



Torres Strait Island
REGIONAL COUNCIL

JANUARY 2020

MINUTES

ORDINARY MEETING

Monday 13 January 2020 09:10am – 3:20pm

Videoconference – VMR #8 – 02 9916 5402

Monday 13 January 2020

Present

Cr Fred Gela, Mayor - Kirirri (Kirirri Office)
Cr Dimas Toby, Division 1 – Boigu (Cairns Office)
Cr Torenzo Elisala, Division 2 – Dauan (Dauan Office)
Cr Keri Akiba, Division 3 – Saibai (Saibai Office)
Cr Keith Fell, Division 4 – Mabuiag (Cairns Office)
Cr David Bosun, Division 6 – Kubin, Mua Island (Kubin Office)
Cr Getano Lui Jnr, Division 9 – Iama (Cairns)
Cr Clara Tamu, Division 10 – Warraber (Warraber Office)
Cr Francis Pearson, Division 11 – Poruma (Poruma Office)
Cr Ted Nai, Division 12 – Masig (Cairns Office)
Cr Rocky Stephen, Division 13 – Ugar (Ugar Office)
Cr Patrick Thaiday, Division 14 – Erub (Erub Office)
Cr Bob Kaigey, Division 15 – Mer (Thursday Island)
Mr Bruce Ranga, Chief Executive Officer (CEO) (Cairns Office)
Mrs Jan Pool, Chief Operating Officer (COO) (Kirirri Office)
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns Office)
Mr Peter Krebs, Manager Legal Services (MLS) (Cairns Office)
Mr Luke Ranga, Head of Corporate Affairs and Engagement (HCAE) (Cairns Office)
Mr George Holland, Head of Engineering (HOE) (Cairns Office)
Ms Ursula Nai, Senior Executive Assistant (SEA) (Kirirri Office)

Apologies

Cr Laurie Nona, Division 5 – Badu
Cr John Levi, Division 7 – St Pauls, Mua Island
Mrs Kathy Cochran – Secretariat Officer (SO)

1. **9:10am – 9:15am** **Opening Prayer and Welcome**

Mayor Gela welcomed Councillors and Staff to the Ordinary Meeting and thanked them for their attendance. Mayor Gela invited Cr Fell to open the meeting in prayer. Councillors and Staff remained standing for 1-minute silence in respect of family's grieving during this period.

Mayor acknowledged and paid respect to:

- The traditional owners and elders past and present for the land on which we meet throughout the Torres Strait and Cairns Region.
- Councillors
- CEO and staff
- Cr Fell in his capacity as Deputy Mayor during the Christmas Period

Mayor Gela also wished all Councillor's and Staff a happy and prosperous start to 2020.

Mayor Gela advised Councillors and Staff that the Ordinary Meeting is being recorded. The recording is authorised by the Public Records Act 2002, and is used solely to assist with preparing meeting minutes.

2. **9:15am – 9:17am** **Apologies**

- Cr John Levi, Division 7 – St Pauls Community
Cr Levi applied for leave of absence in advance at the December 2019 Ordinary Meeting.

RESOLUTION

Moved: Cr Bosun; Second: Cr Pearson

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

MOTION CARRIED

Council noted that Cr Nona was not in attendance at the meeting and did not apply for leave in advance.

3. **9:17am – 9:20am** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

No Councillors made a disclosure during this period. Mayor encouraged Councillors to make their disclosure at any time during the meeting.

4. **9:11am – 9:14am** **Confirmation of December 2019 Ordinary Meeting Minutes**

Item 4	Amend spelling of Ilun Kustom to Ailan Kastom
Item 7	Remove monetary value from Action Item
Item 8	Amend Second mover from Cr. Bosun to Cr. Levi
Minutes	Chief Executive Officer would like to remove all use of Acronyms

RESOLUTION

Moved: Cr Toby Second: Cr Pearson

That the minutes of the Ordinary Meeting held in December 2019 with the above amendments, be adopted as a true and accurate record of that meeting.

