

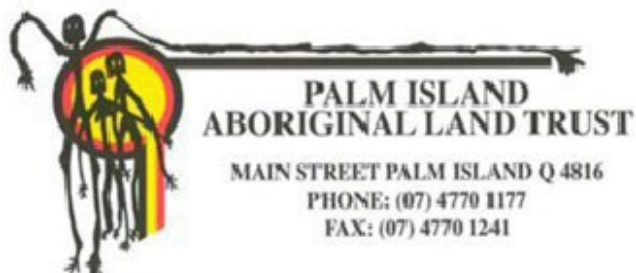
PALM ISLAND

Aboriginal Shire Council

AGENDA

LAND TRUST MEETING

WEDNESDAY, 24TH SEPTEMBER 2025
COUNCIL CHAMBERS
1 MAIN STREET, PALM ISLAND 4816



ORDER OF BUSINESS

1. Opening Meeting

1.1 Welcome and Acknowledgements of Traditional Owners

Palm Island Aboriginal Shire Council respectfully acknowledges the Traditional Owners of the land on which we meet, the Manbarra and Bwgcolman Peoples. We pay our respects to Elders past and present and acknowledge the continuing connection of Aboriginal and Torres Strait Islander peoples to land, sea, culture, and community.

We extend this respect to all Aboriginal and Torres Strait Islander peoples attending today's meeting and reaffirm our commitment to working in partnership to support self-determination, cultural heritage, and community wellbeing.

1.2 Attendance and Apologies

Mayor Alf Lacey	Emma Bradbury, Interim CEO
Deputy Mayor Mersane Oui	Martine Care, Preston Law
Councillor Telstan Sibley	Jessie-Mae Laczik, Governance Officer
Councillor Ebanese Oui	Andrea Lee, Local Government Association
Councillor Germaine Bulsey	Queensland (LGAQ)

1.3 Leave of Absence Requests

1.4 Confirmation of Quorum (per s259 LGR 2012)

The Chairperson confirms that a quorum is present in accordance with section 259 of the Local Government Regulation 2012.

1.5 Condolences

Palm Island Aboriginal Shire Council extends its heartfelt condolences to the families and loved ones of the following community members who have recently passed:

- Anthony Pryor/Prior and families
- Estelle Snyder and families

Council acknowledges the deep loss felt by the Palm Island community and stands in solidarity with all families during this time of grief. May their spirits rest peacefully, and may their families find comfort and strength in the support of community.

2. Declarations

2.1 Conflict of Interest (s150EQ-s150ES LGA 2009)

2.2 Prescribed and Declarable Conflicts

3. Confirmation of Previous Minutes

3.1 Adoption of Land Trust Meeting Minutes of 27TH August 2025

PALM ISLAND ABORIGINAL SHIRE COUNCIL LAND TRUST MINUTES

Meeting Name: Land Trust Meeting

Meeting Date: 27th August 2025

Meeting Time: 9:00am

Location: Council Chambers, 1 Main Street, Palm Island Qld 4816

Record of Attendance			
Present	Name	Title	Attendance
COUNCILLORS	Cr Alf Lacey	Mayor	<i>In-person</i>
	Cr Mersane Oui	Deputy Mayor	<i>In-person</i>
	Cr Telstan Sibley	Councillor	<i>In-person</i>
	Cr Ebanese Oui	Councillor	<i>In-person</i>
	Cr Germaine Bulsey	Councillor	<i>In-person</i>
OFFICERS	Emma Bradbury	Acting Chief Executive Officer	<i>In-person</i>
	Rani Sam-Johnson	Executive Assistant	<i>In-person</i>
	Jessie-Mae Laczik	Governance Officer	<i>Via Teams</i>
GUESTS	Martine Care	Preston Law	<i>Via Teams</i>
	Kim Driver	Local Government Association of QLD (LGAQ)	<i>Via Teams</i>
OBSERVERS	<i>None</i>		

Opening of Meeting

1. Welcome and Acknowledgements of Traditional Owners

Mayor Lacey opened the meeting at 9:20am and acknowledged the Traditional Owners, the Manbarra and Bwgcolman Peoples.

