



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

Tuesday 28 June 2016-Wednesday 29 June 2016

Please find attached Minutes of the above meeting held on
Tuesday 28 June 2016 from 9:40am to 6:00pm and Wednesday 29 June 2016 from 9:30am to 6:15pm
at Hammond Community Hall, Lot 12 Francis Road, Hammond Island

Tuesday 28 June 2016

Present

Cr Fred Gela, Mayor

Cr Dimas Toby, Division 1 – Boigu

Cr Torenzo Elisala, Division 2 – Dauan Island (*Via teleconference*)

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

Cr John Levi, Division 7 – St Pauls Community at Moa Island

Cr Mario Sabatino, Division 8 – Hammond Island

Cr Getano Lui Jnr, Division 9 – Iama Island

Cr Clara Tamu, Division 10 – Warraber Island (*Via teleconference*)

Cr Francis Pearson, Division 11 – Poruma Island

Cr Rocky Stephen, Division 13 – Ugar Island

Cr Patrick Thaiday, Division 14 – Erub Island

Cr Bob Kaigey, Division 15 – Mer Island

Ms Dania Ahwang, Chief Executive Officer (CEO)

Mr Chris McLaughlin, Executive Manager Corporate Services (EMCS)

Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)

Mr Mathew Brodbeck, Acting Executive Manager Engineering Services (AEMES)

Mr David Abednego, Executive Manager Community Services (EMCoS)

Ms Daisy Ketchell, Executive Officer (EO) (*Via teleconference*)

Ms Helen Tarrant, Executive Assistant (EA)

Ms Dinah Sailor (TAO) (Minutes)

In Attendance:

Mr Henry Garnier, Elder, Community Member

Apologies

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

Cr Laurie Nona, Division 5 – Badu Island

Cr Ted Nai, Division 12 – Masig Island

Mr David Baldwin, Executive Manager Engineering Services (EMES)

1. **9.40am-9.45am** **Opening Prayer and Welcome**

The meeting was opened in prayer by Cr Lui.

One Minute's Silence

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

Mayor's Welcome and Opening Remarks

The Mayor acknowledged native title holders of the community in which the meeting is held: Kaurareg families, Native Title holders and Kaurareg Aboriginal peoples. The Mayor further acknowledged Councillors and extended special thanks to Cr Sabatino and the Hammond community for hosting the meeting. The Mayor acknowledged and welcomed Community Elder, Mr. Henry Garnier and welcomed back Ms Dinah Sailor, Travel and Administration Officer.

The Mayor welcomed Crs Elisala and Tamu to the meeting via teleconference.

2. **9.45am-9.50am** **Apologies**

Cr Ted Nai & Cr Laurie Nona – Leave in Advance

RESOLUTION

Moved Cr Thaiday, Seconded Cr Sabatino

That Council accepts the apologies from Cr Nai and Cr Nona for their absence at this meeting

MOTION CARRIED

Cr Keith Fell – Approval of Leave due to Family Emergency

Cr Sabatino queried whether the request for leave of absence from the meeting was sufficient to meet policy. The CEO responded that the policy provides for absence due to illness (medical certificate required) and clarified that a family emergency would require a brief to the Mayor (for confidentiality) as a minimum, contacting Mayor and CEO copying Councillors, if appropriate.

The Mayor suggested the policy be reviewed to clarify requirements. The CEO would do so and bring the revised policy back to Council for endorsement.

Further, the CEO noted that Mayor and Deputy Mayor allowances were not connected to the Leave of Absence policy as they did not receive a sitting fee; this would need to be rectified by way of policy.

Action Item

CEO to review Leave of Absence Policy and Meeting Handbook and bring back to Council for endorsement.

RESOLUTION

Moved Cr Sabatino, Seconded Cr Bosun

That Council accepts the apology from Cr Fell for his absence at this meeting.

MOTION CARRIED

3. **9.50am-9.53am** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

Cr Bosun declared a COI and MPI in regards to the Statute Barred Debt agenda item to be discussed later in the meeting and would provide his reason at that time.

4. 9.53am-10.15am Confirmation of May 2016 Ordinary Meeting and June 2016 Special Meeting Minutes

Cr Sabatino sought clarification to the Closed Business Resolution from the May meeting – 8.3 TSIRC 2016-87 Preferred Supplier Arrangement – Sea Freight and Fuel Supply. Cr Sabatino noted he had thought he had heard something completely different when he returned to the room at the last meeting. The Mayor concurred and remembered the conversation which took place out of Closed Business and where it was noted that it would only make sense for Council to enter into negotiations with MIPEC on fuel as it was cheaper. Cr Sabatino noted that the resolution did not reflect the Mayor's comments.

The Mayor noted that before the end of the June Ordinary meeting Council must consider calling Tender/EOI for sole supplier. The Mayor would discuss further later today.

4.1 Confirmation of May 2016 Ordinary Meeting Minutes

RESOLUTION

Moved Cr Elisala, Seconded Cr Pearson

That the minutes of the Ordinary Meeting held in May 2016 be adopted as true and accurate.

MOTION CARRIED

Cr Pearson queried clause 10. Enterprise Divestment – Poruma Resort and that he had been recorded as voting against the motion when in fact he had abstained. EMCS noted this format was at the request of the Department of Infrastructure, Local Government and Planning and complied with the Local Government Act.

It was agreed that in future the explanation would be provided first in bold, followed by the motion.

