



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

MONDAY 24th AUGUST 2009

Please find attached Minutes of the above meeting held on 24th August 2009 at 9.30am – 6.35pm at *the Community Under covered Area, Yorke Island.*



**Torres Strait Island Regional Council (TSIRC)
Ordinary Meeting
Held at the *Community Covered Area*, Yorke Island**

Monday 24th August 2009

Present: Cr. Fred Gela, Mayor
Cr. Donald Banu, Division 1 – Boigu Island
Cr. Keith Fell, Division 4 – Mabuiag Island
Cr. Wayne Guivarra, Division 5 – Badu Island
Cr. Nancy Pearson, Division 8- Hammond
Cr. Walter Mackie, Division 9 - Iama
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
Mr. Anthony Bird, Executive Manager Finance
Mr. Patrick McGuire, Executive Manager Engineering Services
Mr. Chris McLaughlin, Chief Legal Officer
Ms Elissa Shuey, Public Relations Officer
Mrs Tania Sailor, Executive Secretary.

Observers: Members of the Community

In

Attendance: *Mr. John Harris, President, Cairns Area Committee, Crime Stoppers
Professor Alan Clough, Associate Professor, James Cook University
Det. Snr Sgt Gary Hunter, Far North Queensland Drug Squad, Qld Police Service*

Apologies: Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub *
Cr. Raymond Soki, Division 2 – Dauan
Cr. Ron Enosa, Division 3 – Saibai Island
Cr. David Bosun, Division 6 – Kubin
Cr. Toshie Kris, Division 7 – St. Pauls
Mr. Noel Peters, Manager Human Resources
Mr. Lloyd Sunderland, Executive Manager Community Services
Ms Dania Ahwang, Manager Internal Audit

Deputations: Mrs Glorianna Mosby & Mrs Daisy Kabay – *re Housing issues* (met with Mayor & CEO during morning tea)

9.30am: 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.

WELCOME

Welcome & Acknowledgement of Traditional Land Owners

- Mayor Fred Gela
- Cr. John Mosby

Cr. Mosby welcomed & thanked all members for making time to come to Yorke Island for the Meeting, and expressed his appreciation on behalf of his Community that members could joined in with the 23rd Celebrations of the anniversary of the 1st Councillors Conference held at Yorke in 1937.

Mayor welcomed Members, Elders and Youth as observers to the meeting and thanked Cr. Mosby, Members of Community, and staff of TSIRC - Yorke, for hosting the Council Meeting at Yorke and for their invitation in joining the Community in celebrating our historic and significant event – 23rd August Celebrations.

Mayor opening remarks:

- Transportation/communication etc to Torres Strait communities have come along way since the Torres Strait Councillors first meeting at Yorke Island held in 1937.
- Acknowledged the hunters/gatherers in making our stay welcome and to the people preparing food.
- Look forward to a fruitful discussion at this meeting.

BUSINESS ARISING FROM COMMUNITY & ENGINEERING STANDING COMMITTEE FOR THE MONTH OF MAY

- *Sports & Recreation* – update on Sports and Recreation to be discussed at a later session.

CONFIRMATION OF COMMUNITY & ENGINEERING STANDING COMMITTEE FOR THE MONTH OF MAY

Moved Cr. Pearson, *Seconded* Cr. Lui that the minutes of the Community & Engineering Standing Committee for the month of May be adopted as a true and accurate.

Motion Carried.

BUSINESS ARISING FROM COMMUNITY & ENGINEERING STANDING COMMITTEE FOR THE MONTH OF JUNE

- *Veterinary Visits*
 - needs community awareness of their visits. Executive Manager to provide schedules of their visit.
 - Vet need to work on the ground with Animal Management Worker as well as Native Title issues.
- *IBIS St. Pauls*
 - No report on this but it is back on line operating.
 - Broad range of issues IBIS had to look into eg. condition of building, refrigeration and air conditioning.
 - Manager Environment & Health Miss Howcrowft working closely with Tropical Public Health Unit (TPHU) in looking into all the IBIS stores as well as others stores in communities.,

CONFIRMATION OF COMMUNITY & ENGINEERING STANDING COMMITTEE FOR THE MONTH OF JUNE

Moved Cr. Pearson, Seconded Cr. Guivarra that the minutes of the Community & Engineering Standing Committee for the month of June be adopted as a true and accurate.

Motion Carried.

CONFIRMATION OF MINUTES

Deferred till after lunch

Repatriation Process:

- It was noted that Cr. Mosby and Cr. Banu is on the Steering Committee as well going into communities to do consultation on the Repatriation Process. Kelly MsCosker from TSRA will advise Councillors of the consultation dates into communities.
- Mayor advised members also to be aware of the TSIRC community consultation happening around October through to November, that when talking to Kelly on the repatriation consultation dates they need to ensure that it does not clash with the Community consultation dates.

TSIRC STYLE GUIDE

Moved Cr. Day, Seconded Cr. Bero that the Council adopt the TSIRC Style guide as presented and that it be reviewed every 12 months.

Motion Carried.

- *Reviewed every year*
- *Copyright TSIRC*

EXECUTIVE MANAGERS REPORTS

COMMUNITY SERVICES

EOI TSIRC 2009-03 ASSESSMENT OF SOLID WASTE MANAGEMENT

Resolution

Moved Cr. Mackie, Seconded Cr. Lui that council ratifies the decision of the Standing Committee for engaging Conics (Cairns) Pty Ltd for the stated amount of \$74,500.00 as identified in their expression of interest to undertake the works identified in Expression of Interest (EOI) TSIRC2009-03, Assessment of Solid Waste Management Sites.

Motion Carried

ENGINEERING SERVICES

MANGROVE REMOVAL AT BOIGU

Resolution

Moved Cr. Banu, Seconded Cr. Pearson that Council delegates the authority to the CEO to accept the best tender for the removal of mangroves at both ends of the airstrip on Boigu Island. Further the CEO to liaise with Cr. Banu and the Executive Manager Engineering Services Mr. Pat McGuire prior to acceptance of the tender.

Motion Carried

LAY ON TABLE

- *Principle agreement only subject to those discussions has been considered and bases covered as per Cr. Banu's query as to the responsibility for compliance of Workplace Health & Safety.*
- *CEO to discuss the issue with Cr. Banu to ensure the successful applicant is aware of the requirements and the Executive Manager Engineering to ensure that the appropriate conditions are in place.*

MONTHLY INFRASTRUCTURE REPORTS FOR THE MONTH OF JUNE

Resolution

Moved Cr. Mosby, Seconded Cr. Bero that Council receive the attached report and authorize its release to the DERM and TSRA.

Motion Carried

MONTHLY INFRASTRUCTURE REPORTS FOR THE MONTH OF JULY

Resolution

Moved Cr. Pearson, Seconded Cr. Fell that Council receive the attached report and authorize its release to the DERM and TSRA.

Motion Carried

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

Deputation - Mayor/CEO meets in private discussions with Elders (Mrs Giorianna Mosby and Mrs Daisy Kabay).

Meeting resumed 12pm.

POLICIES AND PROCEDURES – DEBT RECOVERY POLICY

Resolution

Moved Cr. P. Mosby, Seconded Cr. Pearson, that Council adopt the proposed Debt Recovery Policy.

Motion Carried

POLICIES AND PROCEDURES – LITIGATION RISK MANAGEMENT POLICY

Resolution

Moved Cr. Fell, Seconded Cr. Mackie, that Council adopt the proposed Litigation Risk Management Policy.

Motion Carried

POLICIES AND PROCEDURES – LOST PROPERTY POLICY

Resolution

Moved Cr. Pearson, Seconded Cr. Fell, that Council adopt the proposed Lost Property Policy.

Motion Carried



PRESENTATIONS

"WEED IT OUT" PROGRAM

*Det. Snr Sgt Gary Hunter, Far North Queensland Drug Squad, Qld Police Service
Professor Alan Clough, Associate Professor, James Cook University*

