



Palm Island Aboriginal Shire Council
1 Main Street PALM ISLAND Q 4816
Ph: 0747 700 200- Fax: 0747 701 241
E: thomasina.morgan@palmcouncil.qld.gov.au

**Palm Island Aboriginal Shire Council
Ordinary Meeting held Wednesday 22nd March 2017
Commencing at 10.10am PIASC Boardroom**

PRESENT

CHAIRMAN: Mayor Alfred Lacey

COUNCILLORS:
Councillor Edward Walsh
Councillor Deniece Geia
Councillor Roy Prior

OFFICERS: Ross Norman (Chief Executive Officer)
Thomasina Morgan (Minutes Secretary)

OBSERVERS:

APOLOGIES/ABSENT: Councillor Robert Castor (Snr)

CONDOLENCES: Robert Wilson Family

CONGRATULATIONS:

ACKNOWLEDGEMENT: The Council acknowledged the Traditional Owners, the Manbarra People, upon whose land we hold our meeting and the Bwgcolman People of Palm Island.

PROCEEDINGS:

**ADOPTION & ENDORSEMENT OF PALM ISLAND ABORIGINAL SHIRE COUNCIL
MINUTES HELD WEDNESDAY 22 FEBRUARY 2017**

COUNCIL RESOLUTION

Council resolves to:

(a) Note and accept that the Minutes from the Previous Ordinary Meeting held, be adopted and accepted as true and correct.

(b) Copies of which have been printed and circulated to members.

MOVE CR.	WALSH	SECONDED CR.	GEIA
CARRIED			

APOLOGIES COUNCILLOR CASTORS

COUNCIL RESOLUTION

Council resolves to Councillors Castors apology for his nonattendance today due to family reasons.

MOVE CR.	WALSH	SECONDED CR.	GEIA
CARRIED			

**PALM ISLAND ABORIGINAL SHIRE COUNCIL ACTION REPORT FOR WEDNESDAY
22ND FEBRUARY 2017**

COUNCIL RESOLUTION

Council resolves to:

(a) notes and accepts the Action Report for Wednesday 22nd February 2017

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CHIEF EXECUTIVE OFFICER'S REPORT – DEVELOPMENT APPLICATION- PRIMARY HEALTH CARE PRECINT

COUNCIL RESOLUTION

That the Council:

- (a) Council accepts and notes the Report;
- (b) Council approves the Development Application for a Primary Health Care Centre over the land at Main Street, Palm Island subject to the following:

Conditions

1. Carry out the approved development generally in accordance with the approved drawing(s) and/or document(s), and in accordance with:
 - (a) The specifications, facts and circumstances as set out in the application submitted to Council, including recommendations and findings confirmed within technical reports; and
 - (b) The following conditions of approval and the requirements of Council's Planning Scheme and the FNQROC Development Manual.

Except where modified by these conditions of approval.

Timing of Effect

2. The conditions of the Development Permit must be satisfied prior to Commencement of Use, except where specified otherwise in these conditions of approval.

Notice of Intention to Commence Use

3. Prior to commencement of the use on the site, written notice must be given to Council that the development fully complies with this Development Permit.

Please return the attached "Notice of Intention to Commence Use" form when the use has commenced.

Cultural Heritage Agreement

4. A fully executed Cultural Heritage Agreement is to be provided to Council prior to the commencement of building works.

Water supply and sewerage works external

5. Undertake investigations with Council in relation to the capacity of the existing reticulated water and sewer networks.

Should there be insufficient capacity within the existing water and sewer networks to reasonably accommodate the demands generated from the proposed development, the following water supply and sewerage works external to the site are required:

- (a) Augment existing water supply infrastructure to the extent necessary such that the development does not adversely affect the water supply to adjacent properties and such that a water service connection can be provided at the lot frontage;
- (b) Augment existing sewers and pump station downstream of the site, to the extent required to accommodate the increased flows generated by the development.

Water infrastructure is to be in accordance with AUS-SPEC development specifications as amended by Townsville City Council.

The external works outlined above require approval from Council as part of an application for Operational Works. Such work must be constructed in accordance with the endorsed plan to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

Water Supply and Sewerage Works Internal

6. Undertake the following water supply and sewerage works internal to the site:
 - (a) The development must be serviced by a single internal water and sewerage connection made clear of any buildings or structures;
 - (b) Council does not guarantee a minimum service standard for fire-fighting from Council's water network. It is the responsibility of the property owner to design the private fire system to ensure compliance with the relevant building codes and standards and install all necessary on-site pressure boosting and storage that maybe required.

