



# NOTICE OF COUNCIL MEETING

In accordance with Section 254C of the *Local Government Regulation 2012* this notice is to advise that the Trustee Council and Ordinary Council Meetings for the month of **JUNE 2025** will be held on Masig (Torres Strait) and will also be accessible online by Microsoft (TEAMS) as follows:

**Tuesday, 17 June 2025**

- **Trustee Meeting** (9.00am to 10.30am)
- Ordinary Meeting (10.30am to 5.00pm)

**Wednesday, 18 June 2025** - Ordinary Meeting (9.00am to 12.30pm)

Day 1 (Tuesday) - Microsoft (TEAMS) Meeting ID: 462 047 719 435 | Passcode: jt3zM9Cq

Day 2 (Wednesday) - Microsoft (TEAMS) Meeting ID: 460 387 777 556 | Passcode: PT6dm3m3

The attendance of each Councillor is requested.

Agenda papers for this meeting are attached and will soon be available on Council's website (except for any Closed Business papers) and can be accessed by clicking on the link below:

<https://tsirc.qld.gov.au/about-us/meetings/>

Please note that this meeting is live streamed on Council's YouTube Channel and a recording following the meeting will be available at the following location:

<https://www.youtube.com/@IslandCouncil/streams>

James William  
Chief Executive Officer

13 June 2025





**Time:** 9.00am to 10.30am

**Venue:** Masig (Torres Strait)

Microsoft TEAMS Meeting ID: 462 047 719 435 | Passcode: jt3zM9Cq

## ORDER OF BUSINESS

9.00am	<p>A. WELCOME &amp; QUORUM CONFIRMATION   ACKNOWLEDGEMENTS   OPENING PRAYER   OBSERVANCES</p> <p>B. NOTING OF APOLOGIES</p> <p>C. CONFLICT OF INTEREST DECLARATIONS</p> <p>D. LIVE STREAM. <a href="#">This meeting is live streamed on Council's YouTube Channel.</a></p> <p><b>1. CONFIRMATION OF MINUTES (23 May 2025)</b></p> <p>1.1. Update on Action Items from Previous Meetings</p> <p><b>2. Owner's Consent to Benelec Pty Ltd to the making of a Development Application for Material Change of Use (Telecommunications Facility) – Ancillary Helipad at Mount Cornwallis Dauan on Lot 77 SP270872 and Part of Lot 9 SP287221</b></p> <p><b>3. Owner's Consent to Benelec Pty Ltd to the making of a Development Application for Material Change of Use (Telecommunications Facility) – Ancillary Helipad at Banks Peak Kubin on Land Described as Part of Lot 5 on SP271019</b></p> <p><b>4. St Pauls Government Employee Housing Request</b></p> <p><b>5. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC</b></p>
Standing Agenda Item	<p><b>6. Culture, Arts, Land &amp; Heritage (CALH) Advisory Committee - Update on Land and Native Title Strategic Matters – <i>verbal update by Cr Chelsea Aniba</i></b></p> <p><i>[Reason for Closed Discussion: To discuss business which public discussion would be likely to prejudice the interests of the trustee council or someone else].</i></p> <p><b>7. RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION</b></p>
10.30am	<p><b>8. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION</b></p> <p><b>9. ITEMS ARISING</b></p> <p><b>10. NEXT MEETING – 22 July 2025 (Mabuiag)</b></p> <p><b>11. CLOSE OF MEETING</b></p>



## TRUSTEE MEETING

17 JUNE 2025

Agenda Item

1

**DIRECTORATE:** Corporate Services

**AUTHOR:** Executive Director Corporate Services

### CONFIRMATION OF MINUTES (23 MAY 2025)

#### OFFICER RECOMMENDATION:

Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 23 May 2025.

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#### EXECUTIVE SUMMARY:

Section 254F(4) of the *Local Government Regulation 2012* requires that at each local government meeting, the minutes of the previous meeting must be confirmed by the councillors or committee members present.

#### Interested Parties/Consultation:

N/A

#### Background / Previous Council Consideration:

The previous Trustee meeting was held on 23 May 2025.

Section 254(6) of the *Local Government Regulation 2012* requires that a copy of the minutes of each local government meeting must be made publicly available by 5pm on the tenth day after the meeting is held. To meet these compliance requirements, a copy of the draft Minutes from the last meeting were circulated to the Executive Leadership Team for input prior to being posted on the Council website.

Following confirmation of the Minutes by the Council, the confirmed Minutes will replace the draft Minutes on the Council website.

**COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	Section 254F(4) of the <i>Local Government Regulation 2012</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	N/A
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. ➤ 4.2 Evolve Council’s communication channels and community’s access to information.
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Trustee Meeting

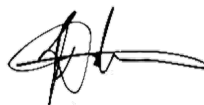
**Other Comments:**

Nil.

**Recommended:**

*S. Andres*

Susanne Andres  
Executive Director Corporate Services

**Approved:**


James William  
Chief Executive Officer

**ATTACHMENTS:**

Draft Minutes of the Trustee Meeting held on 23 May 2025.



TRUSTEE MEETING  
23 MAY 2025

# MINUTES

**Time:** 9.00am

**Venue:** The Pullman Cairns International, 17 Abbott Street, Cairns Qld. 4870

*Microsoft TEAMS Meeting ID: 470 013 452 213 | Passcode: L2sc7Pt6*

PRESENT:

**Mayor**

Division 1 – Boigu

Division 2 – Dauan

Division 3 – Saibai

Division 5 – Badu / **Deputy Mayor**

Division 7 – Wug (St. Pauls), Mua Island

Division 8 – Kirirri (Hammond Island)

Division 10 – Warraber

Division 11 – Poruma

Division 12 – Masig

Division 13 – Ugar

Division 14 – Erub

Division 15 – Mer

Cr Phillemon Mosby

Cr Dimas Toby – *joined meeting at 9.05am*

Cr Torenzo Elisala

Cr Chelsea Aniba

Cr Ranetta Wosomo

Cr John Levi

Cr Seriako Dorante

Cr Kabay Tamu

Cr Francis Pearson

Cr Ted Mosby

Cr Rocky Stephen

Cr Nixon Mye

Cr Bob Kaigey

APOLOGIES:

Division 4 – Mabuiag

Cr Keith Fell

ABSENT:

Division 6 – Arkai

Cr Iona Manas

Division 9 – Iama

Cr Aggie Hankin

OFFICERS:

Chief Executive Officer

Executive Director Building Services

Executive Director Community Services

Executive Director Corporate Services

Executive Director Engineering Services

DOGIT Transfer, Land Tenure and Native

Title Advisor

Preston Law

Manager Governance & Risk

Executive Assistant to the Mayor

IT Support Officer

TSIRC Secretariat

Mr James William

Mr Wayne Green

Mr Dawson Sailor – *joined meeting at 9.05am*

Ms Susanne Andres

Mr David Baldwin

Ms Joanne Bryant

Mr Julian Bodenmann

Ms Kim Kerwin

Ms Trudy Lui

Ms Krystal Garnett

Mr Darryl Brooks

APOLOGIES:

Executive Director Financial Services

Ms Hollie Faithfull – *on leave*

**A. WELCOME & QUORUM CONFIRMATION | ACKNOWLEDGEMENTS | OPENING PRAYER | OBSERVANCES**

At 9.00am the Mayor formally opened the May 2025 Trustee Council meeting, noting that a quorum of members was present.

The Mayor welcomed attendees and made the following acknowledgements:

- Papa God for His awesome wisdom, knowledge, favour and understanding, blessings upon our region, our collective leadership, our people and our Council;
- lives, our families, our leaders, our region and people and our Council and staff;
- The Traditional Custodians of land and sea throughout the length and breadth of Zenadth Kes and the communities and constituents that Council serves;
- The Traditional Custodians of Kaurareg and Cairns who host elements of the TSIRC footprint.

The Mayor conveyed to those members of the Torres Strait Islander community throughout the homelands and on the Australian mainland who may currently be experiencing Sorry Business, the collective thoughts, prayers and well wishes of Council during this time.

Cr John Levi delivered the opening prayer and the Council observed a minute of silence as a gesture of respect and reflection to honour the memory of deceased loved ones.

**B. NOTING OF APOLOGIES**

The following apologies were noted and accepted by Council:

Division	Councillor/Reason	Mover/Seconder
Division 4 - Mabuiag	Cr Keith Fell – <i>unwell</i>	CR MYE / CR PEARSON

**C. CONFLICT OF INTEREST (COI) DECLARATIONS**

The Mayor invited Councillors to advise if they had any COI declarations to disclose in relation to items listed on the agenda.

**Cr John Levi** declared a COI in relation to Agenda Item 4 (St Pauls Deed of Agreement). No other declarations were made by Councillors.

The Mayor also requested that if there are any legal matters involving Councillors, then Councillors should advise the Mayor as soon as possible. No declarations were made by Councillors.

**D. LIVE STREAM**

The Mayor advised Council that this meeting is being LIVE STREAMED on Council's YouTube Channel and welcomed those members of the general public who may be viewing proceedings.

**1. CONFIRMATION OF MINUTES (23 April 2025)**

#T24-28/2025-5/1

CR TAMU / CR DORANTE

**Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 23 April 2025, subject to the following amendment:**

- reason for absences of Crs Aniba and Cr Elisala were due to a commemoration ceremony on Saibai and not for 'cultural commitments'.