Attendance and Apologies

All Councillors and Officers were present. No apologies were noted.

Leave of Absence Requests

Nil.

Confirmation of Quorum (per s259 LGR 2012)

Quorum confirmed.

Condolences

Council respectfully acknowledges the recent passing of the following community members and extends heartfelt condolences to their families and loved ones:

- Oriel Johnson and families
- Owen Mathieson and families
- Emily Prior / Stewart and families
- Doreen Morton and families
- Baby Prior / Bligh and families
- Randall Parker / Hero and families
- James Lewis Cannon and families
- Muriel Bramwell / Wilson and families

Council recognises the deep sorrow felt across the Palm Island community and stands in solidarity with all families during this time of mourning.

A minute of silence was observed in honour of the families and their grief.

Declaration of Interests

The chairperson invited Councillors present to disclose prescribed conflicts of interest ("**PCOI**") or declarable conflicts of interest ("**DCOI**") in respect of any items in the agenda, in accordance with the *Local Government Act 2009*.

Councillor	PCOI/DCOI	Meeting Items	<i>Action taken by Council pursuant to Chapter 5B of Local Government Act 2009</i>
Cr Lacey			
Cr M Oui			
Cr Sibley			
Cr E Oui	PCOI - Partner employed by Roman Trust Catholic Corporation (Child Care Centre)	Item 5.2	Cr E. Oui identified his interest in this matter due to close association.
Cr Bulsey			

2. Confirmation of Previous Minutes

Resolution LT.2025-118

Item 3.1 Land Trust Meeting

That council:

1. Confirms the minutes of the Land Trust Meeting held on 30 July 2025 as a true and accurate record, subject to the following amendment:

Resolution LT.2025.117 – Item 11.1 Preston Law: Ferdy Haven Lease to be amended as follows:

- a. That the Land Trust considers the lease at an end as Ferdy's Haven Alcohol Rehabilitation Aboriginal Corporation did not resume operation of rehabilitation services at the Premises by 31 January 2025 in accordance with the Notice to Remedy Breach dated 14 January 2025.
- b. That the Chief Executive Officer be appointed as the attorney of the Ferdy's Haven Alcohol Rehabilitation Aboriginal Corporation to execute and procure the registration of a surrender of the lease in accordance with clause 10.3 of the lease.
- c. To delegate authority to the Chief Executive Officer, in accordance with section 257 of the Local Government Act 2009 (Qld), to finalise any and all matters associated with the surrender of the lease and its registration with Titles Queensland.

Moved: M. Oui

Seconded: E. Oui

Carried

3. Business Arising from Previous Minutes

Nil.

4. Reports

Nil.

5. For Decision by Council

Resolution LT.2025-119

Item 5.1 Trustee Lease to Amplitel Pty Ltd – Lot 511 SP273615

Council considered a proposal from Amplitel Pty Ltd to install and operate a telecommunications tower on Lot 511 SP273615.

That the Trustee resolves to:

1. Grant a trustee lease to Amplitel Pty Ltd for the installation and operation of a telecommunications tower on part of Lot 511 on SP273615 (65 Plan 3338 Farm Road, Palm Island) on the following terms:
 - a. for a term of 10 years;
 - b. commencing rent of \$9,000 per annum plus GST;
 - c. subject to a 3% annual increase; and otherwise in accordance with the draft lease and registered standard terms provided by Amplitel Pty Ltd.
2. Delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the *Local Government Act 2009 (Qld)*, the power to negotiate and finalise the trustee lease on behalf of the Trustee (including by signing necessary documents on behalf of the Trustee).

Moved: Cr T. Sibley

Seconded: Cr G. Bulsey

Carried

Resolution LT.2025-120

Item 5.2 Trustee Lease to Roman Catholic Trust Corporation (Child Care Centre)

Council considered a proposal from the Roman Catholic Trust Corporation to continue operating a childcare centre at 261 Park Road - Lot 257 SP273615, Park Road, Palm Island.

