



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

Wednesday 21 August 2019: 9:09am to 4:40pm
Thursday 22 August 2019: 9:20am – 3:30pm

Boigu Island Stadium, Boigu Island

Present

Cr Dimas Toby, Division 1 – Boigu
Cr Torenzo Elisala, Division 2 – Dauan
Cr Keri Akiba, Division 3 – Saibai
Cr Keith Fell, Division 4 – Mabuiag
Cr Laurie Nona, Division 5 – Badu
Cr Mario Sabatino, Division 8 – Kirriiri
Cr Clara Tamu, Division 10 – Warraber
Cr Rocky Stephen, Division 13 – Ugar
Cr Patrick Thaiday, Division 14 – Erub
Cr Bob Kaigey, Division 15 – Mer
Mr Bruce Ranga, Chief Executive Officer (CEO)
Mr Peter Krebs, Manager Legal Services (MLS)
Ms Ursula Nai, Senior Executive Assistant (SEA)
Mrs Kathy Cochran – Secretariat Officer (SO)

Apologies

Cr Fred Gela, Mayor
Cr David Bosun, Division 6 – Arkai (Kubin) Community, Mua Island
Cr John Levi, Division 7 – Wag (St Pauls Community), Mua Island
Cr Getano Lui Jnr, Division 9 – Iama
Cr Francis Pearson, Division 11 – Poruma
Cr Ted Nai, Division 12 – Masig
Ms Jan Pool, Chief Operating Officer (COO)
Ms Hollie Faithfull, Acting Chief Financial Officer (CFO)
Mr Luke Ranga, Head of Corporate Affairs and Engagement (HCAE)

1. **9:09am – 9:15am** **Opening Prayer by Cr and Welcome by Deputy Mayor Fell**

Deputy Mayor Fell welcomed everyone and thanked them for their attendance and invited Cr to open the meeting in prayer.

Deputy Mayor Fell acknowledged the traditional owners and elders past and present for Boigu and the whole of Zenadth Kes. Deputy Mayor also acknowledged Cr Toby and fellow Councillors and staff.

2. **9:15am – 9:33am** **Apologies**

- Cr Getano Lui Jnr, Division 9 – Iama
Cr Lui applied for leave of absence in advance at the July 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Nona; Second: Cr Stephen

That Council accepts the apology from Cr Lui for his absence at this meeting.

MOTION CARRIED

- Cr David Bosun, Division 6 – Kubin Community, Mua Island
Cr Bosun applied for leave of absence in advance at the July 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Nona; Second: Cr Kaigey

That Council accepts the apology from Cr Bosun for his absence at this meeting.

MOTION CARRIED

- Cr John Levi, Division 7 – St Pauls Community, Mua Island
Cr Levi applied for leave of absence in advance at the July 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Elisala; Second: Cr Tamu

That Council accepts the apology from Cr Levi for his absence at this meeting.

MOTION CARRIED

- Cr Ted Nai, Division 12 – Masig
Cr Nai applied for leave of absence in advance at the July 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Kaigey; Second: Cr Stephen

That Council accepts the absence of Cr Nai for his absence at this meeting.

MOTION CARRIED

- Cr Francis Pearson, Division 11 – Poruma
Cr Pearson applied for leave of absence in advance at the July 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Thaiday; Second: Cr Kaigey

That Council accepts the absence of Cr Pearson for his absence at this meeting.

MOTION CARRIED

Deputy Mayor gave Council and update on Cr Levi and his recovery.

3. **9:33am – 9:38am** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

- Cr Stephen declared a material person of interest (MPI) for Agenda item 10. LEGAL – Enterprise Divestment
 - MPI details: Cr Stephen's brother is the applicant.

Deputy Mayor encouraged Councillors to make their disclosure at any time during the meeting.

4. **9:38am – 10:46am** **Outstanding Strategic Ordinary Meeting Action Items**

1. Erub Sub Lease – Australian Government Solicitors are reviewing the Standard Lease Agreement. Ongoing – Update - Sept OM
2. Follow up on water tanks that don't work in the Division and check pressure also. Update – Sept OM
3. Hardship Advisory Committee Policy – Ongoing – Update Oct OM
4. Corporate Plan – Ongoing – Update Sept OM
5. Budget – DOGIT Leases – Ongoing – Update Sept OM
6. Budget – operating a business from a private house – Ongoing
7. Trailer Project – Update to be provided at Sept OM
8. 123 Damascus Road, St Pauls - Ongoing
9. Erub STP Renewal – TBA - Ongoing
10. 2021 NQ Games - Close
11. HLO working with Tagai – behaviour policy and system – Info report going to Sept OM
12. Grant Officer and procedures – COO to have offline discussions - Close
13. Shelters for Traditional visitors – Include Dauan on the Treaty Board – Ongoing
14. Community Grants – financial implications – Ongoing
15. Cultural Festival – OM Aug – Close
16. Tombstone – George Mye – Sept OM for discussion
17. Cr Nona email – funeral donations – close
18. Mayor and CEO visits – Oct OM
19. Grant time frame for applications – Completed – Close

ACTION: MLS - Write to TSRA under the CEO's hand, advising them of the sub leasing on their lease and the TO's being disadvantaged. Sept OM

ACTION: Cr Thaiday to also supply a letter of support to accompany the CEO's letter. Sept OM

ACTION: COO/ BSU - Erub Water Tank Project – Involve the respective Councillor of that Division from the start to end of the project. Review the quality of work on the tank project at Erub. Provide update - Sept OM

ACTION: COO/BSU – Conduct a review of all the water tanks across all Divisions and the quality of the pumps, focusing on their pressure.

ACTION: SEA – to write to BAS and extend and invitation for them to attend one of our OM in the Region.

ACTION: MLS to write to Ms Leilani Bin Juda and Cr Lui as the Chair to the Traditional Inhabitants Committee to have the Councillors from Ugar and Dauan added to Committee. As they too are affected and impacted by visitors from across the Boarder.

5. **10:46am – 10:47am** **SARG Update – Verbal**

Deputy Mayor advised Council he will provide a verbal update in closed business of the last SARG meeting held on Monday 24th March 2019 via video conference.

6. **10:47am – 10:48am** **Standing Agenda Items**

- Undocumented commercial land occupation project (verbal) – nothing new to update.
- IKC update – no update

7. **10:48am – 10:54am** **BUSINESS SERVICES – Approval of Revaluation Service Supplier**

CEO spoke to this report; the purpose of this report is to seek Council's endorsement of the nominated Local Buy approved supplier to conduct the 2019-20 Full Revaluation exercise.

RESOLUTION

Moved: Cr Sabatino; *Second:* Cr Nona

That Council endorse the appointment of Jones Lang LaSalle Public Sector Valuations Pty Ltd (JLL) to conduct and prepare the submission report for the 2019-20 financial year full valuation exercise.

MOTION CARRIED

8. **10:54am – 11:14am** **ENGINEERING – Divisional Traffic Management Plans**

EMES spoke to this report; the purpose of this report is to provide a consistent and standardised approach to speed limits across all 15 communities in the Torres Strait Island Regional Council Area.

RESOLUTION:

Moved: Cr Kaigey; *Second:* Cr Elisala

That Council;

- **Endorse the setting of speed limit in built up area at 40km/h**
- **Endorse the setting of speed limit in school zones of 20km/h**
- **Endorse the setting of speed limit in critical shared areas involving vehicles and pedestrians of 10km/h**

MOTION CARRIED

11:14 – 11:45am – Morning Tea Break

9. **11:45am – 11:45am** **COUNCIL MOVE INTO CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Nona

That in accordance with section 275 of the Local Government Regulation 2012 (Qld) it is resolved for the meeting to go into closed session to discuss matters of the following nature:

- a) **other business for which a 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.**

Further the public in attendance were asked to leave.

MOTION CARRIED

- Cr Rocky Stephen declared a material personal interest (MPI)
 - MPI details: Cr Stephen is the applicant's brother
 - How the Councillor proposed to deal with the MPI: Cr Stephen left the room at 11.45am.
- Cr Patrick Thaiday declared a potential conflict of interest (COI)
 - COI details: Cr Thaiday is a close relation to the applicant
 - How the Councillor proposed to deal with the COI: Cr Thaiday remained in the room and allowed to vote.

10. LEGAL SERVICES – Enterprise Divestment

12:08pm – Cr Stephen re-joined the meeting.

11. ENGINEERING – TSIRC NDRRA Works – Tender #TSIRC2019-153

12. ENGINEERING – Roads to Recovery Funding

13. OCEO – Proposal – Property Acquisition

ACTION: MLS to develop a procedure for all future potential applicants for TSIRC divested properties to be made fully aware of the implications and process.

14. 1:35pm – 1:35pm COUNCIL MOVE OUT OF CLOSED BUSINESS

RESOLUTION:

Moved: Cr Sabatino; *Second:* Cr Nona
That Council move out of closed business.

MOTION CARRIED

10. LEGAL SERVICES – Enterprise Divestment

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Kaigey

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

Community	Enterprise	Entity
Ugar	Community Centre kitchen	Brother Bear Fisheries

MOTION CARRIED

11. ENGINEERING – TSIRC NDRRA Works – Tender #TSIRC2019-153

RESOLUTION:

Move: Cr Elisala; *Second:* Cr Nona

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

- Award contract TSIRC2019-153 for 2019 TSIRC DRFA Works – Various Islands to Koppens Development Pty Ltd for the amount of \$2,008,778.92 (ex. GST).

- 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

12. ENGINEERING – Roads to Recovery Funding

RESOLUTION:

Moved: Cr Thaiday; *Second:* Cr Nona

That Council:

- The Roads to Recovery funding of \$777,171.00 is recommended to be used in conjunction with the ATSI TIDS funding of \$600,000.00 to increase the work yield and community benefit of the funding.
- Additional funding to further increase the work yield and community benefit of the funding is currently being explored by TSIRC Officers.
- Management of the works is proposed to be undertaken by Trinity Engineering and Consulting (TEC) to increase efficiency regarding value for money and timing.
 - It is proposed that TEC will be engaged under the Preferred Supplier Arrangement (TSIRC2018-113) in accordance with Section 8 of TSIRC's Procurement Procedure (PR-SP02-1).

MOTION CARRIED

13. OCEO – Proposal – Property Acquisition

RESOLUTION:

Moved: Cr Nona; *Second:* Cr Thaiday

That Council resolves to delegate authority to the Chief Executive Officer (CEO) to peruse;

- Negotiate the acquisition of two commercial properties, and
- Facilitate a land acquisition and Divestment Grant with the Indigenous Land Sea Cooperation (ILSC), and
- Facilitate a funding agreement with the Department of State Development , Manufacturing, Infrastructure and Planning (DSDMIP) for Round 5 of the Building Our Region – Remote and Aboriginal & Torres Strait Islander Fund and,
- Commence the due diligence process and negotiation.

MOTION CARRIED

1:42pm – 2:40pm – LUNCH

16. 2:49pm – 2:51pm Confirmation of July 2019 Ordinary Meeting Minutes

RESOLUTION:

Moved: Cr Sabatino; *Second:* Cr Kaigey

That the Minutes of the Ordinary Meeting held in July 2019 be adopted as a true and accurate record of that meeting.

MOTION CARRIED

17. 2:51pm –2:51pm Business Arising from Information Reports

No business arising.

18. **2:58pm – 2:59pm** **OCEO – Planning for Cultural Festival**

CEO spoke to this item and advised Council the Corporate Service department is taking on the preparation for the event. The proposal is to hold the event in 2020 and the venue to be on Badu.

19. **2:59pm – 4:30pm** **General Business**

Cr Toby asked in regards to a meeting with Donald Banu and others regarding Katter Leases. Majority of lease holders live in Cairns.

ACTION – MLS to review at what level TSIRC is funded, write to DATSIP

ACTION – MLS to meet with PBC Chair and Boigu Working group

Cr Nona asked CEO if the Region was getting any more new housing. CEO responded, nothing in the budget to date, however as we are a Housing Authority we can now get direct funding.

Deputations are being done in September and housing will be a huge topic.

Cr Nona requested an update on the asbestos on Badu. CEO provided Cr Nona with an update.

Cr Akiba raised the issue of imposing the 30 pax for traditional visitors and how to deal with overstayers and community members hiding them in their houses. . Discussions need to be had with Leilani Bin Juda, all other relevant agencies and TSIRC.

ACTION: MLS to review the Housing Policy to see if there are any provisions to remove. Explore section 16, Australian Federal Police and Boarder Force for advice. Speak to the Mayor, Cr Lui, and the NTO at TSRA and what avenues that has already been exhausted.

Next step to write to the relevant Minister if no results then go to the Media.

ACTION: MLS write a letter under the Mayor's hand to both elected Members asking who's responsible and give a time frame for a response. Then go to the Media.

ACTION: MLS/ HPM (Marie Claire) to review the Housing Policy to include a provision regarding harbouring of overstayers.

Cr Elisala thanked all Councillors and the communities of Saibai and Boigu for their support, prayers and messages to his community during the recent event.

Cr Thaiday raised the OM being held on Erub and asked if the Councillors were happy to be billeted.

CEO explained to Councillors the reason for the IBIS no longer providing the funds transfer for c community. This is due to their legal obligation and risk around cyber security.

Cr Stephen raised the following issues;

- Sewerage works
- 90 Bulker bags at Masig are being transported a few at a time to Ugar and the barge delivers only once a month. These bags are needed to complete the three houses on Ugar.
- Ugar has a new Divisional Manager

ACTION: COO/ BSU to have discussions with Seaswift regarding moving the bulker bags from Masig to Ugar.

Cr Fell asked if someone could address the problem of the air conditioner in the Community Hall at Mabuiaig keeps tripping the circuit.

ACTION: COO/ BSU – to investigate and resolve the air-conditioning tripping the circuit in the Mabuiag Community Hall.

Cr Nona asked CEO about an email regarding investment. CEO and Cr Nona to have offline discussion.

Cr Akiba asked for the pumps to be fixed at Saibai. CEO advised Cr Akiba that the COO and the team will be conducting a full audit on all the pumps across the region.

ACTION: COO/BSU – to fix the pumps at Saibai.

Cr Nona informed EMES of a toilet at the oval on Badu that is constantly running wasting water.

ACTION: EMES to have his water officers investigate the leak and arrange for it to be fixed.

ACTION: EMCoS /Divisional Staff – When complaints are lodged by elderly tenants, staff on ground need to assist them with their concerns and have a system in place to have the issues followed up within a minimal time frame.

ACTION: CEO to follow up with Jan re: portal for my issue for each Division.

Cr Tamu raised the issue about Discretionary funds and would like the criteria to be reviewed.

ACTION: HoCAE – to have an off line discussion with Cr Tamu

ACTION: SEA to include on the Agenda – “discretionary fund” to be workshopped at the November Workshop and having a policy around what Councillors should be supporting.

ACTION: CFO to investigate how community members are being made aware of what the balance of the Councillors discretionary funds are.

Cr Stephen asked about One Boat and the Regional Assembly.

ACTION: CEO to check the status of One Boat and add brief Council at September OM.

CEO advised himself and Mayor Gela will be meeting with TSRA Chair and CEO and will put Once Boat and the Regional Assembly on the Agenda for that meeting. SEA to add to agenda.

27. **4:30pm – 4:38pm** **Leave in Advance**

The following Councillors applied for leave in advance for the September 2019 OM;

- Cr Toby
- Cr Stephen
- Cr Tamu and
- Cr Nona

Deputy Mayor invited Ursula to speak on the travel for the November Workshop in Cairns. SEA informed Council the dates for the November Workshop are as follows;

Date: Monday 11 November – Friday 22nd November
Venue: Cairns – TBA

SEA asked for Councillors to advise her or Naila of the dates in which they wish to travel to Cairns and return and their accommodation venue if they have a preference providing it falls within the procurement guidelines of \$175 p/p/n.

Deputy Mayor thanked the community members, Councillors and staff for their attendance today.

30. 4:38pm – 4:40pm Next Ordinary Meeting Date

Date: 17 & 18 September

Venue: Video Conference

Meeting Closed at 4:40pm - Prayer by Cr Stephen

Present

Cr Dimas Toby, Division 1 – Boigu
Cr Torenzo Elisala, Division 2 – Dauan
Cr Keri Akiba, Division 3 – Saibai
Cr Keith Fell, Division 4 – Mabuiag
Cr Laurie Nona, Division 5 – Badu
Cr Mario Sabatino, Division 8 – Kirriri
Cr Clara Tamu, Division 10 – Warraber
Cr Rocky Stephen, Division 13 – Ugar
Cr Patrick Thaiday, Division 14 – Erub
Cr Bob Kaigey, Division 15 – Mer
Mr Bruce Ranga, Chief Executive Officer
Mr Peter Krebs, Manager Legal Services
Ms Ursula Nai, Senior Executive Assistant
Mrs Kathy Cochran – Secretariat Officer

Apologies

Cr Fred Gela, Mayor
Cr David Bosun, Division 6 – Arkai (Kubin) Community at Mua Island
Cr John Levi, Division 7 – Wug (St Pauls) Community at Mua Island
Cr Getano Lui Jnr, Division 9 – Iama
Cr Francis Pearson, Division 11 – Poruma
Cr Ted Nai, Division 12 – Masig
Ms Jan Pool, Chief Operating Officer (COO)
Ms Hollie Faithfull, Chief Financial Officer (CFO)
Mr Luke Ranga, Head of Corporate Affairs and Engagement (HCAE)

31. 9:00am – 9:05am Opening prayer and welcome by Deputy Mayor

Deputy Mayor welcomed everyone to the meeting and invited Cr Thaiday to open the meeting in prayer.

32. 9:05am – 10:05am PRESENTATION 1: Church of St Saviour – Rev. Stanley Marama

Rev. Marama and his congregation presented to Council on behalf of the community the need for urgent maintenance work to be done to the local church which is used by all the denominations on the island. They informed Council they have been fund raising for this reason and requested assistance from Council on a way forward.

ACTION: Grants department to assist Rev Marama and the church to source funding for the renovation of the church

be ACTION: BSU – tradespeople to provide the church with quotes for the work that needs to be done and then the church can work towards and budget goal to raise funds.

33. 10:30am – 11:30am PRESENTATION 2: Boigu Community Members

Community members raised their concerns over the cash transfer through IBIS - a service no longer available to the community. Families can't send money to children who are at boarding school or family members living down south.

ACTION: Send a letter from Council under the CEO's hand to the Chairman of CEQ asking for answers to the issue that community members have not with not being able to do funds transfers through their stores and possible solutions, given CEQ has a community service obligation.

34. 11:30am – 12:00noon PRESENTATION 3: Tagai College Leaders – Malukia Campus

Student leaders from the Malukia Campus of Tagai College presented to Council the following questions;

- When is our sea wall being built
- What height will the wall be
- What is Council doing about erosion
- What is Council doing about overcrowding in houses

Morning Tea – 10:45am – 11:50am

35. 11:50am – 1:00pm PRESENTATION 4: TSRA Programs – Mr Mark Anderson

- Small Business
- Economic Development
- Home ownership

36. **1:00pm – 2:00pm** **PRESENTATION 5:** NDIS – National Disability Insurance Services –
Mr Gaven Greenoff, Senior Support Officer, Communications
Connectors
37. **2:00pm – 3:00pm** **PRESENTATION 6:** SKYTRANS – **Mr Stuart Dechan**, CEO and
Ms Naomi Schiels, General Manager Corporate Services
38. **3:00pm – 3:30pm** **Closing Remarks**

Deputy Mayor thanked Councillor Toby and his community for their hospitality over the couple of days. Cr Fell also thanks the other Councillors and staff for their contribution and attendance at this meeting and wished them a safe journey back home to their respective Divisions.

Meeting Closed – 3:30pm