



Torres Strait Island
REGIONAL COUNCIL

MINUTES

ORDINARY MEETING

MONDAY 29 JUNE – TUESDAY 30 JUNE 2015

Please find attached Minutes of the above meeting held on Monday 29th June 10.13am – 3.43pm,
Tuesday 30th June 9.30am – 4.40pm at Saam Karem Beizam Sporting Complex, Erub Island.

Monday 29th JUNE 2015

Present

Cr Fred Gela, Mayor

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

Cr Dimas Toby, Division 1 – Boigu Island

Cr Ron Enosa, Division 3 – Saibai Island

Cr Horace Baira, Division 5 – Badu Island

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

Cr Toshie Kris, Division 7 – St Pauls Community at Moa Island

Cr Mario Sabatino, Division 8 – Hammond Island

Cr Willie Lui, Division 10 – Warraber Island

Cr Phillemon Mosby, Division 11 – Poruma Island

Cr Ted Nai, Division 12 – Masig Island

Cr Rocky Stephen, Division 13 – Ugar Island

Cr Jimmy Gela, Division 14 – Erub Island

Cr William Akee, Division 15 – Mer Island

Ms Dania Ahwang, Chief Executive Officer (CEO)

Mr David Abednego, Executive Manager Community Services (EMCoS)

Mr Chris McLaughlin, Executive Manager Corporate Services (EMCS)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)

Ms Jessica Cox, Travel and Administration Officer (TAO)

Apologies

Cr Joel Gaidan, Division 2 – Dauan Island

Cr Getano Lui Jnr, Division 9 – Iama Island

Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)

Ms Daisy Ketchell, Executive Officer (EO)

1. 10.13am – 10.16am **Opening Prayer and Welcome**

Cr Enosa opened the meeting in prayer. There was a minute silence to pay respect to families who have lost their loved ones recently.

Mayor's Welcome and Opening Remarks

The Mayor welcomed the Councillors to the meeting and acknowledged the Traditional Owners of the Land.

Cr J Gela welcomed the Councillors to Erub.

2. 10.16am – 10.24am **Apologies**

Cr Gaidan – Sick Leave

RESOLUTION

Moved Cr Nai, Seconded Cr J Gela

That Council accept the apology from Cr Gaidan for his absence at this meeting.

MOTION CARRIED

Cr G Lui – Bereavement

RESOLUTION

Moved Cr Enosa, Seconded Cr Baira

That Council accept the apology from Cr G Lui for his absence at this meeting.

MOTION CARRIED

3. 10.24am – 10.28am **Confirmation of April 2015 Minutes**

Cr Sabatino queried the Agenda closing date for the July 2015 Council Meeting. CEO amended the Agenda closing date to Friday 10th of July 2015.

Cr W Lui requested the inclusion of the following discussion in the minutes of the May 2015 Council Meeting, "Cr W Lui queried My Pathway leasing of kiosk and requested removal of kiosk from divestment list."

Cr J Gela queried the progress of stadium funding. CEO advised project cannot progress until TSRA provide variation to funding agreement.

RESOLUTION

Moved Cr W Lui, *Seconded* Cr Akee, that the minutes of Council meeting held May 2015 – be adopted as true and accurate.

MOTION CARRIED

4. 10.28am – 10.58am **Action Item Summary From Previous Meeting**

Previous Action Item 29 – Ugar Uncontrolled Dog Issue

Cr Stephen queried whether discussions around the health situation at Ugar have developed. Mayor advised Health Board focusing attention on building a new facility rather than using existing facilities at Tagai College.

Action Item

MPA in consultation with EMCoS to draft correspondence to Health Board under Mayor's signature on dog control processes at Ugar as well as health services at Ugar.

Previous Action Item 25 – Fast Track: Ugar Mail Service

Cr Stephen queried progress of action item. EMCoS advised EMCS waiting on Marine Transit insurance policy quote from insurer. EMCoS further advised EOI to community progressing.

Previous Action Item 5 – Housing Working Group TOR

Cr Enosa requested an update on the action item. Mayor advised update to be provided in following day's agenda.

Previous Action Item 49 – Mabuiag Airport Grass Cutting

Cr Fell queried the location of the Western cluster slasher and requested to borrow it to progress action item. CEO advised one slasher in Cairns and the other on Darnley Island. Cr Fell requested the slasher in Cairns be sent to Mabuiag.

Action Item

EMES to progress supply of slasher to Mabuiag.

Previous Action Item 44 – PBC and NTO Fee Schedules

Cr Kris requested an update on the action item. EMCS advised Council will not be paying Native Title Office costs, however are obliged to pay statutory rates to PBC during negotiation.

Previous Action Item 3 - NDRRA Funding Agreement Changes

Cr Kris requested an update on the action item. Mayor Gela advised update to be advised at a later date.

