



# DRAFT MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

AUGUST 2020

Tuesday 18<sup>th</sup> August 2020, 10:30am – 3:00pm  
Wednesday 19<sup>th</sup> August 2020, 9:00am – 2:25pm

Video Conference

## **COUNCIL ORDINARY MEETING**

**Tuesday 18<sup>th</sup> August 2020**

### **Agenda Items**

1. 10:30am – 10:35am Welcome and Opening Remarks
2. 10:35am – 10:40am Apologies
3. 10:45am – 10:50am Declaration of Conflict of Interest (COI) / Material Person Interest (MPI)
4. 10:50am – 11:00am Confirmation of Meeting Minutes and Special Meeting Minutes
  - July 2020 Ordinary Meeting
  - 28 July 2020 Special Meeting
5. 11:00am – 11:15am Outstanding Ordinary Meeting Action Items
6. 11:15am – 11:15am **COUNCIL MOVE INTO CLOSED BUSINESS**
7. 11:15am – 11:30am CORPORATE – CB – Contractual Matter – Sole Suppliers
8. 11:30am – 11:40am ENGINEERING – CB – Funding Matter – 2020/2021 COVID Works for Queensland
9. 11:40am – 12:10pm ENGINEERING – CB - Badu and Erub Water Treatment Renewal
10. 12:10pm – 12:30pm ENGINEERING – CB – Dauan Pontoon (Verbal Update)
11. 12:30pm – 12:30pm **COUNCIL MOVE OUT OF CLOSED BUSINESS**  
  
**12:30pm – 1:30pm – LUNCH**
12. 1:30pm – 2:00pm OCEO – Workplace Health and Safety Policy
13. 2:00pm – 3:00pm Presentation 1: Mr Zachariah Matysek, A/Manager – Department of Housing and Public Works  
  
**3:00pm – 3:30pm – AFTERNOON TEA**
14. 3:00pm – 3:00pm **COUNCIL MOVE INTO CLOSED BUSINESS**
15. 3:00pm – 4:00pm OPERATIONS – Housing Authority / Attendance at Housing Summit
16. 4:00pm – 4:00pm **COUNCIL MOVE OUT OF CLOSED BUSINESS**
17. 4:00pm – 4:00pm Business Arising from Information Reports
18. 4:15pm – 4:20pm Next Meeting Scheduled – 22<sup>nd</sup> and 23<sup>rd</sup> September 2020 - Boigu
19. 4:20pm – 4:55pm Strategic Matters
20. 4:55pm – 5:00pm Closing Remarks and Prayer

**Wednesday 19<sup>th</sup> August 2020**  
**Agenda Items**

21. **9:00am – 9:05am** Welcome and opening prayer
22. **9:05am - 10:05am** **PRESENTATION 1:** Mr Russell Beer, Director – MacDonnells Law  
Register of Interest and Councillor requests for Information
- 10:05am – 10:30am - MORNING TEA**
23. 10:30am – 10:30am **COUNCIL MOVE INTO CLOSED BUSINESS**
24. 10:30am – 12:30pm OCEO - TAP Overview
25. 12:30pm – 12:30pm **COUNCIL MOVE OUT OF CLOSED BUSINESS**
- 12:30pm – 1:30pm – LUNCH**
26. 1:30pm – 1:40pm LEGAL SERVICES – DA - Dauan Telstra Tower
27. 1:40pm – 1:50pm LEGAL SERVICES – DA – Reconfiguration of Lot 25 - Badu
28. 1:50pm – 2:20pm LEGAL SERVICES – Execution of Warrant at Saibai
29. 2:20pm – 2:50pm LEGAL SERVICES – Delegation Register Update
30. 2:50pm – 3:00pm CORPORATE – Memorandum of Agreement with the Torres Strait Island Authority
- 3:00pm – 3:20pm – AFTERNOON TEA**
31. 3:20pm – 3:30pm CORPORATE – Memorandum of Agreement with the Gud A Baradharaw Kod Sea and Land Council Torres Strait Islander Corporation
32. 3:30pm – 3:40pm CORPORATE – Memorandum of Agreement with the Malu Lamar (Torres Strait Islander) Corporation RNTBC
33. 3:40pm – 4:00pm OPERATIONS – Special Holidays
26. 4:00pm – 4:05pm Closing Remarks and Prayers