**CARRIED UNANIMOUSLY**

### 1.1. UPDATE ON ACTION ITEMS FROM PREVIOUS MEETINGS

The Chief Executive Officer (Mr James William) spoke to this item and the update was noted by Council.

## 2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC

#T24-28/2025-5/2

CR PEARSON / CR ELISALA

Council (as Trustee) resolves to close the meeting to the public pursuant to section 84 of the *Local Government Act 2009* to allow the Trustee to discuss items listed on the agenda for closed discussion and for the reasons outlined under those items.

**CARRIED UNANIMOUSLY**

## 3. Culture, Arts, Land & Heritage (CALH) Advisory Committee – Update on Land & Native Title Strategic Matters – *verbal update by Cr Chelsea Aniba*

*[Reason for Closed Discussion: To discuss business which public discussion would be likely to prejudice the interests of the trustee council or someone else].*

No update provided, as this matter was discussed at the May 2025 Council Workshop.

- *Cr Levi left the meeting at 9.20am prior to the commencement of discussion on Agenda Item 4 due to his declared Conflict of Interest.*
- *Cr Elisala left the meeting at 9.22 declaring that he held a Conflict of Interest in his role as the GBK Native Title Support Officer for PBCs on matters pertaining to Agenda Item 4.*

## 4. St Pauls Deed of Grant

*[Reason for Closed Discussion: To discuss business which public discussion would be likely to prejudice the interests of the trustee council or someone else].*

#T24-28/2025-5/4

CR ANIBA / CR MYE

Council (as Trustee):

- Seeks to formalise the arrangements agreed to in two agreements that formed part of the Mualgal Native Title Determination (the Moa ILUA and St Pauls Deed of Agreement) [the Existing Agreements]; and
- Delegates to the Chief Executive Officer the power to progress negotiations to give effect to this resolution, including by seeking that the Mualgal PBC enters into an Indigenous Land Use Agreement (ILUA) reflecting the terms of the Existing Agreements, and negotiates, finalises and executes on behalf of Council any further agreements including an ILUA.

**CARRIED UNANIMOUSLY**

- *Crs Levi and Elisala returned to the meeting at 9.50am.*

**5. RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION**

#T24-28/2025-5/5

CR ANIBA / CR T. MOSBY

**Council (as Trustee) resolves to move out of closed discussions pursuant to Section 84 of the *Local Government Act 2009*.**

***CARRIED UNANIMOUSLY***

**6. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION**

Council (as Trustee) formally resolved as detailed in Agenda Items 3 to 5 above.

**7. ITEMS ARISING**

Nil.

**8. NEXT MEETING – 17 JUNE 2025 (Masig)**

Noted by Council (as Trustee).

**9. CLOSE OF MEETING**

The Mayor closed the Trustee Council meeting at 9.55am.

MINUTES CONFIRMED – 17 June 2025

.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council

.....  
James William  
Chief Executive Officer  
Torres Strait Island Regional Council





## TRUSTEE COUNCIL MEETING ACTION ITEMS

(Updated as at 23 May 2025)

Agenda Item

1.1

Agenda Item	Action Area / Completion Date	Current Status
<p>Mar 2025 Mtg   AI 6   <b>CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION</b></p> <p><b>Action Required:</b> Housing, Families and Safe and Healthy Communities (HFSHC) Advisory Committee to explore future options in relation to TSIRC peppercorn leases and provide advice to Council via the Strategic Action Reference Group (SARG) Standing Committee.</p>	<p>HFSHC Chair (Cr Fell) / ED Community Services</p>	<p>In progress.</p> <p>Close action and place on HFS&amp;HC Workplan.</p>
<p>Sept 2024 Mtg   AI 3.2   Items Arising   Medivac Helicopter Issues at the St Paul's Community (Cr John Levi)</p> <p><b>Action Required:</b> Cr Levi and the Executive Director Community Services to discuss alternative landing sites for the Medivac Helicopter on St Pauls Community.</p>	<p>Cr Levi / ED Community Services</p>	<p>Ongoing. Cr Levi in discussion with the TSIRC Division Manager to organise a community information session. Cr Levi advised that he has been in contact with the PBC Chair on this matter.</p>

<p>Nov 2023 Mtg   AI 6   Action Items from Previous Meetings</p> <p><b>Action Required:</b> <u>Saibai Island Church</u>/options to assist in the maintenance and/or restoration of heritage-listed sites and buildings to be considered at the December 2023 meeting.</p>	<p>Community Services</p> <p>➤ to provide an update for the June 2025 meeting)</p>	<p>Ongoing work. The Saibai Island Church matter (as it unfolds) is being treated as a model to use right across the TSIRC footprint.</p> <p>ED BSU; ED Community Services and the consultant engaged with Anglican Bishop 5/11/24 to discuss funding and lease appetite. Awaiting response from the Anglican Bishop and a reminder follow-up will occur prior to the April 2025 meeting.</p> <p>As at 14 Apr 2025: Email forwarded as requested at the Poruma Council meeting to Cr Aniba seeking support regarding contacting / meeting the Bishop. Will follow up.</p>
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**DIRECTORATE:** *Corporate Services*

**AUTHOR:** *Manager Governance and Risk*

**OWNER'S CONSENT TO BENELEC PTY LTD TO THE MAKING OF A DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (TELECOMMUNICATIONS FACILITY) – ANCILLARY HELIPAD AT MOUNT CORNWALLIS DAUAN ON LOT 77 SP270872 AND PART OF LOT 9 SP287221**

**OFFICER RECOMMENDATION:**

Council (as Trustee) resolves to:

1. Grant owner's consent to Benelec Pty Ltd to the making of a development application for material change of use (Telecommunications facility) – ancillary helipad at Mount Cornwallis Dauan on land described as Lot 77 SP270872 and part of Lot 9 SP287221.
  2. Note the Chief Executive Officer has delegated powers under the *Planning Act 2016* to assess and decide the properly made development application and issue the decision notice.
- 

**EXECUTIVE SUMMARY:**

Benelec Pty Ltd has been engaged by the Commonwealth Department of Home Affairs to undertake the required development approvals for a new helipad to be installed at Mount Cornwallis, Dauan. Town Planning Consultants AAP RPS prepared and lodged the development application on behalf of Benelec Pty Ltd. The application requires owner's consent to the lodging of the development application to be properly made. This report seeks owner's consent to the making of the application by Council as Trustee.

**Interested Parties/Consultation:**

- Councillor Elisala Division 2
- Executive Director Corporate Services
- DOGIT Transfer, Land Tenure and Native Title Adviser
- AAP RPS

**Previous Council Consideration:**

At its Trustee meeting of 18 September 2024, Council (as Trustee) approved a Conditional Agreement to Lease (CATL) for land at Mount Cornwallis, Dauan described Lot 77 on SP270872 and Lease HA on SP351948 being part of Lot 9 on SP287221 for the purpose of constructing and maintaining a helipad and related infrastructure at the site. DHA had requested that the Trustee approves a six-year lease to allow for the upgrade and improvement of helipad infrastructure located at the site so that Australian Border Force can meet its Border protection obligations and maintain its secure ultra-high frequency communication network.

The Trustee (Council) resolved the following:

## **2. HELIPAD DEVELOPMENT DAUAN ISLAND – DEPARTMENT OF HOME AFFAIRS**

**#T24-28/2024-09/2**

**CR ANIBA / CR STEPHEN**

**Council (as Trustee):**

- (i) approves the surrender of the existing lease over Lot 77 on SP270872 between the Trustee and the Department of Home Affairs (DHA) at Dauan Island;**
- (ii) approves a new lease to DHA (for a term of six years) of an increased area (comprising the existing lease area plus an additional area) for the purpose of constructing and maintaining helipad and related infrastructure; and**
- (iii) delegates to the Chief Executive Officer the power to progress negotiations with DHA to formalise the Trustee's agreement in relation to the matters set out in this resolution on commercial terms and conditions, satisfactory to the Chief Executive Officer, including by executing necessary documents, including Conditional Agreement to Grant Lease (CATL), which will include that the lease and construction are subject to necessary planning requirements and Native Title Consent.**

Council entered into a CATL with the DHA on 21 November 2024. Council as Trustee has certain obligations under the CATL including:

### **5. Trustee Obligations**

5.3 Where a Development Approval is required to register the Lease, the Trustee may consent to the making of the Development Application in its capacity as trustee of the Land. The Applicant will provide the Trustee with such information as it reasonably requires in order to consider whether to grant its consent. That consent does not fetter the discretion of the Trustee in relation to the determination of the Development Application where the Trustee, in its capacity as a local government, is the Assessment Manager. The Trustee makes no representations and gives no warranties regarding the approval of the Development Application.

A development application has been lodged by Benelec Pty Ltd on behalf of DHA which requires Trustee consent to be properly made.

While the terms of the CATL does not bind Council to consent to the making of the development application the CATL binds the applicant to obtain the development approval and commence construction on or before 30 June 2025.

