assessment Referral Agency (SARA) or any other agency under the provisions of the *Planning Regulation 2017*.

LEGAL IMPLICATIONS

Not applicable

POLICY IMPLICATIONS

Not applicable

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

The subject site is located within the Priority Infrastructure Area (PIA) and is not affected by mapped trunk infrastructure in the Local Government Infrastructure Plan (LGIP).

In accordance with the *Torres Shire Council Charges Resolution (No.1) 2022* the Infrastructure Charge for the proposed development is calculated to be a total of $30,677.65 irrespective of which component is acted upon first. Refer Attachment B for calculations. If the material change of use component (Part A) commences first and the charges paid, the infrastructure charges for the reconfiguring a lot component will be recalculated taking into consideration the additional credit, resulting in no charge.

RECOMMENDATION

a) That Torres Shire Council approves the application for a Development Permit for Material Change of Use for Dual Occupancy and Development Permit for Reconfiguring a Lot (1 lot into 2 lots) on land located at 58 Summers Street, Thursday Island, formally described Lot 1 SP219773, subject to the conditions of this report

b) That an Infrastructure Charges Notice be issued in relation to the development application seeking a Development Permit for Material Change of Use for Dual Occupancy and Development Permit for Reconfiguring a Lot (1 lot into 2 lots) at 58 Summers Street, formally described as Lot 1 SP219773.

c) The following reasons for the decisions are to be included in the Notice of Decision required under section 63(5) of the Planning Act 2016.
    i. The proposal is compliant with the assessment benchmarks and consistent with the Torres Shire Council Planning Scheme 2022.
    ii. The proposed lot is adequate size and dimension to accommodate a residential dwelling.
    iii. The proposed dwelling is appropriately designed and responsive to the character of Thursday Island.
    iv. The proposed development is consistent with the purpose of the low-medium density residential zone.
    v. The proposed development is unlikely to have an adverse impact on the amenity of the surrounding area.

10.17 Operational Works Program Report

File Number **BSC/Governance/Reporting/Executive Services Report/2026**
Author: **Roger Naidoo, Director Engineering and Infrastructure Services**
Authoriser: **Mary Bani, Chief Executive Officer**
Attachments: **Nil**

AREA	WORKS COMPLETED
1 Roads & Drainage	Line Marking Douglas street, Pearl Street Line marking Schools crossing (Ring Road) Line Marking Crossing depot road Line Marking Crossing Mairu Beach On-going maintenance
2 Parks & Gardens	Playgrounds fence/gate repairs • Bayo Beach • Anzac Park • Back Beach • Rose Hill (See Attached Photos) Playgrounds sand cleaning • Bayo Beach • Anzac Park • Back Beach • Rose Hill (See attached Photos) On-going maintenance
3 Street/Park Lighting	Solar Light Batteries delivered for ANZAC Park, Victoria Parade and Tamwoy Basketball Courts. Installation to be programmed
4 Airport	Fencing Works Installation of Regulatory Signs Perimeter road maintenance
5 Private works	Water Meter Connections
6 Boat ramps	Nil
7 Plant workshop	Servicing and Maintenance of Plant and Vehicles
8 Depot	Depot ground maintenance and house-keeping

9 Waste Services

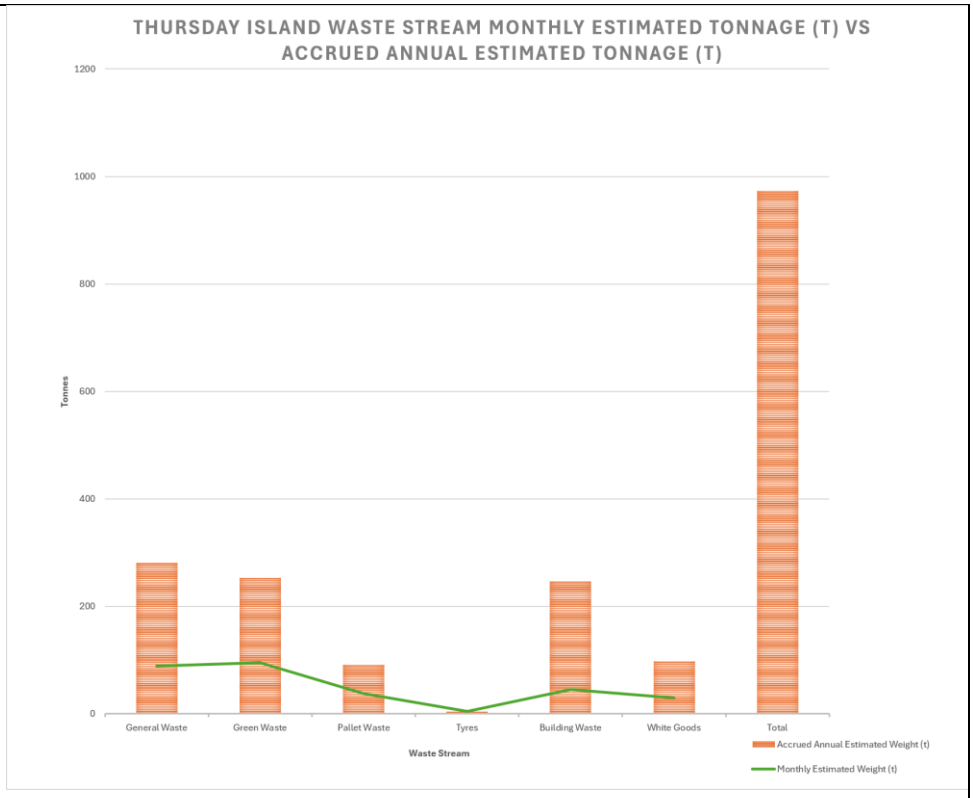
Thursday Island Transfer station (NB tonnage totals are approximations only calculated through industry standard conversion factors.)

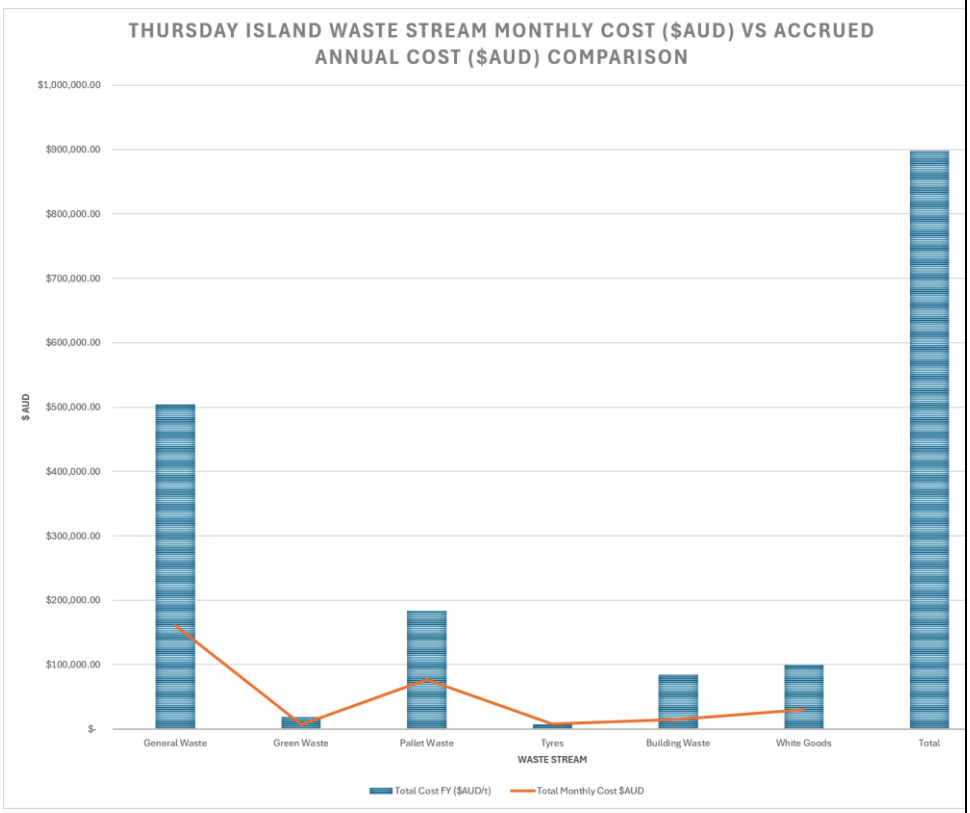
Financial year vs monthly waste volume and tonnage totals

Item	Total to date (FY)		Monthly Total (September26)	
	m^3	t	m^3	t
General Waste	2112	280.896	672	89.376
Green Waste	1024	252.928	384	94.848
Pallet Waste	480	91.2	200	38
Tyres	15	4.5	15	4.5
Building Waste	352	246.4	64	44.8
White Goods	195	97.5	60	30
Totals	**4178**	**973.424**	**1395**	**301.524**

Thursday Island Transfer Station Customer numbers

	Total FY	Monthly (September 26)
Transactions	TBC	TBC





Containers for Change

Diverted material COEX Project	Number of Containers counted (each)	Exported material (t)

	Total	1,231,205	51,528
	September 2026	55,662	0
10 Water Supply **Water**	Loggy Creek Dam Level 79.89% Level 1 Restriction		
11 **Sewerage Services**	On-going Maintenance		

12 Festivals – Department Support	Works Crew – Multi-cultural festival
13 Recreation/ Leisure/ Community infrastructure	Nil to report
14 Construction/ Maintenance	Repair Sit down area Victoria parade (see attached photos)
15 Disaster Management – support	Nil to report
16 Cemeteries - Maintenance	Works Crew – Grass cutting for 3 funeral preparation and 3 Tombstone opening





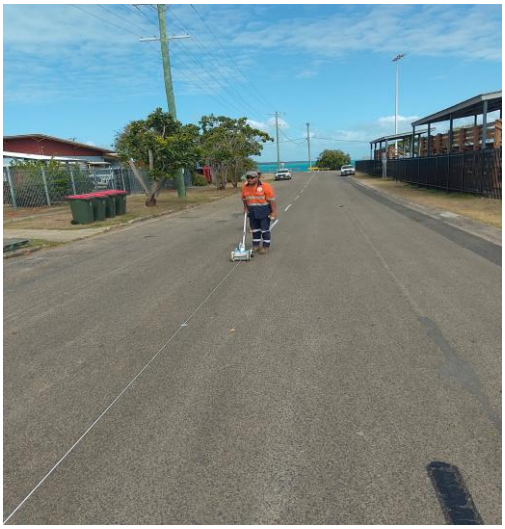





TOYOTA

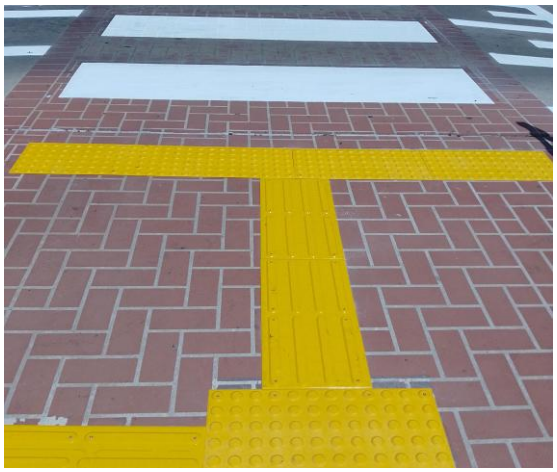















TOYOTA













10.18 Building Works and Improvements on Council Facilities And Housing

File Name	**BSC/Governance/Reporting/Executive Services Report/2026**
Author	**Daniel Barron Waste and Facilities Manager**
Authoriser	**Mary Bani, Chief Executive Officer**
Attachments	**Nil**

EXECUTIVE SUMMARY

Private Works

During the 2024/25 financial year inspections were carried out on Council facilities to determine the extent and level of maintenance required to improve and maintain life expectancy of buildings. The inspections revealed that there is a significant amount of maintenance work to be completed as well as programmed maintenance such as RCD testing and yard maintenance. The results of these observations for maintenance have been appended to this report. R&C Davi was engaged to start Works on these, as it was becoming more and more difficult to get Local Trades-people to do work exclusively for Council.

DISCUSSION

The following repairs have been carried out this financial year to date

- Step nosing and step tread repairs on most facilities
- 16 Summer Street
    - Rails and steps replaced
    - Landing replaced
    - Screen door repaired
    - Floor coverings repaired in front of the hall cupboard (minor – floor coverings lifting
    - Bathroom repair
        - New vanity and cupboard
        - New floor and wall tiles
        - Wall painted
        - New bath and shower screen
- CEO House refresh – completed
    - New paint throughout
    - Windowsills and window frame repairs in the downstairs room
    - Sliding door repairs
    - Deck repairs – in progress
    - New windows screens
    - Wall repairs
    - Louvre repairs
    - Roof and gutters cleaned
    - Outdoor step treads repaired and nosing attached
- H.I. Stadium refurbishment – 98 per cent complete – 1 door handle, signage and a couple of taps to finish
    - Removal of old partitioning

    - Removal of old doors
    - Removal of old sinks
    - Removal of old mirrors
    - Removal of soap dispensers and towel holders
    - Installation of new partitions through out
    - Installation of new handbasins, towel holders and soap dispensers
    - Repairs to the roller door lifting chain
    - Replacement floor coverings in the gym and storeroom
    - Replacement of doors and FFE
    - Painting throughout completed
    - Minor finishings need to be addressed – estimated completion 19 June 2026
- Airport manger's house landing repair – completed
    - Replacement post installed
    - New decking installed
    - Additional screws used for support beams
- AC fitment in the ARO office – completed
- TRAWQ hall refurbishment and building repairs – completed
    - Leaking roof in downstairs office area
    - Leaking roof in the ladies toilet
        - Ceiling repairs completed
    - Carpet removed and installed in upstairs offices
    - Painting completed in the upstairs area
    - Reception area refurbished
        - Walls repaired
        - Cupboards removed
        - New counter installed
    - Entry doors rehung with closers
    - New outside door fitted to the HR office
- Airport Kiosk – air curtain replacement – completed
    - New architraves installed around the ceiling
- Brown Donga refurbishment – completed
    - Roof repair
    - Electrical repairs
    - New lining on the bathroom walls and ceiling
    - Internal painting
    - New splash back on the sink
    - Cupboards installed above the fridge and stove
    - Soft spots in the floor reinforced
- Airport smoking area shelters – completed
- Airport Kiosk roof/ ceiling – completed
- Waste treatment plant roof
    - Materials delivered 11/8/26 and ready to commence
- Amenities for the TI Depot
    - All materials on island ready to commence
- KBO Kiosk, change rooms and library entry
    - Materials on island and ready to install
- AMAI Place

    - stainless steel table skins – and installed
    - Fencing installed with concrete entrance left to complete
- Transfer Station offices – building works completed
- CASA building repairs
    - Roller doors fitted and complete
-

The following work has been scoped and materials are on order

- Transfer Station Drop Shed roof
    - All materials on site
- CASA building repairs
    - Hand Rail to be ordered
- Airport generator shed
    - Materials on have been delivered
- Airport boundary fence
    - Materials on site ready for installation
- 14 Stephen street - work commenced
    - Materials on site awaiting appliances and kitchens being delivered WC19/10/26

The following has been inspected with material lists in progress for ordering

- 84A Hargrave Street – measured for materials
- Loban road hall – Painting completed
- Babcock Hanger

Facilities Inspections 2024/25

The below table indicates areas that require repairs and maintenance.

		Roof and associated areas					Painting		Internal Construction works							External Construction works												Storage Facilities			
Assets/Residences	Arrangement	Roof Cleaning	Roof rescrewing	Roof Resheeting	Roof Repairs	Gutters and facias	Internal	External	Ceiling	Walls	Floors and floor coverings	Internal Doors	Kitchen, benches and cupboards	Bathroom	Window Sills	Cladding	entry and exit doors	Frames and windows	Fencing	Landings and decks	Locks	Roller doors	Security screens	Sliding doors	Storm water management	Steps and access	Hardstands, Concrete areas	Available	Not Available	House Keeping	Notes
Housing																															
Utilities Managers house	Council Asset	✓	✓			✓	✓	✓									✓	✓			✓		✓			✓					External inspection only
Mechanical Managers House	Council Asset	✓			✓	✓	✓	✓	✓	✓											✓										External inspection only
Manager Engineering House	Council Asset	✓				✓	✓	✓							✓	✓	✓		✓	✓	✓		✓								External inspection only
Brown Donga	Council Asset		✓	✓		✓	✓			✓			✓	✓			✓				✓			✓							Completed internal refit
Green Donga	Council Asset		✓			✓	✓														✓										External inspection only
3/32 Hargrave Street	Lease						✓	✓													✓										Lease need to set up 6 monthly inspections and communicate issues with the leasor
16 Hargrave Street - Top Flat	Lease						✓	✓													✓										Lease need to set up 6 monthly inspections and communicate issues with the leasor
16 Hargrave Street - Bottom Flat	Lease						✓	✓													✓										Lease need to set up 6 monthly inspections and communicate issues with the leasor
16 Hargrave Street - Front House	Lease						✓	✓													✓										Lease need to set up 6 monthly inspections and communicate issues with the leasor
84A Hargrave Street	Council Asset	✓	✓		✓	✓	✓	✓			✓		✓				✓	✓	✓	✓	✓		✓	✓	✓	✓					Fencing; storm water from the roof running out under the house needd to add additional storm water pipes to an appropriate area; ramp has no rails; Deck railing don't meet NCC; step treads need replacing
84B Hargrave Street	Council Asset	✓	✓			✓	✓	✓		✓		✓			✓			✓		✓	✓			✓		✓					Internal paint; louvres handles; sills swollen; deck rotten out; holes in walls; screens to meet legilative requirements
2/27 John Street	Lease						✓	✓													✓										Lease need to set up 6 monthly inspections and communicate issues with the leasor
46 John Street	Council Asset	✓	✓				✓	✓													✓										Internal ok; louvres need to be replaced to decrease dust from external sources; repaint on the external; step treads need repair
48 John Street	Council Asset	✓	✓			✓	✓	✓													✓										deck and steps need repair; stumps cracked; gutter
2/53 John Street	Lease						✓	✓												✓	✓										Lease need to set up 6 monthly inspections and communicate issues with the leasor
17 Douglas Street	Council - New																			✓	✓										
14A Stephen Street	Council Asset				✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓								water damage; poor use of space; landing roof needs replacement; back enclosed area needs cladding and improvement; eaves need to be sealled; louvres need repairs; doors need repairs
14B Stephen Street	Council Asset				✓		✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	✓		✓								water damage; poor use of space; landing roof needs replacement; back enclosed area needs improvement; eaves need to be sealled; louvres need repairs; doors need repairs
11 Poruma Street	Council Asset						✓	✓													✓										
16 A Summer Street	Council Asset			✓	✓	✓								✓	✓	✓	✓	✓	✓	✓	✓		✓		✓	✓	✓					
16B Summer Street	Council Asset			✓	✓	✓								✓	✓	✓	✓	✓		✓	✓		✓		✓	✓	✓					
Facilities																															
TRAWQ Hall	Council Asset				✓		✓										✓	✓	✓	✓	✓					✓		✓		Needs improvement	
Sewer Treatment Plant	Council Asset			✓																											
Transfer station - Gate house	Council Asset		✓	✓	✓				✓	✓	✓	✓						✓												Needs improvement	
Transfer station - Drop Shed	Council Asset			✓	✓																								Needs improvement	
Transfer station - Recycling Shed	Council Asset																														
Rose Hill Boat Ramp Toilets	Council Asset																✓														
Sadi's Beach Toilets	Council Asset																✓														
Depot	Council Asset				✓				✓	✓	✓	✓	✓	✓		✓	✓	✓			✓	✓			✓		✓				Needs improvement and not sufficient	
Cooks Landing Toilets	Council Asset				✓									✓			✓														
Cooks Landing Kup Murray	Council Asset												✓						✓						✓						Sand neeeds replacement to remove contaminated soil; improved monitoring to remove pallet waste from the area so that it is not used for cooking. Stainless steel needs to be placed on the concrete tables to improve the ability to clean the surface.
Main Office	Council Asset		✓	✓	✓	✓																						Insufficient		Not in scope	
Loban Road Hall	Council Asset						✓	✓			✓	✓	✓	✓			✓											sufficient			
TI Stadium	Council Asset																											Insufficient		needs improvement	
TI Gym	Council Asset						✓				✓	✓	✓				✓													Not in scope	
Wasaga Depot	Council Asset																											Insufficient			
HI Stadium	Council Asset						✓																					Insufficient		needs improvement	
HI Stadium Outdoor Court	Council Asset																										✓				
Airport Terminal	Council Asset		✓		✓																										
Babcock Hanger	Council Asset		✓	✓	✓	✓			✓	✓					✓	✓		✓						✓	✓						
CASA Building	Council Asset						✓	✓	✓	✓										✓		✓			✓	✓					
Airport Shed and storage facility	Council Asset	✓			✓	✓										✓			✓		✓				✓						
Airport Offices and facilities	Council Asset		✓		✓		✓	✓																							
Airport Council Offices	Council Asset						✓	✓																							
Airport Manager's House	Council Asset	✓	✓				✓	✓												✓	✓					✓					
Airport Kiosk	Council Asset				✓				✓																						
Works Manager's House	Council Asset							✓																						Not inspected	
Airport Donga/residence	Council Asset																													not in use needs rebuild	

AMAI before











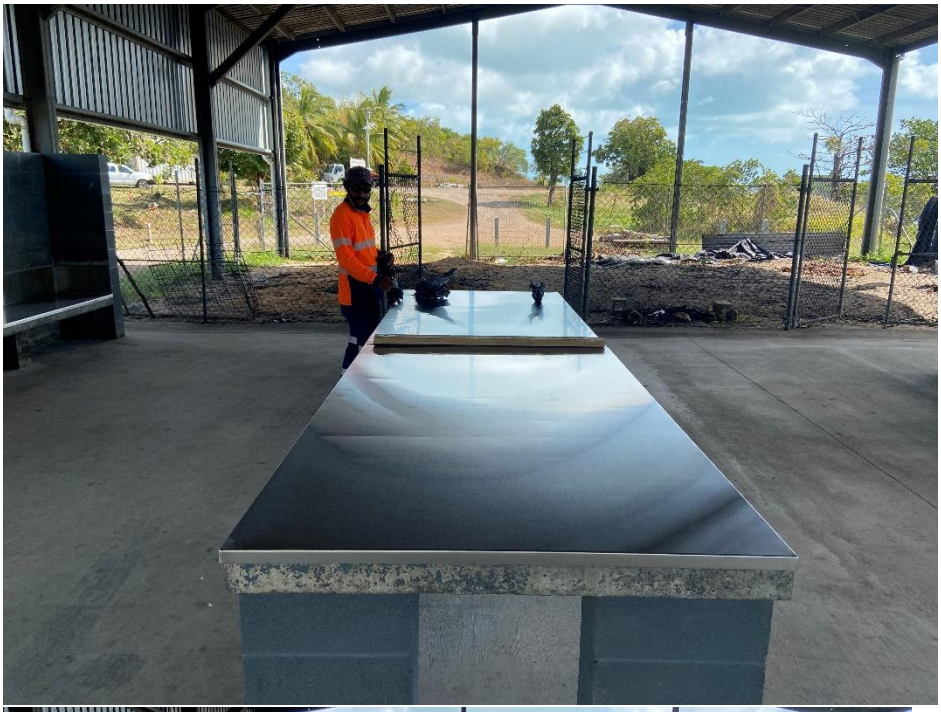




After











Transfer Station Containers for Change








DAIKIN
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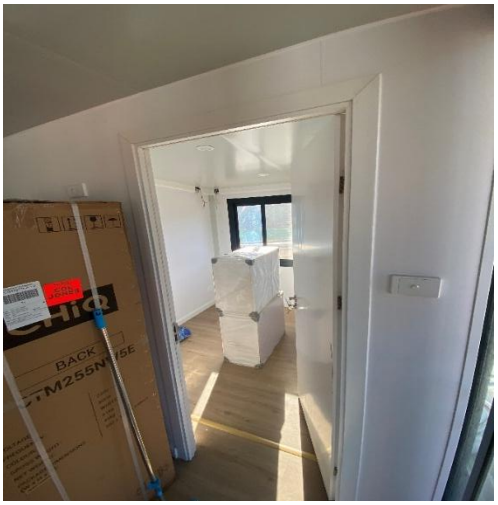
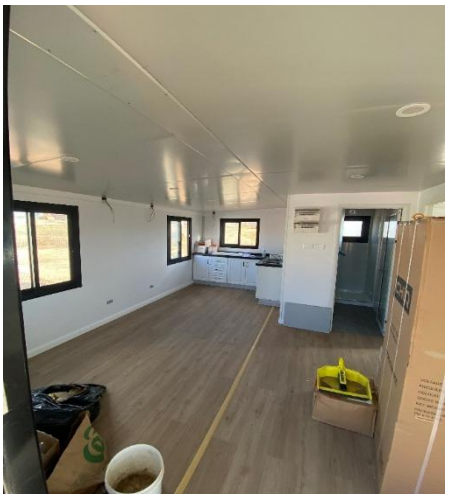
Transfer station Gatehouse

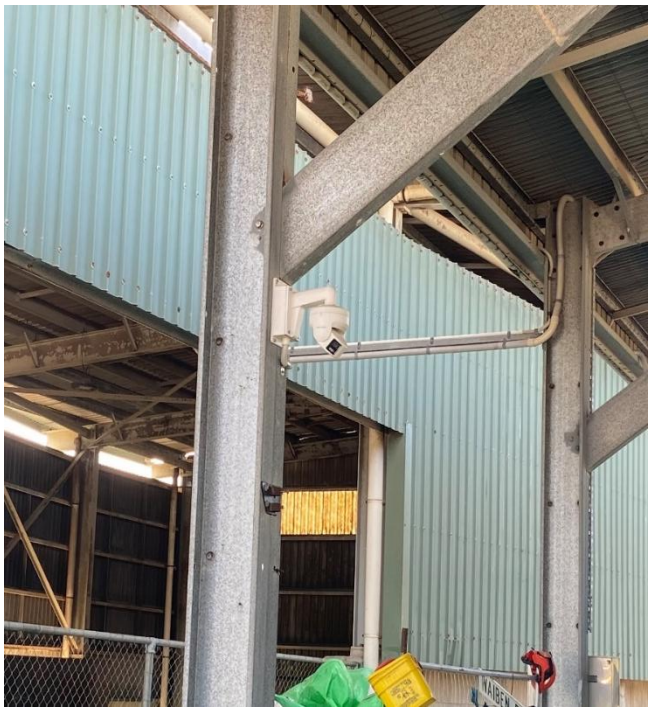


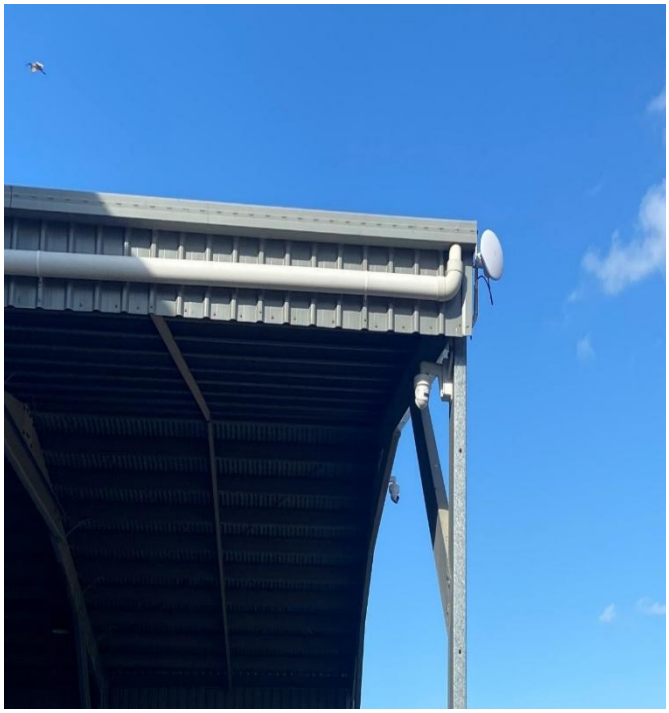













GIVE
WAY

LINK TO CORPORATE PLAN

Nil

LEGAL IMPLICATIONS (STATUTORY, BASIS, LEGAL RISK)

Workplace Health and Safety Legislation

- *Work Health and Safety Act 2011*

Work Health and Safety Regulation 2011

Building Act 1975

Building Regulation 2021

National Construction Code 2025

AS/NZS Australian Standards

POLICY IMPLICATIONS

n/a

CONSULTATION

Consultation for engagement was conducted prior to tender release on the best way forward for the following reasons

- Building value for money
- Improved time frames for start and completion on facilities maintenance
- Professional development of existing staff

FINANCIAL AND RESOURCE IMPLICATIONS (BUDGETARY)

Improved cost efficiencies have already been noticed in the purchase of materials and building costs.

RECOMMENDATION

That Council receives and notes the content of the Report.

11. LATE ITEMS

11.1 7.1 Action Items from previous Ordinary Council Meetings

11.2 9.1 Mayors Monthly Activity Report

11.3 10.1 CEO Monthly Activity Report

11.4 10. 7 Audited Financial Statements 2025/2026

11.5 10.10 Attachement 1. Quarterly Budget to Actual Report

11.6 10.13 Attachment 1. Corporate Plan 2026-2031

11.7 10.14 Attachement 1. Annual Report 2024-2025

11.8 12. 4 IN COMMITTEE 57 Summer Street Road Reserve update

11.9 12.5 IN COMMITTEE Attachment Strategic Capital Plan for Social Housing Amended

12. CONFIDENTIAL REPORTS

12.1 IN COMMITTEE - Presentation of Audit Risk Committee Minutes

This matter is considered to be confidential under s.254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that the discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the Local Government for which a public discussion would be likely to prejudice the interests of the Local Government.

12.2 IN COMMITTEE – Delegation Review

This matter is considered to be confidential under s.254J(3)(e) of the *Local Government Regulation 2012*, and the Council is satisfied that the discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the Local Government for which a public discussion would be likely to prejudice the interests of the Local Government.

12.3 IN COMMITTEE - Procurement and Engagement of suitable Cleaning Contractors for Council Buildings

This matter is considered to be confidential under s.254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that the discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the Local Government for which a public discussion would be likely to prejudice the interests of the Local Government.

12.4 IN COMMITTEE - 67 Summer Street – Road Reserve Purchase

This matter is considered to be confidential under s.254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that the discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the Local Government for which a public discussion would be likely to prejudice the interests of the Local Government.

12.5 IN COMMITTEE – Strategic Planning and Housing Forum Outcome

This matter is considered to be confidential under s.254J(3)(g) of the *Local Government Regulation 2012*, and the Council is satisfied that the discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the Local Government for which a public discussion would be likely to prejudice the interests of the Local Government.

13. GENERAL BUSINESS

MINUTES

Ordinary Council Meeting

15 September 2026

MINUTES OF TORRES SHIRE COUNCIL ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBERS, THURSDAY ISLAND ON TUESDAY 15 SEPTEMBER 2026

AGENDA CONTENTS

1 MEETING OPENED

The meeting opened with a prayer by Cr Gabriel Bani at 9:12am.

ACKNOWLEDGEMENT OF COUNTRY

On behalf of all Councillors, the Mayor acknowledged the Kaurareg people, Traditional Custodians of the land on which we meet today, and paid respects to their Elders past, present and emerging and the Traditional Owners of Zenadth Kes.

2 ATTENDANCES

Cr Elsie Seriat OAM (Mayor), Cr Gabriel Bani, Cr Thomas Loban, Cr Thomas Fujii, Mary Bani (Chief Executive Officer), Mary Deakin (Director Corporate and Community Services), Daniel Barron (A/Director Engineering and Infrastructure Services), Ed Kulpa (Director Planning, Projects and Environment), Keith Yorkston (Manager Engineering), and Isabella Muhamad-Mosby (Assistant Executive Assistant).

2.1 APOLOGIES

Deputy Mayor Toshio Nakata provided written apology.

RECOMMENDATION Min. 26/9/1
Moved: Cr Thomas Loban
Seconded: Cr Thomas Fujii

The Council received Deputy Mayor Toshio Nakata written apology for the Ordinary Council Meeting 15 September 2026.

CARRIED

3 CONDOLENCES / CONGRATULATIONS

A minute's silence was observed as a mark of respect in memory of deceased persons of the community and/or area of the Torres Strait.

Mrs Bakari Sebasio nee Tamwoy

Mrs Sharon Creek nee Bani

Mrs Rebecca Solomon nee Newie

4 DEPUTATIONS / VISITORS

Nil.

5 DECLARATIONS OF INTEREST IN THE MATTER OF THE AGENDA

Nil.

6 MAYORAL NOTIFIED MOTIONS

Nil.

7 BUSINESS ARISING

Council noted the action items from the previous Ordinary Council Meeting.