**Tuesday 18<sup>th</sup> August 2020**

**Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Keith Fell, Division 4 – Mabuia  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kiriri  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 – Ugar  
Cr Aven Noah, Division 15 – Mer

Ms Hollie Faithfull, Acting Chief Executive Officer  
Mr David Baldwin, Chief Engineering Officer  
Mr Luke Ranga, Head of Corporate Affairs  
Ms Mette Nordling, Manager Governance and Compliance  
Ms Julia Maurus, Manager of Legal Services  
Ms Ursula Nai, Senior Executive Assistant  
Ms Naila Nomoa, Acting Secretariat Officer

**Apologies**

Cr Conwell Tabuai, Division 3 – Saibai  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Boggo Gela, Division 14 – Erub

1. **10:06am – 10:08am**            **Welcome**  
Mayor Mosby did a roll call of Councillors and staff present.

2. **10:08am – 10:16am**            **Apologies**  
Apologies have been received from:

- Cr Conwell Tabuai, Division 3 – Saibai
- Cr Getano Lui Jnr, Division 9 – Iama
- Cr Boggo Gela, Division 14 – Erub

Mayor advised that Cr Dorante and Cr Nona were running late.

*Moved:* Cr Pearson; *Second:* Cr Tamu

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

**MOTION CARRIED**

*Moved:* Cr Levi; *Second:* Cr Pearson

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

**MOTION CARRIED**

*Moved:* Cr Stephen; *Second:* Cr Noah

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

**MOTION CARRIED**

3. **10:16am – 10:17am**            **COI – MPI**

Nil.

Cr Dorante joined Meeting at 10:18am.

4. **10:18am – 10:21am**            **Confirmation of July 2020 Ordinary Meeting Minutes**

**RESOLUTION**

*Moved:* Cr Toby *Second:* Cr Tamu

**That the minutes of the Council Ordinary Meeting held in July 2020, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

5. **10:21am – 10:22am**            **Confirmation of 28<sup>th</sup> July 2020 Special Meeting Minutes**

Minutes to be endorsed in September Ordinary Meeting.

6. **10:22am – 10:37am**            **Action Item Update**

Chief Executive Officer gave a verbal update on the action items.

Chief Engineering Officer has spoken to TSRA regarding Helipad.

7. **10:37am –10:37am**                    **COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Pearson;

That in accordance with section 275 (1) of the *Local Government Regulation 2012 (Qld)* it is resolved for the meeting to go into closed session to discuss matters of the following nature:

e) Contracts proposed to be made by Council.

h) Business for which public discussion would be likely to prejudice the interests of Council or someone else or enable a person to gain a financial advantage.

**MOTION CARRIED**

8. **CORPORATE – CB – Contractual Matter – Sole Suppliers**

**MORNING TEA 10:44am – 11:07am**

9. **ENGINEERING – CB – Funding Matter – 2020/2021 COVID Works for Queensland**

10. **ENGINEERING – CB Badu and Erub Water Treatment Renewal**

11. **ENGINEERING – CB – DAUAN Pontoon (Verbal Update)**

12. **12:00pm – 12:00pm**                    **COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Trinkoon

That Council move out of Closed Business

**MOTION CARRIED**

Cr Mosby joined meeting at 11:48am.

## RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED SESSION.

### 8. 10:38am – 10:44am CORPORATE – CB – Contractual Matter – Sole Suppliers

Cr Noah declared a personal interest in Mer Gedkem, one of the suppliers nominated as a sole supplier, and did not participate in the discussion and vote on this matter.

#### RESOLUTION:

*Moved:* Cr Elisala; *Second:* Cr Pearson

#### Council resolves:

1. In accordance with section 235(a) of the *Local Government Regulation 2012*, that it is satisfied that the suppliers listed are the only suppliers reasonably able to source and provide the required goods and services and are therefore considered sole suppliers for the 2020/21 financial year.

And

2. To delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to enter into contract, negotiate, finalise and execute any and all matters associated with these sole suppliers for the 2020-21 financial year.

**MOTION CARRIED**

Sole suppliers for the 2020/21 financial year

| Supplier                     | Product/Service  |
|------------------------------|--|
| Avdata                       | Data reporting and billing services to airports across Australia to enable collection of landing fees.   |
| Avionics Airfield Lighting   | Only company in Australia who provides the required goods and services                                   |
| Badu Island Foundation       | Accommodation and supply of gas - Badu   |
| Cairns Security Monitoring   | Security services in Grafton St. Supplier nominated by Landlord.   |
| CodeTwo Exchange Rules Pro   | Email and email signature management software  |
| Endeavour Foundation         | Secure document destruction  |
| Ergon Energy                 | Electricity, Power Cards, Maintenance to power lines   |
| Express City Couriers        | Newspaper supply and delivery  |
| HumanForce                   | Time Management System   |
| Independent Aviation Pty Ltd | Supply of Air Transport Services   |
| Island & Cape                | Fuel - Badu  |
| M & M Mini Mart              | Groceries - Hammond  |
| Mer Gedkem                   | Accommodation - Mer  |
| Miradore                     | Mobile Device Management software  |
| Mr Gabriel Bani              | Consultation service for name change   |
| Smartsheet                   | Collaboration and Work / Project Management application (online forms etc)                               |
| St Pauls Lodge               | Accommodation - St Pauls   |
| TAFE Queensland North        | Training providers   |
| TCMStrata                    | Body Corporate manager for Grafton St.   |
| TeamViewer                   | Remote Administration Tool   |
| TechnologyOne                | Council's core enterprise suite (document management and financial management)                           |
| Telstra                      | Telecommunications   |
| Tom Cowles Locksmith         | Only locksmith in the Torres Strait  |
| Torres Strait Funerals       | Only funeral director in the Torres Strait   |
| Whisper                      | Cloud-based communication platform used in emergency situations to broadcast messages via SMS and email. |

9. 10:57am – 11:12am ENGINEERING – CB – Funding Matter – 2020/2021  
COVID Works for Queensland

**RESOLUTION:**

*Moved:* Cr Stephen; *Second:* Cr Pearson

**Council resolves to delegate authority to the Chief Executive Officer under the provisions of the *Local Government Act 2009* to:**

**Enter into the proposed Funding Agreement for the 2020-21 COVID Works for Queensland Program with the Department of Local Government, Racing and Multicultural Affairs for the grant of funding in the sum \$2,880,000.00 excluding GST on the terms and conditions proposed by DLGRMA to the CEO's satisfaction.**

**MOTION CARRIED**

10. 11:12am – 11:24am ENGINEERING – CB Badu and Erub Water Treatment  
Renewal

**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Trinkoon

**That Council:**

- **Award Contract *TSIRC 2019-206- ICCIP Project #5 & 26-36 – Badu & Erub Water Treatment Plant (WTP) Renewal* to M & J Arthur Pty Ltd to an amount of \$3,774,000.00 excl. GST;**
- **Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to negotiate, finalise and execute any and all matters associated with or in relation to this project and contract in accordance with TSIRCs procurement practices and policies.**

**MOTION CARRIED**



11. **11:24am – 12:00pm**      **ENGINEERING – CB – DAUAN Pontoon**

Verbal update by Chief Engineer - No resolution for this matter

12. **12:00pm – 12:02pm**      **OCEO – Workplace Health and Safety Policy**

- Acting Chief Executive officer spoke to report
- Matter left lying on table.

**Mayor Mosby** declared a Material Personal Interest in relation to the Regional Housing Summit due to being a director on GBK

**Cr Noah** declared a Material Personal Interest in relation to the Regional Housing Summit due to being an employee of Mer Ger

**Cr Pearson** declared a Material Personal Interest in relation to the Regional Housing Summit due to being a director on GBK

**Cr Tamu** declared a Material Personal Interest in relation to the Regional Housing Summit due to being a director on GBK

**Cr Elisala** declared a Material Personal Interest in relation to the Regional Housing Summit due to being a director on GBK

**Crs Stephen, Mosby and Fell** all declared potential Conflicts of Interest due to being members of Local PBCs.

**Crs Levi, Trinkoon and Dorante** declared no personal interests.

Due to the majority of Councillors being potentially conflicted, legal advice is being sought.

