



**Torres Strait Island**  
REGIONAL COUNCIL

**APRIL 2020**

**MINUTES**

**ORDINARY MEETING**

Tuesday 28 April 2020 09:25am – 5:00pm

Videoconference – VMR #8 – 02 9916 5402

**Tuesday 28 April 2020**

**Present**

Cr Philemon Mosby, Mayor (Poruma Office)  
Cr Dimas Toby, Division 1 – Boigu (Boigu Office)  
Cr Torenzo Elisala, Division 2 – Dauan (Dauan Office)  
Cr Conwell Tabuai, Division 3 – Saibai (Saibai Office)  
Cr Keith Fell, Division 4 – Mabuiag (Mabuiag Office)  
Cr Laurie Nona, Division 5 – Badu (Badu Office)  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island (Kubin Office)  
Cr John Levi, Division 7 – St Pauls, Mua Island (St Pauls Office)  
Cr Getano Lui Jnr, Division 9 – Iama (Iama Office)  
Cr Kabay Tamu, Division 10 – Warraber (Warraber Office)  
Cr Francis Pearson, Division 11 – Poruma (Poruma Office)  
Cr Hilda Mosby, Division 12 – Masig (Masig Office)  
Cr Rocky Stephen, Division 13 – Ugar (Ugar Office)  
Cr Boggo Gela, Division 14 – Erub (Erub Office)  
Cr Aven Noah, Division 15 – Mer (Mer Office - phone)  
Mr Bruce Ranga, Chief Executive Officer (CEO) (Cairns Office)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns Office)  
Mr Peter Krebs, Manager Legal Services (MLS) (Home Office)  
Mr Luke Ranga, Head of Corporate Affairs and Engagement (HCAE) (Cairns Office)  
Mrs Kathy Cochran – Senior Executive Assistant (SEA) (Home Office)  
Ms Mette Nordling – Contracts Manager (Cairns Office)

**Apologies**

1. **9:25am – 9:29am** **Opening Prayer and Welcome**

Mayor Mosby welcomed Councillors and Staff to the Ordinary Meeting. Mayor Mosby invited Cr Levi to open the meeting in prayer.

Mayor acknowledged and paid respect to:

- The traditional owners and elders past, present and emerging for the land on which we meet throughout the Zenadth Kes Region and Cairns Region.
- Councillors
- CEO and staff

2. **9:29am – 9:30am** **Apologies**

Nil

3. **9:30m – 9:32am** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

No declaration.

4. **9:32am – 9:32am** **Confirmation of March 2020 Ordinary Meeting Minutes**

Adjourned to later in the agenda.

5. **9:32am – 11:04am** **COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Pearson

**That in accordance with section 275 (1) of the *Local Government Regulation 2012 (Qld)* it is resolved for the meeting to go into closed session to discuss matters of the following nature:**  
**e) contracts proposed to be made by it.**

**MOTION CARRIED**

Mayor Mosby confirmed with Councillors and staff they are alone in the room. All Councillors and staff confirmed.

6. **CORPORATE – Contract – Project Tagai**

Cr Seriako Dorante declared a material personal interest (MPI)

- I, Councillor Seriako Dorante, declare that I have a material personal interest in this matter (as defined by *Local Government Act 2009*, section 175B) as follows: -
- I; or my employer Sea Swift Pty Ltd; stand to possibly gain a benefit or suffer a loss depending on the outcome of Council's consideration of this matter
- I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on.

7. 10:31am – 10:31am COUNCIL MOVE OUT OF CLOSED BUSINESS

**RESOLUTION:**

*Moved:* Cr Pearson; *Second:* Cr Nona

**That Council move out of Closed Business.**

**MOTION CARRIED**

6. CORPORATE – Contract – Project Tagai

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Levi

**That Council resolves to delegate authority to the Chief Executive Officer under the provisions of the *Local Government Act 2009* to:**

1. enter into the proposed Funding Agreement with the Indigenous Land and Sea Corporation (ILSC) for the grant of funding in the sum \$3,518,000 excluding GST on the terms and conditions proposed by the ISLC to the CEO's satisfaction: and