- A 'Problem Oriented Partnership Policing' initiative
- to reduce the harms associated with Cannabis abuse in indigenous communities in Cape York and the Torres Strait.
- submitted by Assistant commissioner Andrew Henderson of the Far Northern Policy Region, and approved by the Commissioner of the QPS.
- The Far Northern Region Drug Squad (QPS) hope to work in partnership with indigenous communities in the Cape York and Torres Strait regions and utilise the data gathered by the researches from James Cook University to:
 - Develop community awareness information packages in local language to clearly understand the extent of the drug related problems in their individual community
 - Help the community take ownership of this problem and assist the communities in managing drug related problems in communities
 - Promote the need for community members to provide police with timely and accurate information about drug dealers include the use of Crime Stoppers Ph 1800333000.
 - Promote the need for communities to develop their own lawful deterrent strategies to discourage drug dealers and drug use.
 - Reduce the risk of amphetamine type drugs (Speed, Ecstasy) being introduced into remote indigenous communities.
 - Work with all community and Government stakeholders to develop demand reduction and supply reduction strategies and expand on existing health alternatives.

Research:

- *Project aim* – provision of community-based intervention to support targeted policing efforts and interventions to reduce cannabis smoking in remote Aboriginal and Torres Strait island Communities. Interventions will include:
 - Raising awareness of widespread use of cannabis and its mental health effects
 - Providing information about the legal aspects of cannabis
 - Providing ongoing feedback about research findings to the communities.

Permission to conduct the project will be sought in five communities in Cape York & Torres Strait.

- *Background* – from the studies conducted in the 'Top End' of the NT Police intelligence suggests that rates in far north Qld may be very similar. Documented studies include:
 - Mental health effects include addiction and associated suicide and self-harm
 - Community disruption and violence
 - Impacts on community financial resources.
- *Methods:*
 - Self reported cannabis use will be measured in each community before the interventions commence
 - Follow-up will occur twice during the project
 - Interview will be confidential

- *Outcomes:*
 - Reduce adverse mental health effects
 - Reduce criminality relating to cannabis trafficking
 - Build community resilience against uptake of other illegal drugs.

Det. Snr Sgt Hunter:

- the program would involve community engagement/consultations including schools, sports competitions etc.
- It is a slow process but working on it.

Professor Clough:

- To get the funds to the work - request a letter of support from TSIRC
- Further consultations (which islands to visit) - 3 to 6 months.
- Research work – 2010 to 2012
- It was noted that:
 - The cannabis users who agree to be involved in the studies will not be reported to police.
 - Police are only interested in who the dealers.
 - The studies are just on how much the cannabis users use and what it does to them.

Mayor advised that TSIRC work closely with Det. Snr Sgt Hunter and Prof. Clough in engaging with communities.

Cr. P. Mosby raised concerns as to the Intellectual Right of Property - once documented and report completed in this research how will TSIRC know that any tier of Government will come in and intervene with our decision-making as it is happening in the NT?

Mayor Gela reassured Cr. Mosby that intervention by Government on any documentation or report that comes out of this research will never happen as first of all for that to happen it needs to have QPS Officers based in Communities whether it be Island by Island or Cluster Groups, and for that reason we do not have QPYC. QPS is present only on Thursday Island and not in the communities itself.

"WEED IT OUT" PROJECT

Resolution

Moved Cr. John Mosby, *Seconded* Cr. Bero that Council provide a letter of support to Prof. Clough to proceed with the "Weed Out Program" Project in the Torres Strait, and further that Council supports Prof. Clough in his bid to seek funding from the Government towards rolling out the Program.

Motion Carried

Against: Cr. Pearson

CRIME STOPPERS

Mr. John Harris, President, Cairns Area Committee, Crime Stoppers

Crime Stoppers work in partnership between Community volunteer organisation Crime Stoppers Queensland Limited and the Queensland Police Service. *Crime Stoppers:*

- is a community organisation that believes the general public can help make a difference in preventing and solving crime.
- was established in Queensland in 1989 and operates throughout Australia.
- is successful in Queensland because of the 300 + volunteers spread through the state who contribute their valuable time to ensure the success of each local Area Committee.
- has 24 Area committees operating throughout the state of Queensland.

Calls to Crime Stoppers

- to remove the fear of retaliation or becoming involved in court proceedings all calls to Crime Stoppers may remain anonymous:
 - caller identity is not required,
 - calls are not recorded or taped in any way
 - the telephone caller ID number is not able to be viewed by Crime Stoppers
 - if by website your IP address of the computer being removed by secure servers.
- If the information you provide leads to the arrest of the offender/s, then you may be eligible to receive a reward of up to \$1000, depending on the seriousness of the crime solved. This is paid on an anonymous basis if you maintain contact with Crime Stoppers, providing the original code number only.
- Once trained operators receive your call and take note of the details provided, the information is forwarded to the most relevant section of the Queensland Police Service for attention and investigation.

