



**Torres Strait Island**  
REGIONAL COUNCIL

# MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

**MARCH 2021**

Wednesday 17<sup>th</sup> March 2021, 11:00am – 5:00pm

Thursday 18<sup>th</sup> March 2021, 9:00am – 5:00pm

Video Conference

**Wednesday 17<sup>th</sup> March 2021**

**Present**

Cr Phillemon Mosby, Mayor (Poruma)  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torengo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
Cr Laurie Nona, Division 5 – Badu  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriiri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 - Ugar  
Cr Jimmy Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Poruma)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Ms Rachel Pierce, Acting Chief Operating Officer (ACOO)(TI)  
Ms Julia Maurus, Manager Legal Services (MLS) (from home)  
Ms Ursula Nai, Senior Executive Assistant (SEA) (Poruma)  
Mrs Kathy Cochran – Secretariat Officer (SO) (Cairns)

**Apologies**

Cr Keith Fell, Division 4 – Mabuiag (intermittently - sorry business in his Division)

The following Councillors will be leaving the meeting when the visiting State Members arrive in their respective Division for their formal engagement and have given their apologies for this time.

Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 - Ugar

## **COUNCIL ORDINARY MEETING**

**Wednesday 17<sup>th</sup> March 2021**

### **Agenda Items**

**1. 11:00am – 11:01am Welcome and Opening Remarks**

Mayor welcomed everyone back and carried out a roll call to establish quorum. Mayor declared the March 2021 Ordinary meeting open.

**2. 11:01am – 11:04am Apologies**

- Cr Rocky Stephen – Division 13 – Ugar – Minister's visit
- Cr Francis Pearson – Division 11 – Poruma – Minister's visit
- Cr Hilda Mosby – Division 12 – Masig – Minister's visit

Councillors will be absent from the meeting during the Minister's visit to their respective Division.

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Trinkoon

**That Council accepts the apology of Cr Rock Stephen, Cr Francis Pearson, and Cr Hilda Mosby for their absence at the meeting during the Minister's visit to their respective Divisions.**

**MOTION CARRIED**

- Cr Keith Fell – Division 4 – Mabuag – Sorry business in his Division and will be required to leave the meeting from time to time on day 1 and absent for day 2.

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

**That Council accepts the apology of Cr Keith Fell for his absence at this meeting due to sorry business in his community.**

**MOTION CARRIED**

**3. 11:04am – 11:08pm**

**DEPUTATION 1: Minister Craig Crawford MP**– Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships and **Minister Shannon Fentamen MP** – Attorney -General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence and Government Champion

Mayor advised, they had a meet and greet with Minister Crawford and Minister Fentamen at the community hall during the morning tea break. The planned State deputations next week will not be proceeding due to the risk associate with going to Brisbane due to recent COVID cases.

**11:08am** – Cr Tabuai joined the meeting.

Cr Toby mentioned he raised an issue with Ms Cynthia Lui and the Deputy Premier during their recent visit regarding the Lagoon incident and have not heard back from their office.

Mayor suggested to Councillors to inform him of matters they raise with visiting Ministers or MP's, so he is aware and to maintain consistency with what's being communicated. Mayor informed Cr Nona, Minister Fentamen will be contacting him directly to speak with him about issues he raised.

Mayor and Senior Executives' community visit to each Division. Advertise and promote the community visit well. TSIRC Deputation Policy is applied at all levels.

**ACTION:** Councillors to respond to Ursula's email regarding the Mayor's community visit.

4. **11:24pm – 11:27pm** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

- Cr Dorante declared a declarable COI for agenda item 9- Legal – CB – Delegation – Sea Swift dispute. Cr Dorante is a current employee of Sea Swift.
- Cr Noah declared a declarable conflict for agenda item 8 – Legal – CB – RTC Lease Mer Lot 531

5. **11:27am – 11:36am** **Confirmation of Meeting Minutes**

- 23<sup>rd</sup> February 2021 Ordinary Meeting – day 1

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Noah

**That the Minutes of the Council Ordinary Meeting, held via video conference on 23<sup>rd</sup> and 24<sup>th</sup> February 2021, be adopted as a true and accurate record of that meeting.**

- Special Meeting – 1<sup>st</sup> February 2021

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Nona

**That the Minutes of the Special Council Meeting, held via video conference on 1<sup>st</sup> February 2021, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

**MOTION RESCINDED** – Secretariat advised these minutes of Special Meeting 1<sup>st</sup> February had previously been endorsed and the minutes added was an administrative error. All Councillors present confirmed the rescission of the immediately preceding resolution to avoid a duplicated resolution.

