



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

Thursday 17 November 2016

Please find attached Minutes of the above meeting held on Thursday 17 November 2016 from 1:38pm-5:10pm in the Trinity Room at the Shangri La Hotel, Cairns

Thursday 17 November 2016

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 (*from 1.56pm*)

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)

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)

Ms Ella Kris, Acting Executive Manager Community Services (AEMCoS)

Ms Larissa Bani, Acting Executive Officer (AEO)

Apologies

Cr Mario Sabatino, Division 8 – Hammond Island

Cr Bob Kaigey, Division 15 – Mer Island

Ms Helen Tarrant, Executive Assistant (EA)

1. **1.38pm-1.39pm** **Opening Prayer and Welcome**

Cr Fell opened the meeting in prayer at the preceding Strategic Advisory Reference Group (SARG) meeting.

Mayor's Welcome and Opening Remarks

The Mayor acknowledged the Traditional Owners of the land on which we meet and elders both past and present and welcomed all to the meeting. The Mayor acknowledged and thanked staff and Councillors present.

2. **1.40pm-1.42pm** **Apologies**

Cr Kaigey – Approved Leave

RESOLUTION

Moved Cr Elisala, *Seconded* Cr Stephen

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

MOTION CARRIED

Cr Bosun – Approved Leave

Mayor noted Cr Bosun had applied for leave of absence in advance however, Cr Bosun advised Mayor in person yesterday that he would join the discussion today. Mayor and Cr Fell to discuss with Cr Bosun the incentives he received for attending this meeting today.

RESOLUTION

Moved Cr Elisala, *Seconded* Cr Akiba

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

MOTION CARRIED

Cr Sabatino – Approved Leave

RESOLUTION

Moved Cr Fell, *Seconded* Cr Levi

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

MOTION CARRIED

3. **1.43pm-1.44pm** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

Nil at this time but the Mayor noted Councillors can make a declaration later in the agenda, as appropriate.

4. **1.44pm-1.46pm** **Confirmation of October 2016 Ordinary Meeting Minutes**

RESOLUTION

Moved Cr Nai, *Seconded* Cr Nona

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

MOTION CARRIED

5. **1.47pm-1.57pm** **Action Item Summary from October 2016 Meeting**

ACEO noted Action items sent today via email to be accurate as of today.. They are all the strategic action items which came out of the Council meetings. There are two documents; one called incomplete that shows all the historical incomplete action items for Council, the other document is from the last two Council meetings including all the action items completed and action items transferred to Executives, being operational in nature. Councillors can then see what has been actioned and transferred from the previous meetings.

Previous Action Item 19.6 - Badu Wharf

Cr Nona queried Badu Wharf action item recorded as operational and if it is pending. ACEO clarified the item is an operational matter and has been transferred to Executive for actioning. Mayor noted the Legal team will liaise directly with Cr Nona on the matter in terms of progress.

Previous Action Item 19.8 – Mabuia Wharf

Cr Fell requested an amendment to the minutes as Mabuia does not have a finger wharf.

ACTION

EA to amend minutes of the October 2016 Ordinary meeting, 19.8 to ‘request for a wharf at Mabuia’.

Previous Action Item 15 – Treaty

Mayor noted action item is directly in line with discussions in SARG. ACEO noted forthcoming cross boarder meeting on Thursday Island next week.

ACEO queried if Councillors had any feedback to the new Action item format. Cr Toby requested that Councillors be included in email when operational actions items are sent to Executives for actioning. Cr Fell requested that action items are sent out in Excel format so they can filter action items when reviewing.

ACTION

ACEO/EA Excel action items to be distributed monthly to Councillors for SARG and OM meetings immediately prior to the meetings.

1:56pm Cr Bosun entered meeting.

6. 1.57pm-2.19pm Helicopter Subsidy

AEMCoS spoke to the report.

Cr Elisala queried the criteria of eligibility, management of bookings and teachers utilising the subsidy scheme. Mayor noted policy framework stipulated for community residence only, but policy required review to ensure it's not open to interpretation. The Mayor noted that improved control measures will need to be implemented to manage the bookings properly.

Cr Stephen noted in the past if a charter was flying out from Horn to Ugar to pick up passengers to return to Horn and there were spare seats available they would allow for passengers who were not classified as residents to utilise scheme. Cr Stephen noted that poorly managed bookings in the past were due to bookings being made outside of the community, and that future bookings should only be made within the community.

AEMCoS noted the scheme will be on Tuesdays and Thursdays only for the duration of the scheme; one charter to Dauan return and one charter to Ugar return.

The Mayor noted the need to look into the baggage allowance for passengers if charter is occupied by the maximum of six passengers.

Cr Nona noted looking into utilising MIPEC as means of transportation to minimise cost. The Mayor noted looking into taking advantage of those operations along with the Ferry when operational.

Cr Stephen noted if there is a surplus following the end of the subsidy scheme if Council can allow extending until end of January or until fully expended.

The Mayor noted amendment to part B of the recommendation; for the period of 12 December 2016 up to and including 6 January 2017 or until funds fully expended, Council adopts a \$90.90GST inclusive booking for administration fees of the subsidised helicopter passenger service.

RESOLUTION

Moved Cr Nai, Seconded Cr Elisala

- a. *That Council endorse subsidised helicopter passenger transport for Ugar and Dauan during the 2016 Christmas season.*
- b. *For the period of 12 December 2016 up to and including 6 January 2017, or until funds are fully expended, Council adopts a \$90.90 GST inclusive booking commercial fee for administration of the subsidised helicopter passenger service.*
- c. *Subject to operational budget commitment, Council endorse the proposed administrative procedures and administrative internal procedures to manage the subsidised helicopter passenger transport service for the 2016 Christmas season for Ugar and Dauan communities.*

MOTION CARRIED

7. **2:19pm-2:20pm** **Subordinate Local Law 4 – LATE REPORT**

Item withdrawn and deferred to December 2016 Ordinary meeting.

8. **2.20pm-2.28pm** **Delegations Register**

AEMCS spoke to the report.

The Mayor requested clarity on section 13.1 acquisition of land of the *Land act 1967*. ACEO noted that if you compulsorily acquire 99.9% of someone's land leaving .1% of land which is of no practical use or value to the person, you have to acquire the .1% of the land (extreme example only)

RESOLUTION

Moved Cr Lui, Seconded Cr Bosun

That pursuant to sections 257 and 260 of the Local Government Act 2009 (Qld), Council adopt the Instrument of Delegations of Local Government 2016–2017, as presented.

MOTION CARRIED

9. **2.29pm-3.15pm** **Closed Business**

RESOLUTION

Moved Cr Bosun, Seconded Cr Nai

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

(c) The local government's budget; or

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

(h) 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.

MOTION CARRIED

9.1 **Housing Strategy**

9.2 **Debtor Write-Off**

9.3 **Tender - Preferred Supplier Arrangement Goods and Services Report 1**

9.4 **Erub Subdivisional Works Tender QC73993**

10. **3.16pm-3.17pm** **Out of Closed Business**

RESOLUTION

Moved Cr Elisala, Seconded Cr Nai

That Council move out of closed business.

MOTION CARRIED

9.1 **3.17pm-3.18pm** **Housing Strategy**

RESOLUTION

Moved Cr Bosun, Seconded Cr Nona

That Council authorise the Chief Executive Officer to commence a feasibility study and associated discussions with necessary agencies, to investigate the extraction of Council from managing social housing in the short term, including but not limited to consideration of agency arrangement to Department of Housing and Public Works (<12 months).

MOTION CARRIED

9.2 **3.18pm-3.19pm** **Debtor Write-Off**

MPI declared by Cr Tamu re affiliation with debtor Warraber Island Sporting Association and left the room and did not vote.

COI declared by Cr Toby as named as a passenger on a Warraber Island Sporting Association flight. Councillors considered no conflict and Cr Toby was permitted to vote.

RESOLUTION

Moved Cr Bosun, Seconded Cr Pearson

That Council endorse write-off of \$256,234.87 of Statute Barred Debt and \$1,320.00 commercial debt. Total debt to be written off being \$257,554.87.

MOTION CARRIED

9.3 **3.19pm-3.19pm** **Tender - Preferred Supplier Arrangement Goods and Services Report 1**

RESOLUTION

Moved Cr Bosun, Seconded Cr Nai

That pursuant to the Local Government Act 2009 (Qld) and Local Government Regulation 2012 (Qld), Council resolve to enter into Preferred Supplier Arrangements with the preferred suppliers for the categories specified in this report for a period of two (2) years + a 2 year option to extend at the discretion of Council, and delegate all power financial and otherwise to the Chief Executive Officer to execute agreements and approve purchase orders in accordance with the adopted budget.

MOTION CARRIED

9.4 **3.19pm-3.20pm** **Erub Subdivisional Works Tender QC73993**

RESOLUTION

Moved Cr Thaiday, Seconded Cr Nona

That pursuant to the Local Government Act 2009 (Qld) and Local Government Regulation 2012 (Qld), Council award TSIRC 2016-20073/AECOM QC73993 at Erub Island to GNM Drainage & Civil for the total contract sum of \$701,298.00 GST Excl) and delegate power to the Chief Executive Officer to enter into contracts, authorise expenditure, and do all and any things necessary to effect the award.

MOTION CARRIED

11. **3.20pm-3.53pm** **Building Our Regions Fund – Late Report**

EMES spoke to the report.

EMES explained that the report was late due to the short timeframe given to submit funding applications which close on Friday 18 November 2016.

Cr Tamu queried if Council was contributing towards the projects if approved. EMES noted that Council would only provide assistance on ground with clearing existing structures.

Cr Stephen noted Engineering should consider Ugar helipad upgrade when applying for future airport upgrade funding.

ACTION

Letter to Minister Fentiman endorsing Council's Building Our Regions application.

RESOLUTION

Moved Cr Nai, Seconded Cr Stephen

1. *Nominate the projects listed below and in order of ranking as candidate projects under the 2016 Building our Regions Funding:*
 - a. *Mogor Well Pump Station Redevelopment*
 - b. *Poruma Airport Waiting Area Redevelopment*
 - c. *Saibai Airport Waiting Area Redevelopment*
2. *Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to submit the attached funding applications to the Department of State and Development under the Building our Regions Fund.*

MOTION CARRIED

Cr Nai blessed the Afternoon Tea
3:54pm-4:14pm Afternoon Tea

12. 4.15pm-4.15pm Meeting as Trustee

RESOLUTION

Moved Cr Nona, Seconded Cr Stephen

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

10.1 4.15pm-4.18pm Warraber Social Housing Lease

RESOLUTION

Moved Cr Tamu, Seconded Cr Pearson

'1. 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 SP270589, for Social Housing Purposes and other Government Services Use of and incidental to that purpose, namely: -

<i>Plan/Document number</i>	<i>Lot Number</i>	<i>Date</i>
<i>SP270589</i>	<i>Lot 120</i>	<i>29 June 2015</i>

MOTION CARRIED

RESOLUTION

Moved Cr Stephen, Seconded Cr Akiba

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 concluded and the separate meeting of the Indigenous Regional Council resumed.

MOTION CARRIED

13. 4.18pm-4:44pm Business Arising from Information Reports

- 13.1** Cr Nona queried the process of works costing greater than \$5000 is established as capital works. EMFS noted that it was a council policy and the Manager of Assets was looking at amending the profile as Council officers has been discussing at increasing that threshold.

ACTION

**EMES/MA to confirm scope of top 15 Badu Stadium capital works with Cr Nona.
EMFS/EMCS to increase threshold for capital works from \$5000**

- 13.2 Cr Stephen queried who funded MSAOs travels to attend TAFE for training as the MSAO from Ugar had to travel from Ugar to Erub via dinghy then flown to Horn through to Cairns. Cr Tamu noted that TAFE travels are arranged by TAFE and paid for by ABSTUDY.

ACTION

EMCS to investigate why ABSTUDY did not pay helicopter flights from Ugar to TI for connecting flights for MSAO training (but did on Dauan) – TAFE contacts is Joanne Savage

- 13.3 Cr Fell queried the progress of War Memorials and who was responsible for the project. ACEO noted DM for Poruma was responsible under the divisional administration and provides weekly reports of progress. ACEO noted that some divisions were on standby due to land issues and some waiting for advice back from Councillors. Mayor urged Councillors to report back to DM for Poruma to allow project to move forward.

ACTION

EO to provide war memorials advice to Councillors and CEO fortnightly by spreadsheet.

- 13.4 Cr Pearson queried what support would be provided from Council when opening of war memorials. Mayor noted no funds available to transport families to attending opening of plaque only funds to cater the feasting and the opening of the plaque.

ACTION

EMHS and BSU to investigate movement of trestles between Erub and Ugar by staff in private tinnies

- 13.5 Cr Lui queried if Council can utilise same program delivered on NPA with castration of horses for St Pauls and Kubin. Mayor noted program is funded by Biosecurity and conducted once annually. Cr Nona requested that Council can look into similar program for Badu.

ACTION

EMCoS to Consider DFAT funding for castration of horses for Badu and Moa.

14. 4.44pm – 5pm Matters arising from Information Reports

ACTION

EA to invite the QLD Health board and Court Circuit Judge due to key issues that has been addressed.

- 14.2 Cr Toby requested divisional staff to take lunch breaks by shift to allow office to be open all day. ACEO noted he will consider directing changed operating hours across the board.

ACTION

ACEO to consider directing across the board changed operating hours.

- 14.3 Cr Nona questioned if Councillors can have a team building session. Mayor directed Councillors to email him ideas for team building.

- 14.4 Mayor noted travel allowance will be paid to cater for your own breakfast, lunch and dinner for Council meeting in future. The community function will be catered for by the community for Warraber Dec OM.

15. 5.01pm-5.10pm General Business

- 15.1 Mayor noted following SARG meeting this morning Council will invite the Queensland Health and Court Circuit Magistrate to the next meeting to address issues raised.

16. 5.10pm Leave In Advance

Cr Akiba, Cr Nona, Cr Toby, Cr Thaiday, Cr Lui, Cr Stephen, Cr Elisala and Cr Pearson applied for leave in advance of the December meeting.

The Mayor directed Councillors to advise their final availability for Warraber meeting to EA by COB Wednesday 23 November 2016.

