

# ORDINARY MEETING

## 22 February 2023

### MINUTES

#### AGENDA ITEM 1: WELCOME AND OPENING REMARKS

Mayor Mosby opened the meeting at 10.45am and welcomed Councillors and TSIRC staff. He acknowledged that it has been a very busy past few months for the Council and noted that it was approximately only 9 months or so before 'Caretaker' conventions came into effect prior to the next Local Government elections in 2024.

Mayor Mosby reaffirmed that DOGIT remains a high priority to be sorted out for the region because of its adverse impact on the lives and livelihoods of residents across the Torres Strait.

The following attendances were confirmed:

#### **Torres Strait Island Regional Council**

Mayor TSIRC	Cr Phillemon Mosby
Division 2 – Dauan	Cr Torenzo Elisala
Division 4 – Mabuiag	Cr Keith Fell
Division 5 – Badu	Cr Laurie Nona
Division 6 – Arkai	Cr Lama Trinkoon
Division 7 – Wug (St. Pauls), Mua Island	Cr John Levi
Division 8 – Kirirri (Hammond)	Cr Seriako Dorante
Division 9 – Iama	Cr Getano Lui Jnr (Deputy Mayor)
Division 10 – Warraber	Cr Kabai Tamu
Division 11 – Poruma	Cr Francis Pearson
Division 12 – Masig	Cr Hilda Mosby (Cr Hilda Mosby scheduled to attend around 11.00am)
Division 14 – Erub	Cr Jimmy Gela

**TSIRC OFFICERS**

Chief Executive Officer	Mr James William
Executive Director Building Services	Mr Wayne Green
Executive Director Engineering Services	Mr David Baldwin
Executive Director Corporate Services	Ms Noeleen Selke
Executive Director Financial Services	Ms Holly Faithfull
Head of Community Services	Mr Dawson Sailor – <i>via telephone dial-in</i>
Senior Legal Officer	Ms Julia Mauro
Senior Executive Assistant to the CEO	Ms Julie Marino
TSIRC Secretariat	Mr Darryl Brooks

**Observers**

N/A	Mr David Kempton
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Mayor Mosby confirmed that the required quorum of Councillors were present for the meeting to proceed.

Mayor Mosby gave an acknowledgement of the Torres Strait Islander traditional custodians and their connection to Country within the Council's footprint. Mayor Mosby also gave an acknowledgement of the Aboriginal traditional custodians across Australia and acknowledged their connection to these lands.

**AGENDA ITEM 2: APOLOGIES**

The following apologies were noted:

**TSIRC**

Division 1 – Boigu	Cr Dimas Toby <i>(attending World Recreational Fishing Conference in Melbourne on 20-22 February 2023)</i>
Division 3 – Saibai	Cr Conwell Tabuai
Division 13 – Ugar	Cr Rocky Stephen <i>(attending World Recreational Fishing Conference in Melbourne on 20-22 February 2023)</i>

*The TSIRC Chief Executive Officer requested that the Council consider a late agenda item relating to the attendance of Council representatives at the World Recreational Fishing Conference being held in Melbourne on 20-22 February 2023.*

**(LATE PAPER TABLED): COUNCILLOR ATTENDANCE AT FISHING CONFERENCE****Recommendation:**

Council resolves to:

- Consider the 'World Recreational Fishing Conference' to be held in Melbourne on 20-22 February 2023 as official Council business; and

- Approve the nomination of Cr Rocky Stephen and Cr Dimas Toby as Council's representatives to attend the conference; and
- Approve leave taken from 20-23 February 2023 by Crs Stephen and Toby as leave taken for previously approved official Council business; and
- Confirm that Council authorizes the payment of the monthly meeting allowance for Cr Rocky Stephen and Cr Dimas Toby for February 2023.

**Moved:** Division 15 (Cr Aven Noah)

**Seconded:** Division 11 (Cr Francis Pearson)

*Carried Unanimously*

*Council noted and supported a verbal request by Cr Laurie Nona for a short absence from part of the afternoon meeting to attend to 'Sorry Business' on Badu.*

*Cr Hilda Mosby (Division 12 – Masig) joined the meeting at 11.00am.*

**AGENDA ITEM 3: DECLARATION OF CONFLICT OF INTEREST (COI) (PRESCRIBED AND DECLARABLE)**

Mayor Mosby requested that members make any relevant conflict of interest declarations and advise if any relevant legal proceedings were current pertaining to Council business to be considered at the meeting. Cr Keith Fell commented on the issue of a Register for the Council in relation to Conflict of Interest (Prescribed and Declarable). Mayor Mosby advised that this matter may need to be explored further in-camera.

No declarations were made by members. Mayor Mosby encouraged Councillors to be mindful of making relevant declarations if other matters arose throughout the duration of the meeting.

*Cr Torenzo Elisala (Division 2) joined the meeting at 11.05am.*

**AGENDA ITEM 4: CONFIRMATION OF PREVIOUS COUNCIL ORDINARY MEETING MINUTES**

**Recommendation:**

That the Draft Minutes of the Ordinary Council Meeting held on 24 January 2023 be confirmed.

**Moved:** Division 2 (Cr Torenzo Elisala)

**Seconded:** Division 11 (Cr Francis Pearson)

*Carried Unanimously*

**Recommendation:**

That the Draft Minutes of the Ordinary Council Meeting held on 25 January 2023 be confirmed.

**Moved:** Division 2 (Cr Aven Noah)

**Seconded:** Division 11 (Cr Jimmy Gela)

*Carried Unanimously*

**AGENDA ITEM 5: CONFIRMATION OF DRAFT CLIMATE CHANGE ADAPTATION AND ENVIRONMENT COMMITTEE MEETING MINUTES**

**Recommendation:**

That the Draft Minutes of the Climate Change Adaptation and Environment Committee Meeting held on 17 January 2023 be confirmed.

**Moved:** Division 12 (Cr Hilda Mosby)

**Seconded:** Division 11 (Cr Seriako Dorante) *Carried Unanimously*

**AGENDA ITEM 6: CONFIRMATION OF DRAFT HOUSING AND SAFE AND HEALTHY COMMUNITIES COMMITTEE MEETING MINUTES**

**Recommendation:**

That the Draft Minutes of the Housing and Safe and Health Communities Committee Meeting held on 2 February 2023 be confirmed.

**Moved:** Division 17 (Cr John Levi)

**Seconded:** Division 11 (Cr Francis Pearson) *Carried Unanimously*

**AGENDA ITEM 7: OUTSTANDING COUNCIL ORDINARY MEETING ACTION ITEMS**

Councillors **NOTED** that the list of total outstanding action items was incomplete and **REQUESTED** that an audit covering the past 3 months be undertaken and an updated list be prepared for the next Council meeting.

**Moved:** Division 4 (Cr Keith Fell)

**Seconded:** Division 5 (Cr Laurie Nona) *Carried Unanimously*

**ACTIONS ARISING:**

1. Secretariat to undertake an audit of outstanding action items covering the past 3 months.
2. Chief Executive Officer to now brief Mayor Mosby on the agenda Council papers prior to each meeting.

*At 11.25am Cr Laurie Nona excused himself for a short absence from part of the afternoon meeting to attend to 'Sorry Business' on Badu.*

### **AGENDA ITEM 8: BUILDING – BUILDING SERVICES UPDATE (JANUARY 2023)**

#### **Recommendation:**

Council resolves to note the Building Services Report for January 2023.

**Moved:** Division 6 (Cr Lama Trinkoon)

**Seconded:** Division 15 (Cr Aven Noah) *Carried Unanimously*

### **AGENDA ITEM 9: CORPORATE – COMMUNITY GRANTS PROGRAM – FEBRUARY 2023**

#### **Recommendation:**

Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:

- Based on the balance of available funds in the Badu Community Grants of \$2,221.64, such funds be apportioned to the two applicants as follows:
  - Mura Kosker Sorority – Badu Island for the amount of \$1,110.82 exclusive of GST, being approximately 45% of the grant funds requested.
  - Jermain Reuben for the amount of \$1,110.82 exclusive of GST, being approximately 45% of the grant funds requested.

**Moved:** Division 6 (Cr Lama Trinkoon)

**Seconded:** Division 11 (Cr Francis Pearson) *Carried Unanimously*

### **AGENDA ITEM 10: CORPORATE FUNDING ACQUISITION REPORT**

#### **Recommendation:**

That Council resolves to note this report and its content.

**Moved:** Division 11 (Cr Francis Pearson)

**Seconded:** Division 14 (Cr Jimmy Gela) *Carried Unanimously*

### **AGENDA ITEM 11: CORPORATE – STANDING COMMITTEE TERMS OF REFERENCE**

#### **Recommendation:**

That Council resolves to:

- Amend and endorse the Terms of Reference for Council's
  - Governance and Leadership Committee;
  - Economic Growth Committee;
  - Culture, Arts, Land and Heritage Committee;
  - Housing, and Safe and Healthy Communities Committee;

and

- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make any further minor administrative amendments to the Terms of Reference as they arise.

**Moved:** Division 4 (Cr Keith Fell)

**Seconded:** Division 2 (Cr Torenzo Elisala) *Carried*

[Cr Kabay Tamu (Division 10) voted AGAINST this recommendation.]

## **AGENDA ITEM 12: CORPORATE – CHANGE OF MEETING DATES**

### **Recommendation:**

That Council resolves to:

1. Change the meeting date for the March Ordinary Council meeting from 21-22 March to 22-23 March 2023

and

2. Change the meeting dates for the Culture, Arts, Land, and Heritage Committee, from 23 August 2023 to 30 August 2023.

**Moved:** Division 5 (Cr Aven Nona)

**Seconded:** Division 7 (Cr John Levi)

*Carried Unanimously*

## **AGENDA ITEM 13: CORPORATE – SPECIAL HOLIDAYS 2023**

### **Recommendation:**

*Council resolves to note the content and recommendation of this report.*

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Council resolved to seek advice out of session on an appropriate way forward to best correct the ratified Minutes of the October 2022 Council Ordinary Meeting.

**Moved:** Division (Cr Aven Noah)

**Seconded:** Division (Cr Francis Pearson)

*Carried Unanimously*

### **ACTIONS ARISING:**

Chief Executive Officer to provide advice out of session on an appropriate way forward to best correct the ratified Minutes of the October 2022 Council Ordinary Meeting.

## **AGENDA ITEM 14: COUNCIL MOVES INTO CLOSED BUSINESS**

Council resolved to go into CLOSED SESSION to discuss Agenda Items 15 and 16.

**Moved:** Division 15 (Cr Aven Noah)

**Seconded:** Division 11 (Cr Francis Pearson)

*Carried Unanimously*

*Closed session commenced at 12.25pm.*

## **AGENDA ITEM 15: FINANCE – CB – FINANCE DASHBOARD REPORT**

### **Recommendation:**

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2022-23 year to date, for the period ended 31 January 2023, as required under Section 204 *Local Government Regulation 2012*.

**Moved:** Division 11 (Cr Francis Pearson)

**Seconded:** Division 15 (Cr Aven Noah)

*Carried Unanimously*

*(Council paused for short lunch break at 1.30pm)*  
*(2.00pm) Prior to discussion on Agenda Item 16, Mayor Mosby excused himself from the discussion and left the room. The Deputy Mayor (Cr Getano Lui Jnr) resumed the Chair.*

**AGENDA ITEM 16: ENGINEERING – CB – CONTRACTUAL MATTER – AWARD CONTRACT  
TSIRC 2022-369 VEHICLE PLANT AND EQUIPMENT MAINTENANCE**

**Recommendation:**

That Council resolves:

- To award contract TSIRC 2022-369 PART '1', for the servicing and maintenance of TSIRC Operational Vehicle Plant & Equipment Maintenance to Remote Fleet Management Pty Ltd, as per submitted schedule of rates, for the amount of up to \$5,187,906.73 excl. GST including a provisional amount in relation to Parts Supply, Freight, Travel and Accommodation, for a period of three years with a possible two-year extension.

And

- Pursuant to section 257 of the Local Government Act 2009, to delegate to the Chief Executive Officer:
    - Power to make, amend or discharge the TSIRC 2022-369 PART '1', for the servicing and maintenance of TSIRC Operational Vehicle Plant & Equipment Maintenance.
- And
- Power to negotiate, finalise and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations.

**Moved:** Division 14 (Cr Jimmy Gela)

**Seconded:** Division 15 (Cr Aven Noah)

*Carried Unanimously*

**AGENDA ITEM 17: COUNCIL MOVES OUT OF CLOSED BUSINESS AND RESUMES IN OPEN BUSINESS**

Council resolved to move out of CLOSED BUSINESS.

**Moved:** Division 15 (Cr Aven Noah)

**Seconded:** Division 14 (Cr Jimmy Gela)

*Carried Unanimously*

*Closed session ceased at 2.05pm.*

*Mayor Mosby resumed the Chair.*

**AGENDA ITEM 18: BUSINESS ARISING FROM INFORMATION REPORTS**

Executive Director, Engineering Services, Mr David Baldwin provided a verbal update on key issues arising from the information brief (provided) regarding the status of Council's Divisional Engineering Operations .

**Moved:** Division 5 (Cr Laurie Nona)  
**Seconded:** Division 2 (Cr Torenzo Elisala)

*Carried Unanimously*

### **AGENDA ITEM 19: STRATEGIC MATTERS**

Cr Francis Pearson highlighted once again the exorbitant freight cost for transportation in relation to the Torres Strait region. Requested more focus should be directed towards adequate subsidies.

Mayor Mosby acknowledged these comments. This issue remains a long standing and very important matter, and assured Councillors it was these matters were raised personally by Mayor Mosby at the Premier's visit last year (Cost of Living Summit).

Cr Keith Fell spoke about Skyport. They are a company that runs delivery drones. At the moment their drones can carry up to 250kg of product. Skyport are investigating the delivery of passengers within five years. The Skyport CEO got in touch Cr Keith Fell as they were applying for funding from the Federal Government - they wanted to do a feasibility study on indigenous communities on the mainland. Skyport heard that Torres Strait has challenges with logistics (mail) so they got in touch with Cr Keith Fell. Skyport were keen to do a presentation to Council last year - just to give a concept of how they may help. They can trial delivery of mail straight away. Cr Keith Fell wishes to pursue this avenue if Council agrees.

Cr Seriako Dorante brought up builder's accommodation on Hammond Island and asked about current arrangements.

#### **ACTIONS ARISING:**

Executive Director, Building Services, Wayne Green to review current status of the Hammond Island builder's accommodation and its arrangements and provide an update at next Council meeting at Warraber.

Cr Torenzo Elisala asks when is Mayor Mosby and CEO coming out to Dauan Island to support the Masig Statement.

Mr James William replied that he will provide an update at next Council meeting at Warraber.

#### **ACTIONS ARISING:**

Chief Executive Officer to provide information at the next Council meeting regarding Mayoral visits to individual Torres Strait Islands to promote the Masig Statement.

### **AGENDA ITEM 20: NEXT COUNCIL MEETING DATE – 22-23 MARCH 2023 – WARRABER**

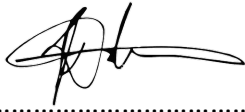
Council noted that its next meeting will be held at Warraber on 22-23 March 2023.



**AGENDA ITEM 21: CLOSING REMARKS AND PRAYER**

Mayor Mosby thanked Councillors for their attendance at this special meeting and invited the Deputy Mayor Councillor Lui (Division 9) to close the meeting with prayer.

Meeting closed at 4:00pm.



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Mr James William  
Chief Executive Officer  
Torres Strait Island Regional Council  
Date: 22 March 2023



.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date: 22 March 2023

**RATIFIED**