**Figure 1: Site Plan Dauan Island Helipad**



**COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 2009</i></li> <li>• <i>Planning Act 2016</i></li> <li>• <i>Planning Regulation 2017</i></li> <li>• <i>Zenadth Kes Town Planning Scheme</i></li> </ul>
<b>Budgetary:</b>	Nil impact
<b>Policy:</b>	Trustee Policy 2019
<b>Legal:</b>	<p>Owner's consent is required for the development application to be properly made.</p> <p>A development permit for the helipad is a condition of the CATL.</p> <p>Council has delegated the decision-making powers under section 60(2) of the <i>Planning Act 2016</i> to assess and decide the application including to impose development conditions, Section 63(1) to give a decision notice, and Section 64(6)(b) to give an applicant a decision notice which approves the application subject to conditions.</p>
<b>Risk / Risk Mitigation:</b>	<p>The helipad is required to improve safe access to the telecommunications facility which is critical for maintaining and monitoring the facility. The current helipad does not meet CASA requirements and previous helicopter contact with terrain incident in 2020 on Moa where passengers suffered serious injuries, led to recommendations for facility upgrades in the region.</p> <p>The project is time critical for DHA to comply with the conditions of Council's previous decision as Trustee in September 2024 to issue an 8-year lease over an expanded area, which requires commencement of works by 30 June 2025.</p>
<b>Links to Strategic Plans:</b>	<p>TSIRC Corporate Plan 2020–2025 (<i>Bisnis Plan</i>)</p> <ul style="list-style-type: none"> <li>➤ Delivery Pillar – Sustainability</li> </ul> <p>Outcome 8: We manage council affairs responsibly for the benefit of our communities</p> <ul style="list-style-type: none"> <li>➤ 8.1: Effective management of DOGIT Land as a Trustee</li> </ul>
<b>Malungu Yangu Wakay (Masig Statement):</b>	<p>Providing owner's consent to the development application being lodged supports critical infrastructure to assist DHA meeting its Border protection obligations with all sites contributing to the security network of the Torres Strait.</p> <p>This is consistent with the aims of the Malungu Yangu Wakay (Masig Statement), including:</p> <p>Aim 4 – Therefore, we will create partnerships with Key Regional Stakeholders, the Queensland and Australian Governments to better equip us to work together to achieve our regional goals and aspirations.</p>
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	<p>The terms of the Conditional Agreement to Lease Torres Strait Islander Deed of Grant in Trust Land for Commercial Purposes (at Dauan Island) executed 21 November 2025, Schedule 1 requires the development permit to be obtained and works for construction of helipad and associated infrastructure to <b>commence by 30 June 2025</b>.</p>

**Other Comments:**

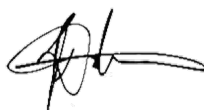
The proposed development application is for a Material Change of Use, which under the *Planning Act 2016* requires Council, as Trustee (Owner) to resolve to provide owner's consent to the application being made. Until owner's consent is provided by Council as Trustee, the development application is not properly made and cannot be decided.

Council's Register of Delegations includes the powers delegated from Council to the Chief Executive Officer to make decisions under the *Planning Act 2016*. The Chief Executive Officer can assess and decide the application under delegation after the application is properly made.

**Recommended:**

*S. Andres*

Susanne Andres  
Executive Director Corporate Services

**Approved:**

James William  
Chief Executive Officer

**ATTACHMENT:**      **Draft Development Application – Material Change of Use Telecommunications Facility (Ancillary Helipad) Dauan**

# DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

**Note:** All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Benelec Pty Ltd c/- RPS AAP Consulting Pty Ltd
Contact name (only applicable for companies)	Stacey Devaney - RPS
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	Qld
Postcode	4870
Country	Australia
Contact number	(07) 4276 1033
Email address (non-mandatory)	
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	391440

### 1.1) Home-based business

☐ Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

### 2) Owner's consent

#### 2.1) Is written consent of the owner required for this development application?

- ☒ Yes – the written consent of the owner(s) is attached to this development application  
☐ No – proceed to 3)



## PART 2 – LOCATION DETAILS

### 3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

**Note:** Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

#### 3.1) Street address and lot on plan

- ☐ Street address **AND** lot on plan (all lots must be listed), **or**  
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
				Dauan Island
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		77	SP270872	Torres Strait Island Regional Council (TSIRC)
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		Part 9	SP287221	TSIRC

#### 3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

**Note:** Place each set of coordinates in a separate row.

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

#### 3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application  
☒ Not required

#### 4) Identify any of the following that apply to the premises and provide any relevant details

☐ In or adjacent to a water body or watercourse or in or above an aquifer  
 Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*  
 Lot on plan description of strategic port land:   
 Name of port authority for the lot:

☐ In a tidal area  
 Name of local government for the tidal area (if applicable):   
 Name of port authority for tidal area (if applicable):

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

#### 5) Are there any existing easements over the premises?

*Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).*

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☒ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

- ☒ Material change of use    ☐ Reconfiguring a lot    ☐ Operational work    ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☒ Code assessment    ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Material Change of Use (Telecommunications Facility) ancillary helipad

e) Relevant plans

**Note:** *Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).*

- ☒ Relevant plans of the proposed development are attached to the development application

#### 6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use    ☐ Reconfiguring a lot    ☐ Operational work    ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☐ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment    ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

e) Relevant plans

**Note:** *Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).*

- ☐ Relevant plans of the proposed development are attached to the development application

**6.3) Additional aspects of development**

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

**6.4) Is the application for State facilitated development?**

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

**Section 2 – Further development details****7) Does the proposed development application involve any of the following?**

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

**Division 1 – Material change of use**

**Note:** This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

**8.1) Describe the proposed material change of use**

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Ancillary helipad	Telecommunications Facility	Not applicable	

**8.2) Does the proposed use involve the use of existing buildings on the premises?**

- ☐ Yes
- ☒ No

**8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?**

- ☐ Yes – provide details below or include details in a schedule to this development application
- ☒ No

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

**Division 2 – Reconfiguring a lot**

**Note:** This division is only required to be completed if any part of the development application involves reconfiguring a lot.

**9.1) What is the total number of existing lots making up the premises?**

--

**9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)**

<input type="checkbox"/> Subdivision (complete 10)	<input type="checkbox"/> Dividing land into parts by agreement (complete 11)
<input type="checkbox"/> Boundary realignment (complete 12)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below <input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

### Division 3 – Operational work

**Note:** This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Torres Strait Island regional Council (TSIRC)

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

## PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

**Note:** A development application will require referral if prescribed by the Planning Regulation 2017.

- ☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity



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- ☐ SEQ northern inter-urban break – community activity
- ☐ SEQ northern inter-urban break – indoor recreation
- ☐ SEQ northern inter-urban break – urban activity
- ☐ SEQ northern inter-urban break – combined use
- ☐ Tidal works or works in a coastal management district
- ☐ Reconfiguring a lot in a coastal management district or for a canal
- ☐ Erosion prone area in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material *(from a watercourse or lake)*
- ☐ Water-related development – referable dams
- ☐ Water-related development – levees *(category 3 levees only)*
- ☐ Wetland protection area

Matters requiring referral to the **local government**:

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) *(only if the ERA has been devolved to local government)*
- ☐ Heritage places – Local heritage places

Matters requiring referral to the **Chief Executive of the distribution entity or transmission entity**:

- ☐ Infrastructure-related referrals – Electricity infrastructure

Matters requiring referral to:

- The **Chief Executive of the holder of the licence**, if not an individual
- The **holder of the licence**, if the holder of the licence is an individual
- ☐ Infrastructure-related referrals – Oil and gas infrastructure

Matters requiring referral to the **Brisbane City Council**:

- ☐ Ports – Brisbane core port land

Matters requiring referral to the **Minister responsible for administering the *Transport Infrastructure Act 1994***:

- ☐ Ports – Brisbane core port land *(where inconsistent with the Brisbane port LUP for transport reasons)*
- ☐ Ports – Strategic port land

Matters requiring referral to the **relevant port operator**, if applicant is not port operator:

- ☐ Ports – Land within Port of Brisbane's port limits *(below high-water mark)*

Matters requiring referral to the **Chief Executive of the relevant port authority**:

- ☐ Ports – Land within limits of another port *(below high-water mark)*

Matters requiring referral to the **Gold Coast Waterways Authority**:

- ☐ Tidal works or work in a coastal management district *(in Gold Coast waters)*

Matters requiring referral to the **Queensland Fire and Emergency Service**:

- ☐ Tidal works or work in a coastal management district *(involving a marina (more than six vessel berths))*

**18) Has any referral agency provided a referral response for this development application?**

- ☒ Yes – referral response(s) received and listed below are attached to this development application
- ☐ No

Referral requirement	Referral agency	Date of referral response
No referral required	SARA	21 March 2025

Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application *(if applicable)*.

## PART 6 – INFORMATION REQUEST

### 19) Information request under the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

**Note:** By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

Further advice about information requests is contained in the [DA Forms Guide](#).

## PART 7 – FURTHER DETAILS

### 20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

☐ Yes – provide details below or include details in a schedule to this development application

☒ No

List of approval/development application references	Reference number	Date	Assessment manager
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

### 21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

### 22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

☐ Yes – show cause or enforcement notice is attached

☒ No

## 23) Further legislative requirements

### Environmentally relevant activities

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
- ☒ No

**Note:** Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

### Hazardous chemical facilities

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – Form 536: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
- ☒ No

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

### Clearing native vegetation

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

- ☒ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☐ No

**Note:** 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.  
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

### Environmental offsets

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

### Koala habitat in SEQ Region

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

**Note:** If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.



### Water resources

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

### Waterway barrier works

23.7) Does this application involve **waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### Marine activities

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### Quarry materials from a watercourse or lake

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake under the *Water Act 2000***?