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Nona

**That the previous resolution be rescinded.**

**MOTION CARRIED**

6. **1:15pm – 1:30pm** **Outstanding Ordinary Meeting Action Items**

Acting Chief Executive Officer, Mr Ilario Sabatino provide Council with an update on all outstanding actions.

Chief Financial Officer requested a copy of the letter be forwarded to the Head of Corporate Affairs and Engagement to add to the document pack.

Acting Chief Executive Officer provide Council with a verbal updated on the Fuel report. The information report will be forwarded to Councillors and raised again later in the agenda in Strategic matters for further discussion.

**12:05pm** – Mayor Mosby delegated the Chair role to Deputy Lui and excused himself from the meeting.

Cr Fell asked for an update on the status of the Business cards. To be mentioned at the June meeting of the Culture Arts and Land standing committee.

**ACTION:** Secretariat Officer to place Business card on the agenda of the Culture, Arts and Land standing committee's June 2021 meeting.

**12:18pm – 1:15pm – LUNCH**

**1:15pm** - Secretariat conducted a roll call. All Councillors and staff in attendance except Cr Fell (apology), Cr Toby (yet to join) and Cr Noah who previously declared a prescribed conflict of interest in the Closed Business matter – LEGAL – RTC Lease Mer - Lot 531 on SP249793.

7. **1:24pm – 3:07pm** **COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

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

That in accordance with section 254J 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:

(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

(h) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government

**MOTION CARRIED**

8. LEGAL – CB – RTC Lease Mer – Lot 531 on SP249793

9. LEGAL – CB – Delegation – Sea Swift dispute

10. ENGINEERING – CB – Variation to the construction of Boigu Coastal defence project – Stage 2

11. ENGINEERING – CB – Variation to Mer Sewerage Treatment Plant Renewal

12. ENGINEERING – CB – Re-allocation of 2020-2021 ATSI TIDS Funding associated EoT

13. ENGINEERING – CB – Information Report – MIP7 and Marine Infrastructure TSRA Program

14. **3:07pm – 3:07pm** **COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Elisala

That Council move out of Closed Business.

**MOTION CARRIED**

8. **LEGAL – CB – RTC Lease Mer Lot 531 on SP249793**

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Elisala

**That Council notes the report.**

**MOTION CARRIED**

**ACTION:** Acting CEO to meet with TSRA Native Title Office to discuss the lease.

**1:34pm** – Cr Toby joined the meeting.

**1:42pm** – Cr Noah re-joined the meeting.

9. **LEGAL – CB – Delegation – Sea Swift dispute**

Cr Dorante declared a prescribed conflict of interest as he is an employee of Sea Swift and left the meeting at 1:44pm.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Trinkoon

**That Council leave this matter lying on the table.**

**MOTION CARRIED**

**ACTION:** Invite Maurice Thompson of Clyde & Co to address Council at the next Council meeting.

10. **ENGINEERING – CB – Variation to the construction of Boigu Coastal Defence Project Stage 2**

**RESOLUTION:**

*Moved:* Cr Toby; *Second:* Cr Gela

**That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:**

- Approve, finalise, and execute any and all matters in relation to variations claimed to date 3<sup>rd</sup> March 2021 to the amount of \$228,414.13 excl GST for the Contract. TSIRC2019-203- Construction of Boigu Coastal Defence Structures (Stage 2) – Koppens Development.
- Approve, finalise, and execute any and all matters in relation to variations to date 9<sup>th</sup> February 2021 in the amount of \$233,245.00 (excl GST) for PBO0005490 – Construction Contract Administration and Project Management (Superintendent Duties) -AECOM Pty Ltd.
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project, purchase orders and contract including without limitation any options and/or variations.

