



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

Wednesday 19 April and Thursday 20 April 2017

Please find attached Minutes of the above meeting held on Wednesday 19 April from 9:18 am to 5:05pm
and Thursday 20 April 2017 from 9:12am to 12:15pm
Via video conference

Wednesday 19 April 2017

Present

Cr Fred Gela, Mayor - joined the meeting at 2:27pm
Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island – via video conference
Cr Keri Akiba, Division 3 – Saibai Island – via video conference – joined at 9:58am
Cr John Levi, Division 7 – St Pauls Community at Moa Island – via video conference
Cr Mario Sabatino, Division 8 – Kirriri Island – via video conference
Cr Getano Lui Jnr, Division 9 – Iama Island – via video conference
Cr Clara Tamu, Division 10 – Warraber Island – via video conference – joined the meeting at 9:24am
Cr Francis Pearson, Division 11 – Poruma Island – via video conference
Cr Ted Nai, Division 12 – Masig Island – via video conference
Cr Patrick Thaiday, Division 14 – Erub Island – via video conference
Cr Dimas Toby, Division 1 – Boigu – via video conference – joined at 9:32am
Cr Laurie Nona, Division 5 – Badu Island – via video conference – joined the meeting at 9:53am
Cr Bob Kaigey, Division 15 – Mer Island – via video conference
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 David Abednego, Executive Manager Community Services (EMCoS) – via video conference
Mr John Coyle, Executive Manager Housing Services (EMHS)
Ms Daisy Ketchell, Executive Office (EO) via video conference
Ms Margaret Rosta, Senior Executive Assistant (SEA)

Apologies

Cr Rocky Stephen, Division 13 – Ugar Island
Cr David Bosun, Division 6 – Kubin Community at Moa Island
Cr Torenzo Elisala, Division 2 – Dauan Island

1. **9:18am – 9:21am** **Opening Prayer by Cr Lui and Welcome**

Mayor's Welcome and Opening Remarks

Deputy Mayor, Cr Fell welcomed everyone to the meeting and paid respect to respective traditional owners on lands on where each of the participants are meeting. Deputy Mayor noted that Mayor Gela was flying from Horn Island and will join the meeting on his arrival.

2. **9:21am-9:31am** **Apologies**

Cr Elisala advised via email on the 18 April 2017, that he would not be able to attend this Ordinary Meeting due to having to attend several important unforeseen meetings in his community with Kevin Murphy to do with Ancestry and Sea Claim. He asked to be paid for these sitting fees. EMFS advised that under the new revised remuneration policy procedure, a reasonable excuse for granting leave does include bereavement and /or attendance at *cultural events* including events but not limited to funerals and Tombstone openings. This is approved by a simple majority of Councillors present at the meeting and is considered a reasonable excuse in accordance with Ailan Kastom.

RESOLUTION

Moved Cr Nai, Second Cr Pearson

Cr Torenzo Elisala, Division 2 – Dauan Island be granted approved leave for this meeting.

MOTION CARRIED

RESOLUTION

Moved Cr Sabatino, Second Cr Levi

Cr Rocky Stephen, Division 13 – Ugar be granted approved leave for this meeting.

MOTION CARRIED

RESOLUTION

Moved Cr Levi, Second Cr Kaigey

Cr David Bosun, Division 6 – Kubin Community at Moa Island is granted approved leave for this meeting.

MOTION CARRIED

3. **9:31am- 9:34am** **Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)**

Deputy Mayor advised that any person can advise of their COI or MPI throughout the meeting.

Cr Thaiday declared his COI regional grants - Item 6.

Cr Sabatino declared his COI for Trustee item – item 12.2

4. **9:34am- 9:35am** **Confirmation of March Ordinary Meeting Minutes**

RESOLUTION

Moved Cr Nai, Seconded Cr Pearson

That the minutes of the Ordinary Meeting held in March 2017 (as amended) be adopted as a true and accurate record of that meeting taking into account the above amendments.

MOTION CARRIED

5. **9:35 am- 9:52 am** **Outstanding Strategic Ordinary Meeting Action Items**

- ANZAC monuments – ANZAC Memorials Project Coordinator should be updating each of the Councillors. ACEO is expecting an up to date spreadsheet and will email this out. Iama and Mer are occurring next week.

