



## **TRUSTEE MEETING BOOKLET**

**Northern Peninsula Area Regional Council**

**Trustees Council Meeting #42**

**to commence at 10:00am**

**on**

**Monday 15<sup>th</sup> January 2024**

**at**

**Bamaga Boardroom**

## **AGENDA**

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**Agenda Item 1 to 5**  
**TRUSTEE COUNCIL MEETING #42**  
**15 January 2024**

- 1. Welcome and Opening of Meeting**
- 2. Acknowledgement of Traditional Owners**
- 3. Present**
- 4. Apologies**
- 5. Declarations of Conflict of Interest**
- 6. Confirmation of Minutes of Previous Meeting**



## UNCONFIRMED

Meeting Minutes  
TRUSTEE COUNCIL MEETING #41  
Monday 18<sup>th</sup> December 2023  
Cairns

### Agenda Item 1. Welcome and Opening of Meeting

Mayor welcomed attendees and opened the meeting at 10:17am with a prayer by Cr Whap.

Council observed a minute silence out of respect to sorry business within community.

### Agenda Item 2. Acknowledgement of Country

Mayor Yusia paid respects on behalf of the Trustee to the traditional owners of the land upon which the meeting was held and the traditional owners of the Cairns area; and to their elders past, present and emerging.

### Agenda Item 3. Present

#### Mayor & Councillors

Mayor Patricia Yusia	District Mayor
Cr Kitty Gebadi	Division 3 / Deputy Mayor
Cr Mabelene Whap	Division 5
Cr Gina Nona	Division 1
Cr Dennis Getawan	Division 2
Cr Eric Cottis	Division 4

#### Other Attendees

Kate Gallaway	CEO
Elimau Blarrey	Senior Executive Assistant (Minute Taker)

### Agenda Item 4. Apologies

Nil

Meeting paused for deputation by Preston Law at 10.18am

Cr Getawan left the meeting at 11.50am

Meeting resumed at 11.50am

Cr Getawan returned into the room 11.55am

### Agenda Item 5. Declarations of Conflict of Interest

Nil

### Agenda Item 6. Confirmation of Minutes of Previous Meeting

#### Resolution

#### That Council as Trustees:

Notes and confirms the minutes from the Trustee Meeting held Monday 20<sup>th</sup> November 2023.

Moved: Cr Whap

Vote: 5/0

Seconded: Cr Nona

Resolution: T6.1 – 18122023

CARRIED

**Agenda Item 7. Business Arising from Previous Meeting**

**Resolution**

**That Council as Trustees:**

1. Pursuant to section 84(2) of the *Local Government Act 2009* "LG Act" to close this part of the meeting to the public;
2. Pursuant to section 84(2) of the LG Act:
  - (a) The matters that is to be discussed includes legal advice obtained by the local government as trustee, including contracts proposed to be made by the trustee council for which a public discussion would be likely to prejudice the interests of the trustee (section 84(2)(a) and 84(3)(e) of the LG Act).

**Moved: Cr Gebadi**  
**Vote: 5/0**

**Seconded: Cr Whap**  
**Resolution: T7.1 – 18122023**

**CARRIED**

Cr Gebadi left the room 1.50pm

Cr Gebadi returned into the room 1.53pm

Action items were discussed as per the Action Task List

**Agenda Item 8. Reports**

**Agenda Item 8.1. Lot 73 Lui St Bamaga**

**Resolution**

**That Council as Trustees:**

1. Resolve to open the meeting

**Moved: Cr Cottis**  
**Vote: 6/0**

**Seconded: Cr Gebadi**  
**Resolution: T8.1 – 18122023**

**CARRIED**

**Resolution**

**That Council as Trustees:**

1. Note the report
2. Resolves to accept trusteeship of reserve Lot 73 SP273353 including assets on the land.  
The lot is being used by Council for social housing
3. Requests that the purpose of the reserve be amended to 'the provision of services beneficial to Torres Strait islander people particularly concerned with the land'

**Moved: Cr Gebadi**

**Vote: 6/0**

**Seconded: Cr Getawan**

**Resolution: T8.1.1 – 18122023**

**CARRIED**

**Agenda Item 9.**

**Other Business**

**Agenda Item 10.**

**Close of Meeting**

Meeting closed at 2:54pm with a prayer by Cr Whap.



