



**Torres Strait Island**  
REGIONAL COUNCIL

**MINUTES**

**ORDINARY MEETING**

**Tuesday 20th September 2016 – Wednesday 21st September 2016**

Please find attached Minutes of the above meeting held on Tuesday 20th September from 9.20am-2.10pm and Wednesday 21st September 9.04am-12.48pm at the Philemon Pearson Memorial Hall, Warraber Island

## **TUESDAY 20 SEPTEMBER 2016**

### **Present**

Cr Fred Gela, Mayor  
Cr Torenzo Elisala, Division 2 – Dauan Island  
Cr Keri Akiba, Division 3 – Saibai Island  
Cr John Levi, Division 7 – St Pauls Community at Moa Island  
Cr Clara Tamu, Division 10 – Warraber Island  
Cr Francis Pearson, Division 11 – Poruma Island  
Cr Ted Nai, Division 12 – Masig Island  
Cr Patrick Thaiday, Division 14 – Erub Island (Via teleconference)  
Cr Bob Kaigey, Division 15 – Mer Island  
Ms Dania Ahwang, Chief Executive Officer (CEO)  
Mr Robert Dwyer, A/Executive Manager Corporate Services (A/EMCS)  
Ms Hollie Faithfull, A/Executive Manager Financial Services (A/EMFS)  
Mr David Baldwin, Executive Manager Engineering Services (EMES)  
Mr David Abednego, Executive Manager Community Services (EMCoS)  
Ms Lorna Bowie, A/Executive Assistant (A/EA)  
Ms Dinah Sailor (TAO) (Minutes)

### **Apologies**

Cr Dimas Toby, Division 1 – Boigu  
Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island  
Cr Laurie Nona, Division 5 – Badu Island (via teleconference at start of the meeting only)  
Cr David Bosun, Division 6 – Kubin Community at Moa Island  
Cr Mario Sabatino, Division 8 – Hammond Island  
Cr Getano Lui Jnr, Division 9 – Iama Island  
Cr Rocky Stephen, Division 13 – Ugar Island  
Ms Daisy Ketchell, Executive Officer (EO)

1. **9.20am-9.30am**                      **Opening Prayer and Welcome**

1.1        **Opening Prayer**

Meeting opened in prayer by Cr. Levi

1.2        **One Minute's Silence**

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

1.3        **Mayor's Welcome and Opening Remarks**

Mayor acknowledged Traditional Owners (TO's) of the land on which Council meets, acknowledged and thanked Cr Tamu for her leadership and the hospitality of Warraber Community. Mayor also acknowledged Elders past and present and PBC Chair, Mr Sammy Tamu.

1.4        **Cr Tamu Welcome**

Cr Tamu welcomed Councillors and staff and hoped they enjoy their stay on Warraber. Cr Tamu went through house keeping.

*Mayor noted Councillors joining in the Council Meeting via Teleconference at this time is Cr Thaiday and Cr Nona.*

9.30am Cr Nai left the meeting.

2. **9.30am-9.35am**                      **Apologies**

**Cr Keith Fell, Cr Getano Lui and Cr Rocky Stephen - Leave in Advance**

**RESOLUTION**

*Moved Cr Levi, Seconded Cr Thaiday*

That Council accepts the apologies from Cr Fell, Cr Lui and Cr Stephen for their absence at this meeting.

**MOTION CARRIED**

**Cr Dimas Toby – Sick leave**

**RESOLUTION**

*Moved Cr Tamu, Seconded Cr Akiba*

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

**MOTION CARRIED**

**Cr Mario Sabatino – Sick Leave**

*Mayor advised Cr Sabatino was taken ill while in transit to meeting.*

**RESOLUTION**

*Moved Cr Levi, Seconded Cr Akiba*

That Council accepts the apology from Cr Sabatino for his absence at this meeting on the basis of sick leave pending a medical certificate is provided by Cr Sabatino.

**MOTION CARRIED**

**Cr Laurie Nona - Leave of Advance**

**RESOLUTION**

*Moved Cr Tamu, Seconded Cr Elisala*

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

**MOTION CARRIED**

*Mayor advised Cr Nona that he is permitted to leave the meeting. Cr Nona advised there was an issue affecting his Community he wishes to discuss. Mayor advised Cr Nona will be contacted when meeting proceeds into General Business to discuss his issue.*

Cr David Bosun noted as absent from meeting on unapproved leave.

9.34am Cr Nona left the meeting.