**MOTION CARRIED**

**11. ENGINEERING – CB – Variation to Mer Sewerage Treatment Plant Renewal**

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Approve, finalise, and execute any and all matters in relation to variations claimed up till 10/02/2021 to the amount of \$193,202.63 excl GST for Contract. TSRIC2019-154 – ICCIP Project #61 – Mer Sewerage Treatment Plant upgrade;
- Make, amend, and discharge ICCIP Project #61 – Mer Sewerage Treatment Plant; and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

**12. ENGINEERING – CB – Re-allocation of 2020-2021 ATSI TIDS Funding Associated EoT**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Noah

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Seek extension of time for the current 2020/21 ATSI TIDS Funded Projects;
  - Project No. 1620465 – Saibai Airport Apron Upgrade
  - Project No. 1620463 – Dauan Island Helipad Rd Upgrade
- Seek change of scope to allocate 2020/2021 ATSI TIDS Project No. 1620464 Badu Airport fencing funding to the proposed carried over projects; and
- Negotiate, finalise and executive any and all matters associated in relation to 202/201 ATSI TIDS Funded Projects, subject to Council's normal procurement policies and practices.

**MOTION CARRIED**

**13. ENGINEERING – CB – Information Report – MIP7 and Marine Infrastructure TSRA Program A**

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

That the Council notes this report.

**MOTION CARRIED**

**14. ENGINEERING – CB – Information Report – Dauan Pontoon – verbal**

Chief Engineer, Mr David Baldwin tabled the information report for Council to note only.

Cr Elisala commended the Chief Engineer and his team on their great work and for their constant communication throughout the process.

**AFTERNOON TEA - 3:21pm – 3:45pm**

**3:45pm** - Secretariat conducted a roll call to establish quorum. Quorum met.

15. **3:49pm – 4:02pm** **ENGINEERING – Local Road and Community Infrastructure - R2 Funding**

Chief Engineer, Mr David Baldwin spoke to the report.

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Gela

**That Council resolves to**

- allocate the Local Roads and Community Infrastructure (LRCI) – Round 2 funding of \$263,693 ex GST, to undertake repair/reinstatement works on the Arkai and Wug Jetty Structures.
- allocate any underspend of Council Funds allocated to Badu Jetty be allocated to jetty repair works at Arkai and Wug
- upon formalising LRCI - Round 2 Funding, award Badu, Arkai and Wug Jetty repairs to Paul Ware Constructions to the amount of \$715,000 ex GST and;
- Delegate the power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to enter into contract, negotiate, finalise and executive any and all matters associated in relation to these projects, subject to Council's normal procurement policies and practices.

**MOTION CARRIED**

16. **4:02pm – 4:08pm** **ENGINEERING – Iama Rising Main Tender Award**

Chief Engineer, Mr David Baldwin spoke to the report. Cr Lui asked if he had a conflict of interest. The advice received is the Councillor's interest is no greater than the community interest therefore no conflict.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

**That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:**

- Award Tender No. TSIRC2019-207 ICCIP Project #40 – Iama Rising Main Renewal Project to Northern Water Ltd Pty for the amount of \$714,454.60 excl. GST; and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

17. **4:08pm – 4:24pm** **ENGINEERING – Warraber Reservoir Tender Award**

Chief Engineer, Mr David Baldwin spoke to the report.

**4:11pm** - Cr Tamu joined the meeting. Cr Tamu declared a conflict of interest and mentioned Rob Clarke Builders is a sponsor of his football team. Legal advice is Cr Tamu has an indirect declarable conflict of interest.

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Pearson

**That Council notes Cr Tamu have declared an indirect conflict of interest, and Council allows Cr Tamu to participate in the discussion and leave the room when voting and do not vote.**

**MOTION CARRIED**

**4:22pm** - Cr Tamu left the room.

**RESOLUTION:**

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

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local

Government Act 2009 to:

- Award Tender No. TSIRC2020-325 ICCIP Project #73 - Warraber Reservoir Renewal to Robert Clarke Builders for an amount of \$684,420.00 excl. GST;
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

18. **4:24pm – 4:33pm**

**ENGINEERING – Poruma Seawall In-house Bid**

Cr Tamu back in the meeting at 4:24pm. Chief Engineer, Mr David Baldwin spoke to the report.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Nona

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:

- Submit an In-House Bid for Council's Civil Construction Crew to perform the construction of the Poruma Seawall, Stages 2 – 5, for an estimated value of \$5,000,000 excl. GST
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and In-House Bid/contract including without limitation any options and/or variations, as per Council procurement policy.

**MOTION CARRIED**

19. **4:33pm – 4:**

**LATE REPORT – Interim Remote Capital Program – Variation to Funding Agreement**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

Cr Toby requested if we could cap time – once we give the approval to the CEO then the CEO need to consult with the on ground Divisional Councillor.

Defer for further information to come to Council and put through the relevant Standing committee. Council can then decide on which project to progress out of the seven (7).

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

That Council leave this matter lying on the table for further information and action.

**MOTION CARRIED**

**ACTION:** Update report to go to the Housing and Safe and Healthy Communities Committee review and recommendation.

20. **5:05pm – 5:20pm** **LATE REPORT – Contractual Matter – Building – 24 Main St, St Pauls**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report. Cr Levi declared a declarable conflict of interest as the Councillor for St Paul's Community – Division 7.

**RESOLUTION:**

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

**That Council notes Cr Levi's declarable conflict of interest and allow Cr Levi to remain in the room for the discussions and vote on the matter.**

**MOTION CARRIED**

**5:07pm** - Cr Fell apologised and excused himself from the meeting.

**MOTION:**

(No mover or seconder)

**That Council resolves to**

- **Award TSIRC2021-07-5572 – Upgrade Works to 24 Main Street, St Pauls, to Robert Clarke Builders for \$241,100 excluding GST. And**
- **That pursuant to Section 257 of the Local Government Act 2009, council delegates to the Chief Executive Officer;**
  - **Power to make, amend or discharge the contract TSIRC2021-07-5572; and**
  - **Power to negotiate, finalise and execute all matters associated with or in relation to this projects and contract including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.**

**The motion was put on the table – no one moved or second - MOTION LOST**

**ITEM LEFT LYING ON THE TABLE FOR FUTHER INFORMATION TO BE PROVIDED.**

21. **5:20pm – 5:22pm** **Closing Remarks and Prayer**

Deputy Mayor Lui thanked the Acting Chief Executive Officer and staff and fellow Councillors for their attendance and contribution and invited Cr Levi to close the meeting in prayer.

**MEETING CLOSED – 5:22pm**

**Thursday 18<sup>th</sup> March 2021**

**Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torengo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Laurie Nona, Division 5 – Badu  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriiri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Jimmy Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Poruma)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Ms Rachel Pierce, Acting Chief Operating Officer (ACOO) (TI)  
Ms Julia Maurus, Manager Legal Services (MLS) (from home)  
Ms Ursula Nai, Senior Executive Assistant (SEA)(Poruma)  
Mrs Kathy Cochran – Secretariat Officer (SO) (Cairns)

**Apologies**

Cr Keith Fell, Division 4 – Mabuiag  
Cr Rocky Stephen, Division 13 – Ugar

**COUNCIL ORDINARY MEETING**  
**Thursday 18<sup>th</sup> March 2021**  
**Agenda Items**

22. **9:00am – 9:05am** **Welcome and opening prayer.**

Mayor Mosby welcomed everyone back and gave thanks and acknowledgements to Papa God, Traditional Owners across our region of Zenadth Kes and in the Cairns Region. Mayor thanked Deputy Mayor for chairing the meeting yesterday in his absence and invited Cr Elisala to open the meeting in prayer.

23. **9:05am – 9:36am** **CORPORATE – Community Grants – Regional Grants Allocations**

Chief Financial Officer, Ms Hollie Faithfull spoke to the report and informed Council, Cr Nona did not support the Ballimore Broncos application, however he is in support of assisting if the application was for accommodation.

**9:09am** – Cr Tabuai joined the meeting. Mayor Mosby encouraged Councillors to declare if they have a conflict of interest at any time during the meeting. No declaration made.

**9:19am** – Cr Toby joined the meeting. Cr Tamu asked about an application from his Division. CFO to take offline with Cr Tamu.

Cr Tabuai asked for information regarding the Community grants go out to the community.

**ACTION:** Team Leader – Service Delivery to circulate to each Division, information for more community awareness on Community grants and the process.

**Application 1 – Elijah Tabernacle**

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Elisala

**That Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:**

**Application 1:**

- **Elijah Tabernacle for the eligible amount of \$10,000.00 exclusive of GST, as per the submitted application.**

**MOTION CARRIED**

**Application 2 - Poruma Mens & Ladies Volleyball Teams**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Pearson

**That Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:**

**Application 2:**

- **Poruma Mens & Ladies Volleyball Teams for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.**

**MOTION CARRIED**

**Application 3 – Badu Touch Team**

**RESOLUTION:**

*Moved:* Cr Pearson; *Second:* Cr Trinkoon

**That Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:**

**Application 3:**

- Badu Touch Team for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 4 – Thaiwa Volleyball Team**

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Levi

**That Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:**

**Application 4:**

- Thaiwa Volleyball Team for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 5 – Anthony David**

**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Tabuai

**That Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:**

**Application 5:**

- Anthony David for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 6 – Boigu Island Dance Team**

**RESOLUTION:**

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

**That Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:**

**Application 6:**

- Boigu Island Dance Team for the eligible amount of \$5,000.00 exclusive of GST (plus in-kind assistance to the value of \$1,043.00 – approval pending), as per the submitted application.

