



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

Tuesday 16th - Wednesday 17th December 2014

Please find attached Minutes of the above meeting held on Tuesday 16th 9.04am – 4.13pm and Wednesday 17th December 2014 9.17am – 1.05pm, Hammond Community Hall, Hammond Island

Present

Cr Fred Gela, Mayor (Chair)

Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island

Cr Dimas Toby, Division 1 – Boigu Island

Cr Joel Gaidan, Division 2 – Dauan Island

Cr Ron Enosa, Division 3 – Saibai Island

Cr Horace Baira, Division 5 – Badu Island

Cr David Bosun, Division 6 – Kubin Community at Moa Island

Cr Toshie Kris, Division 7 – St Pauls Community at Moa Island

Cr Mario Sabatino, Division 8 – Hammond Island

Cr Getano Lui Jnr, Division 9 – Iama Island

Cr Willie Lui, Division 10 – Warraber Island

Cr Phillemon Mosby, Division 11 – Poruma Island

Cr Ted Nai, Division 12 – Masig Island

Cr Rocky Stephen, Division 13 – Ugar Island

Cr Jimmy Gela, Division 14 – Erub Island

Cr William Akee, Division 15 – Mer Island

Ms Dania Ahwang, Chief Executive Officer (CEO)

Mr David Abednego, Executive Manager Community Services (EMCoS)

Mr Chris McLaughlin, A/Executive Manager Corporate Services (A/EMCS)

Mr Patrick McGuire, Executive Manager Engineering Services (EMES)

Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)

Ms Jessica Cox, Travel and Administration Officer (TAO) (Minutes)

Apologies

Ms Melissa Barmettler, A/Chief Financial Officer (A/CFO)

Ms Daisy Ketchell, Executive Officer (EO)

Tuesday 16th December 2014

Item 1 9.04am Opening Prayer and Welcome

Meeting opened in prayer by Cr Fell.

One Minute Silence

There was a minute silence to pay respect to families who have lost their loved ones recently.

Mayor's Welcome and Opening Remarks

The Mayor welcomed the Councillors to the meeting and acknowledged the Traditional Owners of the Land, Hammond staff, and members of the public, elders past and present.

Uncle John Mills welcomed the Councillors, acknowledged the traditional owners of the land and gave his blessings.

Cr Sabatino also welcomed attendees, acknowledged the Traditional Owners of the Land, Hammond staff, and members of the public, and elders past and present.

Item 2 9.14 am Apologies

There were no Councillor apologies.

Item 3.1 9:15 am Minutes of Previous Meeting

RESOLUTION

Moved Cr Sabatino, Seconded Cr W Lui, that the minutes of Council meeting held November – be adopted as true and accurate.

Motion Carried

Item 3.2 9:16 am Action Item Summary – November Meeting

Previous Action Item 13 - November 2014

CEO noted that the review will be completed by early to mid February. Report to February 2015 Council meeting.

Previous Action Item 2 - November 2014

Amend to include EMCoS as Advisory Officer. Cr Stephen advised that it is vital that the postal services are significantly increased. Further follow-up required.

Previous Action Item 4 - November 2014

Cr G Lui advised that additional action was required. Further follow-up by EMCoS required and regular update to Council.

Previous Action Item 14 - November 2014

Cr Sabatino advised that additional action was required to ensure that plant schedules are developed and synchronise to enhance financial, time and resource efficiencies. EMES confirmed no schedule can be set unless funding is available through NDRRA or other sources. Further follow-up by EMES.

Previous Action Item 30 - July 2014

Cr Toby requested that more action was needed on divesting IBIS. A/EMCS to follow-up.

Mayor Gela stated that the Local Government Association Queensland (LGAQ) Indigenous Leaders Forum provided a resolution on the divestment of enterprises for Indigenous ownership.

Previous Action Item 38 – September 2014

Cr Toby requested update on water lagoon fencing and pump station actions to date. EMES to follow up.

Item 4 9:39am Dauan Ferry Repairs – Capital Renewal

Mayor Gela stated that the required \$26,000 would come from the \$750,000 freeboard.

A/EMCS noted that in its current condition the Ferry would have a nominal value, with the repairs the Ferry would attract a higher market value

RESOLUTION

Moved Cr Sabatino, Seconded Cr Nai, that it is recommended that Council adopt the allocation of emergent capital funds, \$26,000, for the repairs to old Dauan Ferry in readiness for sale.

Motion Carried

1 against

Cr Toby left the room at 9:57am

Cr Toby returned at 9:59am

Item 5 9.54am Community Grants Badu Kulpiyam Amendment Late Report

CEO stated that the current Community Grants balance is \$22,613.26

RESOLUTION

Moved Cr Kris, Seconded Cr Sabatino:

That Council agreed to provide Regional Community Grants support to the maximum application amount of \$9,495 available in accordance with the Community Grants policy (\$505 expended from November Regional Community Grants request), to Badu Kulpiyam Youth & Sport Inc, for the purpose of running the 2015 Badu Island Touch Carnival.

8 against motion lost

Option 2

RESOLUTION

Moved Cr Nai, Second Cr J Gela:

That Council agree to provide Regional Community Grants support of an alternative amount of \$2390 for insurance for the Touch Carnival to Badu Kulpiyam Youth & Sport Inc, for the purpose of running the 2015 Badu Island Touch Carnival.

Motion carried

Item 6 10.09 am Regional Community Grants Request – Badu Kulpiyam Youth & Sport Inc. – Murri Vs Koori Challenge – February 2015

RESOLUTION

Moved Cr Baira, Seconded Cr Enosa, that:

That Council agree to provide Regional Community Grants support to the maximum application amount of \$2,000 available for travel costs in accordance with the Community Grants policy, to Badu Kulpiyam Youth & Sport Inc, for the purposes of attending the Murri vs Koori Challenge in February 2015.

Motion Carried

10:28am Morning Tea blessed by Cr G Lui

Council resumed at 10:48am

Cr Keith Fell absent from the room.

Mayor Gela requested Councillors and Staff to introduce themselves to community members.

Item 7 10:54am Community Grants Procedure

CEO presented the Community Grants Procedure, stating the additional requirements in regards to applications and acquittals plus the required alignment with the TSIRC plans.

Cr Keith Fell entered the room at 11:00am.

Cr Bosun left the room at 11:10am.

Cr Kris left the room at 11:11am.

Cr Bosun entered the room at 11:12am

Cr Kris entered the room at 11:30am

Action Item

A/CFO to amend procedure to include “acquittal breaches”, exclude travel for mainland based individuals as ineligible expenditure and refinement of “cultural” practices to ensure it is specific to the Torres Strait Islands.

Action Item

A/CFO to extrapolate Regional Grants funding into financial period quarters, with the funds rolling over to the subsequent quarter.

RESOLUTION

Moved Cr Sabatino Seconded Cr Kris, that:

Council adopt the Community Grants Procedure PR-SPO3-1 effective from the 1st January 2015.

Motion Carried

Item 9: 11.05am Business Arising from Information Reports

Action Item

MPA to progress Health Partnership meeting.

Previous Action Item 9 - February 2014

CEO and A/EMCS to progress investigations into constituents utilising Council charters.

Action Item

MPA to invite Health Board Chair to January 2015 Council Meeting.

Action Item

CEO to report to Cr Toby and Mayor on Boigu Fencing Project.

Action Item

All Executive Managers to contact local divisions prior to works being undertaking to investigate if local workforce can be utilised.

Action Item

A/EMCS to review Mechanic schedules to ensure cost and time efficiencies, with the utilisation of local workforce where available.

Action Item

CEO to review the benefits of having an additional Information Report paper noting a summary of Information Report details.

Action Item

A/CFO to provide report on Seaports revenue including budget versus actual and invoiced versus paid.

Action Item

CEO to escalate other options for financing Hammond Island Office refurbishment.

Action Item

A/EMES to provide report to next Council meeting on the reasons for increased use of water in Hammond.

Action Item

A/EMCS to assess privacy considerations on Council's request for provision of detailed rental debtor reports.

Action Item

A/EMCS to review the need for Draper Street office space and possible cost efficiencies.

Cr Sabatino left the room at 11:56am

Cr Nai left the room at 11:56am

Cr Mosby left the room at 11:56am

Cr Nai entered the room at 12:01pm

Cr Sabatino entered the room at 12:01pm

Cr Mosby entered the room at 12:30pm

Cr Bosun left the room at 12:15pm

Cr Bosun returned at 12:24pm

Cr Bosun left the room at 12:25pm

Cr Bosun returned at 12:30pm

Cr G Lui left the room at 12:30pm

12:33pm Lunch blessed by Cr Nai

Council meeting resumed at 1:27pm

1:27pm - Closed Business

Moved Cr Fell Seconded Cr J Gela that in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss

- (a) the appointment, dismissal or discipline of employees; or
- (b) industrial matters affecting employees; or
- (c) the local government's budget; or

- (d) rating concessions; or
- (e) contracts proposed to be made by it; or
- (f) starting or defending legal proceedings involving the local government; or
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Further the public in attendance are asked to leave.

Motion Carried

1.28pm Cr Baira, Cr Nai, Cr Enosa, Cr Bosun, Cr Mosby entered the room

Item 8: 1.30pm Sole Supplier

A/EMCS presented a report on Freight & Fuel Supply Services.

Council discussed whether a resolution was required. It was agreed that rather than a resolution a submission should be made to the Australian Competition and Consumer Commission (ACCC).

Action Item

A/EMCS to coordinate response to ACCC in regards to a risk of monopoly of freight enterprise in the Torres Strait.

Action Item

A/EMCS, A/CFO and EMCoS to reassess success of current Debt Recovery process.

Action Item

CEO to present report to next Council meeting on current project costing methodology and reasons for inaccurate costing on the recent Badu Community Hall development.

Action Item

MPA and EMCoS to review current Community Engagement communication protocols to ensure all staff members, with specific reference to Environmental Health Workers, positively engage with the community.

Action Item

CEO to ensure that all community projects resulting from Council Meeting attendance at communities, are completed to appropriate deadlines.

Action Item

MPA to liaise with My Pathways to ensure local workforce support local project needs.

Action Item

EMES to advocate to include a Councillor (Cr Sabatino) on Seawalls Tender Panel.

Action Item

EMES to provide Seawalls Tender report to January 2015 Council Meeting.

Action Item

EMES to provide Poruma Seawalls progress report, including use of Poruma sand, to next Council meeting.

Action Item

CEO to follow up Warraber wharf damage repairs.

Cr Toby entered the room at 1:36pm

Cr Nai left the room at 1:37pm

Cr Nai returned at 1:46pm

Cr Fell left the room at 1:45pm

Cr Fell returned at 1:48pm

Cr Sabatino left the room at 1:50pm

Cr Sabatino returned at 2:00pm

Cr Mosby left the room at 1:59pm

Cr Mosby returned at 2:13pm

Cr Nai left the room at 2:07pm

Cr Nai returned at 2:13pm
Cr W Lui left the room at 2:11pm
Cr Fell left the room at 2:11pm
Cr W Lui returned at 2:18pm
Cr Fell returned at 2:15pm
Cr Bosun Left the room at 2:15pm
Cr Bosun returned at 2:18pm
Cr Lui left the room at 2:35pm
Cr Lui returned at 2:36pm

2:51pm – Staff asked to leave – Councillors and CEO only

3:18pm – End Closed Business and staff returned to the meeting

3:21pm – Afternoon Tea blessed by Cr Enosa

Cr G Lui commended the recent school graduates.
Cr Kris thanked staff and Council for a productive year.

4:12pm - Closing prayer Cr Gaidan

4:13pm - Meeting Closed

Wednesday 17th December 2014

Item 11: 9.17am Opening Prayer

Cr Enosa opened the meeting in Prayer

Mayor Gela acknowledges traditional owners of the land and elders past and present.

Item 12: 9.20am Uncle John Mills

Mayor Gela noted that Uncle John Mills was unable to attend the deputation

Action Item

CEO to liaise with Mr Mills regarding the points he was intending to raise.

Item 13: 9.24am Deputation – Nancy Pearson

Nancy Pearson acknowledges traditional owners of the land and elders past and present.

Nancy Pearson provided a deputation on concerns related to Hammond Island governance.

Action Item

CEO to progress response to Nancy Pearson’s concerns.

Item 14: 9.50am Deputation - Kirriri Dorge Mudh Indigenous Corporation (KDMIC)

Nancy Pearson provided a deputation on Kirriri Dorge Mudh Indigenous Corporation, seeking divestment of Arts and Crafts workspace in Hammond and a reduction of Fees and Charges.

Action Item

A/EMCS to provide response back to KDMIC on the request for the divestment of Arts and Crafts workspace in Hammond and a reduction of Fees and Charges.

Item 15: 10.19am General Business

Action Item

MPA to arrange invitation from Mayor to Michael Hogan to work with Council rather than as a “champion”.

Action Item

MPA to liaise with TSRA to seek information on their involvement with the Telecommunications Black Spot Program.

Action Item

MPA to block Mayor’s diary for TSRA Economic Development Summit scheduled for end of February 2015.

Action Item

CEO to coordinate Joint Mayoral correspondence to the Premier reaffirming One Boat proposal.

Mayor Gela provided update on the multi Government department facility proposed for Saibai and stated that it was important that staff should be accommodated on the island rather than fly in fly out.

Action Item

CEO to ensure the feedback from the TSRA Memorandum of Understanding is included as a Council Meeting standing agenda item.

Action Item

CEO to distribute TSRA draft MOU to Councillors prior to January's Council Meeting.

Action Item

CEO to present TSIRC Ten Point Plan to January's Council Meeting – seek feedback from Councillors and consider Coastal Freight Cross Subsidisation as a point.

10.57am Cr Gaidan blessed Morning Tea

11.39am Council Meeting resumed.

Cr Stephen Cr Sabatino, Cr Mosby out of meeting when resumed. Cr Sabatino apologies for remainder of meeting due to appointment regarding land matters.

Item 15: 11.40am General Business

Action Item

A/EMES to liaise with Cr G Lui on recent flight incident and coordinate letter to CASA.

Action Item

A/EMES to review the procedures of other airports in regards to fees for aircraft staying longer than scheduled.

Action Item

EMES to review concerns of water supply in Erub and assess repair of Mogor well pump.

Action Item

EMCS to investigate possibility of spare vehicle for Erub office usage.

Action Item

MPA to keep Cr Akee informed of sandbagging in Mer.

Action Item

A/EMCS to liaise with Cr Fell in regards to exercising 24JAA.

Action Item

CEO to liaise with Cr Toby in regards to correspondence noting subdivision.

Cr Stephen and Cr Mosby returned to meeting at 12.00pm.

Action Item

A/EMCS to calculate whole of life cost for Dauan Ferry operation and present along with risks at next Council Meeting.

Action Item

A/EMCS to investigate where the tractor from Dauan is.

Cr Enosa requested that the fencing around the Saibai water lagoon dump be approved for Capital Works. CEO noted that once Capital Works funds are allocated through Councillor prioritisation, there is insufficient funds for additional Capital Works, unless another project is removed or delayed or additional sources of funds are obtained.

Action Item

In lieu of sufficient funds being available for fencing around Saibai dump, for EMES to ensure a sign noting danger, is placed on gate in English and language.

Action Item

CEO to follow up Saibai Community Hall project and reported defects with gates and lights.

Action Item

MPA to submit application for CCTV with lights at Saibai fuel bowser.

Action Item

A/EMES to address reported safety issues to CASA for all flight operators.

Action Item

CEO to direct Project Manager to train local staff to operate and maintain community hall equipment installed as part of refurbishment/upgrade program.

Action Item

CEO to provide NPARIH project and floor plans to Cr Bosun.

Action Item

CEO and EMES to monitor water reservoir levels at St Paul's and reassess staff leave applications as necessary.

Action Item

A/EMCS to follow up with Ugar PBC on deed of settlement to progress payment of Telstra leases.

Mayor advised that due to Councillor leave of absence in January an Ordinary meeting would not be held and instead a Special Meeting via teleconference would be called to endorse Seawalls Tender and Development Applications.

Cr Baira advised of his recent appointment to the Torres and Cape Hospital and Health Service Board.

12:46pm - Closed Business

Moved Cr Enosa Seconded Cr Baira that in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss.

(a) the appointment, dismissal or discipline of employees; or

(b) industrial matters affecting employees; or

- (c) the local government's budget; or
- (d) rating concessions; or
- (e) contracts proposed to be made by it; or
- (f) starting or defending legal proceedings involving the local government; or
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Further the public in attendance are asked to leave.

Motion Carried

1.00pm end of Closed Business

Action Item

CEO to coordinate condolence speech for Cr Baira.

Mayor thanked everyone and reiterated Council's commitment to Regional and Community benefits

1.05pm Council meeting closed in prayer by Cr Fell