



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

Tuesday 17 September 2018: 9:00am to 5:00pm
Wednesday 18 September 2018: 9:00am to 2.30pm

Conference Room, TSIRC Office, Victoria Parade, Thursday Island

Tuesday 17 September 2018

Present

Cr Fred Gela, Mayor
Cr Dimus Toby, Division 1 – Boigu Island
Cr Torenzo Elisala, Division 2 – Dauan 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 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)
Mr David Abednego, Executive Manager, Community Services (EMoCS)
Ms Hollie Faithfull, Acting Executive Manager Financial Services (AEMFS)
Ms Julia Maurus, Manager Legal Services (MLS)
Mr David Baldwin, Executive Manager Engineering Services (EMES) – VC from Cairns office
Mrs Ursula Nai, Senior Executive Assistant (SEA)
Mrs Kathy Cochran – Secretariat Officer (SO)

Apologies

Mr John Coyle, Executive Manager Housing Services (EMHS) – On Leave
Cr Clara Tamu, Division 10 – Warraber Island

1. **9:05am – 9:10am** **Opening Prayer by Cr Fell and Welcome by Mayor Gela**

Mayor Gela, Welcome and Opening Remarks

Mayor Gela welcomed everyone and acknowledged the traditional owners of the land in which were holding our meeting and paid respects the Kaurareg Nation as the traditional owners and all Elders past and present.

Mayor Gela also acknowledged Councillors, the CEO and staff and thanked them for their attendance and participation.

Mayor Gela invited Cr Fell to open the meeting in prayer and asked everyone to observe a minute silence after for families who have lost loved ones.

2. **9:15am – 9:17am** **Apologies**

Cr Tamu applied for leave of absence in advance at the August Ordinary meeting.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Elisala

That Council accept the apology from Cr Tamu for her absence at this meeting.

MOTION CARRIED

NOTE: Mayor Gela informed Council, Cr Tamu submitted a written apology for the October Ordinary meeting at Mabuyag. This will be addressed later at Agenda item 24. Leave in Advance.

Cr Nai asked MLS advice on the leave in advance where the reason given is second employment. MLS advised the second employment reason can only be used twice in a calendar year.

ACTION: SO to compile a list of Councillors who took leave through out the year for second employment and send to all Councillors so they are aware if they've exhausted the second employment category.

3. **9:17am – 9:49am** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

Name of Councillor	Agenda Item	COI/MPI
Cr Sabatino	Katter Lease and House Sale Price	COI – brother is an applicant
Cr Nai	Katter Lease and House Sale Price	COI – beneficiary to an already granted lease
Mayor Gela	Katter Lease and House Sale Price	Agent for the applicants
Cr Nona	Katter Lease and House Sale Price	COI - PBC Chair Badu and beneficiary
Cr Stephen	Katter Lease and House Sale Price	MPI – Father is an applicant

Councillors will have an opportunity to make a disclosure at any time during the meeting.

4. **9:49am – 9:51am** **Confirmation of August 2018 Ordinary Meeting Minutes**

RESOLUTION:

Moved: Cr Lui; *Second:* Cr Fell

That the minutes of the Ordinary Meeting held in August 2018 be adopted as a true and accurate record of that meeting.

MOTION CARRIED

5. 9:51am – 9:16am Outstanding Strategic Ordinary Meeting Action items

1. Australia Post delivery to Ugar and Seaswift contract

ACTION: EMCoS/ MP - Organise meeting with Australia Post/ Sea Swift/ GBR Helicopters to further discuss the contractual arrangements for Ugar Mail Service

ACTION: EMCoS/ MP/ MLS/ RM (Dawson Sailor) - Draft a petition framework to be circulated for community members regarding the current arrangements with the mail service for Ugar.

2. Kubin Community Hall – BSU - currently work in progress

3. CEO to contact David Kempton and Corey McCormack (RDA/NAIF) – In progress

6. 10:17am – 10:03am SARG Update - Verbal

No SARG update due to the Zenadth Kes Cultural festival and no quorum.

The next SARG meeting will be held at a date to be fixed before the next Ordinary meeting in October.

