



TORRES STRAIT ISLAND REGIONAL COUNCIL

DRAFT ORDINARY COUNCIL MEETING

18 July 2023

**ORDINARY COUNCIL MEETING MINUTES
18 JULY 2023**

PRESENT:

Cr Phillemon Mosby, Mayor
Cr Torenzo Elisala, Division 2 – Dauan
Cr Conwell Tabuai, Division 3 – Saibai (*Teams dial in*)
Cr Keith Fell, Division 4 - Mabuiag
Cr Lama Trinkoon, Division 6 – Arkai
Cr John Levi, Division 7 – Wug (St. Pauls)
Cr Seriako Dorante, Division 8 – Kirirri (Hammond)
Cr Kabay Tamu, Division 10 – Warraber
Cr Francis Pearson, Division 11 – Poruma
Cr Rocky Stephen, Division 13 – Ugar
Cr Jimmy Gela, Division 14 – Erub
Division 15 – Mer was not represented

PRESENT:

Mr James William, Chief Executive Officer
Ms Hollie Faithfull, Executive Director Financial Services
Mr David Baldwin, Executive Director Engineering Services (*Teams dial-in*)
Mr Wayne Green, Executive Director Building Services
Mr Dawson Sailor, Head of Community Services
Mr David Kempton, Acting Executive Director Corporate Services (*Teams dial-in*)
Ms Julia Mauro, Senior Legal Officer (*Teams dial-in*)
Ms Julie Marino, Senior Executive Assistant to the Chief Executive Officer
Ms Trudy Lui, Executive Assistant to the Mayor
Mr Darryl Brooks, Secretariat Officer

APOLOGIES:

Cr Dimas Toby, Division 1 - Boigu
Cr Getano Lui (Jnr), Deputy Mayor Division 9 – Iama
Cr Hilda Mosby, Division 12 – Masig

1. **Welcome**

Our Mayor Mosby formally opened proceedings for the July 2023 Ordinary Meeting at 10.30am.

The Mayor also welcomed Ms Angela Toreenbeck from the community who is a public observer at Council's deliberations today.

Attendance

Mayor Mosby completed a roll call of Councillors to establish a Quorum. A Quorum was achieved.

2. **Apologies**

The following apologies were noted:

- Cr Dimas Toby, Division 1 – Boigu (TSRA Portfolio commitments)
- Cr Getano Lui (Jnr), Deputy Mayor, Division 9 -Iama (medical reasons)
- Cr Hilda Mosby, Division 12 – Masig (medical reasons)

Council noted that **Cr Laurie Nona** was not in attendance for the July 2023 Trustee Meeting. Mayor Mosby commented that Cr Laurie Nona's non-attendance was deemed "special circumstances" and will be discussed during Council's Ordinary Meeting to follow.

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Torenzo Elisala

That Council accepts the apology for Cr Dimas Toby, for the July 2023 Ordinary Meeting.

MOTION CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Torenzo Elisala; Second: Cr Kabay Tamu

That Council accepts the apology for Cr Getano Lui (Jnr), for the July 2023 Ordinary Meeting.

MOTION CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Rocky Stephen

That Council accepts the apology for Cr Hilda Mosby, for the July 2023 Ordinary Meeting.

MOTION CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Torenzo Elisala; Second: Cr Keith Fell

That Council approves the payment of the Monthly Meeting Allowance for the accepted apologies.

MOTION CARRIED UNANIMOUSLY

3. **Conflict of Interest (COI) - Declarable/Prescribed**

Mayor Mosby requested that members make any relevant conflict of interest declarations and advise if any relevant legal proceedings were current pertaining to Council business to be considered at the meeting. No such declarations were made.

4. **Confirmation of Previous Minutes of Council Ordinary Meeting of 27-28 June 2023**

RESOLUTION

Moved: Cr Francis Pearson; Second: Cr Jimmy Gela

That Council resolves to accept the minutes of the Council Ordinary Meeting of 27-28 June 2023, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUSLY

5. **Ratification of Economic Growth Committee Meeting Minutes of 9 May 2023**

RESOLUTION

Moved: Cr Jimmy Gela; Second: Cr Francis Pearson

That Council resolves to accept the minutes of the Economic Growth Committee Meeting of 9 May 2023 to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUSLY

6. **Action Items from Previous Meetings**

The Chief Executive Officer provided the Council with a verbal update on action items from the Ordinary Meeting held on 27-28 June 2023.

A summary of the update on action items is provided is at Attachment A.

Council noted this report and its content.

7. **Mayor Report**

RESOLUTION

Moved: Cr Jimmy Gela; Second: Cr Francis Pearson

That the Mayor's Report be noted.