**MOTION CARRIED**

**Application 7 – Ballimore Broncos**

**MOTION:**

*Moved:* Cr Gela; *Second:* Cr Pearson

**That Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:**

**Application 6:**

- **Ballimore Broncos for the eligible amount of \$2,370.50 exclusive of GST, as per the submitted application.**

Cr Gela and Cr Pearson rescinded their motion. Council had further discussions. Motion put back on the table, no mover or seconder – motion lost.

**MOTION LOST**

**9:30am** – Cr Dorante joined the meeting.

**24. 9:36am – 9:25am CORPORATE – Contractual – Extension of Register of Pre-qualified Suppliers**

Chief Financial Officer, Ms Hollie Faithfull spoke to the report. Cr Tabuai asked how someone can become a prequalified supplier and Cr Toby commented, we should be empowering our people in the Region.

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Tamu

**That Council resolves to;**

- 1. Extend TSIRC 2019-208 Register of Pre-qualified Suppliers for Trade Services for one year and**
- 2. Extend TSRIC 2019 -209 Register of Pre-qualified Suppliers for Goods, Services and Materials for one year and**
- 3. Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:**
  - a. Approve, finalise, and execute any and all matters in relation these extensions; and**
  - b. Make, amend, or discharge contract TSIRC 2019-208 Register of Pre-qualified Suppliers for Trade Services and contract TSRIC 2019-209 Register of Prequalified Suppliers for Goods, Services and Materials; and**
  - c. Negotiate, finalise, and execute any and all matters associated with or in relation to registers including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.**

**MOTION CARRIED**

**ACTION:** CFO to provide Councillors a full list of the Pre-Qualified suppliers.

**9:56am** – Cr Hilda Mosby joined the meeting.

25. **10:00am – 10:10am** **BUILDING – Contractual Matter – 112 Sadi Village, Erub**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Noah

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 112 Sadi Village, Erub Island (WS154466) with a tender price of 246,759.00 excl of GST; and
2. delegate to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise, and execute any and all matters in relation to this tender.

**MOTION CARRIED**

**ACTION:** Provide feedback to Council in a report on whether TSIRC have been successful with the tenders.

26. **9:45am – 9:55am** **BUILDING – Contractual Matter – 62 Mualgal Street, Kubin**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 62 Mualgau Street, Kubin Island (WS154978) with a tender price of \$270,010.00 excl of GST; and
2. delegate to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise, and execute any and all matters in relation to this tender.

**MOTION CARRIED**

27. **10:15am – 10:31am** **LEGAL – Amending Subordinate Local Law 4**

Manager Legal Services, Ms Julia Maurus spoke to the report.

**ACTION:** MLS to add a report on dumping things at dump sites and to put through the Housing and Safe and Healthy Communities Committee for review.

**RESOLUTION:**

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

1. That pursuant to section 28(1) of the Local Government Act 2009 (Qld), Council resolve to make Amending Subordinate Local Law No. 1 (Waste Management) 2021.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Gela

2. That pursuant to section 32(1) of the Local Government Act 2009 (Qld), Council resolve to make Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2019 consolidated version no.1 as in force on 1 July 2021.

**MOTION CARRIED**

28. **10:31am – 10:15am**

**LEGAL – Delegation Register Update**

Manager Legal Services, Ms Julia Maurus spoke to this report. Mayor Mosby commented to take advantage of the Sub Committees.