- Fees and Charges – Waste Disposal – no response from IBIS as yet. ACEO has requested an update.
- Fees and Charges – Refuelling of vessels at Council ramps – an Information Report has been provided to this Ordinary Meeting. Meeting will be organised with Cr Sabatino.
- Traditional Visitors (PNG Treaty) – PR team are preparing a media release and deputations by the end of April.
- Councillor Remuneration – Council agenda item will be presented today. Submission to be prepared for May 2017.
- Trust Funds – will be speaking with individual councillors to seek support for identifying appropriate community based organisations prior to re-advertising for EOI for divestment.
- Disaster Management – MEO to progress. Proposing to conduct training during June Council meeting on Poruma. Training for SMAO's and Divisional Managers as well.
- Roles and Responsibility Presentation to community – These presentations are being scheduled.
- Cabinet Works Feasibility Study – This has now been completed and presented to SARG meeting on the 18 April 2017. This item to remain. Will be more informed once we know what funding is available after 2018.
- Housing 10% Discount – Report to be provided to the May Ordinary Meeting.
- Audit – Closed Business Report provided to this meeting.

6. 9:52am- 11:20am Regional Grants Requests Round Four Funding.

EMFS spoke to this report. The purpose of this report is to present to Council for decision, the Regional Grant Applications for Round Four.

1. *Sucker Punchers Ladies Touch Football Team – Late application*
2. *Saibai Stags Rugby League Football Team*
3. *The Generation Rising Initiative*
4. *Purple Spider Dance Team*
5. *Waibene Junior Netball Team*
6. *Torres Strait Island Flag Documentary Launch 2017 – Late application*
7. *Kulpiyam Youth & Sport*
8. *Erub Erwer Meta TSI Corporation*

EMFS went through each of the applications. Budget for grants is sitting at \$49,563.86. We have previously accepted late applications. Cr Toby asked the rules around late applications. Our current grants and procedures does state we will not accept late applications but historically we have accepted late applications included these applications in the past.

1. Sucker Punchers Ladies Touch Football Team – Late application

- **Cr Nona declared a Conflict of Interest (COI) - Sucker Punchers Ladies Touch Football Team**
 - **COI details: Cr Nona noted he has nephews and nieces in the touch football club. Cr Nona did not vote.**

RESOLUTION

Moved Cr Sabs, Second Cr Thaiday

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

1. **Sucker Punchers Ladies Touch Football Team for the eligible amount of \$2,500 GST Exclusive**

MOTION CARRIED

2. Saibai Stags Rugby League Football Team

RESOLUTION

Moved Cr Nona, Second Cr Levi

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

2. **Saibai Stags Rugby League Football Team for the eligible amount of \$2,500 GST Exclusive**

MOTION CARRIED

3. *The Generation Rising Initiative*

With regards to the application for Generation Rising Initiative it was noted that the event had already occurred but the application was received before the closing date. The event date for this grant commenced on the same day as the closing date. If this grant was supported, Council would be reimbursing Generation Rising. EMFS advised there is a table and communication in the procedure that advises that the council meeting is 2 weeks after the closing date. This applicant has missed the time frame because the event has occurred before Council approval.

Cr Sabatino felt this application should be approved as they have lodged the application within the guidelines. Cr Fell advised the difference is this event has already taken place which is different to the other applications which were just late. No precedent of Council reimbursement is to be set.

RESOLUTION

Moved Cr Sabs, Second Cr Tamu – against Cr Toby, Cr Levi, Cr Pearson, Cr Lui, Cr Nona, and Cr Akiba.

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

3. **The Generation Rising Initiative for the eligible amount of \$2,500 GST Exclusive**

MOTION LOST

4. Purple Spider Dance Team

- **Cr Thaiday declared his Conflict of Interest (COI)**
 - **COI details: Cr Thaiday has family members participating in the Purple Spider Dance Team and does not vote.**
- **Cr Kaigey declared his Conflict of Interest (COI)**
 - **COI details: Cr Kaigey has family members participating in the Purple Spider Dance Team and does not vote.**

RESOLUTION

Moved Cr Nona, Second Cr Pearson

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

4. **Purple Spider Dance Team for the eligible amount of \$2,500 GST Exclusive**

MOTION CARRIED

5. Waibene Junior Netball Team

RESOLUTION

Requested names of children to ensure no Conflict of Interest. Council will seek names of the children.

