



**Torres Strait Island**  
REGIONAL COUNCIL

**MINUTES**

**ORDINARY MEETING**

**TUESDAY 22ND JUNE – WEDNESDAY 23RD JUNE 2010**

Please find attached Minutes of the above meeting held on 22nd June 2010 at 1.30pm – 5.30pm and Wednesday 23rd June 2010 at 9.00am – 5.00pm at *the Aka Gin Gin Sporting Complex, Warraber Island.*

**Torres Strait Island Regional Council (TSIRC)  
Ordinary Meeting  
Held at the *Aka Gin Gin Sporting Complex*, Warraber Island  
Tuesday 22nd June – Wednesday 23rd June 2010**

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**DAY 1 - TUESDAY 22ND JUNE 2010**

**Present:** Cr. Fred Gela, Mayor  
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub  
Cr. Raymond Soki, Division 2 – Dauan  
Cr. Ron Enosa, Division 3 – Saibai Island  
Cr. Keith Fell, Division 4 – Mabuiag Island  
Cr. Toshie Kris, Division 7 – St. Pauls  
Cr. Nancy Pearson, Division 8- Hammond  
Cr. Willie Lui, Division 10 - Warraber  
Cr. Phillemon Mosby, Division 11 – Poruma Island  
Cr. John Mosby, Division 12 – Yorke  
Cr. Florianna Bero, Division 13 – Ugar  
Cr. Ron Day – Division 15 – Mer Island  
Mr. John Scarce, Chief Executive Officer  
Ms Dania Ahwang, Deputy Chief Executive Officer  
Mr. David Abednego, Executive Officer  
Mr. Anthony Bird, Executive Manager Corporate & Finance  
Mr. Lloyd Sunderland, Executive Manager Community Services  
Mr. Noel Peters, Manager Human Resources  
Mr. Chris McLaughlin, Chief Legal Officer  
Mrs Tania Sailor, Executive Secretary.

**Observers:** Members of the Community

**Apologies:** Cr. Donald Banu, Division 1 – Boigu Island  
Cr. Wayne Guivarra, Division 5 – Badu Island  
Cr. David Bosun, Division 6 – Kubin  
Cr. Walter Mackie, Division 9 - Iama  
Mr. Patrick McGuire, Executive Manager Engineering Services

**Deputations:** Nil

**1.30pm:** Meeting opened in prayer by Cr. Day

**ONE MINUTE SILENCE**

There was a minute silence to pay respect to families who have lost their loved ones recently, also remembering our past pioneers.

## **WELCOME**

### Welcome & Acknowledgement of Traditional Land Owners

- Cr. Willie Lui
- Mayor Fred Gela
- Elder & Traditional Land Owner - Fr. Jeffrey Bob

## **OPENING REMARKS**

Cr. Lui acknowledged the Traditional Owners and Elders of this land and welcomed the Mayor, Councillors and Executive Staff to the Community of Warraber. Provided Councillors with housing keeping and advise members of the blessing of the Resort this afternoon but pointed out that it is not an official opening – the official opening will happen at a later date.

Mayor acknowledged PBC Chair Mr. Sammy Tamu, all Traditional Elders, Cr. Lui, TSIRC Staff, Divisional Manager & Staff, Spiritual leaders, Youth of Warraber and the Community at large.

Mayor thanked the community of Warraber for the opportunity of welcoming the Council at such a short notice and holding the meeting at Warraber.

## **ACCEPTANCE OF APOLOGY – COUNCILLORS ABSENCE**

*Moved Cr. Bedford, Seconded Cr. Soki that Council accepts the apology from Cr. Mackie, Cr. Banu and Cr. Guivarra for their absence at this meeting.*

**Motion Carried**

*Moved Cr. Kris, Seconded Cr. Enosa that Council accepts the apology from Cr. Bosun.*

**Motion Carried**

## **DEPUTATION** - Nil

## **BUSINESS ARISING FROM PREVIOUS MINUTES - COUNCIL MEETING**

- S,t Pauls Divestment of Enterprise to include Contractors Camp in that Divestment Process:
  - Cr. Kris advised it was actually brought up by the previous Council prior to the amalgamation, and would like to add it to the divestment process.
  - CEO advised the procedural thing that needs to be done is to pass a separate resolution today to put that out for divestment and start that process from scratch for that one.
  - Cr. Kris requested that it be added to that divestment.

- HR Issues - Warraber:
  - Cr. Lui advised some positions that was supposed to be filled two months ago has still not happened, such as Housing Manager, Guest House Manager, Kiosk Manager, Councillor's Secretary. Cr. Lui requested an update and also advised that his letter of complaint as mentioned at the last meeting was sent to the CEO but to date has had no response or feedback on it.
  - CEO advised that there is a report that will be presented later on today or tomorrow on HR issues. Members will also be provided with a spreadsheet recruitment list today.
  - It was noted that a Spreadsheet Recruitment list will be sent to Divisional Managers and Councillors every fortnight.
  
