

**Torres Strait Island Regional Council (TSIRC)
Ordinary Meeting
Held at the Dauan Island Community,
Dauan Island
Wednesday 24th September 2008**

Present: Cr. Fred Gela, Mayor
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub
Cr. Donald Banu, Division 1 - Boigu
Cr. Raymond Soki, Division 2 - Dauan
Cr. Keith Fell, Division 4 - Mabuiag
Cr. David Bosun, Division 6 - Badu
Cr. Toshie Kris, Division 7 - St. Pauls
Cr. Nancy Pearson, Division 8- Hammond
Cr. Walter Mackie, Division 9 - Iama
Cr. Willie Lul, Division 10 - Warraber
Cr. Pillemon Mosby, Division 11 - Poruma
Cr. John Mosby, Division 12 - Yorke
Cr. Florianna Bero, Division 13 - Ugar
Mr. John Scarce, Chief Executive Officer
Mr. Malcolm Flavel, Executive Manager - Housing & Ports
Mr. Lloyd Sunderland, Executive Manager - Community
Mr. Noel Peters, Manager - Human Resources
Mrs Tania Sailor, Executive Secretary.

Observers: Members of the Public

9.35am: Meeting opened in prayer by Cr. Mackie.

3. Apologies:
Cr. Ron Enosa, Division 3 - Saibai Island
Cr. Wayne Guivarra, Division 5 - Badu Island
Cr. Ron Day - Division 15 - Mer Island
Mr. Tim Sheppard, Executive Manager - Engineering

4. Deputations: Mr. Thomas Mooka (Attachment A)

WELCOME

Welcome to Country *(on and behalf of the Elders & Traditional Land Owners)*

Mr. Guy Uta

Welcome & Acknowledgement of Traditional Land Owners

Mayor Fred Gela
Cr. Raymond Soki

CONFIRMATION OF MINUTES

Moved Cr. Bero, Seconded Cr. Bedford the minutes of the Ordinary Meeting held 20th August 2008 be adopted as true and accurate apart from some alterations.

Motion carried.

BUSINESS ARISING FROM PREVIOUS MINUTES

- *Torres Strait Institute* – Letter was sent to Mr. Ned David from TSIRC supporting the concept of establishment of the Torres Strait Institute.
- *Airport lights* – will look at pulling all information together first then do a forward plan to be presented to Councillors.
- *Staff Uniforms* – HR Manager will be doing a report and will be provided to October Council Meeting.
- *PBC Meeting* at Saibai has been changed to another date.
- *Mobile Phones* – Councillors will be distributed with a brochure of various mobiles, please note there are some types will not necessarily work effectively in your area, members are required to make a selection and the details are to be forwarded to the CEO so that orders can be placed.
- *Torres Strait Islander Land Act Review* – must engage in consultation with Community and traditional owners, and that consultation be broken down to grass root level using Creole and not large English jargon words. The consultation process is to be engaged in the urban areas prior to the Torres Strait and outcomes from the process are to be made available to the communities whilst engaging with them.
- *Traditional Visits* – this issue was raised at the TIM meeting and the discussions went well. It was endorsed at the meetings for the Mayor to sit in on the TIM/JAC meetings.

BUSINESS ARISING FROM INFORMATION REPORT

Community & Engineering

Report on Child Care Centres

- TSIRC write a letter to Assistant Director-General, Mr. Michael Hogan. Mr. Hogan has offered his assistance on this issue in light of the information he received regarding Child Care Centres in the Torres Strait.
- Cr. Pearson asked if there is any chance for the CEO to look at urgently putting someone in the position, who will be involved in providing assessment and setting up of Child Care Centres in any one community. Women in Communities will know what to do because the network has already been established.
- Cr. Bero agreed support Cr. Pearson, advising that the parents don't have anywhere to leave their children while they work, and often bring their child to workplaces such as the office.

- Cr. Kris suggested endorsing each Island Council to look at and focus on each portfolios that Executive Managers have such as Dauan – Child Care Centre, Warraber Sports & Rec, etc. Use our own Community instead of bringing someone from outside. Cr. Pearson agreed with the proposal advising that Council needs to start somewhere.
- Cr. Mackie was given clarification that his grant for Child Care Centre is stipulated only for Child Care Centre. Cr. Mackie was concerned that employees who have received accreditations for Child Care has now gone South searching for employment because there are no positions or facilities of Child Care Centre on lama as yet.
- Mayor Gela advised:
 - Look at employing people in the Community as we have skilled people in the communities who can effectively assist our Executive Manager for Communities in relation to getting existing Childcare facilities back up and running or provide the necessary reports or to develop policies that are required.
 - Acknowledged there is a strong need for a model, therefore the issues raised needs to be taken into consideration such as type of facilities etc. when discussing Child Care Centres.
 - there is a Torres Strait Resource Support Officer that is fully funded by Crech & Kindergarten who should be resourcing these Child Care Centres/Facilities – this is a question that TSIRC will be clarifying with the appropriate Department.

Recommendation:

Council to write to the Assistant Director-General to engage Family, Youth & Community Care to visit communities and do assessments on Child Care Centres/Facilities as well as assisting and resourcing and providing the necessary assessment to establishing these facilities.

Managers position

- clarifying these positions.
- Executive Manager for Communities will compile a report to CEO as to what positions is required urgently in Communities.

Sports & Rec.

- Meeting held between Health, Sports & Rec. Officers - Executive Manager reports that his advice to the Department was that Council is not in a position to pick up any shortfall. More time made available between Stakeholders for consultations as there have not been any consultations with Stakeholders.
- Meeting was held recently to ask for an extension that was approved – Funding extended to 30th December 2008. TSIRC has until 1st January 2009 to present a model to Government.

- Model proposed – perfect opportunity to provide a valued service to our people by combining grant funding supplied by Sports & Recreation and Queensland Health. Our proposal is that we combine the limited funds we both have access too, employ the appropriate people to deliver the outcomes of the Healthy Lifestyle Programme and the Sports & Recreation funding guidelines. With this model we should be able to deliver both our outcomes across the 15 Island Communities that make up the Regional Council.
- Sports & Rec Co-ordinator role should be funded separately by DLPSR to assist with the coordination of programs and funding opportunities. Co – ordinator position can be retained within the TSYRSA structure to ensure greater coordination of regional sporting activities.
- Need to also get Education on board to see what they can provide in terms of funding.

Parks & Gardens

- There is potential for the above program to be delivered by TSIRC on a full time basis as it is a core function, however we are not in a position to determine this as of this stage until budgets are confirmed and endorsed.
- At the moment employees are employed in this area on a part time basis with CDEP top up.

Corporate & Finance

Deferred to Closed Business.

Housing & Economic Development

Housing Allocation issues

- deferred to Closed Business.

Divestment of Enterprise

- Sought out information again from communities. The response was very poor. Need that information before we could move forward. The necessary reports and or assessments will not be engaged in communities that have not responded to the requests.
- Cr. Kris requested that their community association be endorsed as the one and only association to look after their enterprise.
- Mayor Gela provided a brief on recent discussions with TSRA in relation assessments /recommendations that were made by Kidson Consultants where reviews and assessments were undertaken at 6 Communities prior to amalgamation on behalf of TSRA. Some communities have already established their association and are well advance on this issue.
- Cr. Kris will talk to the General Manager of TSRA for a copy of the report by Kidson Consultants to be provided to TSIRC for review to be presented at the next Council Meeting.

LATE REPORT

Community Forum Expenses

Resolution

Moved Cr. P. Mosby, Seconded Cr. Bedford that Council lobby the Local Government Minister the Hon. Warren Pitt to amend the Local Government Act 1993 to enable Council to compensate Community forum members with a meeting allowance.

Motion Carried

- Community Forum members plays an advisory role.
- Council can pass a policy to allow Community forum members who are full time workers to attend Community forum meetings during working hours.
- Community forum members cannot be a member such as Island Manager, as they cannot make any decision pertaining to funding, monies etc.
- Community Forums memberships at this time are on the Minister's desk ready to be signed and published in the gazettes.

GENERAL BUSINESS

Review of Torres Strait Islander Land Act

- Department of Natural Resources to engage in consultations here in the Torres Strait on the review of the Torres Strait Island Land Act at later date, due to progressing Sea Claim consultation processes currently underway.
- Native title to do presentation at next Council meeting. It was noted that the Native Title Office take instructions directly from traditional owners to engage on issues raised by them.

Recommendation:

Council to write to Department of Natural Resources, Minister Craig Wallace requesting that his department engages consultations in the urban areas prior to engaging the Torres Strait with the review of the Torres Strait Islander Land Act. And that the outcomes from Mainland consultations be provided and forms part of the Island consultations.

Local Law and Order

- Community Policy training should be provided in our communities and training should be relevant with a strong focus on Community By – Laws and how they are to be administered particularly clauses that are relevant to empowering our community police. Some examples of current issues sly grog, gambling, domestic violence, child safety issues. Look at workshop next month on local law and order on Yam – liaising with CEO.

- Community policing on Islands - use community justice groups. Get elders involved in preventing young people doing silly things.
- Cr. Fell advised that you just need one person on each community to be the driver or make him in charge of identifying these issues and driving it through younger people in resolving law and order in communities.
- Cr. Banu supports and acknowledges the advices provided by Cr. Fell but advised that the QPS should be doing more.
- Mayor discussed briefly the history of policing in Communities—
 - This issue has been an ongoing issue. The responsibility of maintaining law and order in communities in particular policing in communities were abandoned by the State Government and left for Island Council's to manage on a shoe string budget and without the appropriate local laws in place, police with little to no powers to deal with offenders or prevent crimes in our local communities. The State Government has been holding Council's to ransom on this issue as they are well aware that we will never discard this function regardless it wasn't our responsibility then or now under Local Government.
 - Training should be delivered in the Community and coordinated appropriately so it coincides with other activities such as drivers licensing etc.
 - QPS needs to maintain regular presence in communities providing our Community Police with the support and assistance they need.
 - They need to liaise closely with both Cr's and Community Police so that yearly planner can be developed targeting proposed dates that requires there presence and contingency be put in place for special circumstances or emergencies.
 - Cross jurisdictional issues between QPS and Customs needs to be addressed and better service delivery arrangements and resource sharing needs to happen.
 - The QATSIP Training Program needs to be supported and rolled out to all community police and issues identified in relation to program needs to be addressed or enhanced.
- Mayor will be meeting with the Assistant Commissioner on the 1st October and requested if Councillors are on TI, they are welcome to join him in meeting with the Assistant Commissioner of Police.
- It was noted that :
 - that the three (3) issues with Community Police in Communities are:
 1. Family constraints
 2. Insufficient training (Powers); and
 3. Not properly remunerated
 - there is a need to workshop the By-Laws in each communities when reviewing the laws.

- to date no response was received from the QLD Police on the issues raised formally by the Mayor to the Minister for Corrective Service, Commissioner of Police and the Deputy Commissioner, and until we receive a formal response to the matters raised the media will not be approached as of this stage regarding Community Policing issues.

Recommendation:

It was recommended that a State Police Officer be based on each community.

TSIRC Holidays

- Issue was raised with regards to TI Office going off on Public Holiday such as the Cultural Festival Day on TI while the rest of the Island Communities did not go off and some communities was not able to talk to anyone at the TI Office.
- Mayor advised each council to flag what their specific holiday dates are and send them to HR Manager/CEO. Furthermore informing members that as per the Local Transitional Committee consultation process with both communities and council members and staff everyone was made aware that practices that occurred in the past in relation to holidays taken off for significant community events will be respected by the TSIRC.
- It was suggested that when TSIRC (TI Office) has a public holiday that there is a free line to contact someone for emergency purposes.

Mobile Phones

- Councillors were presented with options of Mobile phones to choose from and return their options to the CEO.

CLOSED BUSINESS

Resolution

Moved Cr. P. Mosby, Seconded Cr. Pearson 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

ISSUES RATIFIED FROM CLOSED BUSINESS

Insurance Tender

Resolution

Moved Cr. Bosun, Seconded Cr. Soki that Council award AON Risk Services Australia Limited (AON) as Councils Insurance Broker for the period of 30t September 2008 to 30t June 2010 with the option to extend for a further two (2) years at Council discretion. Further that it undertakes the Risk Management Exercise as outlined in the AON proposal.

Motion Carried

CEO Vessel

- Boat will not be made available for TSIRC use.

Councillor Training

- Councillor Training will be undertaken over a 12 month period by LGAQ.
- HR Manager to do a report/information sheet on the issues raised by Cr. Bosun and present to next Council meeting.

Airport Manager's Position

- It was clarified that Mr. Vickery's position as Airport Manager was confirmed through LTC at that time when the positions were advertised. During that time the Airport Manager's position was not required as yet and until such time he was requested to stay on at the Resort under Poruma Council.

Home Office

- Will check with Practical if order has been put through by Darrel Trueman for laptop bag and office combo that was not received by Cr. Bosun as yet.
- Look at previous resolution if office equipment for Councillors included a desk.

Communication between Councillors and their Island Managers

- Lengthy discussions by members on communications between Island Manages and Councillors.
- HR Manager advised if Councillors have issues pertaining to communications between themselves and Island Managers to contact him.

Misuse of Vehicles

- misuse of vehicles by council employee facing disciplinary actions could lead to the dismissal of the employee.

Council Meeting at IAMA

- Budget Meeting 21st October (travel into Iama early on that day)
- General Meeting 22nd October
- Return to respective Islands 23rd October

Council Meeting at Badu - December

- Referred to next Council Meeting at Iama.

Leave Applications

- It was noted that Island Managers have no authority to sign leave applications. All leave applications need to be brought up to Executive Managers.
- There need to be some sort of mechanism in place to authorise leave applications for employees taking recreation leave etc.

TSIRC Operating Funds (\$1.17M)

- Mayor to write letter and meet with State & Federal Government Ministers in relation to the TSIRC Operating Funds.

TSIRC Office Space and Staff Accommodation

- There is land available on TI to build staff accommodation
- Engineering Department is down 6 houses.
- Need other houses for other TSIRC employees.
- Councillors discussed their interests in accommodating office space and staff houses in their community.
- Mayor advised there is money to build houses but need land.
- Mayor recommended that Councillors do a report to the CEO on what they have to offer in their Community with regards to TSIRC Office Space and staff Accommodation.

Cross-Cultural Awareness for Staff

- HR Manager to liaise with Wade Mullins of TSRA to obtain a copy of their Cross-Cultural Awareness Package for TSIRC to use in adopting a Cross-Cultural Awareness Package for Staff.

ACTION ITEMS

Nil

MEETING CLOSED

With no further discussions, the Mayor thanked Cr. Soki and the Community of Dauan Island for their hospitality in hosting a successful meeting.

4.55pm Meeting closed with a prayer by Cr. Mackie.



Cr. Fred Gela
Mayor



Mr John Scarce
Chief Executive Officer

Attachment A (Notes separate from Minutes)

DEPUTATION

FISHING PROPOSAL FOR DAUAN ISLAND COMMUNITY FISHERMEN

Proposal by Mr. Mooka regarding fishermen/ freezer boat for Dauan Island Community;

Wrote a letter to TSIRC – on their vision for Dauan Island Fishermen in purchasing a freezer and access to purpose built vessel with holding capacity.

Freezer established locally with the ability to purchase crayfish, & fish. Freezer – not only to support Dauan Community but other communities as well.

Comments:

- *Need to look at setting up Dauan Island Fishing Association.*
- *Need to engage directly with fishermen, TSRA.*
- *Demand is to sell live crayfish, will the freezer be viable in the long run. Buyers tend to buy live crays more than craytails.*
- *Cr. Bedford supports Mr. Mooka's proposal and would like to work closely with Mr. Mooka as TSRA Portfolio member for fisheries.*
- *Cr. Kris (TSRA Chair) & Cr. Bedford will look at offering assistance and support to Mr. Mooka by providing more information, including loan schemes, options, offers for Dauan community Fishermen.*
- *Cr. Kris & Cr. Bedford will be meeting out of session today to discuss further with Mr. Mooka and the fishermen of Dauan. It was suggested that Cr. John Mosby be available and included in discussions so that he could share his experience and the grey areas he had with their previous investment on Yorke Island.*
- *Cr. Bedford will prepare a report and provide copy to TSRA and also implement this report in the integrated planning.*
- *Mayor Gela commended Mr. Mooka in bringing his proposal to the table at this Council meeting so that TSIRC & TSRA is able to provide support and to investigate sustainable and viable options for the community;*
 1. *a Freezer, or*
 2. *a Freezer and boat*
- *Mayor Gela advised that at the end of the day it's about the aspirations of our people, it's about local empowerment, it's about providing business opportunities and about providing additional employment options for our people other than working as CDEP Workers, AQIS, etc.*
- *Cr. Soki supports Mr. Mooka's proposal and would like to work closely with Cr. Bedford on the history/information/offers and options they have for his community fishermen.*