Trustee resolves to:

1. Grant a trustee lease to the Roman Catholic Trust Corporation for the Diocese of Townsville for the operation of a childcare centre at 261 Park Road, more particularly described as Lot 257 on SP 273615 on the following terms:
 - a. for a term of six (6) months with a six (6) month option commencing on 15 June 2025;
 - b. commencing rent of \$36,031.63 per annum plus GST on a pro rata basis;
 - c. subject to 4% annual increase, and otherwise in accordance with the Land Trust standard lease documentation.
2. Delegate to the Chief Executive Officer, pursuant to section 257(1)(b) of the *Local Government Act 2009*, the power to negotiate and finalise the trustee lease on behalf of the Trustee (including by signing necessary documents on behalf of the Trustee).

Moved: Cr T. Sibley

Seconded: Cr E. Oui

Carried

6. Confidential Matters

Resolution LT.2025-121

Item 6.1 Closed Session

In accordance with section 84(1)(b) of the Local Government Act 2009 (Qld) and section 275(1)(e) of the Local Government Regulation 2012 (Qld), Council resolved to enter a closed session to receive legal advice and consider matters relating to trustee lease arrangements.

Moved: Cr M. Oui

Seconded: Cr G. Bulsey

Carried

Resolution LT.2025-122

Item 6.2 Return to Open Session

Council to return to open session.

Moved: Cr T. Sibley

Seconded: Cr M. Oui

Carried

7. Notices of Motion

Nil.

8. Next Meeting

The next Land Trust Meeting is scheduled to be held on Wednesday, 24th September 2025.

9. Closure of Meeting

There being no further business, the Mayor declared the meeting closed at 10:38am.

3.2 Business Arising from Previous Minutes 30th July 2025

Item	Res Ref	Title	Resolution Text (as adopted)	Update / Status

9.1	LT.2525-96	Brayden Nallajar Family Camp Permit – 3-year application	Held in abeyance; direction for Cr Sibley and CEO to discuss with applicant and report back to June Meeting.	Item held in abeyance. Discussion pending. Included in coordination request to John Coyle.
9.1(a)	LT.2025-100	Proposed Lease – Anglican Diocese	Council to write to Diocese re: 333A Gribble Street; lease contingent on new church facility. CEO delegated to act.	No response received. Diocese in administration. Advice given at August Land Trust.
9.1(b)	LT.2025-101	Family Camp Permits	Council noted report; CEO to arrange workshop with Preston Law and request tenure analysis from DATSIP.	CEO contacted John Coyle. Awaiting confirmation.
9.1(c)	LT.2025-102	Lease – Ron Geia Jnr (Old Jail)	Lease granted for 2 years; 6 months rent-free; \$250/month thereafter. CEO delegated to finalise.	Amended lease sent to Andrew Jackson (19 Aug). Awaiting rates component.
9.1(d)	LT.2025-103	Withdrawal – Deniece Geia Lease	Council to write to Deniece Geia; if no response by 30 Aug, lease withdrawn. CEO delegated to act.	A letter was prepared on 4 July 2025 in accordance with Council resolution, inviting Ms. Geia to complete the lease for 67A Sibley Lane. The letter was not sent, and as a result, Ms. Geia did not respond by the 30 August deadline.. Further report to this meeting to approve extension of date for response.
9.4	LT.2025-109	Land Transfer – PIASC & Dept of Housing	Council resolved to proceed.	Preston Law is not properly briefed. Status unclear.
9.5	LT.2025-110	Bistro Lease Amendment	Lease amended: 10% requirement removed; lease reduced to \$85,000 incl. GST; turnover rent removed. Sublease to be finalised.	Form 13 sent (24 July). Concerns raised re: food service and liquor license.
9.8	LT.2025-113	99-Year Lease – Telstan Sibley	Application to be sent to John Coyle; RLIPRO to assist.	Sent to John Coyle. RILIPO engagement initiated via Gerhard Visser. Awaiting guidance.
9.9	LT.2025-114	Yard Extension – Telstan Sibley	Review social housing lease; CEO to engage Dept of Housing; formal request to be submitted.	Request for departmental guidance issued.

