

Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

May 2022

Monday 16th May 2022, 12:05pm – 3:18pm

Tuesday 17th May 2022, 9:05am – 2:50pm

Cairns

COUNCIL ORDINARY MEETING
Monday, 16th May 2022 – Day 1

PRESENT:

Cr Phillemon Mosby, Mayor
Cr Dimas Toby, Division 1 – Boigu
Cr Conwell Tabuai, Division 3 – Saibai
Cr Keith Fell, Division 4 – Mabuig
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, Deputy Mayor, 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)

STAFF:

Mr James William, Chief Executive Officer (CEO)
Ms Hollie Faithfull, Executive Director, Financial Services (EDFS)
Mr David Baldwin, Executive Director, Engineering Services (EDES)
Ms Megan Barrett, Executive Director, Corporate Services (EDCS)
Mr Dawson Sailor, Head of Community Services (HOCS)
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:

Cr Aven Noah, Division 15 – Mer (Murray) – personal leave

Note: Cr Torenzo Elisala, Division 2 – Dauan – dialling in via telephone

COUNCIL ORDINARY MEETING
Monday 16th May 2022 – Day 1

1. **12:05pm – 12:06pm** **Welcome and Opening Remarks**

Mayor Phillemon Mosby convened the Council Ordinary Meeting for the month of May and welcomed everyone again to the meeting.

2. **12:06pm – 12:07pm** **Apologies**

- Cr Aven Noah – Division 15 – Mer – due to personal reasons

RESOLUTION:

Moved: Cr Keith Fell, Second: Cr Conwell Tabuai

That Council accepts the apology of Cr Aven Noah for the May 2022 Ordinary meeting.

MOTION CARRIED UNANIMOUS

3. **12:07am – 12:07pm** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

Cr Keith Fell declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program as the Individual Applicant, Anette Fell is his daughter and therefore are related parties under s150EP. Anette Fell is the applicant in this matter and Cr Keith Fell declared an interest under s150EQ(4).

Cr Jimmy Gela declared a Declarable Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program from Erubam Le Traditional Land and Sea TSI Corporation as he is the Chairperson of the Corporation and therefore a related party under s150EP. Cr Jimmy Gela declared an interest under s150EQ(4).

Cr Seriako Dorante declared a Declarable Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program as the Individual Applicant, Bernard Dorante is his cousin and therefore are related parties under s150EP. Bernard Dorante is the applicant in this matter and Cr Seriako Dorante declared an interest under s150EQ(4).

Cr Getano Lui declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program as the Individual Applicant, Harry Lui is his son and therefore are related parties under s150EP. Harry Lui is the applicant in this matter and Cr Getano Lui declared an interest under s150EQ(4).

Cr Francis Pearson declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program from New Day Torres Strait Islander Corporation as he is a Director of the Corporation and therefore a related party under s150EP. Cr Francis Pearson declared an interest under s150EQ(4).

Mayor Phillemon Mosby declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 9 – CORPORATE – Community Grant Program from New Day Torres Strait Islander Corporation as he is involved in the project and therefore a related party under s150EP. Mayor Phillemon Mosby declared an interest under s150EQ(4).

4. **12:07pm – 12:15pm** **Confirmation of Previous Council Ordinary Meeting Minutes – Day 1**

- 20th April 2022

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Laurie Nona

That Council resolves to accept the minutes of the Ordinary Meeting held on 20th April 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

Day 2

- 21st April 2022

RESOLUTION:

Moved: Cr Laurie Nona; Second: Cr Rocky Stephen

That Council resolves to accept the minutes of the Ordinary Meeting held on 21st April 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

5. **12:15pm – 12:16pm** **Confirmation of Previous Council Special Meeting Minutes**

- 13th April 2022

RESOLUTION:

Moved: Cr Jimmy Gela; Second: Cr Hilda Mosby

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

MOTION CARRIED UNANIMOUS

6. **12:16pm – 12:30pm** **Outstanding Council Ordinary Meeting Action Items**

Leading Executive Officers provided an update on their action items from April's meeting.

LUNCH 12:30pm – 1:39pm

1:39 – 1:53pm **Outstanding Council Ordinary Meeting Action Items**

Action Items continued with the Leading Executive Officers providing an update.

7. **1:53pm – 2:10pm** **Standing Agenda Items:**

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

Mr James William, Chief Executive Officer, spoke to this topic. The Chief Executive Officer referred to previous reports and gave verbal update on BSU's key priorities and the challenges faced. Focus will be to resolve operational matters in BSU and improve reporting to include graphics to provide clear direction going forward.

ACTION: Secretariat Remove as a Standing Agenda Item on the Ordinary Meeting Agenda and placed as standing agenda on the Housing and Safe and healthy Communities, Women and Employment Committee.

8. **2:10pm – 2:27pm** **CORPORATE – Funding Acquisition Report**

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

ACTION: Executive Director, Corporate Services to include key outcomes from successful grants and provide further information on a way forward for unsuccessful grants.

Resolution:

Move: Cr Lama Trinkoon; Second: Cr Francis Pearson

That Council resolves to note this report and its content.

MOTION CARRIED UNANIMOUS

9. **2:27pm – 2:55pm**

CORPORATE – Community Grant Program – May 2022

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

Community Entities:

Mabuygiw Garkaziw Kupay TSI Corporation

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Conwell Tabuai

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

- **Mabuygiw Garkaziw Kupay TSI Corporation for the eligible amount of \$1443.91.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Women of MABO

RESOLUTION:

Move: Mayor Phillemon Mosby; Second: Cr Keith Fell

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

- **Women of MABO for the eligible amount of \$3,351.26 exclusive of GST, as per submitted application noting that Women of Mabo applied for \$4,260.00.**

MOTION CARRIED UNANIMOUS

New Day Torres Strait Islander Corporation

RESOLUTION:

Move: Cr Cowell Tabuai; Second: Cr Keith Fell

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 \$4,268.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Tagai State College – Poruma Campus

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Lama Trinkoon

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

- **Tagai State College – Poruma Campus for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Erubam Le Traditional Land and Sea Owners TSI Corporation

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Laurie Nona

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

- **Erubam Le Traditional Land and Sea Owners TSI Corporation for the eligible amount of \$1,000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Meuram Tribe

RESOLUTION:

Move: Cr Jimmy Gela; Second: Laurie Nona

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

- **Meuram Tribe for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Australian Christian Churches – Dauan Island

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Keith Fell

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

- **Australian Christian Churches – Dauan Island for the eligible amount of \$2,500.00 exclusive of GST, as per submitted application noting that Australian Christian Churches – Dauan Island applied for \$10,000.00.**

MOTION CARRIED UNANIMOUS

Badu Futsal Club

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Conwell Tabuai

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

- **Badu Futsal Club for the eligible amount of \$2,772.00 exclusive of GST, as per submitted application**

MOTION CARRIED UNANIMOUS

It is noted that the current balance for Badu Community is \$265.35. Mayor Mosby advised that funding for this proposal would be provided from the *Community Grants, Funeral Grant and Funeral Travel Grant Torres Strait Island Regional Council Local Government Area* fund, to the value of \$2772.00.

Individual applicants:

Bernard Dorante

RESOLUTION:

Move: Cr Lama Trinkoon; Second: Cr Kabay Tamu

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

- **Bernard Dorante for the eligible amount of \$2,500.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Annette Fell

RESOLUTION:

Move: Cr Jimmy Gela; Second: Cr Rocky Stephen

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

- **Anette Fell for the eligible amount of \$2,500.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Harry Lui

Ms Megan Barrett advised that the individual application of Harry Lui for the eligible amount of \$2,000.00 is to be further reviewed due to the current balance of funds available for Warraber and would be brought back to the table.

AFTERNOON TEA 2:55pm – 3:06pm

3:06 – 3:08pm

COMMUNITY GRANTS PROGRAM – MAY 2022

Harry Lui

RESOLUTION:

Move: Cr Laurie Nona; Second: Cr Kabay Tamu

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

- **Harry Lui for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

10. **3:08pm – 3:09pm** **CORPORATE – Policy Review**

Ms Megan Barrett, Executive Director Corporate Services spoke to the report on the revised Fraud and Corruption Prevention Policy for adoption.

RESOLUTION:

Move: Cr Kabay Tamu; Second: Cr Keith Fell

- **That Council resolves to adopt the revised Fraud and Corruption Prevention Policy, and publish on its website_ and**
- **Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to make further minor administrative amendments as they arise.**

MOTION CARRIED UNANIMOUS

11. **3:09pm – 3:12pm** **CORPORATE – Standing Committee Terms of Reference**

Ms Megan Barrett, Executive Director Corporate Services spoke to report. Terms of Reference to lay on table for further discussions at the workshop. **MATTER TO LAY ON THE TABLE**

12. **3:12pm – 3:15pm** **LEGAL – Correction of March 2022 Ordinary Meeting Minutes**

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

RESOLUTION:

Move: Cr Laurie Nona; Second: Cr Jimmy Gela

That Council resolve to correct the minutes of its ordinary meeting on 23 March 2022 by deleting resolution 4 in the item “LEGAL – CB – Proposed adaptation of Torres Strait Islander Flag” recorded on page 13 of the Minutes.

MOTION CARRIED UNANIMOUS

13. **3:15pm – 3:18pm** **Closing Remarks and Prayer**

Mayor Mosby thanked Councillors for their attendance and participation in today’s meeting and invited Cr Keith Fell to close the meeting in a word of prayer.

MEETING ADJOURNED – 3:18PM

COUNCIL ORDINARY MEETING – Day 2
Tuesday 17th May 2022

PRESENT:

Cr Phillemon Mosby, Mayor
Cr Dimas Toby, Division 1 – Boigu
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, 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 Jimmy Gela, Division 14 – Erub (Darnley)

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)
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:

Cr Aven Noah, Division 15 – Mer (Murray) – personal leave
Cr Kabay Tamu, Division 10 – Warraber (Sue) – in Sydney as guest speaker on NITV on climate change

Note: Cr Torenzo Elisala, Division 2 – Dauan – dialling in via telephone

COUNCIL ORDINARY MEETING – Day 2
Tuesday 17th May 2022

14. **9:05am – 9:10am** **Welcome and opening prayer**

The meeting resumed at 9:05am.

Mayor Mosby welcomed everyone to Day 2 of Council Ordinary Meeting and acknowledged our Heavenly Father and traditional owners of ples and asked everyone to be up standing and invited Cr John Levi to open the meeting in a word of prayer.

A minute's silence was observed for families in mourning.

15. **9:10am – 9:40am** **Deputation 1 | Rod Jensen – Candidate for Leichhardt**

Mayor Mosby welcomed Mr Rod Jensen to the meeting. Rod spoke of his candidacy for the seat of Leichardt in the upcoming Federal elections as a member of the Katter Australian Party.

9:28am - Cr Dimas Toby joined the meeting.

16. **9:40am – 9:40am** **COUNCIL MOVES INTO CLOSED BUSINESS**

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Laurie Nona

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

- 17. **BUILDING – CB – BSU Update**
- 18. **ENGINEERING – CB – Fuel Improvement Program Status Update Report**
- 19. **FINANCE – CB – Financial Dashboard Report – May 2022**
- 20. **FINANCE – CB – Write off the amount of \$3,607.86**
- 21. **LEGAL – CB – LEGAL DISPUTE: Debtor Supplier – 11804 – ACN 088**

MORNING TEA – 10:15am – 10:40am

22. **2:00pm – 2:00pm** **COUNCIL MOVES OUT OF CLOSED BUSINESS AND RESUMES IN OPEN BUSINESS**

RESOLUTION:

Moved: Cr Laurie Nona; Second: Cr Jimmy Gela

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:

9:40am – 10:15am **BUILDING – CB – BSU Update**

RESOLUTION:

Move: Cr Lama Trinkoon; Second: Cr Conwell Tabuai

That Council notes the content of this report.

MOTION CARRIED UNANIMOUS

10:48am – 11:24am

ENGINEERING – CB – Fuel Improvement Program Status Update Report

ACTION: Cr Trinkoon requested additional fuel information/plans for Kubin from the Executive Director, Engineering Services.

RESOLUTION:

Move: Cr Laurie Nona; Second: Rocky Stephen
That the Council notes the report.

MOTION CARRIED UNANIMOUS

11:24am – 12:00pm

FINANCE – CB – Financial Dashboard Report – April 2022

RESOLUTION:

Move: Cr Francis Pearson; 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 30 April 2022, as required under Section 204 Local Government Regulation 2012.