MOTION CARRIED

5. 9:30am – 10:00am Outstanding Strategic Ordinary Meeting Action Item

Action Items updated

6. 10:00am – 10:00am TRUSTEE – Undocumented Commercial Land occupation Project

No update provided

7. 10:00am – 10:15am HOUSING – Housing Floor Plan for adoption

Mrs Jan Pool, Chief Operating Officer spoke to this report. Jan Pool advised that the Housing Floor Plan had been discussed and supported by the Tenant and Councillor and the report was for noting. Council noted this report.

10:15am – 10:40am – Morning Tea Break

8. 10:40am – 10:40am COUNCIL MOVE INTO TRUSTEE

RESOLUTION:

Moved: Cr Fell; Second: Cr Bosun

That in accordance with Section 83 of the Local Government Act 2009 (QLD) management of Community Deeds of Grant in Trust, the meeting of the Trustee of Community DOGIT be convened and conducted as separate meetings from the Indigenous Regional Council.

MOTION CARRIED

9. 10:41 – 10:47am TRUSTEE – LEGAL – Lease for part of Lot 40 on SP267944

Mr Peter Krebs, Manager of Legal Services spoke to this report. Mayor Gela asked why the CPI increase is not in the proposed terms of lease within the report. Mr Peter Krebs advised this will be included in lease negotiations. Cr. Akiba asked if the lease includes the TSIRC Staff House. Mr Peter Krebs advised that lease application does not included the TSIRC Staff House.

ACTION: Mr Peter Krebs, Manager of Legal Services to include CPI increase into lease negotiations

RESOLUTION:

Moved: Cr Akiba, Second: Cr Pearson

That the Trustee, pursuant to the Torres Strait Islander Land Act 1991 (Qld), grant a 10-year lease to the Department of Agriculture and Water Resources over part of Lot 40 on SP267944, Saibai for the management of biosecurity services and operations, and delegate to the Chief Executive Officer the power to conclude the terms of this lease. The Trustee notes that native title future act validation is not required because native title has been extinguished.

MOTION CARRIED

10. 10:48am – 10:53am TRUSTEE – Correction to November Minutes

Mr Peter Krebs, Manager of Legal Services advised that there is an administration error in the November Minutes with regards to incorrect resolution being included in the minutes for of Item 16 – TRUSTEE – Legal – LHS Transfer – Hankin to Guise.

RESOLUTION:

Moved: Cr Nai, Second: Cr Kaigey

Remove incorrectly worded resolution:

That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld), the Council as Trustee consent to the transfer of the Land Holding Act (Katter) lease 717416583 from Harold Pearson and Phyllis Pearson to Tony Harold Pearson for 32 Aikuru Street (Lot 23 on SP270859) on Warraber.

Replace with correct resolution which was endorsed at the November Ordinary Meeting:

That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld), the Council as Trustee consent to the transfer of the Land Holding Act (Katter) lease 719295168 from Epesia Hankin to Louise Ruth Guise for 33 Daniel Road (Lot 33 on SP273192) on Mabuiaq.

MOTION CARRIED

11. **10:55am – 10:55am** **COUNCIL MOVE OUT OF TRUSTEE**

RESOLUTION:

Moved: Cr Akiba; Second: Cr Thaiday

That Council move out of Trustee business and reconvene as an Indigenous Regional Council.

MOTION CARRIED

12. **10:56am – 10:56m** **COUNCIL MOVE INTO CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Bosun; Second: Cr Kaigey

That in accordance with section 275 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:

- a) Other business for which a 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

Mayor Gela confirmed with all Councillors that they were alone in their meeting room. Mayor Gela confirmed that the audio recording has ceased.

13. **ENGINEERING – ICCIP Sewerage Treatment Plant Renewal at Mer**
14. **ENGINEERING – Metal Waste Strategy**
15. **ENGINEERING – Urgency of Coastal Defence Works – Iama, Masig and Warraber**
16. **ENGINEERING – Emergency Provision – Saibai Desalination Plant**

17. **1:38pm – 1:38pm** **COUNCIL MOVE OUT OF CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Nai; Second: Cr Thaiday

That Council move out of Closed Business.

