



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

WEDNESDAY 20th August 2008

Please find attached Minutes of the above meeting held on 20th August 2008 at 9.15am – 6.15pm at the St. Pauls Office Conference Room, Moa Island.

**Torres Strait Island Regional Council (TSIRC)
 Ordinary Meeting
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 Wednesday 20th August 2008**

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2.	Opening prayer (TBA)	
3.	Apologies	
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5.	Torres Strait Islander Land Act Review - Max Smith, Department of Natural Resources	
6.	"Weed it Out" Program – DSS Mick Dowie, Far North Regional Drug Squad & Prof. Allen Clough James Cook University.	
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11.	Divestment of Island Based Enterprises - Reports/Expressions of Interests	
End Closed Business		
12.	Late Reports	
13.	Questions arising from information reports	
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15.	Meeting Closed	

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- Present:** Cr. Fred Gela, Mayor
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub Island
Cr. Raymond Soki, Division 2 - Dauan Island
Cr. Keith Fell, Division 4 - Mabuiag Island
Cr. Wayne Guivarra, Division 5 - Badu Island
Cr. David Bosun, Division 6 - Kubin, Moa Island
Cr. Toshie Kris - Division 7 - St. Pauls, Moa Island
Cr. Nancy Pearson, Division 8 - Hammond Island
Cr. Willie Lui, Division 10 - Warraber Island
Cr. Phillemon Mosby, Division 11 - Poruma Island
Cr. Florianna Bero, Division 13 - Ugar Island
Cr. Ron Day, Division 15 - Mer Island
Mr. John Scarce, Chief Executive Officer
Mr. Malcolm Flavel, Executive Manager - Housing & Ports
Mr. Tim Sheppard, Executive Manager - Engineering
Mr. Anthony Bird, Manager - Finance
Mrs Tania Sailor, Executive Secretary.
- In attendance:** Mr. Ned David, Indigenous Support Schooling Unit, Tagai College.
Mr. Chris Robinson, Assistant Director-General, Department of Natural Resources, Mr. Ken Carse, Department of Natural Resources, Ms Maria Grimaldi, Department of Natural Resources.
- Observers:** Members of the Public of Kubin & St. Pauls Communities.
- Apologies:** Cr. Donald Banu, Division 1 - Boigu
Cr. Walter Mackie, Division 9 - Iama
Cr. Ron Enosa, Division 3 - Saibai
Cr. John Mosby, Division 12 - Yorke
Mr. Lloyd Sunderland, Executive Manager - Community
- 9.15am:** Meeting opened in prayer by Cr. Day, followed by 1 Minute Silence to pay respect to families for the loss of their loved ones recently.

WELCOME

Welcome to Country *(on and behalf of the Elders & Traditional Land Owners)*

- Mr. Toshie Kris

Welcome & Acknowledgement of Traditional Land Owners

- Mayor Fred Gela
- Cr. Toshie Kris

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4. Deputations: Nil

**AGENDA ITEM 5:
CONCEPT OF THE TORRES STRAIT INSTITUTE**

- Mr. Ned David from the Indigenous Support Schooling Unit, Tagai College, presented a Stakeholders Brief Power Point presentation discussion on *The Concept of the Torres Strait Institute*.

**AGENDA ITEM 6:
TORRES STRAIT ISLANDER LAND ACT REVIEW**

- Mr. Ken Carse, Department of Natural Resources & Water (DNR&W), presented a power point presentation discussion on *Leasing Land and Home Ownership under the Torres Strait Islander Land Act 1991*.
- He also introduced to members, Mr. Chris Robinson, Assistant Director-General for the Department of Natural Resource & Water, and Ms Maria Grimaldi, Indigenous Leasing Support Unit in Cairns. Ms Grimadli can be contacted on 07 - 4057 3359 for assistance and guidance on leasing process.
- The Department of Housing also has a contact Officer in Cairns to facilitate the sale of social housing for home ownership – Mr. Felix Klose (Ph. 07- 4046 3012).
- *It was note, with regards to Land Tenure issues:*
 - *Torres Strait Islands have unique differences when it comes to land tenure.*
 - *Consultations must happen first with all stakeholders/communities before leasing of lands.*
 - *Trustees will be determined by all stakeholders*
 - *TSIRC leases for Social Housing is for 99yrs.*

**AGENDA ITEM 7:
"WEED IT OUT" PROGRAM**

Deferred to next Council Meeting.

Resolved that Council break for Morning tea at 11.20am

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AGENDA ITEM 8:
ADOPTION OF MINUTES

Moved Cr. Pearson, Seconded Cr. Day that the minutes of the Ordinary Meeting held 23rd July 2008 be adopted as true and accurate.

Motion Carried.