8 CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF MINUTES SPECIAL COUNCIL MEETING 5 AUGUST 2026

RECOMMENDATION Min. 26/9/2
Moved: Cr Thomas Fujii
Seconded: Mayor Elsie Seriat

That the minutes of the Special Council Meeting held on 5 August 2026 be confirmed.

CARRIED

8.2 CONFIRMATION OF MINUTES ORDINARY COUNCIL MEETING 18 AUGUST 2026

RECOMMENDATION Min. 26/9/3
Moved: Cr Thomas Loban
Seconded: Cr Gabriel Bani

That the minutes of the Ordinary Council Meeting held on 18 August 2026 be confirmed.

CARRIED

9 COUNCILLORS REPORTS

9.1 COUNCILLOR'S MONTHLY REPORTS

RECOMMENDATION Min. 26/9/4
Moved: Cr Thomas Fujii
Seconded: Cr Thomas Loban

That the activities contained in the Mayoral monthly report be endorsed by Council.

CARRIED

10 EXECUTIVE SERVICES REPORTS

10.1 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT

RECOMMENDATION Min. 26/9/5
Moved: Cr Thomas Fujii
Seconded: Cr Gabriel Bani

That the activities contained in the Chief Executive Officer's monthly report be endorsed by Council.

CARRIED

10.2 CORPORATE AND COMMUNITY SERVICES FINANCIAL REPORT

RECOMMENDATION Min. 26/9/6
Moved: Cr Thomas Fujii
Seconded: Cr Thomas Loban

That Council note the Financial Report for the period ended August 2026 as presented and note the attachments for the period ended August 2026 listed in the report.

CARRIED

ADJOURNMENT: The meeting is adjourned for Morning Tea at 10:03am and resumed 10:33am.

10.3 CORPORATE AND COMMUNITY SERVICES REPORT

RECOMMENDATION Min. 26/9/7
Moved: Mayor Elsie Seriat
Seconded: Cr Thomas Fujii

That Council receives and notes the Corporate and Community Services Report.

CARRIED

10.4 CAPITAL WORKS PROGRAM REPORT

RECOMMENDATION Min. 26/9/8
Moved: Mayor Elsie Seriat
Seconded: Cr Thomas Loban

That Council receives and notes the Capital Works Program Report for August 2026.

CARRIED

10.5 ROAD CLOSURE POLICY #1

RECOMMENDATION Min. 26/9/9
Moved: Cr Gabriel Bani
Seconded: Cr Thomas Fujii

That Council adopt Policy 1.18 Road Closure Policy v1.

CARRIED

10.6 DEVELOPMENT APPLICATION – IDAS 26/10 – DWELLING HOUSE (SECONDARY DWELLING) – 8 MISKIN STREET, HORN ISLAND

RECOMMENDATION Min. 26/9/10
Moved: Cr Thomas Fujii
Seconded: Cr Gabriel Bani

That Torres Shire Council approves the application for a Development Permit for building work assessable against the planning scheme for a dwelling house (secondary dwelling) on land located at 8 Miskin Street, Horn Island, formally described as Lot 104 W11071, subject to the conditions contained in the officer's report.

CARRIED

RECOMMENDATION A – DECISION NOTICE

That Torres Shire Council approves the application for a Development Permit for building work assessable against the planning scheme for a dwelling house (secondary dwelling) on land located at 8 Miskin Street, Horn Island, formally described Lot 104 W11071, subject to the following conditions:

NO.	CONDITIONS	CONDITION TIMING
1.0	**Parameters of Approval**	
1.1	The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an employee, agent, contractor, or invitee of the Developer at all times unless otherwise stated.	At all times.
1.2	Where these conditions refer to "TSC" in relation to requiring Torres Shire Council to approve or be satisfied as to any matter, or conferring on the TSC a function, power or discretion, that role of the TSC may be	At all times.

	fulfilled in whole or in part by a delegate appointed for that purpose by TSC.	
1.3	The cost of all works associated with the development and construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.	At all times.
1.4	The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.	At all times.
1.5	Unless otherwise stated, all works must be designed, constructed, and maintained in accordance with the relevant Council policies, guidelines, and standards, and the FNQROC Development Manual.	At all times.
1.6	All engineering drawings/specifications, design and construction works must comply with the requirements of the relevant Australian Standards and must be approved, supervised, and certified by a Registered Professional Engineer of Queensland (RPEQ).	At all times.

2.0	**Approved Plans and Documents**			
2.1	The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit.			At all times
	Drawing No.	**Date**	**Drawn by**	
	NBT-01 A101 (A)	May 2026	TPG Architects	

2.2		Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.				At all times.

3.0	**Stormwater**	
3.1	Stormwater drainage must be directed to a lawful point of discharge being Miskin Street.	At all times.
3.2	Site works must not adversely affect flooding or drainage characterises of properties that are upstream, downstream, or adjacent to the development site.	At all times.

4.0	**Water and Sewerage**	
4.1	Connect the development to Council's reticulated water network.	Prior to the commencement of use and at all times thereafter.
4.2	Connect the development to Council's reticulated sewerage network.	Prior to the commencement of use and at all times thereafter.

5.0	**Finished Floor Level for building in a storm tide inundation area and development is storm-tide inundation area**	
5.1	The building must achieve the minimum finished floor level of: (a) Habitable room - 2.2m AHD plus 500mm freeboard; (b) Non-habitable room (other than a room used solely for the storage of motor vehicles) – 2.2m AHD plus 300mm freeboard;	At all times.

	(c) Non-habitable room (where used solely for the storage of motor vehicles) – 2.2m AHD; and (d) A room comprising essential building services – 2.2m AHD plus 500mm freehold	
5.2	Certification from a Registered Professional Engineer of Queensland (RPEQ) must be provided confirming the building achieves the minimum floor level required in condition 5.1 and the building is of sufficient structural integrity to withstand the forces that the building would likely be subjected to during a storm-tide inundation event.	Prior to the issue of a development permit for building work

ASSESSMENT MANAGER (COUNCIL) ADVISORY NOTES

1. This approval, granted under the provisions of *the Planning Act 2016*, shall lapse six (6) years from the day the approval takes effect in accordance with the relevant provisions of s85 of the *Planning Act 2016*.
2. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, as required under relevant legislation for this work.
3. An application to Torres Shire Council is required for water and/or sewerage services to be connected to a property. The developer should contact Torres Shire Council for further information on the necessary forms and application process.
4. No building materials or the like are to be stored on the footpath unless an appropriate approval from Council is obtained, including the payment of associated fees.
5. 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.
6. The *Environmental Protection Act 1994* states a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities, involved in civil, earthworks and construction phases of this development, are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm.

7. Environmental harm is defined by the Act as any adverse effect, or potential adverse effect whether temporary or permanent and of whatever magnitude, duration or frequency on an environmental value and includes environmental nuisance. Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Council.
8. This development approval does not authorise any activity that may harm Aboriginal and Torres Strait Islander cultural heritage. It is also advised that any land use activities must comply with the *Aboriginal Cultural Heritage Act 2003* or the *Torres Strait Islander Heritage Act 2003*.

RECOMMENDATION B Min. 26/9/11
Moved: Cr Thomas Fujii
Seconded: Cr Thomas Loban

That Council consider as part of a housing initiative to encourage development of secondary dwelling to not apply infrastructure charges.

CARRIED

10.7 PLANNING ITEM – IDAS18/02 – 67A HARGRAVE STREET – EXTENSION APPLICATION

RECOMMENDATION Min. 26/9/12
Moved: Cr Gabriel Bani
Seconded: Mayor Elsie Seriat

That Torres Shire Council approve the request to extend the currency period for the Development Permit for Material Change of Use – Dual Occupancy on land located at 67A Hargrave Street, Thursday Island, formally described as Lot 293 on SP219758, for a further two years until 20 September 2028.

That a notice be issued to the applicant confirming the recalculated Infrastructure Charges for $21,912.60 in relation to the Development Permit for Material Change of Use – Dual Occupancy at 67A Hargrave Street, Thursday Island, Lot 293 on SP219758.

CARRIED

10.8 CODE OF CONDUCT FOR COUNCILLORS IN QLD V2

RECOMMENDATION Min. 26/9/13
Moved: Cr Thomas Fujii
Seconded: Cr Gabriel Bani

That Council rescind the Elected Member (Councillor) Code of Conduct Policy 4.5 v1 and

endorse the Code of Conduct for Councillors in Queensland v2 amended and approved by the Minister on 11 June 2026 and effective from 1 July 2026.

CARRIED

10.9 MEETING PROCEDURES POLICY 4.10 V2

RECOMMENDATION Min. 26/9/14
Moved: Cr Gabriel Bani
Seconded: Cr Thomas Loban

That Council adopt Meeting Procedures Policy 4.10 v2 as presented.

CARRIED

10.10 STANDING ORDERS POLICY 4.11 V2

RECOMMENDATION Min. 26/9/15
Moved: Cr Thomas Fujii
Seconded: Mayor Elsie Seriat

That Council adopt Standing Orders Policy 4.11 v2 as presented.

CARRIED

10.11 OPERATIONAL WORKS PROGRAM REPORT

RECOMMENDATION Min. 26/9/16
Moved: Mayor Elsie Seriat
Seconded: Cr Gabriel Bani

That Council receives and notes the Operational Works Program Report for August 2026.

CARRIED

10.12 BUILDING WORKS AND IMPROVEMENTS ON COUNCIL FACILITIES AND HOUSING

RECOMMENDATION Min. 26/9/17
Moved: Cr Thomas Fujii
Seconded: Cr Thomas Loban

That Council notes the report.

CARRIED

ADJOURNMENT: The meeting is adjourned for Lunch at 12:22pm and resumed 1:03pm.

Time: 1:03pm
RECOMMENDATION Min. 26/9/18
Moved: Cr Thomas Loban
Seconded: Cr Thomas Fujii

That Council go into In Committee.

CARRIED

Time: 2:44pm
RECOMMENDATION Min. 26/9/19
Moved: Cr Thomas Loban
Seconded: Cr Thomas Fujii

That Council come out of In Committee.

CARRIED

11 LATE ITEMS

RECOMMENDATION

That Council consider the confidential report(s) listed below in a meeting closed to the public in accordance with Regulation s.254J of the *Local Government Regulation 2012*:

11.1 LATE REPORT: IN COMMITTEE QRA POW ISLAND ROADS RESTORATION OF PUBLIC ASSETS

This matter is considered to be confidential under section 254J(3)(g) of the Local Government Regulation 2012.

11.2 LATE ITEM: IN COMMITTEE QRA HORN ISLAND ROADS RESTORATION OF PUBLIC ASSETS

This matter is considered to be confidential under section 254J(3)(g) of the Local Government Regulation 2012.

11.3 LATE ITEM: UPDATE HOUSING FORUM AND STRATEGIC PLANNING

This matter is considered to be confidential under section 254J(3)(g) of the Local Government Regulation 2012.

11.1 LATE REPORT: IN COMMITTEE QRA POW ISLAND ROADS RESTORATION OF PUBLIC ASSETS

RECOMMENDATION Min. 26/9/20

Moved: Mayor Elsie Seriat
Seconded: Cr Thomas Loban

That Council:

1) Appoint TI Concrete & Building under Local Buy Contract LB313, to enter into contract with Torres Shire Council for delivery of the QRA Program TSC.0032.2526G.REC – Prince of Wales Island for the sum of $815,500 excluding GST,

2) delegates authority to the Chief Executive Officer, under section 257 of the Local

Government Act 2009 (QLD), the ability to execute the contract, approve payments,

negotiate and finalise minor administrative or financial amendments and approve any variations, if required.

CARRIED

11.2 LATE ITEM: IN COMMITTEE QRA HORN ISLAND ROADS RESTORATION OF PUBLIC ASSETS

RECOMMENDATION Min. 26/9/21

Moved: Cr Thomas Fujii
Seconded: Mayor Elsie Seriat

RECOMMENDATION

It is recommended that Council;

1) to enter into a contract with Torres Strait Island Homes to deliver the QRA REPA Program TSC.0031.2526G.REC for Horn Island roads for the sum of $3,178,633 excluding GST,

2) delegates authority to the Chief Executive Officer, under section 257 of the Local

Government Act 2009 (QLD), the ability to execute the contract, approve payments,

negotiate and finalise minor administrative or financial amendments and approve any variations, if required.

CARRIED

11.3 LATE ITEM: IN COMMITTEE UPDATE HOUSING FORUM AND STRATEGIC PLANNING

RECOMMENDATION Min. 26/9/22

Moved: Cr Thomas Fujii
Seconded: Cr Thomas Loban

It is recommended that:

Recommendation 1: Council receives and notes the Strategic Planning and

Housing Program Status Update current to 10 September 2026;

Recommendation 2: Council notes the operational updates for the 2026 Land

Audit, Housing Forum engagement reporting, State land transfers and Environmental Management Register searches, Department of Housing and Public Works governance arrangements, First Nations home ownership discussions, and Lots 805 and 806;

Recommendation 3: Council request officers who managed the Housing Forum invitations and registration process provide complete delegate list with contact details to DPPE for use in distributing the LHAP when endorsed.

Recommendation 4: Council notes that the consultant-prepared Local Housing Action Plan requires substantial amendment and endorses preparation of the final Local Housing Action Plan in-house by Council's DPPE and Strategic Planner, using relevant evidence from sections 4.0, 5.0 and selected content from section 6.0 of the consultant draft;

Recommendation 5: Council requests that the in-house Local Housing Action Plan align its priority actions with the Housing Forum Priority Matrix and relevant information to a major planning scheme amendment due for first State interest review by 30 June 2027, with a draft presented to the October 2026 Ordinary Meeting for Council comment;

Recommendation 6: Council receives the draft DHPW Strategic Capital Plan for Social Housing and requests that elected member comments be provided to the Strategic Planner by 13 October, for incorporation before the October 2026 Ordinary Meeting, when a revised draft will be presented for a Council endorsement;

Recommendation 7: Council supports, in principle, officers investigating the use of all remaining vacant Council lots on Yamizi Street for additional social housing;

Recommendation 8: Council endorses the attached letter to the Deputy Premier

supporting Torres Shire's inclusion in the regional plan, requesting extension of the statutory public consultation period from 30 days to at least 60 days, and requesting that the plan be renamed the Cape York and Torres Straits Regional Plan, and authorises its immediate issue;

Recommendation 9: Council supports, in principle, establishment of an advisory Land and Planning Subcommittee and requests interested elected members to indicate their interest and preferred meeting cadence, with the draft Terms of Reference, proposed membership and meeting schedule to return to Council for formal consideration; and

Recommendation 10: Council requests a further consolidated progress report at the October 2026 Ordinary Meeting, including the revised Strategic Capital Plan, draft in-house Local Housing Action Plan, status of regional plan review, proposed Subcommittee arrangements and any material changes to the other workstreams identified in this report.

CARRIED

12 CONFIDENTIAL REPORTS

That Council consider the confidential reports listed below in a meeting closed to the public in accordance with section 254J of the Local Government Regulation 2012.

12.1 IN COMMITTEE – QRA MILMAN/JOHN/DOUGLAS CONCRETE ROAD PROJECT

This matter is considered to be confidential under section 254J(3)(g) of the Local Government Regulation 2012.

12.2 IN COMMITTEE – QRA VICTORIA PDE CONCRETE ROAD PROJECT

This matter is considered to be confidential under section 254J(3)(g) of the Local Government Regulation 2012.

12.3 IN COMMITTEE – KEN BROWN OVAL LIGHTING UPGRADE

This matter is considered to be confidential under section 254J(3)(g) of the Local Government Regulation 2012.

12.4 IN COMMITTEE – COMPREHENSIVE WATER AND SEWERAGE VALUATION REPORT 2025/26

This matter is considered to be confidential under section 254J(3)(f) of the Local Government Regulation 2012.

12.5 IN COMMITTEE – INDEXATION REVIEW REPORT 2025/26

This matter is considered to be confidential under section 254J(3)(f) of the Local Government Regulation 2012.

12.6 IN COMMITTEE – AIRPORT LEASES (Not included in the agenda, council will need to consider the late item for inclusion)

This matter is considered to be confidential under section 254J(3)(f) of the Local Government Regulation 2012.

DEPARTURE: Edward Kulpa departed the Council Meeting at 2:40pm whilst item 12.6 Airport Leases is discussed.

12.1 IN COMMITTEE – QRA MILMAN/JOHN/DOUGLAS CONCRETE ROAD PROJECT

RECOMMENDATION Min. 26/9/23

Moved: Cr Thomas Fujii
Seconded: Cr Gabriel Bani

RECOMMENDATION

It is recommended that Council;

1) Award Contract 02-2026 to T.I. Concrete Works the Milman/John/Douglas Intersection Concrete Road for the sum of $949,632 excluding GST,

2) delegates authority to the Chief Executive Officer, under section 257 of the Local Government Act 2009 (QLD), the ability to execute the contract, approve payments, negotiate and approve any variations.

CARRIED

12.2 IN COMMITTEE – QRA VICTORIA PDE CONCRETE ROAD PROJECT

RECOMMENDATION Min. 26/9/24

Moved: Mayor Elsie Seriat
Seconded: Cr Gabriel Bani

RECOMMENDATION

It is recommended that Council;

1) Award Contract 01-2026 to T.I. Concrete Works the Victoria Parade Concrete Road for the sum of $2,281,455 excluding GST,

2) delegates authority to the Chief Executive Officer, under section 257 of the Local Government Act 2009 (QLD), the ability to execute the contract, approve payments, negotiate and approve any variations.

CARRIED

12.3 IN COMMITTEE – KEN BROWN OVAL LIGHTING UPGRADE

RECOMMENDATION Min. 26/9/25

Moved: Cr Thomas Loban
Seconded: Cr Thomas Fujii

That Council:

1. Receives and endorses the report titled Ken Brown Oval Lighting Upgrade; and

2. Approves the engagement of Gap Industries for the supply, installation, testing and commissioning of the new LED lighting system at Ken Brown Oval for the tendered amount of $275,356.28 (excl. GST); and

3. Authorises the Chief Executive Officer, to finalise and execute the relevant contract documentation with Gap Industries.

CARRIED

12.4 IN COMMITTEE – COMPREHENSIVE WATER AND SEWERAGE VALUATION REPORT 2025/26

RECOMMENDATION Min. 26/9/26

Moved: Mayor Elsie Seriat
Seconded: Cr Thomas Fujii

That Council:

1) Note the Water and Sewerage infrastructure comprehensive valuation report for financial reporting purposes as of 30 June 2026.

2) Endorse the application of the updated fair values for the water and sewerage infrastructure assets effective 30 June 2026, including the treatment of the Milman Hill Dam as a correction of a prior period error with the fair value of the dam being credited to retained earnings instead of the asset revaluation account.

CARRIED

12.5 INDEXATION REVIEW REPORT 2025/26

RECOMMENDATION Min. 26/9/27

Moved: Cr Gabriel Bani
Seconded: Cr Thomas Loban

That Council:

1) Note the TSC Indexation Report for financial reporting purposes as of 30 June 2026

2) Endorse the application of the updated fair values via indexation is applied to the following asset classes for the year ending 30 June 2026

- o Land and improvements
- o Buildings
- o Other structures
- o Airport infrastructure
- o Roads and Drainage, including stormwater

CARRIED

12.6 AIRPORT LEASES

RECOMMENDATION Min. 26/9/28

Moved: Cr Thomas Fujii
Seconded: Cr Gabriel Bani

That Council:

1. notes the verbal report provided about the occupancy arrangements between Council and McGilvray Aviation Pty Ltd (the Occupant) at Horn Island Airport;

2. delegates to the Chief Executive Officer the power to take any step on behalf of Council in relation to, and under, the following documents:

(a) the Lease with the Occupant over part of Lot 1 on SP 142709 which expired on 31

July 2026;

(b) the Licence Agreement with the Occupant over Counter Area K/L

CARRIED

13 GENERAL BUSINESS

NILL

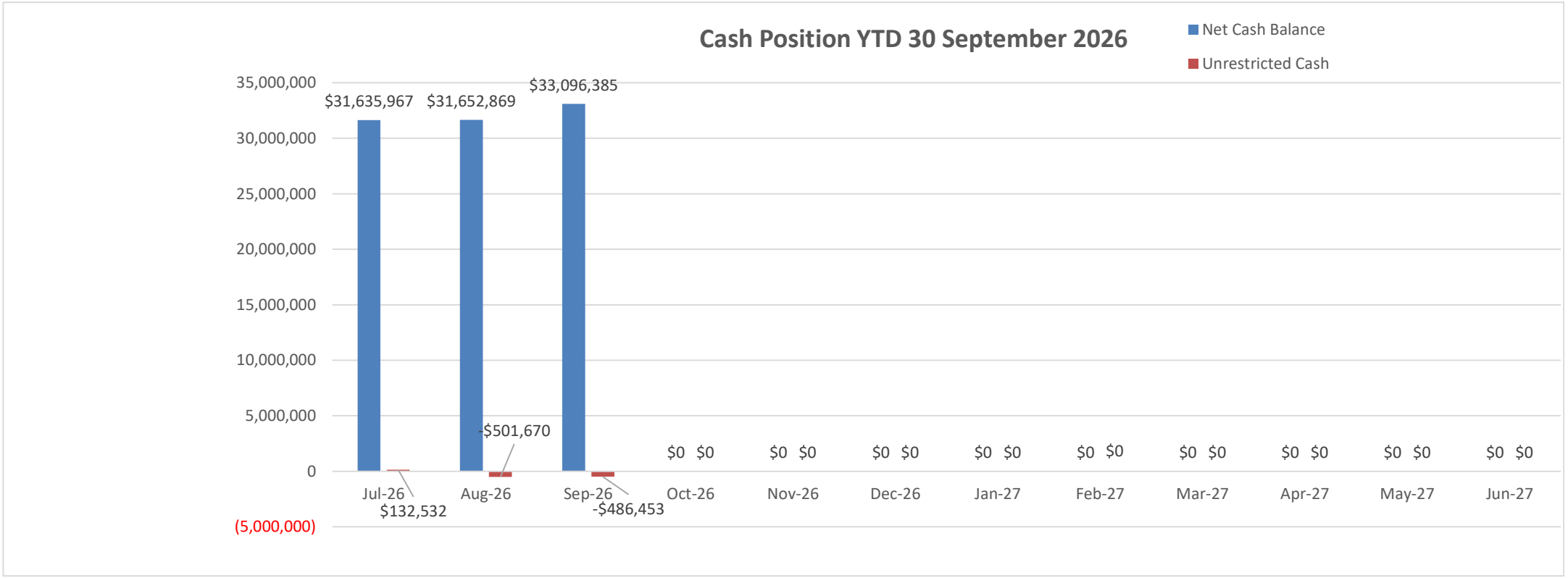
DATE OF NEXT MEETING: Tuesday, 27 October 2026

CLOSURE: The meeting closed with a prayer by Cr Gabriel Bani at 3:42pm.

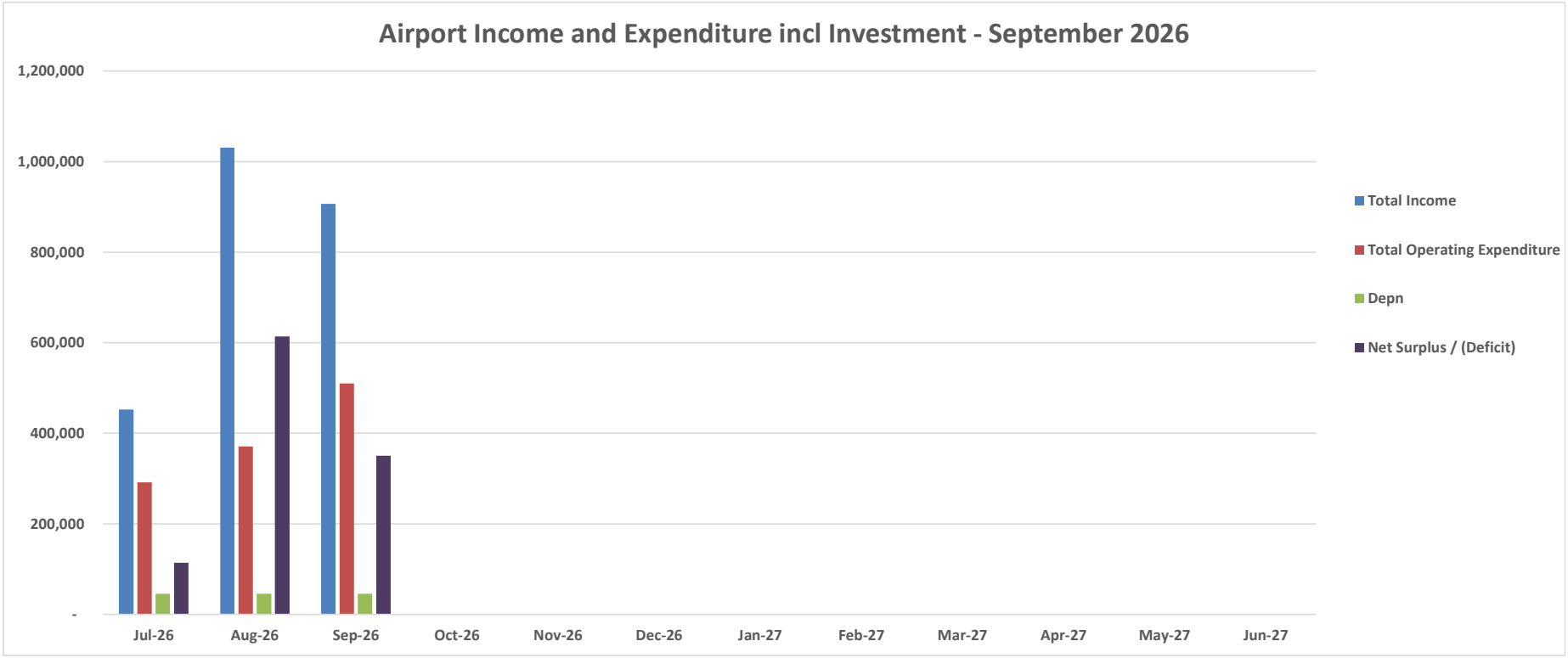
Confirmed this day of 2026

MAYOR

TORRES SHIRE COUNCIL
CASH FLOW YTD SEPTEMBER 2026



TORRES SHIRE COUNCIL



TORRES SHIRE COUNCIL

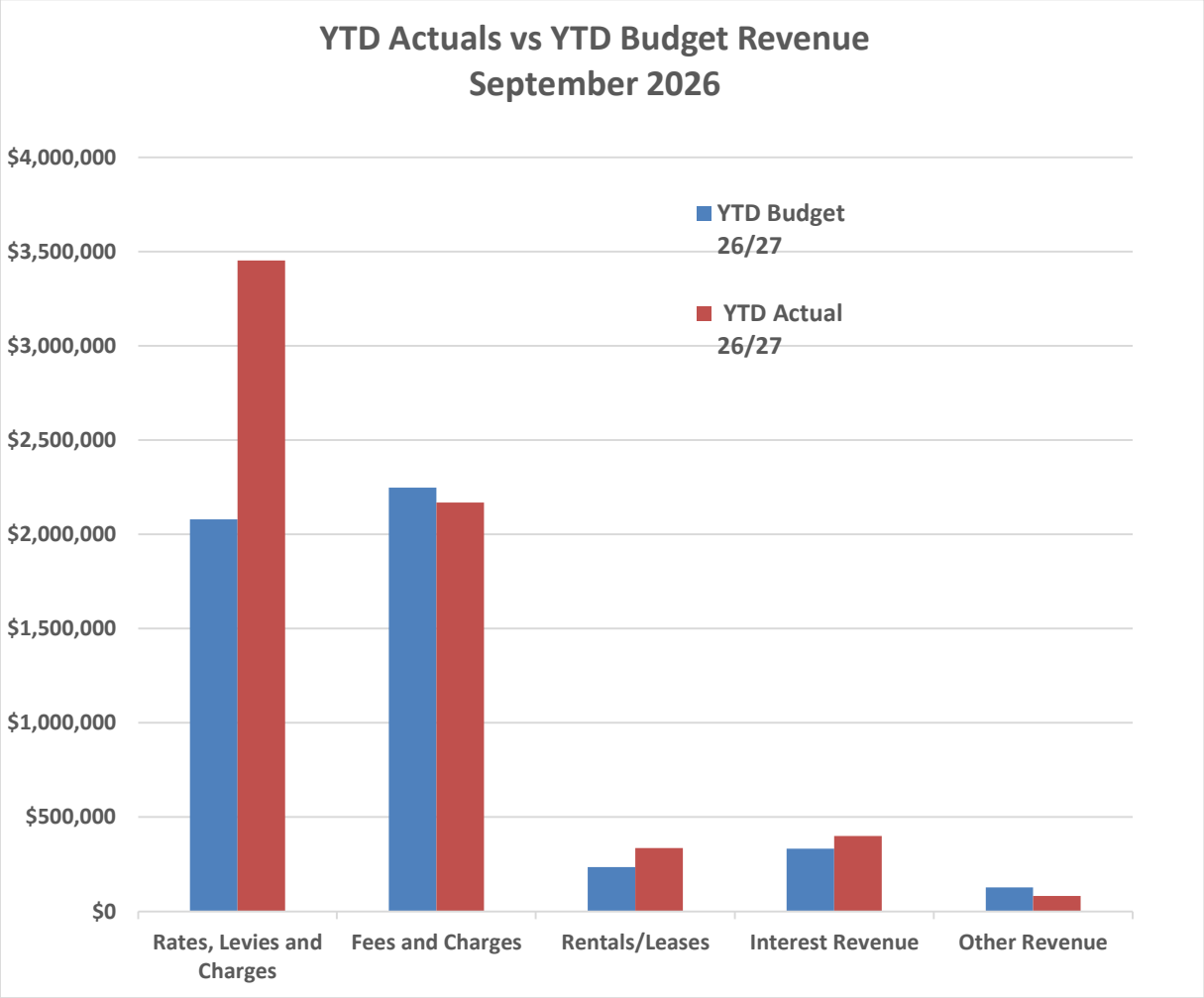
STATEMENT OF COMPREHENSIVE INCOME

For the period ended 30 September 2026

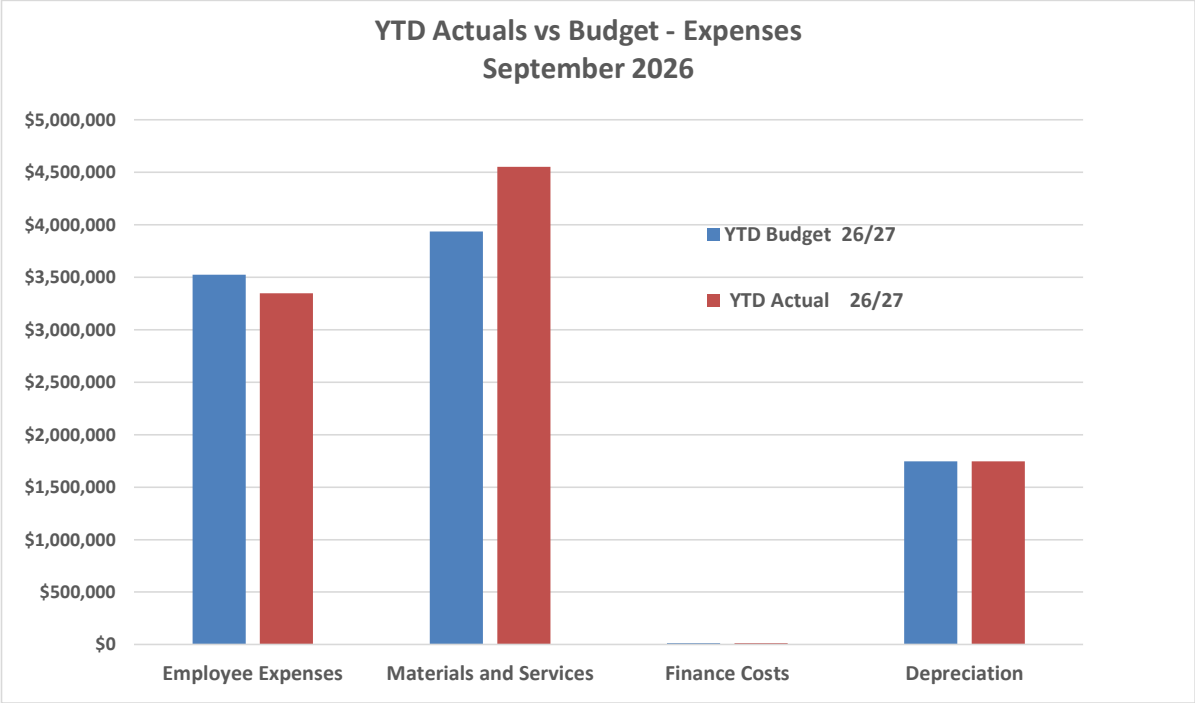
Subject to Accrual and Final Audit

	YTD Actual 26/27	Annual Budget to June 2027	YTD Budget 26/27	Budget Variance YTD
Income				
Rates, Levies and Charges	$ 3,453,355	$ 8,317,346	$ 2,079,337	$ 1,374,019
Fees and Charges	$ 2,169,215	$ 8,987,241	$ 2,246,810	-$ 77,595
Rentals/Leases	$ 336,066	$ 936,380	$ 234,095	$ 101,971
Interest Revenue	$ 399,709	$ 1,327,765	$ 331,941	$ 67,768
Other Revenue	$ 81,904	$ 508,677	$ 127,169	-$ 45,265
Operating Grants/Subsidies	$ 848,701	$ 11,015,522	$ 2,753,881	-$ 1,905,179
Total Operating Income	**$ 7,288,951**	**$ 31,092,931**	**$ 7,773,233**	**-$ 484,282**
Capital Revenue				
Grants, subsidies, contributions and donations	$ 1,508,362	$ 13,031,000	$ 3,257,750	-$ 1,749,388
Total Income	**$ 8,797,313**	**$ 44,123,931**	**$ 11,030,983**	**-$ 1,749,388**
Operating Expenditure				
Employee Expenses	$ 3,349,991	$ 14,097,927	$ 3,524,482	-$ 174,491
Materials and Services	$ 4,555,229	$ 15,747,078	$ 3,936,770	$ 618,460
Finance Costs	$ 13,179	$ 55,260	$ 13,815	-$ 636
Depreciation	$ 1,746,186	$ 6,984,081	$ 1,746,020	$ 166
Total Operating expenditure	**$ 9,664,585**	**$ 36,884,346**	**$ 9,221,087**	**$ 443,499**
Operating Result	**-$ 2,375,634**	**-$ 5,791,415**	**-$ 1,447,854**	**-$ 927,781**
Net Surplus/(Deficit)	**-$ 867,273**	**$ 7,239,585**	**$ 1,809,896**	**-$ 2,677,169**

TORRES SHIRE COUNCIL



TORRES SHIRE COUNCIL



TORRES SHIRE COUNCIL

STATEMENT OF FINANCIAL POSITION

as at 30 September 2026

Subject to Accrual and Final Audit

	Actual Balance 26/27	Original Budget 30 June 2027
Current Assets		
Cash & cash equivalents	$ 33,096,385	$ 18,586,245
Trade & other receivables	$ 6,148,454	$ 7,350,840
Inventory	$ 606,367	$ 1,178,834
Total Current Assets	**$ 39,851,205**	**$ 27,115,919**
Non Current Assets		
Property, plant & equipment	$ 245,549,781	$ 263,273,147
Right of use assets/other LT assets	$ 151,789	$ 447,627
Total Non Current Assets	**$ 245,701,570**	**$ 263,720,774**
Total Assets	**$ 285,552,776**	**$ 290,836,693**
Current Liabilities		
Trade & other payables	$ (1,080,528)	$ 1,839,564
Contract liabilities	$ 10,027,790	$ 10,029,265
Provisions	$ 2,366,339	$ 742,728
Total Current Liabilities	**$ 11,313,601**	**$ 12,611,558**
Non Current Liabilities		
NC Lease Liabilities	$ 79,262	$ 10,650
NC Provision	$ 1,261,179	$ 1,247,886
Total Non Current Liabilities	**$ 1,340,441**	**$ 1,258,536**
Total Liabilities	**$ 12,654,042**	**$ 13,870,093**
Net Assets	**$ 272,898,734**	**$ 276,966,600**
Equity		
Asset Revaluation Surplus	$ 133,464,508	$ 136,515,185
Accumulated Surplus/Deficit	$ 139,434,226	$ 140,451,415
Total Equity	**$ 272,898,734**	**$ 276,966,600**

COUNCIL POLICY 1.9

CCTV Policy

1. SUMMARY AND PURPOSE

To establish a clear, transparent framework for the operation, management, and maintenance of Torres Shire Council's Closed-Circuit Television (CCTV) network. The core purpose of the CCTV system is to enhance community safety, deter crime and anti-social behaviour, protect Council-controlled infrastructure, and assist law enforcement agencies in securing evidence.