Moved Cr Nona, Second Cr Sabatino

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

5. Waibene Junior Netball Team for the eligible amount of \$2,500 GST Exclusive

MOTION CARRIED

6. Torres Strait Island Flag Documentary Launch 2017 – Late application

The application for the Torres Strait island Flag Documentary Launch 2017, was a late application – Mayor Gela requested this application to be accepted when the application was received after the 31 March 2017. A statement has been provided by this organisation stating they are a not for profit organisation.

EMFS advised that the ratings are provided as part of the assessment. Ratings would need to fall below halfway to not be supported. This application has been rated lower due to lack of budget and funding requirement. There was no in-kind support or letter of support from a councillor or community member provided. ACEO advised the community grants procedure purely provides a guide. It is up to Councillors to use their discretion using the guidelines. Cr Nona asked it be noted of his displeasure regarding lack of support letter with this application.

- **Cr Lui declared his Conflict of Interest (COI)**
 - **COI details: Cr Lui was interviewed regarding the Torres Strait island Flag Documentary and did not vote.**

- **Cr Nona declared his Conflict of Interest (COI)**
 - **COI details: Cr Nona was interviewed regarding the Torres Strait island Flag Documentary and did not vote.**

RESOLUTION

Moved Cr Sabs, Second Cr Thaiday – Cr Lui and Cr Nai did not vote.

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy:

- 6. Torres Strait Island Flag Documentary Launch 2017 for the eligible amount of \$2,500 GST Exclusive**

MOTION CARRIED

7. Kulpiyam Youth & Sport

- **Cr Nona declared his Conflict of Interest (COI)**
 - **COI details: Cr Nona has family members as part of the Kuppuyam Youth & Sport committee and did not vote.**

RESOLUTION

Moved Cr Pearson, Second Cr Sabatino

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy subject to acquittals of previous grants before money is released:

- 7. Kulpiyam Youth & Sport for the eligible amount of \$2,500 GST Exclusive.**

MOTION CARRIED

8. Erub Erwer Meta TSI Corporation

- **Cr Lui declared his Conflict of Interest (COI)**
 - **COI details: Cr Lui has in laws that are part of the Erub Erwer Meta TSI Corporation and did not vote.**

- **Cr Thaiday declared his Conflict of Interest (COI)**
 - **COI details: Cr Thaiday has family members that are part of the Erub Erwer Meta TSI Corporation and did not vote.**

RESOLUTION

Moved Cr Nona, Second Cr Akiba

That Council resolves to provide Regional Grants support to the following applicant in accordance with the Community Grants policy subject to acquittals of previous grants before money is released:

8. Erub Erwer Meta TSI Corporation the eligible amount of \$2,500 GST Exclusive.

MOTION CARRIED

ACTION

EMFS – Regional Grants – Do not accept / table applications for events occurring between funding close and OM.

11: 20am – 11:48am Morning Tea

ACEO asked through the chair for related party disclose forms to be submitted. It is really important we get these back by the end of this week. Deputy Mayor asked if an email could go out requesting again.

ACTION

Councillors to provide ACEO/EMFS their Related Party Disclose Forms by COB Friday 28 April 2017.

7. 11:48am - 12:02am Councillor Remuneration Submission

ACEO spoke to this report. The purpose of this report was to present a draft submission to the Local Government Remuneration and Discipline Tribunal that the remuneration category of TSIRC be changed to reflect the additional and unique responsibilities and pressures faced by TSIRC Councillors. Julia interviewed individual councillors to gain as much knowledge as possible about what councillors do. ACEO advised this can be a very long process and could take years. It is not necessarily the case that this first request/application will be accepted. ACEO reiterated that Council needn't endorse today and may consider for June Ordinary Meeting.

RESOLUTION

Moved Cr Nona; Seconded Cr Levi

That Council endorse the draft submission to the Local Government Remuneration and Discipline Tribunal that the remuneration category of TSIRC be changed to reflect the additional and unique responsibilities and pressures faced by TSIRC Councillors.

MOTION CARRIED

8. 12:02pm- 12:16pm Advisory Committee

AEMCS spoke to this report. The purpose of this report is to propose variations to the Terms of Reference of Council's three current advisory committees:

1. Boigu Advisory Committee
2. Dauan Advisory Committee
3. Poruma Advisory Committee

Cr Fell asked why we needed to make variations to the Terms of Reference to the Council's three advisory Committees. ACEO advised we are within budget for Advisory Committees but need to make savings within the overall budget for Council. He looked at where we could continue with the Advisory committees but keep within the revised quarterly budgets for 17/18. Cr Toby does not support the paper. Cr Sabs felt the need is there. Cr Fell agreed. ACEO advised the Councils Advisory committees have been over funded in the past. We need to reallocate funds to meet

other areas based on need. ACEO advised there is a massive gap in engineering and in the past the Advisory committees have been under utilised.