Contact Crime Stoppers:

- If you have information relating to a crime which has been committed;
- If you suspect that a crime is being planned; or
- To report an address where drug production and/or distribution may be taking place.
- There are two ways to contact Crime Stoppers:
 - by using the free telephone hotline 1800 333 000 or
 - through the Share Crime Information Now section of the Crime Stoppers website at www.crimestoppers.com.au
- If you wish to report a crime in progress or you require emergency assistance, you should dial 000(triple zero).

Mayor advise members that should they have further queries on Crime Stoppers to contact Mr. Harris.

It was resolved that Council break for Lunch at 2.15pm.

HOUSING IMPROVEMENT PLAN

Resolution

Moved Cr. P. Mosby, Seconded Cr. Pearson that Council adopt the Housing Improvement Plan as presented.

Motion Carried

CLOSED BUSINESS

Moved Cr. Day, Seconded Cr. Bero 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.

END OF CLOSED BUSINESS

ISSUES RATIFIED IN CLOSED BUSINESS

1. QAS MOU

Resolution

Moved Cr. Bero, Seconded Cr. Pearson that Council authorises the Chief Executive Officer to sign a MOU with QAS on the delivery of ambulances to the communities of the TSIRC.

Motion Carried.

2. CBRC \$10m

Resolution

Moved Cr. Pearson, Seconded Cr. Lui that Council adopts the investment schedule complete with priority investment.

Motion Carried.

3. COUNCIL MEETING EVERY SECOND MONTH

Resolution

Moved Cr. Lui, Seconded Cr. Fell that Council resolves to hold Ordinary General Meetings every second month and Standing Committee meetings on the alternate months, commencing on the date of enactment of the *Local Government Act 2009 (Qld)*.

Motion Carried.

4. DIVESTMENT OF ENTERPRISE

Resolution

Moved Cr. Fell, Seconded Cr. Pearson, that Council is provided with a further report outlining the assets and enterprises to be divested to community based organisations at Badu, Erub, Mer and Saibai.

Further Council establishes 11 community based organisations as controlled entities for the remaining communities. These controlled entities to operate the enterprises held with in that community, with the intention of making viable for transfer at a future date.

Motion Carried

LATE REPORT

2. DRAFT FINANCIAL ACCOUNTS 08/09

Resolution

Moved Cr. Fell, Seconded Cr. Banu that Council adopt:

1. The DRAFT Torres Strait Island Regional Council Financial Report for the period 15 March 2008 to 30 June 2009; and
2. Authorise the Mayor and CEO to sign the attached Management Certificate for the period 15th March 2008 to 30 June 2009 stating the Financial Statements were developed in accordance with the Local Government Act 1993; and
3. Authorise the CEO to provide the DRAFT Financial Statements to the Auditor General prior to 15 September.

Motion Carried

- *In DRAFT form - subject to change.*



2. QUEENSLAND TREASURY COPORATION – FINANCIAL SUSTAINABILITY REVIEW

Resolution

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

1. Draft figures as presented in model for the Sustainability Review; and
2. Authorise the CEO to present to the State Government and make any changes to the Draft as required.

Motion Carried

3. PROCUREMENT POLICY

Resolution

Moved Cr. Guivarra, Seconded Cr. Fell that Council adopt the Procurement Policy for the 2009/2010 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

4. CASH WRITE-OFF

Resolution

Moved Cr. Banu, Seconded Cr. Day that Council write-off \$884.40.

Motion Carried

5. ANNUAL INFRASTRUCTURE REPORT

Resolution

Moved Cr. Fell, Seconded Cr. Pearson that Council receives the attached report and authorise its release to DIP and TSRA.