**Agenda Item 7**  
**TRUSTEE COUNCIL MEETING #42**  
**15<sup>th</sup> January 2024**

**7. Business arising from Previous Meeting**

This matter is considered to be confidential under section 84(2) of the *Local Government Act 2009* “ 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 legal advice obtained by the local government as trustee, including contracts proposed to be made by the trustee council for which a public discussion would be likely to prejudice the interests of the trustee (section 84(2)(a) and 84(3)(e) of the LG Act).

**Title of Report: Owners Consent for Proposed Development Application at Lot 9 on SP273358**

**Agenda Item: 8.1**

**Classification: For Decision**

**Author CEO**

**Attachments Draft DA Form 1 (tabled)**

## **Officers Recommendation:**

### **That Council:**

1. Note the Report
2. Provide Owner's consent to the making of a development application for the Material Change of Use to permit the installation of vending machines
3. Delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the Local Government Act 2009, power to execute Owner's consent as Trustee to the making of a development application under the Planning Act 2016

## **PURPOSE OF REPORT**

To enable decision on providing Owner's Consent for a planning application for Material Change of Use to permit installing of vending machines at Lot 9 on SP273358.

## **BACKGROUND AND CONTEXT**

A community members has approached Council Officers regarding the installation of up to 6 vending machines at their residential property to provide a variety of food and drinks. While theoretically, vending machines are not really allowed in residential areas but the Discrete Remote LGA's is different and it is difficult to generate an income for individuals.

Council Officers have assisted with the preparation of necessary documents and they are sourcing the required attachments. In preparation for the development application to be made to a future council meeting, Owner's Consent as trustee is being sought to allow the application to be made.

Decision making as the planning authority will occur at a future council meeting.

As the trustee of the reserve land, it is the Officer's Recommendation the Trustee provide consent as the Land Trustee to lodge the application

## **CRITICAL DATES**

N/A





## **OTHER OPTIONS CONSIDERED**

N/A

## **LEGAL AND LEGISLATION CONSIDERATIONS**

N/A

## **POLICY CONSIDERATIONS**

N/A

## **CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS**

N/A

## **FINANCIAL AND RESOURCE CONSIDERATIONS**

N/A

## **CONSULTATION**

N/A

**Title of Report:** EOI for Lot 2 of Lot 7 on SO58

**Agenda Item:** 8.2

**Classification:** For Decision

**Author** CEO

**Attachments** EOI from Reginald Williams (tabled)

## Officers Recommendation:

### That Council:

1. Note the Report
2. Decline the EOI

## PURPOSE OF REPORT

To enable decision following EOI from Lot 2 of Lot 7 on SO58.

## BACKGROUND AND CONTEXT

Mr Reg Williams has an existing lease for Lot 1 Lockerbie being a 1 Hectare House Block.

He has submitted a further EOI for the adjacent land for the purposes of

- Pasture, Grazing and Agriculture
- Horse Management

Horse Management is of strategic importance to the Council. This would increase horse management capacity, and provide further options to horse owners aside from a Council Paddock. This matter was considered at the November Trustee meeting where the trustee requested additional detail on what was proposed and how it was proposed to be achieved through a business plan.

Council Officers have met with Mr Williams on multiple occasions to discuss this matter and offer to provide assistance however the requested information has not been provided.

Due to this, Council Officer recommend closing the matter by declining the EOI. The EOI can be remade into the future with the requested information.

## CRITICAL DATES

N/A

## OTHER OPTIONS CONSIDERED

N/A



## **LEGAL AND LEGISLATION CONSIDERATIONS**

N/A

## **POLICY CONSIDERATIONS**

N/A

## **CORPORATE AND OPERATIONAL PLAN CONSIDERATIONS**

N/A

## **FINANCIAL AND RESOURCE CONSIDERATIONS**

N/A

## **CONSULTATION**

N/A



**Agenda Item 9**  
**TRUSTEE COUNCIL MEETING #42**  
**15<sup>th</sup> January 2024**

- 9. Other Business**
- 10. Close of Meeting**