3. **9.35am-9.46am** Declaration of Conflict of Interest (COI) or Material Personal Interest (MPI)

Councillors were advised any declaration of COI and MPI to be flagged at each item.

4. **9.36am-9.44am** CEO: Confirmation of August 2016 Ordinary Meeting Minutes

*The Minutes be amended to reflect that Cr Nona applied for Leave of Absence in advance.*

**RESOLUTION**

Moved Cr Levi, Seconded Cr Akiba

That the minutes of Ordinary Meeting held 24th & 25th August 2016 be adopted as true and accurate.

**MOTION CARRIED**

Mayor acknowledged and welcomed PBC Chair Mr Sammy Tamu to the meeting.

5. **9.46am-10.09am** CEO: Action Item Summary from August 2016 Ordinary Meeting Minutes

Warraber Water Tanks

Cr Tamu requested update on Warraber water tanks. CEO received advice from TI Department of Housing that there is work order in system for those tanks to be installed into the new houses on Warraber however, tenants will not be able to move into those properties until those tanks are installed. CEO advised just need to go back and look at timeframes/dates on when it is going to happen.

**Action: CEO to follow up on timeframes as to when tanks will be installed into properties at Warraber.**

Warraber Island Social House Lease

Cr Tamu requested update regarding boundary issues on Warraber Island Social Housing Lease A/EMCS will take on board the issue raised by Cr Tamu and seek further clarification/information and get back to Cr. Tamu

**Action: A/EMCS to follow up and seek further information/clarification on the boundary issue for Warraber Island Social Housing and give feedback to Cr Tamu.**

Water Tank Pressure Pumps

Cr Pearson advised that when installing water tanks to look at pressure pumps as well.

Cr Tamu had discussions with Public Housing regarding pumps and that they should be fitted with the tanks.

Dauan – Manitou Request

Cr Elisala requested update on Manitou request for Dauan Island to assist with land fill. EMES advised there is a lot of work going in the background on waste management strategy subject to working group. EMES advised they are looking into it in addressing the matter.

Cr Elisala asked about heavy equipment if we had any or hire any in our plant pool. EMES advised Council don't have appropriate plant pool hired or owned to move or crush down car body parts, only available funding in plant pool is for backhoes.

MIPEC Schedule

Cr Pearson requested update on yesterday discussions on MIPEC schedule referring especially to non-delivery of fuel which is now not delivered until Monday. CEO advised that A/EMCS will talk to MIPEC to look at Saturday's delivery and discussions on alternative delivery during the week.

Mayor advised list of the MIPEC Schedule is an action item, so that list is coming to Council. The drop off points in each community also needs to be fed through to MIPEC.

**Action: A/EMCS to discuss with MIPEC to looking at doing an alternative delivery during the week and also advise them of drop off point in each community and provide feedback to Council.**

#### Social Housing Rentals

Cr Elisala queried on the 2014 rent reviews. CEO advised the question was asked whether the process that Council went through in 2014 to review rentals on social houses was legislatively compliant. Based on the review that has been undertaken we did comply with all of the Residential Tenancies requirements when Council actually did the rental review. The other part is where there is any concerns that tenants do identify is likely to come up when Council is looking at the debts that tenants have got for rent and that may be the time where they raise any concerns with the process of the letter so then we will be looking at on a case by case basis as well.

Cr Elisala requested priority community meeting regarding awareness session on Social Housing on Dauan.

CEO advised of a community meeting on Hammond recently with information on Social Housing including eligibility, social housing allocation, entitlement and levels of need. The Community feedback from the meeting was that this was really good information to the point where it was thought that this was all new information, despite Council previously presenting to community on a number of occasions.

Cr Akiba requested CEO and staff to visit Saibai to deliver housing workshop.

Mayor advised the plan is to visit communities and stay for a week in the community. Aim of the visits is to do presentations such as on Hammond which captured all the grey areas of housing management which Cr Sabatino had identified from feedback from his community and tailored the presentation to suit his community. Deputations, engagement in conversation with employees will also occur to see where the gaps are and look at how to improve, if money is an issue then this is for Council to commit and look for dollars outside if necessary.

So far Dauan is the only community that CEO and Mayor visited but will certainly look at dates to visit and hold community meetings in other communities and also look at Tenant Awareness Workshops.

Cr Tamu queried follow up on the rental arrears. CEO advised following the Poruma meeting where we tried to deal with the statute barred debt following suggestions from the Department, we are now seeking legal advice from King & Co.

