



**Torres Strait Island Regional Council (TSIRC)  
Ordinary Meeting  
Held at the Saam Karem Beizam, Erub Island**

**Tuesday 30th June 2009**

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**Present:** Cr. Fred Gela, Mayor  
Cr. Kenny Bedford, Deputy Mayor, Division 14 - Erub \*  
Cr. Raymond Soki, Division 2 – Dauan  
Cr. Wayne Guivarra, Division 5 – Badu Island  
Cr. David Bosun, Division 6 – Kubin  
Cr. Toshie Kris, Division 7 – St. Pauls  
Cr. Nancy Pearson, Division 8- Hammond  
Cr. Walter Mackie, Division 9 - Iama  
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 Finance  
Mr. Patrick McGuire, Executive Manager Engineering Services  
Ms Dania Ahwang, Manager Internal Audit  
Ms Elissa Shuey, Public Relations Officer  
Mr. Kevin Levi, Manager Senior, Youth, Sports & Recreation  
Mrs Tania Sailor, Executive Secretary.

**Observers:** Members of the Community

**In**

**Attendance:** **International Repatriation Program:**  
*Ms Carly Jia, Assistant Director, International Repatriation Program*  
*Ms Mandy Doherty, Assistant Secretary, Reconciliation & Repatriation Branch.*  
*Ms Lori Richardson – Assistant Director, International Repatriation Program*  
*Ms Kelly McKosker, PBC Support Project Officer, TSRA*  
*Mr. Seriako Stephens, Chair, Torres Strait Repatriation Working Group*  
*Fr. Stanley Marama, Member, Torres Strait Repatriation Working Group*  
*Mr. George Mye MBE, Elder Statesman, Erub Island.*  
**Minister's Party:**  
*Hon. Desley Boyle MP, Minister for Local Government & Aboriginal & Torres Strait  
Islander Partnerships.*  
*Ms Meg Frisby, Minister's Assistant*  
*Ms Debbie Travers, Minister's Assistant*

**Apologies:** Cr. Donald Banu, Division 1 – Boigu Island  
Cr. Ron Enosa, Division 3 – Saibai Island  
Cr. Keith Fell, Division 4 – Mabuiag Island  
Cr. Phillemon Mosby, Division 11 – Poruma Island  
Mr. Noel Peters, Manager Human Resources  
Mr. Lloyd Sunderland, Executive Manager Community Services

**Deputations:** Nil

8.10am: Meeting opened in prayer by Cr. Day.

### **ONE MINUTE SILENCE**

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

### **WELCOME**

Welcome & Acknowledgement of Traditional Land Owners

- Mayor Fred Gela
- Cr. Kenny Bedford

Mayor thanked Cr. Bedford, Members of Community of Erub, Councillors, Erub Le Staff in organising and preparing for the Council Meeting at Erub and for their invitation in joining the Community in celebrating our historic and significant event – July 1 Celebrations.

Cr. Bedford welcomed & thanked everyone for making time to come to Erub for the Meeting, and expressed his appreciation on behalf of his Community to Mayor and Councillors for their support in joining them for the July 1 Celebrations.

### **CONFIRMATION OF MINUTES**

Deferred till after lunch

### **TSIRC STYLE GUIDE**

Deferred to July Council Meeting at Badu.

### **CORPORATE STRUCTURE & STANDING COMMITTEE**

#### **Resolution**

*Moved Cr. Kris, Seconded Cr. Soki that council adopt the Corporate Structure as presented, to take effect from the 1<sup>st</sup> July 2009*

Further Council reshuffles the Standing Committees to reflect the change in organisational structure being:

Corporate & Finance  
Engineering & housing  
Community & Economic Development

That membership of each committee to consist of the Mayor and five Councillors one being elected within the Standing Committee as the Chairperson

Membership

Corporate & Finance

Cr Fred Gela  
Cr Toshie Kris  
Cr John Mosby  
Cr David Bosun  
Cr Florianna Bero  
Cr Donald Banu

Engineering & Housing

Cr Fred Gela  
Cr Wayne Guivarra  
Cr Nancy Pearson  
Cr Raymond Soki  
Cr Keith Fell  
Cr Ron Day

Community & Economic Development

Cr Fred Gela  
Cr Kenny Bedford  
Cr Walter Mackie  
Cr Phillemon Mosby  
Cr Willie Lui  
Cr Ron Enosa

**Motion Carried**

- *Disciplinary Actions*
  - *Lack/poor performance by employees in Communities.*
  - *Disrespect to Councillors and Island Managers*
  - *Gross Misconduct – dismissed immediately*
  - *CDEP employees - immediate dismissal*
- *Dismal of employees , TSIRC needs to*
  - *Show cause*
  - *Clear line process (Procedural Fairness)*
  - *Need information*
- *Island Managers and Councillors to contact CEO and report to him on any incidents but CEO would need all the information without being there to see it first hand.*

Positions Filled

Bert Matysek – Housing Manager to be based on Darnley.  
Manuel Nomoa – CDEP Manager based at Badu  
Kevin Levi – Managers Seniors, Youth, Sports and Recreation

*On that note, Mayor Gela welcomed Kevin Levi on board.*

## **EXPENSE REIMBURSEMENT POLICY**

### **Resolution**

*Moved Cr. Pearson, Seconded Cr. Bero that Council refers the provided policy to the Associate Director General of the Department of Infrastructure and Planning for review prior to formally adopting at the July ordinary meeting of Council.*

### **Motion Carried**

- *Executive Manager Finance to follow up on visa debit cards for Councillors and put it through Corporate and Finance Standing Committee.*

## **INTERNATIONAL REPATRIATION PROGRAM**

*Mayor welcomed Ms Carly Jia, (Assistant Director, International Repatriation Program), Ms Mandy Doherty, (Assistant Secretary, Reconciliation & Repatriation Branch), Ms Lori Richardson (Assistant Director, International Repatriation Program), Ms Kelly McKosker, (PBC Support Project Officer, TSRA), Mr. Seriaiko Stephens, (Chair, Torres Strait Repatriation Working Group), Fr. Stanley Marama, Member, (Torres Strait Repatriation Working Group), Mr. George Mye MBE (Elder Statesman, Erub Island)*

The Department of Families, Housing, Community Services and Indigenous Affairs (FAHCSIA) is the Australian Government's lead agency for the repatriation of Australian Indigenous human remains from overseas holding institutions.

The International Repatriation Program facilitates the return of Indigenous human remains held in overseas collections to their communities of origin.

The International Repatriation Program:

- identified a large collection of ancestral remains originating from the Torres Strait that are currently be held by the Natural History Museum (NHM) in London. This issue was presented to the TSRA Board some time ago.
- recently updated TSRA Board on the activities and priorities for 2009, including the preparation of the submission to NHM for the Torres Strait remains.
- Outcome from that meeting were to complete a comprehensive community consultation process in order for a collective outcome be reached at both community and official level regarding the future management of our ancestral remains if a successful outcome is reached with the NHM.

It was noted that:

- For the development of a Submission – need to consult with communities.
- Consultations underway in communities - working closely with TSRA and PBCs to work forward.
  
- Each Community identifies their Council of Elders to assist the Working Group when they go into Communities to do consultation.
- Working Group - established to assist with the repatriating process in returning the remains of our ancestors back to Torres Strait from overseas.
- FACSIA funds the consultation process.
- So little information is provided to work with to find out where they originated from and what to do in getting them back.
- The scoping of work will make sure cultural protocol is involved.
- Process will be made clear, open and transparent.

Mayor advised that this issue is a highly sensitive issue and needs to have the right people on the working group - highly recommended Elder Statesman Mr. George Mye.

Mr. Stephen on behalf of his group thanked members for the opportunity for allowing them to address the Council on this issue.

Mayor thanked the Group and welcome any further discussions they wish to discuss or address the Board on this issue, and also that they have the support of TSIRC in assisting in anyway on the repatriation process.

#### **EOI –PROVISION OF VETERINARY SERVICES**

##### **Resolution**

*Moved Cr. Pearson, Seconded Cr. Kris that Council engage Katherine Vet Care Centre Pty Ltd for the stated amount of \$130,660.00 as identified in their expression of interest, excluding accommodation, to undertake the works identified in Expression of Interest (EOI) TSIRC2009-04, Provision of Veterinary Services.*

##### **Motion Carried**

- *Vet is fully funded out of Animal Management Fund.*
- *Local Animal Management workers in Communities aren't funded full time only about 10hrs.*
- *It was noted that*
  - *the Vet Service will commence work as soon as TSIRC gives them the nod to commence.*
  - *Will be in each community for 1 day or so*
- *Executive Manager Communities is aware and have the statistics on which Island is a priority.*

**WATER & WASTE WATER SERVICE LEVEL AGREEMENT**

**Resolution**

*Moved Cr. Pearson, Seconded Cr. Guivarra that the Standing Committee recommend to Council that it enter into the attached agreement.*

**Motion Carried**

**WATER & WASTE WATER MONTHLY REPORT**

**Resolution**

*Moved Cr. Kris, Seconded Cr. Mackie that the Council accept the Monthly report and authorise its release to the Department of Infrastructure and Planning.*

Further that Council authorises to have the future monthly reports endorsed at the Engineering & Housing Standing Committee meeting prior to its release to the Department of Infrastructure and Planning.

**Motion Carried**

- *Executive Manager Engineering noted to include the biological sheets in all future monthly reports.*

*It was resolved that Council break for Morning Tea at 11.05am.*

**REVENUE POLICY**

**Resolution**

*Moved Cr. Bedford, Seconded Cr. Bosun that Council adopt the Revenue Policy for the 2009/2010 Budget Year in accordance with s513 of the Local Government Act 1993, as presented.*

**Motion Carried**

**REVENUE STATEMENT**

**Resolution**

*Moved Cr. Soki, Seconded Cr. Bero that Council adopt the 2009/2010 Revenue Statement developed in accordance s519 of the Local Government Act, as presented and amended, and that the Revenue Statement has accompanied and is being 'read' with the Budget.*

**Motion Carried**

**OPERATIONAL PLAN**

**Resolution**

*Moved Cr. Bosun, Seconded Cr. Pearson that Council adopt the 2009/2010 Operational Plan developed in accordance with s508 of the Local Government Act 1993, as presented.*

**Motion Carried**

**2009/2010 BUDGET**

**Resolution**

*Moved Cr. Bedford, Seconded Cr. Guivarra that Council adopt the 2009/2010 Budget as presented, including:*

- Budgeted Financial Statements for 2009/2010 and the following four financial years, pursuant to s518 – 521 of the Local Government Act 1993 and the requirements identified in the Local Government Finance Standard 2005, which requires, an:
  - Income Statement
  - Balance Sheet
  - Statement of Changes in Equity
  - Statement of Cashflow
  - Statement of Original Budget by Island
- 2009/2010 Borrowings Policy
- 2009/2010 Reserves Policy
- 2009/2010 Striking of Rates and Charges as developed in accordance with Chapter 14 of the Local Government Act 1993.

**Motion Carried**

**ENTERTAINMENT POLICY**

**Resolution**

*Moved Cr. Bedford, Seconded Cr. Pearson that Council adopt the Entertainment and Hospitality Policy for the 2009/2010 Budget Year in accordance with s9 of the Local Government Finance Standard 2005, as presented.*

**Motion Carried**



### **BUSINESS ARISING FROM PREVIOUS MINUTES**

- Community Forum Training – Minister will probably announce today when she meets with Council.
- Divestment of Enterprise – CEO briefed members with an update on resolution made at last Council meeting.
- Ugar Freight Services
  - Treated as a high priority.
  - Joint submission proposed (TSRA, TSIRC and QLD Transport)
  - Bring back to MIP

### **CONFIRMATION OF MINUTES**

*Moved Cr. Bosun, Seconded Cr. Bero that the minutes of the Ordinary Meeting held 24th September 2008 be adopted as true and accurate.*

**Motion carried.**

*It was resolved that Council break for Lunch at 2.00pm.*

*It was noted that Minister Boyle arriving during lunch break and joined the meeting at 3.10pm*

### **MINISTER DESLEY BOYLE**

Mayor welcomed the Minister the Hon. Desley Boyle, and her advisors Ms Meg Frisby and Ms Debbie Travers to the meeting.

Minister briefed members on her trips to Saibal and Poruma before arriving at Erub, of which both Islands presented to members a list of issue including inundation issues. Minister thanked members for their time and will make an effort in addressing any issues raised within her jurisdiction.

Issues raised with the Minister:

- Community Forums
  - Minister confirmed money available for Community Forum
  - More flexibility. Look at mechanism on how it would work in each community – open to Council's decision.
- Local Government Act
  - Minister advised 6 months till new Local Government come into place (December 09). Delayed because of a lot of regulations to go through.
  - Cr. Kris advised Minister that Ailan Kastom must, not may be given recognition in the Local Government Act.
- Economic Development – Minister supports Economic Development.
- Mayor Gela advised
  - miss out on stimulus package – only got \$130,000
  - incomplete infrastructure – can Minister help us gain funds?

- Community Police
  - Minister touched based with members on this issue.
  - Minister for Police to visit Torres Strait – should extend a formal meeting.
  - Cr. Kris advised QPS with responsibility for QATSIP – need training for community police to have more powers.
- Ministerial Roundtable
  - Have one specific for Aboriginal people
  - Propose to look at specific one for Torres Strait – Minister advised will have a go with this see how we go.
- Sports & Recreation
  - Cr. Guivarra advised funding for Sports & Rec. Officers extension of only 1 month.
  - Chronic diseases – Sports & Rec to be employed on weekends to run events.

### **LATE REPORT**

### **CORPORATE PLAN**

*Moved Cr. Bosun, Seconded Cr. Kris that Council adopt the Corporate Plan 2009 – 2014.*

**Motion carried.**

### **CLOSED BUSINESS**

#### ***Resolution***

***Moved Cr. Bero, Seconded Cr. Day 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.***

### **ISSUES RATIFIED FROM CLOSED BUSINESS**

### **MIP4 SUSTAINABILITY - ASSET RENEWAL PROJECT**

#### **Resolution**

***Moved Cr. Pearson, Seconded Cr. Day that the Committee recommend to Council the acceptance of the revised tender submitted by Maunsell AECOM for Project Management of the Asset Renewal Project .***

**Motion carried.**

**CBRC \$10 MILLION**

**Resolution**

*Moved Cr. J.Mosby, Seconded Cr. Soki* that Council adopt the recommendations for the role out of the CBRC \$10m, further confirm availability of vacant lots, prioritise proposed work, clear sites in preparation, demolish existing building where required, prepare a schedule of available land across the Torres Strait region.

**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. Bedford and the Community of Erub for their hospitality and the organising of a successfully Council Meeting at Erub Island.

**5.05pm** Meeting closed with a prayer by Cr. Day.

  
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Cr Fred Gela  
Mayor

  
.....  
Mr John Scarce  
Chief Executive Officer