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### Quarry materials from land under tidal waters

23.10) Does this development application involve the **removal of quarry materials from land under tidal water under the *Coastal Protection and Management Act 1995***?

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### Referable dams

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application

☒ No

**Note:** See guidance materials at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - ☐ A certificate of title

☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

☐ Yes – details of the heritage place are provided in the table below

☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:	Place ID:
-----------------------------	-----------

### **Decision under section 62 of the Transport Infrastructure Act 1994**

23.14) Does this development application involve new or changed access to a state-controlled road?

☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

### **Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation**

23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

**Note:** See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for further information.

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

**Note:** See the Planning Regulation 2017 for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

**Note:** This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable



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## 25) Applicant declaration

- ☒ By making this development application, I declare that all information in this development application is true and correct
- ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

**Note:** It is unlawful to intentionally provide false or misleading information.

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

### QLeave notification and payment

**Note:** For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	



**DIRECTORATE:** *Corporate Services*

**AUTHOR:** *Manager Governance and Risk*

**OWNER'S CONSENT TO BENELEC PTY LTD TO THE MAKING OF A DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (TELECOMMUNICATIONS FACILITY) – ANCILLARY HELIPAD AT BANKS PEAK KUBIN ON LAND DESCRIBED AS PART OF LOT 5 ON SP271019**

**OFFICER RECOMMENDATION:**

Council (as Trustee) resolves to:

1. Grant owner's consent to Benelec Pty Ltd to the making of a development application for material change of use (Telecommunications facility) – ancillary helipad at Banks Peak, Kubin on land described as part of Lot 5 on SP271019.
  2. Note the Chief Executive Officer has delegated powers under the *Planning Act 2016* to assess and decide the properly made development application and issue the decision notice.
- 

**EXECUTIVE SUMMARY:**

Benelec Pty Ltd has been engaged by the Commonwealth Department of Home Affairs (DHA) to undertake the required development approvals for a new helipad to be installed at Banks Peak, Kubin. Town Planning Consultants AAP RPS prepared and lodged the development application on behalf of Benelec Pty Ltd. The application requires owner's consent to the lodging of the development application to be properly made. This report seeks owner's consent to the making of the application by Council as Trustee.

**Interested Parties/Consultation:**

- Councillor Manas Division 6 Arkai
- Executive Director Corporate Services
- DOGIT Transfer, Land Tenure and Native Title Adviser
- AAP RPS

**Previous Council Consideration:**

At its Trustee meeting of 15 November 2024, Council (as Trustee) approved a Conditional Agreement to Lease (CATL) for land at Banks Peak, Kubin described as part of Lot 5 on SP271019 for the purpose of DHA constructing and maintaining a helipad and related infrastructure at the site. DHA had requested that the Trustee approves an eight-year lease to allow for the upgrade and improvement of helipad infrastructure located at the site so that Australian Border Force can meet its Border protection obligations and maintain its secure ultra-high frequency communication network.

The Trustee (Council) resolved the following:

## **2. HELIPAD DEVELOPMENT KUBIN BANKS PEAK – DEPARTMENT OF HOME AFFAIRS**

**#T24-28/2024-11/2**

CR TAMU / CR MOSBY

### **(a) Council (as Trustee):**

- (i) notes that the Department of Home Affairs (DHA) is a party to a Conditional Agreement to Lease (CATL) for land at Kubin Banks Peak, for the purpose of constructing and maintaining helipad and related infrastructure;**
- (ii) notes that DHA requested that the area subject to the CATL is expanded to meet its infrastructure requirements which includes constructing a new helipad at the site, as shown on indicative plans contained in this Report;**
- (iii) approves the increase to the area and a subsequent lease over the site for a term of eight years; and**

**(b) Delegates to the Chief Executive Officer the power to progress negotiations with DHA to formalise the Trustee's agreement in relation to the matters set out in this resolution on commercial terms and conditions satisfactory to the Chief Executive Officer, including by executing necessary documents, including the revised CATL, which will set out that the grant of the lease will be subject to necessary planning requirements and Native Title consent.**

Council entered into a CATL with DHA on 19 November 2024. Council as Trustee has certain obligations under the CATL including:

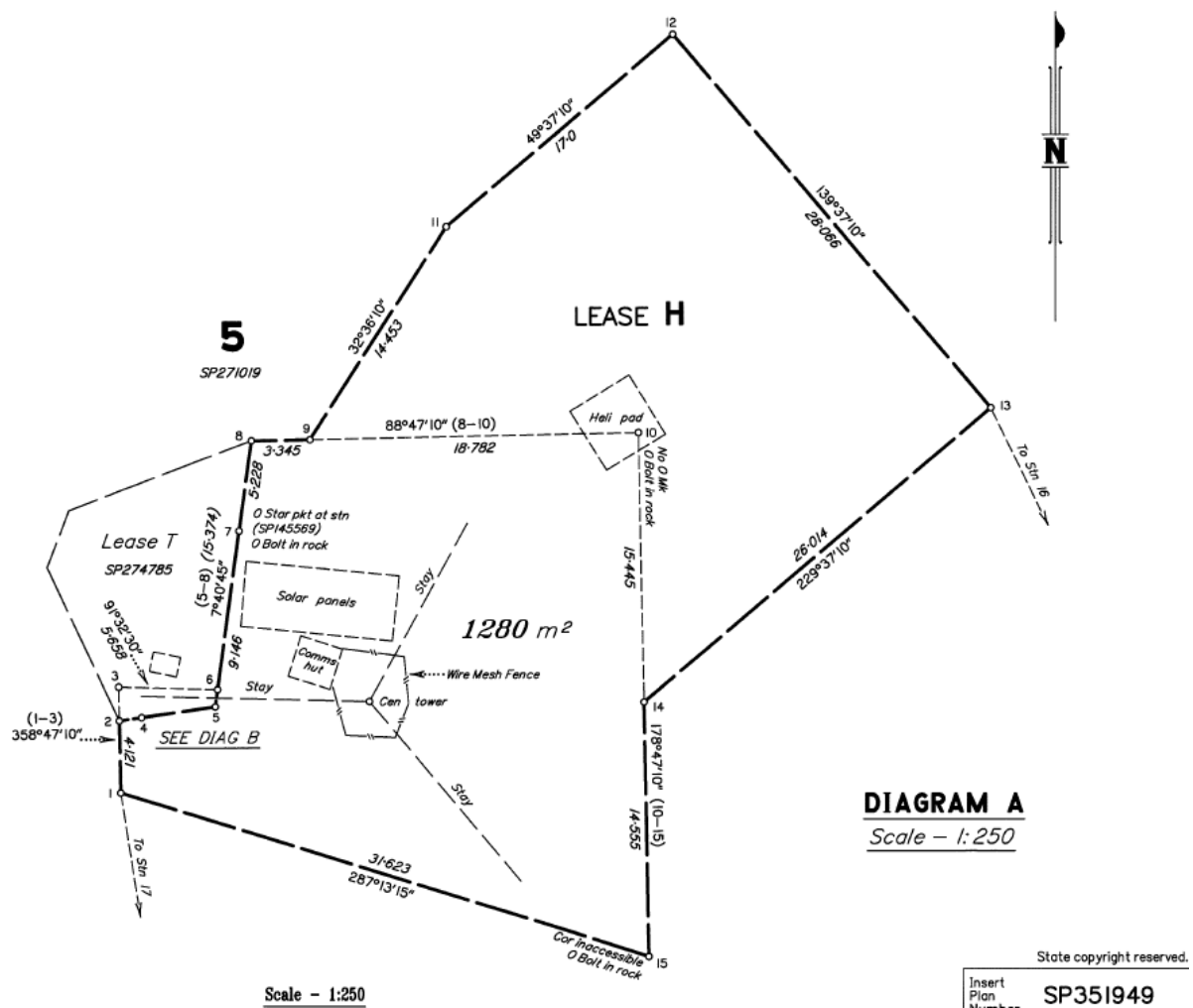
### **5. Trustee Obligations**

5.3 Where a Development Approval is required to register the Lease, the Trustee may consent to the making of the Development Application in its capacity as Trustee of the Land. The Applicant will provide the Trustee with such information as it reasonably requires in order to consider whether to grant its consent. That consent does not fetter the discretion of the Trustee in relation to the determination of the Development Application where the Trustee, in its capacity as a local government, is the Assessment Manager. The Trustee makes no representations and gives no warranties regarding the approval of the Development Application.

A development application has been lodged by Benelec Pty Ltd on behalf of DHA which requires Trustee consent to be properly made.

While the terms of the CATL do not bind Council to consent to the making of the development application the CATL binds the applicant to obtain the development approval and commence construction on or before 30 June 2025.