**10.00am** Cr Nai returned to the meeting

#### EHW Training

Cr Kaigey queried on the EHW training. EMCoS advised that there will be training towards the end of the year.

#### DATSIP ILUA Process

Cr Thaiday followed up his queried why certain houses were left out of the ILUA Process. CEO advised that we still need to clarify the issue with DATSIP.

**Action: A/EMCS to follow up and clarify issues on Erub ILUA Process with DATSIP.**

#### Apprentices Work Program

Cr Thaiday requested update on the Apprentice work program. CEO advised email correspondence was sent by building team to Cr Thaiday regarding the apprentices and understood the matter was resolved.

**Action: CEO to follow up and provide feedback on apprentices to Cr Thaiday.**

6. **10.09am-10.15am** Corporate: Advisory Committees

**RESOLUTION**

*Moved Cr Tamu, Seconded Cr Pearson*

*That pursuant to section 264 of the Local Government Regulation 2012 (Qld), Council: -*

*(a) appoint the Poruma Advisory Committee; and*

*(b) approve the Terms of Reference as presented; and*

*(c) endorse the selection of the following voting members by the member for Poruma Island under Expression of Interest process:*

*i. Nazareth Faud*

*ii. Nora Pearson*

*iii. Renee Pearson*

*(d) approve remuneration of \$100 per day (or part thereof) per voting member in accordance with the Terms of Reference.*

*That Council approve the variation of the Boigu Advisory Committee Terms of Reference and the Dauan Advisory Committee Terms of Reference as presented.*

**MOTION CARRIED**

Cr Kaigey blessed the Morning Tea  
**10.15am – 10.40am Morning Tea Break**

7. **10.40am-10.41am** Trustee Meeting

The Trustee meeting was deferred and report for Hammond put on hold at this time with the absence of Cr Sabatino.

8. **10.41am-11.40am** Business Arising from Information Reports

Housing Collection Rate

Cr Levi queried on the 22% percentage of debts collection for rental payments

CEO advised as part of the reporting looking at payment plans for clients to repay the debts.

Mayor requested to have Housing Manager, Mr Simon Warne, to attend Council meeting and address the full council on the high number of vacant properties in communities.

CEO advised that there seems to be a trend once Council started addressing the vacant properties, they do not remain vacant for long.

**Action: CEO to arrange for Housing Manager to address Council on vacant properties and other housing matters**

Unoccupied Houses

Cr Kaigey queried on unoccupied houses in communities and who is responsible for those unoccupied houses.

Mayor advised Council need to have a budget set aside for housing issues, if there is a land issue we address it even if that means we move the house as long as we have permission from another land owner.

Council should have a designated contingency plan to look at lifting, moving and relocating so that it can be used by people who really needs a home.

CEO noted the agreement between Council and Mer PBC at time of Reserve transfer for Council to continue to tenancy manage housing on their behalf.

Cr Levi queried who fixes the house and where does the money come from. CEO advised under the current arrangements in place at Mer for example, the assets belongs to PBC, we collect the rent and are responsible for maintenance, insurance and other dealings with the houses.



## **RESOLUTION**

*Moved Cr Levi, Seconded Cr Kaigey*  
That Council move out of closed business.

**MOTION CARRIED**

### **9.1 (a)**

#### **Corporate: Enterprise Divestment**

## **RESOLUTION**

*That in accordance with sections 227, 228 and 236 of the Local Government Regulation 2012 (Qld), Council enter into negotiations with the following entities (or related parties) with a view to those entities acquiring the following businesses and associated valuable non-current assets and staff on terms acceptable to the Chief Executive Officer of Council, and recommend to the Trustee, the grant of trustee leases to each entity over relevant land as presented:*

<b>Enterprise</b>	<b>Entity</b>
Iama Coffee Shop at Cultural Centre	Kerai Kepa

### **MATTER LEFT LAYING ON THE TABLE DUE TO CR LUI'S ABSENCE**

### **9.1 (b)**

#### **Corporate: Enterprise Divestment**

## **RESOLUTION**

*Moved Cr Pearson, Seconded Cr Nai*

*That in accordance with sections 227, 228 and 236 of the Local Government Regulation 2012 (Qld), Council enter into negotiations with the following entities (or related parties) with a view to those entities acquiring the following businesses and associated valuable non-current assets and staff on terms acceptable to the Chief Executive Officer of Council, and recommend to the Trustee, the grant of trustee lease to each entity over relevant land as presented:*

