

# Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

March 2022

Tuesday 22<sup>nd</sup> March 2022, 1:10pm – 4:30pm  
Wednesday 23<sup>rd</sup> March 2022, 9:15am – 4:11pm

Video Conference

**COUNCIL ORDINARY MEETING**  
**Tuesday 22<sup>nd</sup> March 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 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:**

Mr James William, Chief Executive Officer (CEO)  
Ms Hollie Faithfull, Executive Director, Financial Services (EDFS)  
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)  
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:**

Nil

1. **1:10pm – 1:11pm** **Welcome and Opening Remarks**

Mayor Phillemon Mosby established a quorum, welcomed Councillors and Staff and convened the Council Ordinary Meeting.

2. **1:11pm – 1:12pm** **Apologies**

No apologies

3. **1:12pm – 1:15pm** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

1:19pm - Cr Laurie Nona joined the meeting

Cr Kabay Tamu declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 14 – CORPORATE – Community Grant Program as the Individual Applicant, Milleon Tamu is his sister and therefore are related parties under s150EP. Milleon Tamu is the applicant in this matter and Cr Kabay Tamu declared an interest under s150EQ(4).

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

Cr Getano Lui declared a Declarable Conflict of Interest in Council Meeting Agenda Item 14 – CORPORATE – Community Grant Program from the Yam Island Dance Group as persons involved are close relatives and therefore a related party under s150EP. 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 Torenzo Elisala declared a Declarable Conflict of Interest in Council Meeting Agenda Item 14 – CORPORATE – Community Grant Program from the Dauan Island Under 12's Rugby League Team as persons involved are close relatives and therefore a related party under s150EP. Cr Torenzo Elisala declared an interest under s150EQ(4).

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

4. **1:15pm – 1:20pm** **Confirmation of Previous Council Ordinary Meeting Minutes**

- 15<sup>th</sup> February 2022 – Day 1 Ordinary Meeting

**RESOLUTION:**

*Moved: Cr Jimmy Gela; Second: Cr Laurie Nona*

**That Council resolves to accept the minutes of the Ordinary Meeting held on 15<sup>th</sup> February 2022, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

- 16<sup>th</sup> February 2022 – Day 2 Ordinary Meeting

**RESOLUTION:**

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

**That Council resolves to accept the minutes of the Ordinary Meeting held on 16<sup>th</sup> February 2022, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

5. **1:20pm – 1:25pm** **Confirmation of Previous Council Special Meeting Minutes**
- 4<sup>th</sup> February 2022
- ACTION:** Secretariat Officer to amend – Agenda Item 5 - change Engineering report title to CB – Engineering – Waste Metal Project – Contractual Matter – Verbal
- RESOLUTION:**  
*Moved: Cr Francis Pearson; Second: Cr Rocky Stephen*  
**That Council resolves to accept the minutes of the Special Meeting held on 4<sup>th</sup> February 2022, to be a true and accurate account of that meeting.**
- MOTION CARRIED UNANIMOUS**
- 
6. **1:25pm – 1:30pm** **Confirmation of Previous SARG Committee Minutes**
- 1<sup>st</sup> March 2022
- RESOLUTION:**  
*Moved: Cr Laurie Nona; Second: Cr Francis Pearson*  
**That Council resolves to accept the minutes of the Strategic Advisory Reference Group (SARG) held on 1<sup>st</sup> March 2022, to be a true and accurate account of that meeting.**
- MOTION CARRIED UNANIMOUS**
- 
7. **1:30pm – 1:35pm** **Confirmation of Previous Cultural, Arts, Land and Heritage Committee Meeting**
- 25<sup>th</sup> February 2022
- RESOLUTION:**  
*Moved: Cr Torenzo Elisala; Second: Cr Rocky Gela*  
**That Council resolves to accept the minutes of the Cultural, Arts, Land and Heritage Committee Meeting held on 25<sup>th</sup> February 2022, to be a true and accurate account of that meeting.**
- MOTION CARRIED UNANIMOUS**
- 
8. **1:35pm – 1:40pm** **Confirmation of Previous Governance and Leadership Committee Meeting**
- 10<sup>th</sup> November 2021
- Minutes of the Governance and Leadership Committee Meeting held on 10<sup>th</sup> November 2021 left laying on the table to be rectified by Minute Taker, Ms Naila Nomoa.
- 
9. **1:40pm – 1:45pm** **Outstanding Council Ordinary Meeting Action Items**
- Mr David Baldwin, Executive Director Engineering Services provided an update on the outstanding action items listed on the register from 15<sup>th</sup> and 16<sup>th</sup> February 2022.
- 
10. **1:45pm – 2:00pm** **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.
- 2:43pm – Mayor Mosby left the meeting.  
 2:46pm – Mayor Mosby re-joined the meeting.

11. **2:00pm – 2:40pm** **Deputation 1: Ms Pat O’Shane – Candidate for Leichhardt**

Mayor Phillemon Mosby welcomed Ms Pat O’shane. Ms O’Shane spoke of her candidacy for the seat of Leichardt in the upcoming Federal elections and would contesting the seat in the House of representative for the Socialist Alliance party and had an in-depth conversation on matters relating to the Torres Strait.

Mayor Mosby thanked Ms Pat O’Shane for her time.

12. **2:40pm – 2:50pm** **CORPORATE – Change of April OM meeting place**

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

Due to COVID-19, Council’s February and March Ordinary Meetings were relocated from face-to-face meetings at Masig and Warraber respectively to meetings conducted via videoconference. It is now considered safe for Councillors, Council Officers and Communities to conduct face-to-face meetings in Community. However, unfortunately, due to accommodation unavailability, both Masig and Warraber are unable to re-host the April face-to-face meetings.

**RESOLUTION:**

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

**Council resolves to relocate the April Ordinary Meeting of Council from a meeting conducted via videoconference to a face-to-face meeting to be held in Community.**

**MOTION CARRIED UNANIMOUS**

13. **2:50pm – 3:10pm** **CORPORATE – Funding Acquisition Report**

Ms Megan Barrett, Executive Director Corporate Services spoke to report and provided an update on Council’s recent grant acquisition activities.

**RESOLUTION:**

*Move: Cr Francis Pearson; Second: Cr Torenzo Elisala*

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

**MOTION CARRIED UNANIMOUS**

1:53pm – Mr Jacob Matysek left the meeting

2:00pm – Mr Jacob Matysek re-joined the meeting

1:57pm – Mr James William, Chief Executive Officer left the meeting

2:37pm – Mr James William, Chief Executive Officer re-joined the meeting

14. **3:10pm – 3:30pm** **CORPORATE – Community Grant Program –  
March 2022 – Late**

Ms Megan Barrett, Executive Director Corporate Services spoke to this report and provided an overview on the Community Grants applications.

2:47pm – Cr Getano Lui left the meeting due to his Declarable Conflict of Interest.

**Yam Island Dance Group**

**RESOLUTION:**

*Move: Cr Aven Noah; Second: Cr Torenzo Elisala*

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

- **Yam Island Dance Group for the eligible amount of \$5,982.00 exclusive of GST, as per submitted application.**

**MOTION CARRIED UNANIMOUS**

2:50pm – Cr Getano Lui rejoined the meeting.

**Yam Island Under 12's Rugby League Team**

**RESOLUTION:**

*Move: Cr Kabay Tamu; Second: Cr Lama Trinkoon*

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

- Yam Island Under 12's Rugby League Team for the eligible amount of \$5,000.00 exclusive of GST, as per submitted application.

**MOTION CARRIED UNANIMOUS**

**Mabuiag Men's Sporting Group**

**RESOLUTION:**

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

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

- Mabuiag Men's Sporting Group for the eligible amount of \$5,000.00 exclusive of GST, as per submitted application noting that Mabuiag Men's Sporting Group applied for \$10,000.00.

**MOTION CARRIED UNANIMOUS**

**New Day Torres Strait Islander Corporation**

**RESOLUTION:**

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

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

- New Day Torres Strait Islander Corporation for the eligible amount of \$5,732.00 exclusive of GST, as per submitted application.

**MOTION CARRIED UNANIMOUS**

**Saibai Island Under 12's Rugby League Team**

**RESOLUTION:**

*Move: Cr Conwell Tabuai; Second: Cr Laurie Nona*

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

- Saibai Island Under 12's Rugby League Team for the eligible amount of \$4,574.00 exclusive of GST, as per submitted application.

**MOTION CARRIED UNANIMOUS**

2:54pm - Cr Kabay Tamu left the meeting due to his Declarable Conflict of Interest.

**Milleon Tamu**

Milleon Tamu applied for the eligible amount of \$2,267.00 exclusive of GST.

**MOTION LOST**

3:00pm – Cr Kabay Tamu re-joined the meeting

**Arkai Brothers Rugby League**

**RESOLUTION:**

*Move: Cr Lama Trinkoon; Second: Cr John Levi*

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

- Arkai Brothers Rugby League for the eligible amount of \$4,144.00 exclusive of GST, as per submitted application.

**MOTION CARRIED UNANIMOUS**

**Erub Island Under 12's Rugby League Team**

**RESOLUTION:**

*Move: Cr Jimmy Gela; Second: Cr Francis Pearson*

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

- Erub Island Under 12's Rugby League Team for the eligible amount of \$5,970.00 exclusive of GST, as per submitted application.

**MOTION CARRIED UNANIMOUS**

**Masig Mix Under 12's Rugby League Team**

**RESOLUTION:**

*Move: Cr Hilda Mosby; Second: Cr Lama Trinkoon*

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

- **Masig Mix Under 12's Rugby League Team for the eligible amount of \$2,435.00 exclusive of GST, as per submitted application.**

**MOTION CARRIED UNANIMOUS**

**Warraber Under 12's Rugby League Team**

**RESOLUTION:**

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

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

- **Warraber Island Under 12's Rugby League Team for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application noting that Warraber Island Under 12's Rugby League Team previously applied for \$3,434.00.**

**MOTION CARRIED UNANIMOUS**

**Wug Sporting Group**

**Wug Sporting Group applied for the eligible amount of \$4,144.00 exclusive of GST.**

**MOTION LOST**

**Boigu Touch Team Group**

**RESOLUTION:**

*Move: Cr Dimas Toby; Second: Cr Jimmy Gela*

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

- **Boigu Touch Team Group for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application noting that Boigu Touch Team previously applied for \$4,728.00.**

**MOTION CARRIED UNANIMOUS**

3:17pm – Cr Torenzo Elisala left the meeting due to his Declarable Conflict of Interest.

**Dauan Island Under 12's Rugby League Team**

**RESOLUTION:**

*Move: Cr Keith Fell; Second: Cr Jimmy Gela*

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

- **Dauan Island Under 12's Rugby League Team for the eligible amount of \$10,000.00 exclusive of GST, as per submitted application.**

**MOTION CARRIED UNANIMOUS**

3:20pm – Cr Torenzo Elisala rejoined the meeting.

**Mer Island Under 12's Rugby League Team**

**RESOLUTION:**

*Move: Cr Aven Noah; Second: Cr Torenzo Elisala*

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

- **Mer Island Under 12's Rugby League Team for the eligible amount of \$3,000.00 exclusive of GST, as per submitted application noting that Mer Island Under 12's Rugby League Team previously applied for \$6,374.00.**

**MOTION CARRIED UNANIMOUS**

**Badu Island Under 12's Rugby League Team**

**RESOLUTION:**

*Move: Cr Conwell Tabuai; Second: Cr Laurie Nona*

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

- **Badu Island Under 12's Rugby League Team for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application**

**MOTION CARRIED UNANIMOUS**

Cr Laurie Nona advised he thought the support value was \$1500 which was offered from Saibai. It was clarified that Saibai had offered \$2000, so the grant application was increased from \$1500.00 to \$2000.00. Cr Laurie Nona graciously thanked Cr Conwell Tabuai for the generous contribution.

**AFTERNOON TEA – 3:26 – 3:44PM**

15. **3:44pm – 3:50pm**

**ENGINEERING – Award Tender No. TSIRC 2021-358 - ICCIP Project #21 – Dauan Island Water Main, WTP & Well Upgrade**

3:46pm – Cr Tabuai joined the meeting.

Mr David Baldwin, Executive Director Engineering Services spoke to this report. The purpose of the report is to award a water project on Dauan. Part of the ICCIP (Indigenous Critical Communities Infrastructure Project) \$51m project funded through the State Government to M&J Arthur Pty Ltd.

**RESOLUTION:**

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

**That Council resolves to:**

- **Subject to confirmation of funding extension, Award the Tender No. TSIRC 2021-358 – ICCIP Project #21 – Dauan Island Water Main, WTP & Well Upgrades to M&J Arthur Pty Ltd for an amount of up to \$2,897,000.00 excl. GST;**
- **Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* 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 as per Council's procurement and ethical sourcing policy.**

**MOTION CARRIED UNANIMOUS**

16. **3:50pm – 4:01pm**

**ENGINEERING – Award Contract TSIRC2022-361, Coastal Hazard Adaptation Strategy**

Mr David Baldwin, Executive Director Engineering Services spoke to this report seeking Council resolution to engage Alluvium Consulting Australia to complete the remaining phases (6-8) of the Coastal Hazard Adaptation Strategy (CHAS) noting Phases 1-5 have been completed.

**RESOLUTION:**

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

**Council resolves to**

- **Award contract TSIRC 2022-361 - Coastal Hazard Adaptation Strategy Phase 6-8 to Alluvium Consulting Australia Pty Ltd, for the amount of \$245,030.00 excluding GST; and**
- **Delegate authority to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009*:**
- **power to make, amend or discharge contract TSIRC 2022-361 – Coastal Hazard Adaptation Strategy Phase 6-8;**
- **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 as per Council's procurement policy and ethical sourcing policy.**

**MOTION CARRIED UNANIMOUS**



17. **4:01pm – 4:30pm**

**Closing Remarks and Prayer**

For minute taking purposes, all staff were requested to leave the meeting at 4:01pm with the exception of the Chief Executive Officer.

**MEETING ADJOURNED – 4:30PM**

**COUNCIL ORDINARY MEETING**  
**Wednesday 23<sup>rd</sup> March 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:**

Mr James William, Chief Executive Officer (CEO)  
Ms Hollie Faithfull, Executive Director, Financial Services (EDFS)  
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)  
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:**

Nil

18. **9:15am – 9:20am** **Welcome and opening prayer – Day 2**

The meeting resumed at 9:15am

Mayor Phillemon Mosby completed a roll call of Councillors for Day 2, 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 across the length and breadth of Zenadth Kes and Cairns region
- Organisational arm of Council

Mayor Phillemon Mosby invited Cr John Levi to open the meeting in a word of prayer.

9:18am – Mr James William, Chief Executive Officer joined the meeting.

9:18am – Ms Megan Barrett, Executive Director Corporate Services joined the meeting.

19. **9:20am – 10:20am** **Deputation 2: Ms Elida Faith – Candidate for Leichhardt**

Mayor Phillemon Mosby welcomed Ms Elida Faith. Ms Faith spoke of her candidacy for the seat of Leichardt in the upcoming Federal as a member of the Australian Labour Party and had an in-depth conversation on matters relating to the Torres Strait.

Mayor Phillemon Mosby thanked Ms Pat O'Shane for her time.

9:40am – Mr Dawson Sailor left the meeting

9:45am – Mr Dawson Sailor re-joined the meeting

9:45am – Cr Hilda Mosby joined the meeting

9:49am – Cr Conwell Tabuai left the meeting

10:04am – Cr Conwell Tabuai re-joined the meeting

**MORNING TEA 10:20am – 10:35am**

10:24am – Ms Megan Barrett left the meeting.

20. **10:35am – 10:38am** **COUNCIL MOVES INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved: Cr Francis Pearson; Second: Cr Kabay Tamu*

**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**

21. **BUILDING – CB – Building Services Update (February)**

22. **BUILDING – CB – Increase to CEO Financial and Contractual Delegation – Late**

23. **BUILDING – CB – Darnley and Badu Islands – 3 x Plug-ins – Lates**

24. **FINANCE – CB – Finance dashboard report February 2022**

25. **LEGAL – CB – Proposed adaptation of Torres Strait Islander Flag**

26. 1:23pm – 1:23pm

**COUNCIL MOVES OUT OF CLOSED BUSINESS  
AND RESUMES IN OPEN BUSINESS**

**RESOLUTION:**

*Moved: Cr Aven Noah; Second: Cr Laurie Nona*

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

**MOTION CARRIED UNANIMOUS**

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

10:42am – Cr Laurie Nona joined the meeting  
10:44am – Cr Laurie Nona left the meeting  
11:05am – Cr Laurie Nona re-joined the meeting  
11:11am – Ms Ursula Nai left the meeting  
11:11am – Mr Dawson Sailor left the meeting  
11:13am – Mr Dawson Sailor re-joined the meeting  
11:13am – Ms Megan Barrett re-joined the meeting  
11:16am – Ms Ursula Nai re-joined the meeting  
11:26am – Mr James William left the meeting  
11:28am – Mr James William re-joined the meeting  
11:39am – Cr Elisala left the meeting  
11:40am – Mr Dawson Sailor left the meeting  
11:45am – Cr Getano Lui left the meeting due to a scheduled meeting with Federal Police  
11:45am – Cr Conwell Tabuai left the meeting  
11:51am – Cr Torenzo Elisala re-joined the meeting  
11:58am – Cr Conwell Tabuai re-joined the meeting  
12:03pm – Mr Dawson Sailor re-joined the meeting

**BUILDING – CB – Building Services Update (February)**

**RESOLUTION:**

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

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

**MOTION CARRIED UNANIMOUS**

**BUILDING – CB – Increase to CEO Financial and Contractual Delegation – [Late](#)**

**RESOLUTION:**

*Moved: Cr Seriako Dorante; Second: Cr Rocky Stephen*

**Council resolves:**

- Pursuant to section 257 of the *Local Government Act 2009* Council delegates to the Chief Executive Officer:
- power to award, make, amend or discharge contracts relating to QBuild upgrade and homeownership works up to a value of \$350,000 excluding GST; and
- power to negotiate, finalise and execute any and all matters associated with or in relation to these projects and contracts including without limitation any options and/or variations.
- power to update Appendix 1 of Council's Procurement and Ethical Sourcing Policy to reflect this updated financial and contractual delegation.

**MOTION CARRIED UNANIMOUS**

**BUILDING – CB – Darnley and Badu Islands – 3 x Plug-Ins - [Late](#)**

**RESOLUTION:**

*Moved: Cr Kabay Tamu; Second: Cr John Levi*

**Council resolves:**

- To award contract 2021\_05\_81908\_1 - Darnley & Badu Islands - 3 x Plug-Ins to Matt Birney Builders Pty/Ltd for the amount of \$1,294,999.34 excluding GST.

**and**

- Pursuant to section 257 of the *Local Government Act 2009* Council delegates to the Chief Executive Officer:
- power to make, amend or discharge contract 2021\_05\_81908\_1 - Darnley & Badu Islands - 3 x Plug-Ins: 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.

**MOTION CARRIED UNANIMOUS**

#### **FINANCE – CB – Finance dashboard report February 2022**

##### **RESOLUTION:**

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

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 28 February 2022, as required under Section 204 *Local Government Regulation 2012*.

**MOTION CARRIED UNANIMOUS**

#### **LEGAL – CB – Proposed adaptation of Torres Strait Islander Flag**

##### **RESOLUTION:**

*Moved: Cr Aven Noah; Second: Cr Laurie Nona*

1. That Council grant permission to Aboriginal Affairs New South Wales, NSW Department of Premier and Cabinet's Reconciliation Working Group, the State of New South Wales and its departments, agencies and statutory bodies to reproduce and adapt the image of the Torres Strait Islander flag by:
  - a. superimposing the image on the NSW Waratah Logo to create a "Torres Strait Islander Flag Waratah Logo"; and
  - b. superimposing the image on the NSW Waratah Logo alongside the Aboriginal Flag to create a "Reconciliation Waratah Logo" for use in their general communications, Reconciliation Plan and during key annual national events.
2. That pursuant to section 257 of the *Local Government Act 2009*, Council:
  - a. delegate to the CEO the power to decide requests to reproduce the image of the Torres Strait Islander flag and issue royalty-free licences, administered by the Department of Community Services; and
  - b. delegate to the CEO, in consultation with the Mayor, the power to decide requests to adapt or modify the image of the Torres Strait Islander flag and issue royalty-free licences, administered by the Department of Building & Community Services.
3. That the Executive Director Building & Community Services prepare a written flag licensing policy for Council endorsement, incorporating the information that Council submitted to the Senate Select Committee on the Aboriginal Flag in September 2020 and also incorporating a requirement that the Executive Director of Building & Community Services present an annual information report to Council on flag licensing.
4. That Council decline statutory licensing royalties from the Copyright Agency on the basis of Council's policy that Council does not seek any financial reimbursement for the use of the Torres Strait Islander flag image.

**MOTION CARRIED UNANIMOUS**

12:03pm – Mrs Ursula Nai left the meeting

12:06pm – Mrs Ursula re-joined the meeting

12:05pm – Mr James William left the meeting

12:15pm – Mr James William re-joined the meeting

#### **Complaint OIA ref C/21/00634**

Cr Aven Noah raised a concern regarding the resolution passed at February's Council meeting of the complaint made against him. Mr Peter Krebs, Manager Legal Services was requested to look into the matter. Mayor Mosby asked if an independent legal advice could be obtained for Cr Aven Noah.

**ACTION:** That the Manager Legal Service have an offline meeting with Cr Aven Noah on this subject.

28. 1:30pm – 1:40pm FINANCE – Audit Committee Membership Renewal

Ms Hollie Faithfull, Executive Director Financial Services spoke to the report. The purpose of the report is to re-engage the services of Mr Paul Shipperley as a member of the Audit committee until 31<sup>st</sup> December 2022. In the interim Mr Paul Shipperley has agreed to act as Chair until the position has been recruited.

**RESOLUTION:**

*Moved: Cr Keith Fell; Second: Cr Hilda Mosby*

**That Council resolves to renew the services of Mr Paul Shipperley as an external independent member of the Torres Strait Island Regional Council Audit Committee until 31 December 2022.**

**MOTION CARRIED UNANIMOUS**

29. 1:40pm – 1:58pm LEGAL – Local Thriving Communities – Joint Coordinating Committee – TSIRC recommendation of a community representative member – Late

Mr Peter Krebs, Manager Legal Services spoke to the report. Council is requested to put forward a nominee for membership of the Joint Coordinating Committee. The nominee is unable to be a Councillor.

An in-depth conversation was held whether Councillors could be nominated as an elected leader or as a community representative. The Councillors agreed to elect Laurie Nona as a Community member and not as an elected Councillor.

**RESOLUTION:**

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

**Council resolves to recommend the appointment of Cr Laurie Nona as a community representative member to the new Joint Coordinating Committee.**

**MOTION CARRIED**

**AGAINST: Cr Keith Fell and Cr Kabay Tamu**

1:47pm – Mr Jacob Matyse left the meeting

1:50pm – Mr Jacob Matyse re-joined the meeting

1:53pm – Cr Kabay Tamu joined the meeting

30. 1:58pm – 2:09pm LEGAL – Cultural Heritage Act review

Mr Peter Krebs, Manager Legal Services spoke to this report. This paper has been submitted and reviewed by the Culture, Arts, Land and Heritage Committee.

**RESOLUTION:**

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

**Council resolves to confirm support for the following proposal to the Aboriginal and Torres Strait Islander Cultural Heritage Act 2003 as outlined in the Options paper of December 2021 and recommends endorsement at Councils March 2022 Ordinary meeting and**

**Recommends that Council provide written submissions to the Department confirming council support of the proposal and Councils continuing involvement in the process so as to further protect customary law.**

**MOTION CARRIED UNANIMOUS**

1:58pm – Mr Jacob Matyse left the meeting

2:05pm – Mr Jacob Matyse re-joined the meeting

2:09pm – Mr Jacob Matyse left the meeting

2:10pm – Mr Jacob Matyse re-joined the meeting

**2:09pm – 3:05pm**

**Deputation 3: Ms Cynthia Lui, Member for Cook**

Mayor Phillemon Mosby welcomed Member for Cook, Ms Cynthia Lui MP. Ms Cynthia Lui MP had in-depth conversation with Councillors on the topics such as Marine Infrastructure, Community Grants, Waste and DOGIT Transfer.

Mayor Phillemon Mosby thanked Member for Cook, Ms Cynthia Lui MP for her time.

**ACTION: Executive Director Building and Community Services to investigate the Dauan Basketball court and provide an update to the next Council Meeting.**

2.18pm – Cr Conwell Tabuai left the meeting  
2:19pm – Cr Conwell Tabuai re-joined the meeting  
2:35pm – Mayor Phillemon Mosby left the meeting  
2:39pm – Mayor Phillemon Mosby re-joined the meeting  
2:51pm – Mr Dawson Sailor left the meeting  
3:03pm – Cr Conwell Tabuai left the meeting  
3:05pm – Cr Conwell Tabuai re-joined the meeting

Cr Kabay Tamu declared a Declarable Conflict of Interest in Council Meeting Agenda Item 31 – LEGAL – Joint Statement on Climate Change in the Torres Strait. Cr Kabay Tamu is an applicant in this matter and Cr Kabay Tamu therefore declared an interest under s150EQ(4).

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

3:04pm – Cr Kabay Tamu left the meeting

31. **3:05pm – 3:13pm**

**LEGAL – Joint Statement on Climate Change in the Torres Strait**

Mr Peter Krebs, Manager Legal Services spoke to the report regarding an email from Lisa Viliamu Johnson of 350 Australia requesting Council's support for a joint statement on Climate Change.

**RESOLUTION:**

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

That Council endorses the Joint Statement on Climate Change in the Torres Strait.

**MOTION CARRIED UNANIMOUS.**

3:13pm – Cr Kabay Tamu re-joined the meeting

32. **3:13pm – 3:14pm**

**Business Arising from Information Reports**

Mayor Mosby acknowledged the Administration Team for putting the reports together in keeping Council up to date across all departments and for having information at our finger tips.

33. **3:14pm – 3:20pm**

**Next Council Meeting Date – 20<sup>th</sup> and 21<sup>st</sup> April 2022 – VC**

Ms Megan Barrett explained that normal protocol in accordance with the Local Government Act when confirming a meeting, council should include the date and location. In accordance with the Act there would normally be a resolution to identify the location. That then enables the advertising of the meeting in advance that we are required to do under the Act but it also provides an audit trail. If we are unable to identify a location at today's meeting then we would have to call a special meeting to identify a location prior to the April meeting.

Cr Hilda Mosby expressed her apologies for not being able to host the face-to-face meeting at Masig due to the recent increase in numbers of COVID-19 cases in the community.

Cr Dimas Toby sought Councillor's support of having the next Council face-to-face meeting at Boigu in line with the opening of their new seawall.

Mr James William, Chief Executive Officer advised a special meeting would be called to confirm the location of the April Meeting.

34. **3:20pm – 4:00pm** **Strategic Matters**

Cr Dimas Toby requested an update on the current Katter lease properties to include what is still to be finalised and what has been divested.

**ACTION: Manager Legal Services to provide further information on the Katter Leases to Cr Dimas Toby offline.**

Cr Getano Lui raised issues on the following:

- Basketball Court – Court is finished but structure is too high.
- Lighting – floodlights were no good. Could Council fund floodlights.
- Satellite Phones – connectivity problems or whether account not paid. Asked if this matter could be looked into further.
- Federal police investigations on Yam in regards to an illegal PNG boat.
- Community Grants applications. Concerned with the ground truthing. Suggested that the applications be reviewed by the Councillor first before the applications are submitted as Councillors are not aware of the submissions until it is brought to Council's meeting to be approved.
- Community Grants applications for funding the Junior Rugby League Camp at Iama and Mabuia. Why are we putting in individual applications when it's regional and should have come out of regional funding thus saving our community grants funding.

Cr Keith Fell raised issues on the following:

- Connectivity of Satellite phones within divisions.
- Food security in our region and needing to be proactive in our discussions with providers especially CEQ in regards to what plans they have on this topic.
- Email sent regarding Skyport and if there was an opportunity for their CEO to present to Council at our May meeting in relation to the Torres Strait being a pilot on tests of drones for the future of delivering mail and freight services.

Mayor Phillemon Mosby requested all future projects be brought to the attention of the CEO so appropriate processes are activated to ensure we have full Council endorsement before sending letters of support.

**ACTION: Executive Director, Engineering Services to investigate the connectivity issues with the SAT phones in divisions.**

Cr Conwell Tabuai highlighted the international border breaches happening on Saibai at present. There are issues with family members supplying food, and or harbouring PNG nationals. Cr Conwell Tabuai advised this has been happening for over a few months and would like support and advice on addressing the issues.

Mayor Phillemon Mosby advised that this matter will be processed further through LDMG and also collate information on border movements and send correspondence to Treaty Liaison Officer.

**ACTION: Mayor Phillemon Mosby to raise International Border breaches as an agenda topic at the next LDMG and liaise with the Treaty Liaison Officer from DFAT on this topic.**

Cr Francis Pearson raised the issue of repairs and maintenance on Council assets in his community. Ms Hollie Faithfull, Executive Director Financial Services provided an overview of the process of reporting repairs and maintenance and the budget owner for these requests.

Mr James William, Chief Executive Officer gave his assurance that he will look into these matters further. If there are issues identified then they should be resolved.



**ACTION: Acting Executive Director, Building and Community Services to investigate the repairs and maintenance reporting for Poruma and provide an update offline to Cr Francis Pearson.**

Cr Hilda Mosby followed up on Masig Decarbonisation Project. Mr Dawson Sailor, Acting Executive Director, Building and Community Services provided an overview of the status of this project.

**ACTION: Acting Executive Director Building and Community Services have an offline conversation with Cr Hilda Mosby to update her on the Masig Decarbonisation Project.**

Cr Rocky Stephen, Cr Torenzo Elisala and Cr Laurie Nona raised some concerns regarding operational issues within Building and Community Services.

**ACTION: Acting Executive Director, Building and Community Services to contact Cr Rocky Stephen, Cr Torenzo Elisala and Cr Laurie Nona offline regarding their operational issues.**

Mayor Mosby advised that all the above matters raised would be looked into. Any future concerns should go directly to the CEO and not directed to individual staff members. Those issues will be then be raised up with the Executive Directors in their individual Departments.

3:43pm – Mr Dawson Sailor left the meeting  
3:46pm – Mr Dawson Sailor re-joined the meeting  
3:37pm – Ms Hollie Faithfull left the meeting  
3:38pm – Ms Hollie Faithfull re-joined the meeting  
3:58pm – Ms Ursula Nai left the meeting  
3:58pm – Ms Ursula Nai re-joined the meeting  
4:00pm – Mr David Baldwin left the meeting  
4:01pm – Mr David Baldwin re-joined the meeting

35. **4:00pm – 4:05pm** **Confirmation of Previous Governance and Leadership Committee Meeting**

Deputy Mayor, Cr Getano Lui spoke to this topic and requested the minutes for the Governance and Leadership Committee come back to Council for endorsement as his concerns with the minutes have been clarified.

- 10<sup>th</sup> November 2021

**RESOLUTION:**

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

**That Council resolves to accept the minutes of the Governance and Leadership Committee Meeting held on 10<sup>th</sup> November 2021, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

Cr Aven Noah sought clarity regarding his concern of the minuting of the closed business resolution from February's Ordinary Meeting being uploaded onto the website or to wait for legal advice.

Mayor Phillemon Mosby advised that unless the resolution is rescinded, the minutes will be uploaded onto the website as ratified.

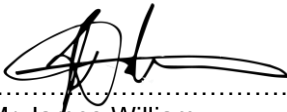
**ACTION: Manager Legal Services to speak to Cr Aven Noah offline in relation to obtaining legal advice in regards to the February Meeting Minutes.**

36. **4:05pm – 4:11pm** **Closing Remarks and Prayer**

Mayor Mosby thanked the Chief Executive Officer, the Executive and Secretariat Teams in putting the meeting and papers together.

In closing Mayor Mosby thanked everyone for their patience, encouragement, advice and leadership and invited Deputy Mayor, Cr Getano Lui to close the meeting in a word of prayer.

**MEETING CLOSED AT 4:11PM**



.....  
Mr James William  
Chief Executive Officer  
Torres Strait Island Regional Council  
Date: 20<sup>th</sup> April 2022



.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date: 20<sup>th</sup> April 2022