Mayor Mosby absent after the lunch break due to other Council commitments.

13. **12:04pm – 12:30pm**      **APPONT INTERIM CHAIR**

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Seconded:* Cr Mosby

**Council resolves to appoint Cr Fell as interim chair in the absence of Mayor Mosby and Deputy Mayor Lui during the Council's Ordinary Meeting on 18 August 2020.**

**MOTION CARRIED**

Mayor Mosby left the meeting

**12:30pm – 1:44pm – LUNCH**

14. **PRESENTATION - Mr Zachariah Matysek, Acting  
Manager – Department of Housing and Public Works**  
Presentation cancelled due to declared MPIs and COIs

15. **OPERATIONS – Housing Authority / Attendance at  
Housing Summit**  
Left on table due to declared MPIs and COIs

16. **1:46pm – 1:49pm** **LETTER TO MINISTER FOR LOCAL GOVERNMENT**  
**RESOLUTION:**  
Moved Cr Fell Second Cr Toby  
**Council resolves to write to the Minister for Local Government, Racing and  
Multicultural Affairs to request an exemption under section 175F of the *Local  
Government Act 2009* for Councillors to participate in meetings, being present  
during discussions and vote on matters relating to the social housing portfolio  
within the local government area, as the matters cannot otherwise be decided  
due to the number of councillors declaring Material Personal Interests and  
personal interests.**  
**MOTION CARRIED**

17. **pm pm** **Business Arising from Information Reports**  
None

18. **1.50pm – 1.52pm** **Next meeting scheduled – 15 &16 September Boigu**  
All Councillors to email Ursula Nai whether they are attending the Boigu meeting.

19. **1:52pm – 2:54pm** **Strategic Matters**

Cr Mosby

- Climate change – Regional (terms of reference)

Cr Pearson –

- Queried Healthy Lifestyle Officers' working hour
- Healthy Lifestyle Officers are paying out of pocket to conduct activities for youth and elders in community.

**Action:** Chief Operating Officer and Head of Community Services to discuss.

Head of Corporate Affairs

- Issues around rumours on border and COVID issues
- Any media enquiries should be referred to the Mayor or to the Head of Corporate Affairs

- If there are any serious threats the Mayor will be informed in his capacity as Mayor and chair of the LDMG
- Border presence will be there until the end of the year in the Torre Straits.
- Discussion around councillors' presence on social media platforms

**Action:** Sessions to be conducted at November workshop

Cr Fell –

- Satellite connectivity

**Action:** Acting Chief Executive Officer will liaise with Manager Information and Technology Services.

Councillors to provide their top 5 priority for their division

**Action:** Councillors provide Top 5 priority to Kim Kelly & Kylie Sturges as soon as possible.

4G no update from Telstra

**Action:** Head of Corporate Affairs will follow-up and provide update in September Meeting.

Cr Fell -

- Regional Cabinet Mayor and Deputy Mayor will be attending in Cairns.
- Workshop/ professional development in Cairns for Councillors

**Action:** Acting Chief Executive Officer will provide an update for Workshop/ professional development for Councillors at each council meeting general business.

**20. 2:54pm – 3pm Closing Remarks and Prayer**

Cr Fell invited Cr Levi to close with prayer.

## **Wednesday 19<sup>th</sup> August 2020**

### **Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Keith Fell, Division 4 – Mabuig  
Ce Laurie Nona, Division 5 – Badu  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kiriri  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 – Ugar  
Cr Aven Noah, Division 15 – Mer

Ms Hollie Faithfull, Chief Financial Officer  
Mr David Baldwin, Head of Engineering  
Mr Luke Ranga, Head of Corporate Affairs  
Ms Rachel Pierce -Head of Community Services  
Ms Mette Nordling – Manager Governance and Compliance  
Ms Julia Maurus, Manager of Legal Services  
Ms Ursula Nai – Senior Executive Assistant  
Ms Naila Nomoa – Acting Secretariat Officer

### **Apologies**

Cr Conwell Tabuai, Division 3 – Saibai  
Cr Boggo Gela, Division 14 – Erub  
Cr Getano Lui Jnr, Division 9 – Iama

21. **9:05am - 9:10am** **Opening Prayer and Welcome**

Mayor acknowledged and paid respect to:

- Papa God
- The traditional owners, Elders, Leaders, Past, Present and Emerging
- Elders and Leaders in respective communities and your people.
- Respect to the families in sorry business

Mayor invited Cr Elisala to open with word of prayer.

Mayor thanked Cr Fell for Chairing the meeting on Tuesday afternoon, the 18<sup>th</sup> of August.

Mayor welcomed Mr Russel Beer, Director of MacDonnells Law.

22. **9:10am – 10:35am** **PRESENTATION: Mr Russell Beer, Director - MacDonnells Law**

- Register of Interest
- Councillor request for information

**10:35am – 10:53am – MORNING TEA**

23. **10:53am – 10:53am** **COUNCIL MOVE INTO CLOSE BUSINESS**  
**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Pearson;

**That in accordance with section 275 (1) of the *Local Government Regulation 2012 (Qld)* it is resolved for the meeting to go into closed session to discuss matters of the following nature:**

**e) Contracts proposed to be made by Council.**

**h) Business for which public discussion would be likely to prejudice the interests of Council or someone else or enable a person to gain a financial advantage.**

**MOTION CARRIED**

24. **10:54am – 11:34** **OCEO – TAP Overview**

Acting Chief Executive Officer and Chief Engineer stayed in the room and asked other staff present to leave the room.

25. **11:35am – 11:35am** **COUNCIL MOVE OUT OF CLOSED BUSINESS**  
**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Pearson

**That Council move out of Closed Business**

**MOTION CARRIED**

26. 11:35am – 11:40pm      LEGAL SERVICES – DA Dauan Telstra Tower – pg54  
**RESOLUTION**  
*Moved:* Cr Elisala; *Second:* Cr Toby  
That Council issue a Development Permit for ‘Material Change of Use (code)’ with the inclusion of the conditions set out in Part 6 of the Agenda Report for Upgrade Telecommunications Tower – Dauan (the site is within Lease T SP146515 on Lot 39 SP270872).  
**MOTION CARRIED**
27. 11:40am – 11:42pm      LEGAL SERVICES – DA RECONFIGURATION OF LOT  
25 - BADU  
Matter left on table as Cr Nona is not online
28. 11:42am – 11:46pm      LEGAL SERVICES – EXECUTION OF WARRANT AT  
SAIBAI  
Matter left on table as Cr Tabuai is not present.
29. 11:47am – 12:00pm      LEGAL SERVICES – DELEGATION REGISTER  
UPDATE  
Matter left on table – to be discussed at workshop in November
27. 11:53am-11:55am      LEGAL SERVICES – DA RECONFIGURATION OF LOT  
25 - BADU  
Cr Nona back online  
Matter left on the table for further investigation
- LUNCH 12:00pm – 1:17pm**
33. 1:17pm - 1:47pm      OPERATIONS – SPECIAL HOLIDAYS  
**RESOLUTION**  
*Moved:* Cr Stephen; *Second:* Cr Nona  
Council resolves to endorse list of 2021 special holidays at Attachment A to this report.  
**MOTION CARRIED – Councillor Dorante voting against**
- 1:47pm – 2:06pm – Memorandums of agreement.
30.                                      CORPORATE – Memorandum of Agreement with the  
Torres Strait Island Regional Authority
31.                                      CORPORATE – Memorandum of Agreement with Gud  
A Baradharaw Kod Sea and Land Council Torres  
Strait Island Corporation
32.                                      CORPORATE – Memorandum of Agreement with the  
Malu Lamar (Torres Strait Islader Corporation RNTBC  
– Late – pg 203

All left on table due to Material Personal Interests and Conflicts of interest.

**34. 2:06pm-2:21pm Closing remarks and Prayers**

- Chief Executive Officer has extended leave until the 31<sup>st</sup> of August 2020 returning on the 1<sup>st</sup> of September.
- Further update from Head of Corporate Affairs on the border situation and COVID19 situation.

Mayor invited Cr Fell to close with prayer.

DRAFT