

**Torres Strait Island Regional Council (TSIRC)
Ordinary Meeting
Held at the *Hammond Community Hall*, Hammond Island
Wednesday 31st August 2011**

WEDNESDAY 31ST AUGUST 2011

Present:

- Cr. Fred Gela, Mayor
- Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub
- Cr. Donald Banu, Division 1 – Bolgu Island
- Cr. Ron Enosa, Division 3 – Saibai 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. Florianna Bero, Division 13 – Ugar
- Cr. Ron Day – Division 15 – Mer Island
- Mr. John Scarce, Chief Executive Officer
- Ms Dania Ahwang, Deputy CEO
- Mr. Anthony Bird, Executive Manager Corporate & Finance
- Mr. Patrick McGuire, Executive Manager Engineering Services
- Mr. Chris McLaughlin, Chief Legal Officer
- Ms Jess James, PR & Media Officer
- Mrs Tania Sailor, Executive Secretary.

Observers: Nil

Apologies:

- Cr. Torenzo Elisala, Division 2 – Dauan
- Cr. David Bosun, Division 6 – Kubin, Moa Island
- Cr. Walter Mackie, Division 9 - Iama
- Cr. Willie Lui, Division 10 - Warraber
- Cr. Phillemon Mosby, Division 11 – Poruma Island
- Mr. David Abednego, Executive Officer

9.00am: Meeting opened in prayer by Cr. Enosa

ONE MINUTE SILENCE

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

WELCOME AND ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

- Mayor Fred Gela
 - Acknowledged Traditional Owners of this Land (Kirriri) on which this meeting is being held.
 - Acknowledged PBC Chair, Kaurareg Aboriginal Corporation Mr. Milton Savage and Kaurareg Elder Mr. Rolford Nawia.

- ⬇ Thanked Cr. Pearson and the Community of Hammond, the Elders and Traditional Owners for their blessing to hold the Meeting on Hammond on such a short notice due to unforeseen circumstances and sorry business that occurred in other communities in the TSIRC Electorate Area.
- Welcome to Country
 - ⬇ Elder Mr. Rolford Nawia.
 - ⬇ Cr. Pearson for hosting the Council Meeting on Hammond Island at a short notice.
- Cr. Pearson
 - ⬇ Housekeeping
 - ⬇ Welcomed and thanked all Councillors for attending the meeting on Hammond.
 - ⬇ Acknowledged and thanked Mr. Milton Savage and Mr. Rolford Nawia for traditionally welcome the Torres Strait Island Regional Council to conduct Council business on Kiriri (Hammond).

MAYOR OPENING REMARKS

- Mayor
 - ⬇ It is a wonderful opportunity that PBC Chair Mr. Milton Savage and Mr. Nawia is present at this meeting together.
 - ⬇ Have been working very closely with PBC Chair for Hammond (Kiriri), and I can honestly say the working rapport and the relationship with PBC, since Mr. Savage has come on, he is a very active member which is good to see.
 - ⬇ As Hammond office is the legal office of TSIRC:
 - we will be engaging with further dialogue in relation to Council looking at renovating Hammond hall and office and extending it further too
 - to try and minimize what footprint we have on TI because it is Torres Shire area.
 - That way there is a stronghold and it sets it up for all other communities within our electorate area from Hammond all the way to the Top Western, Easter, Central, and Near Western.
 - ⬇ But those discussions we will be working closely with the Kaurareg PBC Chair and the people of Kaurareg in relation to what's coming ahead.

ACCEPTANCE OF APOLOGY – COUNCILLORS ABSENCE

APOLOGIES NOTED

Cr. Torenzo Elisala, Division 2 – Dauan (*attending Leadership Program*)
Cr. David Bosun, Division 6 – Kubin (*Sick*)
Cr. Walter Mackie, Division 9 - Iama (*Attending Caring for Country Conference*)
Cr. Willie Lui, Division 10 - Warraber (*Attending TAFE Course in Cairns*)
Cr. Phillemon Mosby, Division 11 – Poruma Island (*Attending TAFE Course in Cairns*)

Cr. Torenzo Elisala

Moved Cr. Pearson, Seconded Cr. Enosa that Council accepts the apology from Cr. Elisala for his absence at this meeting.

Motion Carried

Cr. Bosun

Moved Cr. Fell, Seconded Cr. Day that Council accepts the apology from Cr. Bosun for his absence at this meeting.

Motion Carried

Cr. Lui

Moved Cr. Bedford, Seconded Cr. Bero that Council accepts the apology from Cr. Lui for his absence at this meeting.

Motion Carried

Cr. P. Mosby

Moved Cr. Fell, Seconded Cr. Day that Council accepts the apology from Cr. P. Mosby for his absence at this meeting.

Motion Carried

Cr. Mackie

Moved Cr. Enosa, Seconded Cr. Fell that Council accepts the apology from Cr. Mackie for his absence at this meeting.

Motion Carried

BUSINESS ARISING FROM PREVIOUS MINUTES - COUNCIL MEETING

- Typo error in *General Business*, amend "land, Se" to "Land, Sea and Sky Exhibition.
- As per query by Cr. Guivarra, it was noted that there is a report to be presented today on Councillor for Yorke Island.

CONFIRMATION OF MINUTES - COUNCIL MEETING

Moved Cr. Fell, Seconded Cr. Bedford that the minutes of the Ordinary Meeting held 17th/18th May 2011 be adopted as true and accurate.

Motion Carried

BUSINESS ARISING FROM PREVIOUS MINUTES – SPECIAL COUNCIL MEETING

- Typo Errors:
 - amend "that that" under *Mabuiga Grant to Whap*.
 - amend "Ugar" to "Ugar Ferry" under *Divestment of Enterprise*

CONFIRMATION OF MINUTES - SPECIAL COUNCIL MEETING

Moved Cr. Bero, Seconded Cr. Guivarra that the minutes of the Special Ordinary Meeting held 15th July 2011 be adopted as true and accurate.