**Figure 1: Preliminary Site Plan for Banks Peak Kubin Helipad**



**COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 2009</i></li> <li>• <i>Planning Act 2016</i></li> <li>• <i>Planning Regulation 2017</i></li> <li>• <i>Zenadth Kes Town Planning Scheme</i></li> </ul>
<b>Budgetary:</b>	Nil impact
<b>Policy:</b>	Trustee Policy 2019
<b>Legal:</b>	<p>Owner's consent is required for the development application to be properly made.</p> <p>A development permit is a condition of the CATL.</p> <p>Council has delegated the decision-making powers under section 60(2) of the <i>Planning Act 2016</i> to assess and decide the application including to impose development conditions, Section 63(1) to give a decision notice, and Section 64(6)(b) to give an applicant a decision notice which approves the application subject to conditions.</p>
<b>Risk / Risk Mitigation:</b>	<p>The helipad is required to improve safe access to the telecommunications facility which is critical for upgrading, maintaining and monitoring the facility. The current helipad does not meet CASA requirements and there was a previous helicopter contact with terrain incident in 2020 where passengers suffered serious injuries.</p> <p>The project is time critical for DHA to comply with the conditions of Council's previous decision as Trustee in November 2024 to issue a new 6-year lease over an expanded area, which requires commencement of works by 30 June 2025.</p>
<b>Links to Strategic Plans:</b>	<p>TSIRC Corporate Plan 2020–2025 (<i>Bisnis Plan</i>)</p> <ul style="list-style-type: none"> <li>➤ Delivery Pillar – Sustainability</li> </ul> <p>Outcome 8: We manage council affairs responsibly for the benefit of our communities</p> <ul style="list-style-type: none"> <li>➤ 8.1: Effective management of DOGIT Land as a Trustee</li> </ul>
<b>Malungu Yangu Wakay (Masig Statement):</b>	<p>Providing owner's consent to the development application being lodged supports critical infrastructure to assist DHA meeting its Border protection obligations with all sites contributing to the security network of the Torres Strait.</p> <p>This is consistent with the aims of the Malungu Yangu Wakay (Masig Statement), including:</p> <p>Aim 4 – Therefore, we will create partnerships with Key Regional Stakeholders, the Queensland and Australian Governments to better equip us to work together to achieve our regional goals and aspirations.</p>
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	<p>The terms of the Conditional Agreement to Lease Torres Strait Islander Deed of Grant in Trust Land for Commercial Purposes (at Moa Island) executed 19 November 2025, Schedule 1 requires the development permit to be obtained and works for construction of helipad and associated infrastructure to <b>commence by 30 June 2025</b>.</p>

**Other Comments:**

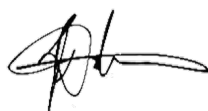
The proposed development application is for a Material Change of Use, which under the *Planning Act 2016* requires Council, as Trustee (Owner) to resolve to provide owner's consent to the application being made. Until owner's consent is provided by Council as Trustee, the development application is not properly made and cannot be decided.

Council's Register of Delegations includes the powers delegated from Council to the Chief Executive Officer to make decisions under the *Planning Act 2016*. The Chief Executive Officer can assess and decide the application under delegation after the application is properly made.

**Recommended:**

*S. Andres*

Susanne Andres  
Executive Director Corporate Services

**Approved:**

James William  
Chief Executive Officer

**ATTACHMENT:**      **Draft Development Application – Material Change of Use Telecommunications Facility (Ancillary Helipad) Kubin**



# DA Form 1 – Development application details

Approved form (version 1.6 effective 2 August 2024) made under section 282 of the Planning Act 2016.

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving only building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development (i.e. material change of use, operational work or reconfiguring a lot)**, use this form (*DA Form 1*) and parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

**Note:** All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) (individual or company full name)	Benelec Pty Ltd c/- AAP Consulting Pty Ltd
Contact name (only applicable for companies)	Stacey Devaney - RPS
Postal address (P.O. Box or street address)	PO Box 1949
Suburb	Cairns
State	QLD
Postcode	4870
Country	Australia
Contact number	(07) 4276 1033
Email address (non-mandatory)	stacey.devaney@rpsconsulting.com
Mobile number (non-mandatory)	
Fax number (non-mandatory)	
Applicant's reference number(s) (if applicable)	391463

### 1.1) Home-based business

☐ Personal details to remain private in accordance with section 264(6) of *Planning Act 2016*

### 2) Owner's consent

#### 2.1) Is written consent of the owner required for this development application?

- ☒ Yes – the written consent of the owner(s) is attached to this development application  
☐ No – proceed to 3)

## PART 2 – LOCATION DETAILS

### 3) Location of the premises (complete 3.1) or 3.2), and 3.3) as applicable)

**Note:** Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

#### 3.1) Street address and lot on plan

- ☒ Street address **AND** lot on plan (all lots must be listed), **or**  
☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon. All lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Kubin Banks Peak	Moa Island
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		5	SP271019	Torres Strait Island Regional Council (TSIRC)
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)

#### 3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

**Note:** Place each set of coordinates in a separate row.

- ☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

- ☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

#### 3.3) Additional premises

- ☐ Additional premises are relevant to this development application and the details of these premises have been attached in a schedule to this development application  
☒ Not required

#### 4) Identify any of the following that apply to the premises and provide any relevant details

- ☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

- ☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

- ☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable)

<input type="checkbox"/> On airport land under the <i>Airport Assets (Restructuring and Disposal) Act 2008</i>
Name of airport: <input type="text"/>
<input type="checkbox"/> Listed on the Environmental Management Register (EMR) under the <i>Environmental Protection Act 1994</i>
EMR site identification: <input type="text"/>
<input type="checkbox"/> Listed on the Contaminated Land Register (CLR) under the <i>Environmental Protection Act 1994</i>
CLR site identification: <input type="text"/>

#### 5) Are there any existing easements over the premises?

*Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see [DA Forms Guide](#).*

- ☐ Yes – All easement locations, types and dimensions are included in plans submitted with this development application
- ☒ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

- ☒ Material change of use    ☐ Reconfiguring a lot    ☐ Operational work    ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☒ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☒ Code assessment    ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Material Change Of Use (Telecommunications Facility) – ancillary helipad

e) Relevant plans

**Note:** *Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).*

- ☒ Relevant plans of the proposed development are attached to the development application

#### 6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

- ☐ Material change of use    ☐ Reconfiguring a lot    ☐ Operational work    ☐ Building work

b) What is the approval type? *(tick only one box)*

- ☐ Development permit    ☐ Preliminary approval    ☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

- ☐ Code assessment    ☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

e) Relevant plans

**Note:** *Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).*

- ☒ Relevant plans of the proposed development are attached to the development application

**6.3) Additional aspects of development**

- ☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application
- ☒ Not required

**6.4) Is the application for State facilitated development?**

- ☐ Yes - Has a notice of declaration been given by the Minister?
- ☒ No

**Section 2 – Further development details****7) Does the proposed development application involve any of the following?**

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

**Division 1 – Material change of use**

**Note:** This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

**8.1) Describe the proposed material change of use**

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Helipad	Telecommunications Facility	Not applicable	

**8.2) Does the proposed use involve the use of existing buildings on the premises?**

- ☐ Yes
- ☒ No

**8.3) Does the proposed development relate to temporary accepted development under the Planning Regulation?**

- ☐ Yes – provide details below or include details in a schedule to this development application
- ☒ No

Provide a general description of the temporary accepted development	Specify the stated period dates under the Planning Regulation

**Division 2 – Reconfiguring a lot**

**Note:** This division is only required to be completed if any part of the development application involves reconfiguring a lot.

**9.1) What is the total number of existing lots making up the premises?**

--

**9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)**

<input type="checkbox"/> Subdivision (complete 10)	<input type="checkbox"/> Dividing land into parts by agreement (complete 11)
<input type="checkbox"/> Boundary realignment (complete 12)	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a constructed road (complete 13)

10) Subdivision				
10.1) For this development, how many lots are being created and what is the intended use of those lots:				
Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

10.2) Will the subdivision be staged?	
<input type="checkbox"/> Yes – provide additional details below <input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?				
Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment			
12.1) What are the current and proposed areas for each lot comprising the premises?			
Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )
12.2) What is the reason for the boundary realignment?			

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)				
Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

### Division 3 – Operational work

**Note:** This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?	
<input type="checkbox"/> Road work <input type="checkbox"/> Drainage work <input type="checkbox"/> Landscaping <input type="checkbox"/> Other – please specify:	<input type="checkbox"/> Stormwater <input type="checkbox"/> Earthworks <input type="checkbox"/> Signage <input type="checkbox"/> Water infrastructure <input type="checkbox"/> Sewage infrastructure <input type="checkbox"/> Clearing vegetation
14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)	
<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Torres Strait Island Regional Council (TSIRC)

16) Has the local government agreed to apply a superseded planning scheme for this development application?

- ☐ Yes – a copy of the decision notice is attached to this development application
- ☐ The local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
- ☒ No

## PART 5 – REFERRAL DETAILS

17) Does this development application include any aspects that have any referral requirements?

