



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

WEDNESDAY 18th NOVEMBER 2009

Please find attached Minutes of the above meeting held on 18th November 2009 at 9.15am – 5.40pm at *the Ugarie Community Hall, Badu Island.*

**Torres Strait Island Regional Council (TSIRC)
Ordinary Meeting
Held at the Ugarie Community Hall, Badu Island
Wednesday 18th November 2009**

Present: Cr. Fred Gela, Mayor
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub
Cr. Raymond Soki, Division 2 – Dauan
Cr. Ron Enosa, Division 3 – Saibai Island
Cr. Keith Fell, Division 4 – Mabuiag Island
Cr. Wayne Guivarra, Division 5 – Badu Island
Cr. David Bosun, Division 6 – Kubin
Cr. Nancy Pearson, Division 8- Hammond
Cr. Willie Lui, Division 10 - Warraber
Cr. John Mosby, Division 12 – Yorke
Cr. Florianna Bero, Division 13 – Ugar
Cr. Ron Day – Division 15 – Mer Island
Mr. John Scarce, Chief Executive Officer
Mr. Anthony Bird, Executive Manager Corporate & Finance
Mr. Lloyd Sunderland, Executive Manager Community Services
Mr. Patrick McGuire, Executive Manager Engineering Services
Mr. Noel Peters, Manager Human Resources
Mr. Chris McLaughlin, Chief Legal Officer
Ms Elissa Shuey, Public Relations Officer
Mrs Tania Sailor, Executive Secretary.

Observers: Members of the Community

Apologies: Cr. Donald Banu, Division 1 – Boigu Island
Cr. Toshie Kris, Division 7 – St. Pauls
Cr. Walter Mackie, Division 9 - Iama
Cr. Phillemon Mosby, Division 11 – Poruma Island
Ms Dania Ahwang, Manager Internal Audit

Deputations: Mayor Roy Henry, Officer in Command, C Company(Sharpeye)
Ms Rita Kebisu, Community Member, Badu Island

9.15am: Meeting opened in prayer by Cr. Enosa

ONE MINUTE SILENCE

There was a minute silence to pay respect to families who have lost their loved ones recently, remembering especially the late Mr. Jack Ahmat (former Chairman Badu Island Council) in recognition of his years of services and contributions to the people of Badu Community and the Torres Strait Region.

WELCOME

Welcome & Acknowledgement of Traditional Land Owners

- Mayor Fred Gela
- Mr. Peter Warria
- Cr. Wayne Guivarra

OPENING REMARKS

Mayor acknowledged the Traditional Owners on which this meeting is held, and welcomed Elders and Community members, Councillors, Executive members and staff to the meeting.

Mayor also expressed his gratitude to Cr. Guivarra and the Community of Badu for their hospitality in hosting the Council meeting at Badu and making all members and staff feel at home.

Mayor advised that it is a wonderful opportunity for Badu Community to sit in and listen in to our discussions. Mayor advised that Badu is a show case and we look to progressing the whole of the Communities of the Torres Strait together.

Cr. Guivarra acknowledged the Traditional Owners of this land and welcomed all Mayor, Members and staff to Badu.

DEPUTATION

See Attachment A & B.

BUSINESS ARISING FROM PREVIOUS MINUTES

IBIS Fuel Bowser - no progress as yet re negotiations.

Sports & Recreation

- Cr. Guivarra gave an update on this issue at meeting held recently via teleconferencing – discussion included:
 - Looking at Sports & Rec Governing body for Torres Strait Region
 - Salary for Sports & Rec Officers
 - Location to place Sports & Rec Officers
 - \$20,000 for holiday programs
- Cr. Guivarra advises that he shares the frustrations of the process with the CEO and Executive Manager Communities but will continue to work forward until we get the system right.

- Cr. Fell added that nine (9) communities have been identified for either full time or part time. The nine (9) Communities are:
 1. Badu
 2. Thursday Island
 3. Horn Island
 4. Erub Island
 5. Warraber Island
 6. Boigu Island
 7. Yorke Island
 8. Poruma Island
 9. St. Pauls
- It was noted that others will come in place if we can get people active in Sports & Rec, that's the reason why those 9 Communities was selected first because they are active in Sports & Rec.
- CEO advised that Tagai has just proven that they will do absolutely nothing until school commences in delivering these services. TSIRC has advised Tagai that our Communities does not just have school kids but elders and ages in between in delivering these services.

Staff Uniform - Media/PR Officer advised awaiting quotes.

DAMP – proposed to start consultation in two weeks time once Manager Air & Sea Ports returns from his leave.

Ranger Program – move towards recruitment at Mer – going well.

Holiday Shutdown – amend minutes to include " at the discreet of Employees to choose their Christmas break payment of wages Fortnightly or up front (in advance)".

Standing Committees – Amend in minutes to include "proxy members have speaking rights and voting rights in any other committee meetings."

CONFIRMATION OF MINUTES

Moved Cr. Bedford, Seconded Cr. Fell that the minutes of the Ordinary Meeting held 24th October 2009 be adopted as true and accurate apart from some alterations.

Motion Carried

It was resolved that the Council break for Morning Tea at 11.00am.

LATE REPORTS

COASTAL PROJECTS

Resolution

Moved Cr. Pearson, Seconded Cr. Fell that Council note the attached Draft Report and endorse the Coastal Management Committee decision to lodge a submission to Government jointly with the TRSA and TSC.

Motion Carried

It was noted that:

- The submission to Government is our views of QLD Coastal Management Projects.*
- The QLD Coastal Management Projects have not considered communities in our region. The proposal rules out communities such as Masig etc. (effected by high tides)*
- TSIRC is heading forward in Communities town plans that will influence any future developments in our communities. These are the issues we have now and would like to go forward in improving these plans for our communities.*
- NPARC is not involved in the joint submission to Government - Executive Manager Engineering Services advised that he will endeavour to contact them regarding this issue, although advise the at this stage it is a bit too later with meeting being scheduled for (tomorrow) Thursday 19th November.*

ANNUAL REPORT

Resolution

Moved Cr. Guivarra, Seconded Cr. Fell that Council adopt the draft Annual Report and authorize the CEO to make final editorial and publication changes as needed.

Further that Council seek an extension from the Minister for Local Government Hon Ms Desley Boyle if the Queensland Audit Office (QAO) is unable to deliver the audited statements by 30th November 2009.

Motion Carried

- Clarification of inclusion in Annual Report of overseas trips by Councillors will be determined by 30th November.*

QUESTIONS ARISING FROM INFORMATION REPORTS

MIP Projects (Late Report) – Executive Manager Engineering Services briefed members on MIP4 Phase 4 as per query by Cr. Day.

GENERAL BUSINESS

- Community member issue – Cr. Guivarra deferred till next Council meeting as Councillor of that particular Community was not present. *Mayor advised other issues raised by that Community member could be raised in HR Issues in Closed Business.*
- Capital Works Program/Recurrent
 - Referring to Cr. Pearson's query re purchasing of a new 4 x 4 CDEP vehicle when the money could have been used for important stuff eg. garbage truck.
 - It was noted that because Council has been in breach with TSRA Funding Agreement it was not until May that the go ahead was given to acquire CDEP Capital purchases. Given the short time frame Executive Manager Communities needed to make a decision on purchases otherwise the Communities would have lost the CDEP Capital funding.
 - Mayor advised that the issue raised by Cr. Pearson is a very important issue, all information was not made available and we could have lost funds, thus the roll out of new vehicles.
 - It was noted that:
 - Information was requested within 3 months, some was not forthcoming.
 - Information needs to be filtered out to Program Managers so that they can look at what's available in Capital Works and plan what they need in their Community.
 - CEO advised that TSIRC have not received one cent from TSRA for Operations works, cannot envisaged that we would have another breach, will have to wait and see.

It was resolved that Council break for Lunch for an hour at 1.00pm.

CLOSED BUSINESS

Moved Cr. Bedford, Seconded Cr. Fell that in accordance with Section 463 of the Local Government Act 1993 it is resolved for the meeting to go into closed session to discuss section 463 (1) (a) the appointment, dismissal or discipline of employees, 463 (1) (f) starting or defending legal proceedings involving it, 463 (1) (h) other business for which a public discussion would be likely to prejudice the interests of the local Government further the public in attendance are asked to leave

Motion Carried.

END OF CLOSED BUSINESS

ISSUES RATIFIED IN CLOSED BUSINESS

1. NATIONAL PARTNERSHIP AGREEMENT ON REMOTE INDIGENOUS HOUSING

Resolution

Moved Cr. Pearson, Seconded Cr. Bosun that Council write to the Minister Karen Struthers and Minister Desley Boyle:

1. Seeking extension on deadline (31st March 2010)
2. Consultation process by the Department and TSIRC
3. Acknowledge investments that is well need in the TSIRC Area
4. identify Mer Island position
5. Identify PBC and Land Panels position
6. Process TSIRC will be undertaking
7. Funding to do the consultations

Motion Carried.

2. BADU INVESTMENT

Resolution

Moved Cr Guivarra, Seconded Cr Soki that in accordance with Chapter 6 Part 3 Subdivision 3 Section 491 and 492 of Local Government Act 1993 Council divest to the Badu Island Foundation assets release staff and recommend to the Land Panel leases over buildings as presented.

Motion Carried.

3. ERUB INVESTMENT

Resolution

Moved Cr Bedford Seconded Cr Pearson that in accordance with Chapter 6 Part 3 Subdivision 3 Section 491 and 492 of Local Government Act 1993 Council divest to the GED ERUB TRADING HOMELAND ENTERPRISE (TORRES STRAIT ISLANDER) CORPORATION.

Motion Carried.

4. MER INVESTMENT

Resolution

*Moved Cr Bedford Seconded Cr Guivarra that in accordance with Chapter 6 Part 3 Subdivision 3 Section 491 and 492 of Local Government Act 1993 Council divest to the **OPNOR BAKIR ATABUR (TORRES STRAIT ISLANDER) CORPORATION** assets release staff and recommend to the Department of Communities leases over buildings as presented.*

Motion Carried.

Against: Cr. Pearson
Cr. Soki
Cr. Bero

5. SAIBAI INVESTMENT

Resolution

Moved Cr Soki Seconded Cr Fell that in accordance with Chapter 6 Part 3 Subdivision 3 Section 491 and 492 of Local Government Act 1993 Council divest to the Saibai Community Development (Torres Strait Islander) Corporation assets release staff and recommend to the land panel leases over buildings as presented.

Motion Carried.

6. EOI TSIRC 2009-05 RANGER PATROL VESSELS

Resolution

*Moved Cr Bedford, Seconded Cr Soki that Council gives their approval to engage Sea Prowler Boats Pty Ltd for the stated amount of \$591, 206.00 as identified in their tender document to construct and supply SEVEN only Ranger Patrol Vessels for use by Councils Ranger Groups in the *Working on Country* Program.*

Motion Carried.

Against: Cr. Bosun

7. RLCIP FUNDING

Resolution

Moved Cr Bedford, Seconded Cr Soki that Council submit a joint funding submission for the Horn Island Airport, forgoing our chance to receive funds, in favour of securing funds to complete this regional significant project.

Motion Carried.

Against: Cr. Bosun

5.40pm COUNCIL MEETING CLOSED

MEETING OF COUNCIL AS TRUSTEE OF COMMUNITY DOGIT

PROPOSED TRUSTEE DECISION – TRUSTEE LEASES

Resolution

1. *Moved Cr. Soki, Seconded Cr. Enosa that the Trustee grant a Trustee Lease to the **Saibai Community Development (Torres Strait Islander) Corporation** over land comprising part of lot 15 and 16 on TS326, comprising part of the Deed of Grant in Trust being lot 3 on CP TS157, County of Torres, Parish of Giaka, for operation of a Community Club.'*

Motion Carried.

2. *Moved Cr. Bedford, Seconded Cr. Pearson that the Trustee grant a Trustee Lease to the **Ged Erub Trading Homeland Enterprise (Torres Strait Islander) Corporation**, over land situated 45 meters north-east of the Island barge ramp, adjoining the eastern boundary of the Torres Strait Island Regional Council Workshop, and comprising part of the Deed of Grant in Trust being lot 4 on CP TS156, County of Torres, Parish of Umaga, for operation of a Community Club.'*

Motion Carried.

3. *Moved* Cr. Guivarra, *Seconded* Cr. Bosun that the Trustee grant a Trustee Lease to the **Badu Island Foundation Ltd ACN 129 423 310** over land located on the Corner of Ahmat and Chapman Streets adjacent to the south-western boundary of lot 210 on RC 116889, on the northern side of Ahmat Street opposite the Football Oval being SP224696, and on the eastern side of Chapman Street opposite lot 133 on DP164392, comprising part of the Deed of Grant in Trust being lot 7 on CP TS158, County of Torres, Parish of Duncan, for continued operation of a Commercial Hotel liquor licensed venue.

Motion Carried.

MEETING CLOSED

With no further discussions, Mayor thanked members and Executive Management and staff for their attendance at the meeting, with special thanks to Cr. Guivarra and the Community of Badu for their hospitality in hosting the Council Meeting at Badu Island.

5.50pm Meeting closed in prayer Cr. Day.


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Cr. Fred Gela
Mayor


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Mr. John Scarce
Chief Executive Officer