Motion Carried

BUSINESS ARISING FROM PREVIOUS MINUTES – COUNCIL BUDGET MEETING

- CEO:
 - For Councillors to note at the next Council meeting in October, Councillors will be provided with an amended budget due to the recent announcement made at the Community Cabinet meeting on Thursday Island.
- In response to Cr. Kris query, Mayor advised:
 - This is only confirming the minutes of the Budget Meeting that occur, it is in no way locking us in.
 - There will be an amended budget that Councillors will have to endorse considering all the recent announcement of injection of additional funding coming in.
- Cr. Guivarra:
 - Queried if the reports going to effect the retrenchments that was made and that are due to be actioned on the 30th September 2012, when we going to hold this budget discussion in October.
 - Need clarity about the decisions Council has already made.
- CEO:
 - The additional money comes with strings attached – the strings were to apply the money to Water and Sewerage - some additional people for Water and Sewerage.
 - This was mainly because the Government already had \$8M infrastructure money which was to go to whatever Assets Replacement they were targeting it for – so Council have applied the money to:
 1. *Engineering Services* (\$3M)

2. *Administration Officers* out on the ground (\$1M) – employed a few more Administration Officers as Council went through the process of going through all the redundancies and internal advertisements.
 3. *Internal Audit and Asset Management* (\$1M)
- ✚ So far:
- Out of all the Engineering staff/Engineering Officers etc, across the whole Region – One (1) was made redundant.
 - Out of the Administration - still about Twenty-two (22) that was made redundant and we still have the Nineteen(19) odd from the first round of redundancies being the unlicensed Child Care and Mechanics and a few other things like that.
 - Total lot altogether are Forty-nine (49) redundancies which will take effect on the 30th September 2011.

CONFIRMATION OF MINUTES – COUNCIL BUDGET MEETING

Moved Cr. Bedford, Seconded Cr. Enosa that the minutes of the Special Ordinary Meeting held 1st April 2011 be adopted as true and accurate.

Motion Carried

DEPUTATION - *Aquaculture - Mr. Stephen Peters (see separate sheet)*

It was resolved that Council break for morning tea at 10.45am – 11.10am

ENGINEERING MANAGERS REPORT - ENGINEERING

1. HAMMOND & PORUMA SEWERAGE PROJECTS: NATIVE TITLE ISSUES – UPDATE

- ✚ Cr. Pearson:
- ✚ Thanked Executive Manager Engineering Services for a very extensive report on this issue.
 - ✚ In acknowledgement to the Traditional Owners of the people, myself and Mayor Gela did attend a meeting with them, unfortunately we did leave that meeting with support from the Traditional Owners there but nothing to further pursue what we require in regards to the ILUA.
 - ✚ So just acknowledgement to the Kaurareg people in regards to their archaeological findings here on Hammond over the last couple of weeks and I believe this is the best way to go, we are not here to stop the progress of other communities.
 - ✚ I believe at the meeting at Badu, I did move that resolution, so I am in a position to accept and move that the funding goes to Poruma because Poruma is prepared for their sewerage treatment, and I guess to progress to the building construction stage.
 - ✚ Mayor thanked Cr. Pearson for her frank response on this issue and supporting and seeing the need to progress other communities.

RESOLUTION

Moved Cr. Pearson, Seconded Cr. Guivarra that Council confirms its resolution at the Badu meeting on 18th May 2011 and

1. Reallocates MIP program funding from the Hammond Sewerage Project to the Poruma Sewerage Project
2. Continues to press for negotiations in relation to the Hammond Sewerage ILUA continue to finalisation so as to enable funding to be sought and the project to proceed to construction as soon as possible.

Motion Carried

2. **MONTHLY INFRASTRUCTURE REPORT JUNE 2011/APRIL TO JUNE QUARTERLY REPORT**

- Cr. Pearson
 - Want to know if there was anything of significance that the Executive Manager Engineering needs to bring to Council's attention in regards to any of the operations of the Water and Waste Water Sewerage.
 - Executive Manager Engineering Services advised that subsequent to the preparation of these reports and subsequent to this quarter there has been two failures in water supply which is to be expected at this time of the year:
 1. Warraber - subsequent test at Warraber has indicated that the water is safe, so another test and we will lift the "Boil Water" notice that we have imposed.
 2. the 2nd failure was a testing error but could not recall which community this happened.
- Mayor
 - Commend the Hammond Water Officers and Assistants - they did a round robin in terms of speaking to tenants and spoke to me as well querying whether or not I had a break in the line anywhere or leaking taps as such cause I had an asterix in terms of borderline of excess use of water which is good they asking constituents questions and to look at rectifying any issues if need be which is great.
- Cr. Fell
 - Mabuig has a break out of diahorrea in the children and the Health Centre has pointed to the water for Mabuig.
 - Actually had a medivac yesterday of a little child into TI.
 - Wanted to bring it to Council's attention, but noted that the water samples for Mabuig have been tested and all okay, so will take it back to his community and advise them that it is not the water.
 - Executive Manager Engineering
 - Reassured Cr. Fell that if there was a failure the Divisional Manager for Mabuig will know within an hour prior to the Engineering Department getting the test results.

- We would track somebody down and issue a "Boil Water" Notice and the community will know.
- We've recently introduced a new procedure where it's not only our staff but it's also the Environmental Health Workers that are assisting us in getting the information out to community.
- Cr. Pearson
 - Going back to Cr. Gela's support towards the Water Officers on Hammond, it's great that they're doing that but I also want to know that the SCADA is working so that when that tank on the hill is full, it gets turned off, we don't want to help water wastage by having an over site on that area.
 - Executive Manager Engineering
 - Continually working on our telemetry system to get it right.
 - Hopefully with the upgrade of the Hammond water supply system all those little problems that we have will be fixed.
- Cr. Banu
 - Clarity on report where Boigu community is no longer on water restriction effective of 8th June when in fact it's been ongoing.
 - Executive Manager advised it was lifted for a very short period with this report but they have been re-imposed as discussed recently with Cr. Banu and will stay until the new projects completed.

RESOLUTION

Moved Cr. Bero, Seconded Cr. Fell that Council receive the attached monthly and quarterly reports and authorise release to DLGP and TSRA.

Motion Carried

3. HAMMOND ISLAND WATER SUPPLY: NATIVE TITLE ISSUES – UPDATE

- Executive Manager Engineering advise purpose of this report is to seek Council's advice on the way forward for the MIP4 Hammond Water Supply Project:
 - Included in also in the Hammond Water Treatment Plant are facilities for Council's operators – shower, sink and toilet, and work has commenced on the project.
 - However this project relates to existing infrastructure and legal advice is that Native Title issues should be handled under the Section 24KA process (requires notice of the work to be given to the Traditional Owners, gives them the right to object within a certain time frame and does not close out their right to seek compensation).
 - It now appears that the Kaurareg Elders have decided to object to the provision of a temporary septic tank and adopt a stance ie. either the project objectives are compromised or the project proceeds without their consent.



