



PALM ISLAND ABORIGINAL SHIRE COUNCIL

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**PALM ISLAND ABORIGINAL SHIRE COUNCIL
ORDINARY MEETING HELD WEDNESDAY 24 APRIL 2019
COMMENCING AT 10.19AM 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)
Tanya Haines (Minutes Secretary)

OBSERVERS:

APOLOGIES/ABSENT: Councillor Robert Castors (Snr)

CONDOLENCES:
Sibley Family
Tippo Family
Santo 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:

APOLOGOIES COUNCILLOR CASTORS ATTENDING FUNERAL

COUNCIL RESOLUTION

That the Council:

- (a) Accepts Councillor Castors apologies.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

1. 20190424- ADOPTION & ENDORSEMENT OF PALM ISLAND ABORIGINAL SHIRE COUNCIL MINUTES HELD THURSDAY 4 APRIL 2019

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the Minutes from the Previous Ordinary Meeting held Thursday 4 April 2019, be adopted and accepted as true and correct.
(b) Copies of which have been printed and circulated to members.

MOVE CR.	GEIA	SECONDED CR.	PRIOR
CARRIED			

2. 20190424- PALM ISLAND ABORIGINAL SHIRE COUNCIL ACTION REPORT FOR THURSDAY 4 APRIL 2019

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the Action Report for Thursday 4 April 2019

MOVE CR.	PRIOR	SECONDED CR.	GEIA
CARRIED			

3. 20190424- CHIEF EXECUTIVE OFFICER'S REPORT- DEVELOPMENT APPLICATION – MATERIAL CHANGE OF USE – TELSTRA MOBILE BASE TOWER

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes report by CEO
- (b) In accordance with the Planning Act 2016 as amended, the Combined Application for Material change of use (Telecommunication Facility) and for Reconfiguring a Lot (Lease over 10 years) proposed on part of land described as Lot 522 SP273615 and located off Old School Street, Palm Island be approved subject to the conditions detailed below:

ASSESSMENT MANAGER CONDITIONS (COUNCIL)

PART A – RECONFIGURATION

- 1.0 The extent of the Lease area is as generally shown on the following plan:**

DRAWING / DOCUMENT	REFERENCE	DRAWING	SHEET	DATE
PLAN OF LEASET IN LOT 522 ON SP273615	SP311407		1 & 2	1/3/2019
TELSTRA MOBILE NETWORK SITE: 320932 PALM ISLAND SOUTH FOR VISIONSTREAM		431901-062-DS01	A	21/02/2019

- 2.0 The development must generally comply with the specifications as shown on the following plan:**

- 3.0**

DRAWING / DOCUMENT	REFERENCE	DRAWING	SHEET	DATE
MOBILE NETWORK SITE 320932- PALM ISLAND SOUTH	SITE LAYOUT (SITE ACCESS & LOCALITY)	Q115720	S1	
	SITE LAYOUT		S1-1	
	ANTENNA LAYOUT		S1-2	
	SOUTH EAST ELEVATION		S1-2	
	ANTENNA CONFIGURATION TABLE		S3-1	

- 4.0** Prior to construction of the Telecommunications facility commencing on the site, the Lease Agreement is to be executed between the parties and a Plan of Survey endorsed by Council and registered with the State government.
- 5.0** The Lease area is to be clearly delineate with survey pegs, to the boundary of the Lease area, to ensure the development is contained within the Lease area at all times.

PART B – MATERIAL CHANGE OF USE

- 1.0** Carry out the approved development generally in accordance with the approved drawing(s) and in accordance with:
 - (a) specifications, facts and circumstances as set out in the application submitted to Council; and
 - (b) the following conditions of approval and the requirements of Council's Planning Scheme and other relevant Local Laws and policies. except where modified by these conditions of approval.
- 2.0** The exterior finishes and colours of the facility must be non-reflective and must blend with the natural colours of the surrounding environment.
- 3.0** The perimeter of the lease area, as survey pegged, must be fenced with a minimum 1.8 metre high mesh security fence and gates the facility is to be signed with appropriate hazard and warning signs.
- 4.0** An underground connection to electricity supply must be provided.
- 5.0** The conditions of the development permit must be actioned prior to commencement of the use, except where specified otherwise in these conditions of approval.
- 6.0** During construction of the facility all construction vehicles, such as trucks and cranes are to be contained on the Lease area or in close proximity to the Lease area on Lot 522 and not disrupt the flow of traffic on Old School Road or Butler Bay Road.
- 7.0** Construction and operation of the facility must comply with the following legislation and standards:
 - Telecommunications Act 1997;
 - Telecommunications Code of Practice 1997;
 - Communications Alliance Ltd – Mobile phone base station deployment C564-2011;
 - EME report findings;
 - Australian standard 1055 -background noise levels
 - Civil Aviation Safety Regulations 1998, Manual of Standards, Part 139, Chapter 7 – Obstacle Restriction and Limitation.
- 8.0** The facility must comply with all relevant State and National standards in relation to emission of light, vibration, odour and radiation. The Telecommunication facility must be operated in accordance with radio communications (electromagnetic radiation – human exposure, standard 2003. in relation to the limits for continuous exposure of the general public to radio frequencies electromagnetic energy or other standard of the Commonwealth of Australia more relevant at the time.
- 9.0** Confirmation is to be provided to Council in writing confirming that under section 24KA of the Native Title Act the facility is accepted as providing services to the public and procedural rights have been given.