**RESOLUTION:**

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

1. **That under section 257 of the Local Government Act 2009, Council delegate to the Chief Executive Officer the exercise of the following powers, and these powers must be exercised subject to Ailan Kustom and any limitations contained in Schedule 2 of the corresponding attached Instruments of Delegation:**

<b>Statutory Instrument:</b>	<b>The powers delegated are contained in Schedule 1 of the Instrument of Delegation attached to this report as:</b>
Public Health (Infection Control for Personal Appearance Services) Act 2003 (PHIC)	Attachment 1
Plumbing and Drainage Act 2018 (PLDA)	Attachment 2
Plumbing and Drainage Regulation 2019 (PLDR)	Attachment 3
Public Health Act 2005 (PUHA)	Attachment 4
Water Act 2000 (WATA)	Attachment 5
Waste Reduction and Recycling Act 2011 (WRRRA)	Attachment 6

29. **10:33am – 11:15am**

**PRESENTATION 2:** Torres Strait Marine Safety Program evaluation May 2021 - Mr Angus Mitchell, General Manager MSQ, Mr David Ferguson, Cairns Regional Harbour Master, Department of Transport and Main Roads – MSQ and Mr Anthony Dorante – MSQ TI

**10:43pm** – Cr Stephen joined the meeting.

30. **11:15am – 11:49am**

**PRESENTATION 3:** Lone Star Production Group - Mr Aaron Faaso

**RESOLUTION:**

Moved: Cr Noah; Second: Cr Nona

**That Council provide its approval to Lone Star Production Group, in partnership with the Australian Film Television Radio School (AFTRS) to engage and consult with the Zenadth Kes Island communities, subject to compliance with visitor protocol requirements for each visit:**

- a. **to develop a regional Zenadth Kes media and skills audit document, and a media scoping strategy for the AFTRS;**
- b. **to identify and develop a best-practice strategy to partner the Zenadth Kes stakeholders and communities to identify talent and deliver culturally appropriate film, television, radio, and digital media courses and to establish an AFTRS footprint to improve the overall media capacity and infrastructure in the Zenadth Kes Region;**
- c. **to assist the region to create and develop its film, television, radio and digital media industry, capacity, and infrastructure in order to foster training, employment, and career opportunities for our people; and**
- d. **to improve the overall accessibility, engagement, and visibility of our people across the media industry landscape.**

**MOTION CARRIED**

Mayor Mosby reiterated the need for everyone to always follow the visitor's protocol on the website.

Cr Noah suggested the Cultural Arts, Land, and Heritage Standing Committee to monitor this space closely.

**LUNCH – 11:49pm – 12:50pm**

Secretariat conducted a roll call to establish quorum. All staff and Councillors present except Cr Fell (apology).

31. **1:09pm – 1:30pm**

**PRESENTATION 4:** Mr Terrance Whap, Mr Sam Joe and Mr Simi Guise – Fuel Contamination on the island.

**Each community member raised the following concerns that have either impacted themselves individually and or other community members not only on Mabuiag but the wider Western islands;**

- **Safety issues for families and individuals when engines breakdown especially at sea.**
- **Financial and economic effect on livelihood and lifestyle**
- **Health and safety issues for TSIRC workers with no suitable PPE when handling fuel**
- **Facility that is accessible 24hr – crayfishing industry dependant on fuel at Mabuiag, as it is the main area for crayfishing and central to the western islands.**

**Questions:**

1. **Compensation for vehicles and outboard motors affected by contaminated fuel.**
2. **Suitable 24hr reliable facility or structure that addresses the health and safety of TSIRC staff handling fuel and community members accessing the service.**
3. **Undertaking to explore the contaminated fuel issue and doing something to fix the issue.**
4. **Support our local cray fishing industry with providing a reliable uncontaminated fuel supply.**

Mayor Mosby and Acting CEO, Mr Ilario Sabatino, both thanked the community members for their deputation and assured them Council is in the process of rectifying the fuel issue on Mabuia and the wider Torres Strait Region and bringing our facilities up to WHS standard for all our community members.

**ACTION:** Manager, Strategic Projects, and Logistics to make contact with Mr Terrence Whap to discuss his question offline.

32. **1:38pm – 1:44pm** **PRESENTATION 5:** Mr John Repu – Small Business

Mr Repu was encouraged to speak with Division 4 – Divisional Manager in regard to being a preferred supplier with Council.

**ACTION:** Acting Chief Operating Officer will have a staff member contact Mr Repu regarding the process.

33. **1:44pm – 2:08pm** **PRESENTATION 6:** Ms Flora Warrior – Safe Community – Lighting, Funeral Fund and Unmaintained Service Areas and vacant lots.

Acting Chief Executive Officer, Mr Ilario Sabatino read out the written deputation that was submitted by Ms Warrior for Council's attention and/or action. Ms Warrior raised four (3) points;

1. Lighting for Safe Community
2. Incorrect labelling of Funeral Funds
3. Unmaintained Service areas and vacant Lots

**ACTION:** Chief Engineer to respond to and address point 1 and 3 – follow up to confirm who is responsible and scope on what to do. Possibly action with minister (announcement of Foreign Affairs Minister Dutton on Safe communities).

