



MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

JUNE 2021

Tuesday 29th June 2021, 10:30am – 5:00pm
Wednesday 30th June 2021, 9:00am – 3:00pm

Video Conference

Council Ordinary Meeting – Tuesday 29th June 2021

PRESENT

Cr Phillemon Mosby, Mayor (Erub)
Cr Dimas Toby, Division 1 – Boigu
Cr Torenzo Elisala, Division 2 – Dauan
Cr Keith Fell, Division 4 – Mabuiag
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island
Cr John Levi, Division 7 – St Pauls, Mua Island
Cr Seriako Dorante, Division 8 – Kirriri
Cr Getano Lui Jnr, Division 9 – Iama
Cr Kabay Tamu, Division 10 – Warraber
Cr Francis Pearson, Division 11 – Poruma
Cr Hilda Mosby, Division 12 – Masig
Cr Rocky Stephen, Division 13 – Ugar
Cr Jimmy Gela, Division 14 – Erub
Cr Aven Noah, Division 15 - Mer

Mr David Baldwin, Acting Chief Executive Officer (ACEO)
Ms Hollie Faithfull, Chief Financial Officer (CFO)
Mr Dawson Sailor, Acting Chief Operating Officer (COO)
Mr Adeah Kabai, Acting Chief Engineer (ACE)
Mr Peter Krebs, Senior Legal Counsel (SLC)
Ms Ursula Nai, Senior Executive Assistant (SEA)
Mrs Kathy Cochran, Secretariat Officer (SO)

APOLOGY

Cr Conwell Tabuai, Division 3 – Saibai
Cr Laurie Nona, Division 5 – Badu

COUNCIL ORDINARY MEETING

Tuesday 29th June 2021

Agenda Items

1. **11:11am – 11:14am** **Welcome and Opening Remarks**
- Mayor Mosby invited everyone back, did a roll call, establish quorum, and declared the June 2021 Council Ordinary meeting open. Mayor Mosby acknowledged the following;
- Traditional owners across our region of Zenadth Kes and
 - Papa God

2. **11:14am – 11:16am** **Apologies**
- Cr Conwell Tabuai – Division 3, Saibai
Cultural reasons, son's initiation.

RESOLUTION:

Moved: Cr Tamu; *Second:* Cr Elisala

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

MOTION CARRIED

Chief Financial Officer advised Council regarding Cr Tabuai leave, he won't be paid due to the reason not meeting any of the criteria stipulated in the legislation. Mayor Mosby raised and wanted noted again Ailan Kastom and why it should be captured in the legislation to accommodate culturally significant events. Full Council supports the Mayor's sentiments.

3. **11:16am – 11:17am** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**
- No declaration made. Mayor encouraged Councillors and staff to make a declaration at any time.
4. **11:17am – 11:26am** **Confirmation of Previous Council Ordinary Meeting Minutes**
- 24th May 2021 – Day 1 Ordinary Meeting

RESOLUTION

Moved: Cr Trinkoon; *Second:* Cr Pearson

That the minutes of day 1 of the Ordinary Meeting held on 24th May 2021, be adopted as a true and accurate record of that meeting.

MOTION CARRIED

- 25th May 2021 – Day 2 Ordinary Meeting

RESOLUTION

Moved: Cr Stephen; *Second:* Cr Pearson

That the minutes of day 2 of the Ordinary Meeting held on 25th May 2021, be adopted as a true and accurate record of that meeting.

MOTION CARRIED

- Cr Hilda Mosby declared a declarable conflict of interest for Agenda item 6 & 7 - LEGAL – LHA transfers Masig – Lot 17 & 20 respectively.
 - The parties are relatives of Cr Mosby
 - Senior Legal Counsel provide legal advice on the conflict
 - The Council all in favour for Cr Mosby to remain in the room, participate in the discussion and vote on the matter.

5. 11:26am – 11:58am Outstanding Council Ordinary Meeting Action Items

Acting Chief Executive Officer spoke to the reports and provide Council with and update on the outstanding item listed on the Register,

6. 11:58am – 12:02pm LEGAL – Transfer of Dwelling house on LHA – Masig Lot 17

Senior Legal Counsel, Mr Peter Krebs spoke to the report. Cr Mosby supports the application.

RESOLUTION:

Moved: Cr Noah; *Second:* Cr Pearson

That Council agrees to transfer of its social housing (Asset No. 1002945) on Lot 17 on SP277431 on Masig to Chelsea Ethel Bani and Mary Laurah Whap and remove it from the Social Housing Assets Register and authorise the Mayor and the Chief Executive Officer to sign the agreement for transfer of Dwelling.

MOTION CARRIED

7. 12:02pm – 12:07pm LEGAL – Transfer of Dwelling house on LHA – Masig Lot 20

Senior Legal Counsel, Mr Peter Krebs spoke to the report.

- Cr Hilda Mosby declared a declarable conflict of interest
 - Cr Hilda Mosby is related to the applicants (niece and nephew)

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Tamu

That Council agrees to transfer of its social housing (Asset No. 1002958) on Lot 20 on SP277431 on Masig to Ted Fraser Nai and Cynthia Elma Mabo and remove it from the Social Housing Assets Register and authorise the Mayor or the Chief Executive Officer to sign the agreement for transfer of Dwelling.

MOTION CARRIED

8. 11:45am – 12:00pm LEGAL – Church Services using TSIRC Facilities

Senior Legal Counsel, Mr Peter Krebs spoke to the report.

- Cr Lui declared a declarable conflict of interest.
 - Cr Lui is a priest in the Church of Torres Straits at Badu
 - Senior Legal Counsel provide legal advice
 - Council agrees unanimously agree for Cr Lui to remain in the room

ACTION: The Policy to be referred to our cultural, Arts and Land Committee for review.

ACTION: Senior Legal Counsel to engage with individual Councillors on 10 questions for feedback.

LUNCH Break - 12:24pm – 1:07pm

Mayor Mosby welcomed everyone back and did roll call to establish quorum. Acting Chief Executive Officer provided council with an update on the recent COVID case in Townsville, a BCP was held and a communique with the updates will be sent out to all staff.

9. 1:16pm – 1:28pm LEGAL – Complaint Public Official Policy Review

Senior Legal Counsel, Mr Peter Krebs spoke to the report.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Gela

Council resolves to adopt the updated SPO29 Complaint (Public Official) Policy, as presented, under section 48A of the *Crime and Corruption Act 2001*.

MOTION CARRIED

Cr Noah asked about vexatious complainants. Mr Krebs will take offline with Cr Noah.

10. 1:28pm – 1:56pm LEGAL – Delegation Update ENPR

Senior Legal Counsel, Mr Peter Krebs spoke to the report.

Cr Noah asked about TSIRC Authorised officers.

ACTION: Legal to provide and information report to Council regarding authorised officers and what their roles and responsibilities

Cr Lui asked to add “in consultation with the Mayor” and subject to Ailan Kastom.

MATTER LEFT LYING ON THE TABLE

11. 1:57pm – 1:45pm BUILDING – BSU Update – June 2021

Acting Chief Executive Officer Head of Building Services Unit, Mr Peter Jacques spoke to the report.

RESOLUTION:

Moved: Cr Tamu; *Second:* Cr Pearson

That Council resolves to note this report.

MOTION CARRIED

Cr Hilda Mosby asked regarding Fuel Bowser. Response – waiting on approval from PBC.

12. **1:45pm – 2:56pm** **BUILDING – DH&PW Interim/Forward Capital Works Funding**

Add additional option – Option 3 – Council seeks to add a third dot point.

3rd Option – Council seek to equal contribution of funding to all Division regardless of there population or housing needs.

ACTION: ACEO to confirm with the Department on whether we have to do the Housing Investment Plan and for those community that have already have there Master Plan in place.

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Stephen

That Council discuss, agree and resolve on allocation of the funding across each Division.

- That Council considers BSU example of the utilisation of proposed allocations.
- Upon response from the DHPW Council resolution will be sought to confirm acceptance of allocation outcomes.
- Equal distribution of funding to all Division regardless of population or housing needs and in consultation with the individual Councillor.

MOTION CARRIED

13. **3:09pm –3:16pm** **CORPORATE – Grant Funding Application**

Chief Financial Officer informed council of an urgent grand application from Colin Mesa and spoke to the report. It was note during the deliberations of the above resolution, that the Chief Financial Officer strongly advised of this resolutions failure to meet Council policy and procedure.

Community Grant - Applicant – Colin Mesa

RESOLUTION:

Moved: Cr Gela; *Second:* Cr Stephen

That Council endorses the grant of \$7992.62 to Colin Mesa to cover travel expenses to attend the funeral of the late Danny Mosby on Thursday Island on 1st July 2021 and notes that the grant is outside of Council's Community Grants Procedure but due to extenuating circumstances and Ailan Kastom, makes this Grant as an exception to the Policy.

MOTION CARRIED

14. **3:18pm – 3:34pm** **BUILDING – QBuild Timeframe Agreement**

Head of Building Services Unity, Mr Peter Jacques spoke to the report.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Noah

Council resolves to

- To delegate the Head of Building power to create and lodge quotes/tenders on behalf of Council for any and all work associated with Construction on the Torres Strait Islands, up to the monetary value to \$150,000.00, under *Local Government Act 2009 an*
- *Local Government Regulation 2012*
- Delegate the CEO to approve and lodge Quotes/Tenders on behalf of Council for any and all works associated with Construction on the Torres Strait Islands, up to the Monetary value to \$300,000.00 under *Local Government Act 2009 Local Government Regulation*
- If the delegations are approved, be written into Councils Procurement and Ethical sourcing Policy

MOTION CARRIED

15. **3:34pm – 3:35pm** **COUNCIL MOVE INTO CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Noah; *Second:* Cr Pearson

That in accordance with section 254J 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:

(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

MOTION CARRIED

Mayor Mosby confirmed with Councillors that no member of the public was present.

- ASSETS – Contractual Matter – Thursday Island Council Office Roof Replacement
- LEGAL – CB – Contingent Liability
- BUSINESS SERVICES – CB – Debtor Write-Off – Arafura Blue Marine P/L
- BUSINESS SERVICES – CB – 2021/2022 Budget Update
- BUILDING – CB – Contractual Matter – TSIRC2020-338 – Saibai Fuel Infrastructure Upgrade
- ENGINEERING – CB – Contractual matter – TSIRC 2020-328 (Portion A) – Saibai Island Airport apron Upgrade
- ENGINEERING – CB – Variation of Contract No. TSRIC 2018-120 – MIP6 Water Supply Lagoon Cover Replacements – Boigu Lagoon Cover
- ENGINEERING – CB – Funding Matter – Marine Infrastructure Audit Funding Agreement
- LEGAL – CB – Sea Swift update

16. **3:35pm – 5:50pm** **COUNCIL MOVE OUT OF CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Gela

That Council move out of closed business.

MOTION CARRIED

17. **ASSETS – Contractual Matter – Thursday Island Council Office Roof Replacement**

Chief Financial Officer, Ms Hollie Faithfull spoke to the report.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Levi

Council resolves to:

1. Endorse the Special Levy Notice as per EGM Motion 12, May 2021, for the additional funding of \$40,434.40, to replace the Thursday Island Council Office Roof Lot 2, 46 Victoria Parade. And
2. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into contract, negotiate, finalise and execute any and all matters associated with this matter.

MOTION CARRIED

18. LEGAL – CB – Contingent Liability

Chief Financial Officer, Ms Hollie Faithfull spoke to the report.

RESOLUTION:

Moved: Cr Noah; *Second:* Cr Elisala

That Council note the report.

MOTION CARRIED

19. BUSINESS SERVICES – CB – Debtor Write-Off - Arafura Blue Marine P/L

Chief Financial Officer, Ms Hollie Faithfull spoke to the report.

RESOLUTION:

Moved: Cr Pearson; *Second:* Cr Gela

Council resolves to;

- Endorse the write-off of commercial debt of \$59,660.60, and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to finalise and execute any and all matters in relation to the write-off of outstanding debt of Arafura Blue Marine Pty Ltd (in liquidation).

MOTION CARRIED

20. BUSINESS SERVICES – CB – 2021/2022 Budget Update

Chief Financial Officer spoke to the report.

RESOLUTION:

Moved: Cr Noah; *Second:* Cr Hilda Mosby

That Council resolves to note the report.

MOTION CARRIED

ACTION: Acting CEO to follow up on the opening hours of the Hammond Child Care.

21. BUILDING – CB – Contractual Matter – TSIRC 2021-338 - Saibai Fuel Infrastructure Upgrade

Head of Building Serviced, Mr Peter Jacques spoke to the report.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Pearson

Council resolves to

- Confirm it is committed to delivering the Project *and*;
- acknowledges responsibility for any funding shortfall if costs or other contributor's change.
- Council confirms it has budgeted its own financial contribution to the Project,
- Council resolves to award contract TSIRC 2021-338 – Saibai Fuel Infrastructure Upgrade to Robert Clark Builders P/L for the amount of \$ 727,960.00 excluding GST. *and*
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contract, negotiate, finalise and executive any and all matters associated in relation to this project, subject to Council's normal procurement policies and practices.

MOTION CARRIED

ACTION: Head of Building Services to ensure contract be monitored for any variances.

22. ENGINEERING – CB – Contractual Matter – TSIRC 2020-328 (Portion A) – Saibai Island Airport Apron

Upgrade

Acting Chief Engineer, Mr Adeah Kabai spoke to the report.

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Fell

Council resolves to;

- Seek TMR approval for the reallocation of surplus funds associated with 2021/2022 ATSI TIDS Project No. 1984717 Marine Infrastructure assessment and upgrade study funding of \$395,000 excluding GST to the Saibai Airport Apron Upgrade Project,
- Seek TMR approval for the reallocation of surplus funds associated with 2020/2021 ATSI TIDS Project No. 1620464 Badu Airport Undertake Safety Improvements funding of \$623,000 to the Saibai Airport Apron Upgrade Project,
- Subject to reallocation approvals being obtained, award Contract TSIRC 2020-328 (Portion A) Saibai Island Airport Apron Upgrade to Koppen Construction to the amount of **\$972,163.45** excluding GST, and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*: power to make, amend or discharge Contract TSIRC 2020-328; and power to negotiate, finalise and execute any and all matters associated with or in relation to this contract including without limitation any options and/or variations.

MOTION CARRIED

23. ENGINEERING – CB – Variation of Contract No. TSIRC 2018-120 MIP6 Water Supply Lagoon Cover

Replacements to include the Boigu Lagoon Cover Replacement

Acting Chief Engineer, Mr Adeah Kabai spoke to the report.

RESOLUTION:

Moved: Cr Pearson; *Second:* Cr Toby

Council resolves to:

- Approve the inclusion of the Boigu Lagoon cover works in the amount of **\$2,343,688.75** excluding GST to Contract TSIRC2018-120 MIP6 Water Supply Lagoon Cover Replacements – GDT Lining PTY LTD.
And
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*: power to make, amend or discharge Contract TSIRC2018-120 MIP6 Water Supply Lagoon Cover Replacements – GDT Lining PTY LTD; and power to negotiate, finalise and execute any and all matters associated with or in relation to this contract including without limitation any options and/or variations.

MOTION CARRIED

24. ENGINEERING – CB – Funding Matter – Marine Infrastructure Audit – Funding Agreement

Acting Chief Engineer, Mr Adeah Kabai spoke to the report.

5:45pm – Cr Pearson leaves the meeting.

- Cr Seriako Dorante – declared a prescribed conflict of interest
 - Sea Swift is Cr Dorante’s employer
 - Cr Dorante left the room at 5:45pm

RESOLUTION:

Moved: Cr Noah; *Second:* Cr Levi

Council resolves to:

- Enter into the proposed Funding Agreement administered by Torres Strait Regional Authority for the Safe Communities Program to complete the Marine Infrastructure Audit Activity for the grant sum of \$500,000 excluding GST.
and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*: power to make, amend or discharge the Funding Agreement; and power to negotiate, finalise and execute any and all matters associated with or in relation to this funding agreement including without limitation any options and/or variations.

MOTION CARRIED

25. 5:55pm – 6:04pm ENGINEERING – Award of Purchase Orders – Poruma Seawall

Acting Chief Engineer spoke to the report.

RESOLUTION:

Moved: Cr Noah; *Second:* Cr Fell

For the undertaking of the Poruma seawalls project, Council resolves to:

- Award of freight services to Sea Swift Pty Ltd to an amount of \$355,000.00 excluding GST,
- Award of air transportation services to Cape Air Transport to an amount of \$255,000.00 excluding GST,
- Award of plant hire services to Coates Hire Operations Pty Ltd to an amount of \$340,000.00 excluding GST,
and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*: power to make, amend or discharge these Purchase Orders, and power to negotiate, finalise and execute any and all matters associated with or in relation to these Purchase Orders including without limitation any options and/or variations.

MOTION CARRIED

26. **6:04pm – 6:06pm** **CORPORATE – Community Grant Application – Colin Mesa**

Chief Financial Officer, Miss Hollie Faithfull spoke to the report. It was noted during the deliberations of the above resolution, that the Chief Financial Officer strongly advised of this resolutions failure to meet Council policy and procedure.

RESOLUTION:

Moved: Cr Stephen; *Second:* Cr Gela

That Council endorses the grant of \$4840.00 to Colin Messa to cover travel expenses to attend the funeral of the late Danny Mosby on Thursday Island on 1st July 2021 and notes that the grant is outside of Council's Community Grants Procedure but due to extenuating circumstances and Ailan Kastom, makes this Grant as an exception to the Policy.

MOTION CARRIED

27. **6:06pm – 6:08m** **Closing Remarks and Prayer**

Mayor Mosby thanked the Chief Executive Officer and his team for their work and invited Cr Levi to close the meeting in prayer.

MEETING CLOSED – 6:08pm

Council Ordinary Meeting – Wednesday 30th June 2021

PRESENT

Cr Phillemon Mosby, Mayor (Erub)
Cr Dimas Toby, Division 1 – Boigu
Cr Torenzo Elisala, Division 2 – Dauan
Cr Keith Fell, Division 4 – Mabuiag
Cr Laurie Nona, Division 5 – Badu
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island
Cr John Levi, Division 7 – St Pauls, Mua Island
Cr Seriako Dorante, Division 8 – Kirriri
Cr Getano Lui Jnr, Division 9 – Iama
Cr Kabay Tamu, Division 10 – Warraber
Cr Francis Pearson, Division 11 – Poruma
Cr Hilda Mosby, Division 12 – Masig
Cr Rocky Stephen, Division 13 – Ugar
Cr Jimmy Gela, Division 14 – Erub
Cr Aven Noah, Division 15 - Mer

Mr David Baldwin, Acting Chief Executive Officer (ACEO)
Ms Hollie Faithfull, Chief Financial Officer (CFO)
Mr Dawson Sailor, Acting Chief Operating Officer (COO)
Mr Adeah Kabai, Acting Chief Engineer (ACE)
Mr Peter Krebs, Senior Legal Counsel (SLC)
Ms Ursula Nai, Senior Executive Assistant (SEA)
Ms Naila Nomoa, Secretariat Officer (SO)

APOLOGY

Cr Conwell Tabuai, Division 3 – Saibai

COUNCIL ORDINARY MEETING
Wednesday 30th June 2021
Agenda Items

28. 9:11am – 9:16am Welcome and opening prayer.

Mayor Mosby welcomed everyone back to the second day of the June Council Ordinary meeting and acknowledged the traditional owners on the lands we meet on today. Mayor Mosby invited Cr Lui to open the meeting in prayer. Mayor did a roll call to establish quorum.

Mayor Mosby advised that the ABS could not attend the deputation to council and offered their apologies.

29. 9:16am – 10:06am BUSINESS SERVICES – May 2021 Financial Report

Chief Financial Officer, Ms Hollie Faithfull spoke to the report.

RESOLUTION:

Moved: Cr Nona; *Second:* Cr Pearson

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2020-21 year to date, for the period ended 31 May 2021, as required under Section 204 *Local Government Regulation 2012*.

MOTION CARRIED

30. 10:06am – 10:18am BUSINESS SERVICES – Policy Matter - Investigation

Chief Financial Officer, Ms Hollie Faithfull spoke to the report. Council requested Manager Legal Service to review the policy and the matter to lay on the table for discussion later on the agenda.

Cr Noah asked regarding Councillor's complaints

MORNING TEA 10:20am – 10:37am

31. 10:18am -10:19am COUNCIL MOVE INTO CLOSED BUSINESS

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Stephen

That in accordance with section 254J 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:

- (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;
- (f) matters that may directly affect the health and safety of an individual or a group of individuals;
- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

MOTION CARRIED

- **ENGINEERING – CB – TSRA Marine Infrastructure Projects**

32. 10:52am – 10:52am COUNCIL MOVE OUT OF CLOSED BUSINESS

RESOLUTION:

Moved: Cr Trinkoon; *Second:* Cr Gela

That Council move out of Closed Business

MOTION CARRIED

MORNING TEA – 10:19am – 10:36am

33. **ENGINEERING – CB – TSRA Marine Infrastructure Projects**

Acting Chief Engineer, Mr Adeah Kabai spoke to the report.

RESOLUTION:

Moved: Cr Tamu; *Second:* Cr Elisala

Council resolves to:

- Enter into the proposed Funding Agreement administered by Torres Strait Regional Authority (TSRA) for the Safe Communities Program to complete the Marine Infrastructure Projects for the grant sum of \$3,720,000.00 excluding GST.
and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*: power to make, amend or discharge the Funding Agreement; and power to negotiate, finalise and execute any and all matters associated with or in relation to this funding agreement including without limitation any options and/or variations.

MOTION CARRIED

34. 10:53am – 11:04am BUSINESS SERVICES – Policy Matter – Investigation Policy

Chief Financial Officer, Miss Hollie Faithfull and Manager Legal Services Julia Maurus spoke to the report. Cr Lui asked for Section 8 to be clarified.

LEAVE LYING ON THE TABLE FOR THE JULY ORDINARY MEETING – IAMA

35. 11:04am – 11:28am BUSINESS SERVICES – Policy Matter – Financial Policies Review

Chief Financial Officer, Miss Hollie Faithfull spoke to the report. Chief Financial officer to take on notice the Regional Managers delegation.

ACTION: CFO - Rectify the titles of the Regional Managers and the structure to come to the next Council meeting in closed business. Work with elected arm to fix Ailan Kastom implications.

RESOLUTION:

Moved: Cr Lui; *Second:* Cr Noah

Council resolves to:

1. Amend the Torres Strait Island Regional Council's
 - Investment Policy;
 - Debt Policy;
 - Revenue Policy;

- Fiscal Governance Policy;
- Entertainment and Hospitality Policy;
- Information Technology Policy; and
- Procurement and Ethical Sourcing Policy,

previously endorsed by Council in June 2020, in the terms presented to Council at today's Ordinary Meeting and endorse the same and

2. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policies, including the power to make any further minor administrative amendments to the policies as they arise.
3. Wherever possible to consider the application of Ailan Kastom.

MOTION CARRIED

36. 11:28am – 11:33am BUSINESS SERVICES – Policy Matter - Strategic External Grant Funding Policy

Chief Financial Officer, Ms Hollie Faithfull spoke to the report.

RESOLUTION:

Moved: Cr Gela; *Second:* Cr Pearson

That Council resolves to:

1. adopt the Strategic External Grant Funding Policy in the terms presented to Council at today's Ordinary Meeting and endorse the same
2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the endorsed policy, including the power to make any further minor administrative amendments to the policy as they arise

MOTION CARRIED

37. 11:33am – 11:44pm BUSINESS SERVICES – People and Wellbeing Policies Review

Chief Financial Officer, Ms Hollie Faithfull spoke to the report.

RESOLUTION:

Moved: Cr Noah; *Second:* Cr Mosby

Council resolves to:

1. Amend the Torres Strait Island Regional Council's
 - Code of Conduct Policy;
 - Equal Employment Opportunity Policy; and
 - Recruitment Policy;

previously endorsed by Council, in the terms presented to Council at today's Ordinary Meeting and endorse the same and

2. Delegate authority to the Chief Executive Office in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policies, including the power to make any further minor administrative amendments to the policies as they arise.

MOTION CARRIED

38. 11:44pm – 11:49pm BUSINESS SERVICES – Sole Supplier

Chief Financial Officer, Ms Hollie Faithfull spoke to the report.

RESOLUTION:

Moved: Cr Pearson; *Second:* Cr Gela

That Council resolves:

1. In accordance with section 235(a) of the *Local Government Regulation 2012*, that it is satisfied that the suppliers listed are the only suppliers reasonably able to source and provide the required goods and services and are therefore considered sole suppliers for the 2021/22 financial year. And
2. To delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contract, negotiate, finalise and execute any and all matters associated with these sole suppliers for the 2021-22 financial year.

MOTION CARRIED

39. 11:50pm – 12:04pm HOUSING – Housing Policies

Acting Chief Operating Officer, Mr Dawson Sailor spoke to the report. Cr. Lui requested that Harrison Sabatino as Housing Manager to present report.

MATTER LEFT LYING ON THE TABLE

40. 12:04pm – 12:35pm BUSINESS SERVICES – Councillor Remuneration, Reimbursement And Facilities Provision Policy - Late

Chief Financial officer, Ms Hollie Faithfull spoke to the report. Cr Lui commented and suggested that Council retains its current policy regarding hire vehicles.

Discussions revolved around the need for Councillors to have access to hire cars to attend to council business as opposed to using taxis. Councillors often needed to visit constituents who were living in Cairns and other places and often met with them outside of business hours.

Chief Financial Officer reads the amended resolution, removing amendments to travel costs.

RESOLUTION:

Moved: Cr Lui; *Second:* Cr Fell

That Council resolves to:

1. amend and endorse the Torres Strait Island Regional Council's Councillor Remuneration, Reimbursement and Facilities Provision Policy previously endorsed by Council at its Ordinary Meeting on 25 May 2021 in the terms presented to Council; and
2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policy, including the power to make any further minor administrative amendments to the policy as they arise.
3. Council does not endorse the change to the policy regarding hire cars and reverts to the old policy. The reason for the rejection is due to the fact that Councillors have to travel from their island home to conduct Council business down South and to also consult with their constituents who are located off their home islands under Ailan Kastom regarding Trustee issues.

MOTION CARRIED

12:26pm – Cr Stephen left the meeting.

41. **12:35pm – 12:47pm** **COMMUNITY SERVICES – Housing Policies**

Manager of Housing, Mr Harrison Sabatino attended the meeting via video conference and went through the seventeen (17) policies with Councillors.

Allocation Policy;

Cr Mosby asked if our Housing Policy is in line with indigenous policy.

Social Housing Application Policy;

Katter Leases – properties with TSIRC (Cr Lui – to be separated)

Tenancy Sign-Up Policy;

Cr Noah want to ensure community members understand the sign-up and ensure Policies are implemented.

Cr Noah request to meet with Manager Housing to discuss a policy that would suit his Division – Mer and discuss abandoned houses.

ACTION: Manager of Housing to meet with Councillors for Badu and Me and develop a policy to suit them.

Appeals Policy;

All the Policies should only represent Council

LUNCH - 1:37pm – 2:46pm

2:46pm – 3:13pm

COMMUNITY SERVICES – Housing policies (continued)

Notification Policy;

Housing Team to provide notice to community

Rent Review Policy

Cr Lui mentioned affordability and abiding by the Act.

RESOLUTION:

Moved: Cr Gela; *Second:* Cr Stephen

Council resolves to:

- endorse the seventeen policies attached.
- removing the following:
 - Conflict of Interest Policy – Tenancy Management
 - Change name of Policy from ‘Succession of Tenancy’ to ‘Change of Tenancy’.

MOTION CARRIED

42. **3:13pm – 3:15pm** **Next COM Meeting Date – July 20th & 21st 2021 – Iama**

Mayor Mosby confirmed next meeting will be held at Iama on the 20th and 21st July 2021.

43. **2:30pm – 2:55pm** **Strategic Matters**

Cr Pearson raised the LDI Donga on Poruma. Manager Legal Services advised the Donga are not supposed to be used. Matter to be taken offline.

Cr Stephen raised visitor's entry into community.

Cr Fell raise face to face committee meetings.

Cr Lui requested for invitation to member for cook and Minister Shannon Fentiman to Council meeting in relation to low cost airfares. Delay in getting the ISIP Funding. Cr Lui also asked regarding the old engineering office and shed behind Mura Mudh on Thursday Island.

44. **3:27pm – 3:38pm** **BUSINESS SERVICES - Insurance Renewal 2021/22 – Late**

Chief Financial Officer, Ms Hollie Faithful spoke to the report.

RESOLUTION:

Moved: Cr Noah; *Second:* Cr Trinkoon

Council resolves to:

- Enter a mutual arrangement as a member of Queensland Local Government Mutual (LGM Assets), effective from 30 June 2021
- Renew membership of Queensland Local Government Mutual (LGM Liability) per correspondence dated 1 June 2021, effective from 30 June 2021
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* the power to approve, finalise and execute all matters associated with or in relation to Queensland Local Government Mutual memberships as above, including without limitation any options and/or variations.

MOTION CARRIED

45. **3:38pm – 3:54pm** **LEGAL – Delegation Update ENPR (Rescheduled Agenda Item 10 From Day 1)**

Senior Legal Counsel, Mr Peter Krebs spoke to the report. Resolution Amended.

RESOLUTION:

Moved: Cr Lui; *Second:* Cr Fell

That under section 257 of the *Local Government Act 2009*, Council delegate to the Chief Executive Officer subject to consultation with the Mayor where relevant, the exercise of powers under the *Environmental Protection Regulation 2019* (Qld) (ENPR), and these powers must be exercised subject to Ailan Kastom, and any limitations contained in Schedule 2 of the attached Instrument of Delegation.

MOTION CARRIED

46. **3:54pm – 3:55pm** **Closing Remarks and Prayer**

Mayor Mosby thanked everyone for their contribution over the last couple of days and invited Cr Fell to close the meeting in prayer.

MEETING CLOSED – 3:55pm



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David Baldwin
Acting Chief Executive Officer
Torres Strait Island Regional Council
21st July 2021



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Pillemon Mosby
Mayor
Torres Strait Island Regional Council
21st July 2021