- Ailan Adoption Recommendation – It was noted as no draft was written as yet, that a **Priority Response** be drafted supporting proposal put forward by Kupai Omaker.

#### **CONFIRMATION OF MINUTES - COUNCIL MEETING**

*Moved Cr. Day, Seconded Cr. Pearson* that the minutes of the Ordinary Meeting held 21st April 2010 be adopted as true and accurate.

**Motion Carried**

#### **BUDGET MEETING**

##### **Mayors Opening Remarks:**

- ✱ The TSIRC Budget was framed over a week long period, and has been based on the aspirations of the people, and been built from the ground up with significant Councillors and Officers involvement. It is explained with a resource constraint environment and has been kept and developed in-house. The Budget:
  - Is actually spent wisely is within purely focusing within the Local Government services in providing that we have not increased the standard or any level of service that we have been providing due to the funding constraints.
  - Still requires further negotiations with both State and Federal Government, this it to do with the work through the Queensland Treasury Corporation and the Financial Sustainable Review in looking at our arguments that we have been lobbying to look at accessing additional dollars.
- ✱ In the past Island Council - when a piece of infrastructure, plant or machinery requires replacement or repairs, that particular Council had access to additional untied money (any money that has been raised through income generated activities) and knew that money can be put towards the repair of that assets.
- ✱ Other than that it was always the burden of Council having to walk up to Government, knock on their door looking for money to replace an asset, so we continue to lobby in that respect.

- TSIRC still:
  - maintain and retain Divisional accounting needs.
  - able to report on any budget of any individual community.
  - and can continue to report in that respect and monitor.
- We limited the amount of capital works in relation to money that we have other than delivering capital works that has been funded from external funding agencies.
- In short regardless that we can identify that those cash provisions are there, we have been wise in terms of not extending that other than utilizing money that we have outsourced.
  
- It was noted that:
  - Insurance for our Assets are in the materials and services components of the income statement – its all part of the \$365M that's in the line items for materials and services - budgeted \$1.3M for insurance this year.
  - There are thousands and thousands of line items, the entire Asset Register was provide to the insurers, and everything that can be insured has been insured.
  - The Budget was framed with reference to not having CDEP come 2010/2011. Commonwealth Government are supporting Local Government employees for this financial year (12months) for CDEP Subsidy. State Government was relying on those 12 months for the Regional Council in particular to complete all of our work on our Financial Sustainability Review. At this time only have 3 months of CDEP for everybody and 3 months of subsidy for Local Government jobs but nothing for the rest. The State Government has not given any commitments to funding any jobs as yet.
  - The Independent Consultations that has been working closely with TSIRC, in their draft report acknowledged that the matrix system that was set up during transition time is the most appropriate structure for TSIRC. However we need to justify to State Government as to whether or not we need those positions that are available within our structure or whether we have got too much positions that are available - that is the last part of CDEP work in reviewing the Corporate Structure.
  - One of the initial reports that came back from QTC is being worked on now by TSIRC, and that is our Organisational Structure which was an issue raised by both the QTC and the Department of Infrastructure and Planning. Once this is worked on we will actually put new fields into the 10 year financial forecast then it will be forwarded on to the Treasurer do a further analysis and assessment.

1. **REVENUE POLICY**

**RESOLUTION**

*Moved Cr. P. Mosby, Seconded Cr. Soki that Council adopt the Revenue Policy for the 2010/2011 Budget Year in accordance with s513 of the Local Government Act 1993, as presented.*

**Motion Carried**

2. **REVENUE STATEMENT**

**RESOLUTION**

*Moved Cr. Pearson, Seconded Cr. Bero that Council adopt:*

- The 2010/2011 Revenue Statement developed in accordance s519 of the Local Government Act, as presented: and that the
- Revenue Statement has accompanied and is being 'read' with the Budget.