**Note:** A development application will require referral if prescribed by the Planning Regulation 2017.

- ☒ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

Matters requiring referral to the **Chief Executive of the Planning Act 2016:**

- ☐ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA has not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Heritage places – Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure-related referrals – designated premises
- ☐ Infrastructure-related referrals – state transport infrastructure
- ☐ Infrastructure-related referrals – State transport corridor and future State transport corridor
- ☐ Infrastructure-related referrals – State-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure-related referrals – near a state-controlled road intersection
- ☐ Koala habitat in SEQ region – interfering with koala habitat in koala habitat areas outside koala priority areas
- ☐ Koala habitat in SEQ region – key resource areas
- ☐ Ports – Brisbane core port land – near a State transport corridor or future State transport corridor
- ☐ Ports – Brisbane core port land – environmentally relevant activity (ERA)
- ☐ Ports – Brisbane core port land – tidal works or work in a coastal management district
- ☐ Ports – Brisbane core port land – hazardous chemical facility
- ☐ Ports – Brisbane core port land – taking or interfering with water
- ☐ Ports – Brisbane core port land – referable dams
- ☐ Ports – Brisbane core port land – fisheries
- ☐ Ports – Land within Port of Brisbane's port limits (*below high-water mark*)
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – tourist activity or sport and recreation activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – urban activity
- ☐ SEQ regional landscape and rural production area or SEQ rural living area – combined use
- ☐ SEQ northern inter-urban break – tourist activity or sport and recreation activity



Queensland  
Government

<input type="checkbox"/> SEQ northern inter-urban break – community activity <input type="checkbox"/> SEQ northern inter-urban break – indoor recreation <input type="checkbox"/> SEQ northern inter-urban break – urban activity <input type="checkbox"/> SEQ northern inter-urban break – combined use <input type="checkbox"/> Tidal works or works in a coastal management district <input type="checkbox"/> Reconfiguring a lot in a coastal management district or for a canal <input type="checkbox"/> Erosion prone area in a coastal management district <input type="checkbox"/> Urban design <input type="checkbox"/> Water-related development – taking or interfering with water <input type="checkbox"/> Water-related development – removing quarry material <i>(from a watercourse or lake)</i> <input type="checkbox"/> Water-related development – referable dams <input type="checkbox"/> Water-related development – levees <i>(category 3 levees only)</i> <input type="checkbox"/> Wetland protection area
<b>Matters requiring referral to the local government:</b> <input type="checkbox"/> Airport land <input type="checkbox"/> Environmentally relevant activities (ERA) <i>(only if the ERA has been devolved to local government)</i> <input type="checkbox"/> Heritage places – Local heritage places
<b>Matters requiring referral to the Chief Executive of the distribution entity or transmission entity:</b> <input type="checkbox"/> Infrastructure-related referrals – Electricity infrastructure
<b>Matters requiring referral to:</b> <ul style="list-style-type: none"> <li>• The <b>Chief Executive of the holder of the licence</b>, if not an individual</li> <li>• The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Infrastructure-related referrals – Oil and gas infrastructure
<b>Matters requiring referral to the Brisbane City Council:</b> <input type="checkbox"/> Ports – Brisbane core port land
<b>Matters requiring referral to the Minister responsible for administering the Transport Infrastructure Act 1994:</b> <input type="checkbox"/> Ports – Brisbane core port land <i>(where inconsistent with the Brisbane port LUP for transport reasons)</i> <input type="checkbox"/> Ports – Strategic port land
<b>Matters requiring referral to the relevant port operator, if applicant is not port operator:</b> <input type="checkbox"/> Ports – Land within Port of Brisbane's port limits <i>(below high-water mark)</i>
<b>Matters requiring referral to the Chief Executive of the relevant port authority:</b> <input type="checkbox"/> Ports – Land within limits of another port <i>(below high-water mark)</i>
<b>Matters requiring referral to the Gold Coast Waterways Authority:</b> <input type="checkbox"/> Tidal works or work in a coastal management district <i>(in Gold Coast waters)</i>
<b>Matters requiring referral to the Queensland Fire and Emergency Service:</b> <input type="checkbox"/> Tidal works or work in a coastal management district <i>(involving a marina (more than six vessel berths))</i>

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input checked="" type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
No referral requirement	SARA	21 March 2025
Identify and describe any changes made to the proposed development application that was the subject of the referral response and this development application, or include details in a schedule to this development application <i>(if applicable)</i> .		

## PART 6 – INFORMATION REQUEST

### 19) Information request under the DA Rules

☒ I agree to receive an information request if determined necessary for this development application

☐ I do not agree to accept an information request for this development application

**Note:** By not agreeing to accept an information request I, the applicant, acknowledge:

- that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties
- Part 3 under Chapter 1 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules or
- Part 2 under Chapter 2 of the DA Rules will still apply if the application is for state facilitated development

Further advice about information requests is contained in the [DA Forms Guide](#).

## PART 7 – FURTHER DETAILS

### 20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

☒ Yes – provide details below or include details in a schedule to this development application

☐ No

List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	DA03-25-06(1)	12 May 2025	TSIRC
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

### 21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

☐ Yes – a copy of the receipted QLeave form is attached to this development application

☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid

☒ Not applicable (e.g. building and construction work is less than \$150,000 excluding GST)

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

### 22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

☐ Yes – show cause or enforcement notice is attached

☒ No



### 23) Further legislative requirements

#### **Environmentally relevant activities**

23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form ESR/2015/1791) for an application for an environmental authority accompanies this development application, and details are provided in the table below
- ☒ No

**Note:** Application for an environmental authority can be found by searching “ESR/2015/1791” as a search term at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

#### **Hazardous chemical facilities**

23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – Form 536: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application
- ☒ No

**Note:** See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information about hazardous chemical notifications.

#### **Clearing native vegetation**

23.3) Does this development application involve **clearing native vegetation** that requires written confirmation that the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A of the *Vegetation Management Act 1999*?

- ☒ Yes – this development application includes written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)
- ☐ No

**Note:** 1. Where a development application for operational work or material change of use requires a s22A determination and this is not included, the development application is prohibited development.  
2. See <https://www.qld.gov.au/environment/land/vegetation/applying> for further information on how to obtain a s22A determination.

#### **Environmental offsets**

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

- ☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter
- ☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

#### **Koala habitat in SEQ Region**

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work which is assessable development under Schedule 10, Part 10 of the Planning Regulation 2017?

- ☐ Yes – the development application involves premises in the koala habitat area in the koala priority area
- ☐ Yes – the development application involves premises in the koala habitat area outside the koala priority area
- ☒ No

**Note:** If a koala habitat area determination has been obtained for this premises and is current over the land, it should be provided as part of this development application. See koala habitat area guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Water resources**

23.6) Does this development application involve **taking or interfering with underground water through an artesian or subartesian bore, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water under the *Water Act 2000***?

☐ Yes – the relevant template is completed and attached to this development application and I acknowledge that a relevant authorisation or licence under the *Water Act 2000* may be required prior to commencing development

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). If the development application involves:

- Taking or interfering with underground water through an artesian or subartesian bore: complete DA Form 1 Template 1
- Taking or interfering with water in a watercourse, lake or spring: complete DA Form 1 Template 2
- Taking overland flow water: complete DA Form 1 Template 3.

### **Waterway barrier works**

23.7) Does this application involve **waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

DA templates are available from [planning.statedevelopment.qld.gov.au](http://planning.statedevelopment.qld.gov.au). For a development application involving waterway barrier works, complete DA Form 1 Template 4.

### **Marine activities**

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake under the *Water Act 2000***?

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Resources at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) and [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

23.10) Does this development application involve the **removal of quarry materials from land under tidal water under the *Coastal Protection and Management Act 1995***?

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Environment, Science and Innovation at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the *Water Supply Act*)?

☐ Yes – the 'Notice Accepting a Failure Impact Assessment' from the chief executive administering the *Water Supply Act* is attached to this development application

☒ No

**Note:** See guidance materials at [www.resources.qld.gov.au](http://www.resources.qld.gov.au) for further information.

### **Tidal work or development within a coastal management district**

23.12) Does this development application involve **tidal work or development in a coastal management district**?

- ☐ Yes – the following is included with this development application:
- ☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)
  - ☐ A certificate of title

☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for further information.

### **Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

☐ Yes – details of the heritage place are provided in the table below

☒ No

**Note:** See guidance materials at [www.desi.qld.gov.au](http://www.desi.qld.gov.au) for information requirements regarding development of Queensland heritage places.

For a heritage place that has cultural heritage significance as a local heritage place and a Queensland heritage place, provisions are in place under the Planning Act 2016 that limit a local categorising instrument from including an assessment benchmark about the effect or impact of, development on the stated cultural heritage significance of that place. See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for information regarding assessment of Queensland heritage places.

Name of the heritage place:

Place ID:

### **Decision under section 62 of the Transport Infrastructure Act 1994**

23.14) Does this development application involve new or changed access to a state-controlled road?

☐ Yes – this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

### **Walkable neighbourhoods assessment benchmarks under Schedule 12A of the Planning Regulation**

23.15) Does this development application involve reconfiguring a lot into 2 or more lots in certain residential zones (except rural residential zones), where at least one road is created or extended?

☐ Yes – Schedule 12A is applicable to the development application and the assessment benchmarks contained in schedule 12A have been considered

☒ No

**Note:** See guidance materials at [www.planning.statedevelopment.qld.gov.au](http://www.planning.statedevelopment.qld.gov.au) for further information.

## **PART 8 – CHECKLIST AND APPLICANT DECLARATION**

### **24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

**Note:** See the *Planning Regulation 2017* for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of [DA Form 2 – Building work details](#) have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with the development application

**Note:** This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a development permit is issued (see 21)

☐ Yes

☒ Not applicable



**Queensland  
Government**

## 25) Applicant declaration

- ☒ By making this development application, I declare that all information in this development application is true and correct
- ☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001*

**Note:** It is unlawful to intentionally provide false or misleading information.

**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application. All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.