Scope:

Applies to: Council-owned and operated CCTV cameras/systems on Council-controlled land, infrastructure, and public spaces within the Torres Shire local government area. It applies to all Council employees, contractors, and parties involved in managing or maintaining these systems.

Excludes: CCTV cameras and systems under the operational control of private individuals, commercial entities, or other public utilities.

2. LEGISLATIVE AND REGULATORY FRAMEWORK

This policy is governed by and must comply with the following statutory provisions:

- **Local Government Act 2009 (Qld):** Directs Council's broad power to do anything necessary for the good rule and local government of the area.
- **Information Privacy Act 2009 (Qld):** Governs the collection, storage, use, and disclosure of personal information via surveillance footage.
- **Information Privacy Regulation 2025 (Qld):** Provides operational regulations supporting state privacy and information access frameworks.
- **Public Records Act 2023 (Qld):** Establishes explicit statutory responsibilities for making, managing, and preserving public surveillance data as long-term municipal records.
- **Right to Information Act 2009 (Qld):** Regulates public access applications for recorded materials.

3. POLICY PROVISIONS AND STRATEGIES

Lawful Collection: Council will only collect CCTV footage for lawful purposes, including local law enforcement, assisting the Queensland Police Service (QPS), enhancing safety/security, and identifying staff contractual breaches. Unlawful or unfair monitoring (e.g., unauthorized private property monitoring) is prohibited.

Signage and Disclosure: Public signs will be installed near CCTV units where practicable, except during authorised covert operations.

System Security: Access to equipment is strictly restricted to authorised personnel following standard operating procedures. Measures must safeguard recorded material against loss, alteration, or unauthorized disclosure.

Standard Retention Loop: Recorded CCTV data will be automatically overwritten on a rolling **30-day retention cycle**, unless the footage is actively required for an ongoing investigation by a referral agency, an approved RTI access application, or a registered legal hold.

CCTV Assessment Framework: To ensure consistency and transparency in managing its existing CCTV system and assessing future CCTV requests, a **six-stage framework** will be utilized:

1. Review appropriateness (purpose, site, camera type).
2. Execute standard site assessment and technical mapping.
3. Conduct stakeholder consultation and evidence gathering.
4. Identify resource requirements, including 'whole of life' asset costs.
5. Finalize decision and notification (forwarded to an Ordinary Meeting of Council if supported by strong evidence).
6. Complete implementation and formal evaluation.

4. ROLES AND KEY RESPONSIBILITIES

- **Mayor:** Leads Councillors in understanding and complying with this policy.
- **Councillors:** Understand and comply with policy requirements where relevant.
- **CEO:** Leads staff compliance, acts as the ultimate authority to access/delegate CCTV footage access, and responds to legislative footage requests.
- **Executive Management Team:** Implements the policy, reviews arrangements, and submits assessment framework recommendations to the CEO and Council.
- **All Council Staff:** Complies with the policy and integrates its implications into related programs.

5. DEFINITIONS

- **Closed Circuit Television (CCTV):** Video cameras transmitting signals to a specific place (not openly broadcasted) via point-to-point, point-to-multipoint, or wireless links, inclusive of recording, display, and control systems.
- **Council-controlled land:** Any land defined in Council local laws as a Local Government controlled area or road.
- **Personal information:** Any true or untrue recorded information/opinion about an individual whose identity is apparent or can be reasonably ascertained.
- **Public Space:** Any place the public accesses by right or invitation (e.g., roads, parks, pools), excluding Council offices, depots, waste, or water treatment facilities.
- **Referral agencies:** Law enforcement and emergency bodies including QPS, AFP, CASA, SES, VMR, CCC, and ACC.
- **Safeguards:** Physical controls (restricted rooms, hidden monitors), Technical controls (passwords, encryption), and Operational controls (clear procedures, audit trails).

6. RELATED DOCUMENTS AND REFERENCES

- *Torres Shire Council Data Breach Response Policy and Procedure*
- *Queensland State Archives Records Governance Policy*
- *Australian Standard 4806.1 (Management and Operation) and 4806.2 (Application Guidelines)*
- *AS 2342-1992 & Queensland Government Authentication Framework*

DOCUMENT CONTROL

Version	Resolution Date	Resolution No.	Policy Author / Responsible Officer
V1	19 July 2022	22/7/11	Chief Executive Officer (CEO)
V2	27 Oct 2026		Director Corporate and Community Services (DCCS)

Status: This Policy is to remain in force until otherwise amended/replaced by resolution of the Council.
Review Frequency: 4-Yearly.
Next Scheduled Review: October 2030

COUNCIL POLICY 1.12

Concealed Water Leak Remission Policy

1. SUMMARY AND PURPOSE

Intent / Purpose: To establish a policy framework to alleviate financial burden caused by infrastructure water leaks which were not readily detected.

Scope: This policy applies to ratepayers who have a metered water connection on Thursday Island and Horn Island, that experience water leaks which were not readily detected.

2. LEGISLATIVE AND REGULATORY FRAMEWORK

- **Local Government Act 2009 (Qld):** Establishes the broad legislative power for the good rule and local government of the Shire.
- **Local Government Regulation 2012 (Qld):** Specifically, Chapter 4, Part 10, which provides the statutory mechanism and council autonomy required to approve and apply remissions or concessions on utility charges.

3. POLICY PROVISIONS AND STRATEGIES

- **Concession Basis:** Relief is granted based on the ratepayer's Average Water Consumption over the prior three years. By providing this assistance, Council is not taking responsibility for leaks on the customer's side of the meter and shall not provide any assistance for any plumbing invoices.
- **Timeframe:** A request for assistance must be received within a reasonable timeframe from the date that the leak was discovered or within 60 days of receiving the water consumption/excess water account.
- **Cap Limits:** The customer/ratepayer is entitled to claim three (3) separate leak periods only per property.
- **Plumber Certification:** Leaks must be certified as 'not readily detected' by a licensed plumber. Torres Shire Council must be supplied with a copy of the plumber's tax invoice and receipt for the payment of the repairs.
- **Council Verification:** Torres Shire Council shall determine from historical meter reading details recorded whether the application is a bona fide application.
- **Non-Plumber Repairs:** In cases where the leak has been rectified without the use of a licensed plumber, an appropriate Council representative shall inspect the work undertaken to ensure validity. Statutory declarations may be required.

- **Outcome Notification:** Any customer requesting relief as outlined will be provided with written confirmation that their application has been approved or declined.

4. ELIGIBILITY CRITERIA

To ensure a structured, transparent, and legally auditable evaluation process under the Local Government Regulation 2012 (Qld), all applications for water remissions are systematically evaluated using the **Eligibility Criteria Table** below.

Approved remissions are subsequently authorized in strict accordance with the financial thresholds defined in the **Financial Delegations Table**.

An application must satisfy every core criterion within this framework to be deemed eligible for financial relief:

Criteria Category	Specific Requirement	Verification Mechanism
Location Restriction	Property must be situated on **Thursday Island** or **Horn Island**.	Council Rates Property Register.
Applicant Status	Must be the registered **ratepayer** or account holder.	Current Rate Notice validation.
Leak Classification	Must be a **Water Leak** occurring strictly on the customer's side of the meter.	Verification by Council inspector or Plumber report.
Detection Status	Must be certified as a leak **not readily detected** (underground or hidden).	Plumbing report, statutory declaration, or visual inspection.
Plumber Certification	Repair must be completed and certified by a **licensed plumber** (unless an exemption applies).	Copy of formal Plumber's Tax Invoice and Receipt of payment.
Non-Plumber Verification	Self-repaired leaks must be verified manually by Council.	Physical inspection by a **Council Representative** and/or Statutory Declaration.
Submission Window	Must be formally lodged within **60 days** of the water account issue date.	Stamp-received date or electronic lodgement log.
Claim Frequency Cap	Limited to a maximum of **three (3) separate leak periods** per property.	Historical property file audit.

5. FINANCIAL DELEGATIONS TABLE

Remission authorisations are subject to financial limits under Section 257 of the *Local Government Act 2009*. Financial delegation thresholds are determined by the total **dollar value ($) of the calculated remission credit**, not the gross amount of the water bill:

Calculated Remission Value ($)	Authorisation Level / Minimum Delegate	Recording & Reporting Requirement
Up to $1,000	**Director Corporate and Community Services (DCCS)**	Documented in property file; logged in the internal water remission register.
$1,001 to $5,000	**Chief Executive Officer (CEO)**	Formally recorded in Council's central Register of Delegations.
Greater than $5,000	**Ordinary Meeting of Council**	Requires a formal Council Report and an active **Council Resolution**.

***Note**: Calculated remissions are strictly applied as a credit against water consumption charges based on the property's verified **Average Water Consumption** over the prior three years.*

6. ROLES AND KEY RESPONSIBILITIES

- **Ordinary Meeting of Council:** Retains the sole statutory authority to debate, vote on, and approve complex or high-value water remission claims exceeding $5,000 via an official Council Resolution.
- **Chief Executive Officer (CEO):** Holds the delegated operational authority to approve mid-tier concessions (from $1,001 to $5,000) and ensures all authorized write-offs are tracked in the Council's statutory Register of Delegations.
- **Director Corporate and Community Services (DCCS):** Manages the day-to-day operation of the policy, holds delegated authority to approve minor adjustments up to $1,000, and reports policy anomalies directly to the CEO.

7. DEFINITIONS

- **Water Leak:** A leak that has occurred on the customer side of the water meter.
- **Average Water Consumption:** Based on the average water consumption over the past three years for the current owner of the property and not including the current usage. Where three-year water consumption is not available Council will determine an average amount based upon current available data.
- **Applicable Water Charges:** This includes all charges approved by Council in respect of water consumption including excess water charges.
- **Public Space:** Any place to which the public has access as a right or by invitation.

8. RELATED DOCUMENTS AND REFERENCES

- Torres Shire Council Register of Delegations (Council to CEO)
- Torres Shire Council Revenue Policy and
- Torres Shire Council Historical Meter Reading Registry

9. DOCUMENT CONTROL

Version	Resolution Date	Resolution No.	Policy Author / Responsible Officer
V1	15 Nov 2011	11/11/6	Chief Executive Officer (CEO)
V2	27 Oct 2026		Director Corporate and Community Services (DCCS)

- **Implementation and Adoption Date:** 15 November 2011
- **Status:** This Policy is to remain in force until otherwise amended/replaced by resolution of the Council.
- **Review Frequency:** 4-Yearly
- Next Scheduled Review: October 2030

68 Douglas Street
PO Box 171, Thursday Island Qld 4875
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or 1300 308 461
Fax: 07 40691 845
Email: rates@torres.qld.gov.au

APPLICATION FOR ADJUSTMENT OF WATER CONSUMPTION

Privacy Notice: *Torres Shire Council is collecting your personal information in accordance with the Local Government Act 2009 in order to process your application. The information will be only accessed by authorised Council employees. Your information will not be given to any other person or agency unless you have given us permission or we are required by law.*

APPLICANT DETAILS

Owner Name/s:		**Home Phone:**	
Postal Address:		**Mobile Phone:**	
Email Address:			
Property Address:		**Property No.:**	

CONSUMPTION DETAILS

	Undetected Water Leak			
Has the leak been fixed by a licensed plumber?	Yes No	*(Attach copy of plumber's invoice, invoice payment receipt & Plumbers written certification of the leak/s that was not readily detectable)* *(Torres Shire Council representative shall inspect work to ensure validity In some instances a Statutory Declaration may be required for verification purposes.)*		
	Incorrect Meter Reading			
Reading on Water Notice		Reading on Water Meter		
	Defective / Faulty Meter	Application Fee PAID	Rec #	

If a property owner is sure there are no internal leaks and believes the water meter is faulty, they can ask for the water meter to be tested. An application fee must be paid by the property owner upon application prior to Council carrying out the testing. If the water meter test confirms the meter is faulty / defective, the application fee will be refunded and the water usage reviewed. The property owner will be advised in writing of the outcome.

Further information: _____

APPLICANT DECLARATION

I understand that by completing and signing this application, the Water Consumption may be adjusted as per the above advice and other required supporting documentation, which could result in an amount to be credited or debited against the above property. I declare that the above details I have provided are true and correct. Torres Shire Council does not take responsibility for the supply of incorrect information.

Owner Name: _____

Signature: _____ **Date:**

COUNCIL POLICY 1.10

Corporate Credit Card Policy

1. SUMMARY AND PURPOSE

Intent / Purpose: To ensure effective controls, policies, and procedures are in place regarding non-rewards corporate credit cards, ensuring robust governance of expenditure incurred on behalf of Council.

Scope: Applies to all designated corporate credit card holders within the Torres Shire Council framework.

2. LEGISLATIVE AND REGULATORY FRAMEWORK

This policy is governed by and must comply with the following statutory provisions:

- ***Local Government Act 2009 (Qld)* and *Local Government Regulation 2012 (Qld)*:** Governs statutory requirements for local government asset usage, transparency, and public resource management.
- ***A New Tax System (Goods and Services Tax) Act 1999 (Cth)*:** Mandates compliant tax invoice structures to ensure a valid Goods and Services Tax (GST) input tax credit can be claimed by Council.

3. POLICY PROVISIONS AND STRATEGIES

- **Issuance and Delegations:** Cards are issued strictly to authorized personnel and key staff with explicit financial delegations approved by the Chief Executive Officer (CEO).
- **Allowable Usage:** Authorized business travel, accommodation, meals, or meeting Council liabilities efficiently (conditioned on issuing a purchase order or other procurement document).
- **Prohibitions and Misuse:** Private expenditure is strictly banned (even with immediate repayment). A credit card is not to be used for cash withdrawals or transferred to other users. Any confirmed card misuse will result in immediate card cancellation, disciplinary action, and a mandatory referral to the Crime and Corruption Commission (CCC).
- **Transaction Splitting**: Cardholders are strictly prohibited from splitting a single procurement transaction into multiple smaller credit card payments to circumvent card limits or Council's Purchasing Policy thresholds.
- **Missing Documentation Oversight:** Transactions must have a valid tax invoice/receipt. Without one, a business-nature declaration must be provided. Approval of staff declarations is referred to the CEO. If a missing receipt relates specifically to the CEO or the Mayor, the declaration must be reviewed and authorized by the Director Corporate and Community Services (DCCS).

Credit Card Approval and Reconciliation Workflow

All corporate credit card transactions must strictly follow this sequential four-step approval pathway every monthly billing cycle:

Step 1: Cardholder Reconciliation

- The cardholder must match every monthly statement entry against a valid, compliant Tax Invoice/Receipt.
- A completed *Corporate Credit Card Authorisation Form* must be digitally compiled and submitted to the Finance Department within **7 days** of receiving the monthly statement.

Step 2: Finance Department Compliance Audit

- The Finance Department cross-references all attached receipts to verify statutory GST breakout compliance.
- The team flags any missing documentation or transaction anomalies before routing the bundle forward.

Step 3: Line Manager Authorization

- The cardholder's direct Supervisor or Director reviews the transaction bundle to verify that all expenditures align directly with Council business and approved project budget allocations.

Step 4: Independent Executive Sign-Off

- To prevent conflicts of interest, final executive approval paths are strictly segregated based on organizational seniority:

• Cardholder Tier	• Primary Line Manager Review	• Step 4: Final Independent Approver
• **Council Staff / Managers**	• Responsible Directorate Director	• **Chief Executive Officer (CEO)**
• **Director / Executive Team**	• Chief Executive Officer (CEO)	• **Chief Executive Officer (CEO)**
• **Chief Executive Officer (CEO)**	• Finance Manager (Compliance Check)	• **Director Corporate & Community Services (DCCS)**
• **Mayor**	• Finance Manager (Compliance Check)	• **Director Corporate and Community Services (DCCS)**

***Note**: Under no circumstances shall a credit card holder authorize or sign off on their own transaction statement or their own missing documentation declaration.*

4. ROLES AND KEY RESPONSIBILITIES

- **Chief Executive Officer:** Ultimate arbiter for standard staff transaction disputes and distributor of accumulated non-private reward points.

- **Director Corporate and Community Services:** Reviews policy effectiveness once per Council term, manages the physical destruction of surrendered cards, and acts as the independent authoriser for any card transactions or declarations executed by the CEO or Mayor.

5. DEFINITIONS

- **Tax Invoice/Receipt:** A document complying with Taxation Law containing creditor name, ABN, date, description/quantity of items, recipient name, the words 'Tax Invoice/Receipt', and a clear GST breakout (or statement 'Total includes GST').

6. RELATED DOCUMENTS AND REFERENCES

- Torres Shire Council Procurement / Purchasing Policy
- Relevant Code of Conduct and Industrial Arrangements

7. CREDIT CARD LIMITS REFERENCE

The Torres Shire Council corporate credit cards shall be bound by the following maximum **Monthly Credit Limits**:

Position	Monthly Limit	Total value
Mayor	$5,000	$ 5,000
Chief Executive Officer	$10,000	$10,000
Director: • Projects, Planning and Environment • Engineering and Infrastructure Services • Corporate and Community Services	$5,000	$15,000
Manager: • Airport • Human Resources/ Work Health and Safety • Finance • Additional card	$2,500	
		$50,000

DOCUMENT CONTROL

Version	Resolution Date	Resolution No.	Policy Author / Responsible Officer
V1	September 2022	22/9/8	Director Corporate and Community Services (DCCS)
V2	Oct 2026		Director Corporate and Community Services (DCCS)

Status: This Policy is to remain in force until otherwise amended/replaced by resolution of the Council.

Review Frequency: every 4 years.

Next Scheduled Review: October 2030

APPENDIX 1: Corporate Credit Card Authorisation Form

TORRES SHIRE COUNCIL

Corporate Credit Card Authorisation Form

Supplier Name: _____ **Transaction Date:** _____

Address: _____

_____

Contact: _____

Costing	Description	Cost $ (ex GST)
Project No.		
General Ledger No.		
	All Receipts must show GST component if applicable.	
	Sub Total (ex GST)	
	GST	
	Total (inc GST)	

I certify that the goods / services charged above were satisfactorily received / provided on behalf of Council and that the prices charged are fair and reasonable.

Requisitioning Officer: _____ **Date:** _____

Torres Shire Council Corporate Credit Card

Name on Credit Card: _____

Credit Card Number: _____

Cardholders Signature: _____ **Date:** _____

This form should be signed and dated by the credit card holder before payment is completed.
Complete all of the above details and attach the tax invoices/receipts.
Return completed form to Admin Support Officer, Finance for reconciling against bank statement.

HORN ISLAND (NGURUPAI) AIRPORT
CONDITIONS OF USE

PO Box 171, Thursday Island QLD 4875

T (07) 4083 1200 F (07) 4069 1845
E admin@torres..qld.gov.au
W www.torres..qld.gov.au

ABN 34 108 162 398

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By accessing or using Horn Island Airport, you agree to be bound by these Conditions of Use, whether or not you have signed or otherwise formally acknowledged them. All Airport users, tenants, aircraft owners and operators, vehicle operators and other persons accessing or using the Airport are responsible for familiarising themselves with, and complying with, these Conditions of Use.

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ABN 34 108 162 398

HORN ISLAND AIRPORT CONDITIONS OF USE

1. PREAMBLE

A. This Document sets out Torres Shire Council's (TSC's) conditions of use and access for the Horn Island Airport

B. This Document should be read in conjunction with State and Commonwealth Laws, Torres Shire Council Local Law No. 11 (Public Aerodromes), and Local Law No.1 (Administration) 2011.

C. All parties, including without limitation aircraft operators and airside vehicle operators accessing and/or using the Airport, will be considered as having accepted the terms set out in this document.

2. AUTHORITY

TSC is the owner of and manages the Airport. The Operator wishes to, and TSC has agreed, that the Operator be granted certain access and use of the Airport on the terms and conditions herein contained. Despite the fact that you have not signed these Conditions, by using any of the Facilities and Services at Horn Island Airport, you accept these Conditions, and agree to be bound by them, as amended, and all of our rules and reasonable directions from time to time.

3. DEFINITIONS

In this Document unless the contrary intention appears:

Access	means entering or coming on to the Airport property in any manner and by any means whatsoever.
Aircraft Operator	means the person or entity who operates, controls or is responsible for the operation of an aircraft accessing or using the Airport and includes: a) the registered owner of the aircraft; b) the person identified on the Aircraft Register or Certificate of Registration as the operator of the aircraft; c) the Chief Pilot, Head of Flying Operations or other person having operational responsibility for the aircraft or its operations; d) the pilot in command of the aircraft; and e) any person or entity who, with the authority of the registered owner or operator, operates or exercises control over the aircraft while accessing or using the Airport.
Aviation Charges	the charges set out in Schedule 1 of this document.
Aviation Services	facilities and Services means our aircraft movement, parking and passenger processing facilities and services.
Air Navigation Regulations	means the regulations made from time to time under the Air Navigation Act 1920 and Civil Aviation Act 1988, Aviation Transport Security Act 2004
Aircraft	this definition includes fixed wing aircraft, helicopters, balloons, powered or unpowered and, their parts and accessories, equipment and stores.
Aircraft Owner	that person named on the Certificate of Registration.
Aircraft Register	the register of Australian Aircraft established pursuant to Regulation 8 of the Civil Aviation Regulations (CAR).
Air Operators Certificate	or AOC has the meaning given to that term by the Civil Aviation Act 1988 and CASR Part 47.
Airport	includes any land owned or leased by TSC in connection with and adjacent appurtenant to the site known as Horn Island Airport– Lot 101 SP215830.

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Airport Manager	the responsible person for the management of HIA as appointed by the CEO of TSC from time to time, who will be contactable at TSC.
Airside Area	commonly means that area of the airport contained within the gazette security boundary fence and its continuation by building walls and gates.
Checked baggage screening (CBS)	an aeronautical infrastructure charge associated with Australian Government mandated security screening of all departing passenger checked baggage.

Charges	collectively the charges for the use of services and facilities at HIA and for the use of Government mandated services.
Conditions of Use	the Conditions upon which TSC provides the services at HIA and charges for those services.
Consumer Price Index (CPI)	the CPI (All Groups) for Brisbane published from time to time by the Australian Bureau of Statistics or by the Commonwealth of Australia or by any other body authorised by the Commonwealth of Australia to do so.
Council, TSC, We, Us and Our	means Torres Shire Council.
DHA	means the Commonwealth Dept. of Home Affairs.
FIDS	Flight Information Display System that displays airline information relating to arrival and departure of scheduled flights.
General Aviation (GA)	all Civil Aviation Operations other than Regular Public Transport operations (RPT).
Ground Handling Agent	means any person or company appointed by the Aircraft Operator to perform ground handling services for that airline or an Aircraft operator who performs ground handling services for itself at the airport.
HIA	means Horn Island Airport.
Landside	that portion of Airport not designated as Airside and to which the general public normally has free (unescorted) access.
Landing fee	the fee levied to the aircraft operator or owner on a per tonne basis, calculated on the published MTOW of the aircraft.
Legislation	means all Commonwealth and State Acts of parliament, regulations, rules, orders, by-laws , ordinances and any other orders or directions from any government or statutory bodies relevant to Airport and/or any access or use of the Airport.
MTOW	the maximum take-off weight certified for the aircraft type concerned.
NOTAM	means Notice to Airmen and published in accordance with the HIA Aerodrome Manual.
Operator	means a person, organisation or enterprise by whom, or on whose behalf, an aircraft is operated at or otherwise uses the Airport, or a vehicle is operated at or otherwise uses the Airside area of the Airport.
Passengers	Terminal Passengers, Transfer Passengers and Transit Passengers of RPT Operators.
Regular Public Transport (RPT) Operations	the operations of an aircraft for the purpose of an air service that: a) Is provided for a fee payable by persons using the service; and b) Is conducted in accordance with fixed schedules to or from fixed terminals over specific routes; and c) is available to the general public on a regular basis.

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ABN 34 108 162 398

Smart Eyewear and Recording Wearables	Smart Eyewear" includes any wearable glasses, headsets, or optical devices equipped with integrated technology capable of capturing audio, video, or photographic media, transmitting data, or utilising augmented/virtual reality interfaces (including but not limited to Apple Vision Pro, Meta Quest, Ray-Ban Meta, and Google Glass).
Use of the Airport	Use of the Airport means the use of the Airport, its Facilities or Services by an Aircraft Operator, aircraft, Vehicle Operator, vehicle, tenant or other Airport user and includes, without limitation, landing, taking-off, taxiing, parking, embarking or disembarking passengers, loading or unloading cargo, accessing Airport facilities or services, and the parking or storage of any aircraft or vehicle, including abandoned or unregistered aircraft or vehicles.
Vehicle Operator	includes the owner, operator, driver and any other party with any control over or ownership in any vehicle accessing the Airside area of the Airport.
We, Our, TSC and Horn Island Airport	refers to Horn Island Airport and includes TSC managers, officers and employees whether permanent, casual or temporary.
You, the Operator, AOC Holder, Aircraft Owner, Aircraft Operator, Vehicle Operator, Certificate of Registration Holder, or lessee	means the owner or operator of an aircraft or vehicle, Kiosk Operator, CASA, Airservices Australia, refuellers and any other operator providing work or services at the time that TSC services and facilities are used,

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ABN 34 108 162 398

4. INTERPRETATION

A reference to:

a) this Document or another instrument includes any variation or replacement of any of them; and

b) a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments re-enactments or replacements of any of them occurring at any time before or after the date of this document; and

c) a person includes a reference to the person's executors, administrators, successors, substitutes (including, without limitation, persons taking by novation) and assigns: and

d) an accounting term is to be interpreted in accordance with approved accounting standards generally accepted principles and practices in Australia consistently applied by a body corporate or as between bodies corporate and over time; and

e) any thing (including, without limitation, any amount) is a reference to the whole and each part of it and a reference to a group of persons is a reference to all of them collectively, to any two or more of them collectively and to each of them individually ; and

f) the president of a body or authority is a reference, if there is no such person, to the senior officer of the body or authority or to the person who fulfills the duties of president; and

g) a clause is a reference to a clause in this Document ;

h) these Conditions may form part of another agreement between you and TSC, or may constitute the agreement governing your access to and use of the Airport.

The singular includes the plural and vice versa.

The word "person" includes a firm, a body corporate, an unincorporated association or an authority.

An agreement, representation of warranty in favour of two or more persons is for the benefit of them jointly and severally.

Headings are inserted for convenience and do not affect the interpretation of this Document.

5. PURPOSE

To provide guidance and direction to users and tenants of the Airport to ensure compliance with relevant legislation, and the safe conduct of activities at the Airport.

6. AIRPORT FACILITIES & SERVICES

The Airport facilities include all land, infrastructure, facilities and improvements within the Airport, whether they be owned by TSC, or another entity e.g. a lessee.

6.1 When using our Facilities and Services at the Airport you must comply with:

a) this Conditions of Use document;

b) the operational requirements of the Airport as published in the AIP, ERSA and NOTAM;

c) Civil Aviation Safety Authority and Airservices rules and regulations ;

d) all relevant Legislation, regulatory requirements, directives and TSC policies, including but not limited to those relating to:

i. work health and safety;

ii. local government;

iii. civil aviation and aviation safety, including requirements administered by CASA;

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iv. aviation and transport security, including requirements administered or issued by the Commonwealth Department of Home Affairs;

v. environmental protection and management; and

vi. any applicable Torres Shire Council Local Laws and policies.

e) other conditions, instructions, orders and directions necessary for the day-to-day operation of Airport

f) local flying restrictions; and

g) directions on security from the Commonwealth Department of Infrastructure and Regional Development;

h) the requirement to obtain and observe the relevant operator licences, access codes and keys, limited by number, as issued by Horn Island Airport Management and at its sole discretion, including, but not limited to, airside vehicle permits, airside driving licences, Aviation Security Identification Cards (ASIC) and Visitor Identification Cards (VIC).

i) every lease-holder must have a responsible, contact person on site at all times while they are operating,

j) All communications about airport business is to go through the Airport manager in the first instance. No operator is to demand communications with TSC Chief Executive Officer, or Elected Members unless an issue is escalated in line with TSC's Dispute Resolution Process as included in Schedule 5

k) Any operational directions that may given by the Airport Manager, an Airport Reporting Officer / Airport Works Safety Officer, or other authorised TSC employee in the pursuit of meeting the Council's obligations when operating a Certified Airport.

l) you must conduct a safety/incident/accident investigation and report on any reportable matter (as designated by our or their SOPs and regulations). and make available the reports and safety outcomes to Airport Management as requested for our records and or inclusion in our reports and findings.

6.2 You must not do anything which puts TSC in breach of any Legislation and you accept that:

a) access to our Facilities and Services is subject to the demands of other users of the Airport ;
b) use of the Airport may be constrained by Legislation; and
c) we are not responsible for the security of aircraft, vehicles, their contents, equipment, or your property.

6.3 Services we do not provide

(a) terminal navigation services; or

(b) rescue and firefighting services; or

(c) en-route services; or

(d) meteorological services; or

(e) engineering services; or

(f) apron services other than allocation aircraft parking bays; or

(g) aircraft, building, motor vehicle or other security services.

7. COMMENCEMENT

Date of currency of these Conditions is as at the date on the front page of these Conditions, until we change, replace or waive them.

