



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

TUESDAY 15 DECEMBER-WEDNESDAY 16 DECEMBER 2015

Please find attached Minutes of the above meeting held on Tuesday 15 December 9:00am-4:47pm, Wednesday 16 December 9:00am-12:30pm at the Hammond Island Community Hall.

TUESDAY 15 DECEMBER 2015

Present

Cr Fred Gela, Mayor

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 Paul's 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 Chris McLaughlin, Executive Manager Corporate Services (EMCS)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Ms Bianca Barling, Acting Manager Performance & Advocacy (AMPA)

Ms Helen Tarrant, Executive Assistant (EA)

Apologies

Mr David Abednego, Executive Manager Community Services (EMCoS)

Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)

Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)

Ms Daisy Ketchell, Executive Officer (EO)

1. **9:00am-9:16am** **Opening Prayer and Welcome**

Mayor's Welcome and Opening Remarks

Cr G Lui opened the meeting in prayer. There was a minute's silence to pay respects to families who have lost their loved ones recently.

Mayor Gela acknowledged Elder Gordon Hammond and the Kaurareg Tribal Council of Elders, elders past and present and the Traditional Owners and community of Hammond as well as staff present. The Mayor acknowledged the important job the staff do.

Cr Sabatino acknowledged Traditional Owners past and present and welcomed Crs and staff to Hammond Island and discussed general housekeeping. Cr Sabatino introduced the Hammond Island staff.

The Mayor invited Hammond Island staff to join the Council for lunch, morning and afternoon tea and to engage with Council.

On behalf of Council the Mayor extended his deepest sympathy to Crs Toby and Akee for the tragic events in their communities. The Mayor noted the family in need in Saibai and would work with CEO to provide support.

2. **9:16am-9:18am** **Apologies**

The CEO noted apologies received from staff and the attendance of acting MPA.

3. **9.18am-9.23am** **Confirmation of November 2015 Minutes**

RESOLUTION

Moved Cr Sabatino, Seconded Cr Enosa

That the minutes of Ordinary meeting, held November 2015, be adopted as true and accurate.

MOTION CARRIED

Cr Baira requested wording be changed on item 6 of the November 2015 minutes, that his query was whether sufficient delegation was in place for the Caretaker period, rather than it be increased.

Cr Baira requested clarification from EMCS to Item 11 of the November 2015 minutes as to whether Crs Stephen and Gaidan should have declared a Material Personal Interest (MPI) rather than a Conflict of Interest (COI). EMCS noted the correct action was taken so an amendment was not required.

4. **9:23am-9:29am** **Action Item Summary From November 2015 Meeting**

Previous Action Item 9 – Ugar Mail Service

Cr Stephen requested feedback. CEO noted there was no further feedback at this stage as the matter must be reviewed in line with budget. The Mayor suggested that the matter be elevated and a discussion held with Australia Post.

Action Item

EMCoS to follow up costs of mail service between Erub and Ugar with Australia Post to explore the possibility of offsetting costs of barge.

Previous Action Item 15 – Erub Holding Tank Transplant

Cr J Gela requested an update on the pumps. No progress at this stage.

Action Item

EMES to liaise directly with Cr J Gela out of session.

5. 9:29am-9:49am Dauan Island Community Survey Program

EMCS spoke to the report.

Cr G Lui queried whether the community was in agreement with the PBC chairs? EMCS noted this was not the case. Cr G Lui had been advised that the PBC had to approve the Plans first. EMCS noted that this step did not require Traditional Owner approval as it does not relate to the granting of a lease. However, the next step would require TO approval. EMCS noted DATSIP had written to the PBC chairs and they have been put on notice and were invited to participate in the Surveys.

Cr Stephen noted different Lot numbers had been used. EMCS advised that once the Survey Plans were endorsed, those Lot numbers would be used.

EMCS noted advice provided by DATSIP confirmed they had liaised with PBC Chairs.