MOTION CARRIED UNANIMOUSLY

8. **Chief Executive Officer Report (verbal)**

Chief Executive Officer begun his Report by stating that financial sustainability continues to be a strong point on our agenda and a lot is happening in the background, particularly looking at our costs and revenue. The Executive Director Financial Services and myself have observed that whilst our operating costs have remained consistently steady over a number of years, however, our revenue is shrinking and this is a source of concern as we do not have a guaranteed source of revenue coming through the door. We are exploring all avenues to reduce costs and increase our funding income and more recently we have focused on fuel and energy options.

On more strategic matters, Council's last meeting endorsed that we enter into formal commitments (exclusive period) with Mirabou Energy and to work through the Heads of Agreement.

Simultaneously, we are finalising arrangements to enter into similar formal commitments (exclusive period) with iOR in relation to fuel opportunities in the region and a paper will be submitted to Council in the near future on this matter.

ENGINEERING SERVICES: We continue to focus on completing the backend work with what funds are currently available.

CORPORATE SERVICES: Strategic recruitment is ongoing to fill vacancies in key areas such as communications and media.

BUILDING SERVICES: Executive Director Building Services is working very strategically to evolve BSU so that the business is a more commercial as a source of income for Council. It can lose money if it is not cost efficient and it can make money if it is cost efficient.

COMMUNITY SERVICES: The housing consultation process continues to be a focus priority and that portfolio has been working constructively with the BSU in this area.

Pleased to note that Skytrans has recommenced operations to Mabuiag, Erub and all regular flights in the region following approval from the Civil Aviation Safety Authority (CASA). The CEO thanked all Councillors for advocating the return of these services, particularly our Mayor Mosby and Councillors Keith Fell and Jimmy Gela. The Chief Executive officer is also encouraged to see the commitment of Skytrans to the people and the region in the way it also advocated and worked very closely with CASA to resolve issues.

Queensland Police Service (QPS): As the Mayor mentioned in his report, the outreach by Queensland Police Service is very encouraging. Their training facility in our region is the very first one established outside of Brisbane. This is a very positive outcome because it will allow our people to train and transition into the police force without having to leave their community. The Queensland Police Service will also pilot the use of body cameras and associated technology during training in the community as part of a research project to improve use of that technology. The Torres Strait has been chosen for this pilot because Queensland Police Service have noted that our people have a great respect for the work of the police force.

Cr Keith Fell advised that Queensland Police Service were in the process of contacting some TSIRC Divisions to organize visits.

Cr Seriako Dorante requested clarification around the location of the Community Police Liaison Officer for Kirirri (Hammond) – currently based on Thursday Island, not on Kirirri.

ACTION: Chief Executive Officer to write to QPS regarding the issue of the Community Police Liaison Officer position for Kirirri (Hammond) being located on Thursday Island, rather than on Hammond Island.

The Chief Executive Officer noted that initiatives such as those of the Queensland Police Service are an indication of the trust relationships we have with a number of government agencies in our community who want to work with us.

HEALTH REFORM: The recent publicity about the need for health reform in our region has been a matter for the Mayor and Councillors to advocate as the political leaders in the region. From the administration side, we need to maintain a level of independence on the issue, however we pursue the advice appropriate to support the Mayor and the Council to make the right decisions for our community.

On a related health matter, Cr Keith Fell noted that the inoperable Community Enterprise Queensland (CEQ) cargo ship is decaying and poses an environmental health risk for the community. In addition, this raises the ongoing issue of freight subsidies.

ACTION: Executive Director, Corporate Services to provide Council with an update on the status of a breakdown of the Freight Subsidy issues and funding identified following the Cost of Living Summit.

9. **COMMUNITY SERVICES: Domestic & Family Violence Action Plan**

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Lama Trinkoon

That Council adopts the Domestic & Family Violence Action Plan and Implementation Plan.

MOTION CARRIED UNANIMOUSLY

10. **CORPORATE SERVICES: Project Recommendations – Growing Regions Program Round One**

RESOLUTION

Moved: Cr Francis Pearson; Second: Cr Jimmy Gela

That Council resolves to:

- **Proceed with an application for funding through Round One of the Growing Regions Program as per Option 3 of the project recommendations outlined in this report; and**
- **Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to approve, finalise and execute any and all matters in relation to this funding application.**

MOTION CARRIED UNANIMOUSLY

11. **Community Grants Program Allocation - July 2023**

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Francis Pearson

Council resolves to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:

- **Saint Saviour Church, Boigu Island, for the eligible amount of \$5,000.00, exclusive of GST.**

MOTION CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Lama Trinkoon; Second: Cr Keith Fell

Council resolves to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:

- **Mulga Football Team for the eligible amount of \$5,000.00, exclusive of GST.**