Action Item

EA to ensure when a Councillor abstains from voting, the explanation is provided first in bold, followed by the motion.

4.2 Confirmation of June 2016 Special Meeting Minutes

RESOLUTION

Moved Cr Sabatino, Seconded Cr Bosun

That the minutes of the Special Meeting held in June 2016 be adopted as true and accurate.

MOTION CARRIED

5. 10.15am-10.40am Action Item Summary from May 2016 Meeting

Previous Action Item 11.1 – Torres Strait Regional Authority Ranger lease – Erub Lease A

Cr Thaiday requested an update: EMCS confirmed that a letter had been sent to TSRA rejecting their offer and was awaiting their response.

Previous Action Item 18.2 – Norfolk Island

Cr Lui requested an update: the CEO confirmed a report had been requested from the Public Affairs Officer (PAO) including recommendations by the end of July.

Cr Sabatino queried how this activity would be paid for. The Mayor responded that a grant would be sought and the budget would come from the Governance and Advocacy budget line.

Previous Action Item 13.4 – Year-round Helicopter Subsidy

Cr Elisala requested an update: the CEO noted that a report would be tabled for Council endorsement when full costs are known. Should Council endorse this additional expense, the budget would be adjusted at the first budget review scheduled for October/November 2016.

Previous Action Item 18.3 – Misuse of Council Vehicles

Cr Levi requested an update: CEO noted investigations were continuing.

Previous Action Item 18.3 – St Pauls Building Programme Issues

CEO noted at this stage on track with completion in July. Further briefing would be provided in Closed Business.

Previous Action Item 13.1 – Blue Phones

The CEO suggested the building team could provide a list of work orders assigned to them by BAS. Cr Toby would like a list of works that have been completed and works that are still to be completed. CEO would write to BAS and request.

Action Item

CEO to write to BAS and request a list of completed works and works still for completion for each community.

Cr Toby blessed the Morning Tea
10.25am-10:40am Morning Tea Break

6. 10.40am-12.25pm Finance: 16-17 Original Budget

Cr Kaigey declared a Conflict of Interest (COI) regarding the upcoming Statute Barred Debt report as did Cr Levi.

EMFS presented the background to the 16-17 Original Budget to Council.

The Mayor had requested the presentation to make the budget simpler and more user friendly.

Cr Sabatino noted the proposed budget had not been presented to the Divisional Councillor and Divisional Manager as in previous years. Further, he noted that Councillors were not required by the Local Government Act to adopt the budget until 1 August 2016 and that Councillors should defer adoption until that time if they were not comfortable or an element required further work.

The Mayor added that if significant changes needed to be made, a Special Meeting of Council could be convened prior to 1 August 2016.

EMFS noted that Councillors could also adopt the budget today noting 'subject to changes' in specific areas.

Cr Toby queried the travel budget and enquired whether sharing costs across departments had been considered. EMFS noted there was a shared travel calendar on the intranet.

Cr Toby queried corporate overheads. Cr Sabatino felt the introduction of corporate overheads required further discussion. It is a new line item in the budget and felt that Councillors should be more involved with arriving at the percentage figure used.

The Mayor noted his opposition to the introduction of corporate overheads to the 16/17 budget and felt a Councillor workshop should first be conducted. He noted he was not yet convinced that funds needed to be locked in for services provided. Further, the Mayor noted he was playing devil's advocate and thanked staff for the great job they had done in preparing the 16/17 budget.

The Mayor felt Council was not yet ready for the application of corporate overheads and the matter needed further discussion. The CEO thanked the Mayor for his comments and noted further explanation was required before we can progress.

Cr Sabatino noted he too was not a supporter of the introduction of corporate overheads and felt the process was not sufficiently transparent.

EMFS noted that corporate overheads had been applied in Council's accounts since amalgamation but the difference now was that we are recognising it in the budget.

The CEO concurred and noted its inclusion would make declared profits more realistic and robust especially for the Building Services Unit: when true costs, including internal costs, are factored in, declared profits will be much lower but also more transparent.

Cr Lui stated that he was not criticising the process or the methodology used by staff but he needed to understand the process better so he could explain it to his people. Cr Lui requested a fact sheet or similar be created to assist him in understanding. Cr Lui felt he could not support the inclusion of corporate overheads at this time until he understood better.

EMFS stated that it would give us more information to ensure we can fully fund services on the ground and ensure we are sustainable. For example, using the Community Services model, it is easy to identify that grant funding equates to 15% for Hammond After School Care as opposed to our costs of 17% - clearly identifying a 2% funding shortfall.

Cr Levi blessed the Lunch
12.25pm-1.20pm Lunch Break

1.20pm-3.26pm **Finance: 16-17 Original Budget Continued...**

EMFS continued with the Budget presentation focusing on Financial Services. EMFS noted Council currently has \$11m invested with QTC.

Action Item

EMFS to advise the Mayor of the dollar amount invested that is not already committed grant funds or quarantined for Capital Works.

The discussions moved to assets and the Mayor noted the manpower Engineering has in the communities and suggested that consideration be given to DEOs taking a proactive role with maintenance of assets. Further, the Mayor noted that the community looks to the DEOs to carry out all outside work but they are not delivering. The Mayor and Cr Sabatino noted asset silos and as most assets are owned by Corporate Services, Engineering staff do not have asset responsibility. The Mayor and Cr Sabatino felt it would make greater practical sense for the people on the ground to have responsibility for Repairs and Maintenance and this could be achieved by building Repairs and Maintenance into DEOs' workplans with the allocation of a small budget.