MOTION CARRIED

Audio Recording resumed recording meeting for the sole purpose of assisting with preparing meeting minutes.

13. ENGINEERING – ICCIP Sewerage Treatment Plant Renewal at Mer

- Cr David Bosun declared a material person interest (MPI)
 - MPI details: Cr Bosun has a Business relationship with Koppens
 - How the Council proposed to deal with the MPI: Cr Bosun chose to leave the room

ACTION: Mr George Holland, Head of Engineering to discuss Contingency Plan with Ergon Energy for the use of Generators at the Sewerage Treatment Plant at Mer when there is a power outage.

RESOLUTION:

Moved: Cr Kaigey; Second: Cr Thaiday

- **Resolve to award Contract TSIRC 2019-154-ICCIP Project #61 – Mer Sewage Treatment Plant (STP) Renewal to Koppen Construction up to an amount of \$1,730,704.96 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 matter associated with or in relation to this project and contract in accordance with TSIRCs procurement practices and policies.**

MOTION CARRIED

Cr Bosun re-joins the meeting.

14. ENGINEERING – Metal Waste Strategy

ACTION: Mr George Holland, Head of Engineering to workshop the long-term waste strategy with Councillors prior to February Ordinary Meeting

RESOLUTION:

Moved: Cr Thaiday; Second: Cr Kaigey

That Council:

Accept the report TSIRC Long Term Metal Waste Management Strategy recommending that TSIRC implement a decentralised model with collection of metal waste from each community.

MOTION CARRIED

15. ENGINEERING – Urgency of Coastal Defence Works – lama, Masig and Warraber

RESOLUTION:

Moved: Cr Nai; Second: Cr Akiba

That Council resolve to:

1. **Resolve to prioritise the detailed design and construction works for lama to be undertaken by an external Contractor.**
2. **Resolves to undertake detailed design and construction works for Masig, followed by Warraber, with the intention for these works to be completed by council staff (Subject to final design.**

MOTION CARRIED

16. ENGINEERING – Emergency Provision – Saibai Desalination Plant

RESOLUTION:

Moved: Cr Akiba; Second: Cr Pearson

That Council resolve to

1. Pursuant to section 235(c of the Local Government Regulation 2012 (Qld), engage Northern Water to supply emergency desalination units at a GST exclusive contract price of \$307,055; and
2. Pursuant to section 173 (2) of the Local Government Regulation 2012 (Qld), adopt a budget for the emergency desalination project due to genuine emergency, with such spending to the total amount of \$400,000 GST exclusive; and
3. Delegate power to the Chief Executive Officer delegate in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with the purchase of the desalination plant.

MOTION CARRIED

18. 1:43pm – 1:50pm Business Arising from Information Reports – Preferred Supplier Tender Update

Mr Luke Ranga, Head of Corporate Affairs and Engagement spoke to this information report and provided an update of current travel and community information sessions that will be taking place within the Torres Strait Region and Cairns commencing towards the end of January. Mr Luke Ranga has liaised with the Divisional Managers and will send a schedule to Councillors by the end of the week.

ACTION: Head of Corporate Affairs and Engagement to send schedule of Preferred Supplier Information Sessions to all Councillors by Friday 17th January 2020.

19. 1:50pm – 1:55pm Leave in Advance

The following Councillors applied for leave in advance for the February 2020 OM;

- Cr Lui
- Cr Nai
- Cr Toby
- Cr Tamu
- Cr Stephen

20. 1:55pm – 3:15pm General Business

Councillors raised several issues during General Business. Mr Bruce Ranga, Chief Executive Officer asked for all Councillors to email their issues or concerns through via email so they may be distributed to the appropriate Lead Officer for further actioning. All issues will be addressed within designated timeframes and responses sent back to Councillors as required.

21. 3:15pm – 3:17pm Next Meeting Date

Date: 18 and 19 February 2020

Venue: Video Conference - VMR# 8 – 0299165 402

Meeting Closed at 3:15pm - Prayer by Cr Kaigey



Mayor Fred Gela



Bruce Ranga, CEO