**Motion Carried**

**Comments prior to Adopting Resolution**

- ✘ It was noted that during the Erub Meeting, Council looked at not charging any fees especially in particular to water rates and charges, and it was mentioned that Council need to utilise the time to:
  - create awareness
  - undertake a small exercise in terms of looking at water usage in getting Water Officers out into communities to start conducting meter readings etc.
  - look at rectifying and addressing all the water leakages in communities during that same year.
- ✘ Executive Manager Corporate & Finance advised:
  - Will look at issuing usage notices to community members for a period of 6 months or a year without a bill, so that whilst leaky pipes and taps are being fixed, members would be able to see what their consumptions are on the notice. Over that time hopefully will be at a point where the leaky taps and pipes will be fixed and the actual true consumption of the house will be billed to that household.
  - Will try to get the equity for the ability for community to pay those free allocations of water that are in our current rating of structure - 250kl every 6 months is a good start and once it's run for 6 months or a year we actually gain an appreciation for revenues coming in and also what that means for the consumer and their ability to pay as well.
- ✘ *Cr. Kris recommended a need for the Executive Manager Engineering Services and his department to look at having water wise workshop throughout the TSIRC communities as a preventative method before Council look at applying fees in the communities.*
- ✘ *Mayor requested a brief update from Executive Manager Engineering in relation to what work has been done since that Erub General meeting when Councillors first acted not to move towards charging water rates.*

3. **OPERATIONAL PLAN**

**RESOLUTION**

*Moved Cr. Bedford, Seconded Cr. Lui that Council adopt the 2010/2011 Operational Plan developed in accordance with s508 of the Local Government Act 1993, as presented.*

**Motion Carried**

**Comments prior to Adopting Resolution**

- *Councillors requested reports showing key performance indicators, grant income and expenditures.*
- *CEO advised this will be reported to Council every 3 months.*

4. **BUDGET ADOPTION**

**RESOLUTION**

*Moved Cr. Bedford, Seconded Cr. Enosa that Council adopt the 2010/2011 Budget as presented, including:*

- Budgeted Financial Statements for 2010/2011 and the following four financial years, pursuant to s518 – 521 of the Local Government Act 1993 and the requirements identified in the Local Government Finance Standard 2005, which requires, an:
  - Income Statement
  - Balance Sheet
  - Statement of Changes in Equity
  - Statement of Cashflow
  - Statement of Original Budget by Island
  - Estimate at End of Financial Year 2009/2010
- 2010/2011 Borrowings Policy
- 2010/2011 Reserves Policy
- 2010/2011 Striking of Rates and Charges as developed in accordance with Chapter 14 of the Local Government Act 1993.

**Motion Carried**

**Comments prior to Adopting Resolution**

**It was noted that:**

- *Functional Managers or members of the Finance team needs to engage with Divisional Managers Councillors and Supervisors in each individual community on budget awareness.*
- *the Budget be made available to Community Forum as well.*

5. **ENTERTAINMENT & HOSPITALITY POLICY**

**RESOLUTION**

*Moved Cr. Fell, Seconded Cr. Pearson* that Council:

- adopt the Entertainment and Hospitality Policy for the 2010/2011 Budget Year in accordance with s9 of the Local Government Finance Standard 2005, as presented.

**Motion Carried**

6. **PROCUREMENT POLICY**

**RESOLUTION**

*Moved Cr. Day, Seconded Cr. Bero* that Council adopt the Procurement Policy for the 2010/2011 Budget Year in accordance with s481 of the Local Government Act 1993 and s13 of the Local Government Finance Standard 2005, as presented

**Motion Carried**

*It was resolved that the Council break for Afternoon Tea at 4.00pm.*

**EXECUTIVE MANAGERS REPORTS**

**FINANCE**

1. **CASH RECEIPTING STRATEGY**

**RESOLUTION**

*Moved Cr. Soki, Seconded Cr. Bedford*, that Council implement a no cash policy for each Divisional Council Office in a phase approach in consultation with Divisional Manager effective from 1 July 2010.

**Motion Carried**

2. **COMMUNITY GRANTS GUIDELINES**

*Moved Cr. Kris, Seconded Cr. Fell* that Council adopt the Torres Strait Island Regional Council Community Grants Guidelines and advertised the community grants with the budget amount allocated for that Community.

**Motion Carried**



**3. CASUAL LABOUR SERVICES**

*Moved Cr. Bedford, Seconded Cr. Soki* that Council adopt the Casual Labour Services Policy for the 2010/2011 year.

**Motion Carried**

**4. TERRITORY REFERENDUM**

*Moved Cr. Fell, Seconded Cr. Soki* that Council authorises the Chief Executive Officer to conduct the Territory referendum.

Further Council authorises the Chief Executive Officer to obtain a Legal opinion on section 475 to see if the Council can pose the question of territory.

Further Council authorises the Chief Executive Officer to consult the Department of Infrastructure and Planning on if they must regulate under section 477 how Council conduct the poll.

Further conducting the referenda as a poll as detailed in the Local Government Act 1993, in the first instance as a question that can be posed by Local Government, or as a question of survey.

Further if the question can be posed by Local Government, the Council provides a budget of \$20,000 to the yes and no case, to be equally distributed, \$10,000 to the yes case and \$10,000 to the no case, to be used in the production of materials.