9.1	LT.2025-115	99-Year Lease – Obadiah Geia Jnr & Snr	Council noted lease is for 30 years. Acting CEO to undertake due diligence and prepare business case request.	Lease review underway. Dept of Housing engagement pending. Included in coordination request.
5.2	LT.2025-120	Trustee Lease – Roman Catholic Trust (Childcare Centre)	Lease granted for 6 months + 6-month option; rent \$36,031.63 p.a. + GST; 4% annual increase. CEO delegated to finalise.	Draft lease sent to CEO for review (3 Sept).

4. Reports

Nil

5. Matters for Decision

5.1 Negotiations with Ronald and Deniece Geia

ITEM NO:	5.1
REPORT NAME:	Lease Negotiations – Deniece Geia
MEETING:	Land Trust Meeting
DIRECTORATE:	Office of the CEO
AUTHOR:	Jessie-Mae Laczik, Governance Officer
DOC ID:	PIASC-2025-OCM-5.1
APPROVER	Emma Bradbury, <i>Interim</i> CEO

EXECUTIVE SUMMARY

Council is asked to consider extending the response deadline for the proposed lease at 67A Sibley Lane (Lease AE in Lot 276 on SP273615), as the original letter to Deniece was not sent and no formal notification was received. To ensure fairness and provide an opportunity for engagement, it is recommended that the deadline be extended to 20 October 2025 and that the letter be reissued, allowing the Land Trust to progress this longstanding matter.

OFFICER'S RECOMMENDATION

That Council:

1. Notes the letter was not dispatched as per Resolution LT.2025-103.
2. Approves an extension of the response deadline to **20 October 2025**.
3. Authorises the CEO to reissue the letter confirming interest in the lease.

BACKGROUND AND PREVIOUS COUNCIL CONSIDERATIONS

A lease offer for 67A Sibley Lane was previously made following Council resolution, with instructions to confirm the recipient's interest by 30 August 2025. The letter was prepared but not sent, and the recipient did not receive formal notification. The premises remain vacant and the lease unsigned.

REPORT

The Land Trust has an ongoing interest in finalizing the lease for this property. Due to the administrative delay, extending the deadline and reissuing the letter will provide a fair opportunity for the recipient to respond and allow Council to resolve the matter in line with previous intentions.

IMPLICATIONS/RISK

Benefits:

- Ensures procedural fairness and transparency.
- Provides an opportunity to resolve a longstanding vacancy.

Risks:

- Further delay may impact Council's ability to utilise the premises if not resolved.

a. BUDGET IMPLICATIONS

No additional budget is required at this stage.

b. POLICY IMPLICATIONS

Supports Council's commitment to fair and transparent land management.

LINKS TO CORPORATE/OPERATIONAL PLAN

Supports strategic objectives for land use and community asset management.

CONSULTATION

Internal: Interim CEO

External: Preston Law

CONCLUSION

Extending the response deadline and reissuing the letter will allow Council to progress the lease negotiations for 67A Sibley Lane and resolve this matter in accordance with Land Trust responsibilities.

ATTACHMENTS

Nil

6. Confidential Matters

6.1 Closed Session (if applicable under s84(1) of the Local Government Act 2009 (Qld))

That Council resolves, in accordance with section 84(1)(b) of the *Local Government Act 2009 (Qld)* and section 275(1)(c) of the *Local Government Regulation 2012 (Qld)*, to enter a closed session to consider:

1. A legal dispute involving the Trustee Council, which requires consideration of legal advice and associated risks, and where disclosure may compromise legal strategy and confidentiality; and
2. A matter deemed Cabinet-in-Confidence, involving confidential information that, if publicly disclosed, could prejudice the interests of the local government or the State.

6.2 Return to Open Session

Land Trust to return to open session.

7. Notices

7.1 Notices of Motion

7.2 Questions on Notice

7.3 Community Correspondence

8. Next Meeting

The next Ordinary Council Meeting is scheduled for 29th October 2025.

9. Closure

There being no further business, Mayor declared the meeting closed at 11:00am.