RESOLUTION

Moved Cr Pearson, Seconded Cr Nona - against Cr Sabatino, Cr Toby,

That Council approve the variation of the Boigu Advisory Committee Terms of Reference, the Dauan Advisory Committee Terms of Reference and the Poruma Advisory Committee Terms of Reference as presented, effective from 1 July 2017.

MOTION CARRIED

9. 12:16pm - 12:22pm

Building our Regions: Supplementary Round 2

ACEO spoke to this report. At the February 2017 ordinary meeting, Council ratified the submission of the Building our Regions detailed application to the department of State Development. The Projects were:

- a) Mogor Well Pump Station Redevelopment
- b) Poruma Airport Waiting Area Redevelopment
- c) Saibai Airport Waiting Area Redevelopment

Departmental Officers have informed Council that the wording of the resolution had to be specific as required under the funding guidelines. For Council's proposal to be eligible, this resolution must be passed and forwarded to the Department with an excerpt from the minutes showing it was so.

RESOLUTION

Moved Cr Pearson, Seconded Cr Nona

That Council resolve:-

1. ***To endorse / ratify the following infrastructure projects for submission to the Department of State Developments:***
 - a) ***Mogor Well Pump Station***
 - b) ***Poruma Airport Waiting Area Redevelopment***
 - c) ***Saibai Airport Waiting Area Redevelopment***
("the projects")
2. ***To support submission of the detailed application; and***
3. ***Its commitment to delivering the projects, and approves any applicant financial and/or in-kind contributions; and***
4. ***Its commitment to the management and costs associated with the ongoing operation and maintenance of the infrastructure.***

MOTION CARRIED

ACTION

AEMCS – Poruma LHA Transfer – is the transfer a future Act under the NTA?

10. 12:22pm – 12:22pm

Mer RIBS/BRACS Facility – Surrender of Lot 347

This item has been deferred until the May Ordinary meeting as Cr Kaigey was not in attendance.

RESOLUTION

No Mover

That Council resolve to surrender its lease over the whole of Lot 347 on SP249793 on title reference 50901314, to the Mer Gedkem Le (Torres Strait Islanders) Corporation RNTBC.

MOTION left lying on the table.

11. 12:22pm – 12:24pm

Closed Business

RESOLUTION

Moved Cr Nona, Second Cr Pearson

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

12:24pm – 1:19pm

- Cr Sabatino declared a Material Personal Interest (MPI)
 - Cr Sabatino declared his MPI for Hammond Island Marine Access Upgrade due to his ferry business that uses the Hammond Island Marine – Cr Sabatino left the room.

11.1 12:24 pm – 1:19pm Freight Split (Part 2)

1:19pm Out of Closed Business

RESOLUTION

Moved Cr Levi; Second Cr Nona

That Council move out of closed business.

MOTION CARRIED

1:20pm – 2:27pm Lunch

ACEO advised that all communication on Mer Island had been cut. Cr Kaigey apology is noted for not being present at this meeting which is totally out of his control. Cr Kaigey only managed to call the ACEO by travelling up to the Telstra tower on Mer Island to get signal.

11. **2:27pm – 1:27pm** Closed Business

RESOLUTION

Moved Cr Nona, Second Cr Levi

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

11.2 **2:27pm - 3:08pm** Hammond Island Marine Access Upgrade

2:40pm – Cr Sabs entered the room and disclosed his MPI with this item as previously – Cr Sabs then left the room.

3:08pm Out of Closed Business

RESOLUTION

Moved Cr Pearson; Second Cr Gela

That Council moved out of closed business.

MOTION CARRIED

11.1 3:08pm – 3:09pm Freight Split (Part 2)

RESOLUTION

Moved Cr Nona, Second Cr Levi

That Council resolve to seek, to the extent practicable, to engage MIPEC Pty Ltd exclusively for the provision of its Freight Services and strongly encourage MIPEC Pty Ltd to increase its client-base to a sustainable level in the best interests of the future of Torres Strait Region.

MOTION CARRIED

11.2 3:09pm - 3:11pm Hammond Island Marine Access Upgrade

RESOLUTION

Moved Cr Levi, Second Cr Toby

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

- **Award contract TSIRC2017-96 for Design and Construct Hammond Island Marine Access Upgrade Option N1 to Pacific Marine Group Pty Ltd for \$2,914,269.00 (excl. GST), subject to:**
 - **Securing additional funding from external agencies (TMR/TRANSLink/TSRA) to cover the tender award cost plus an allowance for environmental approvals, project contingency, project management, project close-out administration and other costs of and incidental to the works (\$4,784,364.08 excl GST); and**
 - **Development Approval.**
- **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, and to pay all invoices of and incidental thereto as and when due.**

MOTION CARRIED

COUNCIL MEETING ADJOURNED

12. 3:11pm MEETING OF COUNCIL AS TRUSTEE

RESOLUTION

Moved Cr Nona, Second Cr Levi

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

MOTION CARRIED

12.1 3:11pm – 3:13pm

Dauan Social Housing Lease under NPARIH

Cr Elisala not in attendance and this item was not discussed – deferred to May Meeting.

RESOLUTION

Moved: No mover

‘That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant, subject to registration of an Indigenous Land Use Agreement, development approval and survey, a standard lease to the State of Queensland (as represented by the Department of Housing and Public Works) over the below Lease areas on SP270872, for Social Housing Purposes and other Government Services Use of and incidental to that purpose, namely: -

Plan/Document number	SP Lot Number	Lot number in ILUA
SP270872	Lot 50	Lot 50
SP270872	Part of Lot 7	Lot 701
SP270872	Part of Lot 9	Lots 704

MOTION left laying on the table

12.2 3:13pm – 3:32pm

Land Holding Act Lease Transfer – Poruma

- **Cr Pearson declared a Conflict of Interest (COI)**
 - **Cr Pearson declared his COI for Land Holding Act Lease transfer – Poruma as the lease in question would be transferred to him if the Trustee passes the resolution.**

AEMCS spoke to this report. Relevant Chronology is as follows, namely:-

1. Jensen Yessie Pearson was granted a perpetual lease (Attachment 1) at Poruma by the State of Queensland under the Aborigines and Torres Strait Islanders (Land Holding) Act 1985 (1985 Act). The lease commenced on 2 August 1987.
2. The Aboriginal and Torres Strait Islander Land Holding Act 2013 (2013 Act) repealed the Aborigines and Torres Strait Islanders (Land Holding) Act 1985. The 2013 Act (s 12(4)(a)) changed the lessor of the 1985 Act leases to the relevant Trustee.
3. The 2013 Act (s 64) states that a lease may be transferred only to an Aboriginal or Torres Islander person, or a spouse, or former spouse, of an Aboriginal or Torres Strait Islander person who is deceased and the lessor must not unreasonably withhold their consent.
4. On 9 March 2017 the Department of Aboriginal and Torres Strait Islander Partnerships informed Council that they had been assisting Jensen Yessie Pearson to transfer the lease to his brother Francis Pearson and emailed Council requesting signing of a general consent form and transfer form. The transfer form has been signed by Jensen Yessie Pearson and Francis Pearson and witnessed
5. On 6 April 2017 Council contacted Francis Pearson to check if he understood that the lease would be transferred to him if the Trustee passes the resolution and signs the relevant forms. Francis Pearson said that he understood this.

On the same day Council contacted Jensen Yessie Pearson to check that he understood that if the Trustee passes the resolution and signs the relevant forms, the lease would be transferred to his brother, Francis Pearson, and that it would then be his brother's land. Jensen Yessie Pearson said that he understood this.

Mayor Gela noted that Cr Pearson is the subject – should he be sitting in the room. ACEO advised that it is an MPI not a COI and Cr Pearson left the room at 3:17pm

RESOLUTION

Moved Cr Nona, Second Cr Pearson

That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013, the Trustee consent to the transfer of a perpetual lease from Jensen Yessie Pearson over Lot 17 on SP270862 to Francis Pearson.

Site plan of Lot 17 on SP270862 – Poruma



MOTION CARRIED

13. 3:32pm – 3:53pm Business Arising from Information Reports

- Cr Sabatino – Fuel Monetisation Information Report
This report was to advise Councillors on the options for charging fuel providers commercial fees for fuel decanting. Cr Sabatino had concerns regarding this report. Report states that fees are not collected but this is inaccurate. SeaSwift do pay a transfer fee – when the fuel comes from Hammond or Badu they pay further transfer costs.

ACTION

AEMCS/EMFS- Need to pursue Sea Swift for Fuel Levy. Circulate receipts to all Councillors for all operators for 16/17.

- Cr Sabatino – Hammond Island Cabinet Workshop Implementation Feasibility Study Information Report.
The purpose of this information report was to provide Council with the revised 'Hammond Island Cabinet Workshop Implementation Feasibility Study'. Cr Sabatino feels this was done as a desktop exercise. He has consulted with a cabinet maker in the Straits and believes that the cost is 3 times more than what has been quoted in this report. ACEO said it was not appropriate to release to 3rd parties (potentially competitors). Requested it be held until funding were available.

ACTION

EMFS – Liaise with Cr Sabatino regarding irregularities in the report.

- Cr Sabatino –Development Application Feasibility Information Report
The purpose of this report is to inform of the potential cost of having an internal resource compared to using an existing contractor for processing Development Applications and the level of expertise we would require to provide this function for TSIRC. Cr Sabatino felt this function could be performed in house within TSIRC and not outsourced.

ACEO advised there are relatively low volumes at present and are not expecting this to rise at this stage. It is less cost effective to pay a staff member \$80,000 to \$100,000 plus on costs compared to outsourcing this work to our development approval experts.(at a profit)

14. 3:53pm – 3:54pm Business Arising from Closed Business Reports - NIL

15. 3:54pm – 5:05pm General Business

Apprentices

Cr Sabatino expressed concerns regarding the TSIRC apprentices employed through the Building Service Unit (BSU) – Questions were asked if apprentices were being paid the correct pay scale for their year level. Cr Sabatino also asked about the qualifications of the mentors and how well does the mentor relate to the apprentices? He had concerns that apprentices were being used as labourers and are not taught all facets of the building trade.

Mayor Gela declared his potential Conflict of Interest in this subject as his son is an apprentice. Deputy Mayor Cr Fell advised Mayor Gela was free to speak as this was general business and no decisions were being made. Mayor Gela felt that the policies for apprentices were not the same as other staff. Little notice of travel and Travelling Allowance (TA) not paid in advance before they travel. Excess luggage cost is not covered and yet they need their tools which is of concern. Mayor Gela felt mentoring support was not there. He advised that his son initially did not know that TA was payable. When his son applies for leave – leave applications are not sent through to payroll. Mayor Gela felt that apprentices are being paid the incorrect wages for the yearly apprenticeship they are actually in.

ACTION

AEMCS (MHR)/EMHS – Are apprentices receiving their increases based on years serviced, or when they actually qualify?

ACTION

AEMCS (MHR)/EMHS – Are apprentices being paid TA in advance or in arrears?

ACTION

AEMCS (MHR)/EMHS – Are apprentices being used only for labour and not for gainful employment?

Road Works

Cr Nona advised the timing of road works is an issue and needs to be looked at. Monsoon weather is not the time for road works. This should be better managed so it is scheduled and not occurring between December and April time as this is wasting money as the work is being washed away or the workers are not doing anything due to the weather. The roads are in disrepair at present which is embarrassing for him as a Councillor as the Community believes the Councillor is responsible for this work. . Cr Nona has asked the Executive to travel to Badu Community and present the Roles and Responsibility presentation to help the community understand TSIRC business better.

ACTION

SEA to work with Cr Nona for a date for executive staff to visit Badu earlier than 26 June 2017.
Insert Community Grants slide into the presentation.

ACTION

EMES to look at change in funding of NDRRA as fixing roads in May as opposed to fixing roads during the monsoon season.

CEO Recruitment update

Mayor Gela gave an update of CEO recruitment. The position will be advertised in the Australian on the advert will be in the Australian on Saturday 22 April 2017. All online advertisements for the position will be live on the internet from 19-20 April. The position will be advertised in the Cairns Post and Torres News on 23 April 2017. Closing date for the advertisement will be the 14 May 2017.

Cairns Forum on NPARIH Review – 20 April 2017

On Thursday 20 April, Mayor Gela will be an apology for Day 2 of the Ordinary Council Meeting as he is chairing a forum in Cairns on a NPARIH review with Department of Housing and Qld Productivity Review. Mayor Gela will chair this meeting on behalf of Minister Mick de Brenni, Minister for Housing and Public Works. The focus of the forum is to look at developing a campaign strategy in conjunction with the State for more housing investment post 2018. This opportunity will also be used to talk about other issues/ processes that Council have with housing.

EMES response to Cr Nona's question earlier.

EMES acknowledged Cr Nona's very valid points regarding road works on Badu Island and shared his frustrations with Cr Nona and the Badu community. There are significant costs of \$27,000 per day for LDI to complete this work. Council has not got the money to complete this work to required standard this financial year even if the work was scaled back. Money has been allocated next financial year for TSIRC civil works crew to complete the work at a cost of between \$30,000 to \$40,000. Timing of the works is often affected by when the money is funded for the works. This year unfortunately has been a late wet season. EMES acknowledged that LDI do make it sound very simple to fix the problem when they quote for the work, the cost comes in at \$27,000 a day.

Cr Fell felt that timing of when funds are released needs to change due to the weather patterns in the region. Cr Sabatino feels that LDI as a contractor need to improve their work ethics and community commitment.

EMES advised that TSIRC does not set the program of when work will be completed. LDI set the program and unfortunately do change it without notice. This is frustrating for EMES as he is the person who receives the complaints.

Cr Fell asked to seek any opportunity to make a point to the Minister regarding the timing of NDRRA funds that we receive to repair the roads and how critical this timing is with regards to the weather in our region.

Concerns of Councillors regarding housing for Mayor Gela to take to forum.

Councillors expressed their concerns regarding the building of houses in their communities and the designs of these houses especially taking into account outside living spaces. Mayor Gela will circulate the email to Councillors of the agenda for the forum tomorrow.

Leave in Advance for May meeting.

Cr Toby has noted his apology for May meeting at Badu meeting.

Thursday Island Regional Dialogue scheduled for 5-7 May 2017

There was discussion regarding the Regional Dialogue that Councillors have been invited to attend on Thursday Island and scheduling the One Boat workshop with TSRA, Torres Shire and NPARC 3-4 May to coincide with the same week on Thursday Island. This would minimise travel for Councillors to attend both meetings in the same week. SEA will coordinate to see if this is possible.

5:05pm

Meeting closed in prayer by Cr. Thaiday

Thursday 20 April 2017 – Video Conference

Present

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

Cr Keri Akiba, Division 3 – Saibai Island

Cr John Levi, Division 7 – St Pauls Community at Moa Island joined meeting a 9:20am

Cr Mario Sabatino, Division 8 – Kirriri Island – joined the meeting at 10:10am

Cr Getano Lui Jnr, Division 9 – Iama Island

Cr Francis Pearson, Division 11 – Poruma Island

Cr Patrick Thaiday, Division 14 – Erub Island joined meeting at 9:25am

Cr Laurie Nona, Division 5 – Badu Island joined the meeting at 10:04am

Cr Ted Nai, Division 12 – Masig Island

Cr Bob Kaigey, Division 15 – Mer Island - joined the meeting at 11:33am via phone connection (communication has been down on Mer Island for the last 24 hours)

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 David Abednego, Executive Manager Community Services (EMCoS)

Mr John Coyle, Executive Manager Housing Services (EMHS)

Ms Daisy Ketchell, Executive Office (EO) joined meeting at 9:25am

Ms Margaret Rosta, Senior Executive Assistant (SEA)

Apologies

Cr Fred Gela, Mayor

Cr Rocky Stephen, Division 13 – Ugar Island

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

Cr Dimas Toby, Division 1 – Boigu

Cr Clara Tamu, Division 10 – Warraber Island

Cr Torenzo Elisala, Division 2 – Dauan Island

16. 9:12am – 9:15am Opening Prayer and Welcome

Deputy Mayor, Cr Fell welcomed everyone to today's meeting. Cr Nai opened the meeting in prayer. It was noted that Cr Sabatino, Cr Levi and Cr Thaiday will be late joining this meeting.

ACTION

ACEO to advise Councillors of Anzac Day funding for celebrations

- 17. 9:15am - 10:15am PRESENTATION: Cheryl Taylor-White, Capacity & Capability Officer, Remote Youth Justice, Department of Justice and Attorney-General. Tony Jose, Youth support Worker.** Information provided to the Council on recent changes to legislation regarding 17 year olds under the justice system.

ACTION

SEA – Send thank you letter to Cheryl Taylor-White for this presentation.

10:20am to 10:46am - Morning Tea

- 18. 10:46am – 11:40am General Business continued**

Power cards

ACEO advised Councillors of the Queensland Government offers of a range of concessions and rebates to eligible Aboriginal and Torres Strait Island households in Queensland to assist with energy costs. Eligible Queensland pensioners, seniors and eligible low-income households can receive \$330 per year from their electricity bills. Only one person per household can receive the rebate. If power-cards are used to pre-pay for their electricity, eligible customers can receive up to \$330 in power-cards per year. This information will be advertised in communities on notice boards. Information will also be emailed to Councillors.

Strategic Action Reference Group (SARG) Membership

Deputy Mayor advised that at the SARG meeting held on Tuesday 18 April concerns were expressed regarding the inability of some members to attend each meeting for various reasons. It was stressed that it is important for SARG members to attend each meeting due to the importance of decisions that are made at this meeting. Unfortunately there have been several uses of proxies being provided when a SARG member has been unable attend.

Cr Nona acknowledged it was a positive action to bring this item to Council. He advised if another Councillor would like to take his place he is happy for this to happen as he has a large portfolio and cannot always commit to the SARG meeting. Cr Fell asked if Cr Nai would take Cr Nona's place on the SARG committee.

ACEO advised that it is important for continuity of members for the SARG meeting. It is important to have an equal amount of Executives and Councillors as members on the SARG meeting. Cr Sabatino felt it should be about a strategic group discussing strategic issues and asked that Council look at the SARG membership and Terms of Reference at the next Ordinary meeting.

RESOLUTION

Mover Cr Nona, *Seconder* Cr Pearson
Cr Nai to replace Cr Nona on the SARG committee

MOTION CARRIED

ACTION

ACEO – Ensure SARG Terms of Reference to be reviewed at the May Ordinary Meeting and consider Councillor portfolios.

One Boat

Cr Lui advised of the One Boat Coalition meeting that was held on the Thursday 13 April at the Torres Shire Council office with Torres Shire, NPARC and TSRA. There were concerns as to how we actually get this coalition started. There is a clear indication from the Federal government and the Prime Minister that this is they way to go. But how do we place ourselves going forward – how to do we get there. NPARC have asked for Mayor Gela to address their Council on this issue.

Cr Lui asked if was appropriate to continue with the TAP and asked how TAP fits into One Boat. Cr Lui said in the SARG meeting he would raise this issue at this Ordinary Meeting and was wondering if the TAP needs to be parked at this time.

Traditional Visitors and Permits

Cr Lui advised that if persons want to travel to Daru community they must wait for approval first before they travel. They are unable to carry the request letter with them and expect it will be approved on arrival. This is not the case and people need to be advised.

Divisional Managers finance delegations

Cr Lui asked the ACEO to explain the Divisional Managers finance delegations and asked why they need \$10,000 delegations. ACEO explained that this is so they can approve payment for cleaning supplies, stationery, and on ground operational purchase orders.

11:40am

Closed Business

RESOLUTION

Moved Cr Pearson, 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

11:40am – 12:00pm

Discussion regarding Commonwealth Games Baton Bearer relay on Hammond Island

12:01pm

Out of closed business.

RESOLUTION

Moved Cr Pearson; Second Cr Nai

That Council moved out of closed business.

MOTION CARRIED

ACTION

EO (ME) – Publicise public nomination process for the Commonwealth Games Baton Bearer process via social media.

12:02pm – Use of Video Conference / Teleconference for Ordinary Meetings.

Cr Lui wished it to be noted the he is not comfortable with video conference / teleconference. Cr Lui believes the Ordinary Meetings need to be held face to face. ACEO noted we have budgeted in 17/18 financial year for every 2nd meeting to be face to face.

ACTION

ACEO – Roles and Responsibility Presentation to be delivered in the Boigu / Warraber communities.

19. **12:02pm – 12:04pm** **Next Meeting – 23 & 24 May – Badu; June Meeting – Poruma**
- 12:04pm-12:15pm** **Leave in Advance requested for next Ordinary Meeting – 23 & 24 May**
- Cr Lui
 Cr Nai
 Cr Thaiday
 Cr Tamu – proxy (Cr Nai)
 Cr Toby

20. **12:15pm** **Meeting closed**

 The meeting was closed in prayer by Cr Levi.