- ✚ we want to put in the temporary facilities because initially the waste from the shower, sink and toilet fixtures was to be plumbed to a sewer line that was to connect into the Hammond Island Sewerage but the Hammond sewer project is yet to be resolved (as negotiations with the Kaurareg People are ongoing),
- ✚ From a technical point of view we can't support that the temporary septic tank threatens the project or comprises the water supply
- ✚ Quarterly bills for water is now well over \$20,000.
- ✚ 3 Options
 1. Proceed with the project, put the plumbing in but we could leave out the shower, the basin and the toilet and when the sewerage scheme comes in we can put them in and connect it to the sewer.
 2. Install those facilities and lock the bathroom door and don't let anybody use it.
 3. Proceed under the 24KA notice without the agreement or approval of the Kaurareg.
- ✚ Cost Perspective
 1. Option 1 is more expensive because it means we will have to go back and install the things afterwards.
 2. Option 1 and 2 – deny Council's staff basic hygiene facilities and that could have WPH&S implications.
- ✚ It was noted:
 - ✚ That the funding comes from MIP which is part of \$20M Assets Sustainability Project.
 - ✚ That Cr. Pearson supports and recommended Option 2 that:
 - Council install the fixtures (toilet, basin and bathroom)
 - Do not connect piping to the toilets until the sewerage project commences
 - The bathroom is made available where workers could wash down in an emergency such as a chlorine spill under the Workplace Health & Safety Regulations.
 - ✚ Cr. Banu stated his position that he does not support the recommendation because of the facts from Mr. Mill's email stating the position of the Hammond Elders, and advised that there could have been an opportunity to allow Mr. Mills to address the Council on the Elders' position of not supporting 24KA.
 - ✚ Executive Manager Engineering advise that the Elders have objected outside the 24KA time limit.
 - ✚ Mayor – the whole reason behind the objection was because of the septic facility of looking at contamination of the water galleries, that was the concern, but as per *Cr. Pearson recommendation*:
 - *The bathroom facilities is in place*
 - *The toilet facility is build, but the septic tank is not to be installed – the pipe outside is blocked off.*
 - *So until the sewerage reticulation is build then its connected up and the toilet facility is useable*
 - *At this point in time we will construct it, the toilet facility will not be usable so therefore they will be no septic tank there*
 - *So we have removed that risk that they say is a risk and that same risk that they opposed.*

- ✦ Cr. Pearson noted Cr. Banu's comments but advised
 - just recently after having talks with the PBC Chair and some of the other claimants that have put in a Native Title Claim for Hammond, they are not particularly happy with how Mr. Mills conducts his business.
 - PBC has advised that Mr. Mills is trying to stop the progress of some of the works that the PBC has been trying to push in this Community in regards to the Archaeological findings.
 - The PBC Chair advised that they are now in the process of doing their business behind closed doors to progress things forward for them as a Kaurareg Nation
 - The plan that we discussing here is we are using the same footprints of the existing fenced off area for this project and I believe that because the footprints are already in existence there should not be any implications with Native Title
- ✦ Cr. Banu appreciated Cr. Pearson's response but whatever's happening behind the scenes, my response to this meeting is based on the documentation that was provide by Mr. Mills, and had Mr. Mills was given the opportunity to attend, it would have given him an ample time to address Council on this matter whilst the PBC Chair was present as well.
- ✦ Mayor advised sewerage is new and requires an Indigenous Land Use Agreement (ILUA) to be executed and negotiated. The issue we discussing now is just constructing where a current dwelling existed.
- ✦ Cr. Kris reiterated Mayor Gela's comment and seconded the motion, advising that this issue is something different from the Sewerage and having already discussed the issue, regardless of what the paper says Councillor Pearson actually has the support of the Community and the PBC.
- ✦ *The recommendation that is put forward is Option 2 which is as per Mr. Mill's requirements within his email and recommended by Cr. Pearson to be moved which is if Council cannot relocate the building (which we're not), build it on the existing site but where there is no washing or other vanities to having to rely on the septic.*

RESOLUTION

Moved Cr. Pearson, Seconded Cr. Kris that as 24KA notices have been issued and due legal process followed Council proceed with the construction of the Hammond Island Water Supply upgrade as currently designed as per Option 2 that is Council install the fixtures but do not connect piping to the toilets until the sewerage project commences.

Motion Carried

Against: Cr. Banu

APPOINTMENT OF COUNCILLOR OF YORKE ISLAND

- CEO
 - ⚡ Mr. John Mosby former Councillor for Division 12, Yorke Island tendered his resignation date of effect 5.00pm 30th August 2011.
 - ⚡ The office for Councillor for Divisional 12 now becomes vacant and must be filled if the vacancy occurs more than 6 months from the quadrennial election.
 - ⚡ The Council is in a timeframe (over 7 months) to appoint another person within two (2) months of the office becoming vacant by either:
 - a. a by-election; or
 - b. appointing the runner-up in the last election (the runner-up in the last election is the person who would have been elected if the former Councillor had not won the last quadrennial election).
 - ⚡ Advertisement will be circulated in the Torres News from the 31st August 2011 – 30th September 2011 for the Division 12, up until the 7th October 2011 which is the closing date of expressions.
 - ⚡ At 7th October 2011 if:
 - there is only one (1) person that is nominated and is eligible to nominate, then that person automatically becomes the Councillor for that Division.
 - If there are more than one (1) person, then all those applications will come to the Council Meeting in October at Dauan Island, for Council to decide.
 - ⚡ There may be a Special Meeting depending on the timeframe because Council have to appoint the Councillor within two (2) months of the resignation.
- Cr. Gela provided clarity for the benefit of those Councillors who were not aware of Cr. J. Mosby's reasons for his resignation.

RESOLUTION

Moved Cr. Fell, Seconded Cr. Bedford that Council complies with Section 166 of the Local Government Act 2009 in filling the vacant Divisional 12 Councillor position.

Motion Carried

CORPORATE PLAN WORKING GROUP

- CEO
 - ⚡ Coming up towards the end of the 4year term for Council
 - ⚡ It is a requirement under the Local Government Act that Council review the Community and Corporate Plan regularly to ensure they meet the requirements of the Community and Council.
 - ⚡ Have done some internal reviews that we've brought forward and adopted new plans etc., now we need to start looking at the Plan in detail on determining whether we actually need to go back out to do community consultations to see what we have achieved in the 3 ½ years from the plans that have been asked of us.
 - ⚡ During my recent performance appraisal Council suggested that we establish this working group to be able to look at all of those things in detail and be able to report back through to Council.