## PART 9 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY

Date received:  Reference number(s):

### Notification of engagement of alternative assessment manager

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

### QLeave notification and payment

**Note:** For completion by assessment manager if applicable

Description of the work	
QLeave project number	
Amount paid (\$)	Date paid (dd/mm/yy)
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	



**DIRECTORATE:** Corporate Services

**AUTHOR:** DOGIT Transfer, Land Tenure and Native Title Advisor

## **ST PAULS GOVERNMENT EMPLOYEE HOUSING REQUEST**

### **OFFICER RECOMMENDATION:**

#### **Council (as Trustee):**

- (a) provides owner's consent to the proposed development application for Reconfiguring a Lot (1 lot into 3 lots - being the subdivision of Lot 6 on SP256048 to create 3 lots (proposed lots 309, 310 and 311), balance Lot 6 and new road;**
  - (b) approves a Conditional Agreement to Lease and subsequent 40-year lease over Lots 309 and 310 for the purpose of the Department of Housing and Public Works, Government Employee Housing constructing two 2-bedroom units on each of those lots (4 units in total); and**
  - (c) delegates to the Chief Executive Officer, the power to progress negotiations on commercial terms and conditions satisfactory to the Chief Executive Officer, to formalise the Trustee's approval in relation to all matters set out in this resolution, including by executing necessary documents, including the Conditional Agreement to Lease and subsequent lease.**
- 

### **EXECUTIVE SUMMARY:**

The Department of Housing and Public Works, Government Employee Housing (GEH) has requested land in St Pauls to build four 2-bedroom units to address the housing needs for government employees from Torres and Cape Hinterland Health Service and the Department of Education. If approved by the Trustee, GEH advises that the residences are proposed to be delivered in 2027/2028.

This report sets out the required approvals and considerations for the project and seeks the Trustee's formal consent. If the Trustee approves the proposal, GEH will be required to:

- arrange for survey plans depicting the lease area;
- enter into a Conditional Agreement to Lease (CATL) and subsequent 40-year lease over the lots;
- obtain Native Title consent for the project; and
- obtain planning approval from Council, in its capacity as planning authority.



## Interested Parties/Consultation:

Division 7- Wug- Councillor Levi has been consulted and supports the proposal

St Pauls Elders Group have been consulted and support the proposal

Department of Housing and Public Works

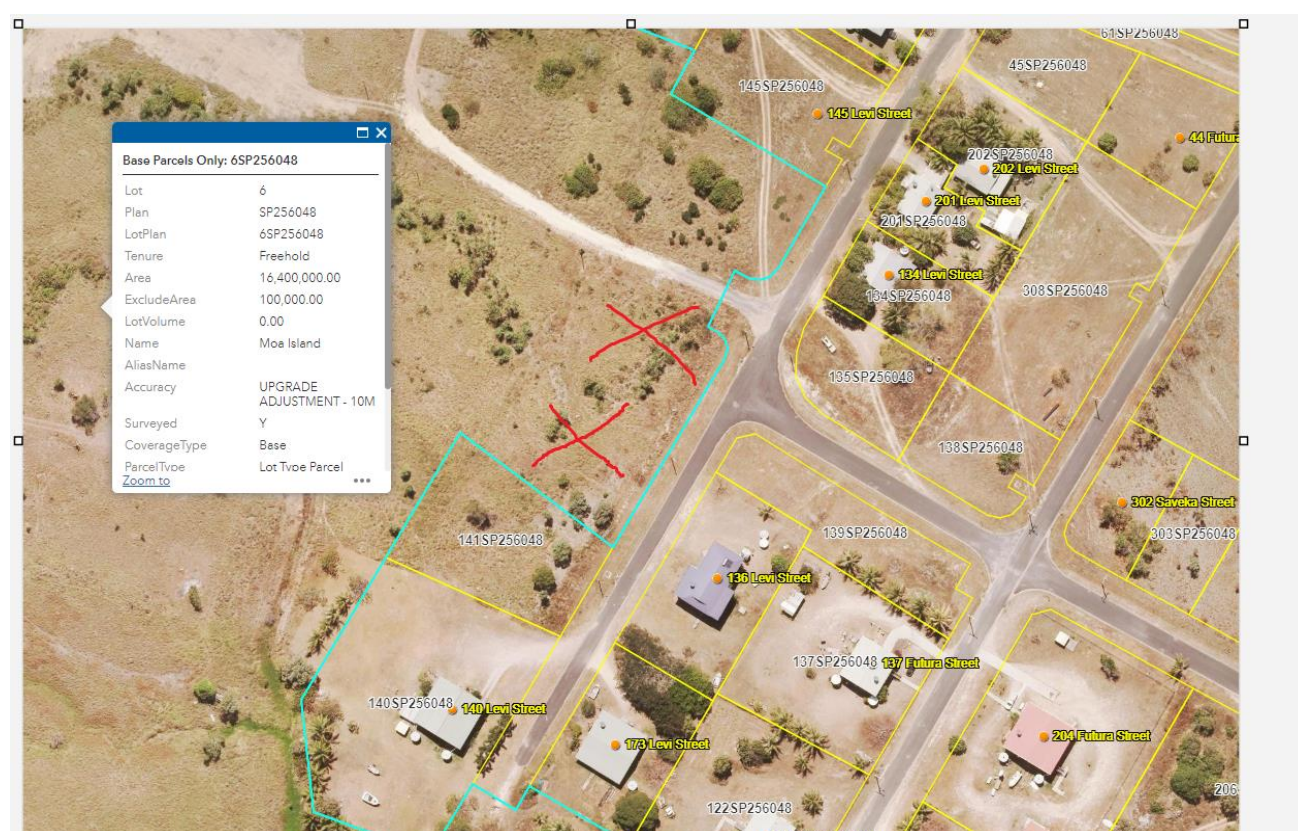
RPS AAP (Town Planning) Consulting Pty Ltd

Council's Governance and Risk Manager

## Background / Previous Council Consideration:

GEH sought preliminary views from Councillor Levi about the proposed location of new housing for government employees. In consultation with the St Pauls Elders Group, Councillor Levi advised that the area of land identified below, being part of Lot 6 Levi Street was a suitable option, subject to Trustee consent and appropriate approvals being obtained.

## Location of land required (marked with x).



## The proposal includes:

- the subdivision of Lot 6 SP256048, a large vacant lot, to create 3 smaller lots (Proposed Lot 309, 310, and 311), a balance Lot 6 and the opening of a new road for access to Lot 311;
- leasing of lot 309 and 310 for a term of 40 years from Council to the State to allow for;
  - a. construction of two 2-bedroom dwellings on lot 309; and
  - b. construction of two 2-bedroom dwellings on lot 310.
- The proposed new lots have legal frontage to Levi Street which is a constructed public road, however a new road is required to be constructed for access to proposed 311. Current access is via a track.
- There is no planned construction for Lot 311 at this stage and Council records show a sewer main at the back of the lot. GEH advised that they may seek approval in the future to build on lot 311 and if that was to occur, a 3m wide easement would be required to protect the sewer.
- The area is within the Township Zone in an established residential area and has access to Water, Sewer, and Electricity infrastructure.

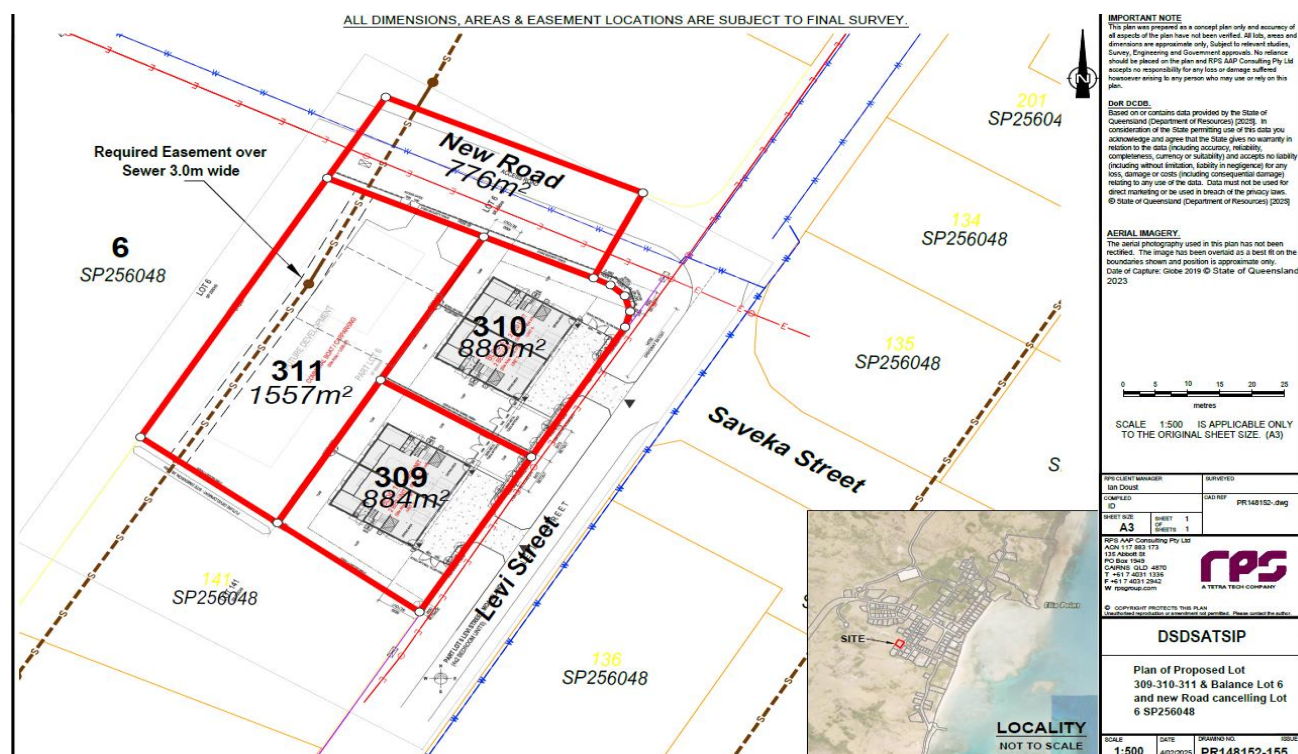
[illegible]