**Motion Carried**

**MEETING CLOSED FOR THE DAY**

**5.30pm** Meeting closed for the Day in prayer by Fr. Jeffrey Bob.

**DAY 2 - WEDNESDAY 23RD JUNE 2010**

**Present:** Cr. Fred Gela, Mayor  
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub  
Cr. Raymond Soki, Division 2 – Dauan  
Cr. Ron Enosa, Division 3 – Saibai Island  
Cr. Keith Fell, Division 4 – Mabuiag Island  
Cr. Toshie Kris, Division 7 – St. Pauls  
Cr. Nancy Pearson, Division 8- Hammond  
Cr. Willie Lui, Division 10 - Warraber  
Cr. Phillemon Mosby, Division 11 – Poruma Island  
Cr. John Mosby, Division 12 – Yorke  
Cr. Florianna Bero, Division 13 – Ugar  
Cr. Ron Day – Division 15 – Mer Island  
Mr. John Scarce, Chief Executive Officer  
Ms Dania Ahwang, Deputy Chief Executive Officer  
Mr. David Abednego, Executive Officer  
Mr. Anthony Bird, Executive Manager Corporate & Finance  
Mr. Lloyd Sunderland, Executive Manager Community Services  
Mr. Noel Peters, Manager Human Resources  
Mr. Chris McLaughlin, Chief Legal Officer  
Mrs Tania Sailor, Executive Secretary

**Observers:** Members of the Community

**9.10am** Meeting opened in prayer by Cr. Fell

*It was noted that Deputy Chief Executive and Executive Officer joined the meeting at 9.20am*

**COMMUNITY FORUM ELECTIONS**

**RESOLUTION**

*Moved Cr. Pearson, Seconded Cr. Soki that Council authorises the payment of overtime to the Returning Officer, Assistant Returning Officer, Presiding Officers and Issuing Officers for hours they incur in the conduct of elections, out side their usual hours of operation as a Council employee.*

That Council authorises the expenditure necessary to carry out Community Forum by-elections.

**Motion Carried**

**NATIONAL PARTNERSHIP AGREEMENT ON REMOTE INDIGENOUS HOUSING – DEEDS OF AGREEMENT**

**RESOLUTION**

*Moved Cr. P. Mosby, Seconded Cr. Kris* that the Council execute and agree to the terms and conditions contained in the Deed of Agreement to Lease and Deed of Agreement to Construct and all Schedules attached thereto for each consenting division, prepared under the National Partnership Agreement on Remote Indigenous Housing, subject to: -

- (a) inclusion of the proposed amendments included in the Schedule attached hereto to the satisfaction of the Chief Executive Officer of Council; and
- (b) fulfilment of specific conditions requested (if any) of individual divisions via their respective Land Panels as listed in the Schedule to this Report.

**Motion Carried**

**Comments prior to endorsing Resolution**

- It was noted that:
  - The report presented here today is a Council resolution and not a Land Panel decision nor a Trustee matter, they will come in later on in the future when the Council actually goes to sign the leases themselves.
  - Last week had 12 Land Panels meetings – got through them all except for Badu and Kubin but will be holding these in the next few weeks.
  - All very positive results from all communities with unanimous *for* by community forum members, except for Erub community at this stage.
  - That Councillors need not only the PBC on board but also the Land Panel's consideration as well, but it was made clear that the power of veto lies with the Councillor. Councillors have the power to assert their delegated authority as a Councillor representing the interest of the Community and there is certainly scope to sit down and put the community Forum in front or basically in amongst the community to talk about it, but it has to be made clear that the Land Panel members do not have the last say, the last say is with the Councillor because the Councillor will be driven, influent by the majority of the Community – the majority of community will speak on behalf of community, and not just a handful.
- Cr. Bedford explained Erub Position:
  - all of my forum members did not agree on the partnership proposal except for me. My position on the situation is that I felt it was too good a deal to pass up and that it was in the best interest for the whole Community that they accept the offer.
  - What it comes back to now is because I agreed as Councillor there is still an opportunity for it to be accepted by the full Council.
  - I would like to get confirmation from Mayor and CEO who was doing the Erub consultation visit - not something that I should truly comment on accept for feedback from community - if the feelings from Erub Community was positive towards the offer?