All the above works must be designed and constructed in accordance with AUS-SPEC development specifications as amended by Townsville City Council.

All works must be carried out in accordance with the approved plans, to the requirements and satisfaction of the Chief Executive Officer prior to Commencement of Use.

Lawful Point of Discharge

7. All stormwater from the property must be directed to a lawful point of discharge, such that it does not adversely affect surrounding properties or properties downstream from the development, all to the requirements and satisfaction of the Chief Executive Officer.

Stormwater infrastructure is to be in accordance with AUS-SPEC development specifications as amended by Townsville City Council (in accordance with AO20.2).

Ponding and/or Concentration of Stormwater

8. The proposed development must not create ponding nuisances and/or a concentration of stormwater flows to adjoining properties.
9. The proposed development must be designed and constructed to have a no worsening effect on external properties.

Sediment and Erosion Control

10. Soil and water management measures must be installed / implemented prior to discharge of water from the site, such that no external stormwater flow from the site adversely affects surrounding or downstream properties (in accordance with the requirements of the Environmental Protection Act 1994, the FNQROC Development Manual and Best Practice Erosion and Sediment Control – IECA Australasia, November 2008).

External Works

11. Undertake the following works external to the land:

- (a) Provide a minimum two (2) metre wide footpath along the Main Street frontage;
- (b) Provide kerb and channel for the full length of the site.
- (c) Repair any damage to existing kerb and channel, footway or roadway (including removal of concrete slurry from footways, roads, kerb and channel and stormwater gullies and drain lines) that may occur during and works carried out in association with the construction of the approved development.

The external works outlined above require an Operational Works approval from Council. Such work must be constructed in accordance with the Operational Works approval to the satisfaction of the Chief Executive Officer prior to Commencement of Use.

All works are to be designed and constructed in accordance with the relevant standards.

12. The Applicant/Owner/Developer is to undertake a 'Dial Before You Dig' search prior to the commencement of works on site.

It is noted that various services are located within proximity to the site.

Environmental Nuisance

13. Construction or operational activities, including but not limited to, the operation of mechanical plant and equipment, must not cause an 'environmental nuisance' within the meaning of the Environmental Protection Act (1994) to any sensitive receptor as stated within Schedule 1 of the Environmental Protection (Noise) Policy 2008.

Vehicle Parking

14. The amount of vehicle parking must be a minimum of 18 car parking spaces plus two (2) bus parking spaces unless otherwise agreed to by the Chief Executive Officer.

The car parking layout must comply with the Australian Standard AS2890.1 2004 Parking Facilities – off-street car parking and be constructed in accordance with Austroads and good engineering design. In addition, all parking, driveway and vehicular manoeuvring areas must be imperviously sealed, drained and line marked.

15. A review of the car parking need / demand must be undertaken after 12 months but not later than 18 months following the commencement of use. Where car parking need exceeds the demand assumptions of the development application, the Applicant must enter into an agreement with Council in respect to meeting the car parking demand by undertaking line marking in the road reserve within the township.
16. Wheelstops are to be provided to all car parking spaces and bus car parking spaces. Wheel stops are to be designed in accordance with the Australian Standard AS2890.1-1993: Parking Facilities – Off-street Car parking

Shuttle bus

17. The Applicant must provide a courtesy shuttle bus for staff to provide for the transport of staff to and from the facility during operating hours.
18. The Applicant must provide a community bus service during the hours of operation, to provide for the transport of patients to and from the facility.

Landscaping

19. The Site is to be landscaped generally in accordance with the Landscaping Plans prepared by Tippett Schrock Architects dated 5 December 2016.

The approval and completion of all landscaping works must be undertaken in accordance with the endorsed Landscape Plan prior to the issue of a Certificate

of Classification or Commencement of Use whichever occurs first. Landscaped areas must be maintained at all times to the satisfaction of the Chief Executive Officer.

The landscaping works outlined above is required to be included in an Operational Works approval from Council.

Infrastructure and Landscaping Maintenance

20. The Applicant shall be responsible for the maintenance of all private driveways and crossovers within the road reserve. Rectification of any defects over time shall be undertaken by the Applicant at the earliest possible convenience and shall be at no cost to Council.

Electricity and Telecommunication Supply

21. An underground connection of both electricity and telecommunication services are to be provided to the development, to the standard of infrastructure nominated by the relevant authority.
22. Where the electricity authority requires the installation of a substation, a padmount type is to be incorporated within the development and positioned so that it does not detract from the appearance of the streetscape and must be clear of footpath areas. Details of the electrical substation positioning must be endorsed by the Chief Executive Officer prior to the issue of Development Permit for Building Work.

23. The above conditions relating to electricity supply must be provided to electricity authority at the same time as the application for Network Connection Services.

Lighting

24. Exterior lighting is to be provided to the development (and particularly to recessed areas and the car parking area to minimise concealment spaces).

All lighting installed upon the premises including car parking areas must be certified by Ergon Energy (or such other suitably qualified person).

Lighting is to be in accordance with Australian Standard AS/NZS1158 (or as revised)

Refuse Storage

25. Refuse storage is required to service the site, which is to be located in the bin enclosure identified on Concept Floor Plan THHS1601-SK-02

The bin enclosure must be constructed in accordance with the approved plans prior to the commencement of use.

Public Art

26. Public art is to be provided to the development, including an entry sculpture fronting Main Street and a sculpture within the external counselling area at the rear of the site. Public art is to be relevant to the culture of Palm Island.

Street number

27. The premises are to be identified by the provision of a road or unit number in a prominent location.

Fencing

28. A fence must be installed to all side and rear boundaries to provide a clear definition of boundaries between public and private space. The fence is to be not more than 1.8 metres high.

Air-conditioning Screens

29. Air conditioning units located above ground level and visible from external properties and the street must be screened with appropriate materials to improve the appearance of the building. Such screening must be completed prior to the Commencement of Use.

Damage to Council Infrastructure

30. In the event that any part of Council's existing; sewer, water, road, or drainage infrastructure is damaged as a result of construction activities occurring on the site or adjoining road, including, but not limited to, mobilisation of heavy earthmoving equipment, stripping and grubbing, the applicant/owner must notify Council immediately of the affected infrastructure and have it repaired or replaced at the developer's cost, prior to the Commencement of Use.

FURTHER ADVICE

1. The currency period for this approval is in accordance with Section 341 of the *Sustainable Planning Act 2009*.
2. Authorised persons of the Council may enter the premises the subject of this permit at any reasonable time to ascertain whether the above conditions have been complied with (and/or whether the above requirements have been carried out).
3. No work shall be commenced on works which will ultimately revert to Council or on adjacent roads or drainage schemes until Council has been advised in writing, of the name of the responsible contractor and that the contractor has received from Council a notice of appointment of principal contractor under the provisions of the *Workplace Health and Safety Act*.
4. Protect Council infrastructure. During any construction, protection measures must be taken to both physically protect any existing structures from damage.
5. It is the owner's and occupant's responsibility under the *Environmental Protection Act 1994* to advise the Chief Executive of the Environmental Protection Agency, of any Notifiable Activity conducted on the site or contamination or suspected contamination which may cause a hazard to human health or the environment within 30 days of becoming aware of the operation of a Notifiable Activity on the site or of any contamination or suspected contamination. The Chief Executive, pursuant to the Act, is empowered to require that the development complies with the provisions of the Act, including the preparation of site investigation reports and if necessary the remediation of the site at the owner's expense.
6. The *Aboriginal Cultural Heritage Act 2003* commenced in Queensland on April 16, 2004. The Act is administered by the Department of Environment

and Heritage Protection (DEHP). Under the Act, indigenous parties are key in assessing cultural heritage significance.

The Act establishes a Duty of Care for indigenous cultural heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting the activity.

Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.

Those proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Duty of Care requirement.

Details of how to fulfil the Duty of Care are outlined in the Duty of Care Guidelines gazetted with the Act.

- (c) delegate authority pursuant to section 275 of the Local Government Act 2009 to the Chief Executive Officer to attend to all matters associated with the finalisation of this decision.

MOVE CR.	GEIA	SECONDED CR.	PRIOR
CARRIED			

CHIEF EXECUTIVE OFFICERS REPORT- COMMUNITY NETWORK SURVEY

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the Report;
- (b) Approves the Decision Notice for the Survey of Lots (Community Survey Program) within the Palm Island Local Government Area as required under the Sustainable Planning Act 2009
- (c) Delegate's authority pursuant to section 275 of the Local Government Act 2009 to the Chief Executive Officer to attend to all matters associated with the finalisation of this decision.

MOVE CR.	PRIOR	SECONDED CR.	GEIA
CARRIED			

MAYOR'S REPORT- DR ANTHONY LYNHAM

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts the report by the Mayor.

MOVE CR.	GEIA	SECONDED CR.	PRIOR
CARRIED			

COUNCILLOR PRIOR'S REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts the report by Councillor Prior.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

COUNCILLOR WALSH'S REPORT**COUNCIL RESOLUTION**

That the Council:

- (a) Notes and accepts the report by Councillor Walsh.

MOVE CR.	GEIA	SECONDED CR.	PRIOR
CARRIED			

COUNCILLOR GEIA'S REPORT**COUNCIL RESOLUTION**

That the Council:

- (a) Notes and accepts the report by the Councillor Geia.

MOVE CR.	PRIOR	SECONDED CR.	WALSH
CARRIED			

DIRECTOR OF FINANCE REPORT**COUNCIL RESOLUTION**

That the Council:

- (a) Notes and accepts the Finance report presented by the Director of Finance

MOVE CR.	GEIA	SECONDED CR.	PRIOR
CARRIED			

ECONOMIC AND GRANTS OFFICERS REPORT- OFFICIAL NAMING THE TOWNSHIP ON PALM ISLAND**COUNCIL RESOLUTION**

That the Council:

- (a) Notes the report and accepts the recommendation by Economic and Grants Officer
- (b) Endorse the suggested name of 'Bwgcorman' or propose an alternative name, or process to identify an alternative name, to take to community consultation
- (c) Identify proposed boundaries for the area to be gazetted as 'Bwgcorman' and for other areas and endorse names for all other areas to be taken to community consultation
- (d) Note the schedule for the naming process and Council's roles and responsibility in the process

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

ECONOMIC AND GRANTS OFFICERS MONTHLY REPORT –BUILDING BETTER REGIONS FUND COMMUNITY INVESTMENTS STREAM**COUNCIL RESOLUTION**

That the Council:

- a. Endorses submission of the detailed application to Building Better Regions Fund Community Investments Stream for support for the preparation and conduct of the 2018 Centenary Events; and
- b. Is committed to delivering the project and approves \$25,000 Council co-contribution.

MOVE CR.	GEIA	SECONDED CR.	PRIOR
CARRIED			

ECONOMIC AND GRANTS OFFICERS MONTHLY REPORT –ADVENTURE FUN RUN

COUNCIL RESOLUTION

That the Council:

- (a) accepts and notes the report received
- (b) approves that the trial Adventure Run be conducted in conjunction with Spring Fair on Saturday 2 September 2017

MOVE CR.	WALSH	SECONDED CR.	PRIOR
CARRIED			

ECONOMIC AND GRANTS OFFICERS MONTHLY REPORT –BUILDING OUR REGIONS ROUND 3- MANBARRA ROAD TO RODEO ESTATE

COUNCIL RESOLUTION

That the Council:

- (a) supports submission of the detailed application to Building our Regions Round 3 for the construction of a footpath and lighting from Manbarra Road to Rodeo Estate
- (b) is committed to delivering the project and approves \$170,000 Council co-contribution; and
- (c) is committed to the management and costs associated with the ongoing operation and maintenance of the footpath and lighting

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

ECONOMIC AND GRANTS OFFICERS MONTHLY REPORT- BUILDING OUR REGIONS ROUND 3 FOR UPGRADING THE JETTY PRECINCT

COUNCIL RESOLUTION

That Council:

- (a) Notes the report and accepts the recommendation by Economic Grants Officer
- (b) supports submission of the detailed application to Building our Regions Round 3 for upgrading the Jetty Precinct
- (c) is committed to delivering the project on time and to budget; and
- (d) is committed to the management and costs associated with the ongoing operation and maintenance of the footpath and lighting

MOVE CR.	GEIA	SECONDED CR.	PRIOR
CARRIED			

Cr Prior left meeting 1.05pm

Break for Lunch: 1.10pm

Meeting resume: 2.00pm

SANDY BOYD HOSTEL MONTHLY REPORTS

COUNCIL RESOLUTION

That the Council:

- (a) notes and accepts the report by Sandy Boyd Aged Care

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

WORKS AND SERVICE MANAGERS REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts the report by the Works and Service Manager.
- (b) Approves the Casement Lookout design pictures for the signs to be installed in order for work to commence

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

ENGINEER MANAGERS REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Notes the report and accepts the report by Engineer Manager.

MOVE CR.	WALSH	SECONDED CR.	GEIA
CARRIED			

ENVIRONMENTAL HEALTH OFFICER'S REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts the report by the Environmental Health Officer.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CONFIRMATION OF ABORIGINAL/ TORRES STRAIT ISLANDER DESCENT FORM-BOLEEN HAINES

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts the Confirmation of Aboriginal and Torres Strait Island Descent Application for Boleen Haines.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

FINANCIAL ASSISTANCES- IKANAU CONWAY

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts correspondence; and
- (b) resolves to contribute \$500.00

MOVE CR.	WALSH	SECONDED CR.	GEIA
CARRIED			

FINANCIAL ASSISTANCES- BWGCOLMAN HORNETS RUGBY LEAGUE CLUB

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts correspondence; and
- (b) resolves to contribute \$500.00

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- BWGCOLMAN MANAGEMENT SERVICES

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts correspondence by the Bwgcolman Management Services

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- ST MICHAELS STUDENT LEADERS**COUNCIL RESOLUTION**

That the Council:

(a) Notes and accepts the correspondence by St Michaels Student Leaders.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- INTRODUCTION STEVE MINNIKIN MP_ MEMBER FOR CHATSWORTH**COUNCIL RESOLUTION**

That the Council:

(a) Notes and accepts the correspondence by Steve Minnikin MP.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- INVITATION TO ATTEND THE STRIKE 57' ANNIVERSARY EVENT**COUNCIL RESOLUTION**

That the Council:

(a) Notes and accepts the correspondence by Strike 57' Committee.

MOVE CR.	LACEY	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- DOMESTIC VIOLENCE NETWORK GROUP- FAMILY FUN DAY**COUNCIL RESOLUTION**

That the Council:

(a) Notes and accepts the correspondence by Domestic Violence Network Group.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- PROJECTS SUBMITTED FOR ENDORSEMENT UNDER 2016-17 WORKS FOR QUEENSLAND (W4Q)**COUNCIL RESOLUTION**

That the Council:

(a) Notes and accepts the correspondence by Deputy Minister Jackie Trad.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- TOWNSVILLE HOSPITAL AND HEALTH BOARD**COUNCIL RESOLUTION**

That the Council:

(a) Notes and accepts the correspondence by Tony Mooney Townsville Hospital and Health Board.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- THE HON BARNABY JOYCE MP AND SENATOR THE HON FIONA NASH**COUNCIL RESOLUTION**

That the Council:

(a) Notes and accepts the correspondence by The Hon Barnaby Joyce MP.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

CORRESPONDENCES- THANK YOU CARD_LUELLEA, ASTRID AND JASMINE BLIGH

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts the correspondence by Luella, Astrid and Jasmine Bligh.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

**URGENT ITEMS- FINANCIAL ASSISTANCES BWGCOLMAN COMMUNITY SCHOOL
(Bwgcolman Hunters BOYS)**

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts Urgent Items by Bwgcolman Community School (Boys Team)
(b) Make a contribution of \$350.00

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

**URGENT ITEMS- FINANCIAL ASSISTANCES BWGCOLMAN COMMUNITY SCHOOL
(Bwgcolman Warriors GIRLS)**

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts Urgent Items by Bwgcolman Community School (Girls Team)
(b) Make a contribution of \$350.00

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

PALM ISLAND JUNIOR SPORTS ABORIGINAL CORPORATION

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts Urgent Items by Palm Island Junior Sports Corporation.
(b) Make a contribution of \$3000.00

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

ENDORSE COMMUNITY SERVICE PARTICIPANT PROJECT PROPOSALS

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts to endorse the Community Service Participant Project
Proposals in principle

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

ENDORSE PROGRAM FOR THE PAPUA NEW GUINEA PRIME MINISTERS VISIT

COUNCIL RESOLUTION

That the Council:

- (a) Notes and accepts to endorse the program for the Papua New Guinea Prime
Minister's visit.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

Meeting Closed at 3.13pm

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Palm Island Aboriginal Shire Council Ordinary Meeting held this Wednesday 22nd March 2017.

Submitted to the Meeting of Palm Island Aboriginal Shire Council

Signed.....
Cr Alfred Lacey
Mayor