Motion Carried

6. LOCALITY NAMES

Lay on Table

- *Councillors take this issue back to their Community for discussions and bring back to next Council Meeting.*
 - *Cluster Group Names in Language and English*
 - *Island Names in Language and English*
- *Time frame for information on the above due back by 15th September to the Executive Manager Engineering Services.*

7. MIP PROJECTS – IN HOUSE BID

Resolution

Moved Cr. Day, Seconded Cr. Bero that Council approve the construction of:

- *Saibai Waste Management Facility – Access Road and Bunding.*
- *Boigu Water Management Facility – Bunding.*
- *Dauan Water Supply – Well 4 rehabilitation*

utilising in-house resources and not proceed to competitive tender.

Motion Carried

8. REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM

Resolution

Moved Cr. Mosby, Seconded Cr. Fell that Council applies the \$25,000 towards the replacement of motors for the Dauan Ferry, and further apply the \$30,000 towards the materials to construct the amenities building toilet block at the Hammond wharf.

Motion Carried

- *Executive Manager Finance to provide a snapshot of the amount of investment dollars going into communities – island by island.*

GENERAL BUSINESS

- In response to Cr. Mackie's CEO advised that the issues he raised would fall in place with what the TSRA has coming in with regards to Development Plan Funding.
- Cr. Fell advised that instead of spending money we could look at our Pool of machinery and see what other communities have that they don't use, and get it across to those communities who needs to use them.
- IBIS Stores:
 - Cr. Day:
 - advised that TSIRC could look at IBIS Stores as an asset for Economic Development.
 - being a strong advocate in looking at having his community own the IBIS Store(giving it back to community), queried if TSIRC have the scope for communities to takeover IBIS Stores.
 - Mayor advised if this is what communities want, this is something that TSIRC can look into, but will look at options and discuss further with Cr. Day.
 - CEO advised that a report from the House of Representatives on Remote Indigenous stores is forthcoming – still waiting for the report.
 - Cr. Bero expressed his appreciation that her community is finally having an IBIS Store built in her community including a fuel bowser.
- It was noted that the next MIP meeting is scheduled for the 14th October 2009.

SPORTS & RECREATION

- There was a lengthy discussion between members on Sports & Rec.
- It was noted that:
 - The Sports and Recreation Funding has been offered to the Tagai college to deliver Sports & Rec. in our communities. It was noted that
 - Tagai does not have a campus in all of the communities.
 - Communities could lose our sports and rec officer employed by Council.
 - Ability for Tagai to deliver activities for all community members outside of school hours.
 - On the media front –TSIRC did a press release – out in this week's Torres News.
 - Since March 2009 the Departments have not got together to discuss this issue
 - TSIRC submission was the only one that had a detailed submission put to them.
- Mayor invited TSYSRA (Cr. Guivarra) to join TSIRC in putting up the fight for our communities.
- Mayor advised there is a letter going to the Minister on TSIRC concerns with regards to their decision in giving Tagai College the Sports & Rec. funding to deliver this essential service. Mayor will send a copy of the letter to Councillors.

CONFIRMATION OF MINUTES

Moved Cr. Bero, Seconded Cr. Lui that the minutes of the Ordinary Meeting held 30th June 2009 be adopted as true and accurate.

Motion carried.

6.35pm COUNCIL MEETING CLOSED

MEETING OF COUNCIL AS TRUSTEE OF COMMUNITY DOGIT

PROPOSED TRUSTEE DECISION – DOGIT LEASES TO ASMA

Resolution

Moved Cr. Pearson Seconded Cr. Fell that the Trustee grant two (2) Trustee Leases (Leases A and B in lot 155 on TS172 on SP182483) to the Australian Maritime Safety Authority ("AMSA") over land described as lot 155 on TS172, County of Torres, Parish of Port Kennedy, for the construction, operation and maintenance of maritime safety facilities.


Motion Carried.

MEETING CLOSED

With no further discussions, Mayor thanked members and Executive Management and staff for their attendance at the meeting, with special thanks to Cr. Mosby and the Community of Yorke for their hospitality in hosting the Council Meeting at Yorke Island, and the successfully celebrations of the 72nd Anniversary of 1st Councillors Conference held at Yorke in 1937, not forgetting the feasting and entertainment that was enjoyed by all who attended.

6.50pm Meeting closed in prayer by Cr. Mackie


.....
Cr Fred Gela
Mayor


.....
Mr John Scarce
Chief Executive Officer