RESOLUTION

Moved Cr Gaidan, Seconded Cr Enosa

That Council:

- *endorse Survey Plan SP270872;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Dauan Island DOGIT as shown on SP270872; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP270872, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 1.0803ha.*

MOTION CARRIED

6. 9:49am-9:50am Saibai Island Community Survey Program

RESOLUTION

Moved Cr Enosa Seconded Cr Baira

That Council:

- endorse Survey Plan SP267944 and SP248421;
- work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Saibai Island DOGIT as shown on SP267944 and SP248421; and
- consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP267944 and SP248421, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 3.8831 ha.

MOTION CARRIED

7. 9:50am-9:51am Badu Island Community Survey Program

RESOLUTION

Moved Cr Baira Seconded Cr Sabatino

That Council:

- endorse Survey Plan SP274784 and SP274783;
- work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Badu Island DOGIT as shown on SP274784 and SP274783; and
- consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP274784 and SP274783, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 31.7455 ha.

MOTION CARRIED

8. 9:51am-9:52am Iama Island Community Survey Program

RESOLUTION

Moved Cr G Lui, Seconded Cr Bosun

That Council:

- endorse Survey Plan SP270867;
- work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Iama Island DOGIT as shown on SP270867; and
- consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP270867, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 9780m².

MOTION CARRIED

9. 9:52am-9:53am Poruma Island Community Survey Program

RESOLUTION

Moved Cr Mosby, Seconded Cr Nai

That Council:

- *endorse Survey Plan SP270862;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Poruma Island DOGIT as shown on SP270862; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP270862, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 8375m².*

MOTION CARRIED

Action Item

EMCS to contact DATSIP to advise of boundary issues on Poruma Island under Community Survey Program.

10. 9:53am-9:54am Masig Island Community Survey Program

RESOLUTION

Moved Cr Nai Seconded Cr J Gela

That Council:

- *endorse Survey Plan SP277431;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Masig Island DOGIT as shown on SP277431; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP277431, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 1.3671ha.*

MOTION CARRIED

11. 9:54am-9:55am Erub Island Community Survey Program

RESOLUTION

Moved Cr J Gela, Seconded Cr Gaidan

That Council:

- *endorse Survey Plan SP270873;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Erub Island DOGIT as shown on SP270873; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP270873.*

MOTION CARRIED

EMCS spoke to the report.

RESOLUTION

Moved Cr Enosa, Seconded Cr Baira

That Council issue a Development Permit for 'Operational Works' and with the inclusion of the following conditions:

1. *The approved operational works are permitted subject to any alterations:*
 - a. *found necessary by Chief Executive Officer at the time of examination of Engineering drawings or during construction of the works because of particular engineering or cultural requirements; and*
 - b. *to ensure the works comply in all respects with the requirements of FNQROC Development Manual and good engineering practice; and*
 - c. *to comply with project specific conditions;*

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.

2. *Council's examination of the documents should not be taken to mean that the documents have been checked in detail and Council takes no responsibility for their accuracy. If during construction, inadequacies of the design are discovered, it is the responsibility of the Principal Consulting Engineer to resubmit amended plans to Council for approval and rectify works accordingly.*
3. *Notwithstanding any approval given to engineering documents, where a discrepancy occurs between these documents and Council's standards, then Council's standards shall apply. All works must be performed in accordance with Council standards and Local Laws and other statutory requirements, unless specifically listed in the project specific conditions.*
4. *If in fact there are errors, omissions or insufficient detail on the plans for the purpose of construction, these deficiencies shall be made good during construction and Council reserve the right to withhold approval of construction until such deficiencies are made good to its satisfaction.*
5. *The proposed development is to be undertaken in accordance with the following approved drawings:*

Drawing/Report Title	Prepared by	Date	Reference No.	Version/Issue
Aspect of development: operational work				
Saibai Seawall–Stage 3 Bund Wall	RPS Australia East Pty Ltd	4/11/2015	PR125214-2c Sheets 1-15	
TSIRC–Saibai Seawalls	AECOM Australia Pty Lttd	4/9/2015	Series Number 1-34	Rev 9

MOTION CARRIED

Action Item

EMES to provide regular photographic updates to Crs on progress of the Seawalls Project.

EMCS spoke to the report and noted the item had been withdrawn from the November 2015 meeting but further clarity had now been provided and the revised report was tabled for endorsement.

Discussion followed where the sewerage issue was noted. The location of the sewerage treatment plant in relation to houses/Lots was deemed unacceptable. The Resolution was amended from the floor to specify DATSIP as the applicant and to remove the septic tank option due to the potential for future issues with the tank.

Action Item

EMCS to liaise with DATSIP and request changes namely, to specify DATSIP as the applicant and to confirm Lease Lots 322, 323, 314 (N, P, R) in Area 3 and Lease lot 206 (J) are to be connected to Council's reticulated sewerage system.

RESOLUTION

Moved Cr Akee, 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: SP276821 dated 30 April 2015, SP276822 dated 23 June 2015, SP276818 dated 30 April 2015, and SP276820 dated 30 April 2015.*

Plan/Document Number	Plan/Document Name	Date
SP276821	Plan of Lease J in Lot 48 on SP249793	30 April 2015
SP276822	Plan of Leases N, P, R, S and T in Lot 48 on SP249793	23 June 2015
SP276818	Plan of Leases K and L in Lot 48 on SP249793	30 April 2015
SP276820	Plan of Lease M in Lot 48 on SP249793	30 April 2015

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. *DATSIP 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).*
6. *Lease lots 51,701,706, 339 & 363 (L, M, K, S & T) are to be connected to Council's reticulated sewerage system.*

7. Lease Lots 322, 323, 314 (N, P, R) in Area 3 and Lease lot 206 (J) are to be connected to Council's reticulated sewerage system.

The method of on-site effluent disposal must be in accordance with the Plumbing and Drainage Act 2002.

Details of the wastewater treatment system to be installed must be approved by the Chief Executive Officer prior to issue of a Building permit.

MOTION CARRIED

Action Item

CEO to write to the Minister for Housing to raise issues regarding non-connection of new houses to reticulated sewerage systems.

Cr Gaidan blessed the Morning Tea

10:27am-10:55am Morning Tea

14. 10:55am-11.14am Fleet Rationalisation Strategy

EMCS spoke to the report. As previously discussed, the report had been distributed to Crs for comment last week. All tasks, apart from item 7, are now complete. EMCS noted it was a live document and the intention was for it to be regularly updated. Cr Fell queried the timeframe for disposal of redundant fleet. EMCS noted that once endorsed, the process will begin and costings would be tabled for Council approval. Cr Toby suggested that disposal be coordinated with barges to save costs.

The Mayor noted he would not like to see a situation where vehicles are sent to Cairns and auctioned when potentially they could be of use to Island communities if sufficient lifespan remaining. Island communities to be given the opportunity to buy via auction. Salvageable parts would be reused by Council otherwise the vehicle divested.

Cr Sabatino requested that the DEOs be engaged to confirm the listings given their local knowledge.

Action Item

EMCS to ensure DEOs are contacted to confirm all plant for incorporation into the strategy.

Action Item

EMCS to ensure community members are afforded the opportunity to purchase surplus plant via auction.

RESOLUTION

Moved Cr Sabatino, *Seconded* Cr W Lui

That Council endorse the attached Fleet Rationalisation Plan (the 'Plan') –December 2015, subject to funding.

MOTION CARRIED

15. 11:15am-11:27am CEO: Councillor Remuneration Procedure

CEO spoke to the report. The CEO noted Crs could appoint another Councillor or staff member as their proxy to put forward apologies at a meeting.

After much discussion, it was agreed that 'immediate family' should be further defined. Ailan Kastom should be detailed and an example given. Other items should be considered in the definition of 'Reasonable excuse'.

Cr G Lui suggested the definition should note 'community' rather than immediate family.

A resolution was not passed and the matter was left laying on the table.

Action Item

The CEO to revise the report and circulate to Crs as soon as practicable out of session. Revised report to be tabled for endorsement at the next meeting.

16. 11:27am-11:45am Cairns-based Secure Storage Facility

EMCS spoke to the report.

Cr Sabatino noted it would be preferable to store any Council items on the Islands rather than in Cairns.

Cr Stephen noted it had been four years since the Ugar Ferry had been operational and it was a much needed service for the community that he was keen to have reinstated.

After much discussion the Mayor requested that cost-neutral storage options be considered. A resolution was not passed and the matter was left laying on the table.

17. 11:45am-12:00pm Complaint issue

The Mayor detailed a complaint lodged against Cr Gaidan for alleged misconduct which had been investigated and sustained by the Regional Conduct Review Panel. Cr Gaidan's misconduct involved the unauthorised use of Council resources.

Cr Gaidan responded and apologised before Council.

18. 12:00pm-12:06pm Meeting as Trustee

RESOLUTION

Moved Cr Enosa, Seconded Cr Akee

MOTION CARRIED

18.1. 12:00pm-12:01pm

Dauan Island Community Survey Program

RESOLUTION

Moved Cr Gaidan, Seconded Cr Sabatino

That Council:

- *endorse Survey Plan SP270872;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Dauan Island DOGIT as shown on SP270872; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP270872, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 1.0803ha.*

MOTION CARRIED

18.2. 12:01pm-12:02pm

Saibai Island Community Survey Program

RESOLUTION

Moved Cr Enosa, Seconded Cr Baira

That Council:

- *endorse Survey Plan SP267944 and SP248421;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Saibai Island DOGIT as shown on SP267944 and SP248421; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP267944 and SP248421, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 3.8831 ha.*

MOTION CARRIED

18.3. 12:02pm-12:03pm

Iama Island Community Survey Program

RESOLUTION

Moved Cr G Lui, Seconded Cr Bosun

That Council:

- *endorse Survey Plan SP270867;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Iama Island DOGIT as shown on SP270867; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP270867, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 9780 m2.*

MOTION CARRIED

18.4. 12:03pm-12:04pm

Poruma Island Community Survey Program

RESOLUTION

Moved Cr Mosby, Seconded Cr Nai

That Council:

- *endorse Survey Plan SP270862;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Poruma Island DOGIT as shown on SP270862; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP270862, including but not limited to applying to the Minister responsible for administering the Land Act 194 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 8375 m2.*

MOTION CARRIED

18.5. 12:04pm-12:05pm

Masig Island Community Survey Program

RESOLUTION

Moved Cr Nai, Seconded Cr Gaidan

That Council:

- *endorse Survey Plan SP277431;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Masig Island DOGIT as shown on SP277431; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP277431, including but not limited to applying to the Minister responsible for administering the Land Act 1994 (QLD) for the surrender of part of the Deed of Grant in Trust in terms of section 55 of the Land Act 1994 (QLD) for the purpose of dedicating those surrendered areas as road pursuant to section 94 of the Land Act 1994, with a total area of 1.3671ha.*

MOTION CARRIED

18.6. 12:05pm-12:06pm

Erub Island Community Survey Program

RESOLUTION

Moved Cr J Gela, Seconded Cr Baira

That Council:

- *endorse Survey Plan SP270873;*
- *work with the Remote Indigenous Land and Infrastructure Program Office (RILIPO) to subdivide the Erub Island DOGIT as shown on SP270873; and*
- *consent to any land administration actions incidental to and necessary to facilitate lodgement and registration of SP270873.*

MOTION CARRIED

19. 12:06pm-4:37pm Closed Business

RESOLUTION

Moved Cr Fell Seconded Cr Stephen

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

(g) 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.

MOTION CARRIED

19.1. 12:06pm-12:14pm Debtors Write-Off

The CEO spoke to the report.