MOTION CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Francis Pearson; Second: Cr Jimmy Gela

Council resolves to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:

- **White Dove Ministry, Saibai Island, for the supported amount of \$5,000.00, exclusive of GST.**

MOTION CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Jimmy Gela

Council resolves to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:

- **St James Anglican Church, Mer Island, for the eligible amount of \$2,000.00, exclusive of GST.**

MOTION CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Lama Trinkoon; Second: Cr John Levi

Council resolves to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:

- **Mokathani Lui for the eligible amount of \$640.00, exclusive of GST.**

MOTION CARRIED UNANIMOUSLY

- *Cr Rocky Stephen declared a conflict of interest in relation to the following application and left the meeting prior to commencement of discussion.*

RESOLUTION

Moved: Cr Lama Trinkoon; Second: Cr Francis Pearson

Council resolves to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:

- **Bob Modee for the eligible amount of \$2,500.00, exclusive of GST.**

MOTION CARRIED UNANIMOUSLY

- *Cr Rocky Stephen rejoined the meeting at the conclusion of the above recommendation.*

12. CORPORATE SERVICES: Funding Acquisition Report

RESOLUTION

Moved: Cr Francis Pearson; Second: Cr Jimmy Gela

That Council resolves to note this report and its content.

MOTION CARRIED UNANIMOUSLY

13. ENGINEERING SERVICES: Funding Matter – Building Our Regions Round 6 – Planning Projects

RESOLUTION

Moved: Cr Jimmy Gela; Second: Cr Keith Fell

Council resolves to:

- **Enter into the proposed funding agreement, to complete the Building Our Regions Round 6 (BoR Rnd 6) - Planning, administered by the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) for the total grant sum of \$260,000.00 (excl. GST); and**
- **Pursuant to Section 257 of the *Local Government Act 2009*, to delegate authority to the Chief Executive Officer:**
 - **power to make, amend or discharge the funding agreement; and**
 - **power to negotiate, finalise and execute all matters associated with or in relation to this funding agreement including without limitation any options and/or variations.**

MOTION CARRIED UNANIMOUSLY

14. Financial Dashboard Report – June 2023

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Francis Pearson

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2022-23 year to date, for the period ended 30 June 2023, as required under *Section 204 Local Government Regulation 2012*.

MOTION CARRIED UNANIMOUSLY

15. MOVE INTO CLOSED BUSINESS
RESOLUTION

Moved: Cr Kabay Tamu; Second: Cr Conwell Tabuai

That in accordance with Section 254J of the *Local Government Regulation 2012 (Qld)* it is resolved for the meeting to move into Closed Business to discuss the following agenda items:

16. **BUILDING SERVICES: Contractual Matter – Poruma Community Roof Replacement Project:**
Work Package 1 - TSIRC 2023 - 438 - Community Hall
Work Package 2 - TSIRC 2023 - 437 - Staff Accom
Work Package 3 - TSIRC 2023 - 436 - Gazebos
17. **BUILDING SERVICES: Contractual Matter – Lot 155 Pedro, 158 Pedro, 181 Kubin, 168A Access Rd, 168B Access Road, 168C Access Road, St Pauls – Driveway/Carport Upgrade**
18. **BUILDING SERVICES: Contractual Matter – Lot 12 Map Street and Lot 13 Map Street, Mabuiag – Home Ownership Works**
19. **BUILDING SERVICES: Contractual Matter – Lot 12 Dans Road, 13 Dans Road, 26 Charlies Road, 90 Lawrences Road, Yorke – Home Ownership Works**
20. **BUILDING SERVICES: Contractual Matter – Lot 26A Main Road and Lot 69 Main Road, Saibai – Home Ownership Works**
21. **ENGINEERING SERVICES: Award Tender No. TSIRC 2022-362 Marine Initiatives – Separable Portion A – St Pauls Community Barge Ramp Remedial Works**
22. **ENGINEERING SERVICES: Award of Contract – Ghost Nets Innovative Solution Program – Torres Strait Marine Debris Task Force**
23. **ENGINEERING SERVICES: Fuel Update**
24. **ENGINEERING SERVICES: Award a Purchase Order for Masig Aerodrome Fencing Materials**
25. **CORPORATE SERVICES: (** Restricted Discussion **) Councillor Conduct Complaint**

MOTION CARRIED UNANIMOUSLY

Note: Mayor Mosby declared a conflict of interest for Agenda Item 25.

26. MOVE OUT OF CLOSED BUSINESS

RESOLUTION

Moved: Cr Lama Trinkoon; Second: Cr Rocky Stephen

That Council resolves to move out of closed business and resume in open business.

