



**Torres Strait Island**  
REGIONAL COUNCIL

**MINUTES**

**ORDINARY MEETING**

**Monday 20 February 2017 and Tuesday 21 February 2017**

Please find attached Minutes of the above meeting held on Monday 20 February 2017 from 1:33pm to 5:15pm and Tuesday 21 February 2017 from 9:00am-5:29pm in the Marlin Room, Shangri-La Hotel, The Marina, Cairns.

## **Monday 20 February 2017**

### **Present**

Cr Fred Gela, Mayor

Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island

Cr Dimas Toby, Division 1 – Boigu (*joined the meeting at 1:45pm*)

Cr Torenzo Elisala, Division 2 – Dauan Island

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 Mario Sabatino, Division 8 – Kirriri Island

Cr Getano Lui Jnr, Division 9 – Iama Island

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 Island

Cr Patrick Thaiday, Division 14 – Erub Island

Cr Bob Kaigey, Division 15 – Mer Island

Mr Chris McLaughlin, Acting Chief Executive Officer (ACEO)

Mr Rob Dwyer, Acting Executive Manager Corporate Services (AEMCS)

Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Mr David Abednego, Executive Manager Community Services (EMCoS)

Ms Daisy Ketchell, Executive Officer (EO)

Ms Margaret Rosta, Senior Executive Assistant (SEA)

Mr Mario Soki, Secretariat Officer (SO)

### **Apologies**

NIL

1. **1:33pm-1:34pm** **Opening Prayer and Welcome**

**Mayor's Welcome and Opening Remarks**

Mayor Welcomes everyone and thanks everyone for attending on time. The Mayor noted that Opening Prayer was conducted at the beginning of the day at the commencement of the Strategic Advisory Committee Reference Group at 9:25am by Cr. Fell and a closing prayer was not conducted.

Mayor introduces and welcomes Margaret Rosta as the new Senior Executive Assistant.

2. **1:34pm-1:34pm** **Apologies**

NIL

3. **1:34pm-1:37pm** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

**Cr Sabatino declared his Material Personal Interest for the Closed Business CEO Recruitment Session.**

**Cr Bosun declared a potential Conflict of Interest for the Closed Business CEO Recruitment session.**

4. **1:37pm-1:39pm** **Confirmation of December 2016 Ordinary Meeting Minutes**

**RESOLUTION**

*Moved Cr Nai, Seconded Cr Pearson*

That the minutes of the Ordinary Meeting held in December 2016 be adopted as a true and accurate record of that meeting.

**MOTION CARRIED**

5. **1:39pm-1:49pm** **Outstanding Strategic Ordinary Meeting Action Items**

**Previous Action Item 17.3 – Random Drug Testing**

ACEO – Included in the 17/18 Operational Plan and Budget – Item closed

**Previous Action Item 17.3 – Animal Control**

ACEO – Baiting program included in the 17/18 Operational Plan

Cr Pearson queried about issue of fence erected by Qld Health at Poruma which he raised at the December 2016 Ordinary Meeting. ACEO noted that he recalls this matter being raised and will follow up.

**ACTION**

**SEA to write to Andy Marshall at Qld Health expressing disappointment and remediation of fence erected around PHCC at Poruma – too high and sends a message people are not welcome and cannot be trusted.**

Cr Nai seeks update on Water Sustainability Funding with TSRA. ACEO – Raised at the December meeting with TSRA. Meetings postponed by the TSRA CEO for Jan. EMES met with Jason Bell new Project Manager Infrastructure at TSRA. One of the issues raised as to when the funds need to be spent and the milestones. EMES needs to get back to TSRA in relation to their latest proposals around timing of expenditure. Funds need to be spent on TSIRC developing ways to be more sustainable in relation to water quality and look at ways to empower more staff on ground to be equipped and responsible to manage water rather than spend more on consultancy. EMES added that he is working on getting another response to TSRA in the next three weeks.

Mayor queried with ACEO in regards to where Council is at with the Advocacy Strategy for the impact on local government services on ground and value of costs associated for input into conversations with the Commonwealth and State. ACEO mentioned that this was raised at the SARG meeting. The advocacy area have been delegated to put a holistic plan to lobby with government and outgoing media releases. Proposal will be put to a future SARG meeting.

