



**Torres Strait Island**  
REGIONAL COUNCIL

**MINUTES**

**ORDINARY MEETING**

Tuesday 27 June 2017 & Wednesday 28 June 2017

Please find attached Minutes of the above meeting held on Tuesday 27 June 2017, from 8.30 am to 5.30pm and Wednesday 28 June 2017 from 9.00am to 3:04 pm

Shangri-La Hotel, Trinity Room, CAIRNS

## **Tuesday 27 June 2017**

### **Present**

Cr Fred Gela, Mayor

Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island (joined meeting at 12.45)

Cr Dimas Toby, Division 1 – Boigu

Cr Torenzo Elisala, Division 2 – Dauan Island

Cr Keri Akiba, Division 3 – Saibai Island

Cr David Bosun, Division 6 – Kubin Community at Moa Island

Cr John Levi, Division 7 – St Pauls Community at Moa Island

Cr Mario Sabatino, Division 8 – KIRRIRI Island

Cr Getano Lui Jnr, Division 9 – Iama Island

Cr Clara Tamu, Division 10 – Warraber Island

Cr Francis Pearson, Division 11 – Poruma Island

Cr Ted Nai, Division 12 – Masig Island

Cr Rocky Stephen, Division 13 – Ugar Island

Cr Patrick Thaiday, Division 14 – Erub Island

Cr Laurie Nona, Division 5 – Badu Island

Cr Bob Kaigey, Division 15 – Mer Island

Mr Chris McLaughlin, Acting Chief Executive Officer (ACEO)

Mr Rob Dwyer, Acting Executive Manager Corporate Services (AEMCS)

Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Mr John Coyle, Executive Manager Housing Services (EMHS)

Mr David Abednego, Executive Manager Community Services (EMoCS)

Ms Margaret Rosta, Senior Executive Assistant (SEA)

Mrs Kathy Cochran - Secretariat

### **Apologies**

Nil

- **8:43am – 8:50am**                      **Opening Prayer by Cr Thaiday**

**Mayor's Welcome and Opening Remarks**

Mayor Gela welcomed everyone and opened the meeting, acknowledging the traditional owners of the land in which we're meeting today.

- **8:50am – 8:51am**                      **Apologies**

Nil (Cr Fell will be late flying in from TI on the pm flight)

- **8:51am – 8:52am**                      **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

No disclosure at this time. Councilors have the opportunity to make a disclosure during the meeting.

- **8:52am - 8:15am**                      **Confirmation of May Ordinary Meeting Minutes**

**RESOLUTION**

*Moved:* Cr Nai *Seconded:* Cr Stephen

**That the minutes of the Ordinary Meeting held in May 2017 be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

- **8:57 am – 9:10am**                      **Outstanding Strategic Ordinary Meeting Action Items**

- ANZAC Monuments - Update  
Most memorials have been completed – 2 communities are outstanding and their orders are in.
- Fees and charges for waste disposal – No response from IBIS to date. Will continue to follow up.
- Fees and chargers for vessel refueling at Council ramps – ACEO is going to look at local laws compliance notice to Sea Swift. Sea Swift need to show cause for the period of a month.
- Traditional Visitors (PNG Treaty) – Update  
ACEO to develop an advocacy strategy and discuss with the Department of Immigration. A holistic strategy has been developed and part` of this strategy is the lobbying side to Ministers and members of Parliament regarding the impact of the traditional visitors on our communities.
- Councilors Remuneration – Update  
Application has been made – no response to date.

- Trust Funds –  
Trust Funds round for application went out in early July.
- Disaster Management –  
Training will be delivered to Councilors tomorrow. Plan will also be organised for DM's and DEO's to be also trained.
- Roles and Responsibilities Presentation –  
Mer and Badu completed. Councilors are encouraged to contact the ACEO if they want to arrange the presentation in their communities.
- 10% Housing Discount – Update  
Preparation of Strategy is underway
- One Boat – Update  
Dr William Sanders to be engaged by Alliance to facilitate Alliance meeting – NPARC, TSIRC, TSC and TSRA
- Ministerial – Update  
Write to Minister Miles that we will not be repurposing MIP6 funds for waste management due to water security focus of MIP6 – Labor Government to do during re-election campaign.

