



**Torres Strait Island**  
REGIONAL COUNCIL

**MINUTES**

**ORDINARY MEETING**

Tuesday 16 October 2018: 9:00am to 5:00pm  
Wednesday 17 October 2018: 9:00am to 5:00pm

Community Hall, Mabuyag Island

**Tuesday 16 October 2018**

**Present**

Cr Fred Gela, Mayor

Cr Torenzo Elisala, Division 2 – Dauan Island

Cr Keri Akiba, Division 3 – Saibai Island

Cr Keith Fell, Division 4 – Mabuiag 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 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 Julia Maurus, Manager Legal Services (MLS)

Mrs Ursula Nai, Senior Executive Assistant (SEA)

Mrs Kathy Cochran – Secretariat Officer (SO)

**Apologies**

Cr Dimas Toby, Division 1 – Boigu Island

Cr Laurie Nona, Division 5 – Badu Island

Cr Mario Sabatino, Division 8 – KIRRIRI Island

Mr John Coyle, Executive Manager Housing Services (EMHS) – On Leave

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

1. **9:10am – 9:15am**                      **Opening Prayer by Cr Levi and Welcome by Mayor Gela**

**Mayor Gela, Welcome and Opening Remarks**

Mayor Gela welcomed everyone and invited Cr Levi to open the meeting in prayer.

Mayor thanked Cr Fell for holding the meeting in his Division and gave Cr Fell an opportunity to say a few words. Cr Fell welcomed the Councillors and staff to Mabuyag and thanked them for coming to his Community. Cr Fell went over some house keeping information and the catering being provided during their stay.

Mayor Gela acknowledged the traditional owners of the land in which were holding our meeting and paid respects to the traditional owners and elders past, present and emerging. Mayor also thanked the catering team.

2. **9:15am – 9:17am**                      **Apologies**

Cr Sabatino applied for leave of absence in advance at the September Ordinary meeting.

**RESOLUTION:**

*Moved:* Cr Bosun; *Second:* Cr Fell

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

**MOTION CARRIED**

Cr Toby applied for leave of absence in advance at the September Ordinary meeting.

**RESOLUTION:**

*Moved:* Cr Nai; *Second:* Cr Kaigey

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

**MOTION CARRIED**

Cr Nona applied for leave of absence in advance at the September Ordinary meeting.

**RESOLUTION:**

*Moved:* Cr Stephen; *Second:* Cr Elisala

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

**MOTION CARRIED**

**ACTION: SO to compile list of Councillors leave for second employment for 2018.**

3. **9:17am – 9:30am**                      **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 Pearson	Item 14 – St Andrew’s Church lease – Poruma Lot 55 and Item 18 – TRUSTEE – St Andrew’s Church lease Poruma Lot 55 Item 19 – Trustee – Department of Education lease Poruma Item 20 – Trustee – Home Affairs Lease Poruma	COI – family land
Cr Nai	Item 11 – Ugar Development Application – TCHHS and Item 12 – Dauan Development Application –	COI – Board member of the TCHHS Board.

	TCHHS	
Cr Akiba	Item 17 – Trustee – Saibai Lot 102 – Proposed Community Safety and Security Facility Lease	COI – PBC Chair - Saibai
Cr Elisala	Item 16 – Trustee – Dauan Development Application – TCHHS Item 20 – Trustee – Home Affairs Lease – Dauan	COI – family traditional land
Cr Stephen	Item 11 – Ugar Development Application	COI – family traditional land
Cr Kaigey	Item 13 – Mer Development Application	COI – family traditional land
Cr Tamu	Item 11 – Ugar Development Application – TCHHS and Item 12 – Dauan Development Application - TCHHS	COI – employee of Qld Health

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

**4. 9:30am – 9:44am Confirmation of September 2018 Ordinary Meeting Minutes**

Page 2 – Present list – add Ms Julia Maurus, Manager Legal Services (MLS)

**RESOLUTION:**

*Moved:* Cr Stephen; *Second:* Cr Pearson

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

**MOTION CARRIED**

**ACTION:** SEA – to add to the November Workshop Agenda – Regional Governance.

**5. 9:44am – 10:01am Business Arising from Information Reports**

1. Ugar Mail Service – update. EMCoS spoke to this report and briefed Council.

Mayor Gela stated there seems to be a no care factor from Sea Swift.

CEO informs there are discussions in progress regarding a weekly barge run from Erub to Ugar.

**ACTION:** Manager Procurement to have discussions with Sea swift and provide a feedback.

**ACTION:** EMCoS to liaise with CEO regarding updates

**ACTION:** COO to follow up with EMCoS with the ongoing progress of the Sea Swift discussion.

**6. 10:01am – 10:12am Outstanding Strategic Ordinary Meeting Action items**

1. Ugar Mail Service – update given see above item 5 – Business Arising from Information reports
2. Traditional Visitors Permit - completed
3. Christmas Closure period x 2 - completed
4. Communication Guidelines – November workshop
5. LHA Katter Leases and House Sale Price – Compensation from the state for loss of revenue November workshop
6. Asbestos Discussion – CEO updates Councillors
7. JP Training for Councillors – SEA emailed Councillors for them to make contact with Department of Justice to deliver training in their respective Division.

**7. 10:12am – 10:44am SARG Update - Verbal**

Mayor updated on the following;

1. SARG Minutes process - Mayor informed Councillors there is a closed business paper being presented later in the agenda.
2. Letter to the New Zealand and ACT government to visit during their sittings.
3. Minister de Brenni's visit – inspect housing development at Hammond Island and meeting with the three Mayors of the Torres Strait Region.
4. Letter from Hon. Jackie Tradd – consultation process – child rearing facts – legalising island adoption.
5. Diploma in Leadership and Management
6. Federal Election – formulate a 10 point plan. Mayor and Deputy Mayor to have a discussion and circulate the 10 point plan to Councillors for their input.
7. Australian Government Association – National – key areas
8. Crusher - a report being tabled later in the agenda
9. TWG meeting - 24<sup>th</sup> October

**ACTION:** SEA to copy the AGA national key areas and circulate to all Councillors.

CEO updated on the following;

1. Beautification Projects
2. Separate Corporate Entity
3. Aviation Risk – update
4. Letter sent to all aircraft operators
5. Torres Strait Flag
6. Telstra 4G upgrade over the next 18 months
7. Airstrip maintenance.
8. Lease of apartment in Cairns

**ACTION:** SEA to send an invitation to DATSIP Director General (Chris Sarra) to attend November OM in Cairns.

**10:44am – 10:55am- Morning Tea break**

**8. 10:55am – 11:10am OCEO – Traditional Movements over the Christmas Period**

MLS spoke to this report; the purpose of the report is to seek Council's endorsement of the suspension of traditional visits over the Christmas period.

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Lui

**That Council resolve that there be no travel or visits under the Torres Strait Treaty for the period Friday 21 December 2018 to Sunday 6 January 2019.**

**MOTION CARRIED**

**9. 11:10am – 11:14am OCEO – Annual Report 2017/2018**

CEO spoke to this report. The purpose of this report is to present the 2017-2018 Annual Report.

**RESOLUTION:**

*Moved:* Cr Lui; *Second:* Cr Pearson

**That Council endorses the 2017-2018 Annual Report.**

**MOTION CARRIED**

10. 11:14am – 11:26am FINANCE – Regional Grants Round 2 - 2018/2019

CEO spoke to this report. The purpose of the report is to present to Council for decision, the Regional Grants Applications for Round Two 2018/19. Eligible Applications have been received from:

1. Waibene Netball Association Inc.
2. Magi Apu Torres Strait Islander Corporation

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Levi

**That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy;**

1. **Waibene Netball Association Inc. for the eligible amount of \$2500 exclusive of GST**

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Elisala

**That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy;**

2. **Magi Apu Torres Strait Islander Corporation for the eligible amount of \$2500 exclusive of GST**

**MOTION CARRIED**

11. 11:26am – 11:32am LEGAL – Badu Lease Options

MLS spoke to this report. The purpose of this report is to allow Council to consider whether to exercise the option to extend its leases at Badu lots 200 and 623 for five years, to 31 January 2024.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Thaiday

**That Council exercise its five-year option (1 February 2019 to 31 January 2024) for the following lease:**

- **Lease 715599241 over Lot 200 on SP253545 Nona St, Badu Island Qld 4875 (Badu Childcare Centre);**

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* ; *Second:*

**That Council exercise its five-year option (1 February 2019 to 31 January 2024) for the following lease:**

- **Lease 715599222 over Lot 623 on SP253545 Yalla St, Badu Island Qld 4875 (TSIRC Contractor Accommodation);**

**ITEM LEFT LYING ON THE TABLE**

**ACTION:** MLS to investigate further – Badu lease (Lot 623).

12. 11:32am – 11:44am LEGAL – Ugar Development Application - TCHHS

- Cr Nai declared a conflict of interest (COI)
  - COI details: Cr Nai is a board member of the TCHHS Board.
  - How the Councillor proposed to deal with the COI: Cr Nai left the room 11:27am.
  
- Cr Stephen declared a conflict of interest (COI)
  - COI details: Cr Stephen's family traditional land ownership
  - Council voted Cr Stephen should leave the room.
  - How the Councillor proposed to deal with the COI: Cr Stephen left the room at 11:28am.
  
- Cr Tamu declared a conflict of interest (COI)
  - COI details: Cr Tamu is a Qld Health employee.
  - Council decided Cr Tamu does not have a COI.

MLS spoke to this report; the purpose of the report is for Council to approve an application received from Department of Health for a 'Material Change of Use' for expansion of the existing Primary Health Care Centre and Staff Accommodation, which requires a planning approval.

The development is for the following works at the Ugar Island Health Care facility:

- Extension of the existing building to provide additional space, staff accommodation and enclosed connection between buildings; and
- Demolition and internal refurbishments of existing buildings.

A summary of the relevant matters is provided as follows:

- The proposed development involves "Material Change of Use" which under the *Planning Act 2016* requires Council as the Assessment Manager to issue a formal Development Permit.
- The proposal is considered to be relatively consistent with relevant planning legislation and policies and therefore should be approved by Council.

**RESOLUTION:**

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

**That Council issue a Development Permit for 'Material Change of Use' with the inclusion of the conditions set out in Part 2 of the Agenda Report for Expansion of Ugar Primary Health Care Centre & Staff Accommodation (Lot 11 on SP282706).**

**MOTION CARRIED**

**11:44am:** Cr Stephen re-joins the meeting.

**13. 11:44am - 11:48am                      LEGAL – Dauan Development Application - TCHHS**

- Cr Elisala declared a conflict of interest (COI)
  - COI details: Cr Elisala – family traditional land
  - How the Councillor proposed to deal with the COI: Cr Elisala left the room 11:44am.

MLS spoke to this report. Council has received an application from the Department of Health for a 'Material Change of Use' for expansion of the existing Primary Health Care Centre (PHCC) and Staff Accommodation, which requires a planning approval.

The development is for the following works at the Dauan Island Health Care facility:

- Extension of the existing building to provide additional space, staff accommodation and enclosed connection between buildings on Lot 49 SP270872.
- Demolition and internal refurbishments of existing buildings;
- Temporary Primary Health Care Centre to decant existing services (Area A); and
- Temporary construction lay down area (Area B).
- Sewage Disposal Area on part of Lot 48

A summary of the relevant matters is provided as follows:

- The proposed development involves “Material Change of Use” which under the *Planning Act 2016* requires Council as the Assessment Manager to issue a formal Development Permit.
- The proposal is considered to be relatively consistent with relevant planning legislation and policies and therefore should be approved by Council.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Bosun

**That Council issue a Development Permit for ‘Material Change of Use’ with the inclusion of the conditions set out in Part 2 of the Agenda Report for Expansion of Dauan Primary Health Care Centre & Staff Accommodation (Lot 49 and part of Lot 48 on SP270872).**

**MOTION CARRIED**

**11:48am:** Cr Nai and Cr Elisala re-joined the meeting.

**14. 11:48am – 11:54am                      LEGAL – Mer Development Application – DATSIP**

- Cr Kaigey declared a conflict of interest (COI)
  - COI details: Cr Kaigey – allocation to a family member – Lease AA is sister’s land
  - Council decided Cr Kaigey should leave the room.
  - How the Councillor proposed to deal with the COI: Cr Kaigey left the room 11:49am.

MLS spoke to this report. Council has received an application from the Department of Aboriginal and Torres Strait Islander Partnerships for a 'Reconfiguration of a Lot' for creation of 2 leases which requires a planning approval.

The development will create lots on Mer Island as shown on **Attachment 1** and listed below:

- New Lease AA (known as Lot 802 for social Housing)
- New Lease AB (known as lot 40 for social Housing)

A summary of the relevant matters is provided as follows:

- The proposed development involves 'Reconfiguration of a Lot' which under the *Planning Act 2016* requires Council as the Assessment Manager to issue a formal Development Permit.
- The proposal is considered to be relatively consistent with relevant planning legislation and policies and therefore should be approved by Council.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Lui

**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 (Proposed Leases AA (lot 802) and AB (lot 40) for Mer Social Housing).**

**MOTION CARRIED**

**11:54am:** Cr Kaigey re-joins the meeting.



15. 11:54am – 11:55am COUNCIL MOVE INTO TRUSTEE

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Levi

**That in accordance with Section 83 of the Local Government Act 2009 (QLD) management of Community Development 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**

16. 11:55am – 12:08am LEGAL – TRUSTEE – St Andrew’s Church Lease – Poruma Lot 55

Councillors are reminded to declare any personal interests relating to:

- Saint Andrew’s Anglican Church (Poruma)
- Church office-holder positions for any Church in the region
- Traditional owner interests at Poruma

Note: Membership of a church (involving no personal financial gain or loss) is not a declarable personal interest.

- Cr Pearson declared a conflict of interest (COI)
  - COI details: Cr Pearson – signatory/office holder of St Andrew’s Church Poruma
  - How the Councillor proposed to deal with the COI: Cr Pearson left the room 11:57am.
- Cr Lui declared a conflict of interest (COI)
  - COI details: Cr Lui – Church office holder (Iama)
  - How the Councillor proposed to deal with the COI: Cr Lui left the room 11:57am.
- Cr Fell declared a conflict of interest (COI)
  - COI details: Cr Fell – Church office holder (Mabuyag)
  - How the Councillor proposed to deal with the COI: Cr Fell left the room 11:57am.
- Cr Levi declared a conflict of interest (COI)
  - COI details: Cr Levi – Church office holder (St Pauls)
  - How the Councillor proposed to deal with the COI: Cr Levi left the room 11:57am.
- Cr Stephen declared a potential conflict of interest (COI)
  - COI details: Cr Stephen – Church financial signatory (Ugar)
  - Council decided Cr Stephen had a COI should leave the room.
  - How the Councillor proposed to deal with the COI: Cr Stephen left the room 11:57am.
- Cr Thaiday declared a potential conflict of interest (COI)
  - COI details: Cr Thaiday – Church Pastor (Erub)
  - Council decided Cr Thaiday did not have a COI.

No quorum – Mayor Gela proposed a motion to have the Trustee delegate deciding the matter to the Chief Executive Officer.

**RESOLUTION**

*Moved:* Cr Tamu; *Second:* Cr Bosun

**That Council delegate deciding the matter to the Chief Executive Officer under Section 257 of the Local Government Act 2009 due to a majority of Councillors in attendance informing the meeting that they have a personal interest in the matter.**

**MOTION CARRIED**

**12:08pm:** All Councillors re-joined the meeting.

17. **12:08pm – 12:10pm**                      **LEGAL – TRUSTEE – Dauan Development Application TCHHS**

- Cr Nail declared a conflict of interest (COI)
  - COI details: Cr Nai – a member of the TCHHS Health Board
  - How the Councillor proposed to deal with the COI: Cr Nai left the room 12:08am.
- Cr Elisala declared a conflict of interest (COI)
  - COI details: Cr Elisala – family traditional land
  - How the Councillor proposed to deal with the COI: Cr Elisala left the room 12:08am.

MLS spoke to this report.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Thaiday

1. ***That the Trustee recommend issue a Development Permit for ‘Material Change of Use’ with the inclusion of the conditions set out in Part 2 of the Agenda Report for Expansion of Dauan Primary Health Care Centre & Staff Accommodation (Lot 49 and part of Lot 48 on SP270872).***
2. ***That the Trustee require Torres and Cape Hospital and Health Service to apply for Trustee approval, prior to the expiry of the proposed short-term lease over part of Lot 48 on SP270872, for the proposed permanent tenure arrangements pertaining to the portion of Lot 48 on SP270872 to be burdened by the provision of the new secondary sewerage treatment system soakage trenches. Any such approval shall also be subject to native title future act validation, development approval, survey, and confirming Trustee consultation with community.***

**MOTION CARRIED**

18. **12:10pm – 12:28pm**                      **LEGAL – TRUSTEE – Department of Education Lease – Poruma And TCHHS Lease - Mabuiaq**

- Cr Pearson declared a conflict of interest (COI)
  - COI details: Cr Pearson – family traditional land - Poruma
  - How the Councillor proposed to deal with the COI: Cr Pearson left the room 12:10am.

MLS spoke to this report.

**RESOLUTION:**

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

1. ***That the Trustee, pursuant to the Torres Strait Islander Land Act 1991 (Qld), grant the State of Queensland represented by the Department of Education an extension to 18 September 2020 of the date for the satisfaction of the native title requirements in relation to the proposed lease of Lot 50 on SP270862 (Poruma Island), and delegate to the Chief Executive Officer the power to conclude the terms of this lease with the Department of Education.***

**MOTION CARRIED**

**12:28pm:** Cr Pearson re-joins the meeting.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Levi

2. ***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 31 December***

2018 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**

19. **12:33pm - 12:35pm**                      **LEGAL – TRUSTEE – Saibai Lot 102 – Proposed Community Safety and Security Facility Lease**

- Cr Akiba declared a conflict of interest (COI)
  - COI details: Cr Akiba – PBC member - Saibai
  - How the Councillor proposed to deal with the COI: Cr Akiba left the room 12:33pm.

MLS spoke to this report. Trustee noted that QPS is responsible for removing the squatter on lot 102.

**RESOLUTION:**

*Move:* Cr Fell; *Second:* Cr Kaigey

1. ***That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant, subject to native title future act validation and development approval, a standard lease to the State of Queensland (as represented by the Queensland Police Service) over lot 102 on SP296838, at Saibai Island (2,437m<sup>2</sup>), for the construction and operation of a Community Safety and Security Facility.***
2. ***That the Trustee delegate to the Chief Executive Officer the power to conclude the terms of the above lease.***

**MOTION CARRIED**

**12:35pm:** Cr Akiba re-joins the meeting.

20. **12:35pm – 12:56pm**                      **LEGAL – TRUSTEE – Home Affairs Lease Dauan Lot 77**

- Cr Elisala declared a conflict of interest (COI)
  - COI details: Cr Elisala – family traditional land ownership
  - How the Councillor proposed to deal with the COI: Cr Elisala left the room 12:35pm.

MLS spoke to this report.

**RESOLUTION:**

*Moved:* Cr Thaiday; *Second:* Cr Pearson

1. ***That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant, subject to registration of Indigenous Land Use Agreement to which Council is a party, and subject to surrender of existing lease 705323916, a standard lease to the Commonwealth of Australia represented by the Department of Home Affairs, over Lot 77 on SP270872 (625m<sup>2</sup>) at Dauan Island, title reference 51093486, for the purpose of operating and maintaining a radio telecommunications tower and the use of the existing helipad by aircraft on the Leased Area for the purposes of servicing the leased area and affixed infrastructure.***
2. ***That the Trustee delegate to the Chief Executive Officer the power to conclude the terms of each of the above leases.***

**MOTION CARRIED**

**12:56pm:** Cr Elisala re-joins the meeting.

21. 12:56pm – 12:56pm COUNCIL MOVE OUT OF TRUSTEE

**RESOLUTION:**

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

**That Council move out of Trustee.**

**MOTION CARRIED**

22. 12:56pm – 1:00pm LEGAL – St Andrew’s Church Lease – Poruma Lot 55

- Cr Pearson declared a conflict of interest (COI)
  - COI details: Cr Pearson – signatory/office holder of St Andrew’s Church Poruma
  - How the Councillor proposed to deal with the COI: Cr Pearson left the room 11:57am.
- Cr Lui declared a conflict of interest (COI)
  - COI details: Cr Lui – Church office holder (Iama)
  - How the Councillor proposed to deal with the COI: Cr Lui left the room 11:57am.
- Cr Fell declared a conflict of interest (COI)
  - COI details: Cr Fell – Church office holder (Mabuyag)
  - How the Councillor proposed to deal with the COI: Cr Fell left the room 11:57am.
- Cr Levi declared a conflict of interest (COI)
  - COI details: Cr Levi – Church office holder (St Pauls)
  - How the Councillor proposed to deal with the COI: Cr Levi left the room 11:57am.
- Cr Stephen declared a potential conflict of interest (COI)
  - COI details: Cr Stephen – Church financial signatory (Ugar)
  - Council decided Cr Stephen had a COI should leave the room.
  - How the Councillor proposed to deal with the COI: Cr Stephen left the room 11:57am.
- Cr Thaiday declared a potential conflict of interest (COI)
  - COI details: Cr Thaiday – Church Pastor (Erub)
  - Council decided Cr Thaiday did not have a COI.

Cr Lui chaired the meeting, no quorum; Councillors re-joined the meeting at 1:00pm.

**RESOLUTION**

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

**That Council delegate deciding the matter to the Chief Executive Officer under *Section 257 of the Local Government Act 2009* due to a majority of Councillors in attendance informing the meeting that they have a personal interest in the matter.**

**MOTION CARRIED**

**LUNCH Break – 1:00pm – 1:45pm**

**Note:** Cr Lui – Deputy Mayor, now chairing the meeting. Cr Fell inform Chair, Cr Levi has given apology – not feeling well and went home.

**23. 1:45pm – 1:59pm SARG Minutes**

MLS spoke to this report.

**RESOLUTION:**

*Moved:* Cr Bosun; *Second:* Cr Akiba

- 1. That Council, pursuant to *section 272 (6) of the Local Government Regulation 2012*, exempt the Strategic Advisory Reference Group (SARG) from the requirement to take minutes of its meetings.**
- 2. That the SARG Terms of Reference be amended accordingly, noting that SARG must give Council a written report of its deliberations and its advise or recommendations in accordance with *section 272 (8) of the Local Government Regulation 2012*.**

**MOTION CARRIED**

**ACTION:** MLS to update Strategic Advisory Reference Group Terms of Reference to reflect minute's exemption as per Council resolution.

**24. 1:59pm – 2:30pm COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Fell

**That Council move into closed business.**

**MOTION CARRIED**

**23.1 LEGAL - Procurement – Miller Harris Lawyers**

**23.2 ENGINEERING – Tender report for Sewage Pump Station and Water Supply Upgrades  
Contract Award for MIP6**

**25. 2:30pm – 2:30pm COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Thaiday; *Second:* Cr Fell

**That Council move out of Closed Business.**

**MOTION CARRIED**

**24.1 2:30pm – 2:31pm LEGAL – Procurement – Miller Harris Lawyers**

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Bosun

**That pursuant to *section 235(b) of the Local Government Regulation 2012 (Qld)*, Council authorise the Chief Executive Officer to engage the legal services of Miller Harris Lawyers to advise and provide representation with respect to gas bottle supply, on the basis that it would be impractical or disadvantageous for Council to invite quotes or tenders due to the specialised or confidential nature of the services.**

**MOTION CARRIED**

24.2 2:31pm – 2:32pm

**ENGINEERING – Tender Report for Sewage Pump Station and Water Supply Upgrades Contract Award for MIP6**

**RESOLUTION:**

Moved: Cr Fell; Second: Cr Thaiday

**That Council resolves to:**

- Award Contract TSIRC 2018-122 to Koppens Developments Pty Ltd in the amount of \$6,470,945.40 (GST Exclusive), with works ordered based on available budget, subject to scope approval 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.

**MOTION CARRIED**

26. 2:32pm – 2:43pm

**Business Arising from Information Reports**

- Community Services – Child Care

EMCoS spoke to this report and informed Council on enrolment numbers and the affects being felt across the region.

**2:43pm:** Mayor Gela re-joins the meeting.

27. 2:54pm – 4:45pm

**COUNCIL MOVES INTO CLOSED BUSINESS**

**RESOLUTION:**

Moved: Cr Nai; Second: Cr Elisala

**That Council move into closed business.**

**MOTION CARRIED**

**3:05pm** – Staff asked to leave the room.

**4:45pm** – Staff re-joins the meeting.

28. 4:45pm – 4:55pm

**Leave in Advance**

The following Councillors applied for leave in advance for the November meeting/ workshop in Cairns from 11-24 November 2018.

- Cr Nai
- Cr Elisala and
- Cr Sabatino

29. 4:45pm – 5:00pm

**Closing Remarks**

Mayor and CEO informed Councillors they will commence their community visits to the Divisions in the near future and they'll be in each community for two nights and three days.

**ACTION:** SEA to liaise with Cr Stephen regarding the community visit to Ugar.

**ACTION:** SEA to liaise with Mayor Gela on the dates for each community and then distribute to all Councillors for feedback.

Mayor Gela thanked everyone for their attendance and the caterers. Mayor makes an announcement for \$5000 be given to the community of Mabuyag. Mayor Gela also informs Council; Cr Lui will be undertaking the Mayoral role tomorrow for the remainder of the Ordinary meeting.

**Meeting Closed at 5:10pm - Prayer by Cr Fell**

**Present**

Cr Torenzo Elisala, Division 2 – Dauan Island  
Cr Keri Akiba, Division 3 – Saibai Island  
Cr Keith Fell, Division 4 – Mabuiag 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 David Abednego, Executive Manager, Community Services (EMoCS)  
Ms Jan Pool, Chief Operating Officer (COO)  
Ms Ursula Nai, Senior Executive Assistant (SEA)  
Mrs Kathy Cochran – Secretariat Officer (SO)

**Apologies**

Cr Fred Gela, Mayor  
Cr Dimas Toby, Division 1 – Boigu Island  
Cr Laurie Nona, Division 5 – Badu Island  
Cr Mario Sabatino, Division 8 – Kirriri Island  
Mr John Coyle, Executive Manager Housing Services (EMHS) – on leave  
Ms Hollie Faithfull, Acting Executive Manager Financial Services (AEMFS) – on leave  
Mr David Baldwin, Executive Manager Engineering Services (EMES)  
Ms Julia Maurus, Manager Legal Services, Office of the CEO (MLS)  
Mr Bruce Ranga, Chief Executive Officer (CEO)

**30. 9.00am – 9.05am Opening Prayer by Cr Levi and Welcome by Deputy Mayor**

Deputy Mayor Lui welcomed Councillors and staff and acknowledged the traditional owners of the land on which we are meeting.

Deputy Mayor gave Council a brief history of the governance in our region to date for the Councillors information. He spoke on the Government expenditure and how we only tap into the 22% of Indigenous funding stream and not the other 78% of mainstream funding. However that percentage of funds can only be accessed by a non government organisation. The Tagai Kemer Kemer Zugabal presentation today is looking for Council support as leaders in the region. They have also had community consultation meeting through out our communities.

Deputy Mayor welcomed Bishop Nona, Dr Faafoi and Mr Ahmat to make their presentation.

**31. 9:05am – 9:12am PRESENTATION 1: TAGAI Kemer Kemer Zugabal - Community Controlled organisation – Bishop Tolowa Nona, Dr Elekana Faafoi And Mr James Ahmat.**

- Cr Lui declared a potential conflict of interest (COI)
  - COI details: Cr Lui is the Chair of the TSRA Regional Governance Committee
  - Council decided Cr Lui can remain in the room.
- Cr Elisala declared a potential conflict of interest (COI)
  - COI details: Cr Elisala is a registered member of TAGAI Kemer Kemer Zugabal
  - Council decided Cr Elisala can remain in the room.
- Cr Kaigey declared a potential conflict of interest (COI)
  - COI details: Cr Kaigey is a CCO for Mer
  - Council decided Cr Kaigey can remain in the room.

**Morning Tea break – 10:30am – 10:53am**

**10:53am – 11:15am Presentation 1: Tagai Kemer Kemer Zugabal continued**

Questions and Answer session - Some of the question asked were around cost of the registration fee, employment, community empowerment, where will the head office be based and where will this NGO sit in the Regional Assembly.

Deputy Mayor thanked Bishop Nona, Dr Faafoi and Mr Ahmat for their presentation and stated Council will need to have further discussion as a full Council and will inform them of the outcome.

**ACTION:** SEA to place on the November Workshop Agenda – Tagai Kemer Kemer Zugabal for further discussion.

**32. 11:15am – 11:30am General Business**

Deputy Mayor asked Councillors to email any general business items to the new Chief Operating Officer – Jan Pool for attention. Deputy Mayor thanked everyone again for their attendance and bid them safe travels back to their respective home.

**Meeting closed at 11:30pm – Closing prayer by Cr Fell**