- Mayor:
  - during that consultation at Erub, the majority that was present was all for the National Partnership – there was a lot of questions asked just like every community, so some of the misinformation or misinformed individuals, the clarity was provided and Erub certainly came on board – there was strong support from the PBC as well that was present at that discussion. However not the full membership of the Community Forum was in attendance.
  - I was not sure whether or not a lot of the information basically sank in, so we really need the guidance of the younger membership of the community forum in terms of getting the information across.
  - There was concerns in relation to whether or not by coming on board with the Partnership they would be basically putting the island up for sale –this is not the case.
  - There are mechanisms in place from the ILUA arrangements to the other provision that the Regional Council will be putting forward to ensure that there is protection for the community at large and not only the community at large but the traditional ownership when it comes to recognizing Island Custom on the grounds of traditional beneficial to the land.
- ***In short there is strong support from Erub Community***
- Cr. Bedford:
  - Have no problems going back to his community to explain why I supported this against the advice of my forum and that it was a difficult decision for me as I have always respected the advice of my forum and more than 9 out of 10 times I would agree with them and when I don't I'd give an explanation as to why
  - As Councillor here today representing my community - it is in the best interest of Erub Community that I support the offer on their behalf. As the Mayor said this is only the first step to what we all looking for, more housing in communities through this process. I will be part of that process when it comes to actually trying to get houses on the ground, but as part of decision today, I fully support Erub community taking up this offer same like other communities in this Region.

**Summary of a few proposed amendments that TSIRC put forward for the Department to note (It was not in the originals provided to Council by the Department)**

1. Native title consent must be given prior to any Trustee Leases being considered
2. Island Custom must be considered in all circumstances of allocations of property – 3 things:
  - a. Traditional boundaries must not be consistent with lease boundaries eg. if this is Gela's traditional land then only Gela land can be surveyed for the new leases.
  - b. If its Gela land – should only be allocated to Gela and other traditional owners or whoever that traditional owner allows to be on that land, so ultimately they have the last say and that traditional PBC must be consulted with whoever the correct traditional owners is on that land.
  - c. Rental must not change. The tenants must not be any worse off under the new deal. They are currently under the community Housing Rent Policy with Council.

Mayor Gela advised those amendments was not in the originals that the Department provided to Council. To reassure everyone as I mention in communities they are not basically going to allow our community to run themselves into the ground. So we make sure we've got every mechanism in place to ensure that it guards and preserves and protects what we already have in place, whether it be our culture or our way of living especially when it comes to rent.

*It was resolved that the Council break for Morning Tea at 10.00am.*

## **LATE REPORTS**

### **1. T2010 – 2 ENTERPRISE DIVESTMENT**

- At this time the following Councillors declared their conflict of interest:
  1. Cr. Lui – Secretary to Warraberalag Fisherman's (TSI) Corporation
  2. Cr. Fell – Related to Brett Tyrrell
  3. Cr. J. Mosby – Chair to Kailag Enterprises Ltd
  4. Cr. P. Mosby – Poruma Island Pty Ltd
  
- It was noted that prior to endorsing this Resolution:
  1. Cr. Lui was given the go ahead to vote as secretary of a non-profit organisation.
  2. Cr. J. Mosby was given the go ahead to vote in relation to being Chair of a non-profit organisation.
  3. However, Cr. Fell and Cr. P. Mosby left the room out of conflict of interest prior to the voting of the endorsement of the resolution. It was noted that both could have the potential of a personal pecuniary interest in the outcome at the end of the day.
  
- Erub Divestment Mr. Pau – need to do a separate resolution for his application subject to Cr. Bedford's advice.

## **RESOLUTION**

- (1) *Moved* Cr. Pearson, *Seconded* Cr. Enosa that in accordance with Chapter 6 Part 3 Subdivision 3 Section 491 and 492 of Local Government Act 1993, 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 Office 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	Block Plant Motel Bus Service (leased) Mechanical Workshop (leased)

**YORKE**

<u>Entity</u>	<u>Enterprises</u>
Kailag Enterprises Ltd	Lowatta Lodge

**HAMMOND**

<u>Entity</u>	<u>Enterprises</u>
Mario & Sharon Sabatino	Mini-Mart St. Joseph's Ferry

- (2) That Council enter into preliminary discussions with the following entities with a view to obtaining from each, additional information so as to assess their eligibility and suitability to acquire the following businesses, non-current assets and staff and if later considered suitable at the sole discretion of the Chief Executive Officer of Council, to divest those businesses, non-current assets and staff to those entities:-

**PORUMA**

<u>Entity</u>	<u>Enterprises</u>
Poruma Island Pty Ltd	Sawagee Lodge Kiosk (leased) Fuel Bowser

**WARRABER**

<u>Entity</u>	<u>Enterprises</u>
Warraberalgal Fisherman's (TSI) Corp	Guest House Resort Kiosk

**IAMA**

<u>Entity</u>	<u>Enterprises</u>
Mixie Lui	Kiosk

**DAUAN**

<u>Entity</u>	<u>Enterprises</u>
Dauan Community Enterprises Ltd	Guesthouse Kiosk Fuel Bowser

**MABUIAG**

<u>Entity</u>	<u>Enterprises</u>
Brett Tyrrell	Guest House

**ST. PAULS**

<u>Entity</u>	<u>Enterprises</u>
Wug Danalaig Incorporated	Contractors Camp

**DARNLEY**

<u>Entity</u>	<u>Enterprises</u>
Mr. Pau	Ocean View Lodge (former 5 Star)

- (3) That council continue to operate all remaining enterprises in the local government area until such time that a suitable tender is received from an eligible Tenderer, at which time such tender shall be tabled at the next available ordinary meeting of council.
- (4) That the contractors' camp at St. Pauls be competitively tendered for divestment.

**Motion Carried.**

## **2. CDEP REPORT**

*For Information.*

### **CLOSED BUSINESS (10.50am)**

*Moved Cr. Bedford, Seconded Cr. Soki* that in accordance with Section 463 of the *Local Government Act 1993* it is resolved for the meeting to go into closed session to discuss section 463 (1) (a) the appointment, dismissal or discipline of employees, 463 (1) (f) starting or defending legal proceedings involving it, 463 (1) (h) 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.**

***12.00pm In-camera session with Councillors & CEO only - Executive Management and Staff was asked to leave the session at this time.***

***12.50pm Executive Management and Staff joined the meeting again.***

### **COUNCIL RESUMED NORMAL BUSINESS (12.50PM)**

#### **1. AMALGAMATION COSTS**

##### **RESOLUTION**

*Moved Cr. Soki, Seconded Cr. Bero* that Council authorises Cr Fred Gela Mayor and Mr John Scarce Chief Executive Officer to sign on behalf of Council a contract to deliver telecommunications infrastructure with Telstra to the value of \$3 million.

**Motion Carried.**



## **2. CORPORATE STRUCTURE**

### **RESOLUTION**

*Moved Cr. P. Mosby, Seconded Cr. Bedford* that council adopt the Corporate Structure as presented, to take effect from the 1<sup>st</sup> July 2010.

**Motion Carried.**

## **DRUG & ALCOHOL POLICY**

### **RESOLUTION**

*Moved Cr. Pearson, Seconded Cr. Bedford* that Council adopts the attached Drug and Alcohol Policy for all persons employed or associated with Torres Strait Island Regional Council.

To be known as the Drug and Alcohol Policy (number 2010:1)

**Motion Carried.**

## **GENERAL BUSINESS**

- **Rangers** – use of vehicles at Mabuag. Executive Manager Communities to look into this.
- **St. Pauls**
  - **Cr. Kris:**
    - prior to amalgamation there was only one administration vehicle on St. Pauls.
    - During the work plan done in Cairns with the Executive Manager for Corporate & Finance St. Pauls changed their submission to actually get a dual cab truck.
    - At this time we have 3 vehicles – question is where is the money coming from, because they don't have that in their budget, and who gave that Executive and Staff the authority to override my decision as elected member?
  - It was noted that:
    - There was a breakdown – a truck has been ordered for St. Pauls and will turn up soon.
    - As for the utes, they are being returned to TI to replace the two old ICC utes on TI. One has already arrive on TI, not sure where the other is at this time probably on its way.
- **Housing**
  - **Cr. Soki** advised he has been trying to get his Housing Officer to chase up any information on how far they are in the process of the \$10M for overcrowding but to no avail, so thought he would raise this issue at this meeting.
  - It was noted that a Funding Agreement has been signed and sent back – looking at 6 months away before anything happens.

■ **Community Forum**

- Cr. Kris raised the issue of forum member's perception since their training in Cairns, and that they need to be reminded again of their roles and responsibilities, as the perception of them having some authority to make decisions is still evident.
- Cr. Kris advised one of his forum members stepped out of line and caused an animosity within the community. The forum member knew quite well the aspirations of the community. Cr. Kris advised the only way he saw fit to resolve this issue was to hold a community meeting, put the issue on the table to enable community to make a decision and make it clear to the forum member that the power of veto is basically at the community level and that whatever Councillors do as elected members that it has to come back to community to make a decision.
- Cr. Kris advised that there is a need to work our way around in getting that clarification across because it's something like the issue we have with PBC now – people are making decision or giving bad information to community members causing a different way of thinking of how we should move forward.
- CEO advised:
  - Did a risk assessment on community forum – the biggest risk was that community forum members were only going to take from that training what they want to take from that training. There was an incident where one of the community forum members held a community forum meeting and explained the roles and responsibilities and advised the Divisional Manager that 'the CEO said that' but it wasn't so.
  - So its not a case of bringing them back in and telling them of their roles and responsibilities are again, we would need to go into communities and tell the communities what the roles and responsibilities of the community forum are or we could provide handouts/pamphlets out to communities so that every single community member knows what the roles and responsibilities are of the Community Forum members.
  - The recent training of the community forum members that was held in Cairns were at a cost of \$166,000, don't think we will be lucky to obtain funds to that amount again for another training for the community forum members.