The site plan for Part Lot 6, Moa Island, shows two buildings, BLDG 1 and BLDG 2, each containing two 2-bedroom units. The plan includes various setbacks and dimensions:

- BLDG 1:** 2 BED UNIT, 2 BED UNIT. (Site Area = 216 sqm) (40' x 54')
- BLDG 2:** 2 BED UNIT, 2 BED UNIT. (Site Area = 216 sqm) (40' x 54')
- Setbacks:** 4' SIDE SETBACK, 4' FRONT SETBACK, 4' REAR SETBACK, 4' CORNER SETBACK.
- Dimensions:** 120' x 120' (approximate lot dimensions), 140' x 140' (approximate building footprint).
- Access:** ACCESS DRIVE, ACCESS DRIVE, ACCESS DRIVE.
- Levi Street:** 140' x 140' (approximate street width).
- North Arrow:** Located in the bottom left corner.



## Layout of dwellings within lot 309 and 310 showing new road for access to Lot 311





**COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	<ul style="list-style-type: none"> <li>• <i>Torres Strait Islander Land Act 1991 (Qld)</i></li> <li>• <i>Planning Act 2016 (Qld)</i></li> <li>• <i>Local Government Act 2009 (Qld)</i></li> </ul>
<b>Budgetary:</b>	Survey, Town planning approval and Native Title consent costs are the responsibility of GEH.
<b>Policy:</b>	Trustee Policy 2019
<b>Legal:</b>	This Report has been developed by Council's DOGIT Transfer, Land Tenure and Native Title Advisor in consultation with the Governance and Risk Manager
<b>Risk:</b>	Trustee risks will be managed by ensuring all appropriate approvals have been obtained prior to the grant of the lease and the commencement of the works.
<b>Links to Strategic Plans:</b>	<p>TSIRC Corporate Plan 2020–2025 (<i>Bisnis Plan</i>)</p> <ul style="list-style-type: none"> <li>➤ Delivery Pillar – Sustainability</li> </ul> <p>Outcome 8: We manage council affairs responsibly for the benefit of our communities</p> <ul style="list-style-type: none"> <li>➤ 8.1: Effective management of DOGIT Land as a Trustee</li> </ul>
<b>Masig Statement:</b>	<p>This is consistent with the aims of the Masig Statement, including:</p> <ul style="list-style-type: none"> <li>• Aim 4 –create partnerships with Key Regional Stakeholders, the Queensland and Australian Governments to better equip us to work together to achieve our regional goals and aspirations.</li> </ul>
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	N/A

**Other Comments:** Nil.

**Recommended:**



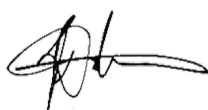
Joanne Bryant  
DOGIT Transfer, Land Tenure and Native Title Advisor

**Endorsed:**



Susanne Andres  
Executive Director Corporate Services

**Approved:**



James William  
Chief Executive Officer

**ATTACHMENTS:** Nil



**DIRECTORATE:** *Corporate Services*

**AUTHOR:** *Executive Director Corporate Services*

## **RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC**

### **OFFICER RECOMMENDATION:**

Council (as Trustee) resolves to close the meeting to the public pursuant to section 84 of the *Local Government Act 2009* to allow the Trustee to discuss items listed on the agenda for closed discussion and for the reasons outlined under those items.

---

### **EXECUTIVE SUMMARY:**

Section 84 of the *Local Government Act 2009* allows the Trustee Council to close its meeting to the public to discuss business for which public discussion would be likely to:

- (a) prejudice the interests of the trustee council or someone else; or
- (b) enable a person to gain a financial advantage.

For example, a meeting may be closed to the public to allow the trustee council to discuss:

- (a) the appointment, discipline or dismissal of local government employees; or
- (b) industrial matters affecting local government employees; or
- (c) starting or defending legal proceedings; or
- (d) that part of the budget that relates to the trust land; or
- (e) contracts proposed to be made by the trustee council.

Section 84(5) of the *Local Government Act 2009* stipulates that the trustee council must not make a resolution (other than a procedural resolution) in a meeting that is closed to the public.

### **Interested Parties/Consultation:**

N/A

### **Background / Previous Council Consideration:**

N/A

**COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	Section 84 of the <i>Local Government Act 2009</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	<i>TSIRC Standing Orders (Meeting Procedures) Policy – August 2024</i> applies.
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. <ul style="list-style-type: none"><li>➤ 4.2 Evolve Council’s communication channels and community’s access to information.</li></ul>
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Trustee Meeting

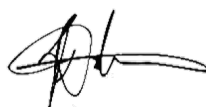
**Other Comments:**

Nil.

**Recommended:**

*S. Andres*

Susanne Andres  
Executive Director Corporate Services

**Approved:**

James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil.



**DIRECTORATE:** Corporate Services

**AUTHOR:** Executive Director Corporate Services

## **RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION**

### **OFFICER RECOMMENDATION:**

Council (as Trustee) resolves to move out of closed discussions pursuant to Section 84 of the *Local Government Act 2009*.

---

### **EXECUTIVE SUMMARY:**

Section 84(1) of the *Local Government Act 2009* requires that all meetings relating to trust land must be open to the public.

### **Interested Parties/Consultation:**

N/A

### **Background / Previous Council Consideration:**

N/A

### **COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	Section 84 of the <i>Local Government Act 2009</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	<i>TSIRC Standing Orders (Meeting Procedures) Policy – August 2024</i> applies.
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. <ul style="list-style-type: none"><li>➤ 4.2 Evolve Council’s communication channels and community’s access to information.</li></ul>
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Trustee Meeting

**Other Comments:**

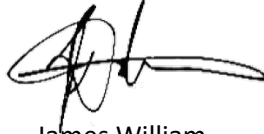
Nil.

**Recommended:**

*S. Andres*

Susanne Andres  
Executive Director Corporate Services

**Approved:**

A handwritten signature in black ink, appearing to be 'J. William', with a long horizontal stroke extending to the right.

James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil.



**DIRECTORATE:** Corporate Services

**AUTHOR:** Executive Director Corporate Services

## CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION

### OFFICER RECOMMENDATION:

*For Council (as Trustee) to formally resolve on the matters discussed in its Closed Session.*

---

### EXECUTIVE SUMMARY:

Section 84(5) of the *Local Government Act 2009* stipulates that the trustee council must not make a resolution (other than a procedural resolution) in a meeting that is closed to the public.

The open meeting must resume to pass a resolution if any decisions are necessary following the closed-meeting discussion.

### Interested Parties/Consultation:

N/A

### Background / Previous Council Consideration:

N/A

### COMPLIANCE / CONSIDERATIONS:

<b>Statutory:</b>	Section 84 of the <i>Local Government Act 2009</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	<i>TSIRC Standing Orders (Meeting Procedures) Policy – August 2024</i> applies.
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. <ul style="list-style-type: none"><li>➤ 4.2 Evolve Council’s communication channels and community’s access to information.</li></ul>
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Trustee Meeting

**Other Comments:**

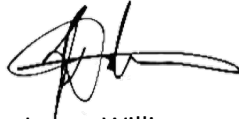
Nil.

**Recommended:**

*S. Andres*

Susanne Andres  
Executive Director Corporate Services

**Approved:**

A handwritten signature in black ink, appearing to be 'J. William', with a long horizontal stroke extending to the right.

James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil.



**DIRECTORATE:** Corporate Services

**AUTHOR:** Executive Director Corporate Services

## **ITEMS ARISING**

### **OFFICER RECOMMENDATION:**

*For Council (as Trustee) to formally resolve to consider those items arising after the agenda for the meeting has been made public.*

---

### **EXECUTIVE SUMMARY:**

Section 254D(4) of the *Local Government Regulation 2012* allows for a local government or a committee of local government to discuss or deal with (at any meeting) items arising after the agenda for the meeting has been made available to Councillors.

Standard practice is that business not on the published agenda, or not fairly arising from the agenda, should not be considered at any local government meeting unless permission for that purpose is given by the local government at the meeting (*Source: TSIRC Standing Orders Policy – August 2024*)

Council will need to make a formal resolution to consider/discuss any items nominated for this agenda item.

### **Interested Parties/Consultation:**

N/A

### **Background / Previous Council Consideration:**

N/A



**COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	Section 254D(4) of the <i>Local Government Regulation 2012</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	<i>TSIRC Standing Orders (Meeting Procedures) Policy – August 2024</i> applies.
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. ➤ 4.2 Evolve Council’s communication channels and community’s access to information.
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Council Meeting

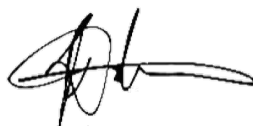
**Other Comments:**

Nil.

**Recommended:**

*S. Andres*

Susanne Andres  
Executive Director Corporate Services

**Approved:**

James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil.