



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

Tuesday 16 April 2019: 9:00am to 5:00pm
Wednesday 17 April 2019: 9:00am – 10:30am

Videoconference - VMR #8 - 0299 165 402

Present

Cr Fred Gela, Mayor
Cr Dimas Toby, Division 1 – Boigu (Boigu office)
Cr Torenzo Elisala, Division 2 – Dauan (Dauan office)
Cr Keri Akiba, Division 3 – Saibai (Saibai office)
Cr Keith Fell, Division 4 – Mabuyag (Mabuyag office)
Cr Laurie Nona, Division 5 – Badu (Badu office)
Cr John Levi, Division 7 – St Pauls Community at Mua Island (St Pauls office)
Cr Mario Sabatino, Division 8 – Kirriri
Cr Getano Lui Jnr, Division 9 – Iama (Iama office)
Cr Clara Tamu, Division 10 – Warraber (Warraber office)
Cr Francis Pearson, Division 11 – Poruma (Poruma office)
Cr Rocky Stephen, Division 13 – Ugar (Cairns office)
Cr Patrick Thaiday, Division 14 – Erub (Erub office)
Mr Bruce Ranga, Chief Executive Officer (CEO) (TI office)
Ms Jan Pool, Chief Operating Officer (COO) (TI office)
Mr Jaydip Sengupta, Chief Financial Officer (CFO) (Cairns office)
Ms Julia Maurus, Manager Legal Services (MLS) (Cairns office)
Mr David Abednego, Executive Manager Community Services (EMCoS) (TI office)
Mr Luke Ranga, Manager Engagement (ME) (Cairns office)
Ms Ursula Nai, Senior Executive Assistant (SEA) (TI office)
Mrs Kathy Cochran – Secretariat Officer (SO) (St Pauls office)

Apologies

Cr David Bosun, Division 6 – Kubin Community at Mua Island
Cr Ted Nai, Division 12 – Masig
Cr Bob Kaigey, Division 15 – Mer
Mr David Baldwin, Executive Manager Engineering Services (EMES) – On annual leave

1. **9:00am – 9:08am** **Opening Prayer and Welcome by Mayor Gela**

Mayor Gela welcomed everyone and thanked them for their attendance and opened the meeting in prayer.

Mayor Gela acknowledged the traditional owners and elders past and present for the places we are meeting on today, Kirriri, the whole of Zenadth Kes, the traditional owners for the Cairns region, Deputy Mayor and his fellow Colleagues.

2. **9:08am – 9:11am** **Apologies**

- Cr David Bosun, Division 6 – Arkai, Mua Island
Cr Bosun applied for leave of absence in advance at the March 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Levi; Second: Cr Stephen

That Council accepts the apology from Cr Bosun for his absence at this meeting.

MOTION CARRIED

- Cr Ted Nai, Division 12 - Masig
Cr Nai applied for leave of absence in advance at the March 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Pearson; Second: Cr Toby

That Council accepts the apology from Cr Nai for his absence at this meeting.

MOTION CARRIED

- Cr Bob Kaigey, Division 15 - Mer
Cr Kaigey applied for leave of absence in advance at the March 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Elisala; Second: Cr Akiba

That Council accepts the apology from Cr Kaigey for his absence at this meeting.

MOTION CARRIED

3. **9:11am – 9:19am** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

Mayor Gela mentioned a late Business report which will be tabled later in the Agenda which a few Councillors had concerns of having COI and or MPI. The report is a Closed Business report.

4. **9:22am – 9:27am** **COUNCIL MOVE INTO CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Nona; Second: Cr Toby

That in accordance with section 275 of the Local Government Regulation 2012 (Qld) it is resolved for the meeting to go into closed session to discuss the following;

- **BUSINESS SERVICES – Business Operation - Feasibility**

MOTION CARRIED

Mayor Gela confirmed with each attendee they are alone in the room. Each attendee confirms individually they are alone.

Councillors discussed COI and MPI

5. 10:13am – 10:13am COUNCIL MOVE OUT OF CLOSED BUSINESS

RESOLUTION:

Moved: Cr Lui; *Second:* Cr Fell

That Council Move out of Closed Business.

MOTION CARRIED

- Cr Elisala earlier declared a potential material personal interest (MPI)
 - MPI details: Cr Elisala is a PBC Director / board member
 - How the Councillor proposed to deal with the MPI: Cr Elisala leaves the room.
- Cr Stephen earlier declared a material personal interest (MPI)
 - MPI details: Cr Stephen and his brother currently run the Ugar ferry service
 - How the Councillor proposed to deal with the MPI: Cr Stephen leaves the room and did not vote.
- Cr Sabatino earlier declared a conflict of interest (COI)
 - COI details: Cr Sabatino has worked on the project
 - How the Councillor proposed to deal with the COI: Council happy for Cr Sabatino to remain in the room for the discussion but not to vote or make any decision.

ACTION: SEA to circulate Closed Business Report - BUSINESS – Business Opportunities – Feasibility to those Councillors who have not declared a COI and or MPI.

6. 10:13am – 10:17am Confirmation of March 2019 Ordinary Meeting Minutes

Amendment - Page 3 – Item 2 - Resolution for Cr Nona’s absence – reword resolution to read **”That Council accepts “reasonable excuse” from Cr Nona and excuse his absence at this meeting”**

RESOLUTION

Moved: Cr Pearson; *Second:* Cr Fell

That the minutes of the Ordinary Meeting held in March 2019 be adopted as a true and accurate record of that meeting taking into account the above amendments.

MOTION CARRIED

7. 10:17am – 10:40am Outstanding Ordinary Meeting Action Items

1. Delegation Register – MLS to action – pending
2. Sub Local Laws – MLS to action (NB: TSRA contacts are Mr Stan Lui and or Mr Don Whap)
3. Shipping Submission – Close
4. Anzac Day – Cr Elisala and Cr Bosun – Delete duplicate
5. Enterprise Divestment – lama – take off the list (on hold pending clarification)

ACTION: Amend the Action Items as per Cr Lui’s advice.

6. Kubin Motel – on line – September OM for recommendation.

ACTION: SO to remove the Kubin Motel paper off the April OM Agenda.

7. 8 Point Plan – Amend action item to read 8 point plan not 10.
8. Trustee undocumented land document – close

ACTION: Provide a monthly update to Council in an Information Report of any significant changes to the Trustee undocumented land document.

9. Weekly water reports – Close
10. Iama cray infrastructure – close
11. George Mye Tombstone – Cr Thaiday to email all Councilors with the date
12. Anzac Day – CFO – Close

ACTION: Philemon to liaise with the DM at Mabuiaq to use left over funds from international worms day to go to Anzac day 2019.

Cr Pearson asked how much money was left for each Division.

Currently five (5) items from March OM remains on the Register.

ACTION: Team to tidy up theirs and their team's action items before May2019 OM.

8. 10:40am – 10:51am STANDING AGENDA ITEMS

- **Undocumented Commercial Land occupation project (verbal) – MLS gave a verbal update**

ACTION: CFO to add to the Trust reserve account spreadsheet - referencing each property to its respective Division and send out a copy to all Councillors.

Cr Sabatino suggested the MLS make reference to the Justice Land and other matters Act and quote the section of the act – community requesting the divestment in consultation.

- **Delegation Register**
- **IKC Update – update will be provided at May OM.**

MORNING TEA – 10:51am – 11:11am

9. 10:45am – 11:15am BUSINESS – Regional Grants Round 4 – 2018/19

- Cr Fell declared a conflict of interest (COI)
 - COI details: Cr Fell is a member of the Mabuiaq Men's Sporting Group
 - How the Councillor proposed to deal with the COI: Cr Fell remains in the room but did not vote.

CFO spoke to this report. The purpose of the report is to present to Council for decision, the Regional Grants Applications for Round Four 2018/19. Eligible Applications have been received from:

1. *Moa Boars*
2. *Paga Panthers Football Team*
3. *Annie Zaro*
4. *Mabuiaq Men's Sporting Group*

RESOLUTION:

Move: Cr Sabatino; *Second:* Cr Pearson

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

- 1. Moa Boars for the eligible amount of \$2,500 exclusive of GST**

MOTION CARRIED

RESOLUTION:

Move: Cr Tamu; *Second:* Cr Toby

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

2. Paga Panthers Football Team for the eligible amount of \$2,500 exclusive of GST

MOTION CARRIED

RESOLUTION:

Move: Cr Pearson; *Second:* Cr Levi

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

3. Annie Zaro for the eligible amount of \$500 exclusive of GST

MOTION CARRIED

RESOLUTION:

Move: Cr Nona; *Second:* Cr Stephen

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

4. Mabuig Men's Sporting Group for the eligible amount of \$2,500 exclusive of GST

MOTION CARRIED

10. 11:17am – 11:28am BUSINESS – Assets – Preferred Supplier Arrangements

CFO spoke to this report. The purpose of this report is for Council to approve a Preferred Supplier Arrangement for the goods and/or services as per the attached table 2.1 for a term of 6 Months from approval date. This will allow enough time for the Procurement Team to re-group and in the meantime Assets can meet their service deliverables.

MLS advised, an extension can't be granted if the contracts are expired or if the contract arrangements don't have an extension clause.

Council can still access these suppliers by following our normal procurement process (procurement and legal involvement)

Cr Fell commented the paper should have been reviewed by our Legal and Procurement team before coming to Council.

ITEM LEFT LYING ON THE TABLE

11. 11:28am – 11:33pm OCEO – Home Ownership Improvement Program – CEO Delegation

COO spoke to the report. The purpose of this report is to seek Council's approval to increase the CEO Financial Delegation Authority to authorise purchase orders up to \$350,000 from the previous \$200,000, for the purpose of sub-contracting works under the Homeownership Improvement Program (transfer to private ownership).

RESOLUTION:

Moved: Cr Nona; *Second:* Cr Pearson

That Council resolves to increase the Chief Executive Officer Financial Delegation from \$200,000 to \$350,000 solely to enter into contracts for the Homeownership Improvement Program, subject to an approved budget allocation and adherence to Council's Procurement Policy – SPO2 and Procurement Procedure SP02-PR1.

MOTION CARRIED

ACTION: COO to provide a monthly update on any significant changes in an information report to Council.

12. 11:33pm – 12:29pm LEGAL – Commercial Utility Charges – Churches

- Cr Fell declared a conflict interest (COI)
 - COI details: Cr Fell is the President of the Latter Day Saints Church, currently holding church meetings at home and future proposal to use community hall to hold services.
 - How the Councillor proposed to deal with the COI: Council approves for Cr Fell to remain in the room for the discussion and vote.

- Cr Levi declared a conflict interest (COI)
 - COI details: Cr Levi is the Senior Pastor of the Kozan Outreach Church at St Pauls Community.
 - How the Councillor proposed to deal with the COI: Council approves for Cr Levi to remain in the room for the discussion and vote.

- Cr Tamu declared a conflict interest (COI)
 - COI details: Cr Tamu is a member of the church her son-in-law is the Pastor of on Warraber.
 - How the Councillor proposed to deal with the COI: Council approve for Cr Tamu to remain in the room and vote.

- Cr Gela declared a conflict interest (COI)
 - COI details: Cr Gela is the a member of the Goshan Ministry on Hammond Island and utilises the community Hall to hold their services.
 - How the Councillor proposed to deal with the COI: Council approve for Cr Gela to remain in the room for the discussion and vote.

- Cr Pearson declared a conflict interest (COI)
 - COI details: Cr Pearson is a member of a church and hold a position on the Church council.
 - How the Councillor proposed to deal with the COI: Council approve for Cr Pearson to remain in the room for the discussion and vote.

- Cr Stephen declared a conflict interest (COI)
 - COI details: Cr Stephen's dad is the church warden on Ugar Anglican Church.
 - How the Councillor proposed to deal with the COI: Council approve for Cr Stephen to remain in the room for the discussion and vote.

- Cr Lui declared a conflict interest (COI)
 - COI details: Cr Lui is a Minister of the church on Iama.
 - How the Councillor proposed to deal with the COI: Council approve for Cr Lui to remain in the room for the discussion and vote.

RESOLUTION:

Moved: Cr Nona; *Second:* Cr Lui

That Council resolve:

- **Under section 172 of the LGR, Council amend the Revenue Statement FY18/19 to exempt Churches from payment of utility charges; and**

- Council notify Churches in the local government area of the requirement to hold public liability insurance and their responsibility to keep the Church premises clean and clear of rubbish (including requesting additional rubbish bins from Council where required)

MOTION CARRIED

ACTION: MLS to liaise with each Councillor for the names of each church in their respective Division before writing to each of the Churches.

13. 12:29pm – 12:57pm LEGAL – Development Application – Saibai QPS

MLS spoke to this report. Council has received an application from the Queensland Police Service for a 'Material Change of Use' for the establishment of a Community Safety and Security Facility, which requires a planning approval.

The development is comprised of the following works at the proposed Saibai Island Community Safety and Security Facility:

- An office/administration building with an area of 285m², incorporating a reception area, Torres Strait islander Police Support Officers office, Multi-agency staff office, interview room, lunch room, work area, storage room, equipment room, incident/meeting room, male and female ablutions and a service area;
- Adjacent and connected to the rear of the main building are several holding cells with an area approximately 26m²;
- Ancillary staff accommodation, with an area approximately 270m², including 8 room with ensuite bathrooms, an open plan lounge, dining and kitchen area, outdoor deck/BBQ area and laundry;
- Covered storage for 6 vehicles; and
- Covered storage for 4 boats with an area of approximately 90m².

A summary of the relevant matters is provided as follows:

- The proposed development involves “Material Change of Use” which under the *Planning Act 2016* requires Council as the Assessment Manager to issue a formal Development Permit.
- The proposal is considered to be relatively consistent with relevant planning legislation and policies and therefore should be approved by Council.

From the information provided, the proposed development appears to be relatively consistent with the relevant legislative requirements and planning guidelines which apply to the site and therefore, from a planning perspective, should be supported by Council.

ACTION: MLS to add an extra condition to the development application – “to ensure proper run offs from the facility and flooding mitigation for adjoining properties.

RESOLUTION:

Moved: Cr Akiba; *Second:* Cr Sabatino

That Council issue a Development Permit for ‘Material Change of Use’ with the inclusion of the conditions set out in Part 2 of the Agenda Report for Saibai Community Safety and Security Facility, Saibai QLD 4875 (Lot 102 on SP296838).

MOTION CARRIED

14. 12:57pm – 1:00pm LEGAL – Development Application – Iama Telstra

MLS spoke to this report. Council has received an application from Visionstream Pty Ltd, on behalf of Telstra, for a 'Reconfiguration of a Lot (Boundary Realignment)' to accommodate the location of the new telecommunications tower, which was constructed over the existing Lease boundary.

Telstra holds an existing lease over the existing communication tower at lama Island, located on Lot 104 SP270867. Telstra replaced the tower in 2018 given that the existing tower has reached the end of its operational lifecycle.

The development comprised of the construction of a replacement 122.4 metre guyed mast at the same height and style of the existing facility, but in a slightly different location. Telstra proposed the creation of four new leases, however for simplicity Telstra have agreed to amend the lot boundary to place the new tower within a single new lot which can be leased to Telstra. This also involves reducing a small amount of the waste facility lot 115 by 76m² to include the guy mast.

This will require the surrender of the current lease and creation of a new lease over the proposed new replacement tower footprint, with an increase in area from 3,913m² to 4,381m².

A summary of the relevant matters is provided as follows:

- The proposed development involves 'Reconfiguration of a Lot', which under the *Planning Act 2016* requires Council as the Assessment Manager to issue a formal Development Permit.
- The proposal is considered to be relatively consistent with relevant planning legislation and policies and therefore should be approved by Council.

From the information provided, the proposed development appears to be relatively consistent with the relevant legislative requirements and planning guidelines which apply to the site and therefore, from a planning perspective, should be supported by Council.

RESOLUTION:

Moved: Cr Lui; *Second:* Cr Thaiday

That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 2 of the Agenda Report for Boundary Realignment to accommodate a new telecommunications tower, lama Island QLD 4875 (Lot 104 on SP270867 and part of Lots 13 and 115 on SP270867 as shown in DP296762, to be replaced with a new survey plan to create a single lot for the proposed Telstra Lease).

MOTION CARRIED

15. 1:00pm – 1:09pm LEGAL – Badu Lot 139 duplex: lease surrender

MLS spoke to this report. This report proposes the divestment of social housing and the surrender of leases to the Badu PBC in accordance with a request from the Badu PBC.

Council currently has a lease from Mura Badulgal (Torres Strait Islanders) Corporation RNTBC over the duplex at Badu Lot 139.

The duplex is made up of current TSIRC assets 1001719 (139A) and 1007934 (139B). The land description is Lot 139 on SP274784 aka Lot 139A and Lot 139B Chapman St, Badu Island Qld 4875.

The PBC has requested Council surrender its lease of lot 139, as the PBC requires the duplex for staff housing.

The process has now progressed to:

- Agreement between PBC and Council on a partial surrender.
- Badu CSP is registered.
- One side of the duplex being tenanted by a PBC employee – note this is a TSIRC tenancy that would be required to change to the PBC becoming landlord.

- The other side of the duplex being vacant, however there is still some of the previous tenant's belongings in the dwelling. EMHS instructed the tenancy team not to tenant this dwelling.

RESOLUTION:

Moved: Cr Sabatino; Second: Cr Pearson

That, subject to written consent from the Department of Housing and Public Works, Council:

- a. **surrender its lease over the whole of Lot 139 on SP274784 on title reference 51066910 (139A and 139B Chapman Street, Badu Island), to Mura Badulgal (Torres Strait Islanders) Corporation RNTBC; and**
- b. **divest the duplex assets 1001719 (139A Chapman St) and 1007934 (139B Chapman St) to Mura Badulgal (Torres Strait Islanders) Corporation RNTBC for peppercorn consideration.**

MOTION CARRIED

16. **1:09pm – 1:09pm**

COUNCIL MOVE INTO TRUSTEE

RESOLUTION:

Moved: Cr Levi; Second: Cr Elisala

That in accordance with Section 83 of the Local Government Act 2009 (QLD) management of Community Deeds of Grant in Trust, the meeting of the Trustee of Community DOGIT be convened and conducted as separate meetings from the Indigenous Regional Council.

MOTION CARRIED

17. **1:09pm – 1:26pm**

TRUSTEE – LEGAL – Iama Telstra Lease

MLS spoke to this report. Under the *Torres Strait Islander Land Act 1991* (Qld) and the *Aboriginal Land Act 1991* (Qld), Council (as Trustee) has the power to grant leases of up to 99 years.

In May 2018, Council as Trustee for the various Deeds of Grant in Trust (including Iama) set a rent methodology of \$10.80 per square metre per annum (starting rent subject to CPI) for commercial/government leases, with a minimum charge of \$6,000 per annum.

Telstra has an existing lease over the communication tower at Iama Island, located on Lot 104 SP270867. Telstra replaced the tower in 2018 given that the existing tower has reached the end of its operational lifecycle.

The development comprised of the construction of a replacement 122.4 metre guyed mast at the same height and style of the existing facility, but in a slightly different location. Telstra proposed the creation of four new leases, however for simplicity Telstra have agreed to amend the lot boundary to place the new tower within a single new lot which can be leased to Telstra. This also involves reducing a small amount of the waste facility lot 115 by 76m² to include the guy mast.

This will require the surrender of the current lease and creation of a new lease over the proposed new replacement tower footprint, with an increase in area of 468m², from 3,913m² (whole of lot 104) to 4,381m².

RESOLUTION:

Moved: Cr Lui; Second: Cr Levi

That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee:

- a. **consent to the surrender of existing lease 713124952 (Telstra Lease T on SP151805)**
- b. **grant a lease to Telstra Corporation Ltd ACN 051 755 556 over Lot 104 on SP270867 and part of Lots 13 and 115 on SP270867 as shown in DP296762, for the operation and maintenance (including replacement, renewal and construction of improvements from time to time) of a telecommunications facility, subject to:**
 - i. **development approval**

- ii. new survey plan to create a single lot for the new Telstra Lease
- iii. written confirmation from Magani Lagaugal (Torres Strait Islanders) Corporation RNTBC that the proposed lease is validated by ILUA QI2004/061 Telstra Yam Agreement
- c. delegate to the Chief Executive Officer the power to conclude the terms of the above lease.

18. 1:26pm – 1:53pm TRUSTEE – LEGAL – Hammond Island Lot 56 LHA Lease transfer

- Cr Gela declared a conflict interest (COI)
 - COI details: Cr Gela is Veronica Arndt's sister in law
 - How the Councillor proposed to deal with the COI: Council approve for Cr Gela to remain in the room for the discussion and vote.

MLS spoke to this report. Brian and Veronica Arndt have requested to transfer their LHA lease to their daughter Tanya Ann Loban. As trustee for Hammond Island Deed of Grant in Trust, it is TSIRC's role to provide consent to an LHA lease transfer. This report is for the Trustee to consider providing consent to the lease transfer.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Elisala

That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013, the Trustee consent to the transfer of a perpetual lease (Lease No. 719137189) from Brian Edward Arndt and Veronica Judith Arndt over Lot 56 on SP248418 (title reference 51067190) to Tanya Ann Loban.

Cr Fell withdraw moving the motion.

ITEM LEFT LYING ON THE TABLE

ACTION: MLS to continue further work on the transfer and work together with Cr Sabatino to provide clarity on valuation principle and stamp duty.

19. 1:53pm – 1:53pm COUNCIL MOVE OUT OF TRUSTEE

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Levi

That Council move out of Trustee and resume Local Government meeting.

MOTION CARRIED

20. 1:53pm – 1:54pm BUSINESS - TCICA Membership

CFO spoke to this report. The purpose of the report is to seek Council's endorsement to approve payment for Council's annual membership to the Torres Cape Indigenous Council Alliance (TCICA).

Mayor Gela informs Council, the Charter and the Terms of Reference for TCICA are not yet finalised and had concerns regarding public liability and professional indemnity.

RESOLUTION:

Moved: ; *Second:*

That Council resolves to authorise the Chief Executive Officer to approve payment for Council's annual membership to the Torres Cape Indigenous Council Alliance (TCICA), on the basis that Council is satisfied that there is only one supplier who is reasonably available in the circumstances.

21. **2:03pm – 2:40pm** **COUNCIL MOVE INTO CLOSED BUSINESS**

RESOLUTION:

Move: Cr Akiba; *Second:* Cr Nona

That in accordance with section 275 of the Local Government Regulation 2012 (Qld) it is resolved for the meeting to go into closed session to discuss the following;

MOTION CARRIED

- 22. **ENGINEERING – Badu Airstrip Upgrades**
- 23. **BUSINESS – Business Opportunity - Feasibility**
- 24. **OCEO – HR Report – Organisational Structure**

Mayor confirms with each Councilor that they are alone in the room. Each Councilor confirms individually they are alone.

25. **2:40PM – 2:46pm** **COUNCIL MOVE OUT OF CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Levi; *Second:* Cr Elisala

That Council move out of Closed Business.

MOTION CARRIED

22. **ENGINEERING – Badu Airstrip Upgrades**

RESOLUTION:

Moved: Cr Thaiday; *Second:* Cr Levi

Pursuant to the Local Government Act 2009 and Local Government Regulation 2012, that Council resolve to:

- Award Tender No. TSIRC 2019-139 for the Badu Island Airstrip Upgrades to LDI Constructions Civil Pty Ltd for \$794,264.55 (ex.GST).
- Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with entering into the contract under this arrangement.

MOTION CARRIED

Against: Cr Nona

ACTION: Mark Sexton to maintain an open dialog regarding the Badu Airstrip Upgrade project with Cr Nona going forward.

ACTION: Mark Sexton to make known to the contractors “LDI” the Council’s sentiments.

LUNCH – 2:46pm – 3:29pm

23. **OCEO – Business Opportunity – Feasibility**

- Cr Elisala earlier declared a potential material personal interest (MPI)
 - MPI details: Cr Elisala is a PBC Director / board member
 - How the Councillor proposed to deal with the MPI: Cr Elisala leaves the room.
- Cr Stephen earlier declared a material personal interest (MPI)

- MPI details: Cr Stephen and his brother currently run the Ugar ferry service
 - How the Councillor proposed to deal with the MPI: Cr Stephen leaves the room and did not vote.
- Cr Sabatino earlier declared an conflict of interest (COI)
 - COI details: Cr Sabatino has worked on the project
 - How the Councillor proposed to deal with the COI: Cr Sabatino leaves the room.

RESOLUTION:

Moved: Cr Fell; Second: Cr Elisala

That Council resolves to have a feasibility report prepared and have separate reports for the Barge and the Ferry services. Once ready, the feasibility report to be distributed to Councillors who do not have an MPI.

MOTION CARRIED

5:10pm – SO leaves the room.

24. OCEO – HR – Organisational Structure

SO leaves the room – 4:58pm

RESOLUTION:

Moved: Cr Sabatino; Second: Cr Toby

That Council resolves to approve the new organisational structure and that Council adopts it in accordance with the provisions of Section 196(1) of the Local Government Act 2009.

MOTION CARRIED

SO rejoins the meeting and Cr Sabatino excused from the meeting – 6:22pm

6:22pm – SO rejoins the meeting.

26. 6:22pm – 6:26pm Leave in Advance

The following Councillors applied for leave in Advance

- Cr Mario Sabatino

Cr Elisala informs Council he may miss the first two days of the workshop but will be in Cairns for the remaining two weeks and will be at the Ordinary meeting.

The following Councillors gave their apology for tomorrow;

- Cr Fell and
- Cr Toby

27. 6:26pm – 6:27pm Next Meeting Scheduled for 20 – 21 May 2019 – Cairns

Other dates to note:

- May Workshop dates - Monday 13 – Friday 24th May Cairns
- June OM dates 19 & 20 June Mer

Meeting Closed at 6:27pm - Prayer by Cr Fell

Present

Cr Fred Gela, Mayor (Kirirri office)
Cr Torenzo Elisala, Division 2 – Dauan (Dauan office)
Cr Keri Akiba, Division 3 – Saibai (Saibai office)
Cr David Bosun, Division 6 – Kubin Community at Mua Island (Kubin office)
Cr John Levi, Division 7 – St Pauls Community at Mua Island (St Paul's office)
Cr Getano Lui Jnr, Division 9 – Iama (Iama Office)
Cr Francis Pearson, Division 11 – Poruma (Poruma office)
Cr Ted Nai, Division 12 – Masig (Masig office)
Cr Patrick Thaiday, Division 14 – Erub (Erub office)
Cr Bob Kaigey, Division 15 – Mer (Mer office)
Mr Bruce Ranga, Chief Executive Officer (CEO) (TI office)
Ms Jan Pool, Chief Operating Officer (COO) (TI office)
Mr Jaydip Sengupta, Chief Financial Officer (CFO) (Cairns office)
Mr David Baldwin, Executive Manager Engineering Services (EMES) (Cairns office)
Ms Julia Maurus, Manager Legal Services (MLS) (Cairns office)
Mr Luke Ranga, Manager Engagement (ME) (Cairns office)
Ms Ursula Nai, Senior Executive Assistant (SEA) (TI office)
Mrs Kathy Cochran – Secretariat Officer (SO) (Cairns office)

Apologies

Cr Dimas Toby, Division 1 – Boigu
Cr Laurie Nona, Division 5 – Badu
Cr Mario Sabatino, Division 8 – Kirirri
Cr Clara Tamu, Division 10 – Warraber
Cr Rocky Stephen, Division 13 – Ugar
Cr Keith Fell, Division 4 – Mabuyag

28. 9:00am – 9:08am Opening prayer and welcome by Deputy Mayor

Mayor welcomed everyone and invited Cr Thaiday to open the meeting in prayer. Mayor Gela welcomed Mr Jeremy Kingsford and Mr Gerhard Visser from DATSIP to the meeting and introduced him to the Council. Councillors went around the room and introduce themselves one at a time.

29. 9:08am – 10:02am PRESENTATION 1: DATSIP Master Plan - Mr Jeremy Kingsford Principal Programmer and Mr Gerhard Visser, Acting Planning Manager, Department of Aboriginal and Torres Strait Islander Partnerships.

Mr Kingsford and Mr Visser, briefed Council on what and how the Master Plan works and used the Draft Master Plan for Hammond Island as an example and went through some learning from that process. They advised the Master Plan can be used as leverage to assist with funding submissions. The Master Plan is the one stop shop which should encompass and capture the communities aspirations.

Mr Kingsford explained it in layers;

- One layer is the Master Plan Policy that can be chopped and changed
- Another layer is the Master Plan which sits inside the Policy
- Then another layer which is the Planning Scheme which that sits within the Master Plan and can be revised every ten (10) years

Cr Lui asked if the Climate Adaptation Plan sit in the Master Plan. Advice received, yes and all other Plans for example Community Survey Plan, Coastal Hazard Plan, Infrastructure and Water, Master Drainage Plan, all sit in the Master Plan.

Cr Sabatino asked about ownership of the document and Mr Visser advised it would stay with the Council/ Community. Intent of the document is for community to leverage on.

9:54am – Mayor Gela leaves the room to attend another meeting. Deputy Mayor now Chairs the meeting.

10:00am – Mayor Gela returns to the meeting and continues to Chair the meeting.

ACTION: SEA to send Councillors the contact details for Gerhard and Jeremy for Councillors to make initial contact to start the process for their Master Planning.

Mayor briefed the Council on how they arrived at the decision for the chosen Divisions. After Hammond, Badu should be the next as its the largest and most heavily populated community. Traditional boundary plan for Warraber is on hold. The next stage is the bid for another three community.

Mayor Gela thanked Mr Kingsford and Mr Visser for their presentation and for the information.

30. 12:47pm – 12:48pm General Business

Cr Pearson asked about the Seawall at Poruma and Mayor advised it's still going ahead when they commence at Boigu.

Cr Pearson asked about the waiting shed at Poruma, Mayor advised the team is still working on 15 of the 30 priorities that were identified across the region with two priorities coming from each Division.

Cr Lui raised the following issues;

- Low cost airfares – out islands don't get it
- Scientific Advisory Commission – PZJA. Do we have a policy on ownership of the research
- The use of drones coming into community and into peoples yards (invasion of privacy) Any licence or guideline around the use of these devices.
- Aircondition in the Yam office. Use of unspent funds (COO/ CEO to discuss this afternoon.

Cr Nona raised the following issues;

- The discretionary funds and that his Division Badu is a larger community with the most population and the amount in his allocated funds is the same as other smaller communities.
- Housing for homeless and need for more housing on Bad

11:33am – Cr Lui excuses himself and leave the room.

- Tenants paying rent for houses in community but live elsewhere. Mayor informs Cr Nona our Housing department has allocated a staff member to do a special project on addressing vacant property and rental, starting at Badu.
- Cr Nona asked the Mayor and CEO about an email he sent them regarding a family living in a temporary hook on in one bedroom with a disabled child.

ACTION: COO will contact Cr Nona to discuss the matter further re: the family living in a hook on in a one bedroom with a disabled child.

- Cr Elisal raised the issue of the new office space having any necessary resources.

ACTION: COO to discuss the resource issues further with Cr Elisala out of session.

Cr Akiba raised the following concerns;

- the video conferencing facility freezing all the computers. CEO informs Cr Akiba is has a lot to do with the size of the band width.
- Capital priority – decell plant. Raw water intake needs to be turned off on low tide.
- Look at options to use other lagoons on the island as water source.

Cr Thaiday raised the following concerns;

- Fuel bouser operations – lack of staff
- Unnecessary road incidents due to poor road conditions
- Water infrastructure a priority
- Make safe for community

ACTION: CEO to follow up with staff re: better resources

Cr Stephen raised the following issues in his Division;

- Septic tank at Ugar guest house – safety issue
- Accommodation units – one vacant and the other, the tenant is not on the island
- Conference room air condition units – PO raised in January
- Vinyl on the floor in the office space was not changed when the refurbishment took place.
- Helicopter service – please review with GBR – not happy with the service they are providing.
- Ugar community visit – low tide access report – 5 options, community to decide on 1
- DOGIT transfer for Ugar – Cr Stephen would like to meet with Mayor and CEO in Cairns.
- Disposal of waste for somerset. Review contract for the disposal of waste and enforce.
- Thanked staff for their support with reports provided at AGM.
- Road from village to IBIS is eroding with land slides – Community visit topic.

ACTION: COO to follow up with staff on this issues and with GBR and have further discussions with Cr Stephen, EMCoS and the CEO.

ACTION: COO to follow up with BAS on the contract for Somerset waste disposal and inform Cr Stephen.

Cr Pearson asked about fund to use for Anzac commemorations.

ACTION: COO will follow up with CFO and Hollie.

Cr Nona raised the following issues;

- When was the rubbish truck coming from the central islands to Badu
- Asbestos – previously raised with health concerns for children

Cr Thaiday raised concerns regarding the contractor Matt Berny not cleaning up his rubbish.

ACTION: COO to contact NDRRA to follow up with Matt Berny to clean the area on ground.

Mayor Gela advised Councillor to send photos of and report their concerns to the CEO and COO.

Mayor Gela asked Cr Sabatino about an incident of a car going through the front fence of the child care centre on Hammond.

ACITON: COO to inspect whilst on ground at Hammond

Mayor Gela thanked everyone for their attendance and participation.

Mayor Gela closed the meeting in prayer at 12:55pm