■ **Next Council meeting** – confirmed for Poruma on the 17-19<sup>th</sup> August 2010.

■ **RIBS** – put application in for TSRA, message got from TSRA was that everything is being considered.

■ **Disaster Management Plan** – nothing at this time. There is a position up for the third time to be filled for the Disaster Management Officer. Need to know if members would agree to having a Disaster Management Committee in conjunction with the Torres Shire to look after disaster areas for the whole of the Torres Strait and one Disaster Management Plan or whether TSIRC have a specific one and Torres Shire have a specific one. The feeling of the Council was to remain separate with a TSIRC specific Disaster Management Committee.

■ **Erub:**

- *Training Okinawa Project* – Cr. Bedford advised this particular project happening on Erub and Masig - general query is the flexibility of CDEP to allow people to take up training without impacting on their point of obligation.

- CEO advised if CDEP participant are on 32 hrs they can participate in training etc. If CDEP participants have a top up or Council job and they want to go over there and do this project – no they cannot participate in trainings such as the Okinawa training project, they will have to take leave to do that.
- **July 1 Celebrations (140yrs) – It was recommended and supported by Council that the General Meeting in July 2011 be held at Erub to coincide with the July 1 celebrations for 2011.**
- **Warraber**
  - *Coastal Erosion Funds*
    - Cr. Lui advised not sure if Cr. Gela and the CEO is aware at the last TSRA meeting each of the 6 communities have been given fund for coastal erosion and inundation of \$400,000 from surplus money from TSRA. Who carries out the work so that I could give a response to my community forum members - is it TSRA or TSiRC who looks into what needs to be done?
    - Mayor advised that if TSRA is going to be involved, we will have to wait and get some formal response from TSRA. So at this time cannot comment on this issue.
  - *Flood Damage Funds*
    - Cr. Lui queried when was this coastal work done because when he asked the Manager for Civil Works he was looking for workers from main roads.
    - \$82,000 was earmarked from Warraber but Cr. Lui advised Manager Civil Works that Warraber will not be accepting that funding because no consultation was done as to what has to be done and now Warraber cannot use the money for something else.
    - Mayor advised that the \$82,000 can only be put towards flood damage during that period to any roads other than anything else. If those areas that have been identified at that time that needed work but is rectified and addressed now but if there are other areas that are damaged then I am not sure whether there is a possibility of using that \$82,000 as long as it has to do with the roads to rectify that issue.
    - Cr. Lui advised he had spoken to Manager Civil Works but was advised that it is to be used only for what it was earmarked for.
    - Mayor advised if that work has already been done we can acquit that \$82000, once it is acquit it then it becomes untied.
    - **CEO to liaise with Executive Manager Engineering and inform Cr. Lui on this matter.**

***It was resolved that Council break for Lunch at 1.35pm – 2.30pm***

## QUESTIONS ARISING FROM INFORMATION REPORT

- **Dauan**
  - Water Sample Testing – Cr. Soki requested update and progress regarding strategy to this issue.
  - Sewerage Pump Tanks trailer – needs to be relocated to Dauan.
  - Sewerage Issue has been going on for quite some time and nothing has been done. It was noted that disposal of it on Dauan is not an option.
- **Cairns Office Fit Out**
  - Executive Manager Corporate & Finance briefed members that the Architect has been engaged now and is currently working through the concept designs – hoping to receive like a first cut of a drawing next week Monday - if that design is okay will look at the design and our requirements, then look at it being drawn up like a pad type format and given the quantity so it can go out to the market. Will go out to tender in 3 weeks time and hold it open for 21 days. Price will be a major factor on how we proceed with that.
- **Executive Managers**
  - It seems that issues tabled at one Standing Committee are not followed up by the appropriate Executives because when the next committee meeting comes around the same issues are raised again.
  - ***Executive Managers needs to extract from minutes, actions, and follow it up.***
- **Housing Reports – Mayor advised:**
  - Queries raised by Cr. Bero and Cr. Pearson who were present at the Corporate & Finance Standing Committee – they were specific in terms of what reports should be made available to that particular standing committee and was in relation to any capital works that are currently underway or have been completed or, any reports that needs to be tabled Island by Island in relation to upgrades whether it be major or minor and at the same time in terms of some progress a status report in relation to the Island Maintenance Program which is managed by Q-Build once again Island by Island - that type of information was requested there at that standing committee meeting.
  - Reports tabled in the past by the past Executive Manager for Housing and Air & Sea Ports, was along the same lines, basically reporting anything on our housing management position, and not necessarily focusing on Tenancy Management and not on construction assets
  - I am please to say that a number of things that was sitting in that particular standing committee meeting is underway or has already been discussed at this meeting.
- **Sports & Rec Updates**
  - lama – Executive Manager Communities advised was at lama yesterday and had a look at the Court for safety issues – it's a matter of getting some funds - so what we could probably do is put it out of bounds for public use while seeking funds to have it fixed.
  - ***Sports & Rec Funding Applications submissions for minor works – Executive Manager advised no outcome or response from Sports & Rec Queensland as yet but will certainly follow it up with them. Just not sure at this stage the timeframe for them to get back with a response.***
- **Concept Plan of Protection Works – Executive Manager Engineering needs to follow up:**