MOTION CARRIED UNANIMOUSLY

27. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED BUSINESS

- *The Mayor requested that all staff (excluding the Chief Executive Officer, the Executive Director Corporate Services and the Senior Legal Officer Legal Services) to leave the meeting during discussion of Agenda Item 25). The Mayor also excused himself from the meeting during this discussion.*
- *Cr Rocky Stephen assumed the Chair at 2.35pm for discussion of Agenda Item 25, in the absence of Mayor Mosby.*
- *Mayor Mosby resumed the Chair at 2.45pm.*

16. BUILDING SERVICES: Contractual Matter – Poruma Community Roof Replacement Project:

Work Package 1 - TSIRC 2023 - 438 - Community Hall

Work Package 2 - TSIRC 2023 - 437 - Staff Accom

Work Package 3 - TSIRC 2023 - 436 – Gazebos

RESOLUTION

Moved: Cr Torenza Elisala; Second: Cr Rocky Stephen

That Council resolves to:

- Award Tender No.
TSIRC 2023 - 438 – Community Hall
TSIRC 2023 - 437 – Staff Accommodation
TSIRC 2023 - 436 – Gazebos
to Paul Ware Constructions Pty Ltd for an amount of up to \$499,040.00 excl. GST; and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer power to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUSLY

ACTION: Executive Director Building Services to brief the next Council meeting on upcoming proposed Capital Works projects.

17. BUILDING SERVICES: Contractual Matter – Lot 155 Pedro, 158 Pedro, 181 Kubin, 168A Access Rd, 168B Access Road, 168C Access Road, St Pauls – Driveway/Carport Upgrade

RESOLUTION

Moved: Cr Francis Pearson; Second: Cr Jimmy Gela

That Council resolves to:

- Award Tender No. TSIRC 2023_539 – Driveway Carport Upgrade to Strait Support Pty Ltd for an amount of up to \$599,235.00 excl. GST; and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer power to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUSLY

18. **BUILDING SERVICES: Contractual Matter – Lot 12 Map Street and Lot 13 Map Street, Mabuiag – Home Ownership Works**

RESOLUTION

Moved: Cr Jimmy Gela; Second: Cr Torenzo Elisala

That Council resolves to:

- Award Tender No. TSIRC 2023_483 – Home Ownerships x 2 to Paul Ware Constructions Pty Ltd for an amount of up to \$663,026.07 excl. GST; and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer power to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUSLY

19. **BUILDING SERVICES: Contractual Matter – Lot 12 Dans Road, 13 Dans Road, 26 Charlies Road, 90 Lawrences Road, Yorke – Home Ownership Works**

RESOLUTION

Moved: Cr Kabay Tamu; Second: Cr Lama Trinkoon

That Council resolves to:

- Award Tender No. TSIRC 2023_484 – Home Ownerships x 4 to TI Concrete for an amount f up to \$1,454,931.37 excl. GST; and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer power to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUSLY

20. **BUILDING SERVICES: Contractual Matter – Lot 26A Main Road and Lot 69 Main Road, Saibai – Home Ownership Works**

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Rocky Stephen

That Council resolves to:

- Award Tender No. TSIRC 2023_525 – Home Ownerships x 2 to Paul Ware Constructions Pty Ltd for an amount of up to \$698,889.17 excl. GST; and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer power to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUSLY

ACTION ITEM: Future briefings to include the full names of property owners to assist Councillors to avoid potential conflict of interest breaches.

21. **ENGINEERING SERVICES: Award Tender No. TSIRC 2022-362 Marine Initiatives – Separable Portion A – St Pauls Community Barge Ramp Remedial Works**

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Torenzo Elisala

That Council resolves to:

- Award the Tender No. TSIRC2022-362 Marine Initiatives – Separable Portion A - St Pauls Community Barge Ramp Remedial Works to Koppens Developments Pty Ltd for an amount of up to \$1,827,542.02 excl. GST; and
- Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUSLY

22. **ENGINEERING SERVICES: Award of Contract – Ghost Nets Innovative Solution Program – Torres Strait Marine Debris Task Force**

RESOLUTION

Moved: Cr Francis Pearson; Second: Cr Jimmy Gela

That Council resolves to:

- Approve the Purchase Order for the Marine Debris Task Force to Salty Monkeys to the amount of \$307,000.00 excl. GST; and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer:
 - power to make, amend or discharge these Purchase Orders, and
 - power to negotiate, finalise and execute any and all matters associated with or in relation to these Purchase Orders including without limitation any options and/or variations.

MOTION CARRIED UNANIMOUSLY

23. **ENGINEERING SERVICES: Fuel Update**

RESOLUTION

Moved: Cr Lama Trinkoon; Second: Cr Keith Fell

That Council notes the report.

MOTION CARRIED UNANIMOUSLY

24. **ENGINEERING SERVICES: Award a Purchase Order for Masig Aerodrome Fencing Materials**

RESOLUTION

Moved: Cr Keith Fell; Second: Cr Torenzo Elisala

That Council resolves to:

- Prepare a Tender Consideration Plan; and
- Adopt the Tender Consideration Plan; and
- Upon finalisation of funding agreement and adoption of the tender consideration plan, approve the Purchase Order for the Masig Aerodrome Fencing Materials to Arnel Fencing Warehouse Pty Ltd for an amount of and up to \$266,231.11 excl. GST; and
- Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUSLY

25. **CORPORATE SERVICES: (** Restricted Discussion **) Councillor Conduct Complaint**

RESOLUTION

Moved: Cr Lama Trinkoon; Second: Cr Rocky Stephen

Council resolves to:

- accept the investigator's finding that Cr Hilda Mosby engaged in inappropriate conduct during the course of a heightened interaction between Cr Mosby and a staff member in March 2022; and
- accept the investigator's conclusion that Cr Hilda Mosby has breached the Queensland Government Code of Conduct for Councillors in Queensland; and
- remind Cr Hilda Mosby of her obligations under the Code of Conduct for Councillors in Queensland; and
- order Cr Hilda Mosby to review and refresh her knowledge of the Code of Conduct for Councillors in Queensland.

MOTION CARRIED UNANIMOUSLY

ACTION: Executive Director Corporate Services/Legal Services to complete appropriate action for this resolution.

28. **CLOSE – DAY 1**

Day 1 Meeting closed at 5.10pm. Cr Francis Pearson delivered the closing prayer.

29. (Day 2) Welcome / Attendance

The Mayor opened the meeting at 9.05am and welcomed Councillors and Staff. Cr Keith Fell delivered the opening prayer.

30. DEPUTATION: State Emergency Service (SES) St Pauls

Ms Eunice Hosea, Local Community Disaster Coordinator for the TSIRC, lead discussion with Council on local safety issues. Ms Hosea was accompanied by Mr Scotty Ronson, also a member of the SES on St Pauls.

Ms Hosea provided an overview of the operations of the SES on St. Pauls. Ms Hosea also alerted Council to the following needs of the local SES:

- all SES tools and equipment are currently being stored in the old TSIRC workshop, but the local SES needs to have its own facility.
- SES **vehicle** had to be surrendered to Mareeba SES due to lack of storage space to house the vehicle.

Ms Hosea concluded her presentation with a request made to Council to assist in securing storage shed.

The Mayor indicated that Council will look at the terms of the current contract with a view to addressing the needs of the local SES on St. Pauls.

Cr John Levi and Cr Lama Trinkoon acknowledged the importance of the local SES as first-responders in both communities, along with the reassurance that their presence on Moa brings to both communities.

31. DEPUTATION (via Microsoft Teams): Interim Truth and Treaty Body (ITTb)

Mr Aaron Fa'Aoso, Board Member of the ITTB, thanked the Council for the opportunity to meet with Council and advised that the Chairperson of the ITTB (Ms Cheryl Buchannan) would lead discussion by the deputation.

Other ITTB participants included:

- Ms Sallyanne Atkinson AO
- Emeritus Professor the Hon. Michael Lavarch AO

Ms Buchannan's delivery provided Council with:

- background information on the ITTB;
- background information on Truth Telling; and
- background information on Treaty Readiness.

32. BUSINESS ARISING

Celebrations for the Anniversary of the first Torres Strait Island Councillors' Conference (23 August) - (Mayor Mosby)

The Mayor proposed to Council that celebrations on 23 August 2023 for the Anniversary of the first Torres Strait Island Councillors' Conference be observed locally with individual Councillors to host an event, rather than proceed with a joint major celebration on Badu. The proposal to host individual events this year would expedite community understanding and acceptance of the Masig Statement across the Torres Strait region. In addition, hosting individual events across the TSIRC footprint would assist in the following ways:

- Raising awareness of the history of the first Torres Strait Island Councillors' Conference on 23 August 1937;

- Get collective agreement by leaders, elders, church groups, community organisations, etc. on the Masig Statement;
- Get the Masig Statement signed off by the community;
- Nominate 4 community champions for the Masig Statement from each Island community (2 elders and two youth representatives each). As far as possible, have a male and female representative for both categories. Depending on funds availability, bring these representatives together to establish a Masig Statement Taskforce/Working Group. This proposed Taskforce will develop its terms of reference and then ensure that the Masig Statement is being driven as the will of the community, rather than be seen as the ambition of any elected organisation or any institution.

Cr Keith Fell enquired about where funds can be sourced to print shirts with local colours. The Executive Director Financial Services advised Council that Community Grant Funds could be accessed out of cycle.