- ✚ All Councils will be involved in the Community and Corporate Planning process.
- ✚ This is just the high level working group to get all the details ready to go forth.
- ✚ The Recommendation is for Council to:
 - Nominate from each of the Standing Committees to form part of this Working Group, along with the Mayor, CEO and the Executives and other staff that need to carry out this function.
 - We won't be adopting anything for the Corporate Plan with this Council but when the new Council comes into existence we would have done a lot of the ground work for them so that they can run with it or throw it in the bin. Virtually it will be up to the new Council.
 - But if we needed to engage in consultation that wouldn't happen towards the end, but we need to set up the platform for it as it is.
- ✚ Mayor
 - ✚ Still have Standing Committees, reason there has not been Standing Committee Meetings for a while was because of a number of things that came up and had to shuffle our Ordinary Council Meeting a couple of times such as sorry business in communities and liaising directly with Councillors
 - ✚ Aware that Councillors have other meetings and other commitments they have to keep but need to be mindful of that if something comes up especially sorry business in the community and the dates for the meeting is shuffled they need to be flexible (not palm off all your commitments) but at least, if the majority is committed to a particular time, maybe you can look at rescheduling your personal commitment so that you can attend the meeting.
 - ✚ *The next Standing Committee Meetings is scheduled for September.*
- ✚ Appointment Process to Corporate Working Group Committee:
 - ✚ Cr. Bedford nominated himself as member from the Community & Economic Development Standing Committee to sit on the Working Group.
 - ✚ Cr. Bero nominated Cr. Banu as member from Corporate & Finance – Cr. Banu declined.
 - ✚ Cr. Pearson nominated Cr. Fell from the Engineering & Housing Standing Committee – Cr. Fell accepted.
 - ✚ Cr. Bedford nominated Cr. P. Mosby who is not present to accept his nominee but if he can be contacted on this decision to see whether he accepts or not.
 - ✚ It was noted:
 - that Councillors on nominated to the Working Group cannot delegate another Councillor on his behalf to attend the Working Group Meeting.
 - The Councillor nominated has to be available to attend and make this commitment his priority.
 - *Bearing in mind we have already the names of those Councillors who have accepted that position at this meeting today, Councillors will be circulated with an email in obtaining a list of nominees for the Working Group.*
 - *Will also need to state clearly the options of membership even if we have to reduce the membership numbers.*

- CEO
 - ✚ Whether it be a one off or ongoing Working Group or in the coming years look at another group or committee, the election and the new Council will dictate that.
 - ✚ But before the end of this term, Council will need to come together and circulate a discussion paper to look into whether the Standing Committee arrangements as they are have been successful, whether they need to change.
 - ✚ Outcome of these discussions can actually shape how I will present at the Statutory meeting after the Election when we appoint all these committees to the new Council on the way we have been operating or the best way it can operate.
 - ✚ *It was noted that further discussions on this issue will take place at the Council Meeting in February 2012.*

RESOLUTION

Moved Cr. Bedford, Seconded Cr. Fell that Council appoints one member from each standing committee to a working group to review the Community and Corporate Plan, joined by the Mayor, CEO and each member of the Executive team.

That Cr. P. Mosby is appointed to the working group from the Corporate and Finance standing committee.

That Cr. Bedford is appointed to the working group from the Community and Economic Development standing committee.

That Cr. Fell is appointed to the working group from the Engineering and Housing standing committee.

Motion Carried.

AUSTRALIA DAY AWARDS 2012 NOMINATION CATEGORIES

- Cr. Bedford advised as previously discussed before in recognition of the significance of Mabo Day as it approaches its 20th Year of Celebration requests that:
 - ✚ the awards for Australia day be moved to Mabo day to be presented to constituents in our Region.
 - ✚ that the Council consider it seriously as it is in the spirit of recognising community people, reflecting on their achievement in our Region as Mabo Day is far more significant to our people and to our community.
 - ✚ It would be a good move for Council to take that lead on behalf of the communities.
- Cr. Guivarra suggested:
 - recognize the achievements of people in our community on Mabo Day because of its significance to our people, but also on Australia Day as it is a National occasion and should be recognised as well.
 - Look at the Cultural Awards on Mabo Day
 - Look at 15 Achievement award from the 15 Divisions recognizing special achievements of a member in each community.

- Mayor reiterated Cr. Bedford and Cr. Guivarra's comments and thinks it's a good idea, but also provided a similar insight.
 - ⬇ Do recognize Mabo Day as being a very significant day for our Region
 - ⬇ Australia Day is also a significant day because remember our push for Territory Style Government – we saying to the rest of Australia, this is our move to secede from Queensland but not from Australia
 - ⬇ We still want to maintain our Australian Citizenship, and need to be reflective of the many celebrations of how we actually conduct the celebration in the Region
 - ⬇ All the Traditional awards for Australia Day, let it be on Australia Day.
 - ⬇ For Mabo day we look at the cultural specific side of things that is tied to our customary ways of practice.
 - ⬇ Just need to look at what awards to be named and in consultation with the Mabo Family and the Community at large, so it is tailored and reflective on our cultural struggle of what has been achieved as a milestone.
 - ⬇ Mabo Day is a significant event where we recognize the win in Court on June 3, and I acknowledge the work and the hardship of the Mabo Family in particular the Late Koiki Mabo for the time and effort he put in.
 - ⬇ But we need to be mindful as some things were mentioned out in communities during my travels - there was a lot of people that bear witness to contributing the information so that the win was possible, and there is a lot of these discussions that are happening too as well, so the minute we say a Mabo Specific Award for the family we can be looking at re-igniting and hatching an argument that has settled a little in communities.
 - ⬇ We can certainly ask the Mabo Family for suggestion on a particular name of an award that they would like to nominate, but we need to define what the award is going to be about in order for us to develop an understanding of who should be nominated towards that award.
 - ⬇ Look at taking the Cultural award from Australia Day award and definitely put it under the Mabo Day celebrations.
- Cr. Bedford
 - ⬇ Agrees that both days are important and probably serve as good opportunities for recognising achievements in community, but just don't want to lose sight of that special message that we could send to our own people not only in our region but also outside of our region about the significance of Mabo Day.
 - ⬇ Heard all the arguments but feels that they are missing the whole point.
 - ⬇ We seem to have a day off on Mabo Day and bring community together for Australia Day and present awards etc with articles of it in the paper recognizing people, but we don't have anything for Mabo Day.
- Cr. Pearson
 - ⬇ Supports Cr. Bedford's stance and Cr. Guivarra's points in regard to the Australia Day Awards.
 - ⬇ Let's keep Australia Day traditions in Australia Day.
 - ⬇ The thing that Cr. Bedford is trying to get across is all about our cultural retention, our revitalization and the ownership in regards to maintaining our identity as Indigenous people.
- Cr. Bedford heard all the arguments and what people are saying and is happy to go with the majority but expressed his concern that he didn't want to be misunderstood and just tried to clarify that to Councillors that's all.

- *Recommendation*
 - ✚ *Recognising and acknowledging both days as being significant:*
 1. *Australia Day; and*
 2. *Mabo Day*
 - ✚ *Australia Day awards is presented on Australia Day, all except the Cultural Awards which is to be carried across and administered under the Mabo Day*
 - ✚ *The Australia Day Achievement Award to be dubbed by 15 (1 for each constituents of the 15 Divisions recognising their achievements for that particular award)*
 - ✚ *Build on other awards tailored to suit and presented on Mabo Day.*

- *Action Letter be written to the Mabo Family*
 - ✚ *Letter be written to the Mabo Family:*
 - *To inform them and request their blessing on the recommendation presented by Council today.*
 - *Invite their input on other awards they think should be presented.*
 - ✚ *Councillors be asked as well for other awards they think should be presented on Mabo Day.*

- *Cr. Kris*
 - ✚ *Don't need to endorse to shift the award across, it should be up to each individual community. If we endorse that now then I would like to see an allocated amount of money being made available for Community when they will need to buy the awards.*

- *As per Cr. Kris comments it was noted when the budget discussions takes place at the Council Meeting in October, a line item has to be identified.*
- *This is to be discussed further at the October Council Meeting.*

RESOLUTION

Moved Cr. Pearson, Seconded Cr. Fell that the categories for Australia Day Award nominations for 2012 be endorsed by Council.

Further that Council:

- *recognise and acknowledge both days as being significant:*
 1. *Australia Day; and*
 2. *Mabo Day*
- *Australia Day awards is presented on Australia Day, all except the Cultural Awards which is to be carried across and administered under the Mabo Day*
- *The Australia Day Achievement Award to be dubbed by 15 (1 for each constituents of the 15 Divisions recognising their achievements for that particular award)*
- *Build on other awards tailored to suit and presented on Mabo Day.*

Motion Carried

It was resolved that the Council break for Morning Tea at 10.40am.

CLOSED BUSINESS

Moved Cr. Pearson, Seconded Cr. Fell that in accordance with Regulation 71 of the Local Government Operation Regulation it is resolved for the meeting to go into closed session to discuss section 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.

END OF CLOSED BUSINESS

ISSUES RATIFIED FROM CLOSED BUSINESS

1. TENDER REPORT FOR INFRASTRUCTURE ASSET REPLACEMENT PROJECT – GROUP B (DESALINATION PLANTS)

RESOLUTION

Moved Cr. Banu, Seconded Cr. Fell that based on the Tender assessment, Garard Moulded Precast offers Council the best value for money.

It is recommended that Garard Moulded Precast be awarded the tender for the Infrastructure Asset Replacement Project – Group B (Desalination Plants) Project (subject to satisfactory resolution of the outstanding issues outlined in the Tender Evaluation Report).

Should negotiations be unsuccessful, then the CEO be delegated the authority to award Richardson Building Services the Contract.

Motion Carried.

2. DEBTORS UPDATE

- *It was noted that:*
 - *Executive Manager Corporate & Finance to make the necessary arrangements for Councillors to have their rent deducted from their Allowances.*
 - *CEO to circulate an email to Councillors:*
 - *Confirming directions to the Finance Department to deduct Councillors rent from their Allowances before it is put into their bank accounts.*
 - *Name of the contact person Councillors will be liaising with in Cairns on their rental deductions.*
 - *A detailed plan on how this action will be carried out as per Councillors request.*

RESOLUTION

Moved Cr. Kris, Seconded Cr. Bedford that Council approve write-off the attached debtor amounts totalling \$29,718.91 as presented as it appears that each amount is not recoverable.

Further that the amount of \$164 656.34 that belongs to deceased debtors also be written off.

Motion Carried

BUSINESS ARISING FROM INFORMATION REPORTS

Fuel Orders

- ✚ Cr. Day queried on who monitors and place orders for the fuel for the Communities.
- ✚ Executive Manager Corporate & Finance advised:
 - Monitoring of fuel such as fuel and gas are managed within the Divisions by the Divisional Managers.
 - The process is when the fuel runs low, the Divisional Manager contacts the Procurement Department who then makes the necessary arrangements in ordering the fuel and delivering it out to the Communities.
- ✚ CEO:
 - Saibai is going to be the first community where Council will install a new fuel tank.
 - As part of all the arrangements Seaswift is going to be responsible in filling the tank.
 - Each time the barge comes in it fills in the tank, Council receives a bill from Seaswift based on the amount of fuel that is put into the tank.
 - Council does have checks and balances in place as we need to get the meter into the fuel and upload back into our computer systems. Eg If Seaswift gives us 4000 litres and that puts us into a space where we've got 23000 litre tank, then we will know that there is something drastically wrong.
 - It's just the way normal service station works, they call in, fuel comes in, they decant it out.
 - Seaswift will come in every week and will just keep all of our tanks topped up, so we are not into a situation where we running out of fuel.
 - As advised by Executive Manager Corporate & Finance they are monitoring and asking questions about how much fuel they've got, what the reading of their dips are.
 - If it is typical that Community hasn't ordered in 3 weeks then we know there is something drastically wrong that prompts the queries.

• Community Police

- Cr. Kris advised with the audit being conducted by Police Officers out on the islands to look at licenses, registrations, etc, will Council look at a partnership with Queensland Transport in allocating community licenses within the communities?

- Chief Legal Officer

- Undertaking Audits to see what the statistics are on the islands as to licenses and unlicensed drivers.
- The process is to provide that information to IDLU in order for them to know exactly what the statistics are on the Islands so Council can work with them to get them out there and do their jobs.
- It is not about advising QPS of this and that at this stage.

- Cr. Kris advised have discussed this issue with the CLO previously and it's still happening on St. Pauls.

- One of the Community Police Officer really copped it leaving his jersey in the car park and ran home.
- When Community Police Officer talks to community members they are not explaining that they doing an audit check so that Council could get some sort of licensing system in the Community.
- Two people already turned up to Court and another one got booked yesterday, I have got two emails that have come through.
- We need to explain to them that this is an Audit to help Council implement those things within the Community.
- They've actually carrying that out as part of their duties, but they contradicting the way they doing their duty also when they haven't got their uniform on, that's where the social issues appears.

- Chief Legal Officer

- I have made that point very clear to them and have spoken to Snr Sgt Eunice Hosea as well and made it very clear to her that she is supposed to be advising community members of the reasons why she is undertaking those interceptions and she advised that they are doing that.
- *Chief Legal Officer to redirect the message again to the Community Police Officers.*

- *Discussions on the funding approval of \$2.6M for Community Police have been deferred to General Business.*

• Fleet Update

- Cr. Guivarra wanted to make some comments in relation to the Fleet Update, and wanted to discuss issues that sort of tied in with Fleet in their current stock and the availability of vehicles.
- *This discussion has been deferred to General Business.*

LATE REPORTS - Nil

GENERAL BUSINESS

• Approval of Funding from State Government

- Total Funding received from the State Government \$7.745M (\$2.6M + \$5.145M).

1. \$2.6M for Community Police

- Received the official letter yesterday from the Department of Local Government & Planning confirming \$2.6M for Community Police for a period of 12 Months.
- Council initially applied for \$2.4M for Community Police and actually made a surplus from that bid.
- Is a separate funding for Community Police and is not part of the \$8.8M which Council applied for.

2. \$5.145m

- Council initially applied for \$8.8M but received only \$5.145 which was secured from the Deputy Premier for:
 - › \$3M for Engineering
 - › Over \$1M for Administration
 - › Approx \$1M to undertake Internal Audit and Asset Management Function.
- All of this funding comes with 3 Conditions:
 1. That within the 2011-2012 Financial Year Council need to come up with \$1M worth of own source revenue
 2. Have to supply to the Departments by December 2012 a full detailed Work Force Plan
 3. Council has to clean up every single audit issue by June 2012.
- Council have written back to the Department to seeking further information or clarification to those funding conditions:
 - › What is Council's platform to work from to demonstrate that Council have increased \$1m worth of owned source revenue, and how that will impact into the future.
 - › Council could virtually detail the Workforce Plan now, but need the parameters of what should include in that.
 - › Highlight all the issues in relation to the Audit.
 - › Clarify a little bit more specifically on what audit issues they want Council to clear up.
 1. there was nothing Council could do about the opening balance issues at 15th March 2008 - those were the balances Council got from the amalgamated Councils and that was the main reason why this Council got a disclaimed opinion.
 2. However, if there are other issues that come up in relation to our provisions for Long Service Leave or the way we handle Creditors or the handling of cash etc., Council can knockoff all of those things here and now but cannot knock off those legacy one.

It was noted that:

- The \$5.145M that has been received will focus on repopulation of Council's structure in the areas that are essential to life which is Water and Sewerage related Services and the area for Administration and to look at Corporate Governance in our areas of Finance and Internal Audit and Asset Management.
- The \$2.6M is a separate funding for Community Police.
- At the next Council Meeting in October will look at:
 - amendments in the Budget to recognize and acknowledge the income and the revenue,
 - the structures again based on the conditions that have been applied to the funding to be received from Government
 - repopulating Council's structures:
 - looking at how many Engineering Officers needs to be put back in those positions to get a good handle of where those positions are right across our Communities even in the area of Administration, Internal Audit and Asset Management Function.
 - The Engineering Officers not only play the role of Water and Sewerage but the multi-task of maintaining the general presentation of the community overall.
 - It's the team that pivots actually around Garbage collections, parks & Gardens etc.
- Once Council knows where those positions are repopulated back into our structure than that dialogue will occur similar to the approach taken where a team went into each Community to discuss the job cuts.
- In the initial discussion it was based on 45 Engineering Officers, 18 Administration and 1 Internal Audit and Asset Management Officer but these figures could vary and change again.
- The revenue stream will not come from our constituents as Council have identified that it is just a timing issue and that timing issue is looking at the roll out of the National Partnership Housing Program, that investment of \$300M:
 - when that investment is rolled out and when the ILUA is executed Council will have access to \$2000 per property for services rendered to those properties.
 - Those \$2000 per property that is paid to TSIRC is untied money.
 - Council has approximately 1000 properties down on grown in the communities, if the ILUA is executed that is \$2M straight up of Council revenue.

Telstra

- ✚ Update on the Telstra tower constructed at Kubin, Executive Manager Corporate & Finance advised:
 - Do not have lot more information to provide to Councillors with, then what has already been provided.
 - All the black boxes that actually provide the improvements to the Business Broadband have been ordered and delivered and most are ready to go.
 - There has been a bit of a hold up at Warraber and Poruma associated with their internal cabling.
 - A technician is going out this week to improve the internal cabling to allow those sites to connect up and basically once they done then we will work our way through the sites progressively till the end of the year.
 - Quite hopeful of having it all sorted out by the end of the year.
 - A lot of the big physical infrastructure work has essentially been completed.

Mechanical Services

- ✚ Cr. Fell raised issues regarding the mechanical services as there is none and if Council will be bringing them back into the communities.
- ✚ Executive Manager advised the Divisional Managers needs to contact him as he cannot program the works in if he doesn't know of the issues on ground.
- ✚ There is some training that's been organized in September with Divisional Engineering Officers & Divisional Managers and that training is really going to target that communication stream so that we can actually get better programming of our works.

Delivery of Cargo

- ✚ Cr. Fell advised if Chief Legal Officer (CLO) was aware of the recent issue where Police (not local, probably QPS) has given direction the person(who usually delivers) to cease delivering cargo for Community members from the Mabuig wharf to IBIS store.
- ✚ Cr. Fell wanted to clarify this with the CLO outside of this session but thought he'd raise the issue in the meeting as it might apply to other Communities as well.
- ✚ Chief Legal Officer advised:
 - He was not aware of that issue.
 - If a directive like that was given by one of the Community Police Officers, it would have come through their daily current sheets and brought to my attention, being something which is very relevant to the Community, so I would have thought that was probably QPS.
 - not sure what reason that would be and cant imagine that even under the Local Laws,
- ✚ *CLO to follow up on this issue and liaise with Cr. Fell.*

Cr. Bedford left the meeting at 2.25pm returned 2.35pm

• In response to Cr. Bero's queries:

1. \$5.145M Break up

• Mayor advised:

- Funding is need for the necessity of life that being Water & Sewerage
- The amount of individuals needed to maintain the public presentation of community in areas of Parks & Gardens and Garbage.
- The other concern that was high on our priority list of concern was the manning of our offices, looking at
 - 18 Administration
 - 45 Engineering Officers
- Internal Audit and Asset Management
- The break up is essentially supporting the bid of TSIRC in terms of discussing where areas of the Corporate Structure are essential.

2. Training for Councillors(September)

• It was noted that:

- September training for Councillors has been cancelled.
- The Training Budget will be identified but will stay on for the next Financial.
- Will focus and put an emphasis to Standing Committee and next General Meeting in October.
- Looking at holding the next General Meeting at Masig in welcoming new incoming Councillor because whether or not the December meeting will happen that's another matter.

3. Granny Flat for Mr. Jerry Stephen – Ugar Island

• Deputy CEO advised

- at the moment the TSIRC Builders have been given 9 houses on a number of communities to construct
- don't have the contract for that Granny flat yet as Council is waiting for some floor plans for the actually building.
- Once those floor plans comes through and have agreed upon then an Agreement can be drawn up with the State Government.
- Had a meeting with State Government on the 22nd August, will now follow through with them again on those floor plans.
- *Deputy CEO to follow up with State Government on those floor plans for those 9 buildings, and provide timeframe to Cr. Bero especially on the Granny flat for Ugar of when that Agreement would be available for Council to sign.*

• Mayor clarified that:

- The money is filtered through Project Services
- Project Services is State's pocket, so State Department is actually delivering that, we just working and trying to get the Projects out of the door for our LGOC to deliver.
- The 9 Houses that is happening now is the 9 we actually pulled out from Project Services
- If we had that money for the 25 homes, and if we had that \$13M, in our accounts the process would have been much faster.

✓ Garbage Collection

- ✚ Cr. Banu raised concerns and that he had brought this issue to the attention of the relevant Executive Managers in the past, on the current operation of garbage collection on Boigu with no garbage truck, and the high risk the garbage collectors put themselves in, which also could be a risk to Council as well if anything was to happen.
- ✚ Cr. Banu requests if the issue be prioritize and if possible to buy new assets from the Assets Management money that has been identified.
- ✚ Mayor advised:
 - the Asset Management money is not to replace Assets but to employ a dedicated person in the area of Asset Management.
 - There is a funding round which will be available and that could be for garbage trucks, but there is only an x amount of dollars that the many Local Governments could applies to.
 - we've tried and exhausted all avenues and looked at accessing, resourcing that money from not only the State but the Commonwealth too.

✓ Mabuiag

Airport Terminal

- ✚ Cr. Fell raised concerns and his frustrations that the airport terminal for Mabuiag is still standing there and hasn't been done – requests that something needs to be done about this.

Re-Roofing of Mabuiag Church

- ✚ Mayor advised Cr. Fell to see Peter Fraser whilst he is here on TI to enquire of the roofing materials Mr. Fraser obtained from the Pearl Street development when they re-roofed the whole of Pearl Street units. Mr. Fraser is looking at giving it all away.

✓ Work Permits for licences

- ✚ If an employee has his licence disqualified from drink driving, speeding or loss of merits, the only option is to apply within 28 days to the Magistrate Courts for a Work Licence Permit.
- ✚ If they miss out in applying within that 28 days they have to serve out the disqualifying period. The Courts are the only one who has jurisdiction to make that call.

✓ Allowances

- ✚ Allowances provide to TSIRC employees eg subsidized rent – CEO advised do a spreadsheet for Councillors if they want to see what those allowances are - generally they are mirror imaging the policy passed in relation to housing
- ✚ There are a few anomalies but not so many now as we start to hand back the housing.

✓ Caretake Mode

- ✚ Caretaker Mode commences on the day before the Election Date up until the date of the appointment of the new Council, so this Council is still in business until the last Saturday in March.
- ✚ There is a certain restriction from the date of calling elections eg, the nominations in regards to advertising - cannot advertise certain things within 3 months of the Election etc.
- ✚ In November when the Local Government Electorate Bill gets adopted, it could be completely different and some things could change.

➤ Street Signs

- Executive Manager advised that there is funding available for street signs, stop signs, traffic signs etc, when the upgrade project for St. Pauls, Kubin, Erub is undertaken.
- For existing signage that is damaged, need to source out funding for that elsewhere.
- Chief Legal Officer advised that there is some limited funding under Community Police for very limited amount of signage.

➤ Funding for Staff Houses

- Council has continued to lobby for funding for an injection of \$10M to look at constructing staff housing, which is totally separate from CBRC.
- CBRC is for rental tenants (social housing) – people in the communities who are registered on Council's waiting list.
- The injection of \$10M is what Council have requested in the first instance.
- Both levels of Government, State and Commonwealth are basically aware of our plight for staff accommodation.

➤ Sports & Rec Representation

- Cr. Guviarra raised the issue on TSIRC employees:
 - who are members on TSYRSA Boards and attend TSYRSA meetings.
 - representing their Community in sports.
 - Reps from each community
 - Quarterly meetings (up to 4 days each – 16 days absence for the year from their community)
 - Two meetings for Cluster Reps.
 - Some communities do not have a Sports & Rec Officer.
 - Three (3) TSIRC staff on the Board.
- Cr. Guviarra to send an email to the CEO advising of the names of the TSIRC employees who are TSYRSA reps and the quarterly meetings so Council could gain some sort of an idea of who those individuals are so that when applications come through to attend those meetings Council is aware of who sits on this committee.
- CEO:
 - Council has not policy at this stage on this but if Council wants to put it in there it can be done as Council are able to do these sort of things.
 - However, before a decision is made, CEO briefed Councillors on what the impacts are to Council:
 - the nett cost of a Council employee attending TSYRSA would be \$60,000 (\$3000 per community rep for 16 days)
 - an extra \$60,000 on top to engage a casual to take the rep place at work.
 - So looking at maximum exposure of \$120,000 to the reps to attend 16days worth of meetings in every given year.
 - Council is flexible in emergency services leave where people go off on volunteer leave to do SES Training, Fires etc, those employees are paid by Council because that's a necessity in the Community.

- If Councillors wants to include Sports & Rec as a necessity then it can be included as a volunteer leave for emergency services.
- However, the employee must be made aware that when they apply for that volunteer leave, once they hop on the plane and leave they become the responsibility of TSYRSA, and TSYRSA should have volunteer cover for those representatives such as SES training who are covered by SES insurances.
- But if this wasn't the case and the representative is appointed by Council, then there is a process where the CEO needs to appoint that employee to the TSYRSA Board.
- But if it is TSYRSA that appoints them then it's the responsibility of TSYRSA.
- The Council can let them go to those meetings using that volunteer leave.
- CEO advised need direction from Council and what level of support Council is going to give to this Board.
- ✚ It was noted that:
 - *CEO to grant special leave to TSIRC Employees for next week from Masig and Erub attending the TSYRSA Meeting representing their community on the Board.*
 - *A paper be developed for the next Ordinary Meeting to be discussed in a workshop style.:*
 - *Looking at particular representation from TSYRSA from communities*
 - *Looking at people attending Sporting Functions*
- ✚ Mayor advised when this discussion paper is presented at the meeting:
 - need to bear in mind when discussing these issues it will have to be a numbers exercise and the days exercise because we have sporting activities through out our region 365 days a year, and we can be in a situation where we don't have any workers on ground throughout the year.
 - *Councillors need to declare their interest when they vote to put something entrenched in developing a policy, to identify and acknowledged there and then their interests.*
- ✚ Divestment of Enterprise
 - ✚ Clarification sought if there is funding in relation to Divestment of Enterprise in lifting some of the organisations up to a workable standard eg funding received from the State Government.
 - ✚ CEO
 - Still working within the timeframes (30th April 2012) for those Divestments as per the resolution of council which was at the budget meeting.
 - Have had meetings with 4 or 5 of the Organisations on Monday 29th August 2010 in trying to finalise all of those other things.
 - There will be tenders going out for all the other Enterprises that are going to be up for grabs along those lines.
 - Council do not have funding to lift up the Organisations, but will always have the support of the Council Staff (CEO, CLO, DCEO and Executive Manager Corporate & Finance) wherever they need to have it.

