

# Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

February 2022

Tuesday 15<sup>th</sup> February 2022, 10:30am – 2:58pm  
Wednesday 16<sup>th</sup> February 2022, 9:00am – 3:20pm

Video Conference

**COUNCIL ORDINARY MEETING**  
**Tuesday 15<sup>th</sup> February 2022**

**PRESENT**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
Cr Laurie Nona, Division 5 – Badu  
Cr Lama Trinkoon, Division 6 – Kubin (Arkai), Mua Island  
Cr John Levi, Division 7 – Wug (St Pauls), Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri (Hammond)  
Cr Getano Lui Jnr, Division 9 – Iama (Yam)  
Cr Kabay Tamu, Division 10 – Warraber (Sue)  
Cr Francis Pearson, Division 11 – Poruma (Coconut)  
Cr Hilda Mosby, Division 12 – Masig (Yorke)  
Cr Rocky Stephen, Division 13 – Ugar (Stephen)  
Cr Jimmy Gela, Division 14 – Erub (Darnley)  
Cr Aven Noah, Division 15 – Mer (Murray)

**STAFF:**

Ms Hollie Faithfull, Acting Chief Executive Officer (ACEO)  
Mr David Baldwin, Executive Director, Engineering Services (EDES)  
Mr Dawson Sailor, Acting Executive Director, Community and Building Services (AEDCBS)  
Ms Megan Barrett, Executive Director, Corporate Services (EDCS)  
Ms Nicola Daniels, Acting Executive Director, Financial Services (EDFS)  
Mr Peter Krebs, Manager Legal Services (MLS)  
Mrs Ursula Nai, Senior Executive Assistant to the Chief Executive Officer (SEA)  
Mr Jacob Matysek, Executive Assistant to the Mayor (EA)  
Ms May Mosby, Acting Secretariat Officer (ASO)

**APOLOGIES**

**COUNCIL ORDINARY MEETING**

**Tuesday 15<sup>th</sup> February 2022**

**Agenda Items:**

1. **10:30am – 10:32am** **Welcome and Opening Remarks**

Mayor Phillemon Mosby established a quorum to reconvene in Council Ordinary Meeting. Cr Laurie Nona advised the Council that he has dialled in to the meeting however he is not feeling well. He queried if he needed to table an apology in the meantime in the event he has to leave the meeting as he has a medical certificate. Advice was given by Manager Legal Services that we would accept the apology from Cr Nona at a later stage during the meeting if he was unavailable to attend due to medical reasons.

2. **10:32am – 10:35am** **Apologies**

No apologies

3. **10:35am – 10:39am** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

No declarations made. Mayor Mosby encouraged Councillors to make a declaration at any time.

4. **10:39am – 10:45am** **Confirmation of Previous Council Ordinary Meeting Minutes**

- 18<sup>th</sup> January 2022

**RESOLUTION:**

*Moved: Cr Aven Noah; Second: Cr Keith Fell*

**That Council resolves to accept the minutes of the Ordinary Meeting held on 18<sup>th</sup> January 2022, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

- 19<sup>th</sup> January 2022

**RESOLUTION:**

*Moved: Cr Francis Pearson; Second: Cr Laurie Nona*

**That Council resolves to accept the minutes of the Ordinary Meeting held on 19<sup>th</sup> January 2022, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

5. **10:45am – 10:55am** **Confirmation of Previous SARG Committee Minutes**

- 11<sup>th</sup> January 2022

**RESOLUTION:**

*Moved: Cr Francis Pearson; Second: Cr Hilda Mosby*

**That Council resolves to accept the minutes of the Strategic Advisory Reference Group (SARG) Meeting held on 11<sup>th</sup> January 2022, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

- 1<sup>st</sup> February 2022

**RESOLUTION:**

*Moved: Cr Aven Noah; Second: Cr Lama Trinkoon*

**That Council resolves to accept the minutes of the Strategic Advisory Reference Group (SARG) Meeting held on 1<sup>st</sup> February 2022, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

10:54am – Cr Seriako Dorante joined the meeting.  
RATIFIED Ordinary Meeting Minutes – February 2022

Cr Aven Noah expressed his apologies for not attending the last two SARG meetings and in future will endeavour to call upon his two committee members as proxy to attend on his behalf if he is unable to attend.

6. **10:55am – 11:02am** **Confirmation of Previous Economic Growth Committee Minutes**

- 27<sup>th</sup> January 2022

**RESOLUTION:**

*Moved: Cr Rocky Stephen; Second: Cr Conwell Tabuai*

**That Council resolves to accept the minutes of the Economic Growth Committee Meeting held on 27<sup>th</sup> January 2022, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

7. **11:02am – 11:04am** **Confirmation of Previous Housing and Safe and Healthy Communities Committee Minutes**

- 3<sup>rd</sup> February 2022

**RESOLUTION:**

*Moved: Cr Keith Fell; Second: Cr Francis Pearson*

**That Council resolves to accept the minutes of the Housing and Safe and Healthy Communities Committee Meeting held on 3<sup>rd</sup> February 2022, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

8. **11:04am – 11:15am** **Outstanding Council Ordinary Meeting Action Items**

Ms Hollie Faithfull, Acting Chief Executive Officer provided an update on the outstanding action items listed on the register from 18<sup>th</sup> and 19<sup>th</sup> January 2022.

ACTION: Secretariat to make the font bigger for the action items

9. **11:15am – 11:17am** **Standing Agenda Items:**

- Executive Director, Communities and Building Services - Housing Authority (verbal)

Mr Dawson Sailor, Acting Executive Director, Building and Community Services provided a verbal update on the above topic.

10. **11:17am – 11:36am** **BUILDING – Demolition of Housing**

Mr Dawson Sailor, Acting Executive Director, Building and Community Services spoke to this report.

Cr Aven Noah stated that the demolition has his support and he will monitor effect along with the Housing Officer on other properties so that they can let tenants know in advance.

Cr Aven Noah advised that he would like Cr John Levi, the Housing Officer on ground and himself to be part of any future consultations with tenants who occupy the properties to make them aware before demolition commences.

**ACTION: Acting Executive Director Building and Community Services to approach the Department of Community, Housing and Digital Economy on an audit of demolitions and possibility of a program across the Region. The aim of the audit is to inform deputations to relevant Ministers.**

**RESOLUTION:**

*Moved: Cr Aven Noah; Second: Cr John Levi*

**Council resolves to**

**Endorse the demolition of the properties and battering of the banks at:**

- Lot 50 Levi Street St Pauls (Wug)
- Lot 152 Marou Street Mer
- Lot 154 Marou Street Mer

**and**

**Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to secure a purchase order from the Department of Communities, Housing and Digital Economy for the demolition.**

**MOTION CARRIED UNANIMOUS**

11. **11:36am – 12:00pm**                      **BUILDING – Delegations – Late**

Mr Dawson Sailor, Acting Executive Director, Building and Community Services spoke to this report and an indepth discussion was held on this topic. Two options were proposed to Council and Council supported option 1.

Council will consider an increase of Tender Delegation after new CEO commences.

**ACTION:** acting Executive Director, Building and Community Services to prepare a paper to Council and list all tenders approved and submitted since July 2021 along with legal advice on treatment of the tender.

**RESOLUTION:**

*Moved: Cr Getano Lui; Second: Cr Aven Noah*

**Council resolves to:**

**Rescind the Resolution made on 29 June 2021, listed as item 14 in the ratified minutes from the June 2021 Ordinary Council meeting.**

**And**

**Option 1**

**Pursuant to Section 257 of the *Local Government Act 2009* (Qld), Council delegates to the Chief Executive Officer:**

- a. the power to approve and lodge quotes/tenders to QBuild on behalf of Torres Strait Island Regional Council for any and all works to be undertaken by Council's Building Services within Council's Local Government Area, provided the value of those works the subject of the quote/tender does not exceed \$300,000.00 excluding GST;
- b. the power pursuant to Section 236 of the *Local Government Act 2009* (Qld) to sign any quote/tender or contract on behalf of Torres Strait Island Regional Council with QBuild provided the value of those works the subject of the quote/tender or contract does not exceed \$300,000.00 excluding GST; and
- c. the power pursuant to Section 262 of the *Local Government Act 2009* (Qld) to enter into any quote/tender or contract on behalf of Torres Strait Island Regional Council with QBuild provided the value of those works the subject of the quote/tender or contract does not exceed \$300,000.00 excluding GST.

**Update Council's Procurement and Ethical Sourcing Policy to reflect this delegation.**

**MOTION CARRIED UNANIMOUS**

**LUNCH 12:00pm – 1:00pm**

12. **1:00pm – 1:53pm**                      **CORPORATE – Funding Acquisition Report**

Ms Megan Barrett, Executive Director Corporate Services spoke to this report and advised on Council's recent grant acquisition activities.

1:08pm - Cr Hilda Mosby joined the meeting

1:10pm - Cr Kabay Tamu joined the meeting

1:10pm - Cr Lama Trinkoon joined the meeting

1:10pm - Cr Torenzo Elisala joined the meeting  
1:10pm - Cr John Levi Joined the meeting  
1:10pm - Cr Laurie Nona Joined the meeting  
1.10pm - Cr Dimas Toby joined the meeting

**ACTION:** Executive Director, Corporate Services to include a summary of the Funding Acquisition Report in future editions of Strait Talk.

**RESOLUTION:**

*Move: Cr Aven Noah; Second: Cr Kabay Tamu*

**That Council resolves to note this report and its content.**

**MOTION CARRIED UNANIMOUS**

13. **1:53pm – 1:55pm** **CORPORATE – Community Grant Program – February 2022**

Ms Megan Barrett, Executive Director Corporate Services spoke to this report on the below Community Grants Applications.

- Restoration Revival Ministries for the eligible amount of \$1448.00 exclusive of GST as per the submitted application.
- Church of the Rock Ministry for the eligible amount of \$6991.40 exclusive of GST, as per submitted application.

**RESOLUTION:**

*Move: Cr Francis Pearson; Second: Cr Lama Trinkoon*

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

**Community Grant Applications received from Community Entities for the maximum threshold of \$10,000:**

- Restoration Revival Ministries for the eligible amount of \$1448.00 exclusive of GST, as per the submitted application.
- Church of the Rock Ministry for the eligible amount of \$6991.40 exclusive of GST, as per submitted application.

**Community Grant Applications received from Individual applicants for the maximum threshold of \$2,500:**

- Nil (0) applications received.

**MOTION CARRIED UNANIMOUS**

14. **1:55pm – 2:07pm** **CORPORATE – Change of March OM meeting place**

Ms Megan Barrett, Executive Director Corporate Services spoke to this report on the change of meeting location for March meeting. A face to face March meeting is scheduled to take place at Division 10, Warraber, however due to the COVID situation in communities, the meeting will be conducted via video conference.

**RESOLUTION:**

*Move: Cr Kabay Tamu; Second: Cr Jimmy Gela*

**Council resolves to relocate the March 2022 Ordinary Meeting of Council from a face-to-face meeting on Warraber to a meeting conducted via video conference.**

**MOTION CARRIED UNANIMOUS**

15. **2:07pm – 2:30pm** **ENGINEERING – Award Tender No. TSIRC 2021-354 Top Western Islands DRFA Works**

Mr David Baldwin, Executive Director, Engineering Services spoke to this report and invited Mr Peter Price, Acting Manager Capital Works to dial in and join the meeting to answer any technical questions relating to this report.

2:10pm – Mr Peter Price joined the meeting.

2:17 – Mr Dawson Sailor, Acting Executive Director Building and Community Services left the meeting.

2:25pm – Mr Dawson Sailor re-joined the meeting.

2:30pm – Mr Peter Price left the meeting.

**RESOLUTION:**

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

**That Council resolves to:**

1. **Subject to funding approval for the market price update of Separable Portion A by QRA, award contract. TSIRC 2021-354 – Top Western Islands DRFA Works, Separable Portion A, to Koppens Development Pty Ltd for an amount of up to \$2,788,583.86 excl. GST**

and

2. **Subject to funding approval for Separable Portion A, award contract TSIRC 2021-354 – Top Western Islands DRFA Works Separable Portion B, to Koppens Development Pty Ltd for an amount of up to \$868,342.21 excl. GST**

and

3. **Subject to funding approval for Separable Portion A, award contract TSIRC 2021-354 – Top Western Islands DRFA Works, Separable Portion C, to Koppens Development Pty Ltd for an amount of up to \$383,391.10 excl. GST**

and

4. **Delegate power to the Chief Executive Officer, in accordance with the *Local Government Act 2009*:**

- **Confirm and finalise any required approvals and or arrangements with the relevant funding bodies to make, amend and discharge contract TSIRC 2021-354: and**
- **Power to negotiate, finalise, and execute any and all matters associated with or in relation to this project and contracts including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.**

**MOTION CARRIED UNANIMOUS**

16. **2:30pm – 2:41pm**

**LEGAL – Development application: subdivision of Masig Lot 15 SP277431 – proposed Lots 215 & 216 on SP331535**

Cr Hilda Mosby declared a Declarable Conflict of Interest in Council Meeting Agenda Item 16 – LEGAL – Development application: subdivision of Masig Lot 15 SP277431 – proposed Lots 215 & 216 on SP331535 as Elia, Emmanuel and Edna Billy are her mother's cousins and therefore are related parties under s150EP. Elia, Emmanuel and Enda Billy are the applicants in this matter and Cr Hilda Mosby declared an interest under s150EQ(4).

Cr Hilda Mosby proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Cr Hilda Mosby declared a Declarable Conflict of Interest in Council Meeting Agenda Item 17 – LEGAL – Development application: subdivision of Masig Lot 30 SP277431 Mrs Flora Mosby is married to the late Michael Massie Mosby who is her Nephew and therefore are related parties under s150EP. Mrs Flora Mosby and the late Michael Massie Mosby are applicants in this matter and Cr Hilda Mosby declared an interest under s150EQ(4).

Cr Hilda Mosby proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

2:31pm - Cr. Hilda Mosby left the meeting due to her Declarable Conflict of Interest.

Mr Peter Krebs, Manager Legal Services spoke to this report.

**RESOLUTION:**

*Move: Cr Keith Fell; Second: Cr Laurie Nona*

**Council resolves to:**

**issue a Development Permit for Development Application DA09-21-12(1) 'Reconfiguration of a Lot' (1 Lot into 2 Lots) - Proposed Lot A (proposed lot 215) and Lot B (proposed lot 216) on SP331535, cancelling Lot 15 on SP277431, with the inclusion of the conditions set out in Part 5 of the Agenda Report for Masig (Yorke Island)**

**and**

**Recommend to the Trustee that it consent to the registration of a sewerage easement in favour of Council to connect proposed Lot 216 to Council's sewer line on proposed Lot 215**

**and**

**Delegate authority to the Mayor and Chief Executive Officer each in accordance with the *Local Government Act 2009* to sign and endorse survey plan SP331535 for registration, contemporaneously with the creation of the required sewerage easement.**

**MOTION CARRIED UNANIMOUS**

17. **2:41pm – 2:50pm** **LEGAL – Development application: subdivision of Masig Lot 30 SP277431**

Mayor Phillemon Mosby declared a Declarable Conflict of Interest in Council Meeting Agenda Item 17 – LEGAL – Development application: subdivision of Masig Lot 30 SP277431 the late Michael Massie Mosby is Mayor Phillemon Mosby's Uncle and therefore a related party under s150EP. The late Michael Massie Mosby is the applicant in this matter and Mayor Phillemon Mosby declared an interest under s150EQ(4).

Mayor Phillemon Mosby proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Mayor Phillemon Mosby asked Deputy Mayor, Cr Getano Lui to chair the meeting.

2:43pm – Mayor Mosby left the meeting due to his Declared Conflict of Interest.

Mr Peter Krebs, Manager Legal Services spoke to this report.

**RESOLUTION:**

*Move: Cr Aven Noah; Second: Cr Lama Trinkoon*

**Council resolves to**

**issue a Development Permit for Development Application DA09-21-12(2) 'Reconfiguration of a Lot' (1 Lot into 3 Lots) for proposed Lots 224, 225 & 226 on SP331538, cancelling Lot 30 on SP277431, with the inclusion of the conditions set out in Part 5 of the Agenda Report for Masig (Yorke Island)**

**and**

**Delegate authority to the Mayor and Chief Executive Officer each in accordance with the *Local Government Act 2009* to sign and endorse survey plan SP331535 for registration.**

**MOTION CARRIED UNANIMOUS**

2:51pm – Cr Hilda Mosby re-joined the meeting.

2:51pm – Mayor Phillemon Mosby re-joined the meeting.

18. **2:52pm – 2:54pm** **LEGAL – Privacy Policy update**

Ms Megan Barrett, Executive Director Corporate Services spoke to this report of changes to our existing policy to meet legislative requirements.

**RESOLUTION:**

*Move: Cr Francis Pearson; Second: Cr Rocky Stephen*

**That Council resolve to endorse the updated Privacy Policy, as presented.**

**MOTION CARRIED UNANIMOUS**



19. **2:55pm – 2:58pm**                      **Closing Remarks and Prayer**

Before closing, Mayor Mosby acknowledged and thanked Councillors, the Acting Chief Executive Officer and the Executive Team for their participation, leadership and engagement in the today's meetings and invited Cr Keith Fell to close the meeting in a word of prayer.

**MEETING ADJOURNED - 2:58pm**

**COUNCIL ORDINARY MEETING**  
**Wednesday 16<sup>th</sup> February 2022**

**PRESENT**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuia  
Cr Lama Trinkoon, Division 6 – Kubin (Arkai), Mua Island  
Cr John Levi, Division 7 – Wug (St Pauls), Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri (Hammond)  
Cr Getano Lui Jnr, Division 9 – Iama (Yam)  
Cr Kabay Tamu, Division 10 – Warraber (Sue)  
Cr Francis Pearson, Division 11 – Poruma (Coconut)  
Cr Hilda Mosby, Division 12 – Masig (Yorke)  
Cr Rocky Stephen, Division 13 – Ugar (Stephen)  
Cr Jimmy Gela, Division 14 – Erub (Darnley)  
Cr Aven Noah, Division 15 – Mer (Murray)

**STAFF:**

Ms Hollie Faithfull, Acting Chief Executive Officer (ACEO)  
Mr David Baldwin, Executive Director, Engineering Services  
Ms Megan Barrett, Executive Director, Corporate Services (EDCS)  
Mr Dawson Sailor, Acting Executive Director, Community and Building Services (AEDCBS)  
Ms Nicola Daniels, Acting Executive Director, Financial Services (EDFS)  
Mr Peter Krebs, Manager Legal Services (MLS)  
Mrs Ursula Nai, Senior Executive Assistant to the CEO (SEA)  
Mr Jacob Matysek, Executive Assistant to the Mayor (EA)  
Ms May Mosby, Acting Secretariat Officer (ASO)

**APOLOGIES**

Cr Laurie Nona, Division 5 – Badu Island

20. **9:00am – 9:06am** **Welcome and opening prayer**

The meeting resumed at 9.00am.

Mayor Phillemon Mosby completed a roll call of Councillors, established a quorum and acknowledged and paid respects to:

- Our Heavenly Father for his awesome wisdom, knowledge and understanding upon our lives;
- Traditional Owners on the land we are all dialling in from across Zenadth Kes and Cairns region;

Mayor Mosby invited Cr John Levi to open the meeting in a word of prayer at 9:06am.

21. **9:06am – 9:06am** **COUNCIL MOVES INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved: Cr Torengo Elisala; Second: Cr Lama Trinkoon*

**That in accordance with Section 254J of the *Local Government Regulation 2012* (Qld) it is resolved for the meeting to go into closed business to discuss matters of the following nature:**

**(c) local government budget.**

**(e) legal advice obtained by the local government or legal proceedings involving the local government.**

**(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 UNANIMOUS**

- 22. **BUILDING – CB – BSU Update – Late**
- 23. **BUILDING – CB – Contractual Matter – Lot 141(58) Lowatta Street Yorke**
- 24. **CORPORATE – CB – COVID Response**
- 25. **ENGINEERING – CB – Waste Metal Project – Contractual Matter – Late**
- 26. **FINANCE – Financial Dashboard Report – January 2022**
- 27. **LEGAL – CB – Complaint OIA ref C/21/00634: alleged council inappropriate conduct**

**MORNING TEA 10:08am – 10:22am**

**LUNCH 12:45pm – 1:45pm**

28. **2:30pm – 2:30pm** **COUNCIL MOVES OUT OF CLOSED BUSINESS AND RESUMES IN OPEN BUSINESS**

**RESOLUTION:**

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

**That Council resolves to move out of closed business and resume in open business.**

**MOTION CARRIED UNANIMOUS**

2:30pm – All staff re-joined the meeting

**Resolutions and minutes for noting following closed business:**

**2:30pm – 2:31pm** **BUILDING – CB – BSU Update - Late**

Mayor Mosby requested the following be noted for minute taking purposes

9:41am – Cr Hilda Mosby joined the meeting.

Cr Hilda Mosby declared a Declarable Conflict of Interest in Council Meeting Agenda Item 23 – BUILDING – CB – Contractual Matter – Lot 141(58) Lowatta Street, Yorke as the dwelling is of late Mrs Dorothy Lowatta who is Cr Hilda Mosby's Aunt and therefore a related party under s150EP. The late Mrs Dorothy Lowatta is the applicant in this matter and Cr Hilda Mosby declared an interest under s150EQ(4).

Cr Hilda Mosby proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Mayor Phillemon Mosby declared a Declarable Conflict of Interest in Council Meeting Agenda Item 23 – BUILDING – CB – Contractual Matter – Lot 141(58) Lowatta Street, Yorke as the dwelling is of late Mrs Dorothy Lowatta and is a close relative and therefore a related party under s150EP. The late Mrs Dorothy Lowatta is the applicant in this matter and Mayor Phillemon Mosby declared an interest under s150EQ(4).

Mayor Phillemon Mosby proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Mayor Mosby asked Deputy Mayor, Cr Getano Lui to chair the meeting

10:28am – Cr Hilda Mosby left the meeting due to her Declareable Conflict of Interest.  
10:28am – Mayor Mosby left the meeting due to his Declarable Conflict of Interest.  
10:30am – Cr Dimas Toby joined the meeting  
10:34am – Cr Hilda Mosby re-joined the meeting  
10:34am – Mayor Mosby re-joined the meeting

**RESOLUTION:**

*Moved: Cr Kabay Tamu; Second: Cr Keith Fell*

**That Council resolves to note the information on this report.**

**MOTION CARRIED UNANIMOUS**

**2:31pm – 2:32pm**

**BUILDING – CB – Contractual Matter – Lot 141(58)  
Lowatta Street, Yorke**

**RESOLUTION:**

*Moved: Cr Aven Noah; Second: Jimmy Gela*

Council resolves to

**1. Submit a tender to the Queensland State Government through the Department of Communities, Housing and Digital Economy to carry out various upgrade works at Lot 141 (58) Lowatta Street, Yorke Island (QBFNQ0587UP1) with a tender price of \$315,103.13 excl of GST**

**and**

**2. delegate authority to the Chief Executive Officer to submit the tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this tender.**

**MOTION CARRIED UNANIMOUS**

**2:32pm – 2:33pm**

**CORPORATE – CB – COVID Response**

**RESOLUTION:**

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

**That Council resolves to note the information contained within this report.**

**MOTION CARRIED UNANIMOUS**

**2:33pm – 2:35pm**

**ENGINEERING – CB – Waste Metal Project – Contractual Matter – Late**

Mayor Mosby requested the following be noted for minute taking purposes

Cr Seriako Dorante declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 25 – ENGINEERING – CB – Waste Metal Project – Contractual Matter - Late. This prescribed conflict of interest arises as he is an employee of Seaswift and therefore a close associate under s150EJ. Cr Seriako Dorante declared an interest under s150EL Cr Seriako Dorante proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

11:15am Cr Dorante left the meeting due to his Prescribed Conflict of Interest

**RESOLUTION:**

*Moved: Cr Keith Fell; Second: Cr Aven Noah*

**Council resolves to:**

- 1. Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to negotiate and approve variations to the Contract No. TSIRC2020-339 Metal Waste Legacy Stockpile Clean-Up Project by the waiver of a portion of Council Maritime fees up to an equivalent value of \$1,268,000.00 excl. GST.**
- and**
- 2. whereby Council will not be liable for funding of the GST portion of any waived Maritime fees that form part of services delivered under the Contract.**

**MOTION CARRIED**

**AGAINST – Cr Kabay Tamu; Cr Francis Pearson and Mayor Phillemon Mosby**

11:59am – Cr Seriako Dorante re-joined the meeting.

**2:35pm – 2:36pm**

**FINANCE – Financial Dashboard Report – January 2022**

**RESOLUTION:**

*Move: Cr John Levi; Second: Cr Torenzo Elisala*

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2021-22 year to date, for the period ended 31 January 2022, as required under Section 204 *Local Government Regulation 2012*.

**MOTION CARRIED UNANIMOUS**

**2:36pm – 2:37pm**

**LEGAL – CB – Complaint OIA ref C/21/00634: alleged councillor inappropriate conduct**

Mayor Mosby requested the following be noted for minute taking purposes

Cr Getano Lui declared a Declarable Conflict of Interest in Council Meeting Agenda Item 27– Legal – CB – Complaint OIA ref C/21/00634: alleged councillor inappropriate conduct as Cr Aven Noah is a close relative of Cr Aven Noah and therefore a related party under s150EP. Cr Aven Noah is the subject of this complaint and Cr Getano Lui declared an interest under s150EQ(4).

Cr Getano Lui proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Cr Aven Noah declared a Declarable Conflict of Interest in Council Meeting Agenda Item 27– Legal – CB – Complaint OIA ref C/21/00634: alleged councillor inappropriate conduct as he is the subject of this complaint and declared an interest under s150EQ(4).

Cr Aven Noah proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

12:15pm – Cr Getano Lui and Cr Aven Noah left the meeting due to their Declarable Conflict of Interest.

12:16pm – All Staff were requested to leave the meeting.

12:30pm – Cr Aven Noah was requested to rejoin the meeting.

**RESOLUTION:**

*Move: Cr Serriako Dorante; Second: Cr Jimmy Gela*

**Council resolves to**

**note Cr Aven Noah's admission that he engaged in inappropriate conduct by making inappropriate gestures in front of community members on two occasions**

**and**

**reprimand Cr Noah for his inappropriate conduct**

**and**

**order Cr Noah to review and refresh his knowledge of the Code of Conduct for Councillors in Queensland.**

**MOTION CARRIED UNANIMOUS**

12:45pm – Cr Getano Lui rejoined the meeting.

29. **2:37pm – 2:40pm**

**CORPORATE – Community Grants Program Allocation – February 2022**

Ms Megan Barrett, Executive Director Corporate Services spoke to this report.

As further late information became available during the meeting in relation to Agenda Item 13 and the application by the Church of the Rock, with the leave of the meeting, Council resolved to revisit the earlier decision.'

**RESOLUTION:**

*Move: Cr Lama Trinkoon; Second: Cr Rocky Stephen*

**1. That Council resolves to repeal the motion at its 15 February 2022 meeting, which approved grants to the Restoration Revived Ministries for \$1448.00 and the Church of the Rock Ministry for \$6991.40 under the Community Grants Program.**

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

**Community Grant Applications received from Community Entities for the maximum threshold of \$10,000:**

- **Restoration Revival Ministries for the eligible amount of \$1448.00 exclusive of GST, as per the submitted application.**
- **Church of the Rock Ministry for the eligible amount of \$1500.00 exclusive of GST, as per submitted application.**

**Community Grant Applications received from Individual applicants for the maximum threshold of \$2,500:**

- **Nil (0) applications received.**

**MOTION CARRIED UNANIMOUS**

30. **2:40pm – 2:50pm**

**Business Arising from Information Reports**

Deputy Mayor, Cr Getano Lui raised concerns with the Engineering Information Report for lama that reflects differently to what is happening on ground. He also raised some other concerns.

**ACTION: Executive Director, Engineering Services have an offline conversation with Cr Getano Lui with regards to his concerns with the accuracy of the Engineering Information Reports in relation to lama.**

Mayor Mosby conveyed his appreciation on behalf of the elected arm to Ms Hollie Faithfull, Acting Chief Executive Officer, the Executive Team and staff for preparing and producing the reports.

31. 2:50pm – 2:50pm Next Council Meeting Date – 22<sup>nd</sup> and 23<sup>rd</sup> March 2022 – Warraber

Mayor Mosby noted that an agenda report has already been endorsed changing the location of the March meeting from Warraber to Video Conference.

32. 2:50pm – 3:10pm Strategic Matters

**Visitor's online entry permits:**

Cr Rocky Stephen enquired as to where we are at with the online permits and QR checkin app, whether people are still checking in with the app.

Ms Megan Barrett, Executive Director, Corporate Services provided an update on the travel entry permits and advised that the review of the travel process is almost completed. The Manager Visitor Operations, Ms Rottannah Passi, has been working very closely with Mr Dawson Sailor, acting Executive Director, Building and Community Services to ensure the travel process complies with Queensland Health requirements.

Deputy Mayor, Cr Getano Lui raised whether there could be some information sessions in communities from health officials to provide an insight on where we are at present with COVID including information on Have we reached the peak; when will the peak end? etc.

**ACTION: That Acting Chief Executive Officer to speak with Torres and Cape Health Services to request information session are provided to communities on COVID related issues.**

**Timeframe of Councillor's allowance:**

Cr Keith Fell raised concerns around the timeframe and consistency of councillors being paid their wages on time and asked for a set time of 3:00pm for councillors to receive their wages in their bank accounts to alleviate any further concerns.

Action: all payments at 3pm

**Apology – Cr Laurie Nona**

- Cr Laurie Nona, Division 5 – Badu

**RESOLUTION:**

*Moved: Cr Aven Noah; Second: Cr Francis Pearson*

**That Council accept the apology of Cr Laurie Nona for Day 2 of the February 2022 Ordinary Meeting.**

**MOTION CARRIED UNANIMOUS**

**3:10pm – 3:16pm** **Mabuiag Funeral Trust Fund – Late (Verbal)**

Nicola Daniels, Acting Executive Director, Financial Services spoke to this topic and an in-depth conversation was held regarding the allocation of the Mabuiag Funeral Trust Fund.

**ACTION:** The Manager of Legal Services to provide a report to Council about the allocation of Trust Funds and whether delegation for future allocations of any of the Trust Funds should be given to the Chief Executive Officer and Mayor.

**RESOLUTION:**

*Moved: Cr John Levi; Second: Cr Conwell Tabuai*

**That Council resolve to:**

1. **Allocate \$6,037.22 from the Mabuiag funeral fund be paid out for the funeral expenses request dated 11 February 2022.**

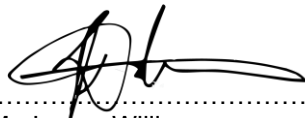
**MOTION CARRIED UNANIMOUS**

33. **3:16 – 3:18pm** **Closing Remarks and Prayer**

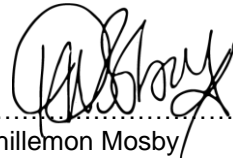
Mayor Mosby thanked Councillors and Administration Staff for their participation and engagement over the last two days of meeting and ensuring our future meetings are more productive and professional.

Mayor Mosby invited Cr Francis Pearson to close the meeting in a word of prayer.

**MEETING CLOSED AT 3:20PM**



.....  
Mr James William  
Chief Executive Officer  
Torres Strait Island Regional Council  
Date: 22<sup>nd</sup> March 2022



.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date: 22<sup>nd</sup> March 2022