



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

TUESDAY 27th JANUARY 2009

Please find attached Minutes of the above meeting held on 27th January 2009 at 9.00am – 5.00pm at the Aka Gingin Multi-Purpose Centre, Warraber Island.

**Torres Strait Island Regional Council (TSIRC)
Ordinary Meeting
Held at the Aka Gingin Multi-Purpose Centre,
Warraber Island
Tuesday 27th January 2009**

Present: Cr. Fred Gela, Mayor
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub
Cr. Donald Banu, Division 1 - Boigu
Cr. Raymond Soki, Division 2 - Dauan
Cr. Keith Fell, Division 4 - Mabuiag
Cr. Wayne Guivarra, Division 5 - Badu Island
Cr. Toshie Kris, Division 7 - St. Pauls
Cr. Nancy Pearson, Division 8- Hammond
Cr. Walter Mackie, Division 9 - Iama
Cr. Willie Lui, Division 10 - Warraber
Cr. Phillemon Mosby, Division 11 - Poruma
Cr. John Mosby, Division 12 - Yorke
Cr. Florianna Bero, Division 13 - Ugar
Mr. John Scarce, Chief Executive Officer
Mr. Malcolm Flavel, Executive Manager Housing & Ports
Mr. Lloyd Sunderland, Executive Manager Community Services
Mr. Patrick McGuire, Executive Manager Engineering
Mr. Anthony Bird, Executive Manager Finance
Mr. Noel Peters, Manager Human Resources
Ms Dania Ahwang, Manager Internal Audit
Mrs Tania Sailor, Executive Secretary.

Observers: Members of the Public

9.05am: Meeting opened in prayer by Cr. Mosby.

Apologies: Cr. Ron Enosa, Division 3 - Saibai Island
Cr. David Bosun, Division 6 - Kubin
Cr. Ron Day - Division 15 - Mer Island

Deputations: Warraber Island S.E.S - Mr. Randal Holland (See attach. A)
Mr. Patrick Mills (See attachment B)

WELCOME

Welcome to Country *(on and behalf of the PBC Chair Mr. Sammy Tamu, Elders & Traditional Land Owners)*

* Mr. Nelson Billy

Welcome & Acknowledgement of Traditional Land Owners, Elders, & Community

- Mayor Fred Gela
- Cr. Willie Lui

DEPUTATIONS: see attachments.

MAYOR OPENING REMARKS

- Mayor requested that Councillors and Executive Members introduce themselves individually to Community Members present and to briefly clarify the role of their portfolio areas or Standing Committees.
- Mayor addressed the Community of Warraber providing a brief on topics for future consultations & current activities or arrangements such as e.g. DOGIT Transfer, Enterprise Divestment & some of the many challenges that the TSIRC faces. It was also acknowledged that Warraber was the only community that was not consulted by the Local Transitional Committee on amalgamation prior to the new arrangement being implemented, due to meetings being cancelled by the Council & community on two separate occasions because of unavoidable commitments.
- Mayor brief them on the following issues:
 - Land Issues in relation to DOGIT & how decisions are made & what engagement processes are to occur - power of veto goes back to community
 - Divestment of Enterprises.

Resolved that Council break for Morning Tea at 11.20am

CONFIRMATION OF PREVIOUS MINUTES

Resolution

Moved Cr. Fell, Seconded Cr. Bedford the minutes of the Ordinary Meeting held 22nd October 2009 be adopted as true and accurate apart from some alterations.

Motion carried.

BUSINESS ARISING FROM PREVIOUS MINUTES

- Cape York Helicopters Resolution - Landing Fees not discussed – may be separate resolution. Deferred to General Business.
- Air Transport for Torres Strait – West Wing still liaising in releasing Aero Tropic planes.
- Sports & Rec. – Deferred to General Business.

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HOUSING OF REGIONAL COUNCIL

It was noted that four (4) submissions received – Iama, St. Pauls, Mabuiaq and Hammond Island. Members of the 4 Communities presented their proposal.

St. Pauls

- Proposal looks at housing Regional Council within its Shire and not too close to another Shire
- House staff accommodation – 6 to 8 accommodation available.
- Can accommodate Executive Managers.

Hammond

- Proposal looks at housing staff accommodations.
- Services provided as it is strategically placed – proximity to the main shipping yard & airport etc.