BUSINESS ARISING FROM PREVIOUS MINUTES

- Uniform Expense
 - Negative Voters - that reasons for negative votes are also included in future minutes subject to the Councillor agreeing to it being recorded.
 - Cr. Guivarra agreed to his reasons of his negative vote be recorded in the minutes under Uniform Expense.
- Financial Operating Funds – deferred to Close Business.
- Island Manager Positions
- Positions within TSIRC
 - advertising externally now.
 - Training for Island Managers
 - Positions within TSIRC still being in process of populating.
 - Executive Manager Corporate Services – need to urgently put someone in this position temporarily, and then look at extending their contract in the future.
 - CEO is in the process of writing to CEO's in other Councils seeking secondments of Managers to TSIRC for 12 months, after that they go back to their Council.
 - Referred further discussions on positions to Closed Business.

- Debit Cards – it is being processed. The Internal Audit Manager is on top of this.
- IBIS Appointments – to date no appointments has been made by the Minister as yet.
- Sports & Rec.
 - still to meet with TSYRSA, QLD Sports & Rec, and TSRA.
 - Commitment plan for Torres Strait Sports & Rec is to engage someone within our region representing the Department but for our region.

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**AGENDA ITEM 9:
STAFF UNIFORMS**

Resolution

Moved Cr. Soki, Seconded Cr. Bosun that Council investigates the cost of providing appropriate staff uniforms, and how the cost will be funded, with consideration to the option of cost sharing arrangements with staff.

**Motion Carried
1 Against – Cr. Pearson**

Reason for Against: *Cr. Pearson advised that priority should be given first and foremost to look at human resources on the ground and getting staff inducted on what their roles and responsibilities are, before actually looking at uniforms for all TSIRC staff.*

**AGENDA ITEM 10.1:
PROCUREMENT OF TWO MOBILE DESALINATION PLANTS**

Resolution

Moved Cr. Pearson, Seconded Cr. Lui that Council endorses the action of the Executive Manager Engineering in awarding the contract for the procurement of two (2) mobile desalination (reverse osmosis) plants to the successful tenderer Northern Water as per their submitted tender for Option 2.

Motion Carried

**AGENDA ITEM: 10.2
ENVIRONMENTAL HEALTH**

Resolution

Moved Cr. Pearson, Seconded Cr. Lui that the Executive Manager for communities call for expressions of interest from suitably qualified consultants to develop management plans for the operation of the 15 community rubbish tips.

Motion Carried.

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AGENDA ITEM: 10.3

PORTS-QUOTATIONS AVIATION VHF TRANSCEIVERS

Resolution

Moved Cr. P. Mosby, *Seconded* Cr. Bosun that providing we have the necessary funds, TSIRC purchase the VHF transceivers from Mendelsshohn Pilot Supplies, but that they not be distributed until it is established that Airport Reporting Officers (ARO's) have undergone training in their use.

Motion Carried.

- *It is envisaged that ARO training will take place on 2nd September 2008.*
- *Cr. Kris requested to look at setting up lights at Kubin for the Flying Doctors to land for emergency cases.*
- *It was noted that lights would also be set up near helipads.*

AGENDA ITEM: 12

LATE REPORTS

CORPORATE PLAN

- Deadlines for Development of Corporate Plan.
- The above process is a public consultation process.
- TSRA, ATSIP, DLGSR has a team of four travelling to every community for two days.
- TSIRC has a team of 3, TSRA 3 and ATSIP 3.
- Dates for consultation visits to each communities confirmed, accept for Boigu, Saibai, Iama, and Yorke.
- Need to check on visits on 15th – 19th September, as the Cultural Festival is on during those dates.
- Further information will be provided at TSRA Board Meeting in September.
- Needs information from communities on implementation process, then it goes back to the communities for consultations.
- Timeframe is end of the year to have it completed.

STAFFING ISSUES

Deferred to Closed Business

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TSIRC OPERATING FUNDS (\$1.17M)

Deferred to Closed Business.

AUDIT – AIRPORT REPORTING OFFICERS

- *Audit will be conducted in the Communities commencing next month.*

Resolved that Council break for Lunch at 1.45pm

CLOSED BUSINESS

Resolution

Moved Cr. Guivarra, 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

BUSINESS FROM CLOSED SESSION RATIFIED

**AGENDA ITEM: 11
DIVESTMENT OF ENTERPRISES**

Resolution

Moved Cr. Kris, Seconded Cr. Pearson that Council approve the persons and organizations identified in Table 2 of Annexure 3 to be invited to be entered on the Panel of Providers except for Creche & Kindergarten Association of QLD, and thus continue involvement in Council's Divestment of Enterprises Project, subject to receipt of the Confidentiality Agreement and any outstanding Insurance Information.

Motion Carried.



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OTHER ISSUES

- TSIRC Operating Funds
 - Letters went out to Communities regarding the TSIRC Operating Funds (\$1.17M)
- Fisheries Corporate:
 - It was noted that the Administration between the two organisation (TSRA & TSIRC) need to work closely together on Integrated Planning.
 - the TSRA Chair recommended that his Regional Manager/Administration meet with TSIRC CEO/Executive Managers on a fortnightly or monthly basis in order for the two organisations to work closely on any issues of mutual interests.
 - It was suggested that TSRA Regional Manager and TSIRC CEO meet after all major meetings, eg TSRA Board and TSIRC Council Meeting.
- Meeting at Saibai after the Council meeting at Dauan to discuss issues with PBC Chairs and 3 Members of Land & Sea Council.
 - Letter will be sent to all elected members, PBC Chairs and members of the Sea & Land Council.
 - TSRA will cover Airfares for elected members, PBC Chairs, and 3 members of the Sea & Land Council
- Regional Partnership Agreement (TSIRC, TSC, NPARC, TSRA)
 - Use this as an opportune moment with everyone coming together to work closely in having the Fisheries Corporate up and running.
- Staffing Issues
 - Councillors Frustrations:*
 - Define roles and responsibilities to all staff & community.
 - Human resources
 - Code of Conduct
 - Induction of staff/workforce
 - Cultural issues – acknowledgement of elders passing or meeting them socially.
 - Respect to Council
 - Professional Development Training
 - Island Managers need raise awareness in Communities of roles and responsibilities
 - Entry to Communities by visitors/project workers
 - Councillors feel they need to take control, as things are not working out with Island Managers in control.

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CEO response:

- Everything that is happening reflects wholly and solely back to the CEO
- Within 12 months everything should settle down and Councillors should not feel it is all out of control.
- There will be training between Councillor and Island Manager to build up team capacity.
- Councillors to ring the CEO or Executive Managers to release any frustrations they may have.
- Need to acknowledge that this is the most difficult amalgamation in the whole of the State, probably Australia in taking on 15 Island Councils.

Mayor Response:

- Staff respect Councillors
- Councillors respect Staff
- Strong need for Induction Services
- Code of Conduct to put to rest some of the issues, frustrations that were raised.
- Staff taking Leaves
- Staff acting up in workforce
- Need to note that Administration will not treat staff lightly, they will look at the reasons and sack staff if need be.
- Ensure workforce cooperates on ground – Councillors should have CDEP work plan so that they are aware that workers are doing their jobs.
- CEO/Executive Managers will look into all the issues raised by Councillors.
- TSIRC CEO and TSRA Regional Manager to work and develop Cultural Awareness Course/programs.
- CEO to look at clarification of management of staffing issues
- Allocation of Homes
 - Executive Manager for Housing allocates homes in consultation with Councillor under the Housing Management Policy Guidelines – designs etc.

AGENDA ITEM: 13

QUESTIONS ARISING FROM INFORMATION REPORTS

- LGAQ Conference
 - TSIRC Representatives attending are the Mayor, CEO, Standing Committee Chairpersons.
- Remuneration Tribunal
 - CEO to check with the dates of their visits with David.
 - Highlight involvement of TSIRC at a local Level
- Budget Meeting
 - Copy of amalgamating budgets

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- Housing List - Centrelink
 - Finance Manager to liaise with Executive Manager for housing.
 - Toni Malamoo will run the Tenancy Management Procedure through their systems to alleviate TSIRC in reporting housing information such as Centrelink etc. Looking at rolling out that soon to them
 - TSIRC still doing Housing Management.

AGENDA ITEM: 14
GENERAL BUSINESS

- Arts & Craft Shed 2 – Hammond Island
- Community Police – Local Laws
 - Letter has been sent to QLD Police – no response as yet.
- Systems (Teleconferences) Standing Committees – can always revisit this issue.
- Referring to recommendation on pg 12 of 44 of the Information report, that Mayor and CEO to also discuss with the Minister Albanese and Minister Nicols:
 - on banishment laws; and
 - fuel and freight
- Deadline for Mer Fuel Bowser by end of this month - Mayor to give Cr. Day two letters to give to Mr. James Bon for his signatory and return to TSIRC.
- Poruma Freezer – to Standing Committee . Cr. Mosby to email report of freezer to CEO to present to Standing Committee. Cr. Mosby advised report was sent to CEO via email.
- Poruma Council office – there is a situation with this issue, need to resize or we lose the \$1.1M to build the new council office.
- Phones/internets – the use of private calls etc; not allowed in office
- Mobile Phones for Councillors to be discussed at next week's meeting in Cairns, and purchased them at the same time in Cairns.
- Traditional visits
 - issue with them in Erub Community
 - Getting out of control with 18 arrivals illegally without any permit signed by Councillor.
 - Immigration advised not their responsibility.
 - Mayor will discuss this issue with Immigration

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- Use of CEO's Boat
 - saving costs in travelling for CEO & Mayor, Councillors and Executive Managers
 - TSIRC to reimburse CEO for fuel etc.
 - CEO to check the cost of running the boat, fuel, design of the boat for members information, and provide at Budget Meeting.

MEETING CLOSED

With no further discussions, the Mayor thanked Cr. Kris and Cr. Bosun for their hospitality to Councillors, Executive Managers and Staff and expressed his gratitude to Cr. Kris for the short notice in holding the 5th TSIRC Ordinary Meeting at St. Pauls Community.

6.15pm Meeting closed with a prayer by Cr. Fell.


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Cr. Fred Gela
Mayor


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Mr. John Scarce
Chief Executive Officer