**ACTION:** Finance department to further investigate funds on hold, details of payments – point 2.

**ACTION:** Manager Legal Services to contact Cr Fell and inform him of the freeze to the funds – point 2.

– Cr Noah excused himself to attend an urgent community matter and left the room.

**2:11pm**

**AFTERNOON TEA – 2:15pm – 2:28pm**

Secretariat conducted a roll call to establish quorum. All staff and Councillors present except Cr Fell and Cr Noah.

34. **2:30pm – 2:32pm** **Confirmation of March 2021 Special Meeting Minutes**

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Gela

**That the Minutes of the Council Special Meeting held on 11<sup>th</sup> March 2021 via video conference, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

35. 2:32pm – 3:30pm

Project Recommendations – 2021-24 Works for Queensland Program

Chief Financial Officer spoke to this report. Council had a robust discussion around the four options on the table.

**RESOLUTION:**

*Moved:* Cr Lui; *Second:* Cr Nona

**That council resolves to endorse;**

- The proposed project scope as per option 4, recommendations for the Works for Queensland 2021-24 funding program, and
- Delegate power to the Chief Executive Officer, pursuant to Section 257 of the Local Government Act 2009 to approve, finalise and execute any and all matters in relation to this funding application.

Cr Nona raised concerns regarding the Badu Island gazebo and wishes to withdraw from seconding the motion.

Cr Toby seconded the motion and further stressed the need to consult with the community.

**MOTION CARRIED**

**Against: Cr Nona**

36. 3:34pm – 4:00pm

Standing Agenda items

- Monthly Financial Report

Chief Financial Officer spoke to the report.

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Levi

**That Council receive and endorse the Monthly Financial Statements attached to the officer's report for the 2020-21 year to date, for the period ended 28 February 2021 as required under Section 204 Local Government Regulation 2012.**

**MOTION CARRIED**

**ACTION:** Chief Financial Officer – applied category included in the report.

37. 4:00pm – 4:01pm

Business Arising from Information Reports

Cr Lui raised Capital Work. BSU Interim capital delivery – scoping only being done.

38. 4:01pm – 4:06pm

Next Meeting Date – 20 & 21 April 2021 – Video Conference

Council confirmed 20 & 21 April 2021 as meeting date for the April Ordinary Meeting being held via video conference.

39. 4:06pm – 4:50pm

Strategic Matters

Manager Legal Service updated Council on the funeral funds issue raised by Miss Flora Warrior's written deputation. This matter was previously investigated, and a previous Chief Executive Officer closed the matter. No evidence to substantiate, no supporting evidence. No claim by PBC. Flora not a representative of the PBC. Recommend to continue and proceed to make payment and formally respond to Ms Warrior.

**ACTION:** Response from the Office of the CEO to Ms Warrior regarding the Funeral Funds.

Cr Lui asked for a Notice to go out to all Divisions on the next QPS visit for driver's licence.

**ACTION:** Acting Chief Operating Officer to action notices going out in Division on QPS next visit for drivers' licences.

Cr Stephen mentioned the increase in COVID cases in PNG and the Premier raising concerns. Cr Lui suggested we keep the border closed and a strong presence on the border to remain. With our current housing crisis an outbreak will be impossible to control and for the Mayor to do a media release.

40. 4:30pm – 4:48pm

COUNCIL MOVE INTO CLOSED BUSINESS

**RESOLUTION:**

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

**That in accordance with section 254J 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:**

**b) industrial matters affecting employees;**

**(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;**

**MOTION CARRIED**

- **Industrial Matter**

**4:31pm** – Secretariat officer left the meeting.

41. 4:48 pm – 4:48pm

COUNCIL MOVE OUT OF CLOSED BUSINESS

**RESOLUTION:**

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

**That Council move out of closed business.**

**MOTION CARRIED**

42. 4:48pm – 5:00pm

Closing Remarks and Prayer

Mayor Mosby thanked Councillors and staff for their attendance and contribution and closed the meeting in prayer.

MEETING CLOSED – 5:00pm



.....  
Mr David Baldwin  
Acting Chief Executive Officer  
Torres Strait Island Regional Council  
24<sup>th</sup> May 2021



.....  
Mr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
24<sup>th</sup> May 2021

F E N V A L E