Iama

- Proposal looks at housing Executive Managers.
- Centralised area within the Shire to all Other Communities.
- Can accommodate Executive Managers.

Mabuiaq

- Housing staff accommodation and that means putting up more houses on Mabuiaq which is badly needed.
- Location of Mabuiaq being the Motherland.
- History with Mabuiaq in terms of service delivery is that it is always delivered later than other communities.
- Proposal to Council is that there is a lot of disadvantages but Housing Regional Council at Mabuiaq would cover for that eg. more housing, longer airstrips, and most importantly earliest delivery services.

Comments:

- *Cr. Kris* - Housing Regional Council should not be closer to another shire. Government could query why there is one shire within another and look at just having one shire for the whole Region.
- *Cr. Soki* – suggested that housing the Regional Council could be spread out around in different communities as it has worked before in Shires further *south*.
- *CEO* - One of the criteria to Council when submitting their applications was that they can house up to 2 or more in their communities – to have 1 or 2 Executive Managers reside on different communities to deliver services.

- *Mayor* – A submission was submitted seeking \$10 million from State Government to construct staff accommodation on Islands – We liaised with our local member for Cook requesting that the State Government provide \$3M urgently as a starting point.
- *Cr. Bedford* - supports Cr. Kris that Regional Council should be housed in the Outer Islands as it will look at not only building capacity but look at vision for the future. Need to see TSIRC housed or shared around communities of the Torres Strait Region.
- *Mayor* - TSIRC inherited 6 accommodations on Thursday Island from the Department of Natural Resources. The Department wants these accommodations vacated possibly in March of this year. If the capability is there to house 6 on Thursday Island then Council should use them. Some Communities may not be able to accommodate every function but at least some of them for example Housing at lama etc.
- *Cr. Pearson* – looking at strength and capacity of individual communities in housing the Regional Council. Cr. Pearson expressed her concern on the term "Outer Islands" and wanted members to define it.
- *Cr. Kris* – discussions held at lama was that Executive Managers housed on individual communities will look at concentrating on that one portfolio for TSIRC. The discussion was if we cannot move the whole Regional Council out but maybe house one or two portfolios on individual Communities.
- *Cr. Kris* - apologised to Cr. Pearson if offended by his comments and for the inconvenience caused. He did not class Hammond as not being part of the "Outer Islands" but as the "Inner Island of the Outer Islands".
- *Cr. Kris* – need to pass a resolution on the 4 communities that have put their proposals forward to Council.
- *Mayor* – Other communities will still have the opportunity to look at accommodating or housing some of the TSIRC functions as it should be evident that not one community may have the capacity to achieve this at this stage.

It was noted that:

- 1) The panel to look at the submissions/proposals by the 4 Islands would include Councillors not involved in the proposals to TSIRC on Housing Regional Council.
- 2) TSIRC look at the 4 Islands who put in their proposals first then pick up on other Islands what their capacity would be in housing other portfolios.
- 3) Councillors to talk or engage in discussion with the CEO what they can offer and also arrangement in continuing Dialogue they are prepared to offer in relation to determine what leases we have in place.

HOUSING REGIONAL COUNCIL

Resolution

Moved Cr. Kris, Seconded Cr.Soki that Council review the 4 submission and recommendations be endorsed at the next meeting, further that opportunities still exist for other communities to house functions.

Motion Carried

- CEO to liaise with Councillors for additional information.

TERRITORY STYLE GOVERNMENT

LAY ON TABLE.

Mayor Gela

- have already engaged in discussions with Mayor of Torres Shire Council and he will engage with his constituents.
- Other issues will be whether or not Bamaga / Seisia would want to be a part of this movement as they were involved with this process in the past. Issues that may be encountered is when we start looking at boundaries.
- Need to be very careful and must involve all stakeholders and to further acknowledge the work that has been done in the past.
- Need to determine what exactly did our people want and if they were clear with what was being proposed as it is evident that the governance arrangement proposed can be argued that it is very similar to the TSIRC or the TSRA structure as it currently stands now.
- Feel that we need to start engagement sooner rather than later.
- Consultations have been planned to visit TSIRC communities on this issue by Mayor and CEO.

It was noted that some Councillors do not have much knowledge on Territory Government style and Bamaga Accord - all Councillors need to be consulted on this issue prior to commencement of consultation visit by Mayor and CEO.