Previous Action Item 6 – ANZAC Monuments

Cr Kris requested the names included in each monument to be those who registered from each community, and not those who married into communities. Mayor Gela advised the issue to be sorted out in communities.

Previous Action Item 27 – Saibai Dolphins

Cr Bosun requested an update on the action item. Mayor Gela advised Department of Transport and Main Roads assessment complete. Mayor advised of the need to escalate the issue to the Department of Transport and Main Roads.

Previous Action Item 17 – Head Tax

Cr Kris discussed the rates on incoming people to the Torres Strait using the head tax. Mayor Gela advised discussions to progress in budget discussions later in day.

Previous Action Item 17 – Head Tax - TIB licensing of commercial vessels

Cr Sabatino - TIB licensed vessels are considered commercial vessels and should pay port fees. Mayor - discussions to progress in budget talks. AMSA registration can confirm whether a commercial vessel - Cr Sabatino confirmed.

Cr Kris reiterated importance of releasing agenda papers early enough to allow more detailed review by Councillors prior to meeting

5. 10.58am – 11.18pm Late Report - Annual Operational Plan 2015/16

EMCS provided report on the proposed 2015/16 Annual Operational Plan, linked to the Corporate Plan.

Cr Sabatino queried whether the building services review is captured in the Operational Plan. EMCS advised the project not included as complete and to be presented to Council on following day.

RESOLUTION

Moved Cr Sabatino, *Seconded* Cr J Gela

That pursuant to section 174 (1) of the Local Government Regulation 2012 (Qld), Council adopt the Annual Operational Plan for financial year 2015-2016, as presented.

MOTION CARRIED

6. 11.18pm – 11.44am Agenda Report - Financial Policies

EMFS presented the report on Financial Services Policies for Council's adoption.

Cr Sabatino queried the CEO and EMFS bad debt write-off delegation of \$200,000. CEO advised Council will deal with bad-debts on a case by case basis, rather than a blanket position. Mayor advised with significant lump sum bad-debts Council must exhaust all other avenues before write-off considered.

Policy Amendments:

1. CEO and EMFS bad-debt write-off delegation to be reduced to \$1,000. Any debt over \$1,000 to come to Council for resolution.
2. Vehicle Car Hire policy to remove reference to 2WD (vehicles).

RESOLUTION

Moved Cr Sabatino, Seconded Cr Nai

That Council adopt the following Policies:

- Investment (SPO 1)
- Community Grants (SPO 3)
- Debt (SPO 4)
- Revenue (SPO 5)
- Councillor Expense Reimbursement and Facilities Provision (SPO 6)
- Fiscal Governance (PO 4)

MOTION CARRIED

Cr Fell blessed the Lunch
11.44pm – 1.23pm Lunch Break

7. 1.23pm – 3.14pm **Agenda Report - 2015/2016 Original Budget**

Budget report presented by Mayor Gela.

Cr Sabatino queried the Community grants carry-over. Cr Sabatino also queried the HACC funding agreement. CEO advised of a transitional funding agreement until budget review. CEO also advised Loan facility for Hammond office affects reported surplus via interest expense. Cr Sabatino queried where additional surplus from not incurring loan interest expense goes. EMFS advised surplus as an accounting surplus, not cash surplus.

It was noted Cr Mosby re-joined the meeting at 1.57pm

Cr Baira queried spike in total assets. EMFS advised NPARIH and Seawalls depreciation as cause.

Cr Sabatino queried payment to suppliers and employees. EMFS advised due to increase in building team recoverable works program.

RESOLUTION

Moved Cr Bosun, Seconded Cr Enosa

(i) That Council adopts, in accordance with Division 3 of the *Local Government Regulation 2012*, the Annual Budget for the 2015/2016 Financial Year as presented incorporating:

- Statement of Financial Position
- Statement of Cash Flow
- Statement of Income and Expenditure
- Notes to Statement of Income and Expenditure
- Statement of Changes in Equity
- Long Term Financial Forecast
- Financial Sustainability Ratios
- Capital Budget

(ii) That Council adopts, in accordance with section 98 of the *Local Government Act 2009*, the Register of Fees and Charges for the 2015/2016 financial year.

MOTION CARRIED

8. 3.14pm – 3.28pm **Agenda Report - Revenue Statement, Striking of Rates and Charges 2015/16**

EMFS presented the report to Council to resolve for adoption the Revenue Statement and Striking of Rates and Charges for the 2015/16 financial year.

Cr Akee queried the rationale behind the service access charge. EMFS advised access and volumetric parts to the charge, with connection and consumption involved.

RESOLUTION

Moved Cr Fell, Seconded Cr J Gela

(i) That Council resolves pursuant to chapter 4, part 3 of the Local Government Act 2009 and chapter 5, part 2 of the Local Government Regulation 2012, to adopt the attached Revenue Statement for 2015/16 financial year.

(ii) That Council resolves pursuant to chapter 4 of the Local Government Regulation 2012 to adopt the recommendations contained in the attached Striking of Rates and Charges for 2015/16 financial year.

MOTION CARRIED

13. 3.28pm - 3.29pm **Meeting of Council as Trustee of DOGIT**

Moved Cr Baira, Seconded Cr Mosby

That in accordance with Section 83 of 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

It was noted Cr Fell left the room at 3.29pm

13.1. 3.29pm - 3.32pm Saibai LHA Survey Plan

EMCS presented the Saibai Land Holding Act Survey Plan report to Council for endorsement.

RESOLUTION

Moved Cr Enosa, Seconded Cr Kris

That the Trustee endorse Survey Plan SP248422 (Plan of Resurvey of Lots 8-10, 26, 28, 29, 69, 76, 78, 82-84 and 91 on PLD553) dated 11 November 2014.

MOTION CARRIED

13.2. 3.32pm - 3.35pm Hammond Island LHA Survey Plan

EMCS presented the Hammond Land Holding Act Survey Plan report to Council for endorsement.

RESOLUTION

Moved Cr Sabatino, Seconded Cr Bosun

That the Trustee endorse Survey Plan SP248418.

MOTION CARRIED

13.3. 3.35pm - 3.41pm Freehold Pilot Program: Freehold Implementation Plan

EMCS presented the proposed Freehold Implementation Plan to Council for endorsement.

Cr Baira queried Traditional Owners involvement in the process. EMCS advised only PBC involved at this point as only a plan to roll out the freehold pilot, not the actual program. EMCS added the plans are subject to further engagement and consultation.

RESOLUTION

Moved Cr J Gela, Seconded Cr Mosby

That the trustee endorse the Freehold Implementation Plan (a consultative plan) for the three (3) pilot communities (St Pauls (Moa), Poruma and Hammond Island), as presented.

MOTION CARRIED

3.41pm - 3.42pm

Re-convene as Local Government

RESOLUTION

Moved Cr Baira, Seconded Cr Bosun

That Council re-convene as Local Government.

MOTION CARRIED

Meeting closed in prayer by Cr Nai

3.43pm Council Meeting Close

Tuesday 30th June 2015

Present

Cr Fred Gela, Mayor

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

Cr Dimas Toby, Division 1 – Boigu Island

Cr Ron Enosa, Division 3 – Saibai Island

Cr Horace Baira, Division 5 – Badu Island

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

Cr Toshie Kris, Division 7 – St Pauls Community at Moa Island

Cr Mario Sabatino, Division 8 – Hammond Island

Cr Willie Lui, Division 10 – Warraber Island

Cr Phillemon Mosby, Division 11 – Poruma Island

Cr Ted Nai, Division 12 – Masig Island

Cr Rocky Stephen, Division 13 – Ugar Island

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Ms Dania Ahwang, Chief Executive Officer (CEO)

Mr David Abednego, Executive Manager Community Services (EMCoS)

Mr Chris McLaughlin, Executive Manager Corporate Services (EMCS)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)

Ms Jessica Cox, Travel and Administration Officer (TAO)

Apologies

Cr Joel Gaidan, Division 2 – Dauan Island

Cr Getano Lui Jnr, Division 9 – Iama Island

Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)

Ms Daisy Ketchell, Executive Officer (EO)

9. 9.30am - 9.33am Opening Prayer and Welcome

Cr Stephen opened the meeting in prayer.

10. **9.34am – 10.53am** **Agenda Report - Asset Management Plans (AMPs)**

EMCS presented the report in regards to the approval of asset management plans for community buildings, recreation, waste management and transport.

Cr Kris queried the demolition of houses on Erub and in other communities. Mayor suggested scope of demolition work as part of upgrades program from State Government. Cr Bosun suggested one solution to demolition issues as NPARIH program.

Cr Sabatino requested island-by-island break down of individual asset conditions.

Action Item

EMCS to include island-by-island break down of individual asset conditions in next AMP's draft to Council.

It was noted Cr Sabatino left the room at 10.08am

It was noted Cr Sabatino re-entered the room at 10.13am

RESOLUTION

Moved Cr Nai, Seconded Cr W Lui

It is recommended that Council adopt the Asset Management Plans as submitted:

- A. Community Buildings
- B. Recreation
- C. Waste Management; and
- D. Transport
- E. Fleet and Plant (as revised)

MOTION CARRIED

Morning Tea blessed by Cr W Lui

10.53am – 11.25am Morning Break

12. **11.25am – 11.26pm** **Closed Business**

RESOLUTION

Moved Cr Nai, Seconded Cr Mosby

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

- (a) The appointment, dismissal or discipline of employees; or

- (b) Industrial matters affecting employees; or
- (c) The local government's budget; or
- (d) Rating concessions; or
- (e) Contracts proposed to be made by it; or
- (f) Starting or defending legal proceedings involving the local government; or
- (g) Any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
- (h) Other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Further the public in attendance are asked to leave.

MOTION CARRIED

11.26am - 11.45am

Late Report - Insurance Renewal

EMCS presented the report on Council's Insurance broker for the 2015/16 financial year to cover Workers Compensation, Asset, and Public Liability and Officer Insurance.

12.1. 11.45am - 12.25pm

Agenda Report - Contractors and Suppliers of G&S

CEO presented the report to formalise the preferred contractors and supplies of good and services by establishing a register of preferred suppliers.

12.2. 12.25pm - 12.34pm

Agenda Report - Vet Tender

EMCoS presented the report to seek Council's approval for the engagement of a veterinary service in accordance with Tender TSIRC2015-81.

12.3. 12.36pm - 1.25pm

Agenda Report - Seawalls Update

EMES presented the report to Council to inform Council on recent developments and the current status of the Seawall Project.

Cr Nai Blessed the lunch

1.30pm – 2.35pm Lunch Break

2.35pm - 3.28pm

Industrial Relations Update

Industrial Relations update presented to Council by EMCS.

All staff except CEO asked to leave room 3.03pm - 3.28pm

3.28pm - 3.28pm

Council move out of Closed Business

RESOLUTION

Moved Cr Enosa, Seconded Cr Nai
That Council move out of Closed Business.

MOTION CARRIED

12.4 Insurance Renewal

RECOMMENDATION

Moved Cr Sabatino, Seconded Cr Enosa
That Council resolve:

1. to withdraw from Local Government Mutual and engage AON as preferred broker of Public Liability and Officers insurance for 2015/16, and authorise the Chief Executive Officer to enter into further negotiations with AON to further reduce brokerage fees, and take out additional cover considered appropriate, at the Chief Executive Officer's discretion, within the approved 15/16 budget.
2. that Local Government Workcare be appointed a sole supplier under s235(a) of the Local Government Regulation 2012 (Qld), for the provision of Workers Compensation services.

MOTION CARRIED

12.1 Contractors and Suppliers of G&S

RECOMMENDATION

Moved Cr Stephen, Seconded Cr J Gela
That Council adopts the appointment as per Schedule A as Register of Preferred Suppliers under s233 of the Local Government Regulation 2012 for Building Works in the Torres Strait for the period 1 July 2015 to 30 June 2017.

MOTION CARRIED

12.2 Vet Tender

RESOLUTION

Moved Cr Fell, Seconded Cr W Lui

That Council resolve to engage Katherine Vet Care Centre Pty Ltd to provide veterinary services in accordance with tender TSIRC2015-81.

MOTION CARRIED

Cr Kris Against

Cr Sabatino Against

15. 3.30pm - 4.40pm Business Arising

It was noted Cr Kris left the meeting at 3.39pm

It was noted Cr Bosun left the meeting at 3.39pm

It was noted Cr Enosa left the meeting at 3.39pm

It was Noted Cr Baira left the meeting at 3.39pm

It was noted Cr Sabatino left the meeting at 3.39pm

It was noted EMES left the meeting at 3.39pm

It was noted EMFS left the meeting at 3.39pm

It was noted EMCS left the meeting at 3.39pm

Cr Fell reported negative feedback from recent paint work conducted at Mabuiag. Cr Fell raised concerns with painters trespassing, property damage, and job quality. Cr Fell advised Council of Mabuiag Communities annoyance at the work, and queried who the contractors were.

Action Item

CEO and EMCoS to follow-up negative feedback with Mabuiag paint contractors.

Cr Mosby raised concerns with painting contractors at Poruma showing up with no prior entry notices.

Action Item

EMCoS to follow-up entry notice process with Lloyd.

Cr W Lui noted the need for work to be progressed on fencing at the entry of Warraber Dam damaged by recent desalination project.

Action Item

EMES to follow-up Warraber Dam fencing damage.

Cr Toby requested further clarity in regards to an email received from EMCoS concerning social housing at Boigu. EMCoS advised process followed for new housing being assigned fewer bedrooms than expected.

Action Item

EMCoS to facilitate meeting with Cr Toby and Rick Healy of Department of Housing and Public Works

Cr Mosby requested CEO to follow-up Immigration office lease relocation email.

Action Item

EMCS to follow-up Immigration office lease relocation at Poruma

Cr Mosby queried the progress of housing construction program at Poruma.

Action Item

EMCoS to facilitate meeting with Cr Mosby and Rick Healy of Department of Housing and Public Works

CEO discussed PCAP (Property Condition Assessment Program) Information Report with Councillors, noting inspections to progress between now and September. CEO advