



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

TUESDAY 19TH OCTOBER – WEDNESDAY 20TH OCTOBER 2010

Please find attached Minutes of the above meeting held on 19th October 2010 at 1.40m – 5.15pm and Wednesday 20th October 2010 at 9.05am – 12.50pm at *the Mabuiag Community Hall, Mabuiag Island.*

**Torres Strait Island Regional Council (TSIRC)
Ordinary Meeting
Held at the *Mabuiag Community Hall*, Mabuiag Island
Tuesday 19th October – Wednesday 20th October 2010**

DAY 1 - TUESDAY 19TH OCTOBER 2010

Present: Cr. Fred Gela, Mayor
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub
Cr. Donald Banu, Division 1 – Boigu Island
Cr. Torenzo Elisala, Division 2 – Dauan Island
Cr. Keith Fell, Division 4 – Mabuiag Island
Cr. Wayne Guivarra, Division 5 – Badu Island
Cr. Toshie Kris, Division 7 – St. Pauls *ATTENDED WED 20/10/2010* ~~3/1~~
Cr. Nancy Pearson, Division 8- Hammond
Cr. Willie Lui, Division 10 - Warraber
Cr. John Mosby, Division 12 – Yorke
Cr. Ron Day – Division 15 – Mer Island
Mr. John Scarce, Chief Executive Officer
Mr. David Abednego, Executive Officer
Mr. Anthony Bird, Executive Manager Corporate & Finance
Mr. Lloyd Sunderland, Executive Manager Community Services
Mr. Patrick McGuire, Executive Manager Engineering Services
Mr. Noel Peters, Manager Human Resources
Ms Jess James, PR & Media Officer
Mrs Tania Sailor, Executive Secretary.

Observers: Members of the Community, Community Forum Members,
Mr. Dimple Bani, Chief of Wagadagam Tribe, Mabuiag

1.40pm: Meeting opened in prayer by Cr. Fell.

ONE MINUTE SILENCE

There was a minute silence to pay respect to families who have lost their loved ones recently.

WELCOME

Welcome to Country - Mr. Dimple Bani, Chief of Wagadagam Tribe, Mabuiag Island.

Welcome & Acknowledgement of Traditional Land Owners:

- ↓ Cr. Keith Fell
- ↓ Mayor Fred Gela

OATH OF OFFICE – MR. TORENZO ELISALA

Mayor welcomed and Congratulated Mr. Torenzo Elisala elected by the Community of Dauan as their Councillor for Division 2, and handed the meeting to the CEO to proceed with the Oath of Office for Mr. Torenzo Elisala.

Mr. Elisala read and signed the Declaration of Office as he was sworn in as Cr. Torenzo Elisala, Division 2-Dauan Island, Torres Strait Island Regional Council.

MAYOR OPENING REMARKS

- ⚡ Councillors need to be wary of the time of when meeting commences etc so that we have a quorum to start on time and all agenda items are discussed in a timely manner and not having to rush through our agenda items at the end of the day.
- ⚡ Today marks a significant occasion to have Cr. Elisala to sworn in as Councillor in one of our Communities.
- ⚡ In welcoming Cr. Elisala, newly elected Councillor for Division 2 – Dauan Island Mayor briefed him on:
 - functions and responsibilities of TSIRC Councillors.
 - Torres Strait Treaty Arrangements
 - Council since Amalgamation
 - Code of Conduct
 - Conflict of Interest Register
 - Policies Endorsed
 - Council's Meetings and List of Actions
 - Milestones and Objectives that has been addressed or needs to be addressed.
 - Councillors respect each other boundaries and personal time, but there are times when you can't help it and we all understand and acknowledge that we here to help one another.
 - if you ever in doubt, need advice or assistance don't hesitate to contact us.
- ⚡ Executive Secretary to provide Cr. Elisala with a contact list of all Councillors/Executive Management.
- ⚡ (At this time Mayor, CEO, Chief of Wagadagam Tribe and Cr. Elisala posed for a photograph by PR & Media Officer).
- ⚡ Mayor once again welcomed Cr. Elisala and newly appointed PR & Media Officer Ms Jess James to their first Council Meeting.
- ⚡ *Mr. Elisala acknowledged the Traditional Owners of Mabuag and thanked Mayor and Councillors for their warm welcome.*

**ACCEPTANCE OF APOLOGY – COUNCILLORS ABSENCE
APOLOGIES NOTED**

Cr. Ron Enosa, Division 3 – Saibai Island (*Medical Reasons*)
Cr. David Bosun, Division 6 – Kubin (*Urgent Personal Matters*)
Cr. Walter Mackie, Division 9 - Iama (*Personal Reasons*)
Cr. Phillemon Mosby, Division 11 – Poruma Island (*Study Leave*)
Cr. Florianna Bero, Division 13 – Ugar (*no backfill for her position as
Health Centre Manager*)
Ms Dania Ahwang, Deputy Chief Executive Officer
Mr. Chris McLaughlin, Chief Legal Office

It was noted that Cr. Kris will be joining the Meeting tomorrow and at this time is travelling by dinghy to Mabuiag.

RESOLUTION

Moved Cr. Bedford, Seconded Cr. Fell that Council accepts the apology from Cr. Enosa, Cr. Bosun, Cr. Mackie, Cr. P. Mosby and Cr. Bero for their absence at the meeting.

Motion Carried

Against: Cr. Pearson

Cr. Pearson's views for against:

- Councillors knew in August that this meeting was going to happen in the month of October
- Councillors need to be aware that we all put up our hands for this position and is only letting down our community by not being here at meetings.
- As Councillors we were elected by the Community and it is not fair to the Community when elected members don't attend and for no valid reasons.
- Need to make a stand somewhere as we cannot see what is coming towards us as we walk towards our steps deadlines.
- At the end of the day if we are going to represent our people, good professional ethics is needed, and at this time it isn't good professional ethics.
- *Supportive of Cr. Bero, Cr. P. Mosby and Cr. Enosa apologies.*

DEPUTATIONS

Nil

BUSINESS ARISING FROM PREVIOUS MINUTES - COUNCIL MEETING

- ***Movement of Councillors noted in the Minutes during meeting process:***
 - Cr. Bedford advised:
 - a lot more detailed information noted in the Minutes of Councillors coming and goings during the meetings.
 - Requested that it be noted in the minutes that he actually arrived at today's meeting at 2.00pm (official time to start) but apparently the meeting had already commenced at 1.40pm and that he wasn't aware that it would start early.
 - CEO clarified:
 - that the Council meeting officially started after the Oath of Office for Cr. Elisala and will be reflected that it actually at 2.00pm.
 - The reason that particular information is recorded was when were so close to the quorum that if we record the times during that period of time we have to do a vote, then we won't have that vote. So its been recorded for those purposes.
- Cr. Day queried about the Model Local Laws – this discussion was deferred to General Business.
- ***Moa Island Waste Management***
 - Mayor in response to Cr. Fell's query referred to Executive Manager Communities to brief members - if there is scope to incorporate the discussions apart from just looking at managing metal waste, and to look at the status on what was initially proposed in the first place in relation to Moa Island.
 - Executive Manager Communities:
 - At last meeting a report was tabled from Conic (now known as RPS) which was a medium term Waste Management Solution to address non-compliance issues with our land fills through out the communities.
 - The Moa Island Waste Management is a long term solution and at this stage there is no well defined pathway to putting that together.
 - Emphasis at this point of time is addressing those compliance issues so we do not get a whopping great fine from DERM in relation to non-compliances with our licensing conditions on the land fills in all 15 communities.
 - Will work through that phase to get those land fills compliances but at the same time develop options information getting some of the technical solutions in place in terms of the long term plan.
 - The Moa Waste Management isn't expected to commence developing until some five years down the track.
 - CEO:
 - The Regional Waste Project is a MIP Project.
 - Tenders have gone out, tenders was received and were evaluated by Executive Manager Corporate & Finance who requested further information.

- Executive Manager Corporate & Finance:
 - the initial tender document went out and the way the respondent responded is to deliver a land fill on Moa Island.
 - solution probably needs a bit more investigation – look at some composing type technology and waste energy type technologies
 - rewrote not actually a whole tender - we went to vendors with new request for information and those request for information centred around innovation & technology for the actual treatment of the solid waste and innovations in material handling - how would a transfer station be set up and managed.
 - those responses have since come back and are being evaluated
 - Monday 25th October - there will be two presentations provide to the evaluation committee which essentially comprises of Black & More and myself.
 - on the basis of those responses hopefully we can come to a preferred solution to do the feasibility studies in moving forward
 - if those responses are not considered strong then it will probably come back to Council as well.
- Cr Fell advised he brought up the query because he was concerned that the communities may be facing the wet season at Christmas time especially in his community:
 - where the Mabuig Dump is not good and its worse off when it rains.
 - The dump becomes a real hazard.
 - Never had the opportunity to really fix Mabuig dump because no machinery available and he always had problems with Backhoe.
- Mayor advised that when the Executive Manager Communities presents his report on Metal Waste Management at a later part of the Agenda - will also go into discussions at the same time in terms of:
 - Issues in relation to Plant & Equipment down on ground to actually push the dump, cover it, etc. and;
 - how do we actually go about dealing with it.
- **Tender Report for Badu Sewerage – Update on Investigation into Breach of Tender Process:**
 - Investigation is underway by the CMC.
 - The Gentleman under investigation was not the successfully tenderer and his name has been referred to the CMC.
 - CMC have spoken with Cr. Guivarra and may have also spoken to the Gentleman as well.
- **Cashless Project Plan**
 - Cr. Guivarra queried on how the cashless system is going with Erub, Sabai, Ugar and Yorke.
 - Cr. Bedford advised:
 - its causing all sorts of problems for people on the ground because they are so used to coming into the Council Office to obtain cash.
 - as we roll out the cashless project in the future we need to give people on the ground some sort of warning of the impact of not having that cash ability at the Council.

- tried his best to explain that situation through Community meetings and individuals but expect people will be upset by it.
- It was noted that:
 - Kubin is the only Community that is definitely cashless, other communities are still working through becoming cashless.
 - Won't meet the January timeframe until then.
 - All EFTPOS machines have been in place.
 - The computer system that is getting installed have been ordered and is on its way.
 - Level of engagement – Executive Manager Corporate & Finance will be meeting with IBIS in relation to it. Communication might have not been direct but they are all well are of it as it went from the local level right through to the Senior Management prior to having the discussions with them on this issue.
- Mayor:
 - It was noted that IBIS is moving away from the current company that supplies them the ATM Machines that we currently use.
 - The fee that the mobile ATM Machine will provide from this other company is actually less than what you get from your own bank, that is the fees are cheaper, its more cost effective for people to actually take cash out.
 - It is unfortunate that IBIS could not roll out within the short to mediate term, because there is a contract in place and there is no way that IBIS can fast track that contract, which has to be seen through to 2012.
 - It was the Boards intention from the beginning to alleviate and reduce the \$30 fee when sending money from one community to another through the IBIS facility.
 - To my knowledge that \$30 fee no longer exist within the IBIS facility in the communities.
- **Acceptance of Apology**
 - That it be noted and amended in the previous minutes that Councillors voted against Cr. Enosa's apology only and not the other apologies noted.

CONFIRMATION OF MINUTES - COUNCIL MEETING

Moved Cr. Lui, Seconded Cr. Fell that the minutes of the Ordinary Meeting held 17th & 18th August 2010 be adopted as true and accurate.

Motion Carried

Cr. Guivarra left the room at 2.40pm and returned at 2.45pm

BUSINESS ARISING FROM MINUTES - COUNCIL SPECIAL MEETING

- ✱ Nil

CONFIRMATION OF MINUTES - COUNCIL SPECIAL MEETING

Moved Cr. Day, Seconded Cr. Lui that the minutes of Council Special Meeting held in Cairns on 1st October 2010 be adopted as true and accurate.

Motion Carried

COMMUNITY ENGAGEMENT POLICY

- Cr. Day:
 - need to practice the policy
 - there is instability in the community because of lack of information
- Cr. Bedford:
 - There has been quite a lot of more engagement than people actually realized in community.
 - Identified that one of the weakness is the need to look at improving in record keeping and identifying each opportunities when engaging – being able to recognise yes that there was an engagement in the community and recording the best things out of it.
 - Engagement, record keeping, just being able to document what's working and what's not, is important in the development of the community
- Mayor:
 - There is a number of engagement method in place in the communities:
 - under the legislation there is the Forum Process
 - hold public meetings
 - TSIRC Newsletter
 - BRACS
 - It goes even further from record keeping as well, it comes back to meetings – range of issues/action items that comes out and needs to be followed up.
 - Such as looking at Business Arising from previous meeting minutes in the community, people will ask:
 - where is that work at?
 - we agreed we wanted this in place?
 - what is the current status?
 - provide a brief report on where we at
 - With that level of recording its evaluating the outcomes or somebody following it right through to the end until its implemented
 - look at how you can engage personnel that are equip to actually assist in providing you with either advice or resources to make it happen.

- This Policy is not a Regional one it is only for us as a local Governing Body - we need a set of guidelines put in place so that we engage effectively to make sure we don't only get the outcome that we want but we make sure that we engage Community, Non-Government Organisations and Key Stakeholders within communities to ensure we get it right.

RESOLUTION

Moved Cr. Bedford, Seconded Cr. Pearson that Council adopts the Torres Strait Island Regional Council Community Engagement Policy.

Motion Carried

It was resolved that Council break for Afternoon tea at 3.00pm – 3.15pm.

EQUAL EMPLOYMENT OPPORTUNITY (EEO) POLICY

- ➔ Mayor:
 - The EEO is a tool for our people to use if they question any process as to why they never got a position.
 - It also compliments the Sexual Discrimination Act, Racial Discrimination Act, Disability Discrimination Act, QLD Anti Discrimination Act, Human Rights & Equal Opportunity Act, Local Government Operation Regulations.
 - The EEO is beneficial to our people that are wanting to put their hands up to get a job with TSIRC
- ➔ Cr. Guivarra raised concerns/issues:
 - On the process of recruitment, advertisements and selection process of these positions.
 - The Types of selected panel/board selecting these positions, making the decisions.
 - Obligated to follow the legislation but we are not doing that - seen appointments in office where positions were not even advertised.
 - Feels that people appointments to positions were not going through the appropriate process.
 - People out on the community are asking questions.
- ➔ Mayor:
 - Cr. Guivarra to provide list of names and positions and circulate to the Mayor.
 - Mayor will seek answers and clarity around the issues Cr. Guivarra has brought up to ensure that the appropriate process that our people have to comply to for these positions have gone through the right process and so that there is a level of equity.
- ➔ HR Manager to amend "*Torres Strait Island Shire Council*" in right throughout the policy.

It was noted Cr. Bedford returned from afternoon tea at 3.20pm.

RESOLUTION

Moved Cr. Bedford, Seconded Cr. Fell that Council adopts the attached Equal Employment Opportunity Policy for all persons employed or associated with Torres Strait Island Regional Council. To be known as the Equal Employment Opportunity Policy (number 2010:6).

Motion Carried

LOST PROPERTY POLICY

RESOLUTION

*Moved Cr. Pearson, Seconded Cr. Bedford that Council renew the Lost Property Policy under section 120 of the *Local Government (Operations) Regulation 2010*.*

Motion Carried

COMPLAINTS MANAGEMENT PROCESS POLICY

- It was noted that:
 - All Complaints must be in writing with a signature
 - Everybody is entitled to procedural justice – once a complaint is received it investigates two side of the story to substantiate the complaint.
 - Under the Legislation the Department's Chief Executive Officer is the Chief Executive Office of the Department of Infrastructure & Planning (DIP), which is the Director-General.
 - Template will be complied and has already gone to the CEO – template approach will be the same as the incidental Report/Template developed by the Chief Legal Officer for Community Police so that it is acceptable to QPS.
 - Under the new arrangements this Complaints Management Process is independent from Council

RESOLUTION

Moved Cr. Pearson, Seconded Cr. Bedford that Council renew the General Complaints Process Policy in the form provided and renamed to the "Complaints Management Process Policy".

Motion Carried

EXECUTIVE MANAGERS REPORT - FINANCE

1. CASH WRITE-OFF

RESOLUTION

Moved Cr. Fell, Seconded Cr. Pearson that Council write-off \$709.80 on Badu Island.

Motion Carried

2. DEBTORS WRITE-OFF

RESOLUTION

Moved Cr. Elisala, Seconded Cr. Fell that Council write-off \$12,073.22 on Debtors Files.

Motion Carried

3. 111-115 GRAFTON STREET

It was noted that In response to Cr. Guivarra, Executive Manager Corporate & Finance advised:

- Signed a 7 year lease on the 1st July 2010
- Negotiated a fairly good lease rental - not paying rent while fit out is taking place.
- Looking at 10 week fit out commencing in January 2011
- The lease rental payment will start once the fit out is completed.

RESOLUTION

Moved Cr. Pearson, Seconded Cr. Day that Council authorise the Mayor and CEO to sign a Contract on the construction and fit-out of Council's premises at 111 Grafton Street in accordance with Council's budget and purchasing policy; and

Once the contract is signed to advise the Council at the next available opportunity of final costs associated with that Contract;

Utilise the Council Amalgamation Cost Grant as the source of funds for the construction and fit-out.

Motion Carried

It was noted that Cr. Bedford left the meeting at 4.38pm

4. OPERATIONAL PLAN

RESOLUTION

Moved Cr. Guivarra, Seconded Cr. Lui that Council adopt the 1st review of the 2010/2011 Operational Plan.

Motion Carried

EXECUTIVE MANAGERS REPORT - COMMUNITY SERVICES

MANAGING METAL WASTES IN THE TORRES STRAIT

- Levy on vehicles coming into communities:
 - Legally Council cannot impose a levy onto vehicles purchased and brought into a community.
 - There is a way if you hit certain triggers within the Legislation to be able to charge a special rate - but the triggers that Council have to hit for that is attached to the Land which the vehicles don't come in.
 - Discussed with LGAQ of a proposal through Seaswift that as Seaswift charges \$1500 to bring the vehicles, maybe look at charging \$3000 which will include \$1500 in delivering the same vehicles back out of the communities – that money goes into a pool.
 - To date have not had a response from LGAQ on that proposal.
- Funding:
 - Both TSIRC and Torres Shire Council have an issue with metal waste in the communities.
 - It was noted that Council look at Option 2 – at the end of the day its not going to be a cost to TSIRC and our constituents, nor will it be a cost to Torres Shire Council and their constituents.
 - LGAQ has been tasked with the responsibility to develop the submissions seeking the actual funding, which is a separate funding altogether.
 - There will be a tendering process to ensure that people apply.
 - The end result for Council is to have all the metal wastes/car bodies moved off the communities and minimize what comes into the community.
- Other aspect of the report also identified:
 - Minimizing what comes into the Communities - Organisations such as QLD Health, Education, Ergon Energy needs to take on board some of the things that are going to be rolling out into communities by IBIS, where they having discussion with suppliers to ensure that they minimize what waste is coming into the communities.
 - Building materials coming into communities whether it is by Contractors, MIP arrangements etc. – need to embed into their Contracts that whatever they bring into our communities it is their responsibility to remove them from the community and at their own expense.
 - Look at employees duties on ground to include sorting through the rubbish tips for recycling item such as good:
 - iron roofing
 - copper logs laying in the pits
 - PBC pipes
 - Guttering
- Executive Manager Communities:
 - Have worked towards the metal waste clean up for quite some time - Council did an internal audit throughout the communities through the EHWs.
 - EHWs went around with a profile questionnaire and detailed all locations on old motor vehicles/old machinery, so Council have a comprehensive file of what's on the community and its location.

- The point of the exercise is to basically remove all metals wastes (washing machines, fridge's, building materials, containers, dinghies, trailers etc), anything metal will be crushed into cube and stacked on board a barge and shipped out of the community.
- Bring in Contractors, they engage local labour wherever possible but equipment they will be using is going to be a specialized equipment – however, the Contractors will leave behind some skills and some knowledge in terms of operating that special equipment for future clean ups or ongoing maintenance of these types of issues.
- Time frame for metal waste clean-up:
 - Next dry season - wet season ends around April-May then from there looking at a timeframe of 3 months to complete the clean up.

RESOLUTION

Moved Cr. Bosun, Seconded Cr. Guivarra that Council:

1. That the Managing Metal Wastes in Torres Strait Report – August 2010 be received and Option 2 endorsed as Council's preferred course of action.
2. That Council approach Torres Shire Council to establish a Joint Committee to manage the project.
3. That the Local Government Association of Queensland (LGAQ) in conjunction with Waste Contractors & Recyclers Association of Queensland (WCRAQ) be requested to make representations to the State Government for seed funding to enable initial project management tasks to be commenced.

Motion Carried

MEETING CLOSED FOR THE DAY

5.15pm Mayor thanked Chief of Wagadagam for his welcome and attendance at the meeting.

Meeting closed for the Day in prayer by Cr. Day.

**Torres Strait Island Regional Council (TSIRC)
Ordinary Meeting
Held at the *Mabuiag Community Hall*, Mabuiag Island
Wednesday 20th October 2010**

DAY 2 - WEDNESDAY 20TH OCTOBER 2010

Present: Cr. Fred Gela, Mayor
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub
Cr. Donald Banu, Division 1 – Boigu Island
Cr. Torenzo Elisala, Division 2 – Dauan Island
Cr. Keith Fell, Division 4 – Mabuiag Island
Cr. Wayne Guivarra, Division 5 – Badu Island
Cr. Toshie Kris, Division 7 – St. Pauls
Cr. Nancy Pearson, Division 8- Hammond
Cr. Willie Lui, Division 10 - Warraber
Cr. John Mosby, Division 12 – Yorke
Cr. Ron Day – Division 15 – Mer Island
Mr. John Scarce, Chief Executive Officer
Mr. David Abednego, Executive Officer
Mr. Anthony Bird, Executive Manager Corporate & Finance
Mr. Lloyd Sunderland, Executive Manager Community Services.
Mr. Patrick McGuire, Executive Manager Engineering Services
Mr. Noel Peters, Manager Human Resources
Ms Jess James, PR & Media Officer
Mrs Tania Sailor, Executive Secretary.

Observers: Nil

9.05am: Meeting Opened in Prayer by Cr. Fell

Mayor welcomed Cr. Kris joining the meeting today and welcomed again our newly elected Councillor for Division 1 – Dauan, Cr. Torenzo Elisala.

CLOSED BUSINESS

Moved Cr. Pearson, *Seconded* Cr. Fell that in accordance with Regulations 72 of the Local Government Operations Regulations it is resolved for the Meeting to go into closed sessions to discuss the appointment, dismissal or discipline of employees, starting or defending legal proceedings involving it, other business for which a public discussion would be likely to prejudice the interests of the Local Government further the public in attendance are asked to leave.

Motion Carried.

ENTERPRISE DIVESTMENT

RESOLUTION

- (1) *Moved Cr. Bedford, Seconded Cr. Pearson* that Council ratifies the action of the Chief Executive Officer to publicly tender for the disposal of the 5 Star Guest House (Ocean View Lodge) Erub Island.
- (2) *Moved Cr. Bedford, Seconded Cr. Guivarra* that in accordance with the Local Government Act 2009, the Local Government (Finance, Plans and Reporting) Regulation 2010, along with Council policies on acquisition and disposal of assets. Council enter into negotiations with the following entities with a view to those entities acquiring the following businesses and associated non-current assets and staff on terms acceptable to the Chief Executive Officer of Council, and recommend grant of trustee leases to each entity over relevant buildings as presented:

ST PAULS

<u>Entity</u>	<u>Enterprises</u>
Wug Danalaig Incorporated	Contractor's Camp

ERUB

<u>Entity</u>	<u>Enterprise</u>
J.T. Pau & Son Hire	Ocean View Lodge

- (3) That the Chief Executive Officer, Mr John Scarce inform the Wug Danalaig Incorporated that their request to postpone the handover date for the Blok Plant and Workshop at St.Paul's on Moa Island, is not accepted and that once all legal requirements (including Leases) are met the transfer will be effective. Further Council is under no obligation to ensure that any enterprise is operational at transfer.

Motion Carried

TENDER REPORT FOR REGIONAL ASSET SUSTAINABILITY PROJECT – GROUP B

RESOLUTION

Moved Cr. Fell, Seconded Cr. Pearson that Council accept the recommendation of the Project Manager that the Tender from **Northern Water** for "Regional Asset Sustainability Project – Group B" for a tender value of \$555,000 (excluding GST), be accepted.

Motion Carried

OTHER ISSUES DISCUSSED IN CLOSED BUSINESS

- Lengthy discussion on Councillors non-attendance at Council Meeting.
- Christmas Gathering for Councillors – Councillors to email Mayor on any suggestions they may have.
- Cr. Kris raised concerns on two issues in his community and the process of how it was done (1) Pavement of Ware Road (2) Housing - Mrs Uildildam.
 - need to get the processes right, if we going to want to learn Island custom we need to get advice from it, learn how we going to use that process, then we practice it
 - Mayor will liaise with CEO & Staff to seek clarification on the two issues raised by Cr. Kris.

LATE REPORTS

CDEP UPDATE

CEO briefed members on CDEP update.

Mayor's Comments:

- Discussions should have happened in the first instance between CEA and TSIRC
- Onus should have been with CEA.
- Need to clear up the air – put something out in a broad context on what's happening now.
- People are getting hurt on ground, and people are confused.
- Meeting at Senior level needs to happen to iron out the creases, so that we have positions from both sides in terms of a plan of attack so that way we can actually go to media.
- Filter information through RIBS down on ground that have RIBS stations, Torres News, Media outlets etc and also through to individual Councillors so that way that information can be consistent across the board.
- *Mayor:*
 1. *to get back to Councillors on getting something out to Media in a broad context on what is happening on ground with CDEP issues*
 2. *Clarify with Deputy CEO if there is any meeting with the CEA*
 3. *Councillors to do dot points and send email to mayor who will do up a press release taking into account Councillors local issues.*

For Council to note.

MONTHLY INFRASTRUCTURE REPORT

Comments

- Executive Manager Engineering to advised Staff to liaise with Cr. Elisala to keep him informed on the issue of Dauan Septic tank.
- Communities in need of water at this time is Mer Island.
- Looking at Joint use Policy of Tanks and Rain Water Tanks as well as desalination water.
- *Executive Manager Engineering to:*
 1. *advised staff to liaise with Cr. Elisala to keep him informed on the issue of Dauan Septic Tank..*
 2. *Provide previous reports on Monthly infrastructures to Cr. Elisala.*
 3. *to look into issues identified and discussed by Cr. Banu re no connections on the floating switches.*

Cr. Pearson left the room at 10.30am returned at 10.35am.

RESOLUTION

Moved Cr. Bedford, Seconded Cr. Day that Council receive the attached report and authorise its release to DIP and TSRA.

Motion Carried.

GENERAL BUSINESS

- **Ministerial Roundabout (Torres Strait Forum)**
 - Tuesday 30th November 2010 on Thursday Island
 - Two Ministers confirmed – Minister Boyle and Minister Roberts.
 - Minister Boyle officially opening Poruma's new council office part of Q151, Wednesday 1st December 2010.
 - Visits by Minister Roberts to Ugar, Badu, Dauan Merand Minsiter Boyle will visit Saibai and Poruma.
- **Christmas Closure** – Shutdown of all TSIRC offices for the Christmas period will be from the 22nd December 2010 – 4 January 2011.
- **TSIREC Letter of Support**
 - Cr. J. Mosby tabled letter from TSIREC seeking letter of support from TSIRC to strengthen TSIREC's position for the governance of education training and employment services to be transitions to YUMI by 2013.
 - TSIRC to draft letter in principle supporting TSIREC in their position but also seeking detailed information:
 1. membership representations for all communities;
 2. how its actually fits and align with the Regional Planning Framework that has been developed already and the Working Groups that are currently happening and well underway; and
 3. financial implications if any.

- TSIREC invited TSIRC to attend roundtable discussions unfortunately Mayor Gela unable to attend due to prior commitment, will liaise with CEO in having a representative preferably the Deputy Mayor attend the discussions on behalf of TSIRC.
- Cr. J. Mosby declared his Conflict of Interest as an Executive of TSIREC for him to be permitted or abstained from voting on the Resolution of letter of support from TSIRC.
- CEO recommended that Cr. J. Mosby's remain in the room and is allowed to vote as his position as Executive of TSIREC is a voluntary position and he is not receiving any material personal interests.

RESOLUTION

Moved Cr. Bedford, Seconded Cr. Banu that Council recommends Cr. J. Mosby remained in the room and is allowed to vote.

Motion Carried

RESOLUTION

Moved Cr. Bedford, Seconded Cr. Lui that TSIRC supports the proposal in principle and also that TSIRC write to TSIREC requesting detailed information Council (pros and cons) on membership representation for all Islands, how it fits within the Regional Planning Frameworks, Working Groups and the financial implications if any.

Motion Carried.

Against: Cr. Pearson
Cr. Guivarra

It was resolved that Council break for Morning Tea at 11.00 – 11.30am

GENERAL BUSINESS (CONT'D)

- **Council meeting in Communities – preparation of meals etc.**
 - Cr. Pearson advised that Council need to consider what community has now in regards to everyday occurrences as they have catered and prepared for us when we initially started taking our meetings out to communities.
 - At this time we need to consider actually preparing our own meals at our upcoming meetings rather than putting the onus on the Community.
 - Cr. Lui fully supports this but suggested that it should be left to the Divisional Councillors depending on what the Community wants – if the community want to half pasin and help the Council then that would be the Councillor's decision.

- CEO suggested that Council provides meal allowances for every single meal except for lunches during the Council meeting and one Dinner which could be with the whole Community. Every other meals including breakfast and evening meals on the other days can be cooked by Councillors themselves.
- *It was noted:*
 1. *that Councillor informs the Council well in advance if their Community will cater for every single meal.*
 2. *If the Councillor does not get back to Council on this arrangement it is assumed that the Community will only cater for one main Community meal and lunches during the Council meeting.*
- **Salary Sacrifice (Vehicles)**
 - Cr. Fell queried if there are opportunities for staff wanting to buy old vehicles up for tender or auction by paying it off or through salary sacrifice.
 - CEO advised:
 - Council have the ability to offer Novated Leases which is like salary sacrifice for new or used vehicles that people wanted to enter into – this is not done by Council but by a separate Finance Company that does those arrangements, then the staff pay is sacrificed down and the money goes out to the lease company.
 - One of the things we have to be careful of is we cannot have staff salary sacrifice below the minimum wage
 - With second hand vehicles what we've got to sell for auction – no, that would constitute alone so that would not be able to happen whatsoever.
- **Model Local Laws**
 - Cr. Day requested if relevant staff will go around and actually meet and assist the people on ground in putting the subordinate local laws together as it will not be the Regional Council imposing anything it will a community involvement in creating their local laws but needs the assistant and support in communities from relevant staff.
 - Chief Legal Officer, CEO or Deputy CEO to provide assistant/support in regards to Subordinate Local Law to the following communities:
 - Erub
 - Badu
 - Yorke
 - Mer
 - Dauan
 - Ugar
 - Boigu
 - CEO advised that from what Councillors have given of their draft workings already with Forum Members, Council will deduce that down into local subordinate law and then send it back out with some explanation so that Councillors can present to their communities and find out which local laws the community likes etc.

■ **Study Leave – Cr. J. Mosby**

- Mayor tabled a request from Cr. John Mosby seeking endorsement to take time from Councillor Duty to attend 2 weeks Study Block in May, August, November 2011, and February, June and September 2012.
- Cr. Mosby submitted an application to participate in the Australian Rural Leadership Program Course and was successful in doing an interview with the Panel.
- Cr. J. Mosby is now waiting for a formal reply in relation to whether or not he was selected for that course.
- Council to note If successful Cr. J. Mosby would like support from Council for him to attend those Study Blocks - if there is any General Meeting during those timeframes we can work around that to ensure that he 's down on ground to attend the meetings etc.
- Cr. Mosby also requested Professional Development Allowance if he is successfully chosen to participate in the program.

RESOLUTION

Moved Cr. Bedford, Seconded Cr. Kris that subject to being selected Cr. J. Mosby seeking endorsement from Council, if need be, access to Professional Development Allowance.

Motion Carried

MAYOR CLOSING REMARKS

With no further discussions, Mayor:

- Thanked Cr. Fell and Community of Mabuig for allowing the Council's request on the 11th hour to hold the meeting Mabuig – appreciate the support and the hospitality that's has been shown to us.
- Once again acknowledged the Traditional Owners of this land where the meeting is held today and also to Chief of Wagadagam Tribe for his welcome and attendance.
- Also without forgetting, welcome on board Cr. Elisala representing Division1 – Dauan for the remainder of this term and once again the support will always be there for him.

12.50pm Meeting closed in prayer Cr. Day.


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Cr Fred Gela
Mayor


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Mr John Scarce
Chief Executive Officer