19.2. 12:14pm-12:30pm TSIRC2015-86 Vehicle, plant and Equipment Service Maintenance Tender

EMCS spoke to the report.

Cr Bosun blessed the Lunch

12:30pm-1:43pm Lunch Break

19.3. 1:43pm-1:54pm CEO: Audit Committee Membership – Exemption from Procurement Process

The CEO spoke to the report.

19.4. 1:54pm-2:34pm Saibai Seawalls–Rock Contract

EMES spoke to the report.

19.5. 2:34pm-3:00pm Emergency Desalination Expenditure

EMES spoke to the report.

Cr Gaidan blessed the Afternoon Tea

3:00pm-3:30pm Afternoon Break

20. 3:30pm-4:29pm Staffing Matter

Staff present were asked to leave and a closed business discussion followed.

Moved Cr Nai, Seconded Cr W Lui

That Council resolve to move out of closed business.

RESOLUTION

Moved Cr Baira, Seconded Cr Bosun

That Council endorse write-off of \$10,579.40 of deceased debtors.

MOTION CARRIED

Action Item

EMCS to ensure inclusion of a clause making it mandatory that Indigenous apprentices are employed on this contract.

Action Item

EMCS to flag with Remote Fleet Management local tradesmen on Hammond and Ugar who may be available to subcontract.

RESOLUTION

Moved Cr Sabatino, Seconded Cr Nai

That pursuant to the Local Government Act 2009 (Qld) and Local Government Regulation 2012 (Qld), Council resolve to award Tender TSIRC 2015-86 for Vehicle, Plant and Equipment Service and Maintenance to Remote Fleet Management for a total Contract Price of up to \$605,000 (excl GST) over two (2) years.

MOTION CARRIED

RESOLUTION

Moved Cr Nai, Seconded Cr J Gela

That Council directly engage the services of Paul Shipperley to join Council's audit Committee membership under section 235(b) of the Local Government Regulation 2012 given the specialised and confidential nature of the services that are sought, namely independent and objective Audit Committee membership.

MOTION CARRIED

CR MOSBY & CR BAIRA AGAINST

RESOLUTION

Moved Cr Fell, Seconded Cr Nai

That pursuant to the Local Government Act 2009 and Local Government Regulation 2012, that Council resolve to:

- 1. Terminate Contract TSIRC2014-40 to Carpentaria Contracting due to one or more substantial breaches of contract; and*
- 2. Appoint Koppens Development under Local Government Arrangement, and/or as a variation to contract TSIRC2015-82, and/or as alternative sole supplier under TSIRC2014-40 at a total contract price of \$3,532,307.00 GST exclusive.*

MOTION CARRIED

RESOLUTION

Moved Cr Stephen, Seconded Cr Enosa

That Council resolve to:

- 1. Pursuant to section 235 (c) of the Local Government Regulation 2012 (Qld), engage Northern Water to supply emergency desalination units at a GST exclusive contract price of \$872,728.35; and*
- 2. Pursuant to section 173(2) of the Local Government Regulation 2012 (Qld), adopt a budget for the emergency desalination project due to genuine emergency, with such spending to the total amount of \$1,561,725.60 GST exclusive to be funded 100% by external grant from the Major Infrastructure and other Program; and*
- 3. Delegate power to the Chief Executive Officer to make application to the Major Infrastructure and other Program (MIP) seeking the redirection of Council-allocated MIP trust funds from the Regional Landfill Renovation and interest earnings from the Ugar Safe Access Projects, to the Emergency Desalination Project, whilst maintaining the criticality of both projects.*

MOTION CARRIED

21. 4:30pm-4:37pm Other Business

The Mayor noted the Hammond Community Celebration which would take place on the evening of Wednesday 16 December and invited Crs to bring their partners.

The Mayor noted the Crs' Breakup event on the evening of Thursday 17 December and noted that invitations had been extended to Hammond Island and Thursday Island staff and their partners to attend.

4:47pm Meeting Closed in Prayer by Cr Nai

WEDNESDAY 16 DECEMBER 2015

Present

Cr Fred Gela, Mayor

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 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 Chris McLaughlin, Executive Manager Corporate Services (EMCS)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Ms Helen Tarrant, Executive Assistant (EA)

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

Apologies

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

Mr David Abednego, Executive Manager Community Services (EMCoS)

Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)

Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)

Ms Daisy Ketchell, Executive Officer (EO)

19. **9:00am-9:05am** **Opening Prayer and Welcome**

Cr Fell opened the meeting in prayer.

20. **9:05am-10:00am** **Greg McGrath and Michael Miller – North Queensland Primary Health Network**

Greg McGrath, Director Strategy and Planning – Torres & Cape and Michael Miller, Regional Manager North Queensland Primary Health Network (NQPHN) joined the meeting to present their network. Mr McGrath acknowledged the Traditional Owners past and present and spoke to the presentation. Mr McGrath noted NQPHN were a completely new entity to the previous Medicare Local organisation with a focus on wellness.

There are now 31 Primary Health Networks (PHN) as opposed to the previous 62 and they cover the region from Mackay to the Torres Strait. PHN are moving towards 100% community services. They have a staff of 60 (as opposed to 400 previously) and they are developing contracts to meet the needs of their audience. They have 40 staff so far and are in the process of recruiting an additional 20 from the local area.

They hold a three-year contract with their head offices in Cairns, Townsville and Mackay and sub offices in Thursday Island and Proserpine.

The Mayor noted that once a list of health related services was available it would be an opportune time to present PHN again to Council. Lots of services are not being delivered on the ground and it is hoped this new model will fill those gaps.

Action Item

EA to distribute a copy of the North Queensland Primary Health Network presentation to Crs.

21. **10:00am-10:30am** **Ella Kris – My Studies**

Ella Kris spoke to her presentation regarding her PhD by publication, "*Closing the Gap*". Ms Kris is due to graduate in 2018. Ms Kris sought feedback from Council to her presentation. Ms Kris noted she had received a scholarship to continue her studies and been granted study leave. Her first paper will be a review of Torres Strait Health. She runs a reference group, currently without Terms of Reference, and noted it was open to all. Cr Fell offered to join the reference group and Crs and staff congratulated Ms Kris on her work to date. Cr Mosby noted his support and congratulations for the valuable work she is conducting, valuable in particular to young people and women, noting that spirituality is a sensitive issue.

Cr Kris also requested Ms Kris considers how Council can assist and support her studies and noted that each community is different.

Cr G Lui noted spirituality as a key aspect of Ms Kris' research.

Cr Baira also noted the valuable contribution of Ms Kris' proposed studies and would be keen to assist and support as needed.

The Mayor closed the discussion by advising Ms Kris to be frank and not be distracted by the friction that may be caused by reviewing the existing system. The Mayor also suggested the “think tank” should be strategically selected and suggested Ms Kris look at selection of an elder on the reference group.

Cr Gaidan blessed the Morning Tea

10:30am-11:10am Morning Tea

22. 11:10am-11:50am Steve Muller and Phil Chandler, *MIPEC Services Proposal*

Phil Chandler, Divisional Manager – Marine and Steve Muller, CEO of MIPEC joined the meeting to deliver a short presentation regarding their proposed services. They thanked Council for the opportunity to present and to introduce Mr Muller, one of the owners. MIPEC believe their difference lies in their values, they listen and stand by their word. Working with them, you have direct access to the business owners. Mr Chandler has lived and worked in the Torres Strait for many years and understands the environment and the importance of the barge service in terms of food, fuel, etc. MIPEC are looking for a five-year contract, and if so, could operate their service from the end of March 2016. Cr Fell asked what made them different from any other organisation that has tried and failed to work in the Torres Strait. Cr Fell noted their pricing schedule was required before any further commitments could be made. Without this information, it is very difficult to talk about the service with the communities. MIPEC expressed their commitment to local employment. Cr G Lui suggested the matter be progressed further out of session and via Council’s Strategic Advisory Reference Group (SARG).

23. 11:55am-12:15pm *Draft Revised Land and Sea Management Strategy for Torres Strait*

Bernie Keenan, Senior Community Liaison Officer (Land and Sea Management Unit), Torres Strait Regional Authority joined the meeting to present a short film regarding the draft strategy and to seek Crs’ feedback. The draft strategy has been collated from comments from rangers and those working on the ground and was presented to the TSRA board two months ago. The deadline for feedback is late January 2016.

Mr Keenan would distribute the draft strategy to Crs via email this afternoon and welcomed their input even if outside the quoted deadline for comment.

The Mayor noted the importance of engagement with each community to ensure their input is incorporated. The Mayor thanked Mr Keenan for his presentation and invited him to stay for lunch with the Crs.

24. 12:15pm-12:20pm Apology

Cr Bosun’s apology was noted. He was unable to attend today’s meeting as he was meeting with the Housing department on Thursday Island.

25. 12:20-12:25pm *Welcome to Country, Elder Gordon Hammond, Kaurareg Tribal Council of Elders*

Cr Sabatino noted the apology of Kaurareg Tribal Council of Elders, Elder Gordon Hammond and read out the following:

“On behalf of the Kaurareg Tribal Council of Elders, I wish to pass on to all members of the Torres Strait Island Regional Council my sincere apology for not being able to attend your Ordinary meeting on Kirriri today and have requested that Cr Mario Sabatino read this correspondence to Council.

As you may know, the Hammond family are the traditional and primary custodians of Hammond Island and are descendants of Senior Kaurareg Elder Mr Billy Hammond.

In my absence and on behalf of the members of the Kaurareg Tribal Council of Elders, I hereby delegate and grant full support to Cr Mario Sabatino to conduct the Welcome to Country ceremony.

In addition, I personally acknowledge the traditional owners and custodians of the land on which you meet today, the Kaurareg people of the Kaurareg Aboriginal Nation. I pay my respects to our elders both past and present.

Please take this opportunity to reflect on this year. The Kaurareg Tribal Council of Elders Ltd along with the Torres Strait Island Regional Council have maintained a close working relationship and hope to continue this for the years to come, and this I believe will only strengthen through acknowledgement and respect for one another.

I pray that in today’s meeting, in whatever decisions are made around your table that it be done with an open mind, with clear vision and valid information, and with respect so that we can collectively move our Hammond Island community forward.

Lastly, I wish personally and on behalf of the Elders, the Mayor, and Crs and to their staff and families, a very safe and happy Christmas and a Happy New Year.”

26. 12:25pm-12:30pm Leave of Absence

Cr Baira, Cr Mosby and Cr Nai requested leave for the January 2016 meeting.

The Mayor noted Cr Fell will be acting Mayor whilst the Mayor is on leave spending time with his family. The Mayor will circulate dates to Crs with contact numbers.

Cr Fell noted the February meeting was in Mabuiag but the date of the Church ceremony was now scheduled for 1 August 2016 so he would be happy for that meeting to be held via teleconference or at another community. The Mayor confirmed this would be discussed at the January 2016 meeting.

Cr Stephen noted, due to the proximity of elections, that it would be preferable to hold the February 2016 Ordinary meeting at a neutral location. Cr G Lui suggested Thursday Island or Cairns.

The CEO noted the Australian Institute of Company Directors (AICD) course was in Cairns, venue to be confirmed, from 1-5 February 2016. The Queensland Grants Commission would present to Council at this time as they were unable to attend today.

The Mayor thanked Marietta Garnier, Annie Garnier and Harriet Dorante for the wonderful catering during the meeting. Big eso.

27. Next Meeting: 19 & 20 January 2016 via teleconference

12:30pm Cr Fell blessed the Lunch and closed the Council Meeting in prayer.