<b>Enterprise</b>	<b>Entity</b>
St Paul's Lodge	Susannah Sailor

**MOTION CARRIED**

**WITH CR LEVI RECORDED AS ABSTAINING FROM VOTING  
DUE TO MATERIAL PERSONAL INTEREST DECLARATION**

### **9.2**

#### **Housing Services: Preferred Suppliers Round Two**

## **RESOLUTION**

*Moved Cr Levi, Seconded Cr Akiba*

*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 specified in 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 and financial delegation.*

**MOTION CARRIED**

### **9.3**

#### **Executive: SARG Meeting Update**

1. *Transition Action Plan (TAP) – Special Meeting 26 September in Cairns*  
**Action: CEO to email TAP to all Councillors prior to Cairns Meeting for their perusal in the first instance.**
2. *Housing Authority*  
**Action: CEO to draft Terms of Reference for Council to assess the Housing Services Delivery Model and to factor in community consultations and registration as housing service provider.**

3. *One Boat*

**Action:** CEO to draft presentation for the Coalition Executive to come together and meet to get newly elected members updated on the One Boat concept.

Cr Levi blessed the Lunch  
**12.40pm – 1.40pm Lunch Break**

10. **1.40pm-2.10pm**                      **General Business**

Dauan

Cr Elisala queried on the Dauan's Child Care Facility and MIP funding availability for road sealing.

CEO advised we would assess MIP funding to identify priority projects. CEO further advised that ownership of old childcare facility was being confirmed following the request for demolition arising from the community visit.

Cr Elisala also raised the helicopter landing site and suggested a proposed relocation to the eastern side of the island.

Saibai

Cr Akiba raised concerns on entry permits and traditional visits over-stayers and requested Officers attend Community to again explain the Local Laws and discuss entry permits.

Mayor advised that during the planned presentation tomorrow by Leilani Binjuda and interagency personnel (Immigration, Border Force, Police, QLD Health, Bio Security, etc) we will open the floor into general discussions on the concerns raised by Cr Akiba.

Housing Designs

Cr Nai noted that housing designs should factor in behavioural issues with family. Mayor advised we can design our own housing and just need to hire an architect/consultant to design our plans and then do any reconfiguration to further develop them.

Cr Tamu noted ongoing conversations on this matter for years but is now seeing 3 bathrooms in a 4 bedroom house and querying whether the budget could have been used differently. Mayor advised there have been changes in building regulations and we will see a lot more of that coming through in delivering housing.

Mayor further advised that going forward, we need to have a conversation with our building team on how we go about commencing the development and delivery of community designs.

**Action:** CEO to discuss with building team on development of community housing designs.

St. Pauls Brick Plant

Mayor advised Cr Kaigey as per his query that the brick plant is not in operation. Cr. Kaigey asked if there is any way that Council can revitalise the plant. Mayor advised that we can flag for the SARG Meeting to have a look at it. Feasibility was not budgeted for in 2016/2017 budget so we will need to look at crunching the numbers on what Council can afford. In recommissioning of the plant, Council will need to negotiate with NTO.

**Action:** CEO to include St. Pauls Brick Plant for the SARG Meeting to look at the feasibility of recommissioning the operations of the Plant.

Warraber Stadium

Cr Tamu raised the issue on repair to the Stadium and when it is going to be fixed  
CEO advised will need to look at it once the St. Pauls Community Hall costs are confirmed and also subject to what funding is left, also factoring in any 50/50 contribution.

Cr Tamu advised with graduation coming up and other functions, it would be good to have the Stadium fixed as the community hall cannot fit extra families in when it comes to functions being held in the Community.

EMCoS advised that he had received an email from assets team that the whole structure of the Stadium is not safe and needs to be closed off.

Mayor requested whilst EMES is here to have a look at the stadium and report back to Mayor and CEO on the situation.

**Action: CEO to arrange meeting with TSRA Chair, Mayor and TSRA CEO to discuss co-contribution of projects.**

**Action: EMCS to crunch numbers for the top five priority projects for discussion with TSRA on co-contribution.**

**Action: EMES and EMCoS to look at the stadium and report back to Mayor and CEO on the condition of the Stadium.**

11. **Leave of Absence in Advance**

Cr Kaigey applied for Leave due to study for the November and December 2016 meetings.

Cr Nai

Cr Pearson

Cr. Tamu

**2.10pm Meeting Closed in Prayer by Cr Pearson**

## **WEDNESDAY 21 SEPTEMBER 2016**

### **Present**

Cr Fred Gela, Mayor

Cr Torenzo Elisala, Division 2 – Dauan Island

Cr Keri Akiba, Division 3 – Saibai Island

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

Cr Clara Tamu, Division 10 – Warraber Island

Cr Francis Pearson, Division 11 – Poruma Island

Cr Ted Nai, Division 12 – Masig Island

Cr Patrick Thaiday, Division 14 – Erub Island (Via teleconference)

Cr Bob Kaigey, Division 15 – Mer Island

Ms Dania Ahwang, Chief Executive Officer (CEO)

Mr Robert Dwyer, A/Executive Manager Corporate Services (A/EMCS)

Ms Hollie Faithfull, A/Executive Manager Financial Services (A/EMFS)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Mr David Abednego, Executive Manager Community Services (EMCoS)

Ms Lorna Bowie, A/Executive Assistant (A/EA)

Ms Dinah Sailor (TAO) (Minutes)

### **Apologies**

Cr Dimas Toby, Division 1 – Boigu

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

Cr Laurie Nona, Division 5 – Badu Island

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

Cr Mario Sabatino, Division 8 – Hammond Island

Cr Getano Lui Jnr, Division 9 – Iama Island

Cr Rocky Stephen, Division 13 – Ugar Island

Ms Daisy Ketchell, Executive Officer (EO)

**12. 9.04am-9.06am Opening Prayer and Welcome**

Opening Prayer by Cr Levi

Mayor acknowledged Traditional Owners of the Land and welcomed the different agencies presenting here today.

**13. 9.06am-10.50am Presentation: Treaty Information Session - Departmental Agencies**

Ms Leilani Binjuda - Department of Foreign Affairs and Trade (DFAT), Mr Solomon Binjuda and Ms Bronwyn Hope - Department of Immigration and Border Protection, Mr John Jones and Mr Linden Bell - Department of Agriculture and Fisheries, Peter Hogan, Senior Sergeant - Queensland Police Service, Dr Tony Brown & Ms Charlotte Tamwoy - Queensland Health, Mr Danny Mosby - Bio Security.

Mayor welcomed Ms Leilani Binjuda and representatives from the different Departments.

Ms Binjuda gave a brief background of her work here in the Torres Strait having worked also on the PNG side for a couple of years and now back working in the Torres Strait with the Department of Foreign Affairs and Trade (DFAT).

Leilani advised that the various department agencies present conduct treaty awareness sessions and today is one of them to share information with Council.

Border Force, Fisheries, Qld Health implements the Treaty and works closely with the local councils on both sides of the border. The various departments present introduced themselves to the Council. There was an apology from Mr Kebei Salee (PNG Traditional Inhabitant Meeting Co-Chair) who could not make it to the meeting. Ms Binjuda provided handout information to Councillors on the Treaty and maps which outline the borders on both sides.

**Issues discussed:**

1. Border Force - Traditional Visitors travelling under the Torres Strait Treaty to visit families:
  - Traditional Visitor prior notices/permits – Process on PNG Side, Council and MMO.
  - Reason for visit – lawful traditional activities
  - Reason for refused immigration clearance
  - Authorization on a number of visitors for tombstone openings weddings etc.
  - Responsibility of payment of fuel - Visitors/Families/Council?
  - Once visits are approved Border Force only monitors the movements that it has processed properly.
  - QLD Police are guided by Border Force and there are processes in place for the removal of illegal visitors.
2. Police issues - Importation of cannabis, Sly Grog into communities, Domestic Violence,, Assaults, unlawful entries – garage, shops, business, unlawful use of motor vehicles, Boating and Car Licensing and Testing, Drink Driving Offences, Drug Offences, Water Safety, TSIPSOs, Overview of Stats in Communities/TI to be provided.
3. Health Issues - flow of PNG Nationals seeking medical at Primary Health Centres, Tuberculosis Control on Saibai Island.
4. Fisheries – Illegal Fishing in Torres Strait Waters.
5. Bio-Security – new act now allows Bio Security to take better control with not as many restrictions. Primary function is working around the clock closely with international border force protecting Torres Strait area.

9.40am Cr Elisala joined the meeting

Cr Akiba raised concerns that the main problem with Traditional Visitors are over stayers where some of them are in relationships and Council are not able to identify because of the Privacy Act. Ms Binjuda clarified that under the Treaty girlfriend, boyfriend visits are not allowed and they need to go through the process to get a visa or passport to enter into Australia like any other immigrant.