2. in respect of the Contract for the purchase of No. 4 Elphinstone Close, Portsmith QLD 4870 from DBL Space Pty Ltd (Contract):

a. satisfy the Due Diligence condition under the Contract;

b. apply part of the funding received from the ILSC to the completion of the purchase; and

c. do all things necessary to allow for completion of the Contract. and

3. in respect of the Lease of No. 3 Elphinstone Close, Portsmith QLD 4870 from Ian Harvey Perrot and Sandra Lee Perrot (Lease):

a. exercise the option to purchase No. 3 Elphinstone Close, Portsmith QLD 4870 as contained within the special conditions of the Lease;

b. enter into a contract for the purchase of No. 3 Elphinstone Close, Portsmith QLD 4870;

c. apply part of the funding received from the ILSC to the completion of the purchase; and

d. do all things necessary to allow for completion of the contract. and

4. negotiate and enter into a contract with the Commonwealth of Australia (represented by the Department of Prime Minister and Cabinet) for funding to renovate and refurbish No. 3 and No. 4 Elphinstone Close, Portsmith, with the CEO to enter into the contract on the terms and for the amount of funding that the CEO deems appropriate and most advantageous for Council in the circumstances.

5. negotiate and enter into a contract with the State of Queensland (represented by the Department of State Development, Manufacturing, Infrastructure and Planning) for funding to renovate and refurbish No. 3 and No. 4 Elphinstone Close, Portsmith, with the CEO to enter into the contract on the terms and for the amount of funding that the CEO deems appropriate and most advantageous for Council in the circumstances.

**MOTION CARRIED**

10:31am – 10:47am – Morning Tea Break

Cr Seriako Dorante re-joined the meeting.

8. **10:47am – 12:55pm** **CORPORATE - Policy Review**

Head of Corporate Affairs and Engagement spoke to the report and read out the changes between the old and new policies.

**RESOLUTION:**

*Moved:* Cr Toby; *Second:* Cr Pearson

**That Council resolves to:**

1. endorse the following Torres Strait Island Regional Council policies:

- Councillor Code of Conduct (*Local Government Act 2009*, section 150D)
- Meeting Procedure (*Local Government Act 2009*, section 150G)
- Standing Orders (*Local Government Act 2009*, section 150G)
- Investigations Policy (*Local Government Act 2009*, section 150AE)
- Councillor Remuneration, Reimbursement and Facilities Provision Policy (*Local Government Regulation 2012*, section 247 and 250); Noting the reversing of the travel cost provision as per Council's deliberations in today's Ordinary Meeting.

2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make further minor administrative amendments as they arise.

**MOTION CARRIED**

**ACTION:** Team to develop community awareness sessions regarding the separation of powers. Strategy for Corporate to roll out – Local Government and Belcarra Reform. Definition of 1. Request, 2. Directive and 3. Ailan Kustom.

**ACTION:** SEA to email Divisional Managers to supply Councillors with stationary.

**ACTION:** HOCAE to email Councillors regarding uniform process and ordering.

**12:55pm – 1:47pm – Lunch Break**

9. **1:47pm – 2:28pm** **LEGAL - SARG Membership**

Mayor Mosby did a roll call to establish a quorum.

Manager Legal Service spoke to the report. The SARG membership consists of the Mayor, Deputy Mayor, two Councillor SARG members and an alternate member, Chief Executive Officer, Chief Financial Officer and Chief Operating Officer.

**ACTION:** A strategic SARG Plan be developed to bring to Council with clear directions around Operational, Strategic, Policy platforms.

**NOMINATION FOR SARG MEMBERSHIP:**

Cr Stephen nominated Cr Noah as a SARG Member and seconded by Cr Fell  
Cr Noah accepted the nomination.

**RESOLUTION:**

*Moved:* Cr Stephen; *Second:* Cr Fell

**That in accordance with the Council's Strategic Advisory Reference Group (SARG) Terms of Reference, Council appoint by nomination and resolution the Councillor member to the SARG membership.**

**SARG Member 1 - Cr Noah was nominated by Cr Stephen and second by Cr Fell. Cr Noah accepted the nomination.**

**MOTION CARRIED**

Cr Nona nominates Cr Fell as a SARG Member and seconded by Cr Elisala  
Cr Fell accepted the nomination.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Elisala

**That in accordance with the Council's Strategic Advisory Reference Group (SARG) Terms of Reference, Council appoint by nomination and resolution Cr Fell as a Councillor member to the SARG membership.**

**MOTION CARRIED**

Alternate SARG Member – Cr Elisala nominated Cr Stephen as an alternate SARG Member and seconded by Cr Levi.  
Cr Stephen declined the nomination.

Cr Toby nominated Cr Elisala as alternate SARG Member and seconded by Cr Nona.  
Cr Elisala accepted the nomination.

**RESOLUTION:**

*Moved:* Cr Toby; *Second:* Cr Nona

**That in accordance with the Council's Strategic Advisory Reference Group (SARG) Terms of Reference, Council appoint by nomination and resolution Cr Elisala as the alternate Councillor member to the SARG membership.**

**MOTION CARRIED**

**10. 2:28pm – 2:40pm                      CORPORATE – Audit Committee**

Chief Financial Officer spoke to this report and explained to Council the Internal Audit Plan and the role of the Audit Committee.

Cr Lui nominated Mayor Mosby as a Councillor member of the Audit Committee and seconded by Cr Fell. Mayor Mosby accepted the nomination.

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Tabuai

**That Council resolve to appoint by nomination and resolution Mayor Philemon Mosby as a Councillor member of the Audit Committee.**

**MOTION CARRIED**

Cr Elisala nominated Cr Fell as a Councillor member of the Audit Committee and seconded by Cr Pearson. Cr Fell accepted the nomination.

**RESOLUTION**

*Moved: Cr Elisala; Second: Cr Pearson*

**That Council resolve to appoint by nomination and resolution Cr Fell as a Councillor member of the Audit Committee.**

**MOTION CARRIED**

**11. 2:40pm –2:49pm CORPORATE – Operation Plan Status Update**

Head of Corporate Affairs and Engagement spoke to the report.

**RESOLUTION:**

*Moved: Cr Nona; Second: Cr Noah*

**That Council resolves to note the Operational Plan 2019-20 Q3 Update.**

**MOTION CARRIED**

**12. 2:49pm –4:11pm CORPORATE – Councillor Induction – Part 1**

The Corporate Affairs and Engagement Team takes the Councillors through Part 1 of the Councillors Induction.

Cr Nona had to leave the meeting for another engagement and Mayor asked the CEO for the Team to provide Cr Nona with the remaining segments of the Induction.

**ACTION:** HOCAE to arrange a video/telephone link up with Cr Nona to continue the Councillors Induction – Part 1.

**ACTION:** Put the following questions to improve ways of governance.

- Take on notice – SARG
- Standing Agenda Items for Community aspirations
- What are the collective roles of Councillors?
- Administration to support us in achieving the political aspiration

**ACTION:** HOCAE to follow up and report on the Mail delivery and our contract with Australia Post to the May OM.

**ACTION:** HOCAE to provide Council information on the Community Disaster Management Plans and Protocols and who is the lead agency in the community.

**ACTION:** CM to submit a paper to Council on Community Forum and Advisory Committee.

Mayor Mosby provide Councillors with an update on their mobile phones and surfaces.

Chief Financial Officer went through the list of onboarding forms for their completion and motor vehicles.

**13. 4:53pm – 4:56pm Next Meeting Date**

Ordinary Meeting date - Time	18 & 19 May 2020 9am – 5pm
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**14. 4:56pm – 4:59pm Confirmation of Meeting Minutes**

**RESOLUTION:**

*Moved: Cr Pearson, Second: Cr Toby*

**That the minutes of the Ordinary Meeting held in March 2020, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

**15. 4:59pm – 4:59pm                      Matters arising from the previous Minutes**

Nil

**16. 4:59pm – 5:00pm                      Closing Remarks and Prayer**

Mayor Mosby thanked the Deputy Mayor, Councillors, CEO, and staff. Mayor invited Cr Stephen to close the meeting in prayer.

**Meeting Closed at 5:00pm - Prayer by Cr Stephen**



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**Bruce Ranga**  
Chief Executive Officer  
Torres Strait Island Regional Council



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**Philemon Mosby**  
Mayor  
Torres Strait Island Regional Council