**ACTION**

ME – add Community Survey Results to the Roles and Responsibilities Presentation

**ACTION**

ME – consider including explanation of difference between tied and open grants

**ACTION**

EMoCS – discuss with TSYRSA whether we can fund more HLO positions for vacant islands

**ACTION**

ME – add Community Survey Results to the Roles and Responsibilities Presentation

- **9:28am - 9:00am**                               **Operational Plan 17/18**

AEMCS spoke to this report. The reason for this report is to present the proposed Annual Operational Plan for financial year 2017/2018 for adoption by Council

**RESOLUTION**

*Moved Cr Bosun; Seconded Cr Tamu*

***That pursuant to section 174 (1) of the Local Government Regulation 2012 (Qld), Council adopt the Annual Operation Plan for financial year 2017 -2018 as presented.***

**MOTION CARRIED**

- 9:42am – 9:43am **CLOSED BUSINESS**

**RESOLUTION**

*Moved Cr Kaigey, Second Cr Nona*

That in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss:

- (e) Contracts proposed to be made by it; or
- (h) Other business for which 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**

- 9:43am – 9:44am **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

Cr Sabatino declared a conflict of interest (COI) and material personal interest (MPI).

- COI/MPI details: Cr Sabatino owns the Hammond Island Ferry that uses the Hammond Wharf facility daily in a commercial capacity. Cr Sabatino left the room before further discussion.

- 9.43am – 11:00 am **LATE Report – Hammond Wharf**

11:00am

Out of Closed Business

**RESOLUTION**

*Moved Cr Pearson, Second Cr Elisala*

The Council moved out of closed business

**MOTION CARRIED**

- 11:05am – 11:07am **LATE REPORT - Hammond Wharf**

**RESOLUTION**

*Moved Cr Elisala, Second Cr Levi*

That Pursuant to the Local Government Act 2009 and Local Government Regulation 2012 that Council resolves to:

- Utilise Council's 2017/18 Federal Assistance Grant Funds to the maximum amount of \$1,610,750.10 (excl. GST) to fund the current funding shortfall (of which includes estimated \$1,442,139.42 (excl. GST) as contingency), in the absence of securing additional grant funds, to enable award of contract TSIRC2017-96 to Pacific Marine Group Pty Ltd as detailed in Closed Business Report 19-20 April 2017 and related Council resolution to the amount of \$2,914,269.00 (excl. GST) subject to:
  - Retaining existing confirmed grant funding of \$3,175,183.00 (excl. GST);
  - Obtaining Development Approval.

**MOTION CARRIED**

**11:07am – 11:35am - Morning Tea**

• **11:35am – 12:33am**                      **FINANCE - 2017/18 Original Budget**

EMFS spoke to this report. The purpose of the report was to present to Council and resolve for adoption the Original Budget and Register of Fees and Charges for the 2017-2018 Financial Year.

**12:33 – 1:35pm – Lunch Break**

**1:35pm - 2:00pm**                      **Continued – FINANCE - 2017/2018 Original Budget**

EMFS goes through the Model 1 – Operating Position Forecast with subsequent events.

**RESOLUTION**

*Moved Cr Lui, Second Cr Bosun*

**That Council adopts, in accordance with Division 3 of the Local Government Regulation 2012, the Annual Budget for the 2017/2018 Financial Year as presented incorporation;**

- **Model 1 – Statement of Financial Position**
- **Model 1 – Statement of Cash Flow**
- **Model 1 – Statement of Income and Expenditure**
- **Model 1 – Notes to Statement of Income and Expenditure**
- **Model 1 – Statement of Changes in Equity**
- **Model 1 – Long Term Financial Forecast**
- **Model 1 – Financial Sustainability Ratios**
- **Capital Budget including the Hammond Island upgrade**

**That Council adopts, in accordance with section 98 of the Local Government Act 2009, the Register of Fees and Charges for the 2017/18 year.**

**MOTION CARRIED**

**ACTION**

EMFS – develop a cheat sheet for Councilors and DM's for 17/18 Budget.

• **2:00Pm – 2:15pm**                      **Revenue Statement and Striking of Rates and Charges**

The purpose of this report was to present to Council and resolve for adoption the Revenue Statement and Striking of Rates and Charges for the 2017/2018 financial year.

The Revenue Statement is set annually as part of the annual budget and details the framework for generating Council's revenue base including Rates and Charges and Fees.

The Striking of Rates and Charges is the document containing resolutions for council adoption to enable the Revenue Statement to be valid.

**RESOLUTION**

*Moved Cr Bosun, Seconded Cr Toby*

- That Council resolves pursuant to chapter 4, part 3 of the Local Government Act 2009 and chapter 5, part 2 division 3 of the Local Government Regulation 2012, to adopt the attached Revenue Statement for the 2017/2018 financial year.
- That Council resolves pursuant to chapter 4 of the local Government Regulation 2012 to adopt the recommendation contained in the attached Striking of Rates and Charges for 2017/2018 financial year.

**MOTION CARRIED**

**ACTION**

AEMCS (LCC/MPF) – distribute full preferred supplier list link to all Councilors and published on website.

**ACTION**

AEMCS – Consider commercial charges for TIB vessels

**ACTION**

AEMCS – Consider mooring fees for private vessels

- **2:15pm- 2:30pm**                      **FINANCE - Policies**

The purpose of this report is to present for adoption the annual financial policies for Council plus changes made to policy as listed in the report

The Policies were previously endorsed in June 2016 with an annual review date of June 2017. Statutory Polices (SPO) is mandated under the Local Government Regulation 2012 (Qld).

**RESOLUTION**

*Moved Cr Elisala, Seconded Cr Nona*

**That Council adopt the following Policies:**

- Investment Policy (SPO 1)
  - Community Grants Policy (SPO 3)
  - Debt Policy (SPO 4)
  - Revenue Policy (SPO 5)
  - Councilor Expense Reimbursement and Facilities Provision Policy (SPO 6)
  - Fiscal Governance Policy (PO 4)
  - Entertainment and Hospitality Policy (PO 11)
- Plus two addition:                      Community Grants and Statutory Bared Debt.

**MOTION CARRIED**

- 2:43pm – 2:45pm                      **CLOSED BUSINESS**

**RESOLUTION**

*Moved Cr Nona, Second Cr Kaigey*

That in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss:

- (e) Contracts proposed to be made by it; or
- (h) Other business for which 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**

- 2:45pm – 2:48am      **CLOSED BUSINESS - TSIMA**
- 2:48am – 2:55pm      **CLOSED BUSINESS - Insurance**
- 2:55pm – 3:50pm      **CLOSED BUSINESS - Seawall Tender Assessment**

- 3:19pm – 3.20pm      **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

Cr Bosun declared a conflict of interest (COI) and material personal interest (MPI).

- COI/MPI details: Cr Bosun’s brother works as a contractor for Koppens. Cr Sabatino left the room before further discussion.

- 3.50pm – 3:55pm      **Out of closed Business**

**RESOLUTION**

*Moved Cr Elisala , Second Cr Fell*

The Council moved out of closed business

**MOTION CARRIED**

**RESOLUTION**

*Moved Cr Nona, Second Cr Pearson – against Cr Sabs*

**TSIMA -**

1. That Council accepts the proposal of Torres Strait Islanders Media Association Inc. (TSIMA) to address RIBS licensing debt by way of:
  - a. in-kind promotional offset;
  - b. purchase of TSIRC radio equipment offset against rent;
  - c. reduction in the term of lama and Warraber RIBS licenses;
  - d. reduction in the lama RIBS Licence space; and
  - e. payment plan.
2. That Council divests the following radio equipment to TSIMA “as is, where is” for \$14,440, with the purchase price to be applied against license fees owed by TSIMA to Council:
  - a. Transmitter LBT100 Watt (x2)
  - b. Cable and Connectors (30m and 5m)



- c. Antenna and Fittings (Polar 114 FM Dipole)
- d. Antenna Combiner (Polar)
- e. Satellite Dish, LNB, Mount Kit (x2)

**MOTION CARRIED**

**ACTION**

AEMCS (LCC) – attempt to keep TSIMA at current lama site – reduction in rate should now ease the pressure.

**ACTION**

SEA – schedule regular timeslots for May and Councilors at TSIMA 4MW.

**RESOLUTION**

*Moved Cr Akiba, Second Cr Nona*

**INSURANCE RENEWAL –**

1. That Council resolve to appoint the following insurance underwriters as insurers on the following Council insurance policies for 2017/18, and authorise the Chief Executive Officer to enter into all contracts of insurance with those underwriters and do all things necessary to effect those policies of insurance, including making payment for all premiums:

<b>POLICY</b>	<b>INSURER</b>	<b>PREMIUM (GST incl)</b>
<b>Industrial Special Risks</b>	<b>QBE / Vero</b>	<b>\$2,639,905.35</b>
<b>Public Liability and Professional Indemnity</b>	<b>Berkshire Hathaway and various</b>	<b>\$129,622.80</b>
<b>Motor Vehicle</b>	<b>QBE Insurance</b>	<b>\$97,377.98 (less premium adjustment of \$1,932.78)</b>
<b>Casual Hirers ( Entertainment Liability)</b>	<b>Catlin Australia P/L</b>	<b>1,902.93</b>
<b>Aviation</b>	<b>Tokio Marine Kiln Singapore P/L</b>	<b>\$5,163.63</b>
<b>Personal Accident – Mayor and Councillors</b>	<b>Chubb Insurance</b>	<b>\$12,980.18</b>
<b>Personal Accident – Voluntary Workers</b>	<b>Chubb Insurance</b>	<b>\$659.45</b>
<b>Business Travel</b>	<b>Chubb Insurance</b>	<b>\$5,650.59</b>
<b>Management Liability</b>	<b>CGU Insurance</b>	<b>\$25,418.80</b>
	<b>TOTAL (GST INCL)</b>	<b>\$2,981,681.71</b>
	<b>TOTAL (GST EXCL)</b>	<b>\$2,653,347.01</b>

**MOTION CARRIED**

## **RESOLUTION**

*Moved Cr Toby, Second Cr Fell*

### **BOIGU SEAWALL TENDER –**

**Pursuant to the Local Government Act 2009 and Local Government Regulation 2012, that Council resolves to:**

- **Award contract TSIRC2017-99 for Boigu Island Seawall and Bund Wall upgrades to Koppens Developments Pty Ltd for \$1,896,489.00 (excl. GST), subject to:**
  - **The funding bodies approving up to \$600,000 of accrued interest for approved works on Boigu, and the execution of a funding agreement between TSIRC and the Torres Strait Regional Authority.**
- **Delegate authority to the Acting Chief Executive Officer in accordance with the Local Government Act 2009 to negotiate, finalise and execute any and all matters associated with entering into the contract under this arrangement.**

**MOTION CARRIED**

## **ACTION**

EMES – Check maritime fees are included in the tender pricing.

## **ACTION**

EMES – Consider a Poruma dredging program

## **ACTION**

EMES – Do the numbers on sandbags with the use of My Pathway

## **RESOLUTION**

*Moved Cr Elisala, Second Cr Nona*

### **PREFERRED SUPPLIER LIST**

**That pursuant to section 233 of the Local Government Regulation 2012 (Qld), Council resolve to enter into Preferred Supplier Arrangements with the preferred suppliers for the categories listed in Schedule A of this report for a period of two (2) years and delegate all power, financial and otherwise, to the Chief Executive Officer to execute agreements and approve purchase orders in accordance with adopted budget.**

**MOTION CARRIED**

### **3:55pm – 4:05pm – Afternoon Tea**

- **4:05pm – 4:00 pm Council Ordinary Meeting Date – July – December 2017**

**July 18 & 19 - due to no accommodation on Erub, OM will be via video conference**

**August 18 – SARG Meeting – via video conference**

**August 21 & 22 – OM Masig**

**August 23 – 80<sup>th</sup> Anniversary celebration**

**September 19 & 20 – OM via video conference**

**October 17 & 18 – OM via video conference**

**November 21 & 22– OM in Cairns PLUS workshop (two weeks in Cairns)**

**December 12 & 13 – OM in St Pauls (Christmas breakup)**

**Meeting closed at 5:30pm - Prayer by Cr Levi**

**Wednesday 28 June 2017**

**Present**

Cr Fred Gela, Mayor

Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island

Cr Torenzo Elisala, Division 2 – Dauan Island

Cr Keri Akiba, Division 3 – Saibai Island  
Cr Dimus Toby, Division 1 – Boigu Island (joined the meeting 12:09pm)  
Cr David Bosun, Division 6 – Kubin Community at Moa Island  
Cr John Levi, Division 7 – St Pauls Community at Moa Island  
Cr Mario Sabatino, Division 8 – Kirriri Island  
Cr Getano Lui Jnr, Division 9 – Iama Island  
Cr Clara Tamu, Division 10 – Warraber Island  
Cr Francis Pearson, Division 11 – Poruma Island  
Cr Ted Nai, Division 12 – Masig Island  
Cr Rocky Stephen, Division 13 – Ugar Island  
Cr Patrick Thaiday, Division 14 – Erub Island  
Cr Laurie Nona, Division 5 – Badu Island  
Cr Bob Kaigey, Division 15 – Mer Island  
Mr Chris McLaughlin, Acting Chief Executive Officer (ACEO)  
Mr Rob Dwyer, Acting Executive Manager Corporate Services (AEMCS)  
Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)  
Mr David Baldwin, Executive Manager Engineering Services (EMES)  
Mr John Coyle, Executive Manager Housing Services (EMHS)  
Ms Margaret Rosta, Senior Executive Assistant (SEA)  
Mrs Kathy Cochran – Secretariat Officer (SO)