The Mayor stated that we need to move away from the mindset that another position is required to solve a particular problem and that further exploration of what is achievable with our current workforce needs to take place.

EMFS moved to Community Services and noted the quoted corporate overhead percentage needs further review.

Discussion moved to the Hammond Long-day Childcare Centre and it was noted that the deadline for its completion had been extended on several occasions but the facility was still not in operation.

The CEO discussed budget savings made from 1 July 2016 on 30 vacant positions and cost savings realised from the recent mobile phone audit.

Cr Toby requested that the budget be presented in a simpler form.

EMFS discussed the cost differential between TSIRC offices on Thursday Island as opposed to Cairns. The Mayor thanked EMFS and noted the figures would assist in beginning the process of assessing a potential relocation of positions to the electorate and leasing the premises on Thursday Island, with a small footprint remaining in Cairns (as part of the Transitional Action Plan).

Cr Toby blessed the Afternoon Tea
3.26pm-4.00pm Afternoon Tea Break

4.00pm-5.55pm

Finance: 16-17 Original Budget Continued...

The CEO discussed the changes agreed to the budget during the Capital Budget workshop and confirmed there were no changes to the bottom line including the reduction to the operational budget of \$56K.

Cr Toby queried budget allocation for lagoon fencing and noted lagoons at Boigu also required Capital Works.

The CEO noted TSRA had offered \$350K from the Community Minor Infrastructure Contingency fund if matched by Council.

Cr Thaiday queried whether monies allocated for Erub Lagoon fencing could be used now instead of waiting until July.

The Mayor explained his priorities for commissioning feasibility studies and reported that he had prioritised childcare over aged care as communities had repeatedly advised that this was their priority. The Mayor would be happy to recommend an aged care feasibility study be carried out in 17/18 but noted that Masterplanning for communities and government funding would not be made available to aged care facilities as the focus was on improving the standards of existing aged care facilities and the support of care for the aged at home.

Cr Toby queried who would carry out the feasibility study for childcare and the Mayor responded that an Expression of Interest for an external consultant would be advertised. Cr Toby noted he would like a care for the aged at home programme at Boigu and had discussed this on two previous occasions with EMCoS and Manager Community Services.

Action Item

EMCoS and Manager Community Services to advise Cr Toby regarding support available to families caring for the aged at home on Boigu out of session.

The Mayor noted further discussion was required around the Policy Coordinator position (\$80K) and the Principal Strategist (\$200K).

EMCS explained the rationale for the Policy Coordinator and noted documentation of policies and procedures in a consistent and detailed manner would preserve corporate knowledge when individuals leave Council. He noted the position had been recruited and an officer in post for the past three weeks.

Cr Sabatino queried the need for this position when Executives have these skills. Cr Sabatino suggested the Executive Team form a policy subcommittee to look at policy.

The CEO noted a new requirement for local governments is the introduction of a Fraud Management Framework and the Policy Coordinator would also be responsible for its creation. The CEO also noted this position would allow the CEO and Executive Managers to focus on strategic high level matters.

Cr Toby agreed that the Executive team appeared overloaded and that often little progress had been made on action items from one month to the next.

The CEO noted the Policy Coordinator would also support the Transitional Action Plan (TAP) as documenting procedures would assist in capacity building.

Discussions moved to realising the TAP. The Mayor clarified that the Strategic Advisory Reference Group (SARG) had not endorsed the draft TAP and confirmed that this would be tabled for the full Council. The Mayor noted the distribution of SARG minutes to the full Council would also be discussed at the next SARG meeting.

Cr Sabatino felt the introduction of the Policy Coordinator was a big change for Council without the input of Councillors. The CEO noted it was an operational appointment and within her delegation.

Cr Sabatino stated he felt the now redundant Performance and Advocacy position was of benefit to the communities but the Policy position was of benefit only to the Executive team.

The Mayor noted a further Capital Works budget workshop was required to allocate the \$604,400 and afford Councillors the opportunity to advocate for the works important to their communities.

The Mayor recommended that Councillors adopt the Original Budget noting the unallocated \$604,400 and convene a workshop as soon as possible to agree the allocation of those funds.

Cr Lui was not keen to adopt the budget without understanding the implications for his community and the whole region.

The Mayor reminded Councillors that the deadline for adoption of the budget was 1 August 2016 and summarised the options available:

- i) Request additional time to review the budget;
- ii) Adopt the Budget at a later Special meeting, prior to 1 August 2016; or
- iii) Adopt the budget today, subject to amendments as directed by Council.

Action Item

EMCS to provide Councillors with a snapshot of objectives for year three, as detailed in the Corporate Plan, to inform the prioritisation of projects at the Councillor workshop.

Cr Bosun suggested the Policy Coordinator position be retained and \$56K moved from the Operational to the Capital Budget.

Cr Toby noted that policy drives our industry but the Strategist position would grow it and take it forward.

Cr Sabatino reminded the Councillors that the proposed budget belongs to the Councillors rather than staff and that previous audit had never identified inconsistencies with policy.

The meeting agreed a Workshop would be convened to review:

- Full time equivalent (FTE) positions
- Casual/part time positions
- Current vacancies
- Capital Works allocation against prioritisation matrix and year three of the Corporate plan.

The Workshop would be followed by a Closed Business Caucus of Councillors where the final decision would be taken.

7. 5.50pm-5.55pm Corporate Services: Operational Plan

RESOLUTION

Moved Cr Toby, Seconded Cr Thaiday

That pursuant to section 174(1) of the Local Government Regulation 2012 (Qld), Council adopts the Annual Operational Plan for financial year 2016–2017, subject to removing Policy (OP), Feasibility Aged Care (OP), Sustainable Programs (OP) Projects (\$136,000) and quarantining Fire Hydrants, IT Refresh, ECM Upgrade, Lagoon Fencing, WTP Shed (St Pauls and Kubin), Badu Workshop (\$604,400) for further workshop in July 2016 along with other potential capital works priorities and approving increase of Corporate Buildings Upgrade (CAP) Project budget from \$100,00 to \$200,000.

MOTION CARRIED

5.55pm-6:00pm Finance: 16-17 Original Budget

RESOLUTION

Moved Cr Bosun, Seconded Cr Pearson

(i) That Council adopts, in accordance with Division 3 of the Local Government Regulation 2012, the Annual Budget for the 2016/2017 Financial Year, subject to removal of budget for Policy (\$80,000), Feasibility Aged Care (\$26,000) and Sustainable Programs (\$30,000) Operational Projects, pending further discussion and subject to future endorsement of corporate overheads by Council and including:

- Statement of Financial Position*
- Statement of Cash flow*
- Statement of Income and Expenditure*
- Notes to Statement of Income and Expenditure*
- Statement of Changes in Equity*
- Long Term Financial Forecast*
- Financial Sustainability Ratios*
- Capital Budget*

(ii) That Council adopts, in accordance with section 98 of the Local Government Act 2009, the Register of Fees and Charges for the 2016/2017 financial year and subject to further discussion.

MOTION CARRIED

8. 6.00pm Meeting Closed in Prayer by Cr Levi.

Wednesday 29 June 2016

Present

Cr Fred Gela, Mayor
Cr Dimas Toby, Division 1 – Boigu
Cr Torenzo Elisala, Division 2 – Dauan Island (*Via teleconference*)
Cr David Bosun, Division 6 – Kubin Community at Moa Island
Cr John Levi, Division 7 – St Pauls Community at Moa Island
Cr Mario Sabatino, Division 8 – Hammond Island
Cr Getano Lui Jnr, Division 9 – Iama Island
Cr Clara Tamu, Division 10 – Warraber Island (*Via teleconference*)
Cr Francis Pearson, Division 11 – Poruma Island
Cr Rocky Stephen, Division 13 – Ugar Island
Cr Patrick Thaiday, Division 14 – Erub Island
Cr Bob Kaigey, Division 15 – Mer Island
Ms Dania Ahwang, Chief Executive Officer (CEO)
Mr Chris McLaughlin, Executive Manager Corporate Services (EMCS)
Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)
Mr Mathew Brodbeck, Acting Executive Manager Engineering Services (AEMES)
Lloyd Sunderland, General Manager Building Services Unit (GMBSU) (from 2:53pm)
Mr David Abednego, Executive Manager Community Services (EMCoS)
Ms Daisy Ketchell, Executive Officer (EO) (*Via teleconference*)
Ms Helen Tarrant, Executive Assistant (EA)
Ms Dinah Sailor (TAO) (Minutes)

In Attendance:

Mr Henry Garnier, Elder, Community Member

Apologies

Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island
Cr Laurie Nona, Division 5 – Badu Island
Cr Ted Nai, Division 12 – Masig Island
Mr David Baldwin, Executive Manager Engineering Services (EMES)

9. 9.30am-9.35am Opening Prayer and Welcome

The meeting was opened in prayer by Cr Levi.

The Mayor acknowledged native title holders of the community in which the meeting is held: Kaurareg families, Native Title holders and Kaurareg Aboriginal peoples.

Crs Tamu and Elisala joined the meeting at 9:33am via teleconference.

10. 9.35am-10.55am FINANCE: 16-17 Financial Policies

EMFS presented the report to Council and summarised the major changes.

Councillor Expense Reimbursement and Facilities Provision Policy

Cr Toby noted he requires a colour printer in his office so that he can create fliers for his community. The CEO noted there were budget implications and parts and maintenance are significantly more expensive.

Action Item

CEO would provide a paper to Councillors on budget implications of colour printers in community.

Cr Sabatino queried the home office option for Councillors. The CEO responded that this was not documented in the current policy but would be considered on a case by case basis.

Cr Toby asked for clarification as to why tow bars on Councillor vehicles were not included as standard. EMCS responded that it was a maintenance issue as launching boats into salt water would incur significant maintenance costs.

The Mayor asked what is Council's definition of 'personal use' and noted that towing a boat was a perfectly reasonable activity and asked that this restriction be removed from the policy. The CEO sought clarification as to whether tow bars should then be automatically included. The meeting agreed it should be left silent and reviewed on a case by case basis.

The CEO reported that accommodation allowance would now be paid to Councillors at the ATO's approved rates which would mean Councillors who elect to stay with family members could receive this allowance.

Cr Toby queried how vehicle deductions can continue to be made when a vehicle is not in use.

Action Item

EMCS would follow up with Cr Toby out of session and reimburse vehicle hire fees to Cr Toby as appropriate.

The CEO noted the recent provision of CabCharge cards to Councillors for use when on Council business and noted the approval of a taxi fare to allow Councillors to do a of tour of Canberra on their recent trip for the National General Assembly of Local Government. The CEO explained that Council made savings by using taxis and not hire cars

Cr Toby queried whether Councillors could be supplied with cleaning equipment in their Council cars. The Mayor responded that this would not be appropriate as it was a usual expense when owning a vehicle.

Cr Sabatino queried Council's entertainment policy and Fringe Benefit Tax (FBT). EMFS responded that as Councillors are not employees, this policy did not apply to Councillors.

Action Item

EMFS to provide Entertainment Procedure to Cr Sabatino for clarification of the FBT issue to his divisional staff

A discussion followed regarding in kind assistance and Councillors community grants procedure and the inclusion of funerals, tombstone openings and weddings. Cr Pearson felt in kind support should only be provided for funeral as other events mentioned are planned and could therefore apply for other available funding.

Action Item

EMCS to include this detail in the procedure and work with Councillors to document details.

Cr Bosun suggested the term budget of \$5K per Councillor per term for discretionary professional development and training should be reviewed as \$5K did not cover costs to attend training interstate.

Action Item

EMFS to include review of Councillors Discretionary Professional Development and Training budget in budget workshop.

RESOLUTION

Moved Cr Stephen, Seconded Cr Levi

That Council adopt the following Policies:

- *Investment Policy (SPO 1)*
- *Community Grants Policy (SPO 3)*
- *Debt Policy (SPO 4)*
- *Revenue Policy (SPO 5)*
- *Councillor Expense Reimbursement and Facilities Provision Policy (SPO 6)*
- *Fiscal Governance Policy (PO 4)*
- *Entertainment and Hospitality Policy (PO 11)*

MOTION CARRIED

The Mayor blessed the Morning Tea
10.55am-11.15am Morning Tea Break

11. **11.15am-1.55pm** **FINANCE: 16-17 Revenue Statement**

EMFS spoke to the report.

Cr Toby sought advice regarding illegal dumping in his community.

Action Item

EMCS to provide advice to Cr Toby out of session regarding illegal dumping.

Action Item

EMES to provide locks on bins in communities no later than August 2016 to ensure deer and horses are unable to access rubbish as per previous requests from Crs Bosun and Toby.

Discussion followed regarding commercial waste and appropriate fees.

Action Item

CEO to provide advice to Cr Thaiday regarding appropriate disposal of fish skeletons.

Action Item

CEO to contact IBIS to advise of new Council Fee Structure for 2016/17 regarding waste disposal.

Action Item

CEO to work with EMES to review commercial vs private waste disposal provisions and ensure additional bins are provided to commercial operators. CEO would also review fees and charges and circumstances where a commercial business is being run from a residential property.

Cr Sabatino declared a Conflict of Interest/Material Personal Interest regarding his commercial business interests.

RESOLUTION

Moved Cr Pearson, Seconded Cr Levi

(i) That Council resolves pursuant to chapter 4, part 3 of the Local Government Act 2009 and chapter 5, part 2 division 3 of the Local Government Regulation 2012, to adopt the attached Revenue Statement for the 2016/17 financial year.

(ii) That Council resolves pursuant to chapter 4 of the Local Government Regulation 2012 to adopt the recommendations contained in the attached Striking of Rates and Charges for 2016/17 financial year.

MOTION CARRIED

The Mayor, Cr Sabatino, Cr Stephen and Cr Bosun declared a Material Personal Interest and left the room and abstained from voting. In the absence of the Deputy Mayor, the Mayor appointed Cr Lui as meeting chair during his absence.

Cr Sabatino noted that we are still not collecting appropriate Fees and Charges regarding fuelling on our ramps and suggested tanks should be charged as they are in Cairns and noted he had raised this matter before.

Action Item

CEO would follow up on charges that could be made to vessels fuelling at Council ramps and discuss with Cr Sabatino out of session.

Cr Toby blessed the Lunch
12.45pm-2.25pm Lunch Break

12. 2.25pm-2.35pm Meeting as Trustee

RESOLUTION

Moved Cr Bosun, Seconded Cr Levi

That in accordance with Section 83 of Local Government Act 2009 (QLD) Management of Community Development of Grants in Trust, the meeting of the Trustee of Community DOGIT be convened and conducted as separate meetings from the Indigenous Regional Council.

MOTION CARRIED

12.1 CORPORATE SERVICES: Mabuiag Social Housing Leases

The Mayor noted Deputy Mayor, Cr Fell, had provided his support for this resolution via email.

RESOLUTION

Moved Cr Bosun, Seconded Cr Stephen

That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant a standard lease to the State of Queensland (as represented by the Department of Housing and Public Works) over the below Lease areas on SP273191, for Social Housing Purposes and other Government Services Use of and incidental to that purpose, namely: -

Plan/Document Number	Plan/Document Name	Date
SP273191	Plan of Leases AK - AO	08/01/16

MOTION CARRIED

12.2 CORPORATE SERVICES: Hammond Social Housing Leases

RESOLUTION

Moved Cr Sabatino, Seconded Cr Thaiday

That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant a standard lease to the State of Queensland (as represented by the Department of Housing and Public Works) over the below lease areas in part of Lot 155 on Crown Plan TS172, and for Social Housing Purposes and other Government Services Use of and incidental to that purpose, namely: -

Plan/Document Number	Plan/Document Name	Date
SP276442	Plan of Lease D	11/08/15
SP276443	Plan of Lease E	11/08/15
SP276444	Plan of Lease F	11/08/15
SP276446	Plan of Lease H	11/08/15

MOTION CARRIED

Cr Lui left the meeting at 2:30pm.