Executive Director Community Services has been in contact with the Torres Strait Regional Authority (TSRA) in relation to the proposed changes. The TSRA will need to be formally advised of the proposed changes as soon as possible.

RESOLUTION

Moved: Cr Torenzo Elisala; Second: Cr Keith Fell

Council resolves that celebrations on 23 August 2023 for the Anniversary of the first Torres Strait Island Councillors' Conference be observed locally with individual Councillors to host an event, rather than proceed with a joint major celebration on Badu.

MOTION CARRIED UNANIMOUSLY

ACTION ITEM : Executive Director Corporate Services to draft a proposed terms of reference for the Masig Statement Taskforce/Working Group to define and endorse.

ACTION: Mayor Mosby to write to the Torres Shire Council, the Torres Strait Regional Authority, GBK and local PBCs inviting these representatives to join local celebrations on 23 August 2023.

ACTION: Executive Director Community Services to prepare formal notification to the Torres Strait Regional Authority (TSRA) in relation to the proposed changes to the existing funding terms and conditions in relation to this year's celebrations on 23 August 2023 for the Anniversary of the first Torres Strait Island Councillors' Conference.

ACTION: Mayor Mosby and Executive Director Community Services to prepare materials for Divisions including:

- Banners, posters, pamphlets, Masig Statements (A3 size);
- Develop a draft Program to send to Councillors for the event, which can also be adjusted to suit local needs;
- Media materials (Video/DVD featuring an address by the Mayor, which can be played on the day of the event). This will ensure that there is consistent messaging across the TSIRC footprint to keep the community unified and equally informed on the Masig Statement;
- Consider arrangements to encourage schools/children to re-enact the 23 August 1937 event;
- Individual's celebrations to be held in each community;
- Individuals budget for divisional celebrations to be determined and communicated to Councillors and staff;
- Risk management plans for individuals' celebrations;
- Promotional merchandise for all divisions – quotes obtained;
- Shirt designs to be confirmed and quotes to be obtained;
- Community grant applications to be submitted;

- Communication & Media strategy for the event – pre, during and post event
- Filming of Mayor's speech
- Confirmation of division to be able to air Mayor's speech and key presenters presentations
- Draft template/agenda for day proceeding
- Determine if additional resources for communities with limited staff
- Engagement with key stakeholders ie PBC
- Invitation to key presenters to present via zoom
- Draft terms of reference/plan for the interim Masig Statement Taskforce
- Nominations for interim Masig Statement Taskforce (two from each community with proxies)
- Kids to role play (re-enactment)/Speeches from School captains
- Draft speaking notes for Councillors on key points re Masig Statement
- Allocate key tasks to relevant staff members ie photos/video to feed into media/communication strategy
- Ministers/Member for Cook/ Senate support for sponsorship ie video/blog/ Face Book/ Social Media posts
- Live streaming of event so people can join in
- Invitations to TSRA/PBC etc from Mayor
- IKC to set up a mobile exhibition – stories/pictures etc

Lunch Break – 1.00pm to 2.00pm

33. STRATEGIC MATTERS

1. Health Matters

Mayor Mosby discussed correspondence sent to the Queensland Premier on 30 May 2023 (jointly signed by the TSRA Chair and the Mayors of the Torres Shire Council and the TSIRC) calling for an inquiry in relation to the delivery of health services to the Torres Strait region.

The Queensland Minister for Health replied on behalf of the Premier on 9 June 2023 and committed to visiting the Torres Strait to meet to discuss healthcare for the region.

Mayor Mosby advised Council that a follow-up letter from the Queensland Minister for Health was sent on 10 July 2023 to the three Shire Councils and the TSRA, however, both Mayor Mosby and Chief Executive Officer, Mr James William did not see this letter.

A meeting was held on Thursday Island on 12 July 2023 and was attended by all three Shire Councils, the TSRA, Torres Strait Hospital and Health Service Board and representatives from the Torres and Cape Hospital and Health Service Executive. The purpose of this meeting was to examine the three options presented in the Queensland Minister for Health correspondence dated 10 July 2023.

The Torres Shire Council had already stated its position on the three options in a letter dated 11 July 2023 to the Queensland Minister for Health. Mayor Mosby expressed his concern that this letter may imply upon the Queensland Government that the Torres Shire Council position is the agreed position of all three Shire Councils.

Mayor Mosby advised Council that he was denied speaking rights at the meeting held on Thursday Island on 12 July 2023, having tried to raise concerns on two or three occasions.

Mayor Mosby indicated to Councillors that he has advised the Queensland Minister for Health that he reserves the right to speak as the TSIRC Mayor until he has had ample time to engage with the full TSIRC Council and to receive feedback from TSIRC Councillors on our appropriate method/model to undertake this review, including what we want to happen in the short-medium term, or do we wait for a Royal Commission which may take 2-3 years. Mayor Mosby also indicated that he has also stated this position to the media and via his Facebook page.

