



**Torres Strait Island**  
REGIONAL COUNCIL

**MINUTES**

**ORDINARY MEETING**

Tuesday 19 September 2017: 9:10am to 5:10pm

Videoconference - VMR #6 - 0292 970 558

**Tuesday 19 September 2017**

**Present**

Cr Fred Gela, Mayor, Division 8 – Kirriri Island  
Cr Torenzo Elisala, Division 2 – Dauan Island  
Cr Keri Akiba, Division 3 – Saibai Island  
Cr Laurie Nona, Division 5 – Badu Island  
Cr Bosun, Division 6 – Kubin Community at Moa Island  
Cr Mario Sabatino, Division 8 – Kirriri Island  
Cr Clara Tamu, Division 10 – Warraber Island  
Cr Francis Pearson, Division 11 – Poruma Island  
Cr Ted Nai, Division 12 – Masig Island  
Cr Stephen, Division 13 - Ugar  
Cr Patrick Thaiday, Division 14 – Erub Island  
Cr Bob Kaigey, Division 15 – Mer Island  
Mr Bruce Ranga, Chief Executive Officer (CEO)  
Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)  
Mr David Baldwin, Executive Manager Engineering Services (EMES)  
Mr John Coyle, Executive Manager Housing Services (EMHS)  
Mr David Abednego, Executive Manager, Community Services (EMoCS)  
Ms Julia Maurus, Manager Legal Services (MLS)  
Ms Margaret Rosta, Senior Executive Assistant (SEA)  
Mrs Kathy Cochran – Secretariat Officer (SO)

**Apologies**

Cr John Levi, Division 7 – St Pauls Community at Moa Island  
Cr Dimas Toby, Division 1 – Boigu Island  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Keith Fell, Division 4 – Mabuiag Island

1. **9:am – 9:am**                    **Opening Prayer by and Welcome**

**Mayor's Welcome and Opening Remarks**

Mayor Gela welcomed everyone and acknowledged the traditional owners of the land in which we're meeting and made special mention to the Kaurereg Nation. Mayor Gela acknowledged Councillors and staff for their participation and attendance.

Mayor Gela formally welcomed Bruce Ranga as the new CEO and acknowledged Bruce will bring a different set of skills that will compliment TSIRC's already dynamic team and leadership.

CEO thanked the Mayor and Council for the opportunity and acknowledged the traditional owners of the land in which we're meeting. CEO gave an introduction of himself to the full Council and advised he was looking forward to working with everyone.

2. **9:am – 9:am**                    **Apologies**

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

**RESOLUTION**

Moved: Cr Nai; Second: Cr Akiba

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

**MOTION CARRIED**

- Cr Dimas Toby, Division 1 – Boigu Island - Approved Leave

**RESOLUTION**

Moved: Cr Kaigey; Second: Cr Bosun

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

**MOTION CARRIED**

- Cr Getano Lui Jnr, Division 9 – Iama – Approved Leave

**RESOLUTION**

Moved: Cr Bosun; Second: Cr Nai

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

**MOTION CARRIED**

3. **9:33am – 9:34am**                    **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

No disclosure at this time. Councillors have the opportunity to make a disclosure during the meeting.

4. **9:34am – 9:37am**                    **Confirmation of August Ordinary Meeting Minutes**

Mayor thanked Cr Nai and the Masig Community for a great job in hosting the August Ordinary meeting.

Amendment – Page 6 of August Minutes. Should read:-

ERUB Daido Tavern

- Cr Thaiday declared a conflict of interest (COI).
  - COI details: Cr Thaiday is a member.
  - How the Councillor proposed to deal with the COI: Cr Thaiday did not vote.

**RESOLUTION**

Moved: Cr      Second: Cr

**That the minutes of the Ordinary Meeting held in September 2017 be adopted as a true and accurate record of that meeting taking into account the above amendments.**

**MOTION CARRIED**

5. 9:37am – 10:11am Outstanding Strategic Ordinary Meeting Action Items

1. Fees and Charges – The Manager Legal Services gave a briefing on the Marine fees. This paper was provided at the September SARG meeting held yesterday.
2. TIBS – Our facilities need to be compliant with safety standards. This will need to be communicated to community and an education and awareness program developed. Safety is paramount for TSIRC. An Audit process is to be developed.
3. One Boat – Manager Engagement is organizing the meeting for November. Sequencing of what needs to happen is well within the timelines.
4. S24JAA – Awaiting response from Minister – nil to date.
5. Boundary Mapping – Warraber and Boigu - Next TWG is in October 2017.

Cr Bosun raised the Housing Co-op/ Authority – Mayor tabled the Qld 2017-18 State Election 10 Point Policy Plan at Strategic Action Reference Group (SARG) meeting on Monday 18 September 2017, and this item is part of the Plan.

6. 10:11am- 10:40am HOUSING – Policy

EMHS spoke to this report. The purpose of the policies is to enhance the delivery of services to tenants and registration as a housing provider.

1. Tenancy Breach Policy

Council places great emphasis on mutual responsibility in the relationship between Council as the lessor and community housing tenants. If Council becomes aware that a tenant is in breach of their responsibilities, Council will take reasonable steps to assist tenants remedy the breach.

2. Appeals Policy

Council will in the first instance encourage negotiation with the tenant with the aim to resolve the issue, before tenants consider the appeals process.

Mayor Gela raised the fact that most of TSIRC houses are build on birth right land and the time it takes for maintenance to occur. These factors may be attributed to tenant's attitudes and behaviours towards paying rent. It was raised, rather than going through the breach process to an end result of eviction, perhaps Council looks at the path of bankruptcy instead.

**ACTION:** EMHS and MLS to look at the process under the RTA and the Small Claims Tribunal.

Cr Tamu asked what the process was regarding damages to TSIRC properties and does this process relate to the vacant houses. EMHS advised there is a process in place; if the damage is obious and we have the evidence then the tenant is charged for the damages. Regarding vacant houses – sometimes due process wasn't followed at the time the houses were vacated.

Cr Nona suggested the Housing Policies be a topic for the workshop, together with the rights of the tenants and landlord.

**ACTION:** SEA to look at this item as an add on to the November Workshop.

**RESOLUTION**

*Moved: Cr Bosun Second: Cr Nai*

**That Council adopts the Tenancy Breach and the Appeals Policy as presented for a period of two years;**

**MOTION CARRIED**

7. 10:40am- 10:45am CLOSED BUSINESS – ENGINEERING – Saibai Reservoir Replacement Tender

**ITEM LEFT LYING ON THE TABLE**

**8. 10:45am – 11:10am CORPORATE – Erub Telstra DA (Tower Upgrade)**

EMES spoke to this report. Telstra have lodged a development application for a material change of use (Code Assessment) for a Telecommunications Facility off Erub Island Road (Lot 73 on SP270873), Erub (Darnley Island)

APPLICANT: Telstra C/- Visionstream Pty Ltd  
LOCATION: Erub Telstra Tower  
REFERENCE: DA07-14-14(1)

The application is part of the Federal Government's Mobile Black Spot Programme. Council issued an Information Request to the applicant and received the following responses as detailed below:

Mobile phone Coverage

- The applicant advised that the other tower in the centre of the island is approximately two (2) kilometres away from the proposed site location and is too far away to achieve the necessary coverage objectives for this site.
- Applicant response - Current coverage received on Erub (Darnley) Island is from the existing facilities on Mer (Murray) Island & Masig (Yorke) Island. Please see Attachment A for the predicted coverage associated with the upgrade to the existing facility; coverage of the airstrip is not anticipated.

**RESOLUTION**

*Moved: Cr Thaiday Second: Cr Nai*

**That Council issue a Development Permit to Telstra Corporation Ltd for a material change of use for a Telecommunications Facility off Erub Island Road (Lot 73 on SP270873), Erub (Darnley Island), with the inclusion of the conditions set out in the Agenda Report, and with an additional condition that Aircraft Warning lighting be installed on top of the communication tower extension.**

**MOTION CARRIED**

**ACTION:** MLS to include in additional condition that the applicant installs Aircraft Warning lights to the top of the communication tower extension for safety reasons.

**11:10am – 11:26am – MORNING TEA BREAK**

**9. 11:26am – 11:52am CORPORATE - Erub Rangers Multipurpose Facility and Lease**

EMES spoke to this report. TSRA have lodged a development application for Material change of use (office/emergency services) and reconfiguring a lot (lease) on land situated at Erub (Darnley) Island and described as part of Lot 402 on SP270873

APPLICANT: TORRES STRAIT REGIONAL AUTHORITY  
LOCATION: Erub lot 402 on SP270873  
REFERENCE: DA06-17-14(1)

**PROPOSAL:**

- Development Permit for Reconfiguration of a Lot (lease) and
- Development Permit for Material Change of Use (from vacant to Office/Emergency Services)

**11:52am CLOSED BUSINESS**

All staff were asked to leave the room and Council went into Closed Business.

## **RESOLUTION**

*Moved: Cr Nai; Second: 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:**

**(e) Contracts proposed to be made by it; or**

**(h) Other business for which 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**

**1:15pm**

## **OUT OF CLOSED BUSINESS**

## **RESOLUTION**

*Moved: Cr Nai Second: Cr Kaigey*

**That Council move out of closed business.**

**MOTION CARRIED**

## **9. CORPORATE - Erub Rangers Multipurpose Facility and Lease**

### **RESOLUTION**

*Moved: Cr Thaiday Second: Cr Sabatino*

**That Council issue of a Development Permit to TSRA for Reconfiguration of the Lot over proposed Lease A SP29511 Erub Island Road (part of Lot 402 on SP270873) and a material change of use for a Multipurpose Facility at Erub (Darnley Island), with the inclusion of the conditions set out in the Agenda Report.**

**MOTION CARRIED**

Cr Sabs asked where will the revenue (\$12k annually for 30 years) be sitting, with the Erub Trustee or in the Engineering area. Cr Sabs suggested the funds be put with the Trustee for use on Erub and not into Councils funds. EMFS informed Council that Trustee revenue goes into consolidated revenue. Council would like to know if this paper will allow the Councillor on that island where the revenue is being generated to have a say on how the funds are spent.

**ACTION:** EMFS to advise on accounting treatment /trustee revenue policy, to ensure that trust revenue from Erub Rangers Multipurpose Facility Lease goes to Erub division (DOGIT) trust account, i.e. separately accounted for.

## **1:15pm – 1:40pm LUNCH BREAK**

## **10. 1:40pm – 2:40pm PRESENTATION – Queensland Health**

Kim Veiwasenavanua, Executive General Manager, Northern Leadership & Business Support Team, Torres and Cape Hospital and Health Services and Michel Lok, Chief Executive Officer, Torres and Cape Hospital and Health Services, Queensland Health provided Council with a deputation regarding Qld Health Services in the Torres Straits.

Cr Stephen asked if any money was allocated to Ugar for Qld Health staff accommodation. Michel Lok informed Cr Stephen he will be sending him correspondence shortly regarding this topic.

Mayor Gela raised the issue of Individual Health Care Plans for patients with chronic diseases, particularly those with heart disease, hypertension and aneurysm. Qld Health with contact Mayor Gela to discuss.

11. **2:40pm – 3:40pm**      **PRESENTATION – Northern Australia Primary Health Care Limited (NAPHL)**

Indigenous Health Project Officers, Genus Passi and Loretta Rigby provided an overview of NAPHL and the Integrated Team Program (ITC). The NAPHL is responsible for the provision of services in the Torres Strait which improves access for Aboriginal and Torres Strait Islander people to mainstream health services. They have established an office on Thursday Island and also have a support vehicle for patient transport. They are working on several projects with the Torres and Cape Health Service District but wanted to ensure that the projects are really what the community wants and needs.

Cr Nona invited NAPHL to visit Badu community.

12. **3:40pm – 3:40pm**      **Next Meeting**

Date:                    24-25 October 2017

Location:            Video conference

13. **3:40pm – 3:44pm**      **Leave in Advance**

The following Councillors applied for leave in advance;

- Cr Bosun, Division 6, Kubin Community at Moa Island
- Cr Tamu, Division 10, Warraber Island
- Cr Nai, Division 12, Masig Island
- Cr Pearson, Division 11, Poruma Island
- Cr Sabatino, Division 8, Kirriri Island
- Cr Stephen, Division 13, Ugar
- Cr Nona, Division 5, Badu Island

14. **3:44pm – 3:45pm**      **Freight Statistics**

- Cr Sabatino declared a Material Personal Interest (MPI).
  - MPI details: Cr Sabatino's son works on a casual basis for MIPEC.
  - How the Councillor proposed to deal with the MPI: Cr Sabatino left the room at 3:45pm and returned at 4:53pm

**3:45pm – 4:52pm**      **CLOSED BUSINESS**

**RESOLUTION**

*Moved: Cr Nai    Second: Cr Elisala*

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

**(e) Contracts proposed to be made by it; or**

**(h) Other business for which 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**

**4:52pm – 4:53pm**      **OUT OF CLOSED BUSINESS**

**RESOLUTION**

*Moved: Cr Nai;    Second: Cr Kaigey*

**That Council move out of closed business.**

**MOTION CARRIED**

15. **4:53pm – 5:09pm**                      **General Business**

MLS – Received a request permit request for TSRA to hold Sea Claim consultations. Each respective Councillor was asked if the proposed date by TSRA suited. Cr Nai and Cr Tamu accepted their proposed dates. MLS will communicate with other Councillors if needed to lock in dates.

Cr Stephen – The mail service to Ugar had been raised previously on a number of occasions. SeaSwift is the current mail contractor and Ugar is only receiving mail once a month by barge.

**ACTION:** AEMCS to follow up on the mail service and update Cr Stephen.

Cr Stephen voiced his concerns regarding access to Ugar and Dauan.

**ACTION:** CEO and Mayor Gela to speak with TSRA regarding helicopter and Ferry Services.

Cr Kaigey – raised an issue of fuel drums delivered by MIPEC on Mer on the last barge that contained water.

**ACTION:** AEMCS to follow up with MIPEC.

Cr Sabatino requested previous financial statements from ACEO for the Dauan Ferry Service which has been divested to him. Cr Sabatino wants to put together a Business Plan.

**ACTION:** EMFS to provided Councillor Sabatino with the previous financial statements for Dauan Ferry Service.

EMES advised he has received notification from TSRA that they will be holding a Climate and Coastal Adaptation workshop on Thursday Island on Thursday 7 December 2017. Funding to help with transport costs is still being looked at by TSRA.

**ACTION:** SEA to provide Councillors with information on the Climate and Coastal Adaptation workshop and follow-up with TSRA regarding funding to assist Councillors with travel costs.

**Meeting Closed at 5:10pm - Prayer by Cr Nai**