- 10.0** During construction and operation of the facility all public assets and future public assets, including those shown on the Strategic framework map, are to be protected and any damage to public assets is to be repaired at no cost to Council.
- 11.0** At the time the facility is constructed the following external works are also required to be constructed adjacent to the Lease area frontage:
1. Profiling of the adjacent road frontage of the Lease area, ensuring that water runoff to the surrounding area is not increased or any potential for ponding is avoided or minimized.
- 12.0** The approved development lapses at the expiry of the agreement to lease the land from the landowner or entity from which a lease may be attained and prior to the lapse of the life of the approval the Telecommunications facility and all associated infrastructure, buildings, structures and fencing on the Lease area must be decommissioned and removed and the area/land reinstated to its original condition.
- 13.0** All costs associated with the decommissioning and final removal shall be borne by the applicant or entity that operates the tower at the time of removal.

PART C – REFERRAL AGENCY CONDITIONS

- 1.0** CONCURRENCE AGENCY 1901-9201 SRA dated 26 March 2019
- 2.0** ADVICE AGENCY CONDITIONS Nil

PART D– FURTHER DEVELOPMENT REQUIREMENTS

- 1.0** As soon as construction is completed, the proponent must complete the Vertical Obstacle Notification Form for tall structures using as built information and submit the completed form to VOD@airservicesaustralia.com.

PART E – FURTHER DEVELOPMENT PERMITS REQUIRED

- 1.0** Carrying out building works, carrying out external works

SUBMISSIONS Nil

APPLICABLE CODES FOR SELF ASSESSABLE DEVELOPMENT

- Palm Island Aboriginal Shire Planning Scheme
- Standard Building Regulation 1993
- Building Act 1975
- Building Code of Australia
- Queensland Development Code

RIGHT OF APPEAL

Appeal Rights from the Planning Act 2016.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

4. 20190424- MAYOR'S REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the report by Mayor Lacey.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

SUSPENDED STANDING ORDERS

COUNCIL RESOLUTION

That the Council:

- (b) Suspended Standing orders due to opening of the Primary Health Care Centre

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

Meeting re-opened at 12.58pm.

RESUMED STANDING ORDERS

COUNCIL RESOLUTION

That the Council:

- (a) Resumed Standing orders.
(b)

MOVE CR.	WALSH	SECONDED CR.	GEIA
CARRIED			

*Cr Prior assumed the chair in the absence of Mayor,
Mayor resumed the chair at 1.10pm*

5. 20190424- COUNCILLOR PRIOR'S REPORT

COUNCIL RESOLUTION

That the Council:

- (c) Accepts and notes the report by Councillor Prior.

MOVE CR.	WALSH	SECONDED CR.	GEIA
CARRIED			

6. 20190424- COUNCILLOR WALSH'S REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the report by Councillor Walsh.

MOVE CR.	PRIOR	SECONDED CR.	GEIA
CARRIED			

7. 20190424- COUNCILLOR GEIA'S REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the report by the Councillor Geia.

MOVE CR.	WALSH	SECONDED CR.	PRIOR
CARRIED			

Mayor re-entered the meeting at 1.08pm

8. 20190424- DIRECTOR OF FINANCE REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the Finance report presented by the Director of Finance

MOVE CR.	WALSH	SECONDED CR.	PRIOR
CARRIED			

9. 20190424- MANAGERS REPORT- SANDY BOYD HOSTEL REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the report by Aged Care Manager
- (b) Resolves to the workforce development strategy 2 is considered and approved
- (c) Allocate AUSKey to Kyneesha as Administrator

MOVE CR.	PRIOR	SECONDED CR.	WALSH
CARRIED			

10.20190424- ECONOMICS AND GRANTS OFFICERS REPORT

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes the report by Economics and Grants Officer
- (b) Resolves that the proposed shop floor space in the retail & business precinct be assessed at a minimum rental of \$140 per sq mtr

MOVE CR.	PRIOR	SECONDED CR.	WALSH
CARRIED			

Break at 2.39pm

Resumed at 2.52pm

11.20190424- CDP ADVISORY BOARD

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes report
- (b) Endorses the establishment of a CDP Community Advisory Board.
- (c) Nominates the one Council representative and two Elders, two CDP Participants, one PIEDC Independent Representative for the CDP Community Advisory Board.

MOVE CR.	WALSH	SECONDED CR.	PRIOR
CARRIED			

12.20190424- FLEET AND WORKSHOP MANAGER

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes report by Fleet and Workshop Manager

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

13.20190424- LATE ITEMS- EXECUTIVE SERVICE MANAGER- SPORTS COMPLEX HIRE AGREEMENT

COUNCIL RESOLUTION

That the Council:

- (a) Accepts and notes report late items received by Executive Service Manager.

MOVE CR.	GEIA	SECONDED CR.	PRIOR
CARRIED			

14.20190424- LATE ITEMS- ENVIRONMENTAL AND ESSENTIAL SERVICE MANAGERS REPORT

COUNCIL RESOLUTION

That the Council:

- (b) Accepts and notes the late item report received by Environment and Essential Service Manager.

MOVE CR.	GEIA	SECONDED CR.	WALSH
CARRIED			

15.20190424- LATE ITEMS- WATER & SEWERAGE TREATMENT PLANT MANAGERS REPORT

COUNCIL RESOLUTION

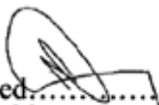
That the Council:

- (c) Accepts and notes the late item report received by Water and Sewerage Treatment Plant Manager.

MOVE CR.	PRIOR	SECONDED CR.	WALSH
			CARRIED

Meeting Closed at 3.57pm,

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 24 April 2019 Submitted to the Meeting of Palm Island Aboriginal Shire Council

Signed.....

Cr Alf Lacey
Mayor
Palm Island Aboriginal Shire Council