Mayor recommended to:

- 1) look at a date to do meet with Councillors on the Bamaga Accord
- 2) Look at critical analysis
- 3) Invite Mayor Stephen to the meeting as well.
- 4) Engage in discussion with Mayor Elu following meeting with TSIRC & TSC.

FISHERIES CO-OPERATIVE

Resolution

Moved Cr. Bedford, Seconded Cr. Bero that Council engages in Community consultation and commences the business planning for the Fishing Cooperative based on that consultation.

Motion Carried

- History/Agreement of establishing those cooperatives.
- Reviewing Agreement of Cooperatives
- Community Fisher Reps are not paid positions
- Important that they are recognised by TSIRC.
- That it be Regional Cooperative approach with TSRA.
- It goes back to ownership process – needs to have a clear understanding of ownership of those assets on ground.
- Mayor to engage in discussions further with Cr. Bedford as TSRA Portfolio Member for Fisheries and Mr. Toshio Nakata (TSRA) to discuss this issue further.
- Mayor was requested to address the next CFG meeting to discuss issues raised today.

COUNCIL REMUNERATION

Resolution

Moved Cr. Bedford, Seconded Cr. Fell that Council in accordance with section 236A of the Local Government Act authorise the remuneration of Mayor, Deputy Mayor and Councillors, to be the top of the scale as detailed in the Remuneration tribunal report December 2008, plus the amalgamation allowance effective 1 January 2009. Further Council authorises the Chief Executive Officer to seek changes to the remuneration on behalf of the Mayor, Deputy Mayor and Councillors, the request being Mayor \$135,000, Deputy Mayor \$75,000 and Councillors \$65,000 per annum. In addition Council authorise the writing of a letter to the Human Rights Commission highlighting that we made representation to the Remuneration Tribunal to rename the classification of Special as it is considered offensive, and to seek their assistance.

Motion Carried

It was noted that Cr. Guivarra rescinds his vote.

Resolved that Council break for Lunch at 1.30pm

LOCAL GOVERNMENT BILL

Resolution

Moved Cr. P. Mosby, Seconded Cr. Bedford that Council provides a response to the Local Government Bill 2008 as it relates to the TSIRC.

Motion Carried

HOVERCRAFT REPORT – ALTERNATIVE TRANSPORT

Resolution

Moved Cr. Pearson, Seconded Cr. Mackie that Council engages in Community consultation and commences the business planning for the provision of an alternative public transport throughout the Torres Strait.

Motion Carried

HOUSING 25% RENTAL CALCULATIONS

For Councillors discussions and consideration in providing a collative approach to responding to Housing Officers presentation on this issue at tomorrow's session.

Resolved that Council break for Afternoon Tea at 3.30pm

AUDIT COMMITTEE POLICY

Resolution

Moved Cr. Fell, Seconded Cr. Bero that Council adopt the Audit Committee Policy in accordance with s15 of the Local Government Finance Standard 2005, as presented.

Motion Carried



INTERNAL AUDIT POLICY

Resolution

Moved Cr. P. Mosby, Seconded Cr. Feil that Council adopt the Internal Audit Policy in accordance with s14 of the Local Government Finance Standard 2005, as presented.

Motion Carried

GENERAL POLICY - PROCUREMENT

Resolution

Moved Cr. Kris, Seconded Cr. Banu that Council adopt the Procurement Policy for the 2008/2009 Budget Year in accordance with s481 of the Local Government Act 1993 and s13 of the Local Government Finance Standard 2005, as presented.

Motion Carried

LATE REPORTS

INFRASTRUCTURE PROJECTS

- \$100,000 Guaranteed from Government.
- CEO provided list of breakdowns for the money to be put towards infrastructure projects.

RESOLUTION

Moved Cr. Kris, Seconded Cr. Lui that the \$100,000 be allocated to the following infrastructure projects identified:

- Mabuag Motel \$50,000
- Warraber Resort \$25,000
- Mobile Can Crusher \$25,000

Motion Carried

CONFIRMATION OF TORRES STRAIT ISLANDER DESCENT

Resolution

Moved Cr. Bedford, Seconded Cr. P. Mosby that Council confirms and identifies Mr. Genai Bastard of Erub Community is of Torres Strait Islander descent and accepted as such by the community in which he lives.

Motion Carried

5.45pm With no further discussions Meeting was closed in prayer by Cr. Mackie.

WEDNESDAY 28TH JANUARY 2009

Meeting opened in prayer by Cr. Fell

GENERAL BUSINESS

Ugar Dredging

- Letter tabled by Cr. Bero re urgent need of dredging of Channel at Ugar.
- Mayor advised as a matter of priority and acknowledges other communities issue but would like to isolate and quarantine on its own to urgently dredge Ugar.
- With regards to priority of shop on Ugar, Mayor advised that there is a land issue on that at this time. Mayor wrote to PBC, but letter sitting there from last year, they won't sign off on it. The is funds available but just waiting on Ilua and signature.
- Need to also look at Fuel Boswer for Ugar.

Housing Tenants Survey

- Councillors to liaise with Executive Manager Housing in providing names of 10 household tenants in each Community to participate in a tenant survey with the exception of Badu and Hammond.

Community Policing 20/20

- Information on 20/20 was just received prior Mayor travelling out to Council meeting. Information was sent to the wrong email address instead of the Mayors.
- Copy of information was distributed to Councillors during the meeting.

Climate Changes

- New Submission by TSRA for Climate Changes – targeting only Boigu, Saibai and Yorke. It was not known why Iama was not mentioned in that submission.
- Negotiating with Emergency Services to get some barricades up to the Torres Strait in light of recent king tides.
- It was noted that the recent Media Release on Iama issues was not made by Councillor of Iama, but a member of the Public.

Traditional Adoption

- Letter tabled from Ms Josephine Akee seeking support from Councillors for Ms Stacey McGuinness thesis on "Island Adoption" (Kupai Omasker) in her visit to Island Communities for interviews.
- Letter was previously faxed to Councillors on 19/11/08. CEO advised Executive Secretary to fax a copy again to all Islands today.

Training/Meeting Dates

- 23rd – 24th February: Training and Induction of Island Managers
- 25th – 26th February: Computer Training
- 27th February: Councillors/TSC Meeting on Bamaga Accord
- 3rd – 4th March: Councillors Training
- Executive Assistant, Mr. Abednego to email Councillors and Island Managers with dates of training etc.

Hammond Island Wharf Waiting Shed

- Hammond Island Wharf Waiting Shed to be revamped to include toilet facilities.
- CDEP to do the work - lay blocks as part of training.
- Executive Manager Housing to liaise with Cr. Pearson.

Mayor requested that should Councillors have any other issues that they wish to raise to write to him and he will make an effort to respond.

CLOSED BUSINESS

Resolution

Moved Cr. Bedford, Seconded Cr. Bero that in accordance with Section 463 of the Local government Act 1993 it is resolved for the meeting to go into closed session to discuss section 463 (1) (a) the appointment, dismissal or discipline of employees, 463 (1) (f) starting or defending legal proceedings involving it, 463 (1) (h) other business for which a public discussion would be likely to prejudice the interests of the local Government further the public in attendance are asked to leave

Motion Carried.

END OF CLOSED BUSINESS

ISSUES RATIFIED FROM CLOSED BUSINESS

DIVESTMENT OF ENTERPRISE

Resolution

Moved Cr. Pearson, Seconded Cr. Soki that Council endorse recommendation to accept the tenders for the amended extra three (3) with the exception of IRIS.

Motion Carried.

It was resolved that Council break for Morning Tea break at 11.00am.

BUSINESS ARISING FROM INFORMATION REPORT

- Poruma Freezer
- Minutes of Meetings – not all issues raised by Councillors are recorded in the minutes.
- Attendance of Standing Committee and Council Meetings
 - Mayor advised it is imperative that Councillors attend all meetings. According to new Legislation there are 3 strikes if you do not attend meetings.
 - All apologies to Council meetings are to be in writing to be tabled at Council meetings. Council will decide to accept it or not.

It was resolved that Council break for Lunch at 12.30pm.

RENT CHANGES ON INDIGENOUS COMMUNITIES

Powerpoint presentation on "rent Changes on indigenous communities" by Department of Housing (Ms Kelly Flood & Mr. Rick Healey).

Allocation of houses

- The Department recommends to Council allocation of housing according to priority need basis.
- It is up to Council to agree or disagree with the Department's recommendation.