12.3 CORPORATE SERVICES: Freehold Pilot Project

RESOLUTION

Moved Cr Sabatino, Seconded Cr Kaigey

That the Trustee confirms its continued cost-neutral participation in the Freehold Pilot Project for:

- 1. St Pauls community, Moa Island;*
- 2. Poruma Island; and*
- 3. Hammond Island*

MOTION CARRIED

RESOLUTION

Moved Cr Pearson, Seconded Cr Levi

That in accordance with Section 83 of Local Government Act 2009 (QLD) Management of Community Development of Grants in Trust, the meeting of the Trustee of Community DOGIT be concluded and the separate meeting of the Indigenous Regional Council resumed.

MOTION CARRIED

13. 2.35pm-2.36pm CORPORATE SERVICES: Zenadth Kes Planning Scheme

RESOLUTION

Moved Cr Bosun, Seconded Cr Pearson

That Council adopt the Zenadth Kes Planning Scheme, as presented.

MOTION CARRIED

EMCS offered Councillors a copy of the Zenadth Kes Planning scheme on USB.

Cr Lui returned to the meeting at 2:36pm.

14. 2.36pm-2.37pm CORPORATE SERVICES: Asset Management Plans

Cr Toby queried how often Asset Management Plans are reviewed and adopted by Council. The CEO confirmed this took place at least annually with the last review in April/May 2015.

RESOLUTION

Moved Cr Levi, Seconded Cr Sabatino

It is recommended that Council adopts the Community, Transport, Waste, Water and Sewer Asset Management Plans submitted.

MOTION CARRIED

15. 2.37pm – 2.42pm CORPORATE SERVICES: Development Application DA04-16-04(10) Mabuiag – DATSIP – Reconfiguration of 5 Lots for Social Housing (1 Lot into 5 Lots) leases AK to AO on SP273191

RESOLUTION

Moved Cr Bosun, Seconded Cr Stephen

That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the following conditions:

- 1) *The proposed development is to be undertaken in accordance with the following approved drawings:*

<i>Plan/Document Number</i>	<i>Plan/Document Name</i>	<i>Date</i>
SP273191	Leases AK to AO in Lot 2 on SP242990	8/12/2016

- 2) *This approval is valid for two (4) years. A plan of survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.*
- 3) *The applicant is responsible for the cost of providing any necessary services to the proposed lease area.*
- 4) *The habitable floor level will be set above the defined flood level and storm tide inundation level. The Habitable floor level is to be above at RL3.07 AHD*
- 5) *The Development complies with all referral Agency conditions.*

MOTION CARRIED

16. 2.42pm-2.46pm Corporate Services: Development application DA02-16-08(10) Hammond – DATSIP Reconfiguration of a Lot and Operational Works Permit for 10 new Lots

RESOLUTION

Moved Cr Sabatino, Seconded Cr Levi

That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the following conditions:

- 1) *The proposed development is to be undertaken in accordance with the following approved drawings:*

Plan/Document Number	Plan/Document Name	Date
60343433-GD-01	AECOM Lot setout plan	3/3/2016

- 2) *This approval is valid for two (2) years. A plan of survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.*
- 3) *The applicant is responsible for the cost of providing any necessary services to the proposed lease area.*
- 4) *If necessary the size of all proposed lots is to be amended to remove any conflict with public road.*
- 5) *The habitable floor level will be set above the defined flood level and storm tide inundation level. The Habitable floor level is to be above at RL3.50 AHD*
- 6) *The Development complies with all referral Agency conditions.*
- 7) *The Development complies with the Assessment Manager (TSIRC) Conditions.*

MOTION CARRIED

17. **2.46pm-2.50pm** **Corporate Services: Development Application – Hammond – DATSIP – Reconfiguration of a Lot into 130 Lots**

RESOLUTION

Moved Cr Sabatino, Seconded Cr Kaigey

That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the following conditions:

1. *The proposed development is to be undertaken in accordance with the following approved drawings SP248418 Plan of Lots 2-6, 8, 10-12, 16-20, 22-30, 35,38-40, 42-52, 58-64, 66-128 & 155, cancelling Lot 155 on TS172 & Lots 8 & 18 on PLD559 AND Plan of Lots 1, 7, 9,13-15, 21, 31-34, 36-37, 41, 53-57 & 65 being a resurvey of Lots 1, 7, 9, 13-15, 21, 31-34, 36-37, 41, 55-57, & 65 on PLD559, Lot 53 on CP903337 & Lot 54 on SP231378, cancelling Lots 1, 7, 9, 13-15, 21, 31-34, 36-37, 41, 55-57 & 65 on PLD559, Lot 53 on CP903337 & Lot 54 on SP231378', Sheets 1 to 18, by Bass Surveying Pty Ltd.*
 - subject to any alterations:*
 - a) *found necessary by Chief Executive Officer at the time of examination of drawings or during construction of the works because of particular engineering or cultural requirements and to ensure the works comply in all respects with the requirements of FNQROC Development Manual and good engineering practice; **and***
 - b) *to comply with project specific conditions*
2. *All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.*
3. *This approval is valid for four (4) years. A plan of survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.*
4. *The applicant is responsible for the cost of providing any necessary services to the proposed lease area.*
5. *The minimum Habitable Floor levels of all new dwellings must be above the Defined Storm Tide Event (being HAT+2.0m).*

MOTION CARRIED

Cr Sabatino left the meeting at 2.46pm

18. 2.50pm-4.50pm Closed Business

RESOLUTION

Moved Cr Levi, Seconded Cr Kaigey

That in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss:

- (c) The local government's budget; or
- (e) Contracts proposed to be made by it; 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.

MOTION CARRIED

Crs Tamu and Elisala and EO confirmed confidentiality via teleconference connection.

GMBSU joined the meeting at 2.53pm.

Cr Sabatino returned to the meeting at 2.56pm.

RESOLUTION

Moved Cr Bosun, Seconded Cr Levi

That Council move out of closed business.

MOTION CARRIED

4.10pm

Councillors' In-Camera Session

Staff were asked to leave the meeting with the exception of the CEO, EMCS and EMFS.

4.50pm Staff returned to the meeting.

18.1 CORPORATE SERVICES: Insurance Renewal

RESOLUTION

Moved Cr Sabatino, Seconded Cr Stephen

1. That Council resolve to appoint the following insurance underwriters as insurers on the following Council insurance policies for 2016/17, and authorise the Chief Executive Officer to enter into all contracts of insurance with those underwriters and do all things necessary to effect those policies of insurance, including making payment for all premiums:

Policy	Insurer	Premium (GST Incl)
Industrial Special Risks	QBE Insurance	\$2,081,402.55
Public Liability and Professional Indemnity	Berkshire Hathaway and various	\$117,611.00
Motor Vehicle	QBE Insurance	\$96,639.40 (less premium adjustment of \$3,865.58)
Casual Hirers (Entertainment Liability)	Catlin Australia P/L	\$3,982.00
Marine Hull	QBE Insurance	\$9,017.05
Aviation	Tokio Marine Kiln Singapore P/L	\$5,492.23
Personal Accident – Mayor and Councillors	Chubb Insurance AIG Australia Ltd Zurich Australian Insurance Ltd	\$12,980.18

2. That Council resolve to appoint Local Government Workcare as a sole supplier under s235(a) of the Local Government Regulation 2012 (Qld), for the provision of Workers Compensation services for a period of two (2) years.

MOTION CARRIED

18.2 FINANCE: Statute Barred Debt Write-Off

Cr Kaigey, Cr Sabatino, Cr Levi, Cr Bosun, the Mayor, Cr Toby, Cr Lui, Cr Tamu, Cr Pearson, Cr Stephen, Cr Thaiday and Cr Elisala declared Conflict of Interest and left the room.

RESOLUTION

That Council endorse write-off of \$3,831,687.40 of commercial statute barred debts and \$757,704.72 of housing statute barred debts. The total debt to be written off is \$4,589,392.12.

THE MATTER WAS LEFT LAYING ON THE TABLE AS THE MEETING WAS INQUORATE WITH CRS KAIGEY, SABATINO, LEVI, BOSUN, THE MAYOR, TOBY, LUI, TAMU, PEARSON, STEPHEN, THAIDAY AND ELISALA RECORDED AS VOTING AGAINST

18.3 Engineering: Erub & Warraber Lagoon Repairs Proposal

RESOLUTION

Moved Cr Thaiday, Seconded Cr Levi
That Council resolve to:

- Pursuant to section 235 (b)(c) of the Local Government Regulation 2012 (Qld), sole source GDT Linings Pty Ltd to undertake maintenance and repairs to the Warraber lagoon liner at a GST exclusive contract price of \$76,779.50.
- Pursuant to section 235 (b)(c) of the Local Government Regulation 2012 (Qld), sole source GDT Linings Pty Ltd to undertake maintenance and repairs to the Erub lagoon liner and lagoon cover at a GST exclusive contract price of \$104,462.50.

MOTION CARRIED

4.55pm The Mayor and Cr Sabatino declared a Material Personal Interest and left the room

18.4 Building Services Unit: Tender – Contractors and Suppliers of Goods & Services

RESOLUTION

Moved Cr Pearson, Seconded Cr Stephen

That pursuant to section 233 of the Local Government Regulation 2012 (Qld), Council resolve to enter into Preferred Supplier Arrangements with the preferred suppliers for the categories specified in this report for a period of two (2) years and delegate all power, financial and otherwise, to the Chief Executive Officer to execute agreements and approve purchase orders in accordance with adopted budget.

MOTION CARRIED

4.57pm The Mayor and Cr Sabatino returned to the meeting

18.5 Freight Services

RESOLUTION

Moved Cr Pearson, Seconded Cr Stephen

That Council seek, to the extent practicable, to use equally MIPEC and SeaSwift for Freight Service providing each supplier has sufficient capacity.

MOTION CARRIED

18.6 Fuel & Gas Services

RESOLUTION

Moved Cr Pearson, Seconded Cr Bosun

That Council seek to utilise MIPEC on an exclusive basis for the supply of fuel and gas services.

MOTION CARRIED

19. 4.57pm-5.50pm General Business

Cr Tamu requested leave in advance and left the meeting at 5:00pm.

19.1 Boigu

Cr Toby noted he would be happy to receive answers via email to the issues raised below.

- Cr Toby requested that the two dinghies in the Council compound be put to Tender
- What is happening with the vehicles that have been written off?
- Stadium toilets not working – has it been reported?
- Stadium tables and chairs need to be collected
- What is happening with the Rangers' old office?
- Telstra container in compound needs to be addressed
- Motel room security – concerns raised by guests
- Fencing – lots 7A & 7B – consider inkind construction
- Old immigration office – asbestos issue
- Tank program – how is it prioritised and how can Boigu be prioritised?
- Parks and Gardens to be included as part of Engineering workplan
- Boigu Lagoon Fencing – MIP5 coverage to be confirmed
- Boigu old water lagoon – fencing
- Removal of hydroponics framework
- Cr Toby requested an update on Environment Health Workers and HACCC – the information report does not reflect what is happening on the ground.

Action Item

EMCoS to provide update to Cr Toby out of session.

- Taipan Trading pricing
- IBIS proposal: Meeting with PBC and corporation soon and currently operating without a lease. Mayor suggested Cr Toby submit his proposal to Minister Pitt and IBIS Board – a response will be provided.
- Chopper landing: Small yellow chopper has continued to land in the street and at the power station with Ergon workers. Previously discussed with EMCS.
- Subdivision: in conjunction with PBC and Elders, Cr Toby would like to form a deputation and lobby the government. Cr Toby to discuss further with the Mayor out of session.
- Cr Toby requested that all government departments be invited to present to Council – especially when the meeting takes place on TI: Education, Health, Customs, etc.
- Ordinary Meeting: Cr Toby requested that the July meeting not be held on Boigu. Cr Toby to raise matter with Cr Tamu to see if she would be willing to host the meeting instead.

Action Item

CEO will advise Cr Toby following discussion with Cr Tamu.

- Social Housing Programme: opportunity to build another 2-3 houses. Cr Toby to discuss further with Mayor and Executive out of session.

19.2 Dauan

Cr Elisala requested response via email.

- Are the disused machines going to be shipped off?

- Bowser: Cr Elisala requested that the fuel bowser hours be extended – two hours in the morning and 2 hours in the afternoon.
- DEO to obtain support of management for performance management of staffing
- Helipad to be relocated to new site due to proximity to cultural site of existing helipad
- Gutter cleaning – who is responsible, Council or tenants?
- Church seeking financial support for delivery of donated building materials and freight to Dauan Community. Mayor will discuss further with Cr Elisala out of session. ILUA is the issue but perhaps some assistance via IEOP.

19.3 Kubin

- IBIS fuel bowser: Currently have to purchase fuel by pre-paid card. How can divisional staff access?
- Council vehicle for water: currently using their own vehicle for the past 8 months. How can they be reimbursed?
- Grass cutter: engineering are currently using their own tools
- My Pathways: asking if Council has some activities for them and would like to enter into a host agreement. Cr Bosun would like repairs to basketball court and gazebo and that they engage with the Land and Sea Unit on a Turtle and Dugong Slaughter area.

19.4 Erub

- Private Property: Cr Thaiday advised that some properties that were Council assets have since become private properties. Cr Thaiday to provide CEO with Lot numbers.
- Misuse of Council Vehicle: pool vehicle was hired out to a community event at the weekend and people abused the policy.
- Council assistance for works to Churches and private properties: The Mayor responded that Council does not have the budget for maintenance and repairs of private properties. Council has previously donated \$10K to the Erub Church. If owners want to engage contractors in their own time however, private owner will need to provide their own building materials and pay for labour of the Contractor. IEOP could also be a possibility.
- Cr Thaiday thanked the Mayor and Councillors for the sympathy and condolences for acknowledgement of sorry business on Erub.

19.5 Kirriri

- Cr Sabatino requested that a clear system be developed to select Councillors to travel to events and asked that the matter be discussed at a future meeting.
- 6 monthly rotation of Deputy Mayor role: Cr Sabatino requested a report be brought to Council to consider the introduction of 6 monthly rotation of the Deputy Mayor role

19.6 Iama

- National Flag Raising Ceremony: Cr Lui requested a national flag raising ceremony be discussed at a future meeting
- Council Name Change to Zenadth Kes: Cr Lui requested the process to change name be tabled at a future meeting of Council.
- SCADA Project – scope of works to be clarified given contractor comments on project approach
- Torres Shire Council cultural festival contribution from Council – Cr Gela advised he would meet with Torres Shire to discuss further.

19.7 Mer

- Forklift maintenance: Cr Kaigey requested a status update from Engineering. Forklift was sent away.
- PPE for Engineering staff: Cr Kaigey noted a recent incident and that staff were not wearing appropriate PPE.
- Vehicle log book: Cr Kaigey noted staff were not completing the log book
- Clock in system for staff: Cr Kaigey requested that this be explored.

20. 5.50pm-6.00pm Leave in Advance – July Council Meeting

The following Councillors requested leave in advance:

1. *Cr Tamu*
2. *Cr Kaigey*
3. *Cr Bosun*
4. *Cr Toby*
5. *Cr Stephen*
6. *Cr Lui*

21. 6.00pm-6.15pm Closing Remarks

- The Mayor thanked caterers and staff for the catering and hospitality.
- The Mayor acknowledged GMBSU's forthcoming retirement and thanked him on behalf of Council for his work and perseverance and wished him all the best in his future endeavours.

6.15pm the meeting was closed in Prayer by Cr Stephen