### **Apologies**

Nil

- **9:00am – 9:03am**                      **Opening Prayer by Cr Thaiday**
- **9:03am – 9:05am**                      **Mayor’s Welcome and Opening Remarks**

Mayor Gela welcomed everyone to the meeting. Special mentioned of our guest speakers from TSIMA, Karen Dorante (Acting Operations Manager), Margaret Cowley (President) and Jenny Enosa (Senior Broadcaster) who are presenting in the morning session.

- **9:05am – 10:19m**                      **PRESENTATION: TSIMA – Update on RIBS Operations for Iama, Poruma, Warraber, Erub, Badu and Mabuiag.**  
  
**10:19am – 10:41am – Morning Tea**
- **10:41am – 11:35am**                      **PRESENTATION : Apunipima Health Care Model**

- 11:35am – 1:02pm DISASTER TRAINING – Murray Hayton  
1:02pm – 1:40pm Lunch Break
- 140pm – 1:53pm DISASTER TRAINING – Wrap up
- 1:53am – 1:55am Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)

Cr Sabatino declared a conflict of interest (COI) and material personal interest (MPI).

- COI/MPI details: Cr Sabatino owns and operates the Hammond Island Ferry that uses the Hammond Wharf facility daily in a commercial capacity. Cr Sabatino left the room before further discussion.
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- 1:55pm – 2:00pm CLOSED BUSINESS  
RESOLUTION

*Moved Cr Fell, Second Cr Nai*

That in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss:

- (e) Contracts proposed to be made by it; or
- (h) Other business for which 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

- 1:55pm – 2:15pm Development approval – Hammond Wharf
- 215:pm – 2:35 pm Sea Swift – Sole supplier
- 2:36pm – 2:37pm Out of Closed Business

RESOLUTION

*Moved Cr Nai, Second Cr Elisala*

The Council moved out of closed business

MOTION CARRIED

- 1:55pm – 2:15pm Development approval – Hammond Wharf

RESOLUTION

*Moved: Cr Fell, Second: Cr Nai*

That Council issue a Development Permit for Operational Works (Prescribed Tidal Works), Operational Works (land based disposal of dredge spoil) and Material Change of Use for an Environmentally Relevant Activity (ERA16 – Dredging 1000t or more) with the inclusion of the conditions in Part 8 of the Agenda Report and the referral agency conditions set out in Attachment 2 of the Agenda Report.

MOTION CARRIED

- **2:15pm – 2:35 pm**                      **Sole Supplier – Sea Swift**

**RESOLUTION**

*Moved Cr Fell, Second Cr Nai*

**Upon notice that MIPEC is leaving the Torres Strait Market, or cannot honour Council's Preferred Supplier agreement, Council move its freight and fuel to Sea Swift Pty Ltd on current Preferred Supplier rates, failing which Council shall go to market seeking Sole Supplier for Sea Freight and Fuel supply.**

**MOTION CARRIED**

- **2:37pm – 2:39pm**                      **Business Arising from Information Report**

Nil

- **2:39pm - 2:40pm**                      **Leave of Absence for July Meeting via teleconference**

The following Councilors provided their apologies in advance for the July Ordinary Meeting

- **Cr Stephen**
- **Cr Bosun**
- **Cr Toby**
- **Cr Elisala**

- **2:40pm – 5:00pm**                      **General Business**

Cr Lui raised the issues with the video conference facility at lama and if it can be rectified before the July OM. AEMCS explains to Cr Lui of the band with at lama and that the IT team is working with the DM and the divisional staff.

Cr Elisala requested update on Councilors training and access to their Professional Development budget. ACEO advised the PD budget is accessible any time throughout the four year term and the allocation is \$5k per councilor per term.

Cr Akiba requested for the Roles and responsibilities presentation to be done at Saibai.

Cr Lui asks if there's a policy for contractors to employ locals (IEOP) on the island as part of their contracts.

- **3:00pm – 3:04pm**                      **Next meeting – scheduled for Video Conference – 18 & 19 July 2017**

**The meeting closed in prayer by Cr. Fell**