25% Rental Collection

- The 25% Rental Collection Policy for Remote Communities is to be implemented by 1st July 2009

Councillors gave Ms Flood the email addresses for her to send them a copy of the PowerPoint presentation.

AP

MEETING CLOSED

With no further discussions, the Mayor thanked Cr. Willie Lui, Council Staff and the Community of Warraber for their hospitality in hosting the TSIRC Ordinary Meeting.

5.15pm Meeting closed with a prayer by Cr. Mosby


Cr Fred Gela
Mayor


Mr John Scarce
Chief Executive Officer

ATTACHMENT A

DEPUTATION

WARRABER SES SHED

Mr. Randall Holland discussed briefly with members on the issues of the Warraber SES Shed:

- Install toilet and shower block
- SES building to be put on mains Electricity Power
- Request up-to-date financial statement on Warraber SES
- Funding of \$3500 is consumed for travel costs, rescues, phone bill, power cards and visitor expenses.

Cr. Lui advised that the SES Shed is under the TSIRC Council – need bigger funds and if TSIRC can support.

Mayor

- SES established in 1994
- Data not made available to SES – some has not been using an SES Performa to report. If no report is received by SES on any incidents, no funding is made available.
- Have engaged in discussions before in lobbying to extend the SES to include an Auxillary Fire Unit to fight bush fires, but there are jurisdictional issues amongst themselves. Rural Fire has delivered no training or barely any money to deliver training in the Torres Strait area.
- The SES Accredited Training is specifically for SES representatives only.
- Encouraged Communities to put in blank applications to SES – Wayne coutts.
- Mr. Holland to work with Builder in providing a quote for shower and toilets to TSIRC with an application to Wayne Coutts.
- Will engage in discussions With Wayne Coutts, Cr. Lui and Mr. Holland via Teleconference call regarding concerns raised by Mr. Holland.

It was noted that:

1. Every 6 months SES funds go out to communities. But need to fill out applications and provide quotes to receive funds.
2. Applications close 30th January – CEO can liaise with Wayne Coutts for an extension for late applications.
3. CEO has quotes and application form from Warraber Island Manager.

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ATTACHMENT B

DEPUTATION

Patrick Mills - Presentation on Alternative Transport for the Communities of the Torres Strait.

Proposal

1. *Goal* - to provide a ferry service that is affordable, safe, timely, reliable, comfortable RPT and carter sea passenger and freight travel throughout the Torres Strait Region.
 - 1 Custom built vessel - 15 metre aluminium barge – walk on , walk off and wheelchair accessible. (can operate on shallow water 1.5 metre draft and carry 35 passengers and 3 crews)
 - 2 Proposed RPT and Charter Schedule
 - 3 Proposed RPT fares and Charter fares
2. *Proposed Advanced Payment Scheme* - however, in order to offer such an affordable RPT and charter service, there is a need for advance payment due to high fuel prices, large distances between Islands geographically and the relatively small population utilizing the services.
 - 1 Each community to contribute \$500 per week to guarantee service
 - 2 If bad weather prevents any scheduled service, guarantee will not be payable for that service.
3. *In return for this advance payment* -
 - 1 Weekly service to the Island IS guaranteed
 - 2 Council may use the \$500 value for freight or designated council employee travel.
 - 3 Council can then sell the remainder of the \$500 value to community members at reduced rates to recoup their costs.
 - 4 The relatively small population utilizing the services
4. *Other issues* -
 - 5 Has engaged in discussions with regards to fuel subsidy but no avail.
 - 6 Freights can include car parts, furniture etc.
 - 7 Would be able transport car to and from neighboring Islands. eg St. Pauls to Badu.
 - 8 Has option of two office space on TL.
 - 9 Boat will be build if approval from TSIRC – approval of TSIRC will be attached to his application.
 - 10 Timeframe – process will be slow to get it up and running.

Mayor

- 1 Executive Manager Finance to crunch up numbers
- 2 It is up to Councillors to make a decision but must have a critical analysis of the whole proposal before going ahead – to know how long will that support stay on.
- 3 CEO will liaise with Executive Manager Finance and the Finance team to do an assessment/critically analysis in dialogue with Mr. Mills.
- 4 CEO/Finance Manager to keep members informed of timeframe, (and time is of essence) - need to keep members in the loop at standing committee meetings.