

Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

June 2022

Tuesday 28th June 2022, 10:30am – 1:52pm
Wednesday 29th June 2022, 9:00am – 3:24pm

Video Conference

COUNCIL ORDINARY MEETING

Tuesday, 28th June 2022

PRESENT:

Cr Phillemon Mosby, Mayor
Cr Torenzo Elisala, Division 2 – Dauan
Cr Conwell Tabuai, Division 3 – Saibai
Cr Keith Fell, Division 4 – Mabuiag
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, Deputy Mayor, Division 9 – Iama (Yam)
Cr Francis Pearson, Division 11 – Poruma (Coconut)
Cr Hilda Mosby, Division 12 – Masig (Yorke)
Cr Rocky Stephen, Division 13 – Ugar (Stephen)
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, Head of Community Services (HOCS)
Ms Megan Barrett, Executive Director, Corporate Services (EDCS)
Mr Peter Krebs, Manager Legal Services (MLS)
Mr Jacob Matysek, Executive Assistant to the Mayor (EA)
Ms May Mosby, Acting Secretariat Officer (ASO)

APOLOGIES:

Cr Dimas Toby, Division 1 – Boigu
Cr Laurie Nona, Division 5 – Badu
Cr Kabay Tamu, Division 10 – Warraber (Sue)
Cr Jimmy Gela, Division 14 – Erub (Darnley)

COUNCIL ORDINARY MEETING

Tuesday, 28th June 2022

Agenda Items:

1. 10:30am – 10:35am Welcome and Opening Remarks

Mayor Mosby convened the Council Ordinary Meeting for the month of June and welcomed Councillors and Staff again and completed a roll call to establish a quorum. Mayor Mosby also acknowledged and welcomed back Cr Aven Noah.

10:30am – Ms Hollie Faithfull, Executive Director Financial Services left the meeting.

2. 10:35am – 10:40am Apologies

- Cr Kabay Tamu, Division 10 - Warraber – attending GBK meeting
- Cr Dimas Toby, Division 1 – Boigu – attending GBK meeting
- Cr Jimmy Gela, Division 14 – Erub – attending GBK meeting

It is noted that although the Councillors absences have been tabled, under the current policy guidelines, sitting fees will not be paid.

RESOLUTION:

Moved: Cr Aven Noah, Second: Cr John Levi

That Council accepts the apologies of Cr Kabay Tamu, Cr Dimas Toby and Cr Jimmy Gela for the June 2022 Ordinary meeting.

MOTION CARRIED UNANIMOUS

3. 10:40am – 10:45am Declaration of Conflict of Interest (COI) (Prescribed and Declarable)

No declarations were made by Councillors. Mayor Mosby encouraged Councillors to make a declaration at any time during the meeting.

4. 10:45am – 10:50am Confirmation of Previous Council Ordinary Meeting Minutes – Day 1

- 16th May 2022

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Conwell Tabuai

That Council resolves to accept the minutes of the Ordinary Meeting held on 16th May 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

Day 2

- 17th May 2022

RESOLUTION:

Moved: Cr John Levi; Second: Cr Seriako Dorante

That Council resolves to accept the minutes of the Ordinary Meeting held on 17th May 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

Cr Seriako Dorante asked to amend the Waste Management matters raised in his business arising from the Information Reports to add lighting of fire and burning of rubbish at the tip site.

ACTION: Secretariat to add lighting of fire and burning of rubbish at the tip site in Cr Dorante's Business arising matters.

5. 10:50am – 10:55am Confirmation of Previous SARG Committee Minutes

- 14th June 2022

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Rocky Stephen

That Council resolves to accept the minutes of the Strategic Advisory Reference Group (SARG) held on 14th June 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

6. **10:55am – 11:00am** **Confirmation of Previous Governance and Leadership Committee Minutes**

- 13th June 2022

RESOLUTION:

Moved: Cr Getano Lui; Second: Cr Lama Trinkoon

That Council resolves to accept the minutes of the Governance and Leadership Committee Meeting held on 13th June 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

11:00am – Mr David Baldwin, Executive Director Engineering Services left the meeting.

11:03am – Mr David Baldwin re-joined the meeting.

Cr Getano Lui spoke on the cultural recruitment topic that was discussed at the Governance and Leadership committee meeting.

Cr Keith Fell requested an IT person be present at July's OM at Mabuiag.

7. **11:00am – 11:10am** **Outstanding Council Ordinary Meeting Action Items**

11:06am - Mr David Baldwin left the meeting

Leading Executive Staff provided an update on their action items from May's meeting.

8. **11:10am – 11:20am** **COMMUNITIES – Funding Agreement - Forward Remote Capital Agreement**

Mr Dawson Sailor, Head of Community Services spoke to the report in regards to a funding agreement between Council and the Department of Communities, Housing & Digital Economy in addressing housing needs in remote Indigenous communities.

10:12am – Mr David Baldwin re-joined the meeting

11:13am - Ms Hollie Faithfull re-joined the meeting

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Conwell Tabuai

Council resolves to:

- Enter into the proposed funding agreement, administered by The Department of Communities, Housing & Digital Economy in relation to the Forward Remote Capital Program for the total grant sum of \$14,427,863 (incl. GST).

and

- Delegate authority to the Chief Executive Officer under the provisions of 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 UNANIMOUS

9. **11:20am – 11:39am** **COMMUNITIES – Funding Agreement – Torres Strait Islander Public Health Program**

Mr Dawson Sailor, Head of Community Services spoke to the report with regards to a Service Agreement to Council for a further 3 years funding for the Environmental Health Program.

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Torenzo Elisala

Council resolves to:

- Enter into the proposed funding agreement, administered by Queensland Health in relation to the Torres Strait Islander Public Health Program for the total grant sum of \$13,323,268 (excl.GST).
- and

- Delegate authority to the Chief Executive Officer under the provisions of 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 UNANIMOUS

10. 11:39am – 11:42am FINANCE – Policy Matter – Financial Policy Review

Ms Hollie Faithfull, Executive Director Financial Services spoke to the report in regards to reviewing statutory policies that are required to be amended each financial year and updated.

Cr Getano Lui and Mayor Pillemon Mosby raised concerns regarding the approval process for Civic Duties contained within the Entertainment and Hospitality Policy. Discussion held among Councillors and decision to endorse Entertainment and Hospitality Policy with the following amendments:

- Removal of below paragraph from section 5.1:
Civic Duty expenses shall be ratified by the whole Council. Where this is not possible due to timing, a quorum of written Councillor(s) responses to the CEO shall provide the CEO with direction to proceed with expenditure or not – a quorum is taken to be eight (8) duly elected Councillors of the Council. Eight positive written responses from Councillors to the CEO are required before any travel is to be undertaken. Phone conversations are not considered a response.
- Amendment of authorising officer in Table 1 – Types of Roles and Authorisations from Council (or quorum of Council by Email) to Mayor & CEO.

RESOLUTION:

Move: Cr Getano Lui; Second: Cr Rocky Stephen

Council resolves to:

1. amend and adopt the Torres Strait Island Regional Council's:

- Investment Policy;
- Debt Policy;
- Revenue Policy;
- Fiscal Governance Policy;
- Entertainment and Hospitality Policy, subject to amending attached policy to remove authorising officer for civic duties from Council (or quorum of Council by email) to the Mayor and CEO;
- Audit Policy
- Asset Management Policy

previously adopted by Council, in the terms presented to Council at today's Ordinary Meeting.

MOTION CARRIED UNANIMOUS

11:39am – 11:43am CORPORATE – Funding Acquisition Report

Ms Megan Barrett, Executive Director Corporate Services spoke to the report. The report provides an update and summary of Council's recent grant acquisition activities for the month of May 2022.

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Conwell Tabuai

That Council resolves to note this report and its content.

MOTION CARRIED UNANIMOUS

11. 11:43am – 12:05pm CORPORATE – Community Grant Program – June 2022

Ms Megan Barrett, Executive Director Corporate Services spoke to the report on the following Community Grants Applications for the month of June:

Community Entity:
Full Gospel Church – Erub Island

RESOLUTION:

Move: Cr Lama Trinkoon; Second: Cr Conwell Tabuai

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

• **Full Gospel Church for the eligible amount of \$2000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Individual Applicant:

Anthony David – lama

Application not supported due to exhausted community grants funds for lama. Cr Getano Lui requested that the resolution be removed.

Ms Megan Barrett advised that the application of Anthony David was not put forward for approval rather that it has been registered as noted in the report however will note Cr Lui's concern. Megan has noted that the application by Anthony David will be removed from this resolution.

11:59am – Mr Peter Krebs, Manager Legal Services left the meeting

12:00pm – Mr Peter Krebs re-joined the meeting

LUNCH 12:05pm – 1:05pm

12. **1:05pm – 1:14pm**

CORPORATE – Policy Matter – Meeting Policies

Ms Megan Barrett, Executive Director Corporate Services spoke to the report regarding changes to be made to Council's Meeting Procedure Policy and the Standing Orders Policy.

Cr Getano Lui raised concerns around the policies of Ailan Kustom not recognised and fully interpreted in the recommendation.

AMENDED RESOLUTION:

Move: Cr Getano Lui; Second: Cr Francis Pearson

To ensure Council's commitment to Ailan Kustom, that Council resolves to:

1. amend and endorse the Torres Strait Island Regional Council's Meeting Procedure Policy and Standing Orders Policy previously endorsed by Council at its Ordinary Meeting on 17 November 2020 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 policies, including the power to make any further minor administrative amendments to the policy as they arise.

MOTION CARRIED UNANIMOUS

13. **1:14pm – 1:16pm**

CORPORATE – Council Policies – People and Wellbeing Policy

Ms Megan Barrett, Executive Director Corporate Services spoke to the report in regards to revising of the People and Wellbeing Policy.

RESOLUTION:

Move: Cr Aven Noah; Secvond Cr Lama Trinkoon

That Council adopts the revised People and Wellbeing Policy.

MOTION CARRIED UNANIMOUS

14. **1:16pm – 1:19pm**

CORPORATE – Policy Matter – Investigation Policy

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

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr John Levi

That Council resolves to:

1. amend the Torres Strait Island Regional Council's Investigation Policy previously endorsed by Council at its Ordinary Meeting on 20 July 2021 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 policy, including the power to make any further minor administrative amendments to the policy as they arise.

MOTION CARRIED UNANIMOUS

15. **1:19pm – 1:27pm** **CORPORATE – Policy Matter – Councillor Remuneration, Reimbursement and Facilities Provision Policy**

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

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Rocky Stephen

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 30 June 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.

MOTION CARRIED UNANIMOUS

ACTION: That the Chief Executive Officer write to the Local Government Remuneration Tribunal to advocate for increase remuneration for Councillors.

16. **1:27pm – 1:31pm** **CORPORATE – Policy Matter – Support Policies**

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

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Rocky Stephen

That Council resolves to:

1. amend and endorse the Torres Strait Island Regional Council's *Acceptable Request and Communication Protocol Policy* previously endorsed by Council at its Ordinary Meeting on 8 December 2020 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 policies, including the power to make any further minor administrative amendments to the policy as they arise.

MOTION CARRIED UNANIMOUS

17. **1:31pm – 1:33pm** **CORPORATE – Change of August 2022 OM meeting dates**

Ms Megan Barrett, Executive Director Corporate Services spoke to the report in regards to amending the dates of the August 2022 Council meeting to Wednesday, 24th August and Thursday, 25th August 2022 to mark the 85th anniversary of the First Island Councillors Conference on Masig (Yorke) Island.

RESOLUTION:

Move: Cr Rocky Stephen; Second: Cr Lama Trinkoon

Council resolves to change the dates for the August 2022 Ordinary Meeting of Council from Tuesday 16 August 2022 and Wednesday 17 August 2022 to Wednesday 24 August and Thursday 25 August 2022.

MOTION CARRIED UNANIMOUS

18. **1:33pm – 1:37pm** **CORPORATE – Queensland Local Government Mutual Liability Membership Renewal 2022-2023**

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

Ms Hollie Faithfull, Executive Director Financial Services advised Councillors that there were additional insurance policies from LGM Assets that the Corporate Service Team were finalising such as Property Protection, travel etc. Further details of these would need to be provided by Executive Director Corporate Services.

1:34pm – Mayor Mosby left the meeting

1:35pm – Mayor Mosby re-joined the meeting

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Francis Pearson

Council resolves to

- Renew membership of Queensland Local Government Mutual (LGM Liability) per invoice 092-104930 and correspondence dated 1 June 2022, effective from 30 June 2022, for the amount of \$224,775.94 (excluding GST) and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*:
 - o power to approve, finalise and execute all matters associated with or in relation to Queensland Local Government Mutual membership including without limitation any options and/or variations.

MOTION CARRIED UNANIMOUS

19. **1:37pm – 1:44pm** **FINANCE – 2021/2022 Asset Desktop Indexation Results**

Ms Hollie Faithfull, Executive Director Financial Services spoke to the report.

1:38pm - David Baldwin, Executive Director Engineering Services joined the meeting

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Aven Noah

Council resolves to:

- a) note the percentage increase movements from the asset desktop indexation review conducted by Jones Lang Lasalle; and
- b) delegate the authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise the 2021/2022 asset desktop indexation review including but not limited to applying the indexation percentages identified

MOTION CARRIED UNANIMOUS

20. **1:44pm – 1:48pm** **FINANCE – Auditor-General's Observation Report on the Interim audit for the year ending 30 June 2022**

Ms Hollie Faithfull, Executive Director Financial Services spoke to the report.

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Aven Noah

That Council note the Auditor-General's Observation Report on the interim audit for the year ending 30 June 2022.

MOTION CARRIED UNANIMOUS

Apology – Cr Laurie Nona (Sorry Business)

- Cr Laurie Nona, Division 5 – Badu

RESOLUTION:

Move: Cr Conwell Tabuaj; Second: Cr Torenzo Elisala

That Council accept the apology of Cr Laurie Nona of the June 2022 Ordinary Meeting.

MOTION CARRIED UNANIMOUS

Apology – Cr Rocky Stephen (Sorry Business) – 29th June 2022

- Cr Rocky Stephen, Division 13 – Ugar

RESOLUTION:

Move: Cr Conwell Tabuai; Second: Cr Aven Noah

That Council accept the apology of Cr Rocky Stephen for Day 2 of June 2022 Ordinary Meeting.

MOTION CARRIED UNANIMOUS

21. **1:48pm – 1:52pm** **Closing Remarks and Prayer**

Mayor Mosby thanked Councillors and Staff for their attendance at today's meeting and invited Deputy Mayor, Cr Getano Lui to close the meeting in prayer.

MEETING ADJOURNED – 1:52PM

COUNCIL ORDINARY MEETING – Day 2
Wednesday, 29th June 2022

PRESENT:

Cr Phillemon Mosby, Mayor
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, Deputy Mayor, Division 9 – Iama (Yam)
Cr Francis Pearson, Division 11 – Poruma (Coconut)
Cr Hilda Mosby, Division 12 – Masig (Yorke)
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, Head of Community Services (HOCS)
Mr Peter Krebs, Manager Legal Services (MLS)
Mr Jacob Matysek, Executive Assistant to the Mayor (EA)
Ms May Mosby, Acting Secretariat Officer (ASO)

APOLOGIES:

Cr Dimas Toby, Division 1 – Boigu
Cr Laurie Nona, Division 5 – Badu
Cr Kabay Tamu, Division 10 – Warraber (Sue)
Cr Rocky Stephen, Division 13 – Ugar (Stephen)
Cr Jimmy Gela, Division 14 – Erub (Darnley)
Ms Megan Barrett, Executive Director Corporate Services

COUNCIL ORDINARY MEETING – Day 2
Wednesday 29th June 2022

22. 9:10am – 9:12am Welcome and opening prayer

Mayor Mosby welcomed everyone to the second day of Council's Ordinary Meeting and completed a roll call to establish a quorum. Mayor Mosby opened the meeting in a word of prayer.

23. 9:12am – 9:15am COUNCIL MOVES INTO CLOSED BUSINESS

9:15am – Chief Executive Officer joined the meeting.

9:15am – Ms Hollie Faithfull, Executive Director Financial Services left the meeting

9:17am – Ms Hollie Faithfull re-joined the meeting

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Francis Pearson

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

24. **BUILDING – CB – Contractual Matter – 13 Map Street, Mabuia**
25. **BUILDING – CB – Contractual Matter – 6 Charlies Road, Yorke**
26. **BUILDING – CB – Contractual Matter – 104 Gibuma Street, Boigu**
27. **BUILDING – CB – BSU Update**
28. **FINANCE – CB – Financial Dashboard Report – May 2022**
29. **ENGINEERING – CB – Fuel Improvement Program Status Update Report**
30. **ENGINEERING – CB – Approve variation to Global Synthetic PO# PEN0005954**
31. **ENGINEERING – CB – Approve variation to MAL Engineering PO# PEN0005764**
32. **ENGINEERING – CB – Approve amendments to PO#PEN0006150 TSIRC 2021 – 344 Marine Infrastructure Assessment and Upgrade Study**
33. **ENGINEERING – CB – Award Tender No. TSIRC 2021-356 DFRA Works (Badu Island)**
34. **LEGAL – CB – Vehicle Leasing Agreement – Late**
35. **FINANCE – CB – Contract Award – Mer Rural Transaction Centre Demolition**

9:22am – Cr Conwell Tabuai joined the meeting

9:28am – Mr James William, Chief Executive Officer left the meeting

9:30am – Mr James William rejoined the meeting

9:29am – Mayor Mosby left the meeting

9:30am – Mayor Mosby rejoined the meeting

MORNING TEA 10:20am – 10:43am

2:29pm – 2:29pm COUNCIL MOVES OUT OF CLOSED BUSINESS AND RESUMES IN OPEN BUSINESS

RESOLUTION:

Moved: Cr Seriako Dorante; Second: Cr Torenzo Elisala

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:

24. **11:02am – 11:12am** **BUILDING – CB – Contractual Matter – 13 Map Street Mabuiag**

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Torenzo Elisala

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Energy and Public Works- QBuild to carry out various upgrade works at 13 Map Street, Mabuiag Island (QBFNQ0612UP1) with a tender price of \$316,751.68 excl of GST and
2. delegate to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this tender.

MOTION CARRIED UNANIMOUS

25. **11:12am – 11:22am** **BUILDING – CB – Contractual Matter – 6 Charlies Road, Yorke**

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Conwell Tabuai

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 26 Charlies Road, Yorke Island (QBFNQ0613UP1) with a tender price of \$391,886.01 excl of GST and
2. delegate to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this tender.

MOTION CARRIED AGAINST: Cr Hilda Mosby

26. **11:22am – 11:26am** **BUILDING – CB – Contractual Matter – 104 Gibuma Street, Boigu**

RESOLUTION:

Move: Cr Conwell Tabuai; Second: Cr Francis Pearson

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 104 Gibuma Street, Boigu Island (BASFNQ0483BLD3) with a tender price of \$393,974.10 excl of GST and
2. delegate to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this tender.

MOTION CARRIED UNANIMOUS

27. **11:26am – 11:52am** **BUILDING – CB – BSU Update**

RESOLUTION:

Move: Cr John Levi; Second: Cr Lama Trinkoon

That the Building Services Report for May is noted for the Council Ordinary meeting.

MOTION CARRIED UNANIMOUS

11:30am – Cr Torenzo Elisala left the meeting
12:15pm – Cr Torenzo Elisala rejoined the meeting
11:48am – Cr Francis Pearson left the meeting
12:30pm – Cr Francis Pearson rejoined the meeting

28. **11:52am – 12:17pm** **FINANCE – CB – Financial Dashboard Report – May 2022**

11:53am – Mayor Mosby left the meeting
11:54am – Mayor Mosby returned to the meeting

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Conwell Tabuai

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

MOTION CARRIED UNANIMOUS

29. **9:15am – 9:34am** **ENGINEERING – CB – Fuel Improvement Program Status Update Report**

RESOLUTION:

Move: Cr John Levi; Second: Cr Keith Fell

That Council notes the report

MOTION CARRIED UNANIMOUS

30. **9:34am – 9:45am** **ENGINEERING– CB – Approve variation to Global Synthetic PO #PEN0005954**

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Francis Pearson

Council resolves:

- Approve variation to Purchase Order PEN0005954 up to the amount of \$247,850.24 excl.
And
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executive Officer:
 - o power to make, amend or discharge the Purchase Order PEN0005954; and
 - o power to negotiate, finalise and execute all matters associated with or in relation to this project and contract including without limitation any options and/or variations.

MOTION CARRIED UNANIMOUS

9:40am – Cr Lama Trinkoon joined the meeting.

31. **9:45am – 9:54am** **ENGINEERING – CB – Approve variation to MAL Engineering PO#PEN0005764**

RESOLUTION:

Move: Cr Keith Fell; Second: Cr John Levi

Council resolves t:

- Approve variation to MAL Engineering up to the amount of \$345,000.00 excluding GST.
and
- Pursuant to section 257 of the *Local Government Act 2009*, to delegate to the Chief Executiv Officer:
 - o power to make, amend or discharge the Purchase Order PEN0005764; and
 - o power to negotiate, finalise and execute all matters associated with or in relation to this project and contract including without limitation any options and/or variations.

MOTION CARRIED UNANIMOUS

9:49am – Cr Francis Pearson left the meeting.

9:51am Cr Francis Pearson rejoined the meeting.

32. **9:54am – 10:20am** **ENGINEERING – CB – Approve amendments to PO# PEN0006150 – TSIRC 2021 - 344 Marine Infrastructure Assessment and Upgrade Study**

9:58am – Cr Torenzo Elisala joined the meeting.

RESOLUTION:

Move: Cr Torenzo Elisala; Second: Cr Francis Pearson

That Council resolves to:

- Approve variation to Purchase Order PEN0006150 to Haskoning Australia Pty Ltd up to the amount of \$320,577.00 (ex GST), accounting for variation of additional works.
And,
- Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:
 - o power to make, amend or discharge the Purchase Order PEN0006150; and
 - o Negotiate, finalise, and execute all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing policy.

MOTION CARRIED UNANIMOUS

10:20am - Cr Seriako Dorante left the meeting due to another commitment.

11:15am – Cr Seriako Dorante returned: 11:15am.

33. **10:43am – 11:02am** **ENGINEERING – CB – Award Tender No. TSIRC 2021-356**
DFRA Works (Badu Island)

RESOLUTION:

Move: Cr Getano Lui; Second: Cr Aven Noah

That Council resolves to:

- Subject to funding approvals and finalisation, award the Tender No. TSIRC 2021-356 – Badu Island DRFA Works, Separable Portions A and B, to McMahon Services Pty Ltd for an amount of up to \$1,587,439.84 excl. GST.
And
- Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to negotiate, finalise, and execute all matters associated with or in relation to this project and contract including without limitations to any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED
AGAINST: Cr Keith Fell

11:01am – Cr Francis Pearson left the meeting

11:03am – Cr Francis Pearson re-joined the meeting

34. **12:26pm – 3:00pm** **LEGAL – CB – Vehicle Leasing Agreement – Late**

12:37pm – for minute taking purposes, Staff were asked to leave the meeting for closed Council session.

RESOLUTION:

Move: Cr Torenzo Elisala; Second: Cr Conwell Tabuai

It is recommended that Council resolve:

1. To enter into a Master Lease Agreement (**Master Lease**) with SG Fleet, for the provision of vehicles, plant and equipment to Council;
2. To delegate to the Mayor the power to:
 - a. negotiate, make, sign, amend or discharge the Master Lease;
 - b. negotiate, make, sign, amend or discharge a lease pursuant to the Master Lease for the CEO's vehicle;
3. To delegate to the CEO, the power to negotiate, make, sign, amend or discharge a lease pursuant to the Master Lease for any vehicle, plant and equipment other than the CEO's vehicle.

MOTION CARRIED UNANIMOUS

35. **12:18pm – 12:30pm** **FINANCE – CB - Contract Award – Mer Rural Transaction Centre Demolition**

RESOLUTION:

Move: Cr Aven Noah Second: Cr John Levi

Council resolves to

- Award contract 2022_15_121542 – Mer Rural Transaction Centre (RTC) Demolition to Paul Ware Constructions Pty Ltd for the amount of \$ 467,700.00 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 Standard Terms and Conditions – Work Order; 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

For minute taking purposes, acknowledgement and gratitude were given to the Cowley family.

LUNCH 12:38pm – 2:29pm

36. **2:29pm –2:32pm** **FINANCE – 2022-23 Register of Fees and Charges**

Ms Hollie Faithfull, Executive Director Financial Services spoke to the report in regards to Council's register of fees and charges to be adopted for 2022-2023 Financial Year.

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Aven Noah

I. That Council resolves to:

- a. pursuant to Section 97(1) of the Local Government Act 2009, fix the cost-recovery fees set out in the attached 2022/23 Fees and Charges Schedule;
- b. fix all other fees and charges set out in the attached 2022/23 Fees and Charges Schedule;
- c. adopt the 2022/23 Fees and Charges Schedule;

MOTION CARRIED UNANIMOUS

37. **2:32pm – 2:36pm** **CORPORATE - Torres Cape Indigenous Alliance Membership - Late**

Mr James William, Chief Executive Officer spoke to the report with regards to re-joining TCICA.

RESOLUTION:

Move: Cr Tabuai; Second; Cr Elisala

It is recommended Council resolves to:

1. Re-join the Torres Cape Indigenous Council Alliance (TCICA) Inc in accordance with the *Local Government Act 2009* (Qld), *Local Government Regulation 2012* (Qld) and both the Torres Cape Indigenous Council Alliance (TCICA) Inc Rules and Charter.
2. Pursuant to Section 236, of the *Local Government Act 2009* (Qld), delegate to the CEO the power to negotiate, make, sign, amend or discharge any agreement with Torres Cape Indigenous Council Alliance Inc and to make payment of the appropriate annual contribution fee and any other future recurring fees within delegation.

MOTION CARRIED UNANIMOUS

38. **2:36pm – 2:36pm** **Business Arising from Information Reports**

Mayor Mosby gave an opportunity for Councillors to raise any matters in the Information Reports.

39. **2:37pm – 2:37pm** **Next Council Meeting Date – 19th and 20th July 2022 – Mabuiag**

40. **2:38pm – 3:20pm** **Strategic Matters**

August 23 Celebrations – Masig:

Mayor Mosby advised the Council meeting scheduled to mark the 85th Annivesary of the First Council will still going ahead at Masig.

The Chief Executive Offier provided an update on the planning of the celebrations and of Ministers able to attend. CEO advised that to run the event we need the support of TSRA.

Cr Aven Noah:

Brought to the attention of TSIRC a letter sent from the Mabo family to him and various local organisation requesting that consent must be obtained from the family before entering the resting place of the late Eddie Koiki Mabo. This applies to all staff, visitors and contractors. Cr Aven Noah to forward the email to the Manager Legal Services, Mr Peter Krebs to provide further advice on the matter.

Cr Seriako Dorante:

Asked to be provided with an update on the engineering position on Hammond. Mr David Baldwin, Executive Director Engineering Services advised that the matter has been referred to the Chief Executive Officer and that CEO will provide an update to Cr Dorante.

ACTION: That the Chief Executive Officer provide an update to Cr Dorante as an organisational matter approach.

Cr Getano Lui:

Epanding the role and responsibilities of Divisional Managers due to lack of accountability.

Cr Keith Fell:

Raised issues that were discussed recently in the Housing and Safe and Healthy Communities Committee to be put forward at the next Ordinary Meeting. Issues discussed were around food security and the committee has asked that we extend an invitation to CEQ to do a presentation to the full Council to look at what their plans are moving forward with the high cost of living. Another issue flagged were face to face opportunities on other communities.

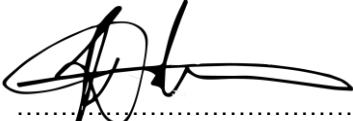
Final matter of discussions were priority issues for each standing committee to bring a paper to the Ordinary Meeting. The Chairs can present the papers under discussions of priority topics. identify through the full Council of the priority subjects and important issues we talk about and deliver the paper to the full council including executives sitting on those portfolios.

Hammond Island Health Centre – supporting Cr Dorante getting a health centre on Hammond. Hoping to continue to push as an ongoing agenda item.

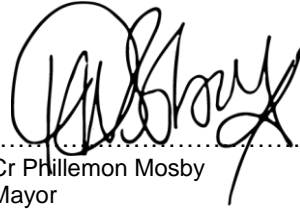
41. **3:20pm – 3:24pm** **Closing Remarks and Prayer**

Mayor Mosby thanked Councillors and Executive Staff for their support, leadership, participation and engagement over the last two days and asked everyone to be upstanding and invited Cr Keith Fell to close the meeting in a word of prayer.

MEETING CLOSED – 3:24PM



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Mr James William
Chief Executive Officer
Torres Strait Island Regional Council
Date: 19.07.2022



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Cr Phillemon Mosby
Mayor
Torres Strait Island Regional Council
Date: 19.07.2022