Cr Nai requests update on the Torres Strait Treaty methodology. ACEO advises that a holistic strategy is being prepared by our Advocacy team to be presented to Council at a later meeting.

### **ACTION**

**EO to prepare a holistic strategy for Torres Strait Treaty fee implementation (deputations, media releases, info sheets etc).**

## **6. 1:49pm-2:29pm Regional Grants**

EMFS spoke to her report and noted that applicants were deemed eligible under the Community Grants and Donations Procedure and met the majority of the assessment criteria.

**Cr Nona declares potential Conflict of Interest due to his volunteer participation with the Mulga Tigers Junior Rugby League Football Club and does not vote.**

Discussions were held around the table regarding bringing back the acquittal process for Regional Grants to be more accountable. It was agreed that acquittal process of Regional Grants be reinstated into the procedure.

Mayor suggested in future for Councillors to be looking at providing information sessions in community around grant acquittal processes via electronic presentations.

### **ACTION**

**EMFS to bring Regional Grants process back to Ordinary Meeting (March 2017) to reinstate acquittal requirements and consequences for non-acquittal on future grants.**

**No future Regional Grants submissions to hit the Council table if outstanding acquittals.**

### **RESOLUTION**

**That Council resolve to provide Regional Grants support to the following applicants in accordance with the Community Grants policy.**

*Moved Cr Bosun, Seconded Cr Sabatino*

**6.1. Mulga Tigers Senior Rugby League Football Club for the eligible amount of \$2,500 GST Exclusive**

**MOTION CARRIED**

*Moved Cr Levi, Seconded Cr Bosun*

**6.2. Mulga Tigers Junior Rugby League Football Club for the eligible amount of \$2,500 GST Exclusive**

**MOTION CARRIED**

Following resolution was not moved.

**6.3. Badu Island Interagency Group for the eligible amount of \$2,500 GST Exclusive**

**MOTION LOST**

## **7. 2:29pm-2:41pm Badu Transfer Lease – Surrender of Lots**

AEMCS spoke to his report and sought resolution. Council to surrender lease to Mura Badulgal Corporation for them to lease to the State for 40 years. (social housing).

Cr Nona declares his potential Conflict of Interest as Chair of Mura Badulgal (TSI) Corporation RNTBC and did not vote.

**RESOLUTION**

*Moved* Cr Sabatino, *Seconded* Cr Pearson

**That Council** resolve to surrender the following Lots in lease instrument dealing number 715599235, title reference: 5039799, with the Mura Badulgal (Torres Strait Islanders) Corporation RNTBC: -

| <b>Plan/Document number</b> | <b>Lot Number</b> |
|-----------------------------|-------------------|
| SP274784                    | Lot 39            |
| SP274784                    | Lot 40            |
| SP274784                    | Lot 108           |
| SP274784                    | Lot 152           |
| SP274784                    | Lot 243           |
| SP274784                    | Lot 308           |
| SP274784                    | Lot 309           |
| SP274784                    | Lot 322           |
| SP274784                    | Lot 654           |

**MOTION CARRIED**

**ACTION**

AEMCS to investigate whether interest holders under lot 141 (Badu Island) consent to the release. If so, include on the agenda at future meeting.

**ACTION**

ACEO to bring Development Approval Feasibility Study back to March 2017 SARG meeting for further discussion.

**8. 2:41pm-2:50pm                      Development Approval – Badu – Yalla St**

AEMCS spoke to his report and sought resolution. Mayor suggested that further discussions are held at next SARG meeting regarding the fees components. ACEO to provided report

**RESOLUTION**

*Moved* Cr Nona, *Seconded* Cr Levi

**That Council** issue a Development Permit for Reconfiguration of a Lot (previously Lot 2 SP253545) into 2 Lots (Lots 593 and 594 SP274784) with the inclusion of the conditions set out in Part 4 of the Agenda Report.

**MOTION CARRIED**

**9. 2:50pm- 3:30pm                      Councillor Remuneration**

ACEO spoke to his report.

Mayor Gela added an amendment to the recommendation.

1. Left Councillor Remuneration Procedure laying on the table until March Ordinary Meeting.

2. Include in the submission a 2% increase to all Councillor remuneration including Mayor and Deputy Mayor as per Remuneration Tribunal's decision made in December 2016 to commence 1 July 2017.

ACEO noted that the Councillor Remuneration Procedure to be tabled at March Ordinary Meeting and changes will take effect come 1 July 17.

### **RESOLUTION**

*Moved Cr Nai, Seconded Cr Kaigey*

**That :**

1. Council prepare a submission to the Local Government Remuneration and Discipline Tribunal proposing a change to remuneration category for all Councillors on the basis of the additional responsibilities and pressures faced by the TSIRC Councillors and that in the interim, Council endorse acceptance of the proposed 2% increase from 1 July 2017.

**MOTION CARRIED**

*Moved Cr Nona, Seconded Cr Elisala*

2. Council resolve that Councillor remuneration be subject to withholding tax under Part 2-5 (PAYG withholding).

**MOTION CARRIED**

### **ACTION**

**AEMCS to make application for review of Councillor classification .**

#### **10. 3:30pm-3:32pm Hammond Island CSP**

AEMCS spoke to his report and sought Council resolution.

### **RESOLUTION**

*Moved Cr Sabatino, Seconded Cr Bosun*

**That Council:**

- endorse Survey Plan SP292850;
- work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Hammond Island DOGIT as shown on SP292850; and
- consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP292850, including but not limited to applying to the Minister responsible for administering the Land Act 1994 for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 505 square metres.

**MOTION CARRIED**

#### **11. 3:32pm - 3:40pm Grafton Street Lease**

ACEO spoke to this report. The current lease for level 3 and 4, 111-115 Grafton Street commenced 1 July 2010 and ends 30 June 2017. Council has 2 options to renew for a further 5 + 5 years. Renewal must be exercised 3 months prior to original lease end date or renegotiate.

Mayor made a point that the 5 year lease needs to be in line with the Transitional Action Plan. The TAP is a good document but there has not been real genuine commitment to ensure the TAP has been applied if Council is again placed in a position in 5 years to renew a lease for two floors. The ownership of the TAP must be driven from the highest level of Council. Mayor feels this is a real

concern and that accommodation options in community for staff should be explored further for the TAP to progress. Council to aim towards consolidation of the two floors into one by 5 year expiry.

## **RESOLUTION**

*Moved Cr Sabatino, Seconded Cr Nai*

***That Council resolve to exercise its option to renew for a period of 5 years, commencing 1 July 2017 and expiring 30 June 2022, over existing lease with IT 16 PTY LTD (ACN 100 Lot 12 RP 744593 (Levels 3 and 4, 111-115 Grafton Street, Cairns) for operational purposes, and that Council delegate authority to the Chief Executive Officer to do all things necessary to negotiate and execute the option in accordance with approved budget.***

**MOTION CARRIED**

### **3:40pm-4.01pm Afternoon Tea**

#### **12. 4:01pm - 4:11pm Capital Endorsement – LATE REPORT**

ACEO spoke to this report. ACEO is not seeking approval of the 17/18 Capital Budget but approval for Council to commence submissions for capital funding.

## **RESOLUTION**

*Moved Cr Tamu, Seconded Cr Stephen*

***That Council resolve to endorse/ ratify the following capital projects for submission in their corresponding funding rounds and authorise the Chief Executive Officer to make submission accordingly:***

| <b>Funding Round</b>                                      | <b>Project</b>  |
|---|---|
| <i>Building our regions - round 3</i>                     | <i>Morgor Well Upgrade - \$477,500</i>  |
|   | <i>Poruma Airport Waiting Shed - \$495,000</i>  |
|   | <i>Saibai Airport Waiting Shed - \$495,000</i>  |
|   | <i>Torres Strait Digital Expansion Project - \$500,000</i>  |
|   |   |
| <i>Building better regions fund 2017</i>                  | <i>Torres Strait Digital Expansion Project - \$8,000,000</i>  |
|   |   |
| <i>Works for Queensland</i>                               | <i>Hammond Water Mains Replacement- \$200,000</i>   |
|   | <i>Iama STP Fence Renew - \$50,000</i>  |
|   | <i>Boigu STP Fence Renew - \$40,000</i>   |
|   | <i>Boigu Sewerage Operations Building Renew - \$40,000</i>  |
|   | <i>Kubin Lagoon Fence and Lagoon Liner Renew- \$60,000</i>  |
|   | <i>Ugar Electrical Maintenance Works for Water - \$50,000</i>   |
|   | <i>Warraber Final Effluent Manifold Renew - \$30,000</i>  |
|   | <i>Mabuiaig Replace ruptured media filter vessel - \$20,000</i>   |
|   | <i>St Pauls Well 1 and Kubin Twin Springs Refurbishment - \$20,000</i>  |
|   | <i>Supply and install 2 new pups for Well 1 at Badu - \$40,000</i>  |
|   | <i>Renew the guttering at the Erub WTP - \$30,000</i>   |
|   | <i>Mer STP Maintenance Works - \$180,000</i>  |
|   | <i>Iama STP Maintenance Works - \$180,000</i>   |
|   | <i>Replacement of Enviroflow Plant Blowers (Various) - \$135,000</i>  |
|   | <i>Badu Island Stadium &amp; Sportsground repairs - \$825,000</i>   |
|   | <i>Mer amenities block - \$250,000</i>  |
|   | <i>Warraber stadium roof repairs - \$700,000</i>  |
|   |   |
| <i>Indigenous Local Government Sustainability Program</i> | <i>Mer Lagoon Pumps, Filtration, Chlorine Dosing Point - \$359,536</i>  |
|   | <i>Sewer Electrical Works from DEHP Notice - \$150,000</i>  |
|   |   |
| <i>ATSI_TIDS 17/18</i>                                    | <i>***Hammond Wharf is first priority, depending on final tender costs other projects will go ahead if the budget allows***</i> |
| <i>Hammond Wharf</i>                                      | <i>Design and Construct DDA Compliant Facility \$3,000,000</i>  |

|   |   |
|---|---|
| <i>Mabuiag Airport Drainage</i>                               | <i>Install Drainage. Drainage problem at north-west corner of apron. \$243,360</i>  |
| <i>Masig Airport Refuelling Storage Area &amp; Facilities</i> | <i>Provide safe and secure refuelling facilities. Fuel storage area required. \$280,800</i>   |
| <i>Boigu Airport Apron &amp; Airstrip repairs</i>             | <i>Maintain operable condition. Apron is low point where water backs up and floods, including terminal surrounds. Apron pavement also generally poor condition. \$1,918,800</i> |
| <i>Badu/Kubin Jetty Repair*</i>                               | <i>Replace damaged fenders and handrails. Structure moving slightly \$180,000</i>   |

*\* it is noted that project scope and/or cost may change*

**MOTION CARRIED**

**13. 4:11pm - 4:12pm Ordinary Meeting was Adjourned to go into Meeting as Trustee**

**RESOLUTION**

*Moved Cr Elisala, Seconded Cr Fell*

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

**MOTION CARRIED**

**13.1 4:12pm – 4:14pm Masig Social Housing Lease**

AEMCS spoke to his report and sought Council resolution.

**RESOLUTION**

*Moved Cr Nai, Seconded Cr Sabatino*

***That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant a standard lease to the State of Queensland (as represented by the Department of Housing and Public Works) over the below Lease areas on SP277431, for Social Housing Purposes and other Government Services Use of and incidental to that purpose, namely: -***

| <b>Plan/Document number</b> | <b>SP Lot Number</b> | <b>Lot number in ILUA</b> | <b>Date</b> |
|-----------------------------|----------------------|---------------------------|-------------|
| SP277431                    | Lot 157              | Lot 303                   | 1/03/2016   |
| SP277431                    | Lot 180              | Lot 202                   | 1/03/2016   |
| SP277431                    | Lot 112              | Lots 601 and 602          | 1/03/2016   |
| SP277431                    | Lot 211              | Lot 603                   | 1/03/2016   |
| SP277431                    | Lot 212              | Lots 601 and 602          | 1/03/2016   |

**MOTION CARRIED**



**13.2**      **4:14pm – 4:17pm**      **St Pauls Social Housing Lease**

AEMCS spoke to his report and sought Council resolution.

**RESOLUTION**

*Moved Cr Levi, Seconded Cr Stephen*

***That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant a standard lease to the State of Queensland (as represented by the Department of Housing and Public Works) over the below Lease area on SP256048 for Social Housing Purposes and other Government Services Use of and incidental to that purpose, namely: -***

| <b>Plan/Document number</b> | <b>Lot Number</b> | <b>Date</b>    |
|-----------------------------|-------------------|----------------|
| SP256048                    | Lot 64            | 8 January 2015 |

**MOTION CARRIED**

**13.3**      **4:17pm – 4:20pm**      **Erub Multi Purpose Facility**

AEMCS spoke to his report and sought Council resolution.

**RESOLUTION**

*Moved Cr Thaiday, Seconded Cr Elisala*

**1. 'That pursuant to the Torres Strait Islander Land Act 1991(Qld), the Trustee grant a lease to the Torres Strait Island Regional Authority over the below Lease area in part of Lot 4 on Crown Plan TS156 (Erub Island) described as lease A on SP248231, for a multi-purpose facility as part of the Torres Strait Island Regional Authority's Land and Sea Ranger Program, namely: -**

| <b>Plan/Document number</b> | <b>Lease Description</b> |
|-----------------------------|--------------------------|
| <b>SP2484231</b>            | <b>Lease A</b>           |

**2. That Council authorise the Chief Executive Officer to conclude negotiations, execute and register the lease on terms acceptable to the Chief Executive Officer, provided the term is 30+30 years, with rent set at \$12,000 per annum (increasing annually with CPI).**

**MOTION CARRIED**

**ACTION**

**ACEO to ensure all remuneration for lease income is allocated to the respective division received.**

**13.4**      **4:20pm – 4:22pm**      **Hammond Island CSP**

AEMCS spoke to his report and sought Council resolution.

**RESOLUTION**

*Moved Cr Sabatino, Seconded Cr Elisala*

**That the Trustee:**

- **endorse Survey Plan SP292850;**

- work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Hammond Island DOGIT as show non SP292850; and
- consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP292850, including but not limited to applying to the Minister responsible for administering the Land Act 1994 for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 505 square metres.

**MOTION CARRIED**

**13.5      4:22pm – 4:24pm Hammond Island Subdivision Social Housing Leases**

AEMCS spoke to his report and sought Council resolution.

**RESOLUTION**

*Moved Cr Sabatino, Seconded Cr Pearson*

**‘That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant a standard lease to the State of Queensland (as represented by the Department of Housing and Public Works) over the below lease areas in part of Lot 155 on SP292850, and for Social Housing Purposes and other Government Services Use of and incidental to that purpose, namely: -**

| <b>Plan/Document number</b> | <b>SP Lot Number</b> |
|-----------------------------|----------------------|
| SP292850                    | Lot 1                |
| SP292850                    | Lot 2                |
| SP292850                    | Lot 3                |
| SP292850                    | Lot 4                |
| SP292850                    | Lot 5                |
| SP292850                    | Lot 6                |
| SP292850                    | Lot 7                |
| SP292850                    | Lot 8                |
| SP292850                    | Lot 9                |
| SP292850                    | Lot 10               |

**4:24pm**

**Out of Trustee**

**RESOLUTION**

*Moved Cr Nai, Seconded Cr Levi*

**That Council move out of a Meeting of the Trustee.**

**MOTION CARRIED**

**14. 4:25pm**

**Closed Business**

**RESOLUTION**

*Moved Cr Bosun, Seconded Cr Nona*

That in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss:

(e) Contracts proposed to be made by it; or

(h) Other business for which public discussion would be likely to prejudice the interests of the local Government or someone else, or enable a person to gain a financial advantage.

**MOTION CARRIED**

- 14.1 4:25pm – 4:28pm Deceased Debt Write-Off
- 14.2 4:28pm – 4:30pm Divestment of Trust Funds
- 14.3 4:30pm – 4:36pm Enterprise Divestment
- 14.4 4:35pm – 4:36pm TSIRC-TSRA Memorandum of Agreement

**4:37pm** Out of Closed Business

**RESOLUTION**

*Moved Cr Nai, Seconded Cr Levi*

That Council move out of closed business.

**MOTION CARRIED**

- 14.1 **4:37pm – 4:39pm** Deceased Debt Write Off

**RESOLUTION**

*Moved Cr Fell, Seconded Cr Pearson*

That Council endorse write-off of \$788,809.00 of Statute Barred Debt.

**MOTION CARRIED**

- 14.2 **4:39pm – 4:45pm** Divestment of Trust Funds

**RESOLUTION**

*Moved Cr Akiba Seconded Cr Elisala*

That Council endorse the divestment of the Saibai Church Fund to the Diocese Church of Torres Strait.

Cr Getano Lui Jnr declared COI as a Priest of the Church of the Torres Strait. Note that Council agreed that Cr Lui was permitted to vote under COI.

**ACTION**

EMFS - Council to go out for another round of divestment of community trust funds

**MOTION CARRIED**

- 14.3 **4:45pm – 4:54pm** Enterprise Divestment

1. That in accordance with sections 227, 228 and 236 of the Local Government Regulation 2012 (Qld), Council enter into negotiations with the following entities (or related parties) with a view to those entities acquiring the following businesses and associated valuable non-current assets and staff on terms acceptable to the Chief Executive Officer of Council, and recommend to the Trustee, the grant of trustee leases to each entity over relevant land as presented:

| <b>Community</b> | <b>Enterprise</b>           | <b>Entity</b>                            |
|------------------|-----------------------------|--|
| Mabuiag          | Kiosk                       | Brett Tyrrell                            |
| Poruma           | Poruma Resort               | Innovate Truss Corporation (ITC) Pty Ltd |
| St Pauls         | St Pauls Block Plant        | George Saveka                            |
| St Pauls         | Main Road Contractors' Camp | George Saveka                            |
| St Pauls         | Mechanic Workshop           | Fred Erra Wapau                          |
| St Pauls         | Old Childcare Centre        | Isobel Stephen                           |

Cr Fell declared his Material Personal Interest for Mabuiag and does not vote.

Cr Stephen declared his Conflict of Interest for St Pauls (Old Childcare Centre) and did not vote.

**14.3.1            4:54pm – 4:56pm      Enterprise Divestment – Mabuaig Kiosk**

**RESOLUTION**

*Moved Cr Bosun, Seconded Cr Levi*

**MOTION CARRIED**

**14.3.2            4:56pm – 4:58pm      Enterprise Divestment – St Pauls Block Plant and  
Main Roads Camp**

**RESOLUTION**

*Moved Cr Levi, Seconded Cr Thaiday*

**MOTION CARRIED**

**14.3.3            4:58pm – 5:00pm      Enterprise Divestment – St Pauls Childcare**

**RESOLUTION**

*Moved Cr Tamu, Seconded Cr Levi*

**MOTION CARRIED**

**14.3.4            5:00pm – 5:05pm      Enterprise Divestment – Poruma Resort**

**RESOLUTION**

*No mover – Item left laying on table.*

**MOTION LOST**

**14.4      5:05pm – 5:15pm      TSIRC – TSRA Memorandum of Agreement**

**RESOLUTION**

*Moved Cr Levi, Seconded Cr Akiba*

**That Council formally adopt the Memorandum of Agreement 2016–2018 between Council and Torres Strait Regional Authority executed on 2 December 2016.**

**MOTION CARRIED**

**5:15pm**

**Meeting Close**

The meeting closed in prayer by Cr Pearson.

## **Tuesday 21 February 2017**

### **Present**

Cr Fred Gela, Mayor

Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island

Cr Dimas Toby, Division 1 – Boigu

Cr Torenzo Elisala, Division 2 – Dauan Island

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 Mario Sabatino, Division 8 – Kirriri Island

Cr Getano Lui Jnr, Division 9 – Iama Island

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 Island

Cr Patrick Thaiday, Division 14 – Erub Island

Mr Chris McLaughlin, Acting Chief Executive Officer (ACEO) (joined the meeting at 12pm)

Mr David Baldwin, Executive Manager Engineering Services (EMES) (joined the meeting at 12pm)

Mr Mario Soki, Secretariat Officer (SO) (joined the meeting at 12pm)

Ms Helen Tarrant, Executive Assistant (EA) (joined the meeting at 12pm)

### **Apologies**

Cr Bob Kaigey, Division 15 – Mer Island

**8:50am – 8:55am**

**Opening Prayer and Welcome**

**Mayor's Welcome and Opening Remarks**

The Mayor welcomed all to the meeting. Cr. Nai opened the meeting with a prayer.

**8:55am - 9:00am**

**Apologies**

The Mayor noted apologies received and disclosures declared Monday 20 February in relation to CEP recruitment, which will be discussed in Closed Business.

**Cr Sabatino declared his potential Material Personal Interest and Cr Bosun declared a potential Conflict of Interest concerning the CEO recruitment.**

Cr Sabatino was not in attendance and Cr Bosun was excused and left the room. Cr Kaigey was not in attendance and extended his apology as he was attending to another commitment i.e. Orientation and Induction and won't be in attendance.

That Council notes the reasons Cr's Bosun, Kaigey and Sabatino will be absent from the Closed Business discussion.

**9:00am – 12:50 pm**

**Closed Business**

**RESOLUTION**

*Moved Cr Nai, Seconded Cr Elisala*

**That in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss:**

- (a) the appointments, dismissal or discipline of employees;**
- (e) Contracts proposed to be made by it;**

**MOTION CARRIED**

15.

**9:00am – 12:55pm**

**CEO Recruitment**

**Cr Sabatino declared his potential Material Personal Interest and did not take part in discussion and did not vote.**

**Cr Bosun also declared a potential Conflict of Interest and did not take part in discussion and did not vote.**

Cr Kaigey was not in attendance and had extended his apology as he was attending to another commitment i.e. Orientation and Induction and won't be in attendance.

All staff, together with Cr Sabatino and Cr Bosun, were asked to leave the room.

12:55pm – Cr Sabatino, Cr Bosun and staff were called back into the room.

16.

**12:55pm – 1:00pm**

**Moa Road Restoration Works Tender**

**1:00pm**

**Out of Closed Business**

**RESOLUTION**

*Moved Cr Nona, Seconded Cr Tamu*

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

**MOTION CARRIED**

15.1

## CEO Recruitment

### RESOLUTION

*Moved Cr Akiba, Seconded Cr Nona*

That : -

**(1) Mr Edward Fraser be appointed to the role of Chief Executive Officer of Torres Strait Island Regional Council.**

**(2) That the Mayor and Deputy Mayor be delegated the authority to make a formal offer of employment and agree a formal contract of employment with Mr Fraser as the Chief Executive Officer of Torres Strait Island Regional Council on reasonable terms and conditions. These terms and conditions shall include that the role of Chief Executive Officer will be located in the Torres Strait Region for the term of the contract and state the CEO will be required to perform his duties in the Torres Strait Region unless specifically otherwise approved by the Mayor.**

**MOTION CARRIED**

16.1

## Moa Road Restoration Works Tender

EMES spoke to his report and sought Council resolution.

### RESOLUTION

*Moved Cr Levi , Seconded Cr Fell*

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

- 1. Award contract TSIRC2017-95 for Moa Island Road Restoration Works to LDI Constructions Civil Pty Ltd for \$377,602.00 ( excl. GST)**
- 2. Delegate authority to the Acting Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with entering into the contract under this arrangement.**

### **1:00pm - 1:30pm Break for Lunch**

17. **1:30pm-2:15pm** PRESENTATION: **Mr Michael Bani and Mrs Bani**  
Making Healthy Choices – encouraging communities to make Health Choices to compliment sporting activities currently in place in communities. Target to encourage school leavers to work towards their sporting goals via activities provided by Healthy Lifestyle Officers
18. **2:15pm-3:00pm** PRESENTATION: **Mr Allan Filewood and Mr Alex Blanco, Torres Strait Youth & Recreation Sporting Association**, Torres Strait, Community Sports and Recreation Program 2017 -2019, Proposal to work in partnership with Council to roll out the Torres Strait Community Sport & Recreation Program 2017 – 2019. Proposal to provide financial assistance to Council via the Healthy Lifestyle Officer Programs in communities.

**3:00pm-3:30pm Afternoon Tea**



19. **3:30pm-4:15pm** PRESENTATION: **Mrs Ivy Trevallion and Aunty McRose Elu – President Members of Kupai Omaker Working Party**, Legal Recognition of Torres Strait Island Traditional Adoption Practices- Provide Council on legal recognition of Torres Strait Island traditional customary adoption practices. The Working Party in the last six months has been lobbying and advocating with Government Ministers regarding traditional customary practices and would like to seek Council support.
20. **4:15pm-4:45pm** PRESENTATION: **Mary Gela – Manager Community Services & Lesley Collins – Business Services Accountant, Aged Care Reform -** Provide and update to Council on the Aged Care Reform.
21. **4:45pm - 5:25pm** **General Business**

Cr Toby raised issues around Housing allocation and communication with PBC Chair. Suggest invitation be made for PBC chairs to attend Council Meetings.

Cr Lui raised issues around powercard orders, if there could be more options rather than selling only \$100 powercards.

**ACTION**

**ACEO Write to Ergon and IBIS expressing concern re power charges - \$20/ \$50/ \$100 powercards to be made available**

Cr Tamu raised issues about local health community organisation and if Apunipima can be invited to present at a future Council meeting to discuss local health services

**ACTION**

**ACEO to invite Apunipima to a future Ordinary Meeting.**

Cr Akiba raised matter of different lot numbers being used on Saibai and causing confusion in community. If tenants can be notified of the newly allocated lot numbers as per new survey plan.

**ACTION**

**ACEO to confirm whether CSP lot numbers will now be used across the board to describe households.**

Cr Elisala raised issue around Registered Nurse still not on ground at Dauan while a lease is in place for a dwelling to house the health staff.

**ACTION**

**ACEO to follow up with Health as to where they are at with permanent RN at leased house on Dauan Island.**

Cr Tamu raised issue about not sighting any local disaster management on ground level. Advised to sight the local disaster management plan.

**ACTION**

**Councillors to be given disaster management training.**

Cr Sabatino requested brief on the Blue Mist fishing boat at Erub Is.

**ACTION**

**ACEO to provide Cr Sabatino with brief regarding Blue Mist fishing boat at Erub Is.**

Cr Sabatino made numerous requests regarding housing.

**ACTION**

**Provide information re process for withdrawal of social housing stock for staff housing.**

**ACTION**

**Provide Councillor update re allocation of GTA for the R&R house on Hammond Is.**

**ACTION**

**Provide Councillor update re allocation of the 4x NPARIH GTA's on Hammond Is.**

**ACTION**

**Investigate and report back to Council as to why DPHW require bank statements of tenants.**

**ACTION**

**Investigate policy to enable replacement of mobile phones to Mayor and Deputy Mayor in the event of personal (non-work-related) damage.**

**Confirm that EHW's have not been issued replacement phones for personal damage.**

Cr Nona put his hand up for any islands that a delayed in their housing allocation to pass onto Badu as his community has a new subdivision waiting on houses.

Cr Nona requests Roles and Responsibilities presentation for Badu prior to June 2017 Ordinary Meeting.

**ACTION**

**Deliver Roles and Responsibilities presentation for Badu prior to June 2017 OM.**

Cr Elisala raises question around the ferry service for Dauan. Will have further discussions with Cr Sabatino and Mayor.

**ACTION**

**Provide workings / Model for the Dauan Ferry to Cr. Sabatino.**

**ACTION**

**Ensure lama community included when dental tour is occurring for Kukalgal area.**

**ACTION**

**Write to Health regarding need for local community health providers (per SARG)**

**ACTION**

**Letters of thanks to go to Michael Bani / TSYRSA / Ivy Trevallion / Australian National Audit Office**

**22. 5:26pm – 5:27pm Leave In Advance**

Cr Sabatino, Cr Tamu, Cr Nai, Cr Toby, Cr Stephen and Cr Nona requested Leave in Advance for the March 2017 Meeting.

**5:27pm – 5:29pm Next Meeting**

21/22 March 2017 on Hammond Island

**5:29pm Meeting Close**

The meeting closed in prayer by Cr Stephen.