- Looking at TSRA Economic Development arm to be able to do those things and hoping that they do - three (3) TSRA representatives was also in attendance at the meeting on Monday 29th August absorbing the discussions around this issue.
 - Few requests from that meeting included transferring the actual ownership of the physical asset on the land, which is not unreasonable, just need to work through on looking at how it could be done.
 - *A discussion paper will be put to Council in December on this issue, just need to make sure that all the legalities behind that is correct and we not breaching any legislation or the Land Act etc.*
 - In the case of Badu, the physical asset hasn't transferred across, its only the lease of the land and the ability for them to occupy and operate that business at the end of the day.
 - Have been working through with Julie Brodgen and her colleagues in relation to Badu's transfer of DOGIT and querying whether physical assets transfer with the DOGIT as well - all of these things are still to be answered and when that's known, we will inform the Council.
 - My recommendation to Council is that:
 1. If the Asset can go across with the land as well if its able to, not a problem
 2. However, you've got to think what sort of consideration are you giving for an asset that might be a couple of hundred thousand dollars.
 3. but the at the end of the day if it all fails and the lease is handed back to the DOGIT Owner which is Council.
 4. You can enter into a Licensed Agreement where you can start operating that business, without lease or an ILUA.
 - If that was TSRA sticky point around that discussion on obtaining funds to have some security knowing that Council can ascertain some funds to build or to renovate those assets, then I see no problem with recommending to Council that the Asset goes across; if it can legally go across, it goes across – not a problem.
- ✿ Cr. Kris advised the first proposal is the Child Care Centre on St. Pauls utilized by Kazi Assesered Le
- Community has no problem with that organisation operating out of that building however, that asset belongs to Council.
 - For St. Pauls to bring that asset up to a standard where they can use that as a playgroup will cost them a few \$100,000.
 - Not sure if Council's got the money to build that but it seems more viable for St. Pauls to build a new one, then to renovate it.
 - One of the proposal that came across was that do we need an Agreement from Council to say or release that as an asset for Divestment into our Community Organisation so that they can utilize that as offices for all Community Organisation.
 - Because if that's a no go, then, Kaziw Assesered Le should be operating on St. Pauls.

- CEO advised there is a couple of tricky things with this issue:
 - The building itself is not an enterprise so its hard to divest that using the sections of the Local Government Act to have that Enterprise or the buildings go across, because there isn't one there.
 - It's a vacant building but we can tender the building for sale subject to leasing through legal advice.
 - But if we did that for the open market then you could have anyone from Cairns, Brisbane or wherever put a bid in for it, and if that bid is \$100,000 and the local groups only bidding \$50.00 then we've virtually stuck into accepting \$100,000 from that bidder.
 - However, there is nothing to stop us from entering into a Licensed Agreement with those people as the head of that , and then the can do whatever they like with it.
 - With that asset there are no detailed plans only rough condition assessment on that building.

- Chief Executive Officer reiterated Mayor's comments on looking at other options such as:
 1. A Licensed Agreement
 2. Lease Agreement with Stamp Duty payable on the lease.
 - The Stamp Duty payable on the lease is properly more of a question for an Accountant like Executive Manager Corporate & Finance.
 - But I believe all that's all to do with the type of entity, that's taking it as well as to wether they've got exemption and all that sort of stuff
 - So that's something you need to take some advice on such as BIF was eligible for that.

- Mayor
 - *Discussion report on Divestment Enterprise to go to the Council Meeting in December.*
 - *Executive Manager Corporate & Finance and Chief Executive Officer to forward an email to Cr. Kris before the October meeting just to provide some clarity around the three options (Licensing, Leasing with Stamp Duty) on that particular building, so that Cr. Kris would weigh in that two before the December meeting.*

- Staff Leave
 - Turnaround in providing positive response to employees on their leave entitlements (Annual Leave and Long Service Leave) - how long does the process takes when applying for leave.
 - CEO
 1. General Staff Leave
 - 1 month turnaround at the most, although it can be a lot quicker than that.
 - Applications should be in a month before they take leave to enable Administration to work through staff availability/replacement in the office.
 2. Long Service Leave

- some the process can be very quick.
 - some can take a very long time subject to Council's records of what's available.
 - Through all this process of the rare alignment that Council has gone through, a lot of information has been gathered and hopefully by Christmas all employees records electronically and physically should actually agree.
 - By next year every staff members should be fine when applying for Long Service Leave as records will show if they are eligible.
 - However, Council is still going through a process to check and double check people's entitlements to LSL and that can take a while.
- ▼ Hammond Island SES Shed
- ✦ Two rollers doors need to be fitted to the shed – concern of confidential archived materials that are being held in the shed that could going missing or lying around on the streets.
 - ✦ CEO
 - *Will get the builders to work on the doors of the SES shed at Hammond as soon as possible.*
- ▼ Eligibility of Candidate for Local Government Election
- ✦ Discussions on whether a person is qualified to be a candidate at the next local Government election if he/she is registered as a local person in their community but have not lived in that community for the past 12 month.
 - ✦ CEO
 - Cannot respond to issue.
 - The Elections are done by the QLD Electoral Commission. (out of Council's hands).
 - What their interpretations is of that specific clause is only for us, that you have to remain 2 years in your place of residency, its not for any other local authority.
 - *Will seek clarification from the QLD Electoral Commission.*
 - ✦ Mayor
 - That's a debate Council had with Australian Electoral Commission (AEC).
 - the only time it would be challengeable is after the election eg the individual gets elected because he has to prove his residency.
 - If he has no proof of residency then that's the time now that he gets removed from his position.
- ▼ Ugar Island Sewerage – Housing Septic Tank
- ✦ *Executive Manager Engineering/DCEO to follow up on Cr. Bero's request regarding the urgency of Housing Septic tank sewerage to be done and liaise with Cr. Bero.*
- ▼ Enterprise Bargaining Agreement (EBA) and Staff Uniforms
- ✦ *Information to be circulated to each Councillor on EBA and Staff Uniforms.*

• Supporting Local Indigenous Business

• Cr. Pearson

- Had discussions with the people of which the Hammond ferry was divested to on her community
- Aware that TSIRC was in contact with them regarding travel for the meeting at Hammond but advised that in the best interest of the community Council should be supporting our local Indigenous Business.
- Advised that if she contest next year she would like to see TSIRC using what's available in our local community to benefit those people who run the services too at the end of the day.
- Would like to know if there were any differences there in regards to utilizing that service as local people are employed.

• CEO advised the decision to use Loban's Marine was because of the cost:

- Loban Marine quoted \$280
- Hammond Ferry quoted \$500.

MAYOR'S CLOSING REMARKS

- Mayor extended his gratitude on behalf of Council to Cr. Pearson, Hammond Staff, the catering ladies for their hospitality today in welcoming Councillors, Executives and Staff and for catering.

COUNCIL MEETING CLOSED

3.25pm With no further discussions, the meeting closed in prayer Cr. Bero.

.....
Cr Fred Gela
Mayor


.....
Mr John Scarce
Chief Executive Officer