Mayor Mosby stated that the Torres Shire Council only advised the meeting 10 minutes prior to the Minister's arrival of their position outlined in the Shire's letter dated 11 July 2023 and that they would be pushing this approach as the preferred position for the whole region.

Cr Rocky Stephen referred Council to the TSRA-sponsored Health Summit/Symposium held in Cairns. Councillors indicated that they do not recall receiving any feedback from that Summit.

Mayor Mosby advised Council that adoption of the Torres Model of Care failed in the past because of either misinterpretation/misunderstanding of the concept at the time.

Yes, we want a Royal Commission in order to compel health providers to be open and transparent and to further compel the Australian and Queensland Governments to take immediate action and to provide adequate funds and resources (long-term) to redress the unacceptably dire health needs of the Torres Strait region.

In the interim, we wish to alleviate the anxiety, duress and frustration of our people throughout the region by calling on and working positively with the Queensland and Australian Governments to urgently and adequately fund an Independent Inquiry (separate from Government) to explore a culturally appropriate model that is wholly community-controlled. This must involve a well-designed community consultation process across the length and breadth of the Torres Strait region.

What is immediately clear is the lack of general health practitioners in residence on communities, as well as support facilities and funding for general health practitioners. General health practitioners play an important role in preventative health care.

Cr Keith Fell recommended that Council endorse calls for a Service Audit required for all services being provided for the Torres Strait region. This Service Audit must be independent from Government. Mayor Mosby recommended that Cr Keith Fell place this matter on the agenda for the next meeting of the Housing and Safe and Healthy Communities Committee, with a view to formulating a recommendation to Council, supported by SARG.

2. Badu Matters

Mayor Mosby advised Council that he has received a letter of resignation from Cr Laurie Nona and has now sought advice on a way forward in relation to the vacancy.

34. General Matters

1. Mer Matters

Mayor Mosby advised that he is monitoring and making enquiries in order to clarify progress in relation to Cr Aven S. Noah to alleviate both TSIRC staff and community concerns about the absence of TSIRC community leadership.

2. Gold Coast Garbage Trucks

Chief Executive Officer gave a brief update on Gold Coast Garbage Trucks.

3. Feral Horses – Kubin and St Pauls

Cr John Levi spoke about the problem of the feral horses – Kubin and St Pauls.

ACTION ITEM : Executive Director Community Services to draft correspondence to the Torres Strait Regional Authority (TSRA) to undertake a culling program of the feral horses on Kubin and St Pauls as they are a safety hazard.

4. Road Repairs on Moa

Cr John Levi requested Council to be mindful of the need for road repairs on Moa. Councillors and staff travelling to this meeting will have noticed the many potholes that need to be navigated daily by both communities. Cr Lama Trinkoon advised Council that he also fully supports Cr Levi's request.

5. Erub Unable to Host the December 2023 Ordinary Council Meeting

Cr Jimmy Gela advised Council that Erub will not be able to host the December 2023 Ordinary Council Meeting due to WHS issues in relation to the Island's only facility big enough to house the Council meeting. Cr Keith Fell expressed an interest in relation to Mabuia hosting that meeting, but will consult further with his Division before submitting a formal request to Council.

6. House Fire in Kubin Community

Cr Lama Trinkoon advised that there was a recent house fire in the community. The house (owned by the Queensland Department of Housing) was destroyed and will need to be rebuilt. In the meantime, the occupant of the former dwelling is being housed in TSIRC accommodation but is suffering anxiety as they have not yet received any assurances that they will be able to return to the property once a new dwelling has been built. The Chief Executive Officer gave a quick update on this matter and advised that he will discuss the matter further with the Executive Director Community Services, who in turn will update Cr Lama Trinkoon out of session.

ACTION: Executive Director Community Services will update Cr Lama Trinkoon out of session

7. Garbage/Waste Collection Vehicle for Moa

Cr Lama Trinkoon asked Council to urgently fund the purchase of a suitable vehicle for waste management as both communities on Moa Island are relying on a makeshift open trailer to hold waste collected. Cr Lama Trinkoon expressed his concern that in addition to hygiene issues, we are in breach of workplace health and safety issues for Council workers.

ACTION: Executive Director Engineering Services and Executive Director Community Services to explore short-term/long-term solutions.

8. Fuel Depot upgrade/repair for the ageing fuel infrastructure on Arkai

Cr Lama Trinkoon Fuel Depot upgrade /repair for the aging fuel infrastructure on Arkai (ie rust and leaking fuel).