- ***on concept plan of the scope of works that has been earmarked to be undertaken as part of the protection works for the six (6) communities that has been costed - if the design of the scope of work can be made available***
- Mayor advised that the individual councillors for those particular communities have not sighted the designs or to that extend so that way we can identify and determined and make decisions on things that we can do within our scope and things we can't do that we still require funding for - something I believe that can be done without additional funding especially if you have access to machinery in the community at any given time.
- Cr. Pearson advised during their community forum held earlier this month, one of the issues brought to my attention by the community was that the majority our children on Hammond go to school at the TAGAI College and I guess would it be in my best interest as ccc this specific information back in reference to TSIREC to request their support in getting Sports & Rec activities happening on Hammond for those students who go to TAGAI.
- ***Executive Manager as we are all aware the funding for Sports & Rec has transitioned from TSIRC to TAGAI College in terms of that funding. TAGAI have appointed a Sports & Rec Officer for TI and Horn Island, not sure how they are going to roll out their programs – that comes under the TSC's umbrella, but I will make that inquiry at the next governance meeting and will provide a response to Cr. Pearson.***
- ***Mayor – other part of the question by Cr. Pearson is maybe a letter signed posing the question to TAGAI in relation to how they are going to provide sports and rec activities within the community at Hammond and maybe invite some sort of a dialogue between TAGAI, Cr. Pearson and TSIRC Executive Manager Communities, and whilst providing that activities, there needs to be some sort of negotiation agreement that sits place similar to other communities.***
- The reason why we flag the negotiating agreement is to ensure that whilst the activities are provided there are some sort of a formalised agreement in place to ensure that any facilities that are used is not used by TAGAI free of charge because at the end of the day the Island councils have to work within the confines in the parameter of how much dollars we were given and TAGAI should be expected to do the same thing as well.

2.50pm

**COUNCIL MEETING CLOSED**

### **MEETING OF COUNCIL AS TRUSTEE OF COMMUNITY DOGIT**

*Moved Cr. P. Mosby, Seconded Cr. Pearson that in accordance with Section 159ZZP, Part 4 of the Local Government Act 1993, Subdivision 1, Management of Community Development of Grant in Trust, the meeting of the Trustee of Community DOGIT be convened and conducted as separate meetings of the Indigenous Regional Council.*

**Motion Carried**

### **WARRABER CHURCH LEASE**

#### **RESOLUTION**

***Lease to the Diocese of Independent Christian Church in Torres Strait & Kaiwalagal Aust. UAC Inc.***

*Moved Cr. Lui, Seconded Cr. Pearson that the Trustee grant a Trustee Lease to the Diocese of Independent Christian Church in Torres Strait & Kaiwalagal Aust. UAC Inc. comprising Lot 59 on the attached sketch plan comprising part of the Deed of Grant in Trust being lot 4 on CP TS171, County of Torres, Parish of Adolphus, title reference 21296137, for the operation and maintenance of an existing Church for religious practice on Warraber.*

**Motion Carried.**

### **YAM EDUCATION & TRAINING AND HEALTH LEASES**

*As Cr. Mackie was absent from this meeting this issue was deferred to next Council meeting.*

### **MEETING CLOSED**

#### **Mayors Closing Remarks**

With no further discussions, Mayor thanked Cr. Lui, Divisional Manager and staff, caterers, and the Community of Warraber for their hospitality, gratitude, and for acting on such a short notice in providing and holding this meeting successfully in their Community.

Thanked also Traditional Owners, Community Forum Members, Divisional Manager & Staff, Caterer, Spiritual Leaders and Youth of Warraber with around of applause from Councillors, Executives and Staff of Regional Council.

Thanked Individual Councillors for rescheduling their times around dates they have already committed themselves on and for dedicating and prioritising their time to be here, to actually represent your community in this meeting.

I would like to extend my thanks also to the staff of Regional Council and everybody that's involved including CEO and Executives - Human Recourses is greatest asset, council once again join me in a round of applause in thanking the staff.

**3.00pm** Meeting closed in prayer Cr. P. Mosby.



.....  
Cr Fred Gela  
Mayor



.....  
Mr John Scarce  
Chief Executive Officer