MOTION CARRIED UNANIMOUS

12:00pm – 12:10pm

FINANCE – CB – Write off the amount of \$3,607.86

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Rocky Stephen

It is recommended that Council resolve to write-off the amount of \$3,607.86 being monies paid to the incorrect account.

MOTION CARRIED UNANIMOUS

12:10pm – 12:25pm

LEGAL – CB – LEGAL DISPUTE: Debtor Supplier – 11804 – ACN 088 686 453

RESOLUTION:

Move: Cr Seriako Dorante; Second: Cr Hilda Mosby

It is recommended that Council resolve to write-off the amount of \$77,638.00 in respect of disputed accommodation charges relating to the period January to June 2019.

MOTION CARRIED

AGAINST: Cr Seriako Dorante, Cr John Levi and Cr Rocky Stephen

LUNCH 12:25pm – 1:40pm

23. **1:40pm – 2:45pm**

Business Arising from Information Reports/Strategic Matters

Mayor Mosby gave an opportunity for Councillors to discuss the Information Reports.

Cr Lama Trinkoon – Division 6, Kubin raised the following:

- Diesel fuel bowser for Kubin. Access only from St Pauls.
- Civil roadworks

Cr Hilda Mosby – Division 12, Masig raised the following:

- Training and onsite support for current Trainees.

Cr Keith Fell – Division 4, Mabuiag raised concerns with the following:

- Environmental Health issues in relation to animal management and how it's working.
- Horses on Moa
- Dogs on Mabuiag

How can we manage and control this situation. Community concerns with horses on St Pauls.

Cr John Levi – Division 7, Moa Island raised the following:

- Enquired about the 2.3m plugins

Cr Laurie Nona - Division 5, Badu raised concerns with the following:

- Concerns with the jetty. Badly in need of repairs before an accident occurs.
- The Sporting facility
- Waste Management – rubbish getting burnt causing pollution and poison in the air and supports Cr Fell with the animal management issues.

Cr Seriako Dorante – Division 8, Hammond raised the following:

- Ergon – street light fixtures.
- Waste management – garbage collection, if something can be done. Raised this issue previously with the Environmental Health Worker.
- Lighting of fires to burn council rubbish at the tip site

Cr Conwell Tabuai – Division 3, Saibai raised the following:

- Scrap metal works. Scrapmetals are building up on the side of the road.

Cr Francis Pearson – Division 11, Poruma raised the following:

- Propose that a clock-in system is implemented to reduce fraudulent practices on timesheets.

Cr Torenzo Elisala – Division 2, Dauan raised the following:

- Engineering Officers on ground and their KPI's. Same with administration. What are their roles and responsibilities as this is not reflected on ground.

Cr Getano Lui – Division 9, lama raised the following:

- Expressed support for a clock-in system as well.
- Unaware of details of Plug-in project on lama

Cr Dimas Toby – Division 1, Boigu raised the following:

- Opening of Boigu seawall. If the location of the next face to face meeting be considered at Boigu to coincide with the opening of the seawall.

Apology – Cr Kabay Tamu

- Cr Kabay Tamu, Division 10 – Warraber

RESOLUTION:

Move: Cr Conwell Tabuai; Second: Cr Lama Trinkoon

That Council accept the apology of Cr Kabay Tamu for Day 2 of the May 2022 Ordinary Meeting.

**MOTION CARRIED
AGAINST: Cr Keith Fell**

24. **2:45pm – 2:46pm**

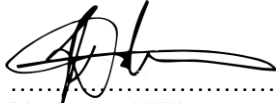
**Next Council Meeting Date – 28th and 29th June 2022 –
via Video Conference**

Mayor Mosby confirmed the dates for the next council meeting via video conference.

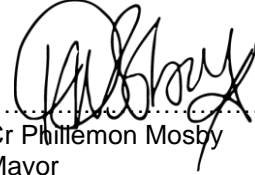
25. **2:45pm – 2:50pm** **Closing Remarks and Prayer**

Mayor Mosby thanked Councillors and Staff for their participation and engagement over the last two days of the meeting and asked everyone to be up standing and invited Cr Keith Fell to the close the meeting in prayer.

MEETING CLOSED – 2:50PM



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Mr James William
Chief Executive Officer
Torres Strait Island Regional Council
Date: 28th June 2022



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Cr Philimon Mosby
Mayor
Torres Strait Island Regional Council
Date: 28th June 2022