ACTION: Executive Director Engineering Services to explore short-term/long-term solutions.

9. Satellite Dishes need replacing and Foxtel TV on Poruma.

Cr Francis Pearson reported that Satellite Dishes need replacing and Foxtel TV on Poruma.

ACTION ITEM : Technician – Foxtel/Digital. Electrician Mr Andy Allen to be contacted by Executive Director Building Services/Executive Director Community Services to address the situation on Poruma that the Satellite Dishes and Foxtel TV on Poruma need replacing.

10. Asset Condition Report

Cr Rocky Stephen requested that a funding request be made urgently with the Torres Strait Regional Authority (TSRA) to enable Council to undertake a detailed report on the state of deteriorating assets across the TSRA footprint and to identify the levels of funding required to replace those assets.

ACTION ITEM : Acting Executive Director Corporate Services to prepare relevant correspondence to the TSRA before 31 August 2023 (Cr Rocky Stephen is going to TSRA for the week of 5 September 2023 and will be able to meet with the TSRA Chief Executive Officer to advocate the request).

11. Hammond Island Ferry Service

Cr Seriako Dorante again requested that the Hammond Island Ferry Service be addressed to find a long-term solution for the community.

ACTION ITEM : Acting Executive Director Corporate Services to draft correspondence to Chief Executive Officer TSRA requesting funding for a feasibility study for the Hammond Island Ferry Service.

12. Solution for Power Outages on Moa

Power Outage on Wug – there was a power outage on Wug on the evenings of 18 and 19 July 2023. Cr John Levi asks for an alternative source of electricity supply St Pauls so the electrician will not have to travel to Kubin to address any further power outages. Cr Lama Trinkoon also supported Cr Levi's comments and requested improvements/solutions for both communities.

13. Alternative Location for Helicopter Landings on Oval at St. Paul's

Cr John Levi spoke of receiving letters of complaint from local, P&C and houses surrounding the helicopter pad on Wug - can we look for a more suitable place for the helipad.

ACTION ITEM : Executive Director Community Services to investigate a more suitable area for the Helipad on Wug that would not interfere (noise and distribution of dust and debris) with local school and surrounding houses.

14. Securing Unsafe Areas

As a general comment in relation to issues raised about unsafe areas:- buildings, roads, infrastructure etc on our Islands, Cr Keith Fell commented that until funds are provided to rectify these unsafe areas, Council's minimal responsibility and Duty of Care is to ensure the areas are fenced off and secured appropriately, along with proper signage in order to avert endangerment to the community.

15. Illegal Entrants

Cr Keith Fell reported to Council - Border Force Matter. Four suspicious people on Wagadagum, Mabuag - suspected drug smuggling. Border Force have been informed.

16. 2023 Christmas Cards

Cr Kabay Tamu asked that 2023 Christmas Cards be distributed well before November 2023. Noting that in 2022 the cards did not arrive to the Councillors until short before the Council Christmas break. Acting Executive Director Corporate Services has commenced preparation for this year's Christmas card edition for Council.

17. Revenue Matter

Cr Kabay Tamu also raised an issue about revenues to Council from individual Island that goes into Council's consolidated account – why can't those monies remain in an account for the originating island.

35. Next Council Meeting Date: TBC 15-16 August 2023 (VC)

Council noted that the current meeting date has previously been confirmed for 15-16 August 2023. However, in light of Council's decision at the July 2023 meeting in relation to Celebrations for the Anniversary of the first Torres Strait Island Councillors' Conference (refer Agenda Item 32 of this meeting), Mayor Mosby recommends that Council agree to hold its next meeting on 30-31 August 2023.

RESOLUTION

Moved: Cr Torenzo Elisala; Second: Cr Keith Fell

Council resolves to change the date of its Ordinary Meeting from 15-16 August 2023 to 30-31 August 2023 to allow Councillors time to coordinate and prepare their communities in the lead-up to this year's celebrations for the Anniversary of the first Torres Strait Island Councillors' Conference on 23 August 2023.

MOTION CARRIED UNANIMOUSLY

Closing Remarks and Prayer

Mayor Mosby thanked Councillors for their support and input to Council's deliberations during the past two days, and also thanked the Chief Executive Director, Executives and staff for their contributions. Mayor Mosby made a special mention of thanks to Council's travel officer for the extraordinary work undertaken to ensure that Councillors and staff were able to travel to and from the meeting during such a busy period of airline activity in the region.

Mayor Mosby invited participants to be upstanding as he delivered the closing prayer. The meeting closed at 4.50pm.


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Mr James William
Chief Executive Officer
Torres Strait Island Regional Council
Date: 3 October 2023


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Cr Phillemon Mosby
Mayor
Torres Strait Island Regional Council
Date: 3 October 2023