7. 10:03am – 10:04am LEGAL – Boigu Advisory Committee

MLS spoke to this report, the purpose of the report is to propose the appointment of a Voting Member to the Boigu Advisory Committee.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Nona

That Council appoint Pabai Pabai as a voting member of the Boigu Advisory Committee under Expression of Interest process.

MOTION CARRIED

8. 10:04am – 10:25am LEGAL – Communication Guidelines

MLS spoke to this report. The purpose of this report is to:

1. Brief Council on a Crime & Corruption Commission (CCC) report from the investigation into Ipswich City Council; and
2. Propose that Council adopt the CCC recommendation to prohibit councillors and employees from using private email accounts for the purpose of conducting official business.

RESOLUTION:

Moved: Cr Nona; *Second:* Cr Levi

That Council endorse the amended Communications Guideline as presented, and subject to any further amendments decided at the November 2018 Workshop.

MOTION CARRIED

ACTION: MLS to compile a list of do's and don'ts of the Communication Guidelines and circulate a one page list to all Councillors.

ACTION: SEA to place media communication training for Councillors on the November workshop agenda.

10:25am – 10:59am- Morning Tea break

9. **10:59am – 11:00am** **LEGAL – Hammond TSILA Application**

- Cr Sabatino declared a conflict of interest (COI)
 - COI details: Cr Sabatino's brother is the applicant.
 - How the Councillor proposed to deal with the COI: Cr Sabatino left the room at 10:59am.

- Cr Bosun declared a conflict of interest (COI)
 - COI details: Cr Bosun is a Traditional owner.
 - How the Councillor proposed to deal with the COI: Cr Bosun left the room at 10:59am.

MLS spoke to this report. Mayor Gela advised this report will be tabled in Closed Business.

10:59am – Cr Sabatino and Cr Bosun re-joined the meeting.

10. **11:00am – 11:02am** **LEGAL – Hammond Development Application – Lot 104-106 & 155**

MLS spoke to this report.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Sabatino

That Council issue a Development Permit for 'Reconfiguration of a lot' with the inclusion of the conditions set out in Part 2 of the Agenda Report. (New Lots 105 & 106 SP302207 for Social housing & new Lots 104 & 155 for TSIRC).

MOTION CARRIED

11. **11:02am – 11:39am** **LEGAL – LHA Katter Leases and House Sale Price**

- Cr Gela declared a conflict of interest (COI)
 - COI details: Cr Gela is the agent for the applicants.
 - How the Councillor proposed to deal with the COI: Cr Gela left the room 11:02am.

- Cr Nai declared a conflict of interest (COI)
 - COI details: Cr Nai is on a granted lease.
 - How the Councillor proposed to deal with the COI: Cr Nai left the room at 11:02am.

- Cr Stephen declared a conflict of interest (COI)
 - COI details: Cr Stephen is on a beneficiary.
 - How the Councillor proposed to deal with the COI: Cr Stephen left the room at 11:02am.

- Cr Nona declared a conflict of interest (COI)
 - COI details: Cr Nona is a beneficiary and a PBC Chair.
 - How the Councillor proposed to deal with the COI: Cr Nona left the room at 11:02am.

MLS spoke to this report, the purpose of the report is to allow Council to confirm the sale price of Katter (LHA) lease houses. Mayor Gela asked Deputy Mayor – Cr Lui to Chair the meeting in his absence from the room due to his COI as mentioned above.

11:39am – Cr Gela, Cr Nai, Cr Stephen and Cr Nona re-joined the meeting.

THIS ITEM IS LEFT LYING ON THE TABLE

ACTION: Mayor and CEO to have a deputation with the Minister for Housing and Local member, Ms Cynthia Lui regarding housing entitlements and sub leases.

ACTION: SEA to place on the November workshop agenda LHA Katter Lease – sub lease category to be workshopped by Councillors.

12. 11:39am - 12:39pm COUNCIL MOVE INTO TRUSTEE

RESOLUTION:

Moved: Cr Nai; *Second:* Cr Bosun

That in accordance with Section 83 of the 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. 11:40am – 11:45am LEGAL – TRUSTEE – HAMMOND Development Application – Lot 104 – 106 & 155

MLS spoke to this report.

RESOLUTION:

Moved: Cr Sabatino; *Second:* Cr Fell

That the Trustee recommend that Council issue a Development Permit for ‘Reconfiguration of a lot’ with the inclusion of the conditions set out in Part 2 of the Agenda Report. (New Lots 105 & 106 SP302207 for Social housing & new Lots 104 & 155 for TSIRC)

MOTION CARRIED

14. 11:45am – 12:38am COUNCIL MOVE INTO CLOSED BUSINESS

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Kaigey

That Council move into closed business.

MOTION CARRIED

14.1 LEGAL – LHA Katter Leases, Land and House Sale Prices

14.2 LEGAL – Hammond – TSILA Application

15. 12:38am – 12:39am COUNCIL MOVE OUT OF CLOSED BUSINESS

RESOLUTION

Moved: Cr Nai; *Second:* Cr Pearson

That Council move out of closed business.

MOTION CARRIED

14.1 LEGAL – LHA Katter Leases, Land and House Sale Prices

THIS ITEM LEFT LYING ON THE TABLE

14.2 LEGAL – Hammond – TSILA Application

THIS ITEM LEFT LYING ON THE TABLE

12:39pm – 1:59pm - LUNCH Break

16. 1:59pm – 1:59pm COUNCIL MOVE OUT OF TRUSTEE

RESOLUTION:

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

MOTION CARRIED

17. 1:59pm – 3:09pm OCEO – Treaty – Capping of traditional visitors numbers

Cr Lui spoke to this agenda item. Cr Lui informed Council the PNG government have taken a strong stance and have passed a regulation on the number of people a dinghy can carry at any given time. Discussion was had around the event being held on the 28th September at one of the PNG coastal village and the impact it may have on our three top western Divisions (Boigu, Saibai and Dauan).

RESOLUTION:

Moved: Cr Akiba; *Second:* Cr Kaigey

That Council endorse the restriction of traditional visitations under the Torres Strait Treaty to a maximum of 30 people per day (including children), subject to the discretion of the Divisional Councillor, to ensure water and infrastructure sustainability for each community.

MOTION CARRIED

3:09pm – 3:20pm – Afternoon tea break

18. 3:20pm - 4:10pm COUNCIL MOVE INTO CLOSED BUSINESS

RESOLUTION:

Move: Cr Elisala; *Second:* Cr Thaiday
That Council move into Closed Business.

MOTION CARRIED

18.1 ENGINEERING – NDRRA – Dauan Gangway and Pontoon

18.2 OCEO – Asbestos Discussion

ACTION: WHS Co-Ord to have discussion with Geoff Prior, Construction Manager to engage with contractors currently on ground at Badu and Erub regarding the assessment of the identified properties.

19. 4:10pm – 4:16pm COUNCIL MOVE OUT OF CLOSED BUSINESS

RESOLUTION:

Moved: Cr Nai; *Second:* Cr Fell
That Council move out of closed business.

MOTION CARRIED

18.1 ENGINEERING – NDRRA – Dauan Gangway and Pontoon

EMES spoke to this report. The purpose of this report is for Council to consider the recommendation for tender award for the 2018 NDRRA (Natural Disaster Relief and Recovery Arrangements) Works – Dauan Island Jetty Piling Works.

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Fell

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

- Award quotation no. 1838100 for Dauan Island (Stage 1) Jetty Piling Works to Pacific Marine Group Pty Ltd (PMG) for the amount of \$960,664.00 (ex. GST), subject to confirmation from PMG that plant and equipment is available within the nominated timeframe to coincide with existing Hammond Marine Access Upgrade works.
- Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with entering into the contracts under this arrangement.

MOTION CARRIED

20. 4:16pm – 4:17pm LEAVE IN ADVANCE

The following Councillors applied for leave in advance for the October 2018 Ordinary meeting being held in Division 8, Mabuiag Island.

- Cr Tamu – written request to Mayor Gela
- Cr Lui
- Cr Toby
- Cr Sabatino
- Cr Nona
- Cr Levi

21. 4:17pm – 4:18pm NEXT MEETING DATE

October 2018 Ordinary meeting date scheduled for;

Date: 16-17 October 2018
Venue: Community Hall, Mabuyag Island

22. 4:18pm – 4:25pm PRESENTATION 1: Mr Al Harris – Magpie Media

Mayor Gela welcomed Mr Harris to the meeting and introduced him to the full Council. Mr Harris gave a brief introduction about himself and his expertise.

23. 4:25pm – 5:02pm PRESENTATION 2: - Ms Christine Howard – Dementia Awareness

Mayor Gela welcomed Ms Howard, Dr Eddie Stivens, Rachael and Betty Sagigi who are presenting on Dementia Education and Awareness and the work they'll be doing with in the Region. Ms Howard invited Councillors to experience through a virtual reality goggle what it feels like to have dementia. Council supports Ms Howard and Dr Stivens and the team and thanked them for their presentation.

24. 5:02pm – 5:10pm MAYOR Closing remarks

Mayor Gela briefs Council on the exercise “Torres” taking place in the Region at present. Informed Council himself and the CEO will be absent tomorrow as they will be participant in the exercise. Mayor Gela thanked Deputy Mayor Lui for taking on the Mayoral role in his absence. Mayor Gela stated the CEO first anniversary with TSIRC is today.

Meeting Closed at 5:10pm - Prayer by Cr Thaiday

Present

Cr Fred Gela, Mayor
Cr Dimas Toby, Division 1 – Boigu Island
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
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 Abednego, Executive Manager, Community Services (EMoCS)
Ms Julia Maurus, Manager Legal Services, Office of the CEO (MLS)
Ms Ursula Nai, Senior Executive Assistant (SEA)
Mrs Kathy Cochran – Secretariat Officer (SO)

Apologies

Cr Keith Fell, Division 4 – Mabuiag Island
Cr Clara Tamu, Division 10 – Warraber Island
Mr John Coyle, Executive Manager Housing Services (EMHS)
Ms Hollie Faithfull, Acting Executive Manager Financial Services (AEMFS)
Mr David Baldwin, Executive Manager Engineering Services (EMES)

25. **9.00am – 9.05am** **Opening Prayer by Cr Levi and Welcome by Deputy Mayor**

Deputy Mayor Lui welcomed everyone and acknowledged the traditional owners of the land on which we're meeting.

26. **9:05am – 10:00am** **PRESENTATION 3:** Torres Strait Treaty Update – **Ms Leilani Bin Juda** – Torres Strait Treaty Liaison Officer, Department of Foreign Affairs and Trade, **Mr Solomon Bin Juda** – Australian Border Force, **Mr Charlie Kaddy** – TSRA CEO, **Mr Grant Doherty** – Australian Federal Police, **Mr John Jones** - Australian Fish Management and **Mr George Nona** – Department of Agriculture, Water and Resources.

Each Federal Agency presented an update to Council on their Departments work in the Region. All agencies had the same message with regards to the Political will of all their Department heads. They were also seeking a formal resolution for border closure for Traditional visits over the Christmas Period.

Deputy Mayor Lui thanked everyone for their update and advised, Council will need discuss this matter further at the next Ordinary meeting and will inform everyone if a resolution is passed.

10:15 am – 10:30am – Morning Tea

27. **10.30am – 11.30am** **PRESENTATION 4:** Commissioner of Declaration and Justice of the Peace information and training - **Mr Damien Mealey** and **Mr Peter Yorkston**, - Department of Justice.

Councillors requested training to become JP's/ Com Dec at the November workshop in Cairns.

ACTION: SEA to have discussion with Mayor and CEO about JP training for Councillors and place on workshop agenda if approved.

28. **11:30am – 12:00pm** **PRESENTATION 5:** COMLEK – Jigsaw and Core - Mr Jon Czyz via video conference from TSIRC office Cairns.

Cr Sabatino advised that Councillors were informed at the May OM in Cairns that the Pilot Project through COMLEK would be funded by COMLEK.

ACTION: SEA to review minutes of the May OM when COMLEK presented in Cairns to see what was discussed regarding the Pilot Project.

29. **12:00pm – 2:30pm** **PRESENTATION 6:** TSRA Governance Committee Update – **Mr Getano Lui Jnr** – Committee Chair, **Mr Pedro Stephen** – TSRA Chairman and committee member, **Mr Phillip Mills** – Committee member.

Meeting closed at 2:30pm – Closing prayer by Cr Thaiday