9.45am Cr Levi joined the meeting

Cr Tamu queried what happens in relationships where children are born where the mother is Australian and has a PNG boyfriend, or the mother is from PNG and has an Australian boyfriend and visits because of the child.

Mr Binjuda advised if one person is Australian and other PNG they will have to prove their citizenship otherwise the children cannot stay on the Island. There are processes in place through immigration on this. Cr Tamu advised there is a crack in the system as she has experienced whilst she was working on Saibai as Health Worker.

Mayor advised Jeff (DFAT Project Officer) needs to undertake and identify what kids are involved, any overcrowding because we need to be cautious especially with kids involved.

Dr Brown requested that QLD Health be kept in the loop on Saibai Issues so that they are aware of any issues when treating PNG Nationals.

Cr Elisala queried when visitors are refused entry, what happens with Councillor's safety? Mr Binjuda advised that is why the visa permits are very important and to ensure that the process is done properly, as it is like a visa and they can be refused entry as they see fit.

Cr Tamu queried on security for health staff on ground at Saibai Health Centre. Mr Binjuda advised the MMO on the Island makes the calls, if any concerns, then they notify the health centre and Police.

It was noted that if there is entry of visitors in the middle of the night regarding health issues and are not identified, the MMO is to advise TI office and extra Officers can be sent out to Saibai to assist and identify the visitors on the Island. The other side of the border should liaise well with Councillors and what steps they would take as well.

Mr Binjuda advised if there are large events taking place in their community where they will have a lot of movement of traditional visitors coming into communities, Councillor needs to inform Border Force as they have a control mechanism in place but need to work together in controlling the movements on both sides of the border.

Under Council Local Laws, Council needs to check if they can ban villagers for 6 months if caught without being processed in the system legally.

Ms Binjuda advised PNG side does not have any resources to monitor, however, Border Force have a mechanism in place of people not following process properly when crossing borders. Awareness needs to happen and Ms Binjuda advised they are keen to go out to communities to conduct a Treaty session but just need an invite from Councillors to attend their Community Meetings. Ms Binjuda will then coordinate with other Departmental agencies to go out together to the community and conduct a Treaty information session.

Cr Elisala advised that they are threatened by Traditional visitors/illegal fishermen who fish in our waters when told they need to go back across their side of the border as a few boats from the other side was caught off guard fishing at the back of Saibai. When they asked the visitors for their identification they were threatened by spears and this is still happening they see their sail boats back and forth into our side of the border. Cr Elisala advised that they are at the front line of the border and see this every day and need some sort of security at Saibai.

John (Fisheries) advised that we need border security as well when dealing with illegal fishermen enforcing these infringements with visa permits.

Ms Binjuda cautioned to bear in mind the incident that happened on Boigu was a reaction from people on Boigu itself, sometimes it is our own people who have instigated events such as this to happen.

Mayor noted that there is always two sides of the story (Boigu), the concern we have on our side we grew up on law and order environment, if we break the law there are consequences.

Cr Nai noted that we need to see their side as well with limited to no resources or services. We need to build the relationship, build rapport and have the right mechanism in place. Also it is up to us Councillors to control the numbers, the amount of people in our communities. Consistency is needed on our behalf to really send a clear message on what we want considering our resources in our communities.

Mr Binjuda noted that:

- It is very important that all the visa/permits forms are filled out and processed properly including reasons of visits etc. especially Saibai with the amount of paper work processed each month. The department currently has one MMO on Boigu, two Officers on Saibai.
- There is a need to work closely together and provide awareness and education on the traditional visits under the Treaty.
- Family hosts are reminded that it is their responsibility for fuel costs to assist authorized visitors in returning back home.
- It is up to the Councillor in the Community to approve the number of people entering. Border Officers will enforce that on the host family on community in advising them of the amount of people permitted on to the community as per the form signed off by the Councillor.

Mayor advised there should be an open dialogue as to who is responsible for fuel costs associated with unauthorized travel referring to an incident on Darnley where 200 people showed up instead of the 40 people authorized. No one wants to take responsibility and it should not be Council as it comes at a cost to the community and Council foots the bill and cannot continue to fund fuel. It is a clear breach entering into community with no proper processing of permits/visa and shouldn't be the council's responsibility.

Mayor reiterated Cr Nai's comments that it is up to Council to sign off or not. If they arrive then have no money to pay for fuel, the responsibility should go back to the host family and not Council. We need to have mechanisms in place between Council and host families if visitors come up with no money to pay fuel costs for them to return to their home.

Border Force will take on board the issue raised by Mayor and come back to Council on the answer at next meeting.

Dr Tony Brown advised of patient from across the border who sought medical attention on Saibai and stayed on for four (4) days as there was an issue on how they would get them back off the island. Mayor advised Dr Brown to discuss further with Border Force.

Cr Nai blessed the Morning Tea  
**10.50am – 11.00am Morning Tea Break**

14. **11.00am-11.55am**     **Presentation: Treaty Information Session – Departmental Agencies**  
**(Continued)**

**Qld Police**

S/Sgt Peter Hogan from Police briefed Councillors on data but noted it covers both TSIRC communities and Thursday Island with regards to offences (drugs, drink driving, domestic violence, assaults, unlawful entries, unlawful use of motor vehicles, unlicensed driving etc). Torres Strait is very much on a State average but low compared to other communities throughout Queensland.

**Issues raised:**

- Vehicle Licensing and Testing – waiting for response back from Transport, wanting more information and looking at getting mobile system up and running for transport driver's license for this Financial Year and will be able to get out to Communities more often.
- TSIPSOs –Police are there to monitor order of the island and peace and don't have powers like Queensland Police Officer. S/Sgt Hogan would like to see Councillors work closely with TSIPSOs in anyway they need that support etc.

- Response times by Police to get out to the Communities – S/Sgt Hogan advised Police are trying to improve on a regular basis during airline times. Also, where relevant, Police can send Officers out to Communities to do some over night stays and help out TSIPSOs. There is funding available to upgrade on the airstrips to happen within 12 months, to be able to fly in to community when there is an incident at night. At the moment with regards to incidents at night, Police has to rely on health choppers used for medivac to get out to the communities or charter a helicopter to get out to communities.
- Water Safety – S/Sgt Hogan noted the push to ensure safety equipment on board vessels when travelling, and it is getting to the point now that they will fine people who do not have safety equipment and proper amount of fuel in their vessel prior to travelling. This is because of the amount of money spent on search and rescue which is a very expensive exercise. Part of their risk management is to ensure once a month that the grab bags are fully equipped. They are there for the communities to share not for a particular individual.
- Sly Grog – if alcohol is in the houses, there is nothing that police can do. However, if they start selling the alcohol, then Police can step in but for police to step in, it has to be reported to them in the first instance. If Councillors are having issues, they need to contact Police and they will send Officers out to communities to investigate the issue.
- It was noted that Local By laws are Council's responsibility.
- Community Police Officers (TSIPSOs) - Council wanted to have enlisted as authorized personnel under the Council Local laws but that did not happen at time of transition of officers to Queensland Police Service. Peter advised Police is able to work closely with council on this and look at trainees coming in to train them.

**Action: CEO to work closely with S/Sgt to start the process on having TSIPSOs as authorized officers under the Council's Local Laws.**

- Responsibility of fuel costs during Search and Rescue where PNG nationals involved and are picked up and taken to a nearby Island, who is responsible for their fuel costs for their return home. Any cost of that is covered by State Government and Federal Government as well. Police need to clarify and get back to Council on this. DFAT will take it on board and will discuss with legal people and as they are in international waters and regardless of country of origin and if they are a mariner, they need to be responded to in that respect as there are different scenarios and want to make sure they cover all the types of different situations.
- Recreational Boat Licensing – Indigenous Licensing and support in taking part in facilitating boat/marine licenses. Police only do car licenses but Transport has delegated that responsibility to organizations and individuals in communities and will take this up with Water Police. It was noted there was boating licensing on TI where it was operated by an individual but not sure if it is still operating.

**Action: CEO to follow up with S/Sgt Hogan on recreational boat licensing follow up with Water Police.**

- Illegal Fishing - Fisheries advised that there is a hotline for illegal fishing (toll free number) where people can contact Fisheries. Fisheries Department receives good feedback from Community with illegal fishing but usually getting it third or fourth hand two weeks later - need evidence from Community such as taking photos of the illegal activity. Supported by Border Force and Navy patrol with surveillance and do what they can to support fisheries in Australia.
- Bio Security - Inspection of vessels on arrival for any illegal substances. Bio Security do have the power to do search but what we find eg guns, drugs it falls out of our jurisdiction so we pass it on to appropriate government department such as State/Federal Police and also the timing of getting to the community to check is challenging. Officers are however empowered with powers over plants, animals etc. at the end of the day they are empowered at looking at preventing risks from pests coming into the Country.
- Requirements on compliance of dinghy registration should be reviewed given the large amount of people travelling and moving between islands. There is a need to enforce as safety aspects impact on both sides of the border. John (Fisheries) will follow up and get back to Council.

Mayor thanked the Departmental representatives for their presentation and contribution at the meeting. Mayor advised the Departments of the need to continue to have regular dialogue and requested they attend Council meeting twice a year or more often.

**Action: CEO to organize with Department Agencies on the Treaty to meet with Council twice a year.**

15. **11.55am-12.48pm                      General Business**

*Mer*

- Update on Fuel bowser site – Church to write letter to Council regarding site availability and in the meantime Cr Kaigey to start discussions with PBC to begin the usual process.
- Update on Community Hall – awaiting letter from CEO on the stop work order over the stage area works in the Community Hall.

**Action: CEO to send correspondence to Mer PBC on stage area works in Mer Community Hall with request to lift stop work order.**

- RTC Centre – TSRA showed some interest for office space for Rangers as well as storage space for Ranger boat.

**Action: CEO to follow up with TSRA CEO on reported interest in Mer RTC.**

*Darnley*

- Follow up on site allocation for waste site on Darnley - CEO advised will follow up with EMES and EMCS who is absent from the meeting and provide a progress update to Cr Thaiday.

**Action: CEO to follow up with EMES and EMCS on the waste site allocation on Darnley and provide update to Cr Thaiday.**

- Cr Thaiday sought clarification if Council has the authority to penalize cross border visitors on breaching traditional visitor permits under the Treaty as advised by Ms Binjuda. Mayor advised Council has the authority to penalize those breaching traditional visits with suspension of 3 months or 6 months.

*Minister's visit*

CEO confirmed Cr Akiba's query that Minister Bailey's visit has been cancelled.

*Poruma*

- Cr Pearson requested follow up on an email forwarded to EMCoS regarding Regional Grant Application. CEO advised the Regional Grants application closes 30<sup>th</sup> September and would not go to Council until October Council meeting.

*LGAQ Conference*

Four (4) Councillors attending the LGAQ Conference: Cr Bosun, Cr Nona, Cr Thaiday and Cr Kaigey. The costs of the four Councillors nominated will come out of Council's budget.

Mayor will attend the Policy Executive only and then return to allow the 4 Councillors to attend without extra costs involved.

If other Councillors wish to attend the LGAQ Conference as part of Professional Development, there is \$5000 available for the four year term in the Discretionary Professional Development funds.

12.20pm Cr Tamu returned to the meeting.

*Council meeting at Mer – December 2016*

Cr Tamu queried on the Council meeting in December. It was noted that the meeting will be held on Mer Island in December. Cr Tamu requested that if Mer Island is unable to host the meeting in December, Warraber Community will host the December Meeting.

*DFAT Presentation – Traditional Visits under the Treaty*

Cr Tamu advised still need further follow up on the outcome of the discussions with DFAT. From a health perspective as a health worker, while it may look good on paper, it may not actually be working on ground because we have had people coming in from coastal villages to seek medical attention on Saibai which is not allowed under the treaty. We need to discuss further and be upfront with all leaders to discuss the issue. Council needs to take a stand and look at where the responsibility lies and look at the complexity of the issue especially with TB patients.

Mayor advised the Department representatives still need to come back to Council to respond to a couple of key questions and concerns they were not able to answer during the discussions.

Mayor noted Dr Tony Brown's advice that there is an opportunity for Council to facilitate in collaboration with Health, a specific focus group working closely on the health issues in regards to cross border movements.

Mayor advised there are a lot of issues/concerns raised today with DFAT that needs to be put through to TIMS/JAC meetings for discussions.

**Action: CEO to have dialogue with Dr Tony Brown on the forum regarding cross border health issues and Mayor to consider Health Partnership Board meeting through TSRA Chair.**

*Councillors expression of interest to attend Conferences/Meetings*

Mayor advised that Councillors will note emails from the CEO for their expression of interest to attend other meetings/conferences that requires a representative from TSIRC and all expenses will be covered by Council to attend the meeting. For other meetings/conferences, Councillors may need to seek approval in writing to utilize Professional Development funds.

16. **12.48pm** With no further discussions, Mayor Gela thanked Cr Tamu and Community of Warraber for their hospitality.

**The meeting closed in prayer by Cr Nai**