



**Torres Strait Island**  
REGIONAL COUNCIL

**MINUTES**

**ORDINARY MEETING**

Thursday 15 November 2018: 9:00am to 5:00pm  
Friday 23 November 2018: 9:00am to 5:00pm

Lagoon Room, Shangra La Marina, Pier Point Road, CAIRNS

**Thursday 15 November 2018**

**Present**

Cr Fred Gela, Mayor

Cr Dimas Toby, Division 1 – Boigu Island

Cr Keri Akiba, Division 3 – Saibai Island

Cr Keith Fell, Division 4 – Mabuiag Island

Cr Laurie Nona, Division 5 – Badu Island

Cr David Bosun, Division 6 – Kubin Community at Moa Island

Cr John Levi, Division 7 – St Pauls Community at Moa Island

Cr Mario Sabatino, Division 8 – Kirriri Island

Cr Getano Lui Jnr, Division 9 – Iama

Cr Clara Tamu, Division 10 – Warraber Island

Cr Francis Pearson, Division 11 – Poruma Island

Cr Ted Nai, Division 12 – Masig Island

Cr Rocky Stephen, Division 13 – Ugar

Cr Patrick Thaiday, Division 14 – Erub Island

Cr Bob Kaigey, Division 15 – Mer Island

Mr Bruce Ranga, Chief Executive Officer (CEO)

Ms Jan Pool, Chief Operating Officer (COO)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Mr David Abednego, Executive Manager Community Services (EMoCS)

Ms Hollie Faithfull, Acting Executive Manager Financial Services (AEMFS)

Ms Julia Maurus, Manager Legal Services (MLS)

Mrs Ursula Nai, Senior Executive Assistant (SEA)

Mrs Kathy Cochran, Secretariat Officer (SO)

**Apologies**

Cr Torenzo Elisala, Division 2 – Dauan Island

1. **9:15am – 9:19am** **Opening Prayer by Cr Pearson and Welcome by Mayor Gela**

**Mayor Gela, Welcome and Opening Remarks**

Mayor Gela welcomed everyone and apologised for the late start. Mayor invited Cr Pearson to open the meeting in prayer.

Mayor Gela acknowledges the traditional owners of the land we're meeting on today in Cairns. He acknowledges the traditional owners throughout Zenadth Kes and paid respects to all elders past, present and emerging. Mayor Gela further acknowledged Councillors, the CEO and staff.

2. **9:19am – 9:19am** **Apologies**

Cr Elisala applied for leave of absence in advance at the October Ordinary meeting.

**RESOLUTION:**

*Moved:* Cr Kaigey; *Second:* Cr Stephen

**That Council accept the apology from Cr Elisala for his absence at this meeting.**

**MOTION CARRIED**

3. **9:19am – 9:23am** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

<b>Name of Councillor</b>	<b>Agenda Item</b>	<b>COI/MPI</b>
Cr Gela	10. LEGAL – Resolution of LHA Lease Entitlements	COI – representative/ spokesperson for in-laws who are LHA applicants
Cr Nona	10. LEGAL – Resolution of LHA Lease Entitlements	MPI – Katter Lease recipient
Cr Nai	10. LEGAL – Resolution of LHA Lease Entitlements	MPI – Katter Lease recipient
Cr Tamu	10. LEGAL – Resolution of LHA Lease Entitlements	MPI – Husband recipient of a Katter Lease
Cr Stephen	10. LEGAL – Resolution of LHA Lease Entitlements	MPI – Father is a recipient of a Katter Lease
Cr Pearson	10. LEGAL – Resolution of LHA Lease Entitlements	MPI – Family members recipient of a Katter lease
Cr Toby	10. LEGAL – Resolution of LHA Lease Entitlements	COI – generally assists LHA Lease applicants – Council agrees Cr Toby has no conflict of interest.

Mayor encouraged Councillors to make their disclosures, either COI/MPI be known at any time throughout the meeting.

4. **9:30am – 9:38am** **Confirmation of October 2018 Ordinary Meeting Minutes**

Amendments/ corrections;

- Page 2 – correction Dimus to read “Dimas”
- Page 3 – insert “Cr Fell” as the Councillor who second the for Apology resolution for Cr Elisala.
- Page 8 – In resolution “Development” should read “Deed”
- Page 9 – Item 16 – delegation should read the “CEO” not “COO”

- Page 9 – Item 16 – in put before the resolution “No quorum, Councillors re-joined the meeting.
- Page 12 – Item 22 – in put before the resolution “No quorum, Councillors re-joined the meeting.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Kaigey

**That the minutes of the Ordinary Meeting held in October 2018 be adopted as a true and accurate record of that meeting taking into account the above amendments.**

**MOTION CARRIED**

**5. 9:38am – 9:42am Outstanding Strategic Ordinary Meeting Action items**

1. Discussion with Sea Swift regarding their part in the mail service to Ugar – Manager Procurement waiting on Australia Post to mail volume. Work in progress.
2. Circulate the ALGA National key areas to Councillors - completed
3. Invite DATSIP Director General to our next OM in Cairns – Dr Sarra will be invited to an OM in 2019. Update at Jan 2019 OM.
4. Badu Lease Options – Lot 623 – report being tabled December 2018
5. SARG terms of reference – update to reflect the minute exemptions per Council resolution. Completed.
6. Ugar Community visit – Mayor and CEO. Currently in progress.
7. Mayor and CEO community visit across the region. SEA will provide dates to Councillors at December OM.

**6. 9:42am – 9:44am HOUSING – Policy Approval**

**RESOLUTION**

*Moved:* Nil

**That Council adopts Housing Services Department’s policy for a period of two years, being:**

***Maintenance Debt Policy***

If it is established that a tenant or their guest/s has damaged a Council property, Council will request that tenants pay for the repair on the basis of 50% of the standard average cost for a similar repair in a remote region.

Council will identify the charge onto the tenant rental account as maintenance debt.

**ITEM LEFT LYING ON THE TABLE**

**Assess whether the proposal is justified and consistent with our role as registered housing provider.**

Mayor Gela advised the Policies needs to run parallel with the governing Act.

**7. 9:44am – 10:10am Mayoral Update**

Mayor Gela updated the Councillor on the following matters;

- Belcarra Report – complying with disclosure recommendations
- Budget for 2020 – factor in budget, cost of a by-election
- Drought Relief funds – extra financial support – water issues
- LGAQ Board meeting and conference – FAGS grant – need to change the methodology for distribution of funds.
- Comlek discussions – waste management, power generation and by product. Anaerobic system – Councillors to visit places with these system.

- Sherlock – data collating and collection
- Minister Mick DeBrenni - \$40m for new housing Qld wide. Mayor Gela nominated as the FNQ Rep on the Steering committee.
- Rental income – reviewing our model
- Commonwealth Government released the residual funding of \$115m for new builds to be built by Dec 2019.
- First Start Program - \$3m to create and support 400 apprenticeships. COO to note.
- DATSIP update later

**10:10am – 10:30am – Morning Tea break**

**8. 10:30am – 11:19am                    PRESENTATION: AUDIT Committee Update – Mr Eric Muir (Chair)**

Mayor Gela welcomes Mr Eric Muir, Chairman of the Audit Committee and Mr Paul Shipperley a committee member. He thanked them both for their work and coming today to provide Council with an overview of the year.

**9. 11:19am – 11:46am                    LEGAL – Resolution of Land Holding Act Lease Entitlements**

MLS spoke to this report.

Cr Sabatino clarified that Mayor cannot vote on trustee matters (Local Government Act section 85 & 86).

- Cr Gela declared a conflict of interest (COI)
  - COI details: Cr Gela is a spokesperson for his in-laws who are LHA applicants.
  - How the Councillor proposed to deal with the COI: Cr Gela left the room.
- Cr Nona declared a material personal interest (MPI)
  - MPI details: Cr Nona is a LHA recipient.
  - How the Councillor proposed to deal with the MPI: Cr Nona left the room.
- Cr Tamu declared a material personal interest (MPI)
  - MPI details: Cr Tamu’s husband is a LHA recipient
  - How the Councillor proposed to deal with the MPI: Cr Tamu left the room.
- Cr Pearson declared a material personal interest (MPI)
  - MPI details: Cr Pearson’s direct family members are LHA recipients.
  - How the Councillor proposed to deal with the MPI: Cr Pearson left the room.
- Cr Stephen declared a material personal interest (MPI)
  - MPI details: Cr Stephen’s father is a LHA recipient.
  - How the Councillor proposed to deal with the MPI: Cr Stephen left the room.
- Cr Nai declared a material personal interest (MPI)
  - MPI details: Cr Nai is a LHA recipient.
  - How the Councillor proposed to deal with the MPI: Cr Nai left the room.
- Cr Bosun declared a conflict of interest (COI)
  - COI details: Cr Bosun’s father in law is a LHA recipient.

- How the Councillor proposed to deal with the COI: Cr Bosun left the room due to public perception.
- Cr Levi declared a conflict of interest (COI)
  - COI details: Cr Levi's mother in law is a LHA lease holder.
  - How the Councillor proposed to deal with the COI: Cr Levi left the room due to public perception.
- Cr Toby declared a potential conflict of interest (COI)
  - COI details: Cr Toby's uncle is a LHA recipient.
  - How the Councillor proposed to deal with the COI: Council noted the perceived conflict and decided that Cr Toby could stay in the room.

There being no quorum to consider the matter, all Councillors re-enter the room at 11:43am and Council decided to defer the matter to 2pm on Friday, 23<sup>rd</sup> November 2018, being day two of and the continuation of the Ordinary Meeting.

**ACTION: SO to place on the Agenda at 2pm on Friday 23<sup>rd</sup> November 2018.**

**10. 11:46am – 11:46am                      COUNCIL MOVE INTO TRUSTEE**

**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Kaigey

**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**

**11. 11:32am – 11:44am                      TRUSTEE - LEGAL – Trustee Policy**

MLS spoke to this report. Council does not currently have a Trustee Policy. The Queensland Government Leasing Torres Strait Islander DOGIT Land: Manual for Trustees recommends that trustees of DOGIT land have internal policies relating to the leasing of land. The purpose of the report is to present a new policy, called the Trustee Policy, for Trustee consideration.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Toby

**That the Trustee endorse the Trustee Policy P029, as presented with amendments to 6(b), 6(c), 6(d), 8(a), 11 and 12 and removal of 10.**

**MOTION CARRIED**

**ACTION: Council to do a reconciliation of trustee (DOGIT) land occupation fees versus licence fees paid to TSIRC as Local Government asset owner.**

**12:30pm – 1:50pm – Lunch Break**

**1:50pm** Team Building discussion with SEA. Cr Lui raised the issue of whether Council will reach the required 75% of Resolution with some reports not having a quorum to deal with the matters.

**12. 1:57pm - 2:40pm                      TRUSTEE - LEGAL – Home Affairs Lease – Poruma Lot 5 and Erub Lot 29**

MLS spoke to this report. Cr Bosun requested a copy of the Regional ILUA.

Note: - Cr Pearson is not present during the discussions. Cr Pearson enters the room at 2:09pm

Mayor Gela also mentioned Cr Nai has given apology for the afternoon session as he is attending the Queensland Health Board meeting. Mayor Gela will deal with the apology after this report.

**RESOLUTION:**

*Moved:* Cr Pearson; *Second:* Cr Levi

**That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant, subject to registration of an Indigenous Land Use Agreement to which Council is a party, development approval (if required), and subject to surrender of existing lease 704936762, a standard lease to the Commonwealth of Australia represented by the Department of Home Affairs, over Lot 5 of SP270862 (1,349m<sup>2</sup>) at Poruma Island, title reference 51078104, for the purpose of operating and maintaining a radio telecommunications tower and affixed infrastructure, and delegate to the Chief Executive Officer the power to conclude the terms of the lease.**

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Thaiday; *Second:* Cr Nona

**That pursuant to the Torres Strait Land Act 1991 (Qld), the Trustee grant, subject to registration of an Indigenous Land Use Agreement to which Council is a party, development approval (if required), and subject to surrender of existing lease 705779898, a standard lease to the Commonwealth of Australia represented by the Department of Home Affairs over Lot 29 on SP270873 (2,273m<sup>2</sup>) at Erub (Darnley Island), title reference 51073553, with rent charged at \$10.80 per square metre per annum subject to 3% increase annually, the lease being for the purpose of operating and maintaining a radio telecommunications tower and affixed infrastructure, and delegate to the Chief Executive Officer the power to conclude the terms of the lease.**

**MOTION CARRIED**

Cr Sabatino queried the planning and asked if the tower will be like for like.

**ACTION:** MLS to obtain from Home Affairs the specifications of the current towers and the certified drawings of the new towers including emissions, radiation and frequencies, to confirm whether planning approval is required.

**13. 2:40pm – 2:44am TRUSTEE - LEGAL – TCHHS Mabuiag (Lease HA on SP28766)**

- Cr Tamu declared a conflict of interest (COI)
  - COI details: Cr Tamu is an employee of Queensland Health
  - Council decided Cr Tamu had a potential perceived conflict only and could participate and vote on the matter.

MLS spoke to this report. It was noted that Lease HA on SP287766 is proposed to be described as Lot 18 on DP273192 (draft community survey plan not yet endorsed by Council).

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Sabatino

***That the Trustee, pursuant to the Torres Strait Islander Land Act 1991 (Qld), grant Torres and Cape Hospital and Health Service (TCHHS) an extension to 28 February 2019 of the date for the satisfaction of the Minister and Treasurer's approval condition in relation to proposed Lease HA on SP287766 (Mabuiag Island), and delegate to the Chief Executive Officer the power to conclude the terms of this lease with TCHHS.***

**MOTION CARRIED**

14. 2:45pm – 2:45pm COUNCIL MOVE OUT OF TRUSTEE

**RESOLUTION:**

*Moved:* Cr Kaigey; *Second:* Cr Akiba  
That Council move out of Trustee.

**MOTION CARRIED**

15. 2:45am – 2:45pm COUNCIL MOVE INTO CLOSED BUSINESS

**RESOLUTION**

*Moved:* Cr Nona; *Second:* Cr Kaigey  
That Council move into Closed Business.

**MOTION CARRIED**

- 17. ENGINEERING - MIP6 Water Supply Cover Tender Award
- 18. BUSINESS SERVICES - TSIRC2016-90 Preferred Supplier Arrangement
- 19. BUSINESS SERVICES – Other Exemption to Preferred Supplier arrangements
- 20. BUSINESS SERVICES - Lease of Residential Accommodation in Cairns
- 21. LEGAL - TCICA

16. 2:45pm – 2:46pm COUNCIL MOVE OUT OF CLOSED BUSINESS

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Pearson  
That Council move out of Closed Business

**MOTION CARRIED**

17. 2:46pm – 2:47pm ENGINEERING – MIP6 Water Supply Cover Tender Award

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Sabatino  
That Council resolves to:

- Award Contract TSIRC 2018-120 to GDT Linings to the amount of \$5m,376,501.19 (GST Exclusive), with works ordered based on available budget, subject to advice from the MIP Trustee
- 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 or in relation to this project and contract subject to normal procurement practices and policies.

**MOTION CARRIED**

18. 2:47pm - 2:48pm BUSINESS SERVICES – TSIRC 2016-90 Preferred Supplier Arrangements

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Akiba  
That pursuant to the *Local Government Act 2009 (Qld)* and *Local Government Regulation 2012 (Qld)*, Council resolve to extend the TSIRC 2016-90 Preferred Supplier Contracts listed below from the expiry of the initial Contract term to 31 March 2019 and delegate all power, financial and otherwise, to the Chief Executive Officer to execute agreements and approve purchase orders in accordance with the adopted budget.

Service/Trade



<b>1, 2 &amp; 4. Accommodation, Air Transport Services, Travel Agency Services- Torres Strait &amp; Cairns Region</b>
Cairns Oasis Resort (Novotel)
Grosvenor In Cairns
Cape Air Transport
Independent Aviation Pty Ltd
Torres Strait Air Pty Ltd
Cairns Business Leisure Travel (BLT)
Flight Centre Travel Group
<b>3. Air-conditioning Supply and Service - Cairns Region</b>
Coral Coast Air conditioning and Refrigeration
Evercool Air conditioning
Source Logistics
Brown Brothers Electrical
Corporate Cleaning Services
MIPEC
<b>4. Air Transport Services -Torres Strait Region (above)</b>
<b>5. Asset services</b>
APV Valuers and Asset Management
Asset Advance Valuers
Innovative Facility Solutions
ARUP
Rushton AssetVal Group - Asset Services
<b>6. Auto parts supply</b>
East Coast Lubes
REPCO
Truck & Equipment Hire
<b>7. Auto and heavy machinery windscreen supply</b>
Truck & Equipment Hire
<b>8. Batteries, Tyres, Tubes - Heavy Machinery and Motor Vehicles</b>
AAA Battery
Bridgestone Australia
Cairns Tyre Service
Mareeba Tyre Service
Truck & Equipment Hire

REPCO
<b>9. Bus Provider - Torres Strait Region</b>
<b>10. Bus Provider - Cairns Region</b>
Emerson Bus Service
McDonald Charter Boats
Rebel Tours - Torres Strait Tours
<b>11. Catering - Cairns Region</b>
<b>12. Catering - Torres Strait Region</b>
<b>13. Civil engineering services - Torres Strait Region</b>
AURECON
Black & Moore
Cardo Civil Engineering
AECOM Engineering
ARUP
Flanagan Consulting
Geoghegan Project Management
GHD Engineering Design Services (Local Buy)
Minor Project Support Services
RECS Consulting Engineers and Building Designers
Thirkell Consulting Engineers
WSP Parsons Brinckerhoff - Engineering
<b>14. Cleaning and general maintenance - Cairns Region</b>
<b>15. Cleaning and general maintenance -Torres Strait Region</b>
Corporate Cleaning Services
STI & Associates
MIPEC
Tosco Office National
<b>16. Community Development consultant - Torres Strait Region</b>
Buckly Vann Planning & Development
Ipsos Public Affairs Social Research

<b>17. Compressor and blower supply and service - Torres Strait Region</b>
Queensland Air Compressors
REPCO
<b>18. Computer - LED Monitors</b>
<b>19. Computer - HP Laser Jet and Multi-Function Devices</b>
<b>20. Computer - Lenovo Tiny Desktop PC</b>
<b>21. Computer - Lenovo ThinkPad Notebook Series</b>
Future Computers
Think Office Technology - Aust Print
Brilliant Technologies
Office Works
Tosco Office National
<b>22. Counselling and mental services - Employee Assistance Program</b>
<b>23. Design and Media Services</b>
Interactivink Design and Media
Bolton Printing
Visual Obsession
Cardzilla
<b>24. Electrical Services - Cairns Region</b>
<b>25. Electrical Services - Torres Strait Region</b>
Amped Up Solar Electrical Services
AUSTEK Electrical Services
Brown Brothers Electrical
JM Switchboards
Babinda Electrics
Serene Contraction Cimaruta
Corporate Cleaning Services
MIPEC
Zenadth Kes Electrical
<b>26. Engineering Design - Torres Strait Region</b>
360 Engineering
ADG Engineering
AECOM Engineering
ARUP
AURECON
Cardo Civil Engineering

ERSCON Consulting Services
RECS Consulting Engineers and Building Designers
Thirkell Consulting Engineers
WSP Parsons Brinckerhoff - Engineering
Indij Architectural & Interior Design
Black & Moore
Harris Kmon Solutions
<b>27. Ferry Service - Torres Strait Region</b>
McDonald Charter Boats
Rebel Tours - Torres Strait Tours
<b>28. Financial and Accounting Services</b>
Altius Advisors Chartered Accountants
BDO Financial and Accounting Services
Bri Ferrier Accountants and Financial Services
Pacifica Financial Accountants
<b>29. Funeral Director - Torres Strait Region</b>
<b>30. Hire - Equipment and Heavy Machinery - Torres Strait Region</b>
Coates Hire
Flexi Hire
Tutt Bryant Hire
Rebel Tours - Torres Strait Tours
<b>31. HR - Recruitment Services - Cairns Region</b>
HR Dynamics
LOGO Appointments
Northern Staff
Precruitment
Strait Support Services
MIPEC

<b>32. HR - Vaccinations/Medicals - Cairns Region</b>
<b>33. HR - Vaccination/Medicals - Torres Strait Region</b>
<b>34. HR - Registered Training Organisation                      Torres Strait Region</b>
Industry Training Queensland
Aptitude_Training_and_Safety
Queensland TAFE NQ
Training Services QLD
McLeod Training Organisation
<b>35. Lagoon liner and covers supply, install and repair - Torres Strait Region</b>
<b>36. Mowing and beautification - Torres Strait Region</b>
Roy Boiiz Cleaning & Gardening Services Pty
Corporate Cleaning Services
<b>37. Printing Services - Cairns Region</b>
<b>38. Printing Services - Torres Strait Region</b>
Bolton Printing
Brilliant Printing Services
Cairns Plan Printing
Expressway Signage
Lotsa Printing
Cardzilla
Office Works
Southern Cross Safety & Workwear
<b>39. Promotional goods - cups/mugs, etc.</b>
Cardzilla
Cairns Link
Southern Cross Safety & Workwear
Tosco Office National
<b>40. Pump and pipe fittings supply</b>
Pressure Pumps North Queensland
<b>41. Records Management/Storage</b>
Grace Removalist and Storage
Total Records Management
<b>42. Rustproofing - vehicles and heavy machinery</b>
Roland Graff Auto Centre
Truck & Equipment Hire
<b>43. Safety equipment supplies</b>

Southern Cross Safety & Workwear
Totally Workwear
Cairns Link
Kelly's Crane Hire
<b>44. Stationary Supplies</b>
Office Works
Cairns Link
<b>45. Towing Services - Cairns Region</b>
Truck & Equipment Hire
<b>46. Training room providers - Cairns Region</b>
McLeod Training Organisation
Queensland TAFE NQ
Training Services QLD
<b>47. Travel Agency Services</b>
<b>48. Tree and Mangrove lopping services - Torres Strait Region</b>
Branching Out
Torres Strait Tree Management
Corporate Cleaning Services
Roy Boiiz Cleaning & Gardening Services Pty
<b>49. Vehicle, Tractor and heavy machinery supply - Cairns Region</b>
<b>50. Waste Removal Services - Cairns Region</b>
<b>51-54 Water and Sewer</b>
JPMI Water & Sewerage
MIPEC (Water and Sewer)
Water Treatment Services Australia
360 Engineering
AUSTEK Electrical Services
Babinda Electrics
George Yamashita Electrical
JM Switchboards
Serene Contraction Cimaruta

**MOTION CARRIED**

20. 2:49pm – 2:50pm **BUSINESS SERVICES – Lease of Residential Accommodation in Cairns**

Council noted the report.

**ACTION:** Team to find a unit in Cairns for a twelve (12) month lease.

21. **4:11pm – 4:18pm**                      **LEGAL – TCICA**

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Kaigey

**1. That Council request the Mayor and CEO to act in the role of Members of the Torres and Cape Indigenous Council Alliance (TCICA) Inc. Management Committee.**

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Sabatino; *Second:* Cr Fell

**2. That Council request from TCICA a certificate of currency in respect of its professional indemnity and public liability insurance policies, and a copy of the policy terms.**

**MOTION CARRIED**

22. **4:18pm – 4:22pm**                      **Leave in Advance**

The following Councillors applied for leave in advance for the December meeting at Poruma from 11-12 December 2018.

- Cr Toby
- Cr Tamu
- Cr Sabatino
- Cr Nona and
- Cr Nai

Council had a brief discussion about the December meeting.

23. **4:22pm – 4:29pm**                      **Apology – Cr Nai**

Cr Nai applied for leave of absence in advance at the October Ordinary meeting.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Sabatino

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

**MOTION CARRIED**

**Meeting Closed at 4:29pm - Prayer by Cr Fell**

## **Friday 23 November 2018**

### **Present**

Cr Fred Gela, Mayor  
Cr Dimas Toby, Division 1 – Boigu Island  
Cr Torenzo Elisala, Division 2 – Dauan Island (via telephone)  
Cr Keri Akiba, Division 3 – Saibai Island  
Cr Laurie Nona, Division 5 – Badu Island  
Cr David Bosun, Division 6 – Kubin Community at Moa Island  
Cr John Levi, Division 7 – St Pauls Community at Moa Island  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Clara Tamu, Division 10 – Warraber Island  
Cr Francis Pearson, Division 11 – Poruma Island  
Cr Ted Nai, Division 12 – Masig Island  
Cr Stephen, Division 13 – Ugar  
Cr Patrick Thaiday, Division 14 – Erub Island  
Cr Bob Kaigey, Division 15 – Mer Island  
Mr Bruce Ranga, Chief Executive Officer (CEO)  
Mr David Baldwin, Executive Manager Engineering Services (EMES)  
Ms Julia Maurus, Manager Legal Services, Office of the CEO (MLS)  
Mr David Abednego, Executive Manager, Community Services (EMoCS)  
Ms Jan Pool, Chief Operating Officer (COO)

### **Apologies**

Cr Keith Fell, Division 4 – Mabuiag Island  
Cr Mario Sabatino, Division 8 – KIRRIRI Island  
Ms Ursula Nai, Senior Executive Assistant (SEA)  
Mrs Kathy Cochran – Secretariat Officer (SO)  
Ms Hollie Faithfull, Acting Executive Manager Financial Services (AEMFS) – away on Council business



**24. 9.00am – 9.05am Opening Prayer by Cr i and Welcome by Deputy Mayor**

Mayor Gela welcomed everyone to the meeting and Cr Nai opened the meeting in prayer.

**25. 9:05am – 10:00am PRESENTATION 1: Meet and greet Council – Minister Furner – Minister for Agriculture Industry Development and Fisheries.**

Mayor Welcomed Minister Furner to the meeting, and informed Councillors of the recent Launch of the Torres Strait and Northern Peninsula Area Biosecurity Strategy at Thursday Island on Thursday 22 November.

Minister Furner thanked Mayor Gela and acknowledged the Torres Strait and Northern Peninsula Area Biosecurity Strategy, especially all three levels of Government working together to implement the strategy going forward.

Cr Lui raised concerns in relation to screening of goods prior to shipping it up to the Islands Mayor Gela – also advised Minister Furner that Torre Strait has never had cane toads; there really is no legislative framework to monitor and control movements of pests up North.

Cr Nona – advised Minister Furner that Biosecurity Officers on ground needs to have the ability to enforce compliance instead of monitoring.

Minister Furner acknowledged issues raised by Cr Lui and Mayor Gela – informed Council that these issues raised should be addressed as part implementation of the Biosecurity Strategy. He also advised Council that Biosecurity Officers on the islands are responsibility of the Commonwealth, and Council should lobby directly with Member for Leichardt – Warren Entsch.

Cr Lui – sought clarification whether Minister Furner is a member of the PZJA – fisheries seems to be the focus of the PZJA and a review should be done to capture issues under the Treaty. Council does not have the opportunity to meet with Federal Minister.

Minister Furner's responded to Cr Lui – he is not a member of the PZJA, this is the responsibility of the Federal Minister who is a member of the PZJA, and he will raise the issue with the Minister. Cr Nai – talked at length regarding Aqua Culture options in the Torres Strait.

Mayor Gela thanked Minister Furner for taking time to attend Council Meeting and advised that Council will write to him regarding issues surround Biosecurity Matters within the Torres Strait Region, and looking forward to working closely with him on Aqua Culture in the Torres Strait.

**ACTION: Council write to Minister Furner regarding issues surrounding Biosecurity matters in the Torres Strait.**

**Morning Tea break – 10:00am – 10:30am**

**26. 10:30am – 11:15am PRESENTATION 2: Indigenous Connection Plan (Reconciliation Action Plan) – Mr Neville HOEHNE, Indigenous Connection Project Manager, Energy Queensland Limited.**

Mayor welcomed Neville Hoehne to the meeting.

Neville thanked Council for inviting Ergon along to discuss the Indigenous Connection Plan (Reconciliation Action Plan) He then provided a power point presentation on the Indigenous Action Plan to see whether Council would be interested in being a part of the plan.

Cr Lui asked whether the plan is culturally appropriate for use on ground - Neville advised that part of the presentation today is seeking input from Council to ensure that the plan is culturally appropriate going forward.

Mayor Gela informed Neville as part of the process of the plan to ensure that Ergon reviews and look at the current tariff rates for the Torres Strait, he also requested that Ergon should provide an opportunity for locals in the community to do tree lopping, other than bringing external contractors into cut trees that are a hazard for the power lines.

Cr Lui asked if there are any incentives for the local Ergon Energy workers on the islands.

Neville noted both Mayor Gela questions and will provide a response, and advised that there will be an annual workshop held on TI for Ergon workers to attend. Cr Lui advised Neville that the workshop on TI won't necessarily be the views of the Outer Islands, and the workers from the outer islands should also attend the workshop.

Mayor Gela advised Neville to liaise with Ursula in relation to the plan and to ensure that the engagement is done effectively on ground.

**27. 11:15am – 12:00noon      PRESENTATION 3: Skytrans – **Mr Michael Thinee**, CEO and **Ms Rebecca Hyde**, Business Development Manager, Skytrans & West Wing Aviation.**

Mayor Welcomed Michael from Skytrans to the meeting.

Michael thanked Council for giving him an opportunity to present and discuss the Flight Training and Engineering Centre.

Michael advised Council that Skytrans is looking at setting up a Flight Training Centre focusing on upskilling people in the area of Engineering. He then went through his power point presentation explaining the initiative Skytrans is considering and wants to encourage local people from Torres Strait to participate in the program.

Mayor advised Michael that Council would like to work in collaboration with Skytrans once the program has been established, as this is a good opportunity for locals who are interested in Flight Engineering.

Cr Bosun also raised concerns regarding access to the Caravan on communities. The issue is the exhaust coming out of the plane when passengers are exiting and entering the aircraft, particularly young mothers with babies, and the elderly.

Michael advised that unfortunately it will cost Skytrans if the plane is shut down whilst on the airstrip, and this will be an added cost to the community members travelling, and he does not want to see community members have this additional charge on their tickets.

Cr Lui advised Michael he had to use his discretionary funds to assist community member's travel into TI for the Festival, as he thought there was capacity for passenger to access the Local Fare Scheme to attend the festival, as per Skytrans presentation in August at St Pauls.

Michael was unsure as to why there was no LFS for lama community members to utilise for the Festival, he will follow up with staff and advise Cr Lui.

**Lunch Break – 12:00noon – 1:00pm**

**28. 1:00pm – 3:15pm                      PRESENTATION 4: Comlek – Mr John Cruz**

Mayor welcomed representatives from COMLEK.

Jon introduced the delegates who were present and thanked Council for inviting them to the meeting.

Jon then went through his presentation and discussed further a paper on Waste Management Solutions and was seeking Councils feedback in relation to the proposal.

There was a very lengthy discussion on the proposal, and it was suggested that Jon works closely with Councils Chief Operating Officer and Engineering Team to look at the proposal on Waste Management.

Jon then introduced a member of the team to discuss briefly on the training offered by Jigsaw. Council was provided with the information back in September, and wanted reiterated what training was being offered, and whether Council would be interested in the training.

CEO advised them to work closely with Councils HR Department in relation to training for staff on ground.

**29. 3:15pm – 3:16pm                      Cr Elisala attend the OM by teleconference**

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Akiba

**That Council approve Cr Elisala to attend the Ordinary meeting by teleconference.**

**MOTION CARRIED**

**30. 3:16pm – 3:45pm                      LEGAL – Resolution of Land Holding Act Lease Entitlements**

- Cr Gela declared a potential conflict of interest (COI)
  - COI details: Cr Gela is a spokesperson for his in-laws who are LHA applicants, in particular the LHA interest of Veronica Sabatino.
  - How the Councillor proposed to deal with the COI: Cr Gela chose to leave the room.
- Cr Nona declared a material personal interest (MPI)
  - MPI details: Cr Nona's mother, Rita Nona, is a beneficiary of an LHA lease interest.
  - How the Councillor proposed to deal with the MPI: Cr Nona left the room.
- Cr Tamu declared a material personal interest (MPI)
  - MPI details: Cr Tamu's husband, Samuel Tamu, is a LHA beneficiary
  - How the Councillor proposed to deal with the MPI: Cr Tamu left the room.
- Cr Pearson declared a potential conflict of interest (COI)
  - COI details: Cr Pearson's nephew Jim Larry has an LHA lease interest.
  - How the Councillor proposed to deal with the MPI: Cr Pearson chose to leave the room due to public perception.
- Cr Stephen declared a material personal interest (MPI)
  - MPI details: Cr Stephen's is a potential beneficiary because his father, Daniel Stephen, has an LHA lease interest.
  - How the Councillor proposed to deal with the MPI: Cr Stephen left the room.
- Cr Nai declared a material personal interest (MPI)

- MPI details: Cr Nai is a potential beneficiary of a granted LHA lease interest (the leaseholder is deceased).
- How the Councillor proposed to deal with the MPI: Cr Nai left the room.
- Cr Levi declared a potential conflict of interest (COI)
  - COI details: Cr Levi's wife, Catherine Levi, is an eventual beneficiary to a LHA lease granted to his father-in-law and currently held by his mother-in-law.
  - How the Councillor proposed to deal with the COI: Cr Lui left the room due to public perception.
- Cr Bosun declared a conflict of interest (COI)
  - COI details: Cr Bosun's wife's involvement in the LHA lease interest of his father-in-law, Horace Baira Snr.
  - How the Councillor proposed to deal with the COI: Cr Bosun left the room.
- Cr Elisala confirmed he had no interest to declare in this matter
- Quorum could not be established because only six Councillors remained in the room (Cr Fell and Cr Sabatino were unable to attend the meeting).
- All Councillors then re-entered the room and discussed options to deal with this matter.

**RESOLUTION:**

*Moved:* Cr Pearson; *Second:* Cr Levi

**1. That Council delegate deciding the matter to the Chief Executive Officer under section 257 of the *Local Government Act 2009 (Qld)*, due to a majority of Councillors informing the meeting that they have a personal interest in the matter.**

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Kaigey; *Second:* Cr Akiba

**2. That Council reserve its rights in relation to its financial interest in the houses affected by Land Holding Act/ LHA lease interests.**

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Akiba

**3. That Council delegate to the CEO the power to execute all documents necessary to give effective to Land Holding Act (LHA) lease interests.**

**MOTION CARRIED**

**29. 3:45pm – 4:15pm**

**Surrender of Leases – Badu LHA ILUA**

- Cr Nona declared a material personal interest (MPI)
  - MPI details: Cr Nona's mother, Rita Nona, is beneficiary of an LHA Lease interest. Cr Nona also noted he is the Chair of Mura Badulgal (Torres Strait Islanders) Corporation RNTBC, currently in caretaker mode.
  - Cr Nona left the room.
- Cr Bosun declared a conflict of interest (COI)
  - COI details: Cr Bosun's wife's involvement in the LHA lease interest of his father-in-law, Horace Baira Snr.

- How the Councillor proposed to deal with the COI: Cr Bosun left the room.

**RESOLUTION:**

*Moved:* Cr Toby; *Second:* Cr Akiba

**1. That Council surrender to Mura Badulgal (Torres Strait Islanders) Corporation RNTBC the following lots from lease dealing number 715599235, upon receipt of written notice from the Department of Housing and Public Works consenting to such surrender**

- **Lot 58 on SP 274784 Title Reference 51066859**
- **Lot 145 on SP 274784 Title Reference 51066914**
- **Lot 226 on SP 274784 Title Reference 51066961**
- **Lot 227 on SP 274784 Title Reference 51066962**
- **Lot 300 on SP 274784 Title Reference 51067009**
- **Lot 333 on SP 274784 Title Reference 51067035**

**for the purpose of granting the following Land Holding Act leases in accordance with the Badu Island Land Holding Act ILUA QI2018/013:**

<b>LHA Application Number</b>	<b>Street Address</b>	<b>LHA Lease Entitlement Area</b>
BA2/89	58 Nona Street, Badu	Lot 58 on SP274784
BA5/89	145 Mairu Street, Badu	Lot 145 on SP274784
BA8/89	300 Chapman Street, Badu	Lot 300 on SP274784
BA10/89	227 Chapman Street, Badu	Lot 227 on SP274784
BA13/89	226 Chapman Street, Badu	Lot 226 on SP274784
BA14/89	317B Gulkaunaw Street, Badu	Lot 333 on SP274784

**MOTION CARRIED**

Cr Nona and Cr Bosun re-entered the meeting.

**31. 4:15pm – 4:15pm COUNCIL MOVE INTO TRUSTEE**

**RESOLUTION:**

*Moved:* Cr Nai; *Second:* Cr Levi

**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**

**32. 4:15pm – 4:30pm TRUSTEE – LEGAL – Resolution of LHA Lease Entitlements**

- Cr Gela declared a potential conflict of interest (COI)
  - COI details: Cr Gela is a spokesperson for his in-laws who are LHA applicants, in particular the LHA interest of Veronica Sabatino.
  - How the Councillor proposed to deal with the COI: Cr Gela chose to leave the room.
- Cr Nona declared a material personal interest (MPI)
  - MPI details: Cr Nona’s mother, Rita Nona, is a beneficiary of an LHA lease interest.
  - How the Councillor proposed to deal with the MPI: Cr Nona left the room.
- Cr Tamu declared a material personal interest (MPI)
  - MPI details: Cr Tamu’s husband, Samuel Tamu, is a LHA beneficiary

- How the Councillor proposed to deal with the MPI: Cr Tamu left the room.
- Cr Pearson declared a potential conflict of interest (COI)
  - COI details: Cr Pearson's nephew Jim Larry has an LHA lease interest.
  - How the Councillor proposed to deal with the MPI: Cr Pearson chose to leave the room due to public perception.
- Cr Stephen declared a material personal interest (MPI)
  - MPI details: Cr Stephen's is a potential beneficiary because his father, Daniel Stephen, has an LHA lease interest.
  - How the Councillor proposed to deal with the MPI: Cr Stephen left the room.
- Cr Nai declared a material personal interest (MPI)
  - MPI details: Cr Nai is a potential beneficiary of a granted LHA lease interest (the leaseholder is deceased).
  - How the Councillor proposed to deal with the MPI: Cr Nai left the room.
- Cr Levi declared a potential conflict of interest (COI)
  - COI details: Cr Levi's wife, Catherine Levi, is an eventual beneficiary to a LHA lease granted to his father-in-law and currently held by his mother-in-law.
  - How the Councillor proposed to deal with the COI: Cr Lui left the room due to public perception.
- Cr Bosun declared a conflict of interest (COI)
  - COI details: Cr Bosun's wife's involvement in the LHA lease interest of his father-in-law, Horace Baira Snr.
  - How the Councillor proposed to deal with the COI: Cr Bosun left the room.
- Cr Elisala confirmed he had no interest to declare in this matter
- Quorum could not be established because only six Councillors remained in the room (Cr Fell and Cr Sabatino were unable to attend the meeting).
- All Councillors then re-entered the room and discussed options to deal with this matter.

**RESOLUTION:**

*Moved:* Cr Kaigey; *Second:* Cr Pearson

**1. That the Trustee delegate deciding the matter to the Chief Executive Officer under section 257 of the *Local Government Act 2009 (Qld)*, due to a majority of Councillors informing the meeting that they have a personal interest in the matter.**

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Bosun

**2. That the Trustee delegate to the CEO the power to execute all documents necessary to give effective to Land Holding Act/ LHA lease interests.**

**MOTION CARRIED**

Cr Nai advised the he is unable to attend the December Ordinary Meeting and 10<sup>th</sup> Anniversary celebrations, and congratulated TSIRC on 10 years.

**Meeting closed at 4:30pm – Closing prayer by Cr Fell**