8. INFORMATION REQUIRED FOR AIRCRAFT OPERATIONS

The Operator must not take any action or allow any omission to occur which may involve TSC in any breach or alleged breach of any Legislation.

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ABN 34 108 162 398

8.1 **Regular Public Transport (RPT) Operations -** for aircraft and operators involved in RPT Operations:

Before using our Facilities and Services at the Airport you must give us the information we require in a timely manner at TSC's sole discretion, including:

a) your name, address, ABN and contact details;

b) evidence that you have emergency procedures in place in connection with all potential threats to passengers, cargo and the Facilities and Services at the Airport as appropriate to your operations and at least to the standard required to comply with the Aerodrome Emergency Procedures Plan;

c) the names, addresses, telephone numbers (business and after hours), email contacts, facsimile numbers and all other contact details of your key personnel we can contact at any time about emergencies, security, operational or financial matters in connection with you using the Airport;

d) evidence of the insurance policies you hold that are consistent with the requirements of Condition 8.1, has specific responsibilities and indemnifies and holds blameless TSC in relation, together with confirmation that these policies will remain current at all times when you are using the Facilities and Services at the Airport;

e) ground handling arrangements for passengers and cargo if required for your operations;

f) arrangements for the repositioning of stationary aircraft;

g) inventory of vehicles to be used airside along with parking and equipment storage arrangements, and

h) confirmation that the types and standards of aircraft being flown by you into and from the Airport are compliant with the *Air Navigation (Aircraft Noise) Regulations;*

i) you must provide us with the details of any changes made to information required under this Condition 8.1 within 1 month of such change;

j) you must within 7 working days of the end of each calendar month, provide us with the accurate number of passengers per flight that you embarked and disembarked at the Airport and at Sadie's Beach Helipad during that month, and the number of actual flights conducted during each month for each aircraft type;

k) where you fail to provide the information mentioned in Condition 8.1(g), we will calculate and levy our charges based upon the presumption of maximum seat load capacity as published by you, or determined from the aircraft manufacturer's web site, which amounts you are required to pay before we will enter any meaningful discussions to have the correct load capacity determined;

l) where you advise us that the information given to us under this Condition 8.1 is commercially sensitive, we shall use our best endeavors to maintain its confidentiality.

8.2 **Non-Regular Public Transport Operations (including all Charter Operations)**

For aircraft and operators not involved in RPT Operations, before using our Facilities and Services at the Airport you must give us the information we require in a timely manner at TSC's sole discretion, including:

a) your name, address, ABN and contact details;

b) evidence that you have emergency procedures in place in connection with all potential threats to passengers, cargo and the Facilities and Services at the Airport as appropriate to your operations and at least to the standard required to comply with the Aerodrome Emergency Procedures Plan;

c) the names, addresses, telephone numbers (business and after hours), email contact, facsimile numbers and all other contact details of your key personnel we can contact at any time about emergencies, security, operational or financial matters in connection with you using the Facilities and Service at the Airport;

d) evidence of the insurance policies you hold that are consistent with the requirements of Condition 8.2 and confirmation that these policies will remain current at all times when you are using the Facilities and Services at the Airport;

e) ground handling arrangements for passengers and cargo if required for your operations;

f) arrangements for the repositioning of stationary aircraft;

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g) confirmation that the types and standards of aircraft being flown by you into and from the Airport are compliant with the *Air Navigation (Aircraft Noise) Regulations, Chapter 2* phase out program;

h) confirmation of the ownership details for all aircraft identified by registration using the Facilities and Services;

i) you must provide us with the details of any changes made to information required under Condition 13 within one month of such change;

j) where information required by this Condition is not provided, we will obtain such of those details as are located on the CASA register and the equivalent International aircraft registration bodies, and:

i. we shall determine the MTOW for the aircraft; and

ii. the registered owner and/or aircraft operator as indicated on the CASA and/or equivalent International aircraft registration bodies will be held jointly and severally liable in relation to all costs and charges levied.

8.3 All aircraft and operators

For all aircraft and operators whether or not involved in RPT Operations:

a) you are responsible for ensuring that timely written notification is given to us if the ownership of any aircraft being operated from the airport changes, or, if the operator of any such aircraft changes; and

b) where you fail to provide the information required under Conditions 8.2 above, we shall be entitled to calculated and levy our Fees and Charges based upon the presumption that the aircraft continues to be operated and/or owned by you.

c) All communications about airport business is to go through the Airport manager in the first instance. No operator is to demand communications with TSC Council or Elected Members unless an issue is escalated in line with TSC's Dispute Resolution Process as included in Schedule

9. OPERATIONAL REQUIREMENTS - AIRCRAFT

9.1 Compliance with Laws, Rules and Regulations

9.1.1 Access and use of the Airport is subject to compliance by the Aircraft Operator with:

a) local flying restrictions including the requirements of the *Civil Aviation Act 1988 and Regulations*, the *Civil Aviation Safety Regulations 1998*, *Civil Aviation Orders*, the *Air Navigation Act 1920*, the *Air Navigation Regulations* and Air Services Australia publications;

i. Part 9 Division 8 of the *Civil Aviation Regulations* 1988 made under the *Civil Aviation Act 1988* contains certain regulations protecting the rights of the aerodrome operator. The regulations confirm that compliance to all of the relevant rules and regulations with regards to aircraft operations does not confer the right to land at an aerodrome on the aircraft operator, against the will of the owner or operator of that aerodrome.

ii. *Civil Aviation Regulation 93* protects the right of the aerodrome owner.

b) Aircraft must use call signs in accordance with AIP and in addition;

i. Formation flights: The formation flight leader must notify TSC in writing of the call signs of all aircraft involved in the formation flight;

ii. All landings: All aircraft on every occasion are required to broadcast their intention to conduct either a full stop landing or a touch and go landing by a downwind, base leg or final approach call; and

iii. Training Operations: Aircraft must comply with circuit training restrictions and other Notes as notified in ERSA, and Council's "Horn Island Airport (HID) Fly Neighbourly Policy & Enforceable Rules".

c) Directives made by the Commonwealth Department of Home Affairs including, but not limited to, security of airport and aircraft;

d) All future written agreements between TSC and the Aircraft Operator.

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9.1.2 The Aircraft Operator and/or TSC employees must not do anything that is, or may lead to a breach of any Legislation when operating at the Airport.

9.2 Notification

If required by the TSC, as aircraft operator, you must advise TSC of all current details relating to your aircraft proposing to access and use the Airport. Such details to be included are:

a) the name, address and contact details of the aircraft operator and registered owner;

b) make, type, registration and MTOW of aircraft;

c) contact name in respect to an emergency or security issue;

d) copies of certificates of currency for the Aircraft Operator's policies of insurance;

e) advising and gaining prior approval from TSC in writing of any intention to increase any air transport services to Horn Island Airport or Sandie's Beach Helipad outside of previously agreed schedule.

f) advising TSC in writing of any intention to make any increase in fleet or aircraft size before operating them at Horn Island Airport or Sandie's Beach Helipad.

9.3 Prohibitions

If this document prohibits the Aircraft Operator from doing a thing:

a) the Aircraft Operator must do everything necessary to ensure that the Aircraft Operator's employees, servants, agents and contractors do not do that thing; and

b) the Aircraft Operator may not allow or cause any person to do that thing.

10. COMPLY WITH LEGISLATION

The Operator must comply on time with all requirements and orders of authorities and all laws including, without limitation, all relevant Work Health and Safety, environmental protection laws and authorities and the Legislation.

10.1 If you fail to comply with these Conditions, TSC may issue you with a written notice identifying the non-compliance and requiring you to:

a) remedy the non-compliance within the period specified in the notice;

b) take any action reasonably required by TSC to prevent the non-compliance from continuing or recurring; and

c) comply with any reasonable direction issued by TSC in relation to the non-compliance.

10.2 Where TSC reasonably considers that a failure to comply with these Conditions, or with a direction issued by TSC, may affect safety, aviation security, regulatory compliance or the safe and orderly operation of the Airport, TSC may require you to take immediate action to remedy the non-compliance or comply with the direction

10.3 If you fail to comply with a notice or direction issued under these Conditions within the time specified by TSC, TSC may restrict, suspend or refuse your access to or use of the Airport, including any of its Facilities and Services, until the non-compliance has been remedied to TSC's reasonable satisfaction.

10.4 Comply with Legislation – Vehicle Laws, Rules and Regulations

With regards to vehicles:

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10.4.1 Access and use of the Airport is subject to compliance by the Vehicle Operator with:

a) Local Law No.11 (Public Aerodromes), including but not limited to the requirement to obtain an approval to gain access to the airside area;

b) Directives made by the Commonwealth Department of Home Affairs including but not limited to security of airport and vehicles; and

c) All future written agreements between TSC and the Vehicle Operator.

10.4.2 The Vehicle Operator or its servants:

a) Must not do anything that is in breach of any Legislation when operating at the Airport.
b) **Must ensure vehicles comply with all road registration inspections / service.**

10.5 Notification

If required by the TSC, the Vehicle Operator must advise TSC of all current details relating to its vehicle proposing to access and use the Airside area of the Airport. Such details to be included are:

a) any approval that the Vehicle Operator has for Airside access approvals will be limited to the lease holder or who have approved airside delivery services unless a security event procedure applies;

b) the name, address and contact details of the Vehicle Operator and the registered owner of the vehicle;

c) make, type and license number of the vehicle;

d) contact name in respect to an emergency or security issue; and

e) copies of certificates of currency for the Vehicle Operator's policies of insurance.

10.6 Prohibitions

If this document prohibits the Vehicle Operator from doing a thing:

a) the Vehicle Operator must do everything necessary to ensure that the Vehicle Operator's employees, servants, agents and contractors do not do that thing; and

b) the Vehicle Operator may not allow or cause any person to do that thing.

10.7 Operators must comply with all other aspects covered by Council Local Law No 11

11. REMEDIES

11.1 General Remedies

In addition to any rights or remedies available to TSC under these Conditions or at law, TSC may take any action reasonably necessary to:

a) protect the health, safety and wellbeing of TSC employees, contractors, Airport users and other persons at the Airport;

b) prevent or respond to conduct that may threaten, intimidate, harass, bully or otherwise adversely affect the health or safety of any person;

c) protect aviation safety and security;

d) ensure regulatory compliance;

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e) protect Airport property, facilities and infrastructure; and

f) maintain the safe, secure and orderly operation of the Airport.

The exercise of a remedy under this clause does not limit TSC's right to exercise any other remedy available under these Conditions or at law.

11.2 Movement of Parked Aircraft or Vehicles

11.2.1 Other than parking Bays 1,2 and 3, aircraft parking parking positions at the Airport are not currently allocated and are used at the discretion of TSC, having regard to aircraft type and weight, operational requirements, safety, security, Airport capacity and other relevant circumstances. TSC may at any time direct an Aircraft Operator or Vehicle Operator to move an aircraft or vehicle to another location within the Airport, or to remove it from the Airport, within the period specified by TSC.

11.2.2 A direction under clause 11.2.1 may be given where TSC reasonably considers the movement or removal necessary for aircraft parking or bay allocation, aircraft weight or operational limitations, arriving or departing aircraft, safety, security, regulatory compliance, maintenance, emergency response, protection of Airport infrastructure, or the safe, efficient and orderly operation of the Airport.

11.2.3 An Operator must comply promptly with a direction issued under clause 11.2.1 and, where TSC specifies a time for compliance, must comply within that time.

11.2.4 If the Operator fails to comply with the direction within the period specified, TSC may, subject to any applicable legal requirements, move or arrange for the movement or removal of the aircraft or vehicle.

11.2.5 The Operator is liable for the reasonable costs and expenses incurred by TSC as a result of the Operator's failure to comply with a direction issued under this clause, including the reasonable costs of moving, removing or storing the aircraft or vehicle or any costs associated with damages as a result of the removal or relocation of an aircraft..

11.3 Aircraft or Vehicle Detention and other access limitations

11.3.1 Subject to any applicable legal requirements, TSC may detain an aircraft or vehicle where TSC is legally entitled to do so and reasonably considers detention necessary and proportionate having regard to the nature of the non-compliance, the risk arising from it and the circumstances in which it occurred.

11.3.2 Without limiting clause 11.3.1, detention may be considered where:

a) an amount properly due and payable to TSC in connection with the aircraft, vehicle or Use of the Airport remains unpaid after the due date and any required notice has been given;

b) an aircraft or vehicle remains at the Airport contrary to a direction issued by TSC under these Conditions and the Operator has failed to move or remove it within the period specified by TSC;

c) the aircraft or vehicle presents, or TSC reasonably considers it may present, a risk to the health or safety of any person, aviation safety or security, Airport infrastructure, or the safe and orderly operation of the Airport; or

d) detention is otherwise authorised or required by law.

11.3.3 Any detention, continued detention, release, removal, sale or disposal of an aircraft or vehicle under this clause must be undertaken in accordance with applicable law and any required notice or procedural requirements.

11.3.4 To the extent permitted by law, the Operator is liable for all reasonable costs and expenses incurred by TSC in

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exercising its rights under this clause, including costs associated with the detention, movement, removal, storage, security, release, sale or disposal of the aircraft or vehicle.

11.3.5 The right of detention conferred by this document continues and is exercisable by TSC at any time when the aircraft or vehicle is at the Airport.

11.3.6 The exercise by TSC of this right of detention is not to be and shall not be deemed to be a refusal to give access to the Airport.

~~11.3.6~~**11.3.7** In addition to the rights set out under this clause, Council may stop, prevent or restrict the landing or movement of any aircraft, vehicle, person or operator at the Airport if Council, in its absolute discretion, considers any of the circumstances in section 11.1 of these Conditions apply, or if Council otherwise considers it is appropriate to limit the movement of an aircraft, vehicle, person or operator in this way. Council may exercise this right by giving a direction, which may be written or verbal, and the recipient of the direction must immediately comply with the direction.

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12. INFORMATION REQUIRED FOR FEES AND CHARGES

12.1 When accessing or using the Airport, you must:

a) comply with these Conditions and all applicable Legislation, regulatory requirements, directions, procedures and TSC policies relating to your access to or Use of the Airport;

b) comply with any lawful and reasonable direction issued by TSC, the Airport Manager, Assistant Airport Manager, Safety Officer, Supervisor, an ARO or any other authorised TSC employee in relation to the safe, secure and orderly operation of the Airport;

c) ensure that your operations and activities do not create an unreasonable risk to the health, safety and wellbeing of any person, aviation safety or security, Airport property, Facilities, Services or infrastructure;

d) take all reasonable steps to prevent damage, contamination or obstruction arising from your operations or activities at the Airport; and

e) promptly clean up and remove any oil, fuel, grease, debris, waste or other material deposited or spilled as a result of your operations or activities and, where required by TSC, restore the affected area to TSC's reasonable satisfaction.

12.2 You must also within seven (7) days of the end of each calendar month provide us with;

a. The actual number of Passengers per Flight that you embarked and disembarked at the Airport and Sadies Beach Helipad during that month; and
b. the number of transit Passengers, identified separately;
c. the actual number of Flights operated to and from the Airport, identified by aircraft type and registration; and
d. the number of Passenger seats available on each Flight.

All information provided under this clause must be complete, accurate and not misleading.

12.3 We will calculate and levy our Aviation Fees and Charges based upon the registered Maximum Take-off weight as published by CASA or available on the aircraft manufacturer's web site. In the case of per passenger charges we will calculate on the maximum seat load capacity of the aircraft, which amounts you are required to pay and how you guarantee accuracy before we will enter any meaningful discussions to have the correct seat load capacity determined should this information have not been provided.

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12.4 If requested by TSC, you must at your cost, engage a suitably qualified and independent auditor to verify the accuracy and completeness of information provided by you under these Conditions and provide TSC with the auditor's certified statement. The statement must be provided within sixty (60) days of TSC's request, or within such other reasonable period specified by TSC. The auditor must be appropriately registered or qualified in accordance with applicable Legislation.

12.5 TSC reserves the right, at any time, to conduct, or appoint an independent auditor to conduct, an audit to verify the accuracy and completeness of any information provided by you under these Conditions.

You must provide TSC and/or its appointed auditor with all reasonable assistance and access to relevant records, documents and information reasonably required for the purposes of conducting the audit.

12.6 Where information provided by you, or information obtained through an audit conducted under clause 12.4, identifies an error, omission or discrepancy in information previously provided by you, TSC reserves the right to recalculate the applicable Fees and Charges using the corrected or verified information and to recover from you any additional amount payable as a result calculated at the maximum capacity of the aircraft for a period of up to five years prior to the audit date.

12.7 Operators found to be under-reporting will have their self-reporting privileges revoked until they can prove to TSC that they can again be trusted to self-report.

12.8

Where the recalculation establishes that you have overpaid Fees and Charges, TSC will credit or refund the overpayment, as appropriate.

12.9 Where an audit conducted under clause 12.4 identifies that the Fees and Charges payable to TSC were understated by five per cent (5%) or more as a result of inaccurate, incomplete or omitted information provided by you, you must reimburse TSC for the reasonable costs of conducting the audit.

12.10 Where you identify information provided to TSC under these Conditions as commercially sensitive or confidential, TSC will take reasonable steps to maintain the confidentiality of that information, except where disclosure is required or authorised by law, or is reasonably necessary for TSC to administer, verify, audit or enforce these Conditions.

12.11 Where you fail to provide the information required under these Conditions within the specified timeframe, TSC reserves the right to calculate and levy the applicable Fees and Charges using:

a) the maximum Passenger seating capacity of the relevant aircraft, as published by the aircraft manufacturer or otherwise reasonably determined by TSC; and/or

b) the registered Maximum Take-Off Weight (MTOW) of the relevant aircraft, as published by CASA or otherwise reasonably verified by TSC, as applicable to the Fee or Charge being calculated.

c) Where TSC calculates Fees and Charges under this clause because of your failure to provide the required information within the specified timeframe, you will not be entitled to a retrospective adjustment solely because you subsequently provide that information, unless TSC, acting reasonably, agrees otherwise.

12.12 Commonwealth Government Mandated Services

12.12.1 You must pay the applicable Fees and Charges for Commonwealth Government mandated security services provided in connection with your Use of the Airport.

12.12.2 12.9.2 TSC administers the Fees and Charges associated with the provision of Commonwealth Government mandated security services at the Airport. These services may include, but are not limited to:

a) passenger security screening;

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b) checked baggage and carry-on baggage screening;

c) any other security services, measures or requirements mandated by the Commonwealth Government, the Department of Home Affairs or another lawful authority;

d) any additional security measures TSC is required to implement or provide, whether directly or through a third-party service provider;

e) the hire, acquisition, installation, operation, maintenance or replacement of equipment and infrastructure required to provide mandated security services; and

f) reasonable operational, administrative and contract management costs incurred by TSC in providing or administering mandated security services.

12.12.3 Fees and Charges payable under this clause will be calculated using the applicable charging methodology adopted by TSC, including, where applicable, the number of Passengers using the relevant service.

Where you fail to provide the information required to calculate those Fees and Charges, TSC may calculate and levy the applicable Fees and Charges in accordance with clause 12.8.

12.13 Unpaid Charges

If you fail to pay any Fees and Charges payable under this clause within the period specified on the relevant invoice, TSC's applicable debt management and recovery processes will apply

12.13.1 In addition to TSC's applicable debt management and recovery processes, and subject to applicable law, TSC may do any one or more of the following:

a) charge you interest on any overdue amount from the date the amount became payable until the date it is paid in full, calculated at the Interest Rate;

b) recover from you all reasonable costs and expenses incurred by TSC in relation to the recovery of the overdue amount, including reasonable legal costs, court and filing fees, debt recovery costs and other reasonable external recovery expenses;

c) suspend or refuse to allow any or all of your Aircraft to use the Facilities and Services at the Airport, to the extent permitted by law;

d) exercise any lawful right available to TSC to detain any of your Aircraft until all outstanding Fees and Charges, interest and recoverable costs have been paid in full;

e) issue a notice directing you to remove any or all of your Aircraft from the Airport and, if you fail to comply with that notice within the period specified by TSC, exercise any lawful right available to TSC to:

i. remove or arrange for the removal of the Aircraft from the Airport and recover from you the reasonable costs and expenses incurred in doing so; and/or

ii. take any other action available to TSC under applicable law in relation to the Aircraft; and/or

f) commence proceedings or take any other lawful debt recovery action against you for all amounts due and payable to TSC.

12.13.2 For the avoidance of doubt, the remedies specified in this clause 12 are not exhaustive and do not limit any other rights or remedies available to TSC in respect of a breach of this clause. TSC reserves all rights and remedies available to it under these Conditions, at law or otherwise

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12.13.3 Unless TSC gives its prior written consent, you must pay all Fees and Charges due under these Conditions in full and without set-off, counterclaim or deduction.

12.14 Bank Guarantee or Bond

a) TSC may require you to provide a Bank Guarantee or Bond where:

i. on two (2) or more occasions you have failed to pay any undisputed Fees and Charges by the due date specified on the relevant invoice; or

ii. TSC has commenced debt recovery action against you in relation to any amount due and payable under these Conditions.

b) Any Bank Guarantee or Bond required under this clause must be in a form, for an amount and for a period reasonably determined by TSC having regard to the amounts payable, your payment history and TSC's reasonable assessment of its financial exposure.

c) If you fail to provide a Bank Guarantee or Bond required by TSC under this clause within the timeframe specified by TSC, TSC may, subject to applicable law:

i. suspend or refuse to allow any or all of your Aircraft to use the Facilities and Services at the Airport; and/or

ii. suspend or refuse your access, or the access of an entity acting on your behalf in connection with your Airport operations, to such parts of the Airport as TSC reasonably determines appropriate,

until the required Bank Guarantee or Bond has been provided.

13. INSURANCES

13.1 Insurance

The Operator must, at its own cost, obtain and maintain throughout the period of its Use of the Airport:

a) products and public liability insurance for an amount of not less than AUD $20 million or as specified in their lease agreement, for any one occurrence, or such other amount as TSC may reasonably require from time to time;

b) any other insurance required by law or which TSC reasonably considers a prudent Operator undertaking the relevant activities at the Airport would maintain.

13.1.1 The Operator must provide evidence of the insurance required under this clause in accordance with clause 13.3.

13.1.2 If the Operator fails to obtain or maintain the insurance required under this clause, or fails to provide satisfactory evidence of that insurance when requested, TSC may refuse or suspend the Operator's Aircraft or Vehicles from using the Airport, Facilities or Services until satisfactory evidence is provided that the required insurance is current and in force.

13.1.3 The minimum amount of insurance required under this clause does not limit the Operator's liability under these Conditions or otherwise at law.

13.2 Requirements of Insurance Policy

Any policy of insurance required to be obtained and maintained by the Operator under clause 13.1 must:

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a) be issued by an insurer authorised to carry on insurance business in Australia and be for an amount, provide coverage for risks, and contain terms and conditions reasonably acceptable to TSC; and

b) not contain any unusual or unreasonable exclusions, endorsements, limitations or alterations that materially reduce the coverage required under these Conditions, unless approved in writing by TSC.

Property insurance

Where the Operator owns, leases, occupies or is responsible for any building, hangar, structure, equipment or other property at the Airport, the Operator must obtain and maintain appropriate property insurance in respect of that property.

The property insurance must:

a) be issued by an insurer authorised to carry on insurance business in Australia;

b) provide coverage appropriate to the nature and value of the property and the risks associated with the Operator's activities at the Airport;

c) be for the full replacement value of the insured property, or such other amount reasonably approved or required by TSC;

d) not contain any unusual or unreasonable exclusions, endorsements, limitations or alterations that materially reduce the required coverage, unless approved in writing by TSC, acting reasonably; and

e) where reasonably required by TSC, note TSC's interest in the insured property to the extent of TSC's respective rights and interests.

13.3 Payment and Production of Insurance Documents

13.3.1 The Operator must promptly pay all premiums and other amounts payable in respect of the insurance policies required under this clause 13 and must ensure that those policies remain current and in force at all times when required under these Conditions.

13.3.2 If requested by TSC, the Operator must provide evidence satisfactory to TSC that the insurance required under this clause 13 is current and in force, including a certificate of currency and, where reasonably required by TSC, a copy of the relevant insurance policy, schedule and any endorsements.

13.4 Notification

The Operator must notify TSC as soon as practicable if:

a) any insurance policy required under this clause 13 is cancelled, suspended, lapses, is not renewed, or is materially altered or reduced in coverage;

b) any event or circumstance occurs that gives rise, or may reasonably be expected to give rise, to a claim under an insurance policy required under this clause 13; or

c) any claim made under such a policy in connection with the Operator's activities at the Airport is denied or

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refused by the insurer.

13.5 No limitation

The obtaining or maintenance of insurance under this clause 13 does not limit, reduce or otherwise affect any obligation, liability or responsibility of the Operator under these Conditions or otherwise at law.

13.6 Global or Blanket Policy

The Operator may satisfy its obligations under this clause 13 through a global, blanket or other insurance policy covering the Operator's activities at the Airport together with its activities at other locations, provided that:

a) the policy provides coverage that meets all applicable requirements of this clause 13;

b) the limits of cover available under the policy are sufficient to meet the minimum insurance requirements applicable to the Operator under this clause 13; and

d) the existence of claims, liabilities or insurance arrangements relating to other locations or activities does not materially reduce or prejudice the coverage required in respect of the Operator's activities at the Airport.

14. EXCLUSION OF LIABILITY AND INDEMNITY

We do not make any representation or warranty in connection with the use of the Airport or the Facilities and Services and we exclude all implied warranties and conditions that can be excluded.

14.1 Exclusion of Liability

14.1.1 To the maximum extent permitted by law, any condition, warranty, guarantee or other term that would otherwise be implied into these Conditions by law is excluded.

Where any such condition, warranty, guarantee or other term cannot lawfully be excluded, TSC's liability for breach is limited, to the extent permitted by law:

a) in relation to goods, to one or more of the following:

i. replacing the goods or supplying equivalent goods;

ii. repairing the goods;

iii. paying the cost of replacing the goods or acquiring equivalent goods; or

iv. paying the cost of having the goods repaired; and

b) in relation to services, to one or more of the following:

i. supplying the relevant Facilities or Services again; or

ii. paying the reasonable cost of having the relevant Facilities or Services supplied again.

14.1.2 To the maximum extent permitted by law, TSC, its employees, agents and contractors will not be liable for any loss of or damage to an Aircraft, Vehicle, or any equipment, parts, accessories or other property owned, operated or brought onto the Airport by the Operator, arising from or in connection with:

a) the Aircraft being at, operating at, landing at, taking off from, parked at, moved within or removed

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from the Airport;

b) a Vehicle accessing, operating within, being parked within or being removed from an Airside Area;

c) the Operator's Use of the Airport, Facilities or Services,

except to the extent that the loss or damage is caused or contributed to by an act or omission of TSC for which liability cannot lawfully be excluded or limited.

14.2 Indemnity

The Operator indemnifies TSC, its employees, agents and contractors against all claims, actions, liabilities, losses, damages, costs and expenses arising out of or in connection with:

a) any loss of or damage to property;

b) any injury to, or death of, any person;

c) any act, omission, negligence or breach of these Conditions by the Operator or its employees, agents, contractors, customers or other persons for whom the Operator is responsible;

d) any unsafe condition, hazard or danger created or caused by the Operator or its employees, agents, contractors, customers or other persons for whom the Operator is responsible;

e) the operation, use, storage or presence of any Aircraft, Vehicle, equipment, machinery, goods or other property brought onto or used at the Airport by or on behalf of the Operator; or

f) the Operator's Use of, or activities at, the Airport, Facilities or Services,

except to the extent that the relevant claim, liability, loss, damage, cost or expense was caused or contributed to by the negligence, unlawful act or omission, or breach of these Conditions by TSC, its employees, agents or contractors.

15. ASSUMPTION OF RISK AND RELEASE

The Operator uses the Airport, Facilities and Services at its own risk, subject to the provisions of this clause and to the maximum extent permitted by law.

15.1 General Release

To the maximum extent permitted by law, the Operator releases TSC and TSC Personnel from all claims, actions, liabilities, losses, damages, costs and expenses arising out of or in connection with:

a) loss of or damage to property arising from the Operator's Use of the Airport, Facilities or Services;

b) delays, disruptions, cancellations or changes to the movement, operation or scheduling of the Operator's Aircraft;

c) the temporary restriction, suspension or closure of all or any part of the Airport, Facilities or Services;

d) any consequential, indirect or economic loss arising from or in connection with the matters referred to in

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paragraphs (a) to (c); and

e) any other loss or damage arising from the Operator's Use of, or activities at, the Airport,

except to the extent that the relevant loss, damage, liability, cost or expense is caused or contributed to by an act or omission of TSC or TSC Personnel for which liability cannot lawfully be excluded or limited.

16. AIRPORT CLOSURE OR SERVICES UNAVAILABLE

16.1 TSC will use reasonable endeavours to keep the Airport, Facilities and Services available for use, subject to operational requirements, maintenance, works, special events, new development, safety or security requirements, regulatory requirements, emergencies and circumstances beyond TSC's reasonable control.

16.2 TSC may, at any time and with such notice as is reasonably practicable in the circumstances, declare the Airport or any part of the Airport, Facilities or Services wholly or partly unavailable for use where TSC reasonably considers this necessary for safety, security, operational, maintenance, emergency or regulatory purposes.

16.3 WTSC will use reasonable endeavours to minimise the duration and operational impact of any planned closure or unavailability of the Airport, Facilities or Services and, where reasonably practicable, provide advance notice to affected Operators.

16.4 Where an unserviceability, emergency, safety, security or other operational requirement necessitates the immediate closure or restriction of all or any part of the Airport, TSC will provide notification in accordance with applicable aviation requirements, including by NOTAM where required.

16.5 It is your responsibility to arrange use of alternative facilities or services.

17. VARIATIONS

17.1 TSC may amend or vary these Conditions from time to time, including where reasonably required to reflect changes to applicable laws, regulatory requirements, safety or security requirements, Airport operations, Facilities or Services.

17.2 TSC will provide Operators with reasonable notice of any material amendment or variation to these Conditions, except where an amendment or variation is required to take effect immediately because of an emergency, safety, security, regulatory or other urgent operational requirement.

17.3 Any amendment or variation will take effect on the date specified by TSC in the notice of the amendment or variation.

18. SECURITY, PRIVACY AND DATA PROTECTION

18.1 Photography, audio or video recording, whether overt or covert, is strictly prohibited at Horn Island Airport check-in facilities, security screening checkpoints, and designated restricted or security-sensitive areas, including international border zones, passport control, customs and immigration facilities.

18.2 Recording of Australian Border Force personnel, security screening equipment, surveillance monitors or other security-sensitive operations is prohibited unless expressly authorised by the relevant authority. Unauthorised recording may result in intervention by airport security, Australian Border Force or the Australian Federal Police, including detention or seizure of recording devices where permitted by law.

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18.3 Operators, tenants, contractors, employees and members of the public must not wear, activate or use smart eyewear or other wearable recording devices within designated Restricted Zones, including security screening checkpoints, customs and immigration facilities, and airside operational areas, without prior written authorisation from the Airport Manager and, where applicable, the relevant Commonwealth authority

Failure to comply with this provision constitutes a breach of airport security protocols. The Airport manager reserves the right to confiscate airport access media, escort the individual from the premises, and terminate the operator's right to use the facilities.

18.4 TSC will collect, use, store, disclose and otherwise handle personal information obtained in connection with the in accordance with the Information Privacy Act 2009 (Qld) and any other applicable privacy and data protection laws.

18.5 TSC may collect, use and disclose personal information where reasonably necessary for the administration, calculation, verification, audit and recovery of Fees and Charges under these Conditions, including the Fees and Charges specified in Schedule 1, and for any other purpose permitted or required by the Information Privacy Act 2009 (Qld) or other applicable law.

18.3 An Operator may request access to, or correction of, personal information held by TSC about the Operator or its personnel. Any such request will be dealt with by TSC in accordance with the Information Privacy Act 2009 (Qld) and any other applicable law.

18.4 The Operator acknowledges that TSC may:

a) collect personal information from the Operator where reasonably necessary for the safe, secure, efficient and lawful operation, administration and management of the Airport;

b) use information collected in connection with these Conditions for Airport operational, administrative, planning, compliance, financial, audit and development purposes, to the extent permitted by applicable law; and

c) use de-identified or aggregated information for research, statistical analysis, Airport planning, service development and other purposes associated with the management and development of the Airport.

19. GOVERNING LAWS AND POLICIES

19.1 Governing Law

These Conditions are governed by and construed in accordance with the laws in force in Queensland and the applicable laws of the Commonwealth of Australia.

The Operator submits to the jurisdiction of the courts of Queensland and any courts having jurisdiction to hear appeals from those courts.

19.2 TSC Local Laws, Policies, Codes and Procedures

The Operator must comply with all applicable TSC Local Laws and with any TSC policies, procedures, codes, standards or other requirements identified in Schedule 4, to the extent that they apply to the Operator's activities or Use of the Airport.

For the purposes of Local Law No. 11 (Public Aerodromes):

a) these Conditions reflect Council's regulation of the use of the Airport including for the purpose of section 12(1) of Local Law No. 11 (Public Aerodromes);

b) an Operator may only lawfully use the Airport if they do so in compliance with these Conditions;

c) any person who uses the Airport in breach of these Conditions will be considered by Council to be using the Airport without lawful authority or excuse, or otherwise unlawfully.

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20. FURTHER INFORMATION

For further information about, or clarification of, these Conditions, contact the Airport Manager.

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Schedule 1 – Airport Charges (refer www.torres.qld.gov.au)

Unless otherwise agreed the Airport Charges from 1 July 2026 to 30 June 2027 are set out in:

Airport Operations						Budget 2026/27		
Description	**2025/26**	**2026/27**		**Unit**	**Legislation**	**Section**	**Fee Type**	**GL#**
Airport Landing Fees – Per Movement/Per Tonne								
Fixed Wing or Non Helicopter Movements								
A landing charge per tonne pro-rata of an aircraft's maximum take-off weight, with minimum charge equivalent to MTOW of 1 tonne. Applies to landing, touch and go, stop and go. (MAXIMUM OF ONE LANDING CHARGE PER AIRCRAFT PER HOUR).	$35.40	$36.80	3.95%	Per tonne	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Surcharge for use of airport between the hours of 1900-0600 hrs (MAXIMUM OF ONE LANDING CHARGE PER AIRCRAFT PER HOUR	$27.00	$28.10	4.07%	Per landing movement	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
PLEASE NOTE THAT QANTAS LANDING FEE FOR 2026/27 IS $36.80				Per tonne				
HELICOPTOR LANDING FEES – Per Movement/Per Tonne	$19.20	$20.00	4.1%	Per tonne	Local Government Act 2009 & Regulations	S 262 (3) (c)	Commercial/Other	

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					2012			

Airport Operations						Budget 2026/27		
Description	**2025/26**	**2026/27**		**Unit**	**Legislation**	**Section**	**Fee Type**	**GL#**
A landing charge per tonne pro-rata of an aircraft's maximum take-off weight, with minimum charge equivalent to MTOW of 1 tonne. Applies to landing, touch and go, stop and go. (AIRCRAFT PER HOUR) at YSBH Saddles Beach Helipad	$19.20	$20.00	4.17%	Per tonne	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Surcharge for use of airport between the hours of 1900-0600 hrs (MAXIMUM OF ONE LANDING CHARGE PER AIRCRAFT PER HOUR) at Horn Island Airport	$27.00	$28.10	4.07%	Per landing movement	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
VEHICULAR AIRPORT ACCESSIBILITY								
Airside Vehicle Entry Permit (Annual)	$132.60	$137.90	4.00%	annual	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0

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Airside Driving Authority	$86.30	$89.90	4.06%	annual	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0

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Airport Operations						Budget 2026/27		
Description	**2025/26**	**2026/27**		**Unit**	**Legislation**	**Section**	**Fee Type**	**GL#**
Airside Vehicle Escort (8.00am-5.00pm)	$86.30	$89.90	4.06%	Per hour pro-rata	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Airside Vehicle Escort (After Hours)- Minimum 1 Hour Charge to Apply)	$211.00	$219.00	3.79%	Per hour pro-rata	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Airside Vehicle Escort (Saturday)	$132.60	$137.90	4.00%	annual	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Airside Driving Authority (Minimum 1 Hour Charge to Apply) Saturday	$211.00	$219.00	3.79%	Per hour pro-rata	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Airside Driving Authority (Minimum 1 Hour Charge to Apply) Sunday & Public Holidays	$264.00	$275.00	4/17%	Per hour pro-rata	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0

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Airport Operations						Budget 2026/27		
Description	**2025/26**	**2026/27**		**Unit**	**Legislation**	**Section**	**Fee Type**	**GL#**
PARKING FEES (OVERNIGHT RATE)								
A charge per tonne MTOW per night	$8.30	$8.60	$3.61	Per tonne	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
OR								
3 Months fees pre-paid per tonne (MTOW) per night	$4.20	$4.40	$4.76%	Per tonne	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
6 Months fees pre-paid per tonne (MTOW) per night	$3.10	$3.20	$4.09%	Per tonne	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
12 Months fees pre-paid per tonne (MTOW) per night	$3.10	$3.20	$4.09%	Per tonne	Local Government Act 2009 &	S 262 (3) (c)	Commercial/Other	8000-1300-0

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					Regulations 2012			

Airport Operations						Budget 2026/27		
Description	**2025/26**	**2026/27**		**Unit**	**Legislation**	**Section**	**Fee Type**	**GL#**
PASSENGER CHARGE								
PASSENGER CHARGE applies at YHID Horn Island Airport and other Torres Shire Council aircraft landing facilities								
Passenger charge – Council approved Airlines – Per passenger movement (landing and takeoff) where security screening service is required (Currently only Qantas)	$34.20	$35.60	4.09%	Per passenger	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Passenger Charge – Council approved Operators – Per passenger movement (landing and takeoff) where security screening service is required	$19.00	$20.00	$5.26%	Per passenger	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Passenger Charge – Other Operators. Charge per passenger calculated assuming the number of passengers is 70% of aircraft carrying capacity. One arrival and one departure charge will be invoiced in association with each landing record	$19.00	$20.00	$5.26%	Per passenger	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0

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PASSENGER CHARGE – Exempt Operators. Any Operator recorded as landing only once in the month with an aircraft less than 3,000 kg MTOW will be exempt from passenger charges. Other operators may be granted exemption from charges upon application to Council								
Late departures by RPT Flights after 5pm	$1,238.00	$1,288.00	4.04%	Per hour	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0

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Airport Operations						Budget 2026/27		
Description	**2025/26**	**2026/27**		**Unit**	**Legislation**	**Section**	**Fee Type**	**GL#**
Security Screening TAX Council Approved Airlines (Applicable for 8am-5pm 7 days per week) (Currently only Qantas)	$38.20	$39.70	$3.93%	Per outbound passenger	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Securty Screening TAX, Cuncil approved Airlines (Outside normal hours subject to quotation)	POA	POA		Per outbound passenger	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Electricity Charges – for all organisations or commercial operators that access the electricity supply to YHID facilities	Cost of supply from Ergon (or electricity supplier) plus $7.50 processing fee				Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Debt arrears exceeding trading terms of 30 days subject to 7% interest compounded daily until paid. Levied on a monthly basis with any interest calculated when less than $5 being exempt. Accounts are due at end of month when invoiced. (allows 50-120 days trading terms dependent on when flight taken).	7.00%	7.00%		Pe annum	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0
Commercial Activities Permit	POA	POA		Per application	Local Government Act 2009 & Regulations 2012	S 262 (3) (c)	Commercial/Other	8000-1300-0

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Schedule 2 – Terminal Common User Services

1. General Common User Conditions

1.1 Repair and Maintenance

Your obligations

You must pay us for any repairs to, and maintenance of, the Common User Facilities or any other property caused by the neglect, misuse or damage by you, your employees, agents and or contractors.

Our obligations

We must repair and maintain the Terminal Common User Facilities at our own expense in circumstances other than set out in Common User Conditions 3.2 below

Responsibility for employees and agents

You are responsible for the conduct of your employees and agents. You must ensure they observe these Terminal Common User Conditions and the Conditions generally.

1.2 Use of Our Equipment

Proper care

You must take proper care of our equipment and follow our reasonable directions for its use.

Repair of our Equipment

You must tell us immediately if any of Our Equipment is not working or has been damaged, we will repair Our Equipment as quickly as practicable. You must not allow any person except our employees, contractors or agents to repair Our Equipment.

Access to carry out repairs

You must give us reasonable access to inspect and to repair Our Equipment.

3.2 Handling agents

No inconsistent agreements with handling agents

Where you have an agreement with a handling agent, the terms of that agreement must not be inconsistent with any of these Terminal Common User Conditions.

Handling agent to know about these conditions

You must inform the handling agent of your obligations under these Terminal Common User Conditions.

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Schedule 3 – Terminal Conditions of Entry

3. Persons entering the Terminal Building -

must comply with all legal requirements including the following –

3.1 Security Screening

3.2 Unattended baggage or items

3.3 CCTV monitoring

3.4 No Weapons

3.5 No Smoking

3.6 No animals – except for assistance guide dogs and those used for law enforcement or those in airline cages approved for transport by air.

3.7 No bikes or similar riding vehicles

3.8 No helmets

3.9 Closing Times

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Schedule 4 – Governing Laws and Policies

4. Operators must comply with TSC's

4.2 Local Law No. 11 (Public Aerodromes)

4.3 Anti-Discrimination, Bullying and Harassment

(To be included in full in the following pages)

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TORRES SHIRE COUNCIL LOCAL LAW NO. 11

(PUBLIC AERODROMES)

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PART 1 - PRELIMINARY

1. Citation

This local law may be cited as Local Law No. 11 (Public Aerodromes).

2. Objects

The objects of this local law are:

(a) to protect the public against risk of injury and the community against damage; and

(b) to ensure that activities are undertaken in an orderly and safe manner and do not create a hazard to public health or a threat to property; and

(c) to control noise nuisance resulting from the use of aircraft and aerodrome activities; and

(d) to control the public use of an aerodrome to the extent that such use is consistent with the rights, expectations and safety of the local community; and

(e) to protect the Obstacle Limited Surfaces (OLS) and minimise hazards to aircraft,

in relation to the use and operation of an aerodrome.

3. Definitions

In this local law:

"aerodrome" means an area of land under the control of the local government and used and licensed as an aerodrome under the civil aviation laws for use as an aerodrome;

"airside area" means the movement area of an aerodrome, including buildings and other structures, being the whole of that part of an aerodrome inside its perimeter fence, but excluding buildings on leased areas and any area signposted by the local government for use by the general public in connection with a lawful aerodrome activity (for example, a waiting area or public carpark);

"aircraft stand" means an area at an aerodrome designated by the local government for the parking of aircraft including, but not limited to, the parking of aircraft for the purpose of loading and unloading of freight, mail and cargo, and for the embarkation or disembarkation of passengers;

"civil aviation laws" means a law made by or under an Act enacted by the Commonwealth Parliament in relation to aircraft safety, at, or in the vicinity of, an aerodrome;

"disorderly person" refer to section 9(1);

"lease" includes a sub-lease;

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"movement area" means any part of an aerodrome that is used for the surface movement of aircraft, including manoeuvering areas and aprons;

"Obstacle Limitation Surface" or OLS, means the series of surfaces established by the local government in the air space around an aerodrome which limit the height above ground level of objects surrounding the aerodrome and an object which projects through the OLS for an aerodrome becomes an obstacle to the operation of aircraft at the aerodrome;

"non-airside area" means an area of an aerodrome other than an airside area;

"operator" means a person, organization or enterprise engaged in, or offering to engage in, the operation of an aircraft, including all general movements of the aircraft;

"parking area" means a non-airside area indicated by a sign or notice displayed to be an area in which a person is permitted to park a vehicle;

"premises" means a non-airside area specified in a lease, licence or authorisation granted by the local government;

"relevant person" means:

(a) in relation to an aircraft:

i) the owner, operator, hirer or pilot in command of the aircraft; or
ii) the person apparently in charge of the aircraft at the time a direction is given to the person under this local law; or

(b) in relation to an activity, the person apparently in charge of organising the activity at the time a direction is given to the person under this local law;

"road" means a road, street, thoroughfare or place that is open to, or used by, the public for the passage of vehicles and that is not within an airside area;

"the owner" in relation to a vehicle:

(a) in the case of a vehicle registered under a law of a State or Territory relating to the registration of vehicles - means the person in whose name the vehicle is registered; or

(b) in the case of any other vehicle - includes every joint or part owner of the vehicle and any person who has lawful possession and use of the vehicle under or subject to a hire-purchase agreement or a bill of sale,

at the material time; and

"vehicle" means a vehicle within the meaning of the *Traffic Act 1949*.

4. Application of local law

This local law is in addition to, and does not derogate from:

(a) laws regulating the use or development of land in the area in which the local government has jurisdiction;

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(b) civil aviation laws; or
(c) civil aviation safety laws.

PART 2 - USE AND OPERATION OF AN AERODROME

5. Use of vehicle

(1) The local government may determine and include or notify, by means of permanently displayed signs or notices, with or without reference to lanes or marked areas and positions within an aerodrome, areas in which a person is, or is not, permitted to park a vehicle or cause a vehicle to stand.

(2) Where a sign or notice of a kind referred to in sub-section (1) is displayed on an aerodrome, the sign or notice is, unless the contrary is proved, deemed to be in accordance with a determination under this local law and to be duly displayed in accordance with this local law.

(3) A person must not park a vehicle, or cause a vehicle to stand, in contravention of the terms of a sign or notice displayed under sub-section (1).

Maximum penalty - 20 penalty units

(4) The local government may, by local law policy, prescribe conditions for use of a vehicle on an airside area, including the requirement to obtain a permit for such use.

(5) A person must not operate or use a vehicle on an airside area in contravention of a local law policy.

Maximum penalty - 50 penalty units

(6) A person must not permit a vehicle owned or controlled by the person to be operated or used on an airside in contravention of a local law policy.

Maximum penalty - 50 penalty units

6. Safety requirements

(1) An operator must adopt such practices of a reasonable nature as an authorised person directs for the purpose of:

(a) protecting members of the public;

(b) protecting infrastructure; or

(c) ensuring aircraft are operated in compliance with civil aviation laws and civil aviation safety laws,

at an aerodrome.

Maximum penalty - 100 penalty units

(2) The local government may, by local law policy, prescribe procedures to be complied with to preserve and enhance safety at an aerodrome.

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(3) *Examples of safety procedures:*

- *fuelling of aircraft;*
- *movement of passengers to and from aircraft;*
- *aircraft servicing and movement of aircraft on an aircraft stand.*

(4) A person must comply with a safety procedure prescribed by a local law policy.

Maximum penalty - 100 penalty units.

7. Conduct of persons on the airside of an aerodrome

(1) A person must not, without lawful authority or excuse:

(a) enter or remain on an airside area; or

(b) bring or leave any property or dangerous goods or materials on an airside area.

Maximum penalty - 50 penalty units.

(2) Where:

(a) a person contravenes sub-section (1); or

(b) any property, goods or materials are found in contravention of sub-section (1)(b),

an authorised person may, with such assistance and reasonable force as is necessary, remove the person, property, goods or materials from the aerodrome.

(3) A person must not smoke or do any act to procure a naked flame within fifteen (15) metres of a stationary aircraft or in any non-smoking part of an aerodrome.

Maximum penalty - 100 penalty units.

(4) For the purpose of sub-section (3), a non-smoking part of an aerodrome is a part declared by the local government and upon which is posted a notice:

(a) that identifies the part;

(b) that indicates that smoking in the part is prohibited; and

(c) that purports to have been posted with the authority of the local government.

(5) A passenger or intending passenger of an aircraft must, whilst on an airside area, obey the directions of an authorised person as to the passenger's conduct and movements.

Maximum penalty - 10 penalty units.

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(6) A person lawfully entering or being on an airside area must:

(a) behave in a proper and becoming manner and so as not to cause annoyance or inconvenience to any person lawfully on the airside area; and

(b) obey any direction reasonably given to the person by an authorised person for the purpose of preserving order or promoting or facilitating the property use and enjoyment of an aerodrome.

Maximum penalty - 10 penalty units.

8. Use of buildings and facilities

(1) A person must not:

(a) use any building or other structure, convenience or amenity provided on an aerodrome for any purpose other than that for which it is provided or intended; or

(b) destroy, remove, obliterate, deface, alter or otherwise interfere with any barrier, notice, sign or marking designed or intended for direction, guidance, warning or information of persons using an aerodrome;

(c) use any buildings, facilities and amenities at an aerodrome in contravention of subsection (2).

Maximum penalty - 50 penalty units.

(2) The local government may, by local law policy, prescribe conditions for the use of buildings, facilities and amenities at an aerodrome.

9. Conduct of person on any part of an aerodrome

(1) For the purpose of this section a *"disorderly person"* means a person, whether or not a passenger or intending passenger of an aircraft, who is:

(a) considered by an authorised person on reasonable grounds to be intoxicated or so under the influence of intoxicants or drugs as to make the person's presence on an aerodrome dangerous to themselves or to other persons; or

(b) indulging in unruly, obscene, offensive or threatening behaviour towards another person.

(2) An authorised person may direct a disorderly person:

(a) not to enter an aerodrome; or

(b) if already upon an aerodrome - to leave the aerodrome.

(3) The person to whom a direction is given under sub-section (2) must comply with the direction.

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Maximum penalty - 20 penalty units.

(4) An authorised person may use reasonable force to prevent a disorderly person from entering an aerodrome or to remove a disorderly person from the aerodrome, as the case may be.

(5) A person must not, without the authority of an authorised person, discharge a firearm:

(a) on or over any part of an aerodrome; or

(b) adjacent to an aerodrome in such a manner that the projectile discharged from the firearm travels over, or is likely to travel over, any part of an aerodrome.

Maximum penalty - 50 penalty units.

(6) A person must not bring, or permit to stray onto an aerodrome, an animal without the prior approval of an authorised person.[1]

Maximum penalty - 20 penalty units.

(7) An animal unlawfully on an aerodrome may be removed from the aerodrome by an authorised person, or by any person under the direction of an authorised person.

(8) Subject to compliance with section 7(3), a person must not light a fire on an aerodrome without the prior approval of an authorised person.[2]

Maximum penalty - 100 penalty units.

10. Aircraft parking

(1) The local government may designate by means of signs, notices or markers placed on an aerodrome, a part of an aerodrome to be an area for the parking of aircraft:

(a) that identify the part;

(b) if that part is not to be used for all aircraft - that specify that kind of aircraft only that may be parked in the part; and

(c) that specify the conditions (if any), including conditions relating to the times and periods during which aircraft may be parked in the part.

(2) A person must not park an aircraft on an aerodrome:

(a) except in a part of an aerodrome designated under sub-section (1) to be an area in which an aircraft, or a particular kind of aircraft only, may be parked; and

(b) except in accordance with any specified conditions.

Maximum penalty - 50 penalty units.

[1] This sub-section is subject to the provisions of the *Guide Dogs Act 1972*

[2] A person may smoke on an aerodrome other than those areas mentioned in section 7(3).

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(3) Where an aircraft is parked in contravention of sub-section (2) an authorised person may, by notice in writing served on a person who is a relevant person in relation to the aircraft, direct that person on the terms prescribed in the notice to:

(a) remove the aircraft from the aerodrome; or

(b) remove the aircraft to an area specified by the authorised person in the notice.

(4) A notice referred to in sub-section (3) may be served:

(a) on a natural person:

i) by delivering it to the person personally; or

ii) by leaving it at, or sending by pre-paid post to, the address of the place of residence or business of the person last known to the person serving the notice; or

(b) on a body corporate - by leaving it at, or sending it by pre-paid post to, the head office, a registered office or a principal office of the body corporate,

but, if the person or body corporate cannot be found or the address of the person or body corporate is unknown to the authorised persons, by affixing it to the aircraft to which the notice relates.

(5) A relevant person to whom a direction is given under sub-section (3) must not, without reasonable excuse, refuse or fail to comply with the direction.

Maximum penalty - 50 penalty units.

(6) Where a person fails to comply with a direction given under sub-section (3) without the reasonable excuse, an authorised person may, with such assistance and reasonable force as is necessary, remove the aircraft as required by the direction.

(7) An action does not lie against the local government or against an authorised person or any other officer, employee or agent of the local government acting in the course of his or her employment, for or in respect of:

(a) loss of, or damage to, an aircraft during its removal under sub-section (6); or

(b) loss of, or damage to, an aircraft so removed while it is in the custody, possession or control of the local government or of an authorised person or any other officer, employee or agent of the local government other than loss or damage willfully or negligently caused by an authorised person or other officer, employee or agent.

11. Special events

(1) The local government may, on any special occasion, special event or other event of public interest, make particular arrangements for the control of an aerodrome and may charge fees for participation and admission to any such occasion or event.

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(2) The local government may, by local law policy, prescribe conditions for the use of an aerodrome for an occasion or event mentioned in sub-section (1).

(3) A person must not use an aerodrome in contravention of this section.

Maximum Penalty - 20 penalty units.

12. Special requirements

(1) Subject to civil aviation laws the local government may regulate the use of an aerodrome in such manner as it sees fit and, without limiting the generality of such power to make a local law policy in respect of the following matters, the local government may:

(a) exclude from an aerodrome, any particular aircraft or type or class of aircraft or activity where the local government is of the reasonable opinion that the operation of such aircraft or type or class of aircraft or activity is unduly noisy, dangerous or not in the public interest;

(b) subject any activity on or based on an aerodrome to such conditions as the local government considers necessary and desirable including, but not restricted to conditions as to noise attenuation and hours and duration of operation of the activity;

(c) designate a part of an aerodrome where a particular activity may or may not be carried on;

(d) restrict use by aircraft of an aerodrome for:

i) departures; or

ii) landings; or

iii) servicing; or

iv) embracement of passengers; or

v) disembarkment of passengers; or

vi) transport of freight; or

vii) any combination of (i) to (vi),

on any night or on every night during the hours prescribed by the local government by resolution;

(e) restrict use by aircraft of an aerodrome for training operations on any night or on every night during the hours prescribed by the local government by resolution; and

(f) fix and collect:

i) fees for use of an aerodrome by an aircraft; and

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ii) charges for leasehold areas within the aerodrome.

(2) Where an aircraft is used, or an activity carried on, in contravention of sub-section (1) or a local law policy made under this local law, an authorised person may, by notice in writing to a person who is a relevant person in relation to that aircraft or activity, direct that person within the time prescribed in the notice:

(a) to cease the use of such aircraft or activity; or

(b) to remove the aircraft from the aerodrome; or

(c) to remove the aircraft or activity to an area specified by the authorised person in the notice; or

(d) to pay prescribed fees or charges; or

(e) to attend to any combination of (a) to (d) above.

(3) A notice referred to in sub-section (2) may be served:

(a) on a natural person:

i) by delivering it to the person personally; or

ii) by leaving it at, or by sending it by pre-paid post to, the address of the place or residence or business of the person last known to the person serving the notice; or

(b) on a body corporate - by leaving it at, or sending it by pre-paid post to, the head office, a registered office or a principal office of the body corporate,

but, if the person or body corporate cannot be found or the address of the person or body corporate is unknown to the authorised person, by affixing it to the aircraft to which the notice relates.

(4) A relevant person to whom a direction is given under sub-section (2) must not, without reasonable excuse, refuse or fail to comply with the direction.

Maximum penalty - 50 penalty units.

PART 3 - PREVENTION OF HAZARDS TO AIRCRAFT

13. Application of part

This part applies to the removal of obstacles and hazards affecting, or likely to affect, the safe operation of aircraft in the vicinity of an aerodrome.

14. Notice to remove hazards

Where, on any land adjoining, or in the vicinity of, an aerodrome there is:

(a) a tree penetrating, or through further growth in a short period likely to penetrate, the OLS; or

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(b) a structure or part of a vehicle penetrating the OLS; or

(c) a light exhibited which by reason of glare or by causing confusion or by interfering with the operation or aircraft, is likely to endanger the safety of aircraft; or

(d) a presence of waste foodstuffs which constitutes, or is likely to constitute, such an attraction to birds as to create a hazard, or a potential hazard, to aircraft using or operating in the vicinity of the aerodrome,

the local government may, by written notice given to a person, being the owner or occupier of the relevant land or the person apparently in charge of a vehicle to which paragraph (b) refers, require the person, within the time stated in the notice, to:

i) in the case of paragraph (a) - remove or lop that part of the tree penetrating, or likely to penetrate, the OLS;

ii) in the case of paragraph (b) - remove, or dismantle to the extent necessary, the structure or part of a vehicle so that the structure or part does not penetrate the OLS;

iii) in the case of paragraph (c) - extinguish the light or shield it to the extent necessary to remove any likely danger to the safety of aircraft operation and refrain from exhibiting the light, or any other light having similar effect, in the future;

iv) in the case of paragraph (d) - remove or effectively cover the waste foodstuffs to eliminate any attraction to birds.

Example of paragraph (b)

- *a structure includes a pole, or television or radio mast;*
- *a part of a vehicle includes a crane, jib, or height extension apparatus.*

15. Compliance with notice

(1) A notice given under section 14 may be served personally or by post.

(2) A person must not, without reasonable excuse, fail to comply with a notice given under section 14.

Maximum penalty - 50 penalty units.

16. Local government's power to carry out work

If a person to whom a notice is given under section 14 fails to comply with the notice the local government may, in addition to any penalty imposed under section 15, enter the relevant land under section 1066 of the Act (Performing work for owner or occupier) and perform the work specified in the notice and, in the case of a vehicle, remove the vehicle or carry out work on the vehicle to the extent necessary so that no part of the vehicle penetrates the OLS.

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17. Recovery of local government's costs

If the person who failed to comply with a notice under section 14:

(a) is the owner of the relevant land, the amount properly and reasonably incurred by the local government in performing the work is recoverable (together with interest) by the local government under sections 1067 and 1068 of the Act[3]; or

(b) is not the owner of the relevant land, the amount properly and reasonably incurred by the local government is recoverable by the local government as a debt from the person in default together with interest on the basis as applied to an owner of land under section 1067 of the Act.

18. No compensation payable

The local government is not liable to pay compensation to a person:

(a) who is required to comply with a notice given under section 14 and who complies with the notice; or

(b) who suffers loss or damage reasonably caused by the local government in performing work under section 16 because of the person's failure to comply with a notice given under section 14.

19. Approval of temporary structures, etc.

(1) A local government may permit a temporary structure or part of a vehicle to penetrate the OLS for a limited period of time provided proper regard to the safe operation of aircraft in the vicinity of an aerodrome during the period for which the permit applies;

(2) A permit may be granted subject to conditions the local government considers to be reasonably necessary as not to endanger aircraft safety.

(3) A person to whom a permit is granted must not:

(a) exceed the time limit for which the permit is granted; or

(b) fail to comply with a condition of the permit.

Maximum penalty - 50 penalty units.

PART 4 - MISCELLANEOUS

20. Aerodrome damage

Where a person offends against this local law the person is, in addition to any penalty prescribed for the offence, liable for any damage to an aerodrome arising from the offence

and the cost of repairing the damage may be recovered by the local government from the person in a court of competent jurisdiction.

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21. Local law policies

The local government may make local law policies in relation to those matters about which this local law specifically allows for the making of local law policies.

[3] Section 1067 (Cost of work recoverable as a rate) and section 1068 (Cost of work or charge over land).

1 Purpose of this Policy

In keeping with Torres Shire Council's 2019 decision to apply the *Human Rights Act 2019* (QLD) to its decisions policies and procedures, Council is committed to creating and maintaining work environments which are free from discrimination, workplace and sexual harassment. All members of staff are to be treated with dignity, courtesy and respect. This policy is to be included in induction and regular staff training and is accompanied by procedures for complaints.

2 Policy

This policy applies to all staff, contractors and volunteers, vocational and work experience placements and applies to all work-related interactions between staff, customers, contractors, clients, volunteers and the community. It applies to staff while in the workplace or off site, at work-related functions (including social functions and celebrations), while on trips and attending conferences.

3 Discrimination and equal opportunity

Torres Shire Council is an equal opportunity employer. At all stages of the employment relationship (recruitment and selection, engagement in work and the employment terms and conditions, training and professional development opportunities, promotion and transfer, retirement, retrenchment, and termination) staff will be treated on their merits and valued according to how well they perform their duties.

Torres Shire Council believes that all staff should be able to work in an environment free from discrimination, victimisation, sexual harassment, vilification and the seeking of unnecessary information on which discrimination might be based. We consider these behaviours unacceptable, and they will not be tolerated.

4 Responsibility of staff

All staff contribute to the creation of a discrimination free and inclusive workplace and a healthy workplace culture. Managers have a particular obligation to model appropriate behaviour; promote this policy; treat all complaints seriously and attend to them promptly; monitor the work environment and seek expert help for complex or serious matters. All staff are to comply with this policy; report incidents to their managers and not participate in discriminatory or harassing behaviour.

5 Consequences of breach of the policy

Staff who make a complaint of discrimination or sexual harassment will not suffer any victimisation by Torres Shire Council for making the complaint. This also applies to staff who agree to be a witness in a complaint or have a complaint made against them.

Disciplinary action will be taken by Torres Shire Council against any staff member found to have breached this policy. Action will be appropriate to the breach and may include: an official warning and note on the person's personnel file; a formal apology; counselling; demotion, transfer, suspension; or dismissal for very serious matters.

6. Anti-discrimination legislation

Under the Queensland Anti-Discrimination Act 1991 (the Act) discrimination, victimisation, sexual harassment, vilification and seeking unnecessary information on which discrimination might be based are illegal.

Discrimination on the following grounds is against the law:

- race, (including colour, descent or ancestry, nationality, national or ethnic origin);
- age (whether young or older);
- impairment (including biological, functional, learning, physical, sensory, mobility, cognitive, psychological, psychiatric impairment or the presence of an organism capable of causing disease);
- religious belief or activity;
- sex or gender identity;
- relationship status (including being married, single, divorced, separated, de facto or in a same sex relationship);
- sexuality;
- pregnancy, breastfeeding, parental status (including being or not being a parent, guardian, foster parent, adoptive parent, or step parent);
- family responsibilities (including the responsibility to care for and support a dependent child or immediate family member);
- lawful sexual activity as a sex worker;
- trade union activity;
- political belief or activity;
- association with someone else who is identified because of one of these attributes.

Other behaviour that is against the law includes:

- Seeking unnecessary information on which discrimination might be based;
- Victimisation because a person has made a complaint, agreed to be a witness or has had a complaint made against them;
- Sexual harassment is prohibited under both state legislation and the federal Sex Discrimination Act 1984;
- Vilification on the basis of a person's race, religion, gender identity or sexuality;
- Federal anti-discrimination legislation also prohibits discrimination on the basis of criminal record, medical record or social origin.

7 What is discrimination?

Direct discrimination occurs when a person (or a group of people) is singled out for worse treatment, compared to others in similar circumstances, because of one or more of the attributes.
Direct discrimination may involve:

- making offensive 'jokes' about anther worker's racial or ethnic background, sex, sexuality, age or impairment;
- expressing negative stereotypes about particular groups or using stereotypes as a basis for decisions about work e.g. 'Women with young children shouldn't work.' or 'Older workers can't learn new skills.'
- using selection processes based on irrelevant attributes such as age, race or impairment rather than on skills really needed for the job.

Indirect discrimination occurs when one rule applies to all, but in fact disadvantages a person (or group of people) because they are unable, or less able to comply with the rule because they have an attribute. The fact that the disadvantage was not intended is not an excuse.

- For example:
  - Requiring everyone to be available for all shifts might be unfair to a person with responsibilities to care for children or an elderly parent.
  - Only hiring people who have never had a back injury, or a workers compensation claim might rule out an employee whose health has returned and can do the job well.
  - Not considering the provision of some reasonable adjustments would disadvantage a person with an impairment, who may be able to perform the essential parts of the job in a different way.

8 What is sexual harassment?

Sexual harassment is any form of unwelcome sexual attention that might offend, humiliate or intimidate the other person and may be experienced by women or men. It includes uninvited touching or physical contact; letting at a person or parts of their body; talking about your sex life or asking about another person's sex life; sexual jokes or propositions; sexually offensive communications (phone, email, SMS or other social media).

Sexual harassment is against the law wherever and whenever it occurs. Torres Shire Council will not tolerate sexual harassment in the workplace or in any work-related context such as conferences, work functions and business trips. Sexual harassment has nothing to do with mutual attraction. Such friendships are a private matter.

Sexual harassment does not have to be repeated or continuous to be against the law. Some actions or remarks are so offensive that they constitute sexual harassment in themselves, even if they are not repeated. Other single incidents, such as an unwanted invitation or compliment, may not be sexual harassment. Some forms of sexual harassment, such as assault, physical molestation, stalking, sexual assault and indecent exposure, are also criminal offences.

The person being harassed does not need to say that the behaviour is unwelcome. Many people find it difficult to speak up. All employees are responsible for their own behaviour. If you think the behaviour may offend, then don't do it.

9 What is Bullying

Definition: - Repeated, unreasonable and unwelcome behaviour directed towards a worker or group of workers that creates a risk to health and safety.

Repeated

Definition: - The persistent nature of the behaviour or range of behaviour over time.

Unreasonable Behaviour

Definition: - Behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening.

Direct & Indirect Bullying

Being able to tell the difference can help you be aware of behaviour that people may not realise are bullying behaviours.

Direct Bullying

Direct Bullying is visible overt behaviour such as

- Abusive, insulting or offensive language
- Spreading misinformation or malicious rumours
- Behaviour or language that frightens, humiliates, belittles, or degrades, including criticism that is delivered with yelling or screaming
- Displaying offensive material
- Inappropriate comments about a person's appearance, lifestyle or family
- Teasing or regularly making someone the brunt of pranks or practical jokes
- Interfering with a person's property or equipment
- Harmful or offensive initiation processes.

Indirect bullying

Indirect bullying includes the following

- Deliberately overloading a person with work or not providing them with enough work.
- Unreasonably setting timelines that are difficult to achieve or constantly changing deadlines
- Setting tasks that are unreasonably below or beyond a person's skill level
- Deliberately excluding, isolating or marginalising a person from normal work activities
- Withholding information that is vital for work performance
- Deliberately denying access to information, consultation or resources
- Deliberately changing work arrangements such as rosters and leave to inconvenience a particular worker or workers
- Unfair treatment in relation to accessing workplace entitlements such as leave or training.

Bullying can be both intentional or unintentional.

10 Vicarious liability

Under the Act the person who discriminates against, victimises, sexually harasses, vilifies or asks for unnecessary information can be liable for the illegal behaviour as well as their employer, (Company name), unless Torres Shire Council can show we have taken reasonable steps to prevent it.

Torres Shire Council provides all staff with brochures and information about discrimination and sexual harassment at induction and conducts regular awareness training.

Managers must ensure that all staff are treated fairly and are not subject to any of the behaviours mentioned in this policy. They must also ensure that people who make complaints, or who are witnesses, are not victimised in any way.

10 What should you do?

What should you do if you are discriminated against, sexually harassed, bullied, vilified or asked for unnecessary information?

Don't ignore discrimination, sexual harassment, bullying, vilification or requests for unnecessary information, thinking it will go away - often it just gets worse. Choose the action you feel most comfortable with. You can follow more than one action at the same time.

Support and counselling

Torres Shire Council advises and refers all employees to access Council's EAP Service for confidential assistance in the form of wellbeing support and professional counselling.

For information on leave entitlements or WorkCover claims contact the HR department or the WorkCover Rehabilitation Coordinator.

The Human Rights/Anti-Discrimination Commission or union may be of assistance.

Self help

If you feel confident and want to deal with the situation yourself, you can use self-help techniques. *However, it is not necessary that you try to resolve the complaint this way.*

This option involves approaching the person responsible for the discriminatory or sexually harassing behaviour yourself. You should tell the person what you are unhappy about, why you are unhappy about it, and what you would like to happen. Taking a person with you for support may be helpful.

Make an internal complaint

Torres Shire Council has an obligation to treat all complaints of discrimination, victimisation, sexual harassment, vilification or seeking unnecessary information seriously. All complaints will be handled confidentially and impartially, investigated promptly and recommendations implemented.

1. The starting point to resolving a complaint is to talk with someone. This can be your manager (or another manager if more appropriate). Tell them what your concerns are; explain what has happened and how it has affected you.
2. The manager may take immediate action (e.g. removing offensive graffiti or posters).
3. The manager may provide a range of options. One approach is to centre on the resolution of the issue, without deciding fault. The manager may speak to the person you are making a complaint about, to see if the situation can be resolved simply.
4. Some matters are not resolved so easily, especially if the person being complained about denies or disputes the allegations, or the issues are complex. Your manager (or another manager if appropriate) may handle your complaint or refer it to specialist human resource staff or engage an independent external agency. This option will involve an investigation, collecting evidence and witness statements, and making findings and recommendations which will be implemented at the discretion of the Chief Executive Officer of Torres Shire Council.

Make an external complaint

1. You can complain to the Anti-Discrimination Commission Queensland (ADCQ). ADCQ has offices in Brisbane, Rockhampton, Townsville, and Cairns and contact details are phone 1300 130 770 (state wide) and TTY 1300 130 780 (state wide). They will send you a complaint form and explain the process to resolve your complaint. The ADCQ complaint resolution service is free. The **Commission's website** has more information including the complaint form.

   NOTE: A complaint to the Anti-Discrimination Commission must be made within one year of the incident, unless good reasons for any delay can be shown.

2. Call the Australian Human Rights Commission in Sydney on 1300 757 419 to make a complaint under federal anti-discrimination legislation.

Variations

TSC reserves the right to vary, replace or terminate this policy from time to time.



Enterprise Risk Management Framework

Including:

Risk Management Policy

Risk Appetite Statement

Risk Management Processes

Torres Shire Council

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Information about this Document

Endorsement and Review

Version	Resolution Date	Resolution No.	Policy Author
V1	August 2021 OCM	21/8/20	Director Corporate & Community Services
V2	5 August 2025 ARC	ARC07/08/25	CEO

OCM – *Ordinary Council Meeting*
ARC – *Audit & Risk Committee Meeting*

Further Document Information and Relationships

Related Legislation*	Local Government Act 2009 Local Government Regulation 2012
Related Procedures, forms, documents, etc.	International Risk Management Guidelines ISO 31000:2018 Strategic Risk Register Operational Risk Register ^ Project Risk Register ^ Risk Assessment Template Risk Treatment Plan Template

** Note: Any reference to Legislation will be updated in the Management Policy as required. See website http://www.legislation.qld.gov.au/ for current Acts and Regulations.*
^ The Operational and Project Risk Registers and related processes referenced in this document, have not been introduced at the time of submitting the Risk Management Framework to the CEO and Council for adoption. The Risk Management Framework has been refreshed in early 2021 and there will be ongoing processes to introduce and embed all requirements referenced. This will continue into the financial year 2021/22.

1. Introduction

Torres Shire Council is committed to a Risk Management Framework that is structured and aligns to strategy, processes, people, technology and knowledge, with the purpose of evaluating and managing risks and opportunities in a consistent manner. Council wishes to foster and promote a 'risk aware' culture.

Council's Risk Management Framework is an organisational-wide commitment, whereby the management of risk is not the responsibility of a particular Directorate, team or service within Council, but a shared responsibility. The acceptance of risk ownership is required at every level within the organisation.

2. Objective / Purpose

The objective of this document is to provide an effective framework which:

- Defines risk management and describes Council's approach to managing risks, observing the International Risk Management Guidelines ISO 31000:2018.
- Strengthens sound governance practices and assists in determining the level of risk Council is prepared to accept.
- Aligns Council activities to and supports business objectives identified in Council's corporate and operational plans.
- Contributes to improved prioritisation and resource allocation by targeting resources to the highest-level risks, which if treated, provides the organisation with best value.
- Improves planning processes by enabling the key focus to remain on core business and helping to ensure continuity of service delivery, including capitalising on opportunities.
- Safeguards Council's employees, contractors, committees, volunteers, assets, financial sustainability, property, reputation and information.
- Promotes risk management principles as a strategic tool, to ensure better informed decision making through embedding a culture of risk management.
- Improves accountability, responsibility, transparency and governance in relation to both decision-making and outcomes.

3. Scope

This document applies to all Councillors, employees, contractors and to any person or organisation that acts for or represents Council.

4. Framework and Policy Statement

Council recognises that as a public authority it is exposed to a broad range of risks which, if not managed, could adversely impact on the organisation achieving its strategic objectives. Therefore Council will implement a systematic risk management methodology to identify and address, where practical, areas of potential risk within Council. Any methodologies adopted will be consistent with International Risk Management Guidelines ISO 31000:2018 Risk Management – Principles and Guidelines. The intent of this policy is to create an environment where Council, management and staff assume responsibility for risk management, through consistent risk management practices.

5. Definitions

The following definitions apply to this document:

Acceptable risk	A risk where current controls minimise the risk sufficiently, that mitigating actions are not required.
CEO	Chief Executive Officer – A person who holds an appointment under section 194 of the *Local Government Act 2009*. This includes a person acting in this position.
Consequence	The outcome or impact of an event, and in particular, the most probable worst-case scenario.
Control	A measure put in place to modify a risk (i.e., generally to make it lower by reducing its likelihood or impact).
Council	Torres Shire Council (Council)
Enterprise Risk Management (ERM)	Enterprise risk management encompasses all the major risk categories (including Financial and Economic; Environmental; People and Workplace Health and Safety, Information Technology; Corporate, Legal and Compliance; Native Title; Strategic and Business Continuity, etc.) and includes the coordination, integration, consolidation and consistency of reporting by the various Council functions with identified risks.
Inherent Risk	The effect of uncertainty on objectives. The risk before controls are applied. (Note: an effect is a deviation from the expected and can be positive) and/or negative).
Likelihood	Chance of something happening – may also be called probability.
Mitigating Actions	Additional processes, policies, devices, practices or actions that act to further minimise risk.
Residual Risk	Risk remaining after risk treatment.
Risk	Effect of uncertainty on objectives – can be positive or negative.
Risk appetite	The amount of risk an organisation is willing to take or accept in pursuit of its objectives.
Risk Assessment	Overall process of risk identification, risk analysis and risk evaluation.
Risk Evaluation	Process of comparing the results of risk analysis with risk criteria to determine whether the risk is acceptable, tolerable or unacceptable.
Risk Identification	Process of finding, recognising and describing risks.
Risk Management	Co-ordinated activities to identify and control an organisation with regard to risk. Risk management is achieved through the systematic application of policies, procedures and practices to identify, analyse, evaluate, treat, monitor and communicate risk.
Risk Management Framework	Set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management throughout the organisation.
Risk Owner	The person with the accountability and authority to manage a risk.
Risk Profile	The levels of risk assessed by Council.
Risk Register	A list of identified and assessed risks directly related to either a particular directorate or to the whole of Council. Risk Registers can either be Strategic, Operational or Project risk registers.
Risk Source	Element which alone or in combination has the potential to give rise to risk.

Risk Tolerance	Boundaries for risk taking, commonly expressed as a range of upper and lower limit. Exposures outside the upper risk limit are unacceptable and outside the risk appetite.
Risk Treatment	The process to modify existing risks or create new risks.
Risk Treatment Action Plans	The document that outlines the steps to be taken to reduce unacceptable risks to achievable and acceptable levels. This includes details on current controls; required risk treatments; improvement opportunities; resources; timing; reporting and accountabilities.
Risk Universe	The full range of risks which could impact either positively or negatively on the ability of the organisation to achieve its objectives.

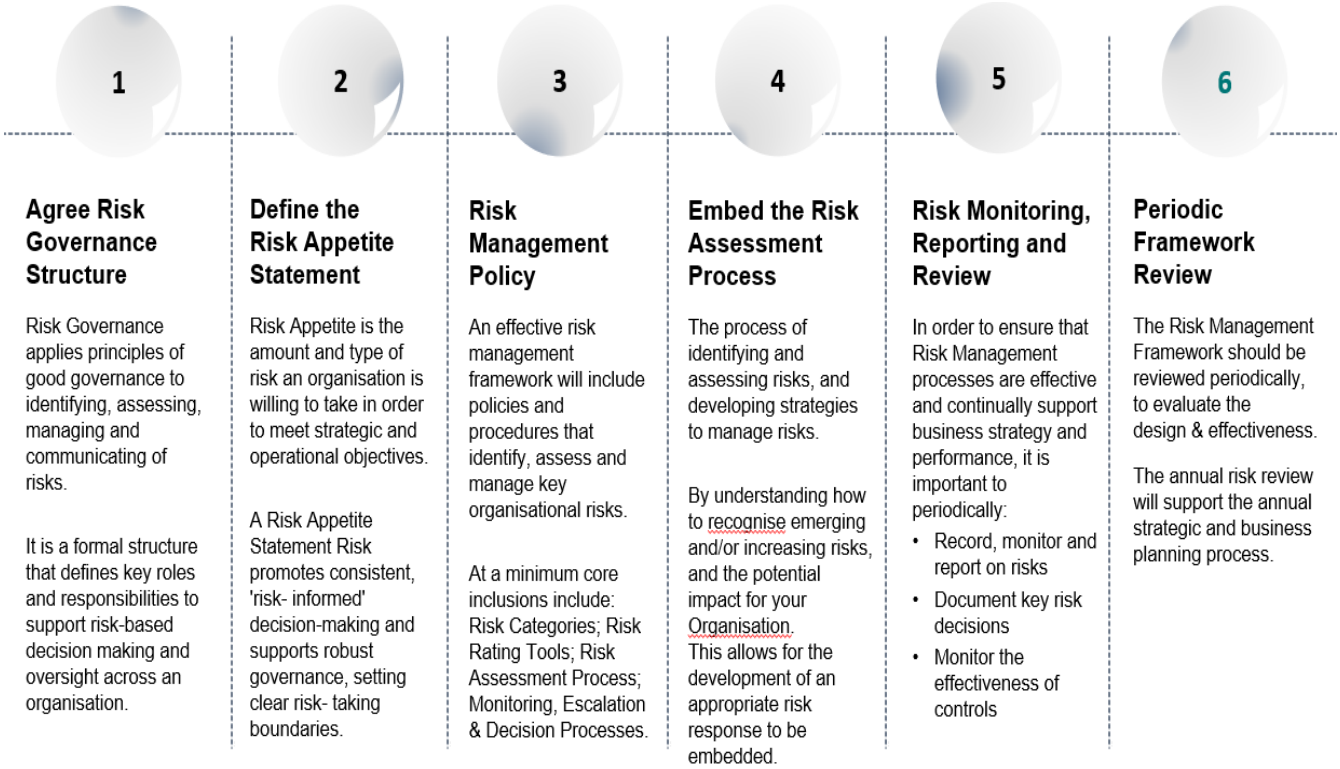
6. Framework

Council's Risk Management Framework provides the foundations for designing, developing, implementing, monitoring, reviewing, and communicating risk management and continuous improvement of performance associated with Council strategy, operations and routine tasks.

Council's Risk Management Framework has been developed with a focus on managing risk at the strategic, operational and project levels of the business. This document is aimed at ensuring the concept of risk management is integrated in Council's approach to all activities and projects to inform decision-making, as well as organisational culture and outcomes.

Key elements

At a minimum, an effective Risk Governance structure consists of the following key elements and actions that are necessary to identify events that may cause loss or create value: understand how they will affect our business; determine whether we will accept these consequences; and act to reduce their impact and/or monitor their status to increase the chances of a desirable outcome.



6.1. Risk Management Principles

This ERM framework is based on the following risk management principles:

- ***Adds value*** - Risk management is integrated with Council's Corporate and Operational Planning (and budget setting processes), contributing to the achievement of objectives and facilitating continual performance improvement leading to good governance, operational efficiencies and improved risk management maturity.

- ***Integral part of all organisational processes*** - Risk management takes into account human and cultural factors and is part of the responsibilities of management and an integral part of Council's processes, including strategic and operational planning, workplace safety and change management processes.

- ***Informs all decision making*** - Risk management assists decision makers in making informed decisions, prioritising actions and identifying alternate courses of action, as necessary.

- ***Explicitly addresses uncertainty*** - Risk management takes account uncertainty, the nature of uncertainty and how it can be addressed.

- ***Systematic, structured, timely and tailored*** - Risk management practices are tailored to meet Council's corporate and operational objectives, provide a systematic, timely and structured approach to improving efficiency and contribute to consistent, comparable and reliable results.

- ***Based on best available information and experience*** - Risk management is based on the utilisation of generally accepted risk mitigation techniques for managing risks including historical data, experience, stakeholder feedback, observations, forecasts and expert judgment.

- ***Transparent, inclusive and responsive to change*** - Risk management provides for appropriate and timely involvement of stakeholders, particularly decision makers at all levels, and ensures that risk management remains relevant and up to date as new risks emerge, some change and others disappear.

6.2. Risk Management Policy

The Risk Management Policy establishes Council's commitment to risk management throughout the organisation, outlining Council's objectives regarding enterprise risk management.

6.3. Council's Risk Profile

Risks are to be assessed at the following levels within Council:

Level	Description
Strategic Risks	Strategic risks for Council are those that affect the sustainability of the organisation or its ability to deliver on the strategic objectives of: • Its Corporate Plan; • Are significant risks that affect the longer-term interests of Council and the Community; and • Are of a higher level, possibly affecting future service delivery.
Operational Risks	Operational risks are those that affect the viability of achieving activities associated within individual Directorates and operational objectives. These risks: • Include issues that affect the basic services of business as usual activities of each Directorate; • Relate to the effective and efficient use of Council's resources; and • Can have a day-to-day impact on specific operations.
Project Risks	Project risks are risks associated with individual projects, initiatives or day-to-day business activities at Council, which can be assessed in the project planning phase and throughout the duration of the Project.

6.4. Council's Risk Appetite

Overview

Council's risk appetite is defined as the amount and type of identified risk it is willing to pursue, retain, take or turn away from in the achievement of goals and objectives.

The following table outlines Council's risk appetite:

	Assessed Risk Level	Required Action
Unacceptable	**Extreme**	Immediate action required
	High	Prioritised action required
Acceptable	**Medium**	Planned action required
	Low	Action by routine procedure

Statement

The establishment of the Risk Appetite Statement is intended to guide Council in their actions and ability to accept and manage risks. Through the risk management framework and its risk appetite statement, Council will formally establish and communicate its risk appetite.

Council applies the following categories to determine its risk appetite by "Risk Class":

Level of Risk Appetite	Description
Zero Tolerance	No tolerance for accepting risk. Activities that should always be avoided.
Moderate Tolerance	A moderate level of risk may be acceptable where the opportunity presents positive outcomes and outweighs the risk. It is important to actively monitor the risk to ensure appropriate controls are in place and to maintain a sustainable approach.
Willing to Consider	Willing to consider all options with a preference for prudent options and an acceptable level of reward. While activities for low risk are actively encouraged, it is important to not adopt an overly risk adverse approach that may result in unnecessary cost and/or lost opportunity.
Seeking Opportunity	Enthusiasm for innovation leading to preference for higher rewards despite greater inherent risk.

The below table is a visual overview of Council's baseline risk appetite statement:

TORRES SHIRE COUNCIL'S RISK APPETITE STATEMENT				
Risk Class	**Zero**	**Moderate**	**Willing to Consider**	**Seeking Opportunity**
Strategic Objectives & Business Continuity		✔		
Council will actively monitor these risks and where the outcomes outweigh the risks, opportunities may be accepted. The controls will continue to be monitored to ensure the risk does not exceed a moderate level.				
Financial & Economic		✔		
Council will actively monitor these risks and where the outcomes outweigh the risks opportunities may be accepted. The controls will continue to be monitored to ensure they are appropriate and operating effective, so the risk does not exceed a moderate level.				
Corporate, Legal & Compliance	✔			
There is a low appetite for Council to accept risks of this nature. Systems and processes are to be in place to monitor these types of risks and to ensure compliance occurs.				
Information Technology		✔		
The updating of systems and associate processes are required in the coming years, and it is acknowledged that financial investment will be required. Business cases regarding system selection and changes are to be completed to demonstrate the benefits will outweigh the costs and associated project risks.				

TORRES SHIRE COUNCIL'S RISK APPETITE STATEMENT				
Risk Class	**Zero**	**Moderate**	**Willing to Consider**	**Seeking Opportunity**
Reputation	✔			
Council will not allow their reputation to be brought into disrepute. Activities are to be avoided where there are risks that Council's reputation could be damaged with the Community.				
People & Workplace Health & Safety	✔			
Zero tolerance to activities where harm could be caused, these risks are always to be minimised.				
Environmental	✔			
Zero tolerance to activities that could cause harm to the environment – this is always to be avoided. In instances where Council is disposing/treating items on behalf of the Community (e.g. refuse), it is acknowledged that these operations themselves can pose some risks, however Council will operate with the upmost responsibility to ensure safe operations.				
Cultural Heritage	✔			
Zero tolerance for accepting Cultural Heritage risks – these risks are always to be minimised.				
Native Title	✔			
Zero tolerance for accepting Native Title risks – these risks are always to be minimised. Council acknowledges and respects the traditional owners of the land and sea.				
Infrastructure, Assets & Property		✔		
Council is investing time into developing and maintaining Asset Management Plans. It is acknowledged that Council will be required to have a program of asset replacements across future years. Business cases regarding asset replacements and purchases will require Council to demonstrate that the benefits outweigh the costs. Grants are often applied for to assist in funding projects for the Community.				

7. Risk Management Processes

7.1. Establish Context

Establishing the context requires an examination of the external, internal and risk management environments in which the risk identification, analysis and treatment options will be considered.

The external environment includes factors such as legal, regulatory, political, economic, social, cultural, technological and external stakeholders. The internal context includes factors such as Council's organisational structure, governance, culture, policies, goals and objectives, capabilities and internal stakeholders.

When identifying and assessing risk against the adopted criteria contained within this document, management and staff should consider the context within which they operate.

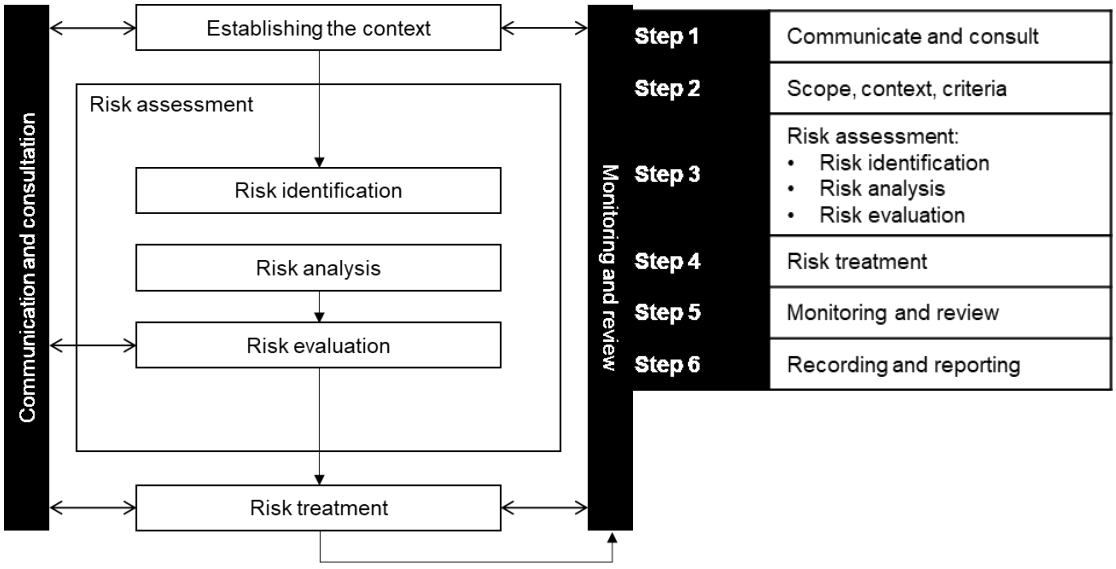
Council will utilise the International Risk Management Guidelines ISO 31000:2018 to manage risks. This is a structured and proactive approach that can be applied organisation-wide to support management of strategic and/or operational risks.

What is the Risk Management Process?

The Risk Management Process is developed in accordance with ISO 31000:2018, a set of guidelines that can be customised to any organisation and its context.

ISO 31000:2018 provides a common approach to managing any type of risk and is not industry or sector specific, and can be used throughout the life cycle of the organisation. It can be applied to any activity, including decision-making at all levels.

The following diagram has been customised to illustrate the practical application of the Risk Management Process (adopting concepts from 31000:2009 and 31000:2018).



7.2. Identify Risks

The aim of this step is to generate a comprehensive list of risks based on those events that might create, enhance, prevent, degrade, accelerate or delay the achievement of objectives. Therefore, this step requires the application of a well-structured systematic process, and helps to identify what, why and how adverse things can arise as the basis for future analysis. This includes identification of the sources of risk, areas of impacts, events (including changes in circumstances) and their causes and potential consequences.

Sources of risk could include:

- Strategic / business continuity
- Financial / economic activities Political / legal influences
- Corporate / Legal / Compliance matters
- Information Technology (technical issues)
- Reputational matters
- Personnel / human behavior matters
- Workplace Health & Safety events
- A lack of management activities and controls
- Environmental / Climate Change factors
- Native Title / Cultural Heritage factors
- Infrastructure, Asset and Property matters

7.3. Risk Analysis

Risk analysis involves consideration of the causes and sources of risk, their potential consequences and the likelihood of those consequences occurring. Consequence and likelihood are combined to produce an estimate of the level of potential risk.

7.4. Risk Evaluation

Risks needs to be evaluated and prioritised to ensure that management effort is directed towards resolution of the most significant risks first. The risk assessment criteria outlined in this document articulates Council's estimated levels of risks, which enables risks to be ranked to identify management priorities.

If the levels of risk are low, then the risk may fall into an acceptable category and treatment may not be required. The purpose of risk evaluation is to assist in making decisions, based on the outcomes or risk analysis, about which risks need treatment and the priority for treatment implementation.

The initial step in this risk evaluation stage is to determine the effectiveness, and/or existence of, controls in place to address the identified risks.

The following table assists in rating control effectiveness:

Level of Control	Definition	Action Required
Good	A high degree of reliance can be place on the system of internal control. Compensating controls are in place such that even if part of the system breaks down, the control criteria will probably still be met.	Continue monitoring controls for effectiveness.
Acceptable	The controls can be relied upon; however, some improvements to controls can be made to reduce the risk.	Continue monitoring controls for effectiveness.
Weak	The system of internal control cannot be relied upon to meet the control criteria. If there has not already been a significant breakdown, it is only a matter of time before this occurs.	Immediately develop a Risk Treatment Plan (RTP) to review controls and reduce risk. Consider escalation of risk as a matter of priority.

7.5. Risk Treatment

Risk treatment involves selecting one or more options for reducing the consequence and/or likelihood of risks and implementing those options. Once implemented, treatments provide or modify the controls.

Risks which are acceptable as per Council's risk appetite must be monitored in case circumstances change.

For risks that are not acceptable, a specific Risk Treatment Plan (RTP) which includes the following, must be developed and implemented by the Responsible Officer or member of the Executive Team:

- The reasons for selection of treatment options, including expected benefits gained;
- Those who are accountable for approving the plan and those responsible for implementing the plan;
- Proposed actions;
- Resource requirements;
- Performance measures and constraints;
- Reporting and monitoring requirements; and
- Timing for implementation.

The table below summarises Council's key treatment options:

Treatment	Description
Avoid the risk	Not to proceed with the activity or choosing an alternative approach to achieve the same outcome. Aim is risk management, not aversion.
Mitigate the risk	Reduce the likelihood by improving management controls and procedures or reduce the consequence by putting in place strategies to minimise adverse consequences, e.g. contingency planning, Business Continuity Plan, liability cover in contracts.
Transfer the risk	Shifting responsibility for a risk to another party by contract or insurance. Can be transferred as a whole or shared.
Accept the risk	Controls are deemed appropriate. These must be monitored, and contingency plans developed where appropriate.

7.6. Monitoring, Review and Reporting Escalation

Risks are to be monitored and reported depending on their level as identified in Council's risk profile, as per the table below:

Risk Level	Monitoring and Review	Reporting Escalation
Strategic Risks	• The Executive Team will review the Strategic Risk Register quarterly to ensure that all identified risks are recorded, and any mitigation / controls are on track with intended progress. • The Executive Team will discuss all Strategic risks with a residual rating of high or extreme at each Executive Team meeting, with a focus on the effectiveness of controls and treatment plans. • Council's Audit Committee will review Council's Strategic Risk Register at each Committee meeting. • Council will receive a report on the Strategic Risk Register following the Audit Committee's review.	• Escalation of strategic risks to high or extreme, or potential new risks at this level, must be reported to the CEO for appropriate action in accordance with Council's risk appetite and management process. • Strategic risks with a residual rating which is escalated to extreme must be reported to Council at the earliest reasonable opportunity.

Risk Level	Monitoring and Review	Reporting Escalation
Operational Risks ^	• Operational Risk Owners are responsible for reviewing the Operational Risk Register regularly to ensure that all identified operational risks are recorded and any mitigation / controls are on track with intended progress. • The Executive Team will collectively review the Operational Risk Register quarterly to ensure that all identified operational risks are recorded and any mitigation / controls are on track with intended progress. • The Executive Team will discuss all Operational Risks with a residual rating of high or extreme at each Executive Team meeting, with a focus on the effectiveness of controls and treatment plans. • Council's Audit Committee will review Council's Operational risks, where these are rated as high and extreme, at each Committee meeting • Council will receive a report on the Operational Risks (rated high or extreme) following the Audit Committee's review.	• Escalation of operational risks to high or extreme must be reported to the CEO for their information and potential action in accordance with Council's risk appetite and management process. • Operational risks with a residual rating which is escalated to extreme must be reported to Council at the earliest reasonable opportunity. • Operational risks may escalate into a strategic risk. Operational Risk Owners are responsible for reporting to the CEO for appropriate action, if they identify that an operational risk could escalate into a strategic risk.
Project Risks ^	• Each member of staff has the responsibility for assessing the risks associated with individual projects, initiatives or business activities they perform as part of their role. • Projects assessed by the CEO or Council as being of an overall risk rating of high or extreme, will be reported regularly for oversight to the Executive Team. *(This is in addition to normal project management governance).*	• Escalation of project risks to high or extreme must be reported to the Director *(whom the person identifying the risk directly reports to).* • Escalation of a projects overall risk rating to high or extreme must be reported to the Executive Team and CEO.

^ *The Operational and Project Risk Registers and related processes referenced in this document, have not been introduced at the time of submitting the Risk Management Framework to the CEO and Council for adoption. The Risk Management Framework has been refreshed in early 2021 and there will be ongoing processes to introduce and embed all requirements referenced. This will continue into the financial year 2021/22.*

8. Risk Assessment Criteria

8.1. Risk Rating Matrix

In order to determine action to take in respect of a risk, each risk must be rated. To do this the level of likelihood of a risk is assessed against the risks level of consequence to provide a risk rating.

The levels below are those used to rate risk throughout the organisation:

Likelihood	Rating	Consequence				
		1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	5	Medium	High	High	Extreme	Extreme
Likely	4	Low	Medium	High	High	Extreme
Possible	3	Low	Medium	Medium	High	Extreme
Unlikely	2	Low	Low	Medium	High	Extreme
Rare	1	Low	Low	Medium	High	Extreme

8.2. Likelihood Descriptors

The likelihood table below provides guidance on assessing the likelihood of risk occurring:

Rating	Likelihood Category	Event Description	Probability of Occurrence
5	**Almost Certain**	Event may occur within the month.	>90% chance of occurring
4	**Likely**	Event may occur within the year.	>50% to 90% chance of occurring
3	**Possible**	Event may occur once in every 1-5 years	>20% to 50% chance of occurring
2	**Unlikely**	Event may occur in every 6-10 years	>10% to 20% chance of occurring
1	**Rare**	Event may occur once in every 10+ years	<10% chance of occurring

8.3. Consequence Descriptors

The following table provides guidance on consequences for assessing various risks to achieve consistency in risk reporting. It is important that there is a standard across risk owners when reporting.

	Consequence Level				
	Insignificant	**Minor**	**Moderate**	**Major**	**Catastrophic**
Strategic Objectives & Business Continuity	• Negligible impact of Council. • Minor impact on Divisional Objectives but no impact on Strategic Objectives • Brief service interruption for several hours to a day.	• Moderate impact on Divisional Objectives with minor impact on Firm Strategic Objectives • Temporary and recoverable failure of Council, causing intermittent service interruption for several days.	• Failure to deliver minor strategic objectives and service plans. • Temporary & recoverable failure of Council, causing intermittent service interruption for a week.	• Widespread failure to deliver several major strategic objectives and service plans. • Long-term failure of Council, causing lengthy service interruption.	• The continuing failure of Council to deliver essential services. • The removal of key revenue generation.
Financial & Economic	• Less than 0.2 % of Council's annual revenue (excluding capital revenue); or • Where the financial impact is less than $2,000.	• Between 0.2 - 1% of Council's annual revenue (excluding capital revenue); or • Where the financial impact is between $2,000 to $10,000.	• Between 1- 2% of Council's annual revenue (excluding capital revenue); or • Where the financial impact is between $10,001 to $50,000.	• Between 2- 6% of Council's annual revenue (excluding capital revenue); or • Where the financial impact is between $50,001 to $250,000.	• Above 6% of Council's annual revenue (excluding capital revenue); or • Where the financial impact is greater than $250,000.
Corporate, Legal and Compliance	• Transient matter, e.g. Customer complaint, resolved in day-to-day management. • Negligible impact from another local government. • Dispute resolved through internal process or expertise.	• Minor local community concern which is manageable through good public relations. • Adverse impact by another local government. • Dispute resolved through legal advice.	• Significant state-wide concern/ exposure and short to mid-term loss of support from the Community. • Adverse impact and intervention by another local government & LGAQ. • Directed to undertake specific activities to remedy breaches in legislation that may require the involvement of legal firms.	• Federal and State media and public concern/ exposure with adverse attention and long-term loss of support from the Community. • Adverse impact and intervention by Federal and State Government. • Deliberate breach or gross negligence / formal investigations from third party (CCC).	• Loss of Federal and State Government support with scathing criticism and removal of the council. • National media exposure • Loss of power and influence restricting decision making and capabilities. • Major breach of legislation resulting in major penalties, fines, CCC investigation that may result in legal action against Council; or class action.

	Consequence Level				
	Insignificant	**Minor**	**Moderate**	**Major**	**Catastrophic**
Information Technology	• Interruption to a service not requiring any further remedial action and with minimal impact on customers – outage is for a number of hours.	• Interruption to a service requiring further remedial action and with moderate impact on customers - outage is for a half day to one (1) day.	• Interruption to core business function or essential service with significant customer impact for 1-2 days.	• Interruption to core business function or essential service for 2-5 days.	• Interruption to core business function or essential service greater than 5 days.
Reputation	• Issue may result in a number of adverse local complaints.	• Issue may attract limited media coverage.	• Issue may attract regional and state media coverage through various mediums with minimal consequence.	• Issue may attract significant State and National media coverage with some effect on Council's reputation.	• Prolonged adverse media attention. Staff and Elected members forced to resign.
People & Workplace Health & Safety (WH&S)	• Minimal HR issues which are easily remedied. • Council is considered an employer of choice. • High level of staff productivity, despite risk. • No WH&S injuries.	• Some HR issues within Council. • Staff turnover considered appropriate. • Employer of choice. • Appropriate level of productivity remains, despite identified risk. • First aid treatment required. However, there is no lost time incurred.	• Elements of poor HR culture. • Average staff turnover. • Reduced long term productivity, due to HR issues. • Medical treatment required. Lost time incurred of up to 5 working days.	• Poor internal culture within various Directorates, hampering innovation and achievement. • High staff turn-over of skilled / technically trained employees, both 'white and blue collar'. • Ongoing loss of valued employees (e.g. Lead role in Water). • Not perceived as an employer of choice, resulting in attracting poor prospective employee candidates. • High level of reduced productivity, due to HR issues. • Extensive injuries. Lost time incurred of more than 5 working days.	• Organisational wide poor internal culture, hampering innovation and achievement. • High staff turn-over and ongoing loss of valued employees. • Not perceived as an employer of choice, resulting in attracting poor prospective employee candidates. • Severe reduced long-term productivity issues, resulting from HR issues. • Vacancies on key roles, including Technical roles, for long periods. • Fatality or significant irreversible disability occurs.
Environmental	• Brief, non-hazardous, transient pollution or damage from fire, storm, cyclone .	• Minor environmental damage such as remote temporary pollution or damage from fire, storm, cyclone.	• Moderate impact on the environment. • No long term or irreversible damage. • May incur cautionary notice or infringement notice.	• Severe environmental impact requiring significant remedial action. • Penalties and/or direction or compliance order incurred.	• Widespread and irreversible environmental damage. • Attributed by the Courts to be negligent or incompetent actions by Council.

	Consequence Level				
	Insignificant	**Minor**	**Moderate**	**Major**	**Catastrophic**
Cultural Heritage	• The conduct of an activity that amounts to a level 1 Cultural Heritage act. Examples include the access on native land for a limited period to undertake minor works such as public health and safety works, tree lopping, clearance of noxious weeds and pests.	• The conduct of an activity that amounts to a level 1 Cultural Heritage act. Examples include the access on native land for a limited period to undertake minor works such as public health and safety works, tree lopping, clearance of noxious weeds and pests.	• The conduct of an activity that amounts to public works and affects cultural heritage by the discovery of cultural artefacts excluding human remains.	• The conduct of an activity that amounts to public works and affects cultural heritage by the discovery of human remains in the course of the activity.	• An activity that extinguishes native title without having regard to the *Aboriginal Cultural Heritage Act or Torres Strait Islander Cultural Heritage Act* thus causing significant native title compensation. For example, the construction of a structure on a dreaming site.
Native Title	• The conduct of an activity that amounts to a low impact future act under s24LA of the Native Title Act. Examples include the access on native land for a limited period to undertake minor works such as public health and safety works, tree lopping, clearance of noxious weeds and pests.	• The conduct of an activity that amounts to a low impact future act under s24LA of the Native Title Act. Examples include the access on native land for a limited period to undertake minor works such as public health and safety works, tree lopping, clearance of noxious weeds and pests.	• The conduct of an activity that amounts to a public works future act under s24KA of the Native Title Act, or a major works notice under the ILUA KNTAC. For example, the construction of a well/bore, a drain or other non-major works.	• The conduct of an activity that amounts to major public works future act under s24KA of the Native Title Act, or a major works notice under the ILUA KNTAC.. For example, the construction of a sewerage facility, wharf facility, a subdivision or a road.	• An activity that extinguishes native title without having regard to the Native Title Act thus causing significant native title compensation. For example, the construction of a structure on a dreaming site.
Infrastructure, Asset & Property	• Short term loss or damage. • Repairs required to allow the asset to remain operational using existing internal resources.	• Short term loss or damage of key asset(s). • Repairs required to allow the asset to remain operational. • Cost outside of budget allocation.	• Short to medium term loss of key asset(s). • Repairs are required to allow the infrastructure to remain operational. • Cost outside of budget allocation.	• Widespread, short term to medium term loss of key asset(s). • Repairs required to allow the infrastructure to remain operational. • Cost is significant and outside of budget allocation.	• Widespread, long term loss of substantial key asset(s). • Where infrastructure requires total rebuild or replacement.

9. Responsibilities

Council is committed to making the necessary resources available to assist those with responsibilities as detailed in this document.

Role	Responsibility
Council	Accountable for managing risk in the exercise of policy setting and decision-making powers and considers advice relating to risk management contained in Council reports.
Audit Committee	Responsibilities specific to the risk management framework include: • Ensuring risks and exposures are identified and effectively managed; • Enquiring of the CEO about significant risks or exposures, including the policies and procedures being taken to minimise such risks; • Considering whether management have adequate controls and risk management procedures in place including over third parties, such as contractors or advisors; • Reviewing Council's risk profile and risk appetite statement; • Progressively reviewing and monitoring Councils risk management framework and identifying opportunities for improvement; • Encouraging an attitude of continuous improvement throughout all aspects of business of the organisation. The Committee, through working with the CEO, will ensure a comprehensive risk management framework, including risk management policy, is applied to manage all significant risks to the organisation and its operations.
Executive Team	Responsible for leading and maintaining an enterprise-wide risk management culture across the organisation and ensuring that the risk management policy and framework are effectively implemented and embedded within the culture of Council's day-to-day business. Responsible for oversight of Project risks, as determined by the CEO or Council.
CEO and Director Corporate and Community	Responsible for the day-to-day tasks required to implement Council's Risk Management Framework and to ensure it continues to operate effectively. This includes maintenance and facilitation of Council's risk registers and the coordination of risk awareness training and preparation of risk management reports to Council and the Executive Team, as required.
All Staff	All staff are responsible for managing risks in their areas of responsibility. Examples may include: • Positively contributing to Council's risk management culture; • Identifying, evaluating, assessing, treating and monitoring the key risks that might impact the achievement of Council's strategic and operational objectives; • Supporting the integration of risk management into all aspects of the business; • Observing and informing Managers or Supervisors of any specific risks; • Maintaining an awareness of risks (current and potential) that relate to their area of responsibility.
Internal Auditors	Provides an independent review function to Council. In accordance with an agreed Internal Audit Plan, the Internal Auditors will conduct regular reviews across Council's activities and identify areas of risk for further mitigation and improvement.

10. Summary of Key Risk Management Activities

Action	Description	Responsibility	Timeframe
Review Risk Management Framework, including Policy	Review the currency and effectiveness of Council's Risk Management Framework, including Council's risk appetite statement, risk rating matrix and consequence/likelihood tables.	Director Corporate and Community to facilitate review process. Executive Team to endorse following review by the Audit Committee.	Annually
Review Strategic Risk Register	Review risks and controls contained in Council's Strategic Risk Register and identify new or emerging risks at this level.	Director Corporate and Community to facilitate review process. Risk Owners responsible for adding and amending content. Executive Team and Audit Committee responsible for reviewing and providing feedback and advice on content.	Executive Team to review Strategic Risk Register quarterly, and discuss strategic risks with a high or extreme residual risk rating at every meeting. Audit Committee to review at every ordinary Committee meeting, all risks with high and extreme residual risk ratings. Council to review following meeting of the Audit Committee.
Review Operational Risk Register	Review risks and controls contained in Council's Operational Risk Register and identify new or emerging risks to Council's Directorates.	Director Corporate and Community to facilitate review process. Risk Owners responsible for adding and amending content. Executive Team and Audit Committee responsible for reviewing and providing feedback and advice on content.	Executive Team to review Operational Risk Register quarterly, and discuss operational risks with a high or extreme residual risk rating at every meeting. Audit Committee to review at every ordinary committee meeting, operational risks with a high or extreme residual risk rating.
Review of Projects determined by Council or the CEO as high or extreme risk	Review risks and controls / treatment plans of projects.	Director (whom is the Project Sponsor) is responsible for adding and amending content. CEO and Executive Team responsible for reviewing and providing feedback and advice on content.	Executive Team to review applicable Project Risk Register quarterly, and discuss risks with a high or extreme residual risk rating at every meeting. Audit Committee to review quarterly, project risks with a high or extreme residual risk rating.

Action	Description	Responsibility	Timeframe
Extreme Residual Risks	Reporting of risks with a residual rating of extreme.	Risk Owners will ensure risks with a residual rating, which is escalated to extreme, are reported to the Audit Committee and Council at the earliest reasonable opportunity.	As required.
Operational Plan	In accordance with s175(1)(b)(ii) of the Local Government Regulation 2012, Council will state how it will manage operational risks.	CEO	Annually (as part of Operational Plan development).
Develop and implement Risk Treatment Plans	Develop and implement actions contained in Risk Treatment Plans (RTP).	Risk Treatment / Control Owners	As identified in the relevant RTP.
Review Project Risks	Review risk ratings of projects, initiatives and routine tasks.	Director, whom is the nominated Project Sponsor	On-going
Annual Report	Detail risk management activities undertaken during the previous financial year and any relevant risk management issues.	CEO	Annual
Investment Policy	Ensure Council's Investment Policy outlines the organisation's overall risk philosophy (as per s191(2)(a) of the Local Government Regulation 2012. This will be maintained as part of the Budget process.	Director Corporate and Community	Annual
Internal Audit Plan	Ensure Council's Internal Audit Plan includes statements about the way in which Council's operational risks have been evaluated, which are the most significant and the control measures adopted (or to be adopted) to manage these risks (as per s207(2) of the Local Government Regulation 2012).	Internal Auditors (in consultation with Director Corporate and Community).	During development of the Internal Audit Plan.
Communication/Training	Ensure all staff are aware of the Risk Management Framework and their obligations.	Director Corporate and Community	On-going

11. Framework and Policy Review

This Framework, including the Policy will be reviewed when any of the following evaluations occur:

- Audit reports relating to risk management activities being undertaken by Council indicate that a review from a legislative, compliance or governance perspective is required
- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer or through a resolution of Council.

Notwithstanding the above, this policy and Council's risk management framework will be reviewed at least annually by Council's Executive Management Team to review its effectiveness and to ensure its continued application and relevance.

COUNCIL POLICY 1.13 Enterprise Risk Management Policy

Version: V2

SCOPE

This policy applies to all elected representatives and officers of the Torres Shire Council who are involved in the identification and management of all risks associated with the performance of Council functions and the delivery of Council services.
Contractors, committees and volunteers engaged in the provision of Council services, or the management of Council facilities and assets are also required to comply with this policy.

OBJECTIVES

The objectives of this policy are:

- Align Council activities to and support business objectives identified in Council's corporate and operational plans;
- Maintain and improve reliability and quality of service provided by Torres Shire Council, within Council's controls and capabilities;
- Minimise or eliminate adverse impacts from Council's services or infrastructure on the community, visitors and the environment;
- Capitalise on opportunities identified for Torres Shire Council;
- Safeguard Council's employees, contractors, committees, volunteers, assets, financial sustainability, property, reputation and information;
- Promote risk management principles as a strategic tool to ensure better informed decision making throughout Council; and
- Embed a culture of risk management across the Council.

POLICY STATEMENT

Torres Shire Council recognises that as a public authority it is exposed to a broad range of risks which, if not managed, could adversely impact on the organisation achieving its strategic objectives. Therefore Council will implement a systematic risk management methodology to identify and address, where practical, areas of potential risk within Council. Any methodologies adopted will be consistent with Australian and New Zealand Standard AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines.
The intent of this policy is to create an environment where Council, management and staff assume responsibility for risk management, through consistent risk management practices.

PRINCIPLES

The following principles will be adopted to ensure that the objectives are achieved:

- Apply a risk management framework which is consistent with the current Australian and New Zealand Standard AS/NZS ISO 31000:2009 Risk Management – Principles and Guidelines for making decisions on how best to identify, assess and manage risk throughout all departments

of Council;

- Prioritise identified risks and implement treatments progressively based on the level of risk assessed and the effectiveness of the current treatments;
- Integrate risk management with existing planning and operational processes, including the Corporate Plan;
- Take into account relevant legislative requirements and political, social and economic environments in managing risks;
- Create a culture of risk awareness throughout the organisation through training, induction, promotion and risk review and reporting mechanisms; and
- Ensure resources and operational capabilities are identified and responsibility for managing risk is allocated.

DEFINITIONS

Risk
A risk to the business is any action or event that has an effect of uncertainty on objectives of Torres Shire Council. It is measured in terms of consequence and likelihood.

Risk also arises as much from the possibility that opportunities will not be realised as it does from the possibility that threats will materialise or that errors will be made.

Risk Management
Risk management for Council refers to the culture, processes and structures developed to effectively manage potential opportunities and adverse effects for any activity, function or process undertaken by the Council.

Managing risk is achieved through the systematic application of policies, procedures and practices to identify, analyse, evaluate, treat, monitor and communicate risk.

Enterprise Risk Management (ERM)
Enterprise risk management encompasses all the major risk categories (including financial, environmental, health and safety, fraud, information technology, compliance, security and business continuity) and includes the coordination, integration, consolidation and consistency of reporting by the various Council functions with identified risks.

Risk Register
The risk register lists identified and assessed risks. The risk register has a focus on enterprise risk.

ROLES and RESPONSIBILITIES

Council	Council is responsible for adoption of this policy and retains the ultimate responsibility for risk management and for determining the appropriate level of risk that it is willing to accept in the conduct of Council business activities. Council will review the effectiveness of the risk management systems.
Chief Executive Officer	Council's Chief Executive Officer is responsible for identifying, evaluating and managing risk in accordance with this policy through a formal enterprise-wide risk management framework. Formal risk assessments must be performed at least once a year as part of the business planning and budgeting process. The Chief Executive Officer will report to Council annually on the progress made in implementing a sound system of risk management and internal compliance and control across Council's operations.

Senior Management Team (Executive)	Council's Senior Management Team will perform the function of the Risk Management Committee which has oversight of developing the risk management framework and monitoring risk treatment. The team will ensure the risk management framework identifies high level strategic risks and aligns with the Internal Audit Plan. The Senior Management Team will ensure that the results of its reviews are provided to Council for update of the Council's risk profile as appropriate. The Senior Management Team will also ensure conduct periodic reviews of the risk management framework are carried out by Internal Audit pursuant to the Internal Audit Plan.
Management Team	Council's Management Team is responsible for the accuracy and validity of risk information reported to the Council. In addition, it will ensure clear communication throughout the Council of the Council and senior management's position on risk.
Employees including casual staff, contractors and volunteers	All employees are responsible for management of risks within their areas of responsibility as determined under any risk treatment plans. Employees will be responsible for the timely completion of activities contained within these risk treatment plans. Awareness sessions will be conducted routinely to ensure that employees are familiar with risk management and how it is applied within Torres Shire Council.
Risk Monitoring	Council utilises a number of functions, including Internal Audit, to perform independent and objective monitoring over its risk areas, including if necessary, conducting reviews over Council's operations and risk areas by external agencies. The scope of the work undertaken by all of these functions and the reviews by external agencies, will be considered in conjunction with Council's risk profile at least annually. This will assess the independent monitoring of key risk areas within Council's risk profile.

POLICY IMPLEMENTATION PROCESSES

Council as part of the risk management approach will ensure that a risk management section is inserted in memos and reports that have decision making capability. An example extracted from the report on tender of the Tourism and Business excellence centre is a follows:

Risk Management

In evaluating the risk associated with completing this process for a concept design for the center, it is considered low risk in terms of completion. The consultation process is an area that is important to the successful completion. As the budget required is grant funded there is no financial risk being undertaken by Council.

Description	Risk	Mitigation required
Qualified and capable consultant with international and national experience	Very Low	Non required
Financial risk	Very Low	Not required

The above section format should be included in Council memos and reports that have a decision making capability. The contents in the table should be deleted and relevant risks relating to the memo or report content should be inserted.

CONCLUSION

Council will continue to mitigate against risks so that relevant issues are subjected to risk assessment and evaluate impact to Council.

POLICY REVIEW

This Policy will be reviewed when any of the following evaluations occur:

- Audit reports relating to risk management activities being undertaken by Council indicate that a policy review from a legislative, compliance or governance perspective is required
- Relevant legislation, regulations, standards and policies are amended or replaced; and
- Other circumstances as determined from time to time by the Chief Executive Officer or through a resolution of Council.

Notwithstanding the above, this policy and Council's risk management framework will be reviewed at least annually by Council's Senior Management Team to review its effectiveness and to ensure its continued application and relevance.

DOCUMENT CONTROL

Version	Resolution Date	Resolution No.	Policy Author
V1	August 2021 OCM	21/8/20	Director Corporate & Community Services
V2	5 August 2025 ARC	ARC07/08/25	CEO

Review Frequency: 3 Yearly

ARC – Audit & Risk Committee
OCM – Ordinary Council Meeting

COUNCIL POLICY 1.19

Debt Recovery and Financial Hardship Policy

Version: V1

PURPOSE

Council rates and charges fund a vast array of services, infrastructure and facilities for the local community. This policy is to establish guidelines for:

- Effective and efficient control over debts owed to Council
- Promotion of a respectful, fair and equitable approach to debt recovery
- Fulfilment of the statutory requirements of the Local Government Act 1993 and associated Local Government Regulations with respect to the recovery of rates, charges and other debts.

The purpose of this policy is to facilitate a consistent approach to assist ratepayers who may have trouble paying their rates due to hardship, and to encourage people experiencing hardship to access earlier support services.

Hardship is not a long-term solution, the support under this policy is to provide the property owner with time to seek advice and address the reasons for their financial hardship.

SCOPE

This Policy applies to recovery of overdue debts to Council, subject to any limitations set out in the Policy Statement.

This hardship portion of the policy applies to all ratepayers of residential properties in the Torres Shire Council area, where the property is their principal place of residence.

DEFINITIONS

- **CEO** means the Chief Executive Officer, or the person acting in that role from time to time.
- **Chronic illness** means an illness that is permanent or lasts longer than three months.
- **Death of a partner** means the death of a member of a couple (married, registered relationship or de-facto relationship).
- **Financial hardship** means an inability to meet minimum living expenses including food, clothing, medicine, mortgage payments, and children's education due to circumstances beyond property owner's control. This hardship may occur as a result of chronic illness, personal financial crisis or costs and/or loss of income associated with the death of a partner.
- **Hardship** means financial hardship or other hardship as defined.
- **Property owner** means the owner of the land as defined under the Local Government Act 2009.
- **Residential property** means property that has as its primary use, use for residential purposes as per Council's land use classification.

DRAFT

- **Informal Action**, in relation to a debt, means any action that is preliminary to Formal Action. Informal Action includes sending a letter of demand (whether from Council or via its solicitors or debt recovery agent).
- **Formal Action**, in relation to a debt, includes:

- filing a claim in a court of competent jurisdiction;

- for rates and charges – issuing a notice of intention to sell land or notice of intention to acquire land for arrears of rates and charges under the LG Reg;

- for unpaid service or utility charges – preventing or restricting access to the service or utility;

- for a debt owed by a company – serving a Creditor's Statutory Demand pursuant to the *Corporations Act 2001*;

- **LG Act** means the *Local Government Act 2009*.
- **LG Reg** means the *Local Government Regulation 2012*.

POLICY STATEMENT

The Local Government Act provides the legal framework for how Council sets and levies rates and charges each year and recovers debt from overdue rates and charges, including for waiving or reducing rates in cases of hardship. Council takes into account guidelines under best practice on Debt Management and Hardship in forming this policy.

Debt Recovery Policy

The way in which Council recovers debts owed to it may differ depending on the level of risk associated with the outstanding debt, the debtor's relevant history (for example, whether the debtor has a history of non-payment) and the quantum of the debt.

However, Council will generally adopt an escalating approach to recovering outstanding debts that involves:

- Informal Action by Council directly, which is typically a letter of demand on Council letterhead;
- then, Informal Action through Council's solicitors of debt recovery agent, which is typically a letter of demand on Council's solicitors' or agent's letterhead;
- then, initiating Formal Action.

There may be circumstances in which an escalating approach is not appropriate, and Council decides to initiate Formal Action before taking Informal Action.

Council may consider negotiating payment plans with debtors, but this will depend on the specific circumstances of the debt and the debtor, including, for example, the debtor's relevant history. Nothing in this Policy requires Council to negotiate a payment plan with any debtor or adopt a uniform approach to negotiating payment plans.

Rates and Charges

Section 193 of the LG Reg requires Council to adopt a Revenue Policy that identifies principles that Council intends to apply for recovering overdue rates and charges. This Policy does not replace anything contained in the Revenue Policy, and to the extent of any inconsistency, the Revenue Policy prevails.

For unpaid service charges, Council may, consistently with any applicable Act, prevent or restrict the supply of a service.

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For overdue rates and charges, Council may initiate recovery action via a notice of intention to sell or notice of intention to acquire process under the LG Act.

Council will not write off or waive rates or charges unless a valid application for a concession has been made under the LG Act.

Airport Fees

Council charges fees for aircraft operators to use Horn Island Airport and Sadies Beach Helipad (**Airport Fees**).

Council typically recovers Airport Fees through its invoicing agent, Avdata Australia.

Council may also adopt Local Laws and Conditions of Use for its airport facilities that give Council specific powers to respond to overdue Airport Fees, including to detain aircraft or prevent aircraft movements.

Given the nature of Council's airport operations, it may not be appropriate to adopt an escalating approach to debt recovery as set out in the "General Principles" section of this Policy to recover overdue Airport Fees.

Debts under a lease, license or other agreement

Council may be owed debts under a lease, license or other agreement (for example, for unpaid rent).

The processes that apply under the specific agreement take precedence over this Policy, and Council is not required to apply this Policy when recovering debts under a specific agreement.

For example, for unpaid rent under a lease, Council may decide to issue a notice to remedy breach under the terms of the lease and the *Property Law Act 2023* and, if the breach remains unremedied, terminate the lease. Council is not required to first take another action that might be contemplated under this Policy (for example, Informal Action) before exercising its rights under the lease.

Other debts

Recovery of other debts will be considered on a case-by-case basis, having regard to the nature of the debt, the statutory or contractual framework underpinning the debt, and the general principles identified above.

Hardship Policy

1. Background

Council will provide support to property owners who are experiencing hardship and are unable to meet a realistic payment commitment for the rates and charges levied against a property.

Where a property owner can show that maintaining a realistic payment commitment would entail hardship, Council seeks to provide a framework for relief deemed appropriate to the circumstances experienced. Hardship relief provided under this policy does not forgo Council's normal debt recovery action, including Council's ability to sell land for arrears of rates, with the exception of approved relief as described in Section 3.

2. Criteria for providing relief

Council will only consider an application for rates and charges relief under this policy on a residential property where:

- it is the property owner's principal place of residence.
- no commercial benefit is derived from the property.
- net assets in cash investments, shares, other property, etc. of less than $10,000.

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- the property owner is unable to maintain payment commitments in accordance with Council's Rates Recovery Policy.
- the property owner is experiencing hardship such as:
    - less than two weeks of available funds equivalent to the maximum rate of income support payment provided by Services Australia for Crisis Payments (evidence must be provided by the Services Australia); or
    - suffering from a chronic or terminal illness which prevents them from seeking employment and reduces their income (evidence must be provided from medical practitioner or hospital facility); or
    - unexpected expenses incurred and reduction or loss of family income as a result of the death of a partner.
- An application is made to Council for the relief of rates and charges by the property owner.
- The application must demonstrate severe and/or unusual hardship.
- The applicant will need to seek independent financial advice and submit a budget from a registered financial counsellor demonstrating they are in hardship (except in the case of terminal illness). The National Debt Helpline provide a free service.

3. Types of relief which may be applied

The Chief Executive Officer, or delegate stated in section 5, may approve a hardship relief period to a property owner:

- for time to make payment;
- free of interest charges; and
- free from active debt recovery action.

The hardship relief period will be determined on a case-by-case basis, dependent on the circumstances of the hardship, and generally within the next due date period.

Council may grant a concession if it is satisfied that the payment of rates or charges will cause hardship to the landowner. Council has determined it will grant such a concession for rates and charges relief as set out in this policy.

Council will continue with normal debt recovery action, including the application of interest, and legal charges where applicable, at the end of the hardship relief period for debts outstanding.

Relief is also provided where a ratepayer experiences an undetectable and unexpected water leak as per Council's Concealed Water Leak Remission Policy.

4. Lodging a Request for Relief

The property owner must complete and submit an application form which will include details and reason for financial hardship, the actions which the property owner has taken to alleviate the situation and evidence where assistance has been sought.

5. Assessment and Approval of Application

Any application made for a rates and charges relief due to hardship may be approved by the Chief Executive Officer, Director Corporate and Community Services, or Finance Manager, and concession granted by Council resolution.

6. Dispute or Failure to Comply

If a property owner is unsatisfied with the outcome of their application under this policy, they may seek a review of the decision in writing, addressed to the Chief Executive Officer – by post or email to mary.bani@torres.qld.gov.au .

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HUMAN RIGHTS

In developing this Policy, Council has considered applicable human rights protected under the Human Rights Act 2019 and is acting compatibly with those rights. When applying this Policy, Council is committed to giving proper consideration and acting compatibly with human rights.

DELEGATIONS

By adopting this Policy by resolution, Council delegates to the CEO, pursuant to section 257 of the LG Act, the power to:

(a) Initiate and conduct Informal Action to recover a debt, including by instructing solicitors to initiate that Informal Action;

(b) initiate and conduct on behalf of Council Formal Action to recover a debt, including by instructing solicitors to initiate that Formal Action;

(c) negotiate a payment plan with a debtor;

The CEO may sub-delegate any power under the preceding paragraph pursuant to section 259 of the LG Act.

However, the delegation in Section 0 does not apply to any power that can only be exercised by Council by resolution. For example, section 140(2) of the LG Reg requires Council, by resolution, to decide to sell land for overdue rates or charges – that power, which may only be exercised by resolution, is not capable of delegation.

POLICY REQUIREMENTS

This Policy replaces any previous debt recovery policy (but does not replace or supersede the Revenue Policy).

POLICY VARIATIONS

Council reserves the right to vary or replace this Policy from time to time.

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DOCUMENT CONTROL

Version	Resolution Date	Resolution No.	Policy Author
V1			Director Corporate & Community Services

This Policy is to remain in force until otherwise amended/replaced by resolution of the Council.

Review Frequency: 3 Yearly

DRAFT

Torres Shire Council Application to Pay Rates by Instalments

Name:	
Phone No/s:	
Address:	
Reason for Arrangement:	

I hereby advise that I/we intend to pay rates owing on the property situated at:

Address:

Owned by:		Totalling: $	
By instalments:	☐ Monthly	☐ Fortnightly	☐ Weekly
Amount: $		1st Payment Date:	

Pay via Direct Debit YES / NO If YES, please complete and attach the Direct Debit Form

Signature **Dated**

NOTE TO RATEPAYERS MAKING A RATE COMMITTMENT TO PAY OFF OVERDUE RATES BY INSTALMENTS

As per Council Rates Recovery Policy any debt under $2,500.00 is required to be cleared within a period no greater than 6 months. Debts over $2,500.00 are required to be cleared within a period no greater than 12 months.

Whilst payments are made in accordance with the agreed and approved arrangement, Council has approved that interest is not applied to outstanding balances, however, should the arrangement be in default interest will be applied from the due date for payment.

Council does not issue "reminders" to ratepayers to advise when the next agreed payment is due. It is your responsibility to make sure your agreed payment is made on time. If an agreed payment is not received as promised, Council will send you a letter seeking an explanation as to why your payment was not made, together with a request for the immediate payment of the "missed" agreed payment.

If you are unable to make a payment at any time, or your circumstances change, please contact the Rates Department immediately, so that alternative arrangements for payment can be made.

If three (3) consecutive payments are missed, then Council will CANCEL the arrangement and may commence recovery action IMMEDIATELY to collect the outstanding rates.

Privacy Statement

The collection of this information is authorized under Local Government Act 2009. This information will be used to set up payment arrangement for overdue Rate charges. Unless authorized or required by law, your personal information will not be disclosed to any third party without your consent. More information about privacy management in the Torres Shire Council is available on our website.

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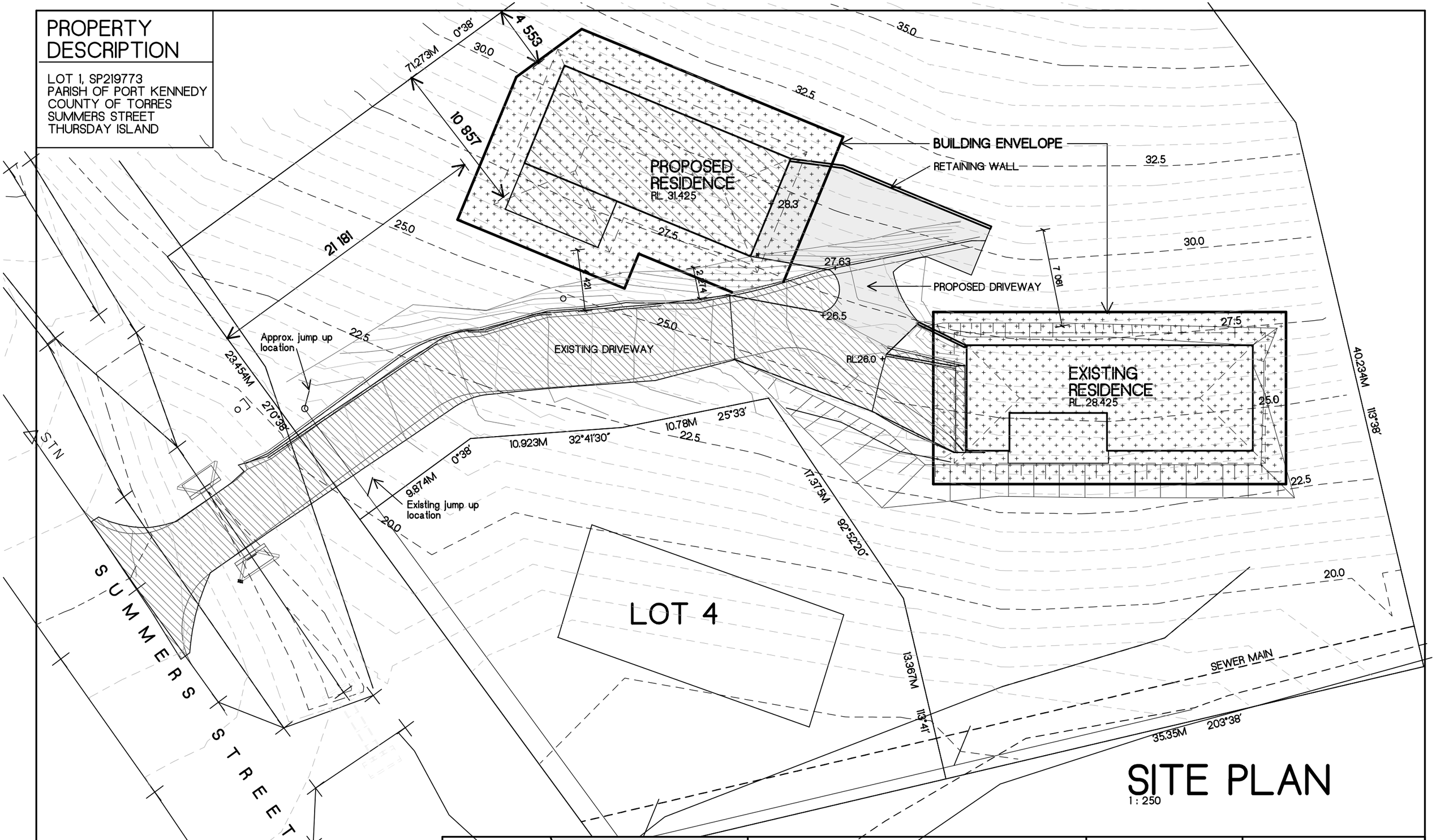

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PROPOSED RESIDENCE FOR : A.J. HOMES SUPERANNUATION FUND 56-58 SUMMERS STREET, THURSDAY ISLAND

MARCH 2026

2703

S6 OF 6

WIND CLASSIFICATION C2

WINDOW SCHEDULE

W1	1000x1800 SLIDING GLASS WINDOW, OX
W2	1000x1800 SLIDING GLASS WINDOW, OX
W3	1100x2200 SLIDING GLASS WINDOW, OX
W4	2100x3400 SLIDING GLASS DOORS OXXO
W5	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W6	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W7	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W8	651x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W9	1000x1000 SLIDING GLASS WINDOW, OX OBSCURE GLASS.
W10	1071x800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W11	800x1200 SLIDING GLASS WINDOW, XO OBSCURE GLASS
W12	1200x1800 SLIDING GLASS WINDOW, OX
W13	1771x600 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W14	1771x600 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W15	1000x900 SLIDING GLASS WINDOW, OX

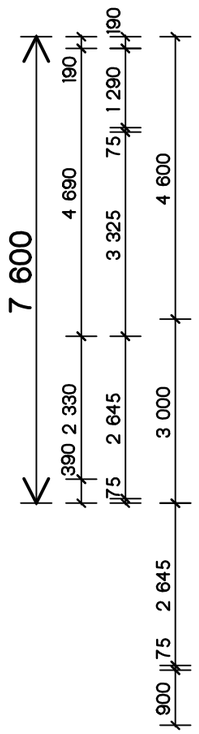
Note:

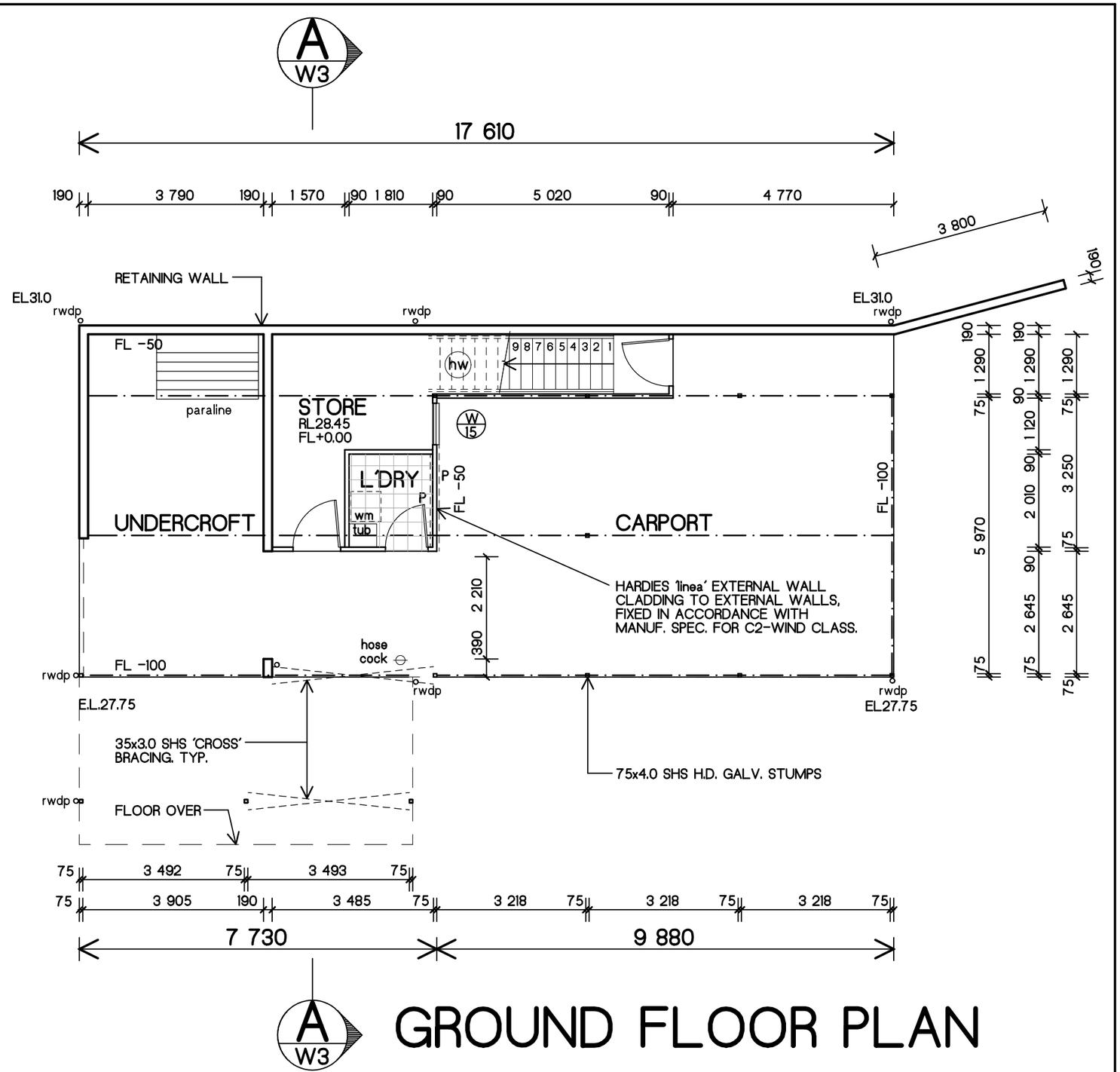
ALL LOUVRES TO HAVE FULL OPENABLE CLIPS
FRAME TYPES AS NOTED, COLOUR MATCH FRAMES, CLIPS AND HANDLES TYP.

LOUVRE HEIGHTS INDICATED ARE ACTUAL FRAME SIZES. OPENINGS TO BE SIZED ACCORDINGLY TO ALLOW FOR FRAMES.

ALL HINGED AND SLIDING DOORS AND WINDOWS TO HAVE CRIMSAFE SCREENS

ALL FRAMES CLEAR ANODISED FINISH
ALL GLASS GREY TINT





GROUND FLOOR PLAN

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PROPOSED RESIDENCE FOR :
A.J. HOMES SUPERANNUATION FUND
56-58 SUMMERS STREET,
THURSDAY ISLAND

MARCH 2026

2703

S1
OF 6

WIND CLASSIFICATION C2

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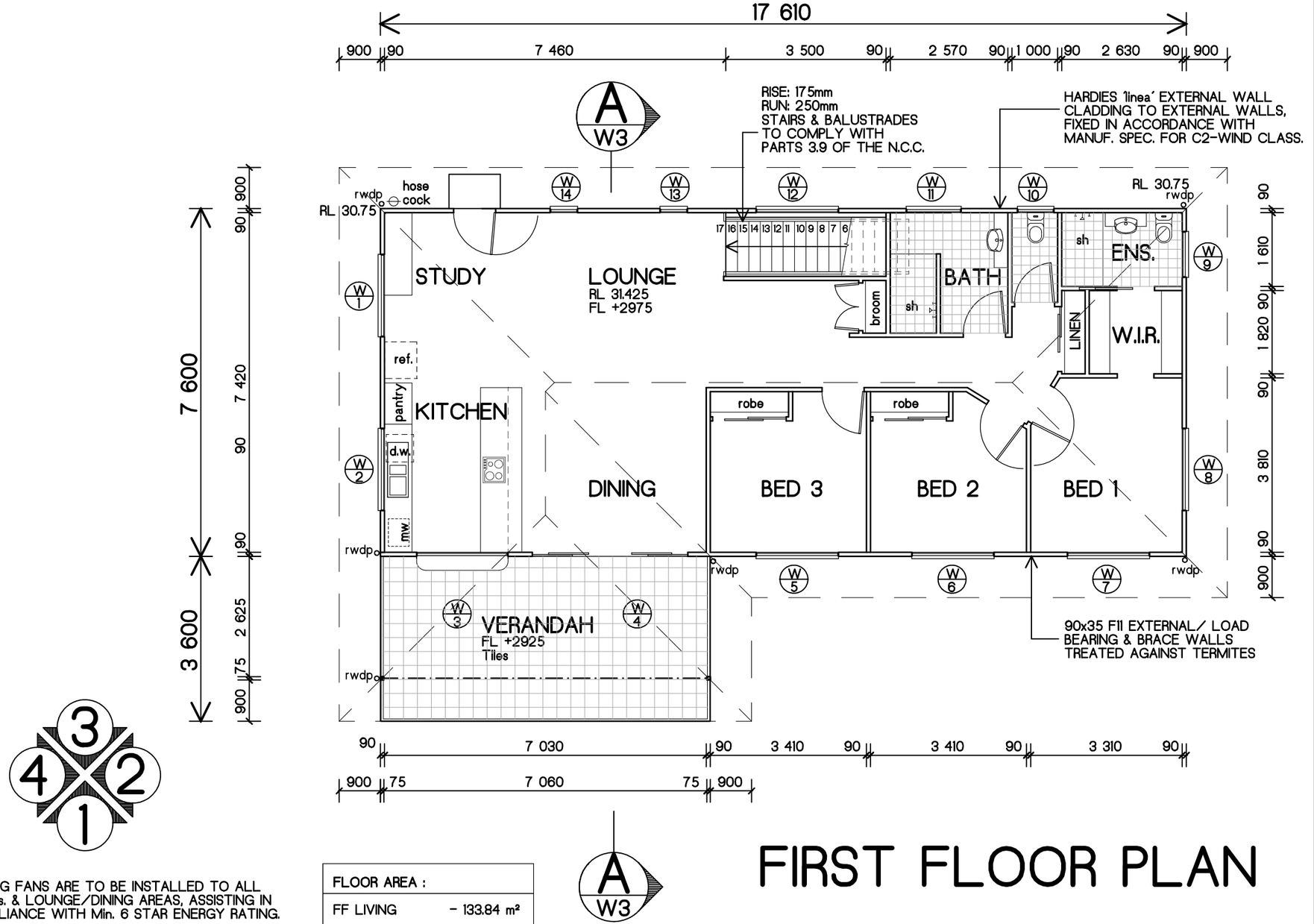

FIRST FLOOR PLAN

DOOR TO W.C. TO BE ON 'LIFT-OFF' HINGES.

EXHAUST FAN VENTED INTO CEILING SPACE

O S 240 V SMOKE DETECTOR FIXED TO CEILING IN ACCORDANCE WITH PARTS 3.7.2.3 OF THE N.C.C. SMOKE ALARM TO COMPLY WITH AS 3786

PROVIDE TEMPERATURE CONTROL DEVICE TO HOT WATER UNIT IN ACCORDANCE WITH A.S. 3500.4.2 1997

CEILING FANS ARE TO BE INSTALLED TO ALL BEDrms. & LOUNGE/DINING AREAS, ASSISTING IN COMPLIANCE WITH Min. 6 STAR ENERGY RATING.

ENSURE ALL WET AREA FLOORS ARE SEALED & FALL TO FLOOR WASTES IN ACCORDANCE WITH B.C.A. 3.8.1.

SEALED LED DOWNLIGHTS THROUGHOUT

ALL FIXINGS, CONNECTIONS & CYCLONE RODS TO BE 316 STAINLESS STEEL.

FLOOR AREA :	
FF LIVING	- 133.84 m²
FF VERANDAH	- 26.05 m²
GF ENCLOSED	- 26.32 m²
GF UNDERCROFT	- 107.51 m²
TOTAL	- 293.72 m²

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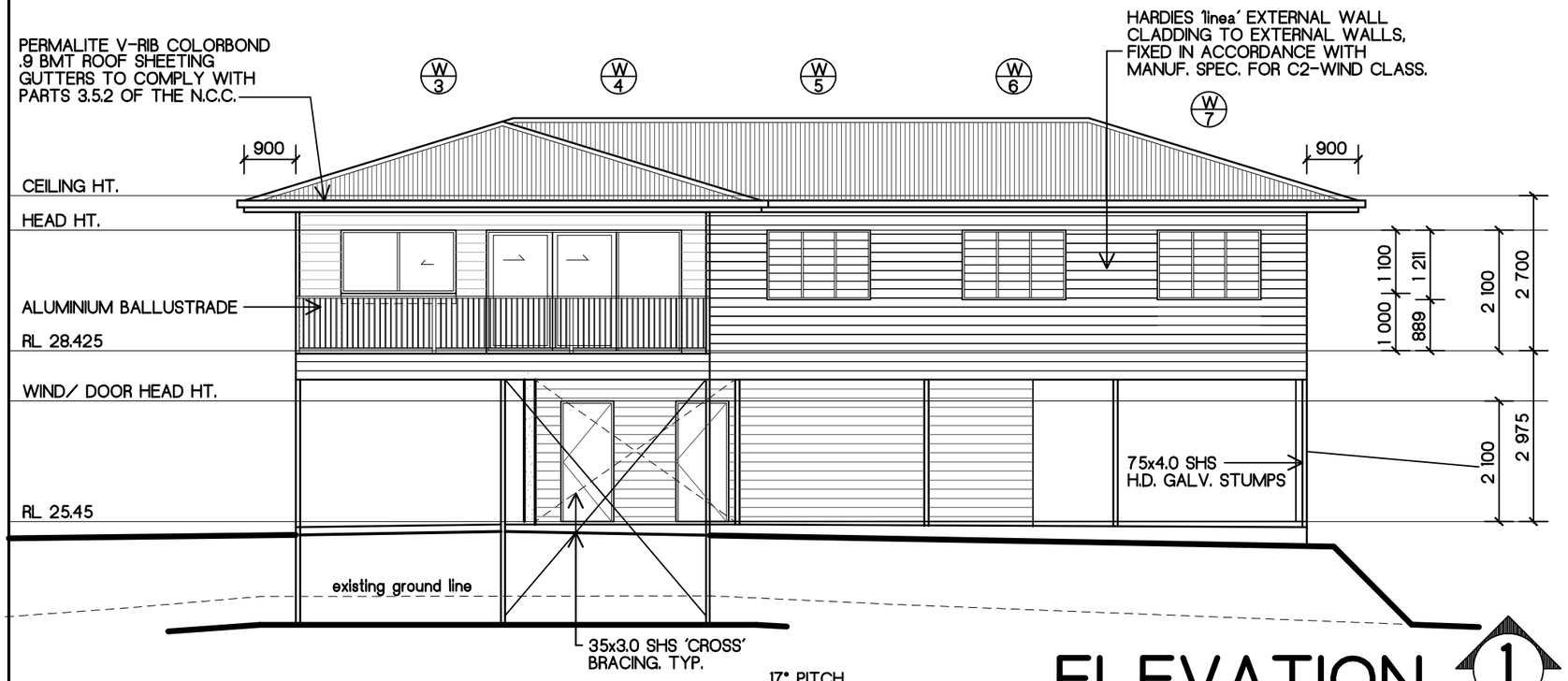
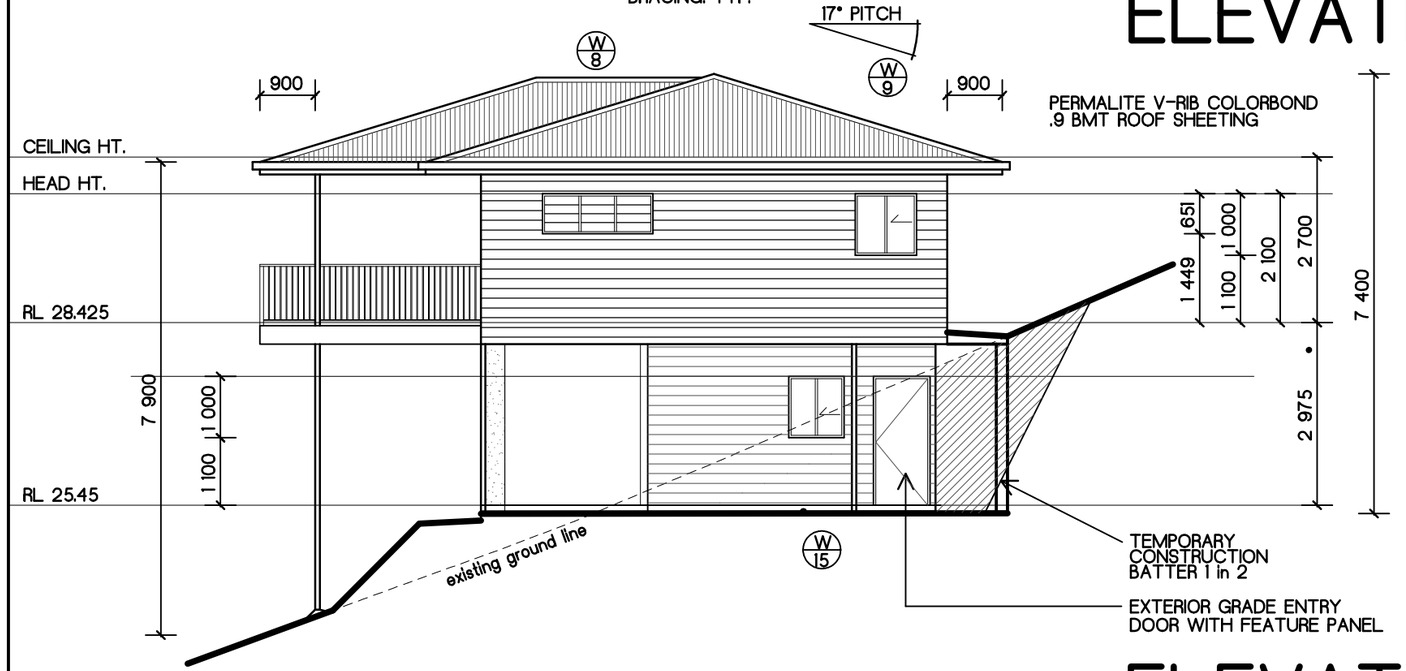
S2 OF 6

WIND CLASSIFICATION C2



ELEVATION 1



ELEVATION 2

WINDOW SCHEDULE

W1	1000x1800 SLIDING GLASS WINDOW, OX
W2	1000x1800 SLIDING GLASS WINDOW, OX
W3	1100x2200 SLIDING GLASS WINDOW, OX
W4	2100x3400 SLIDING GLASS DOORS OXXO
W5	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W6	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W7	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W8	651x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W9	1000x1000 SLIDING GLASS WINDOW, OX OBSCURE GLASS.
W10	1071x800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W11	800x1200 SLIDING GLASS WINDOW, XO OBSCURE GLASS
W12	1200x1800 SLIDING GLASS WINDOW, OX
W13	1771x600 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W14	1771x600 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W15	1000x900 SLIDING GLASS WINDOW, OX

Note:

ALL LOUVRES TO HAVE FULL OPENABLE CLIPS
FRAME TYPES AS NOTED, COLOUR MATCH FRAMES, CLIPS AND HANDLES TYP.

LOUVRE HEIGHTS INDICATED ARE ACTUAL FRAME SIZES. OPENINGS TO BE SIZED ACCORDINGLY TO ALLOW FOR FRAMES.

ALL HINGED AND SLIDING DOORS AND WINDOWS TO HAVE CRIMSAFE SCREENS

ALL FRAMES CLEAR ANODISED FINISH
ALL GLASS GREY TINT

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Use figured dimensions in preference to scale. Check all dimensions on site before fabrication or building work.

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1 : 100, ON A3 SHEET

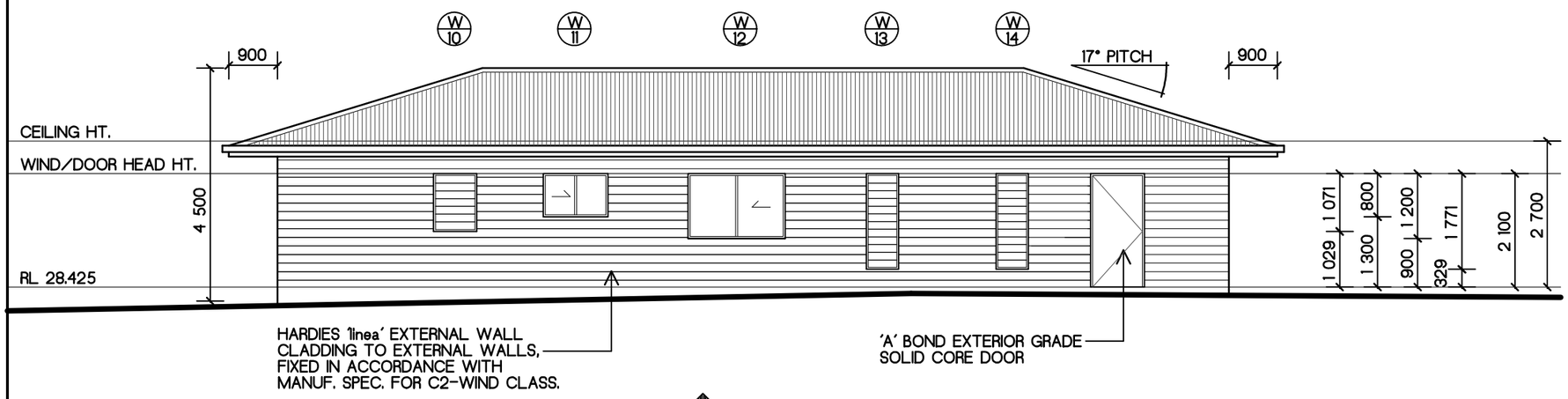
PROPOSED RESIDENCE FOR : A.J. HOMES SUPERANNUATION FUND 56-58 SUMMERS STREET, THURSDAY ISLAND

MARCH 2026

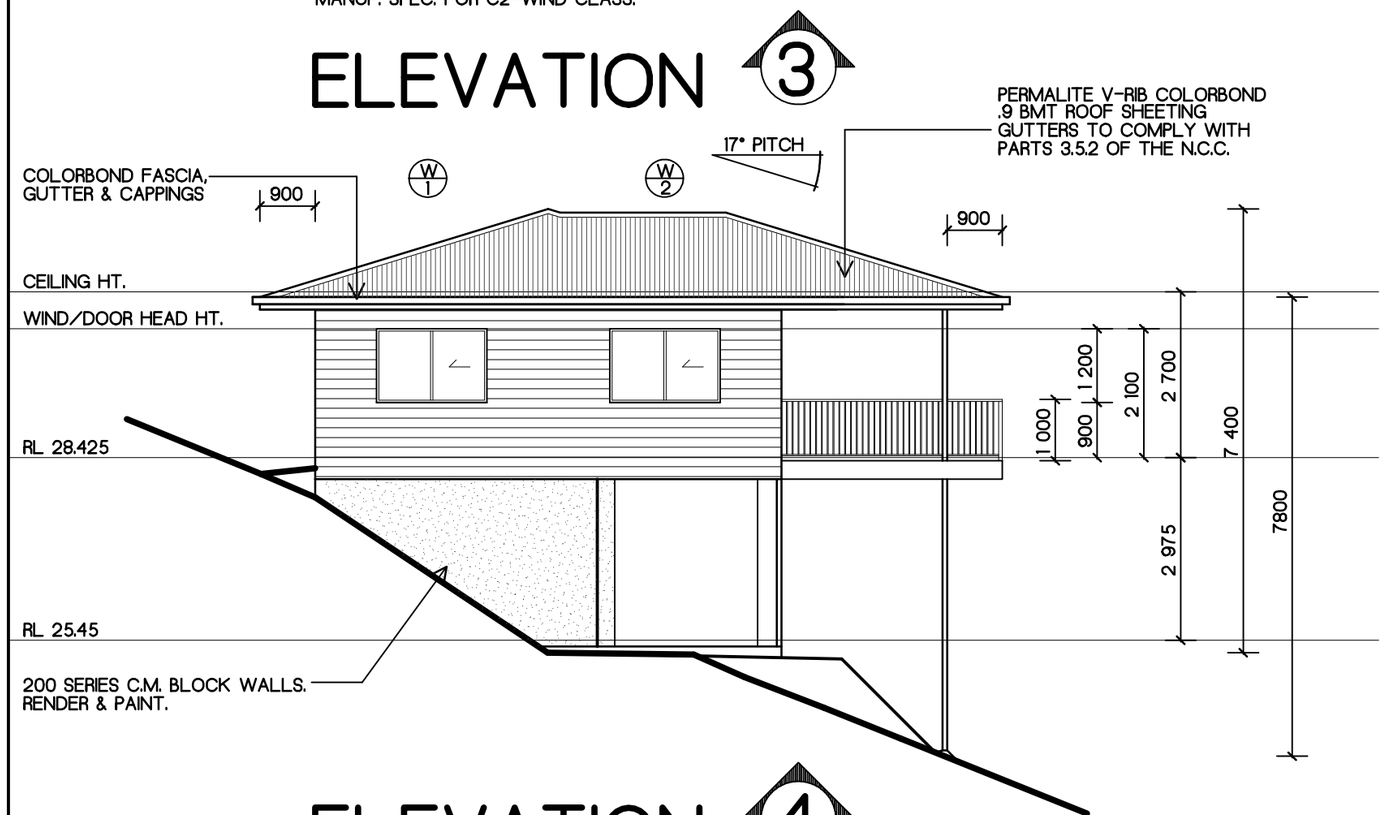
2703

S4 OF 6

WIND CLASSIFICATION C2



ELEVATION 3



ELEVATION 4

WINDOW SCHEDULE

W1	1000x1800 SLIDING GLASS WINDOW, OX
W2	1000x1800 SLIDING GLASS WINDOW, OX
W3	1100x2200 SLIDING GLASS WINDOW, OX
W4	2100x3400 SLIDING GLASS DOORS OXXO
W5	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W6	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W7	1211x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W8	651x1800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W9	1000x1000 SLIDING GLASS WINDOW, OX OBSCURE GLASS.
W10	1071x800 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W11	800x1200 SLIDING GLASS WINDOW, XO OBSCURE GLASS
W12	1200x1800 SLIDING GLASS WINDOW, OX
W13	1771x600 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W14	1771x600 BREEZWAY 'ALTAIR' 152mm LOUVRE SYSTEM, GLASS BLADES, EASYSCREEN FRAME
W15	1000x900 SLIDING GLASS WINDOW, OX

Note:

ALL LOUVRES TO HAVE FULL OPENABLE CLIPS
FRAME TYPES AS NOTED, COLOUR MATCH FRAMES, CLIPS AND HANDLES TYP.

LOUVRE HEIGHTS INDICATED ARE ACTUAL FRAME SIZES. OPENINGS TO BE SIZED ACCORDINGLY TO ALLOW FOR FRAMES.

ALL HINGED AND SLIDING DOORS AND WINDOWS TO HAVE CRIMSAFE SCREENS

ALL FRAMES CLEAR ANODISED FINISH
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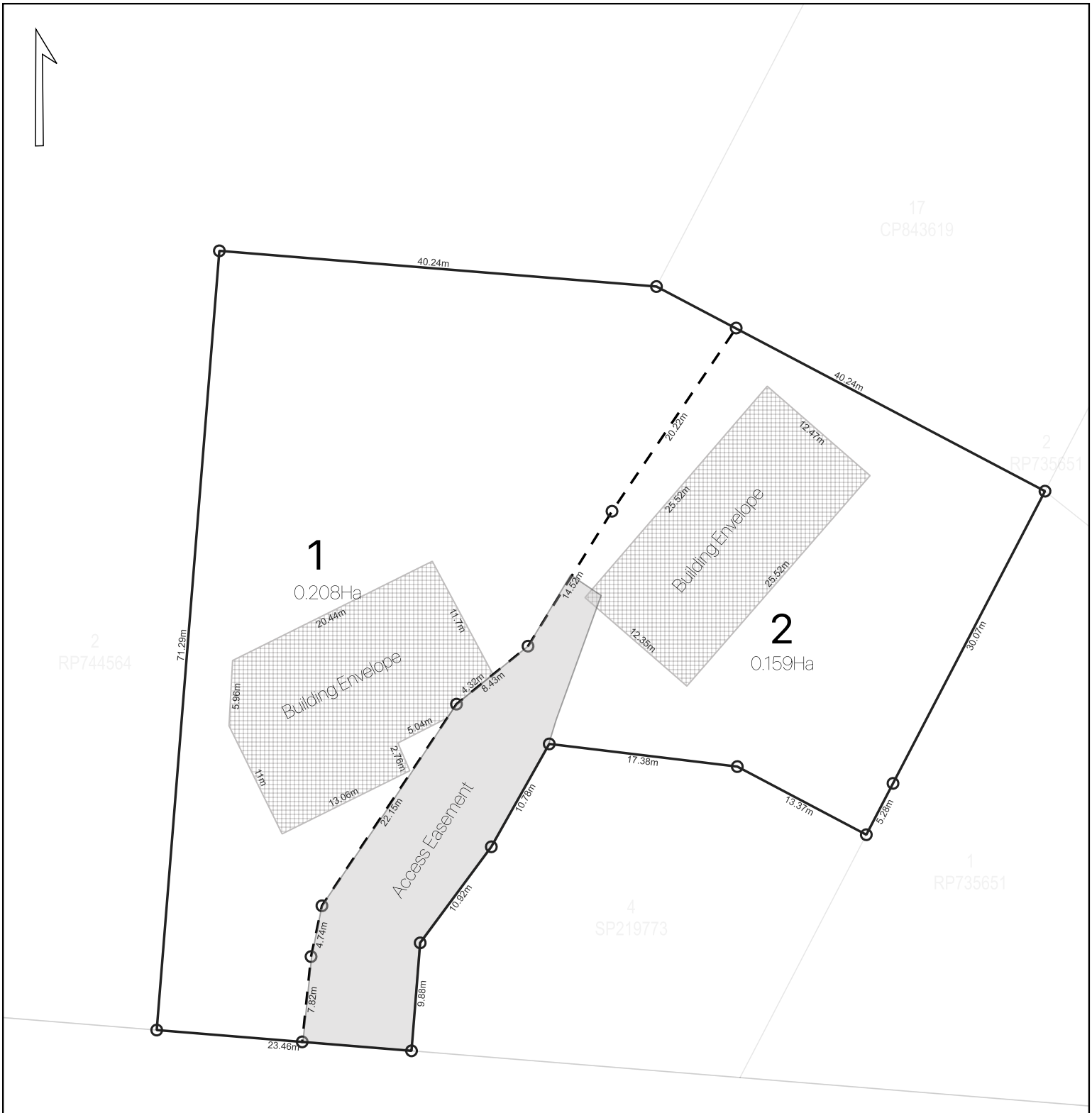
S5
OF 6

WIND CLASSIFICATION C2



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IMPORTANT NOTE
This map was prepared for information purposes only and accuracy/currency of all aspects of the map have not been verified. All aspects are subject to external studies/resources/data/ No reliance should be placed on the map and Gilvear Planning Pty Ltd accepts no responsibility for any loss or damage suffered howsoever arising to any person who may use or rely on this map.

PROPOSED RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS)

SCALE:	1:500 @A4	CLIENT:	AJ HOMES PTY LTD
COORDINATE SYSTEM:	EPSG:3857 GDA 2020 ZONE 55	DATE:	SEPTEMBER 2026
JOB NUMBER:	J25-01847	PROPERTY DESCRIPTION:	LOT 1 ON SP219773

gilvear planning

ATTACHMENT B

INFRASTRUCTURE CHARGES CALCULATION
Development Application – IDAS26/04
58 Summers Street, Thursday Island

CHARGES CALCULATION
Part A - Material Change of Use (Dual Occupancy)

Adopted Charges Development Description	Water Supply	Sewerage	Transport	Community Facilities & Parks	Stormwater	Total
Residential (x2 dwelling with 3 or more bedrooms)	$9,203.30 x 2	$7,669.41 x 2	$4,601.65 x2	$3,067.77 x 2	$6,135.52x 2	**$61,355.30**

TOTAL ADOPTED CHARGE	**$61,355.30**

CREDIT CALCULATION
Existing Lawful Use (Dwelling House)

Adopted Charges Development Description	Water Supply	Sewerage	Transport	Community Facilities & Parks	Stormwater	Total
Residential (for dwelling with 3 or more bedrooms)	$9,203.30	$7,669.41	$4,601.65	$3,067.77	$6,135.52	**$30,677.65**

TOTAL CREDIT	**$30,677.65**

NET ADOPTED INFRASTRUCTURE CHARGES SUMMARY:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
$61,355.30	**$30,677.65**	**$30,677.65**

(Note: The Total Infrastructure Charge = Total Charges – Total Credit for Existing Use)

CHARGES CALCULATION

Part B - Reconfiguring a Lot (1 Lot into 2 Lots)

Adopted Charges Development Description	Water Supply	Sewerage	Transport	Community Facilities & Parks	Stormwater	Total
Reconfiguring a Lot (1 into 2) Residential	$18,406.60	$15,338.82	$9,203.30	$6,135.54	$12,271.04	**$61,355.30**

TOTAL ADOPTED CHARGE	**$61,355.30**

CREDIT CALCULATION

Adopted Charges Development Description	Water Supply	Sewerage	Transport	Community Facilities & Parks	Stormwater	Total
Residential lot	$9,203.30	$7,669.41	$4,601.65	$3,067.77	$6,135.52	**$30,677.65**

NET ADOPTED INFRASTRUCTURE CHARGES SUMMARY:

Total Adopted Charge	Total Credit	Total Infrastructure Charge
$61,355.30	$30,677.65	**$30,677.65**

(Note: The Total Infrastructure Charge = Total Charges – Total Credit for Existing Use)
(Note: If the material change of use component (Part A) commences first and the charges paid, the infrastructure charges for the reconfiguring a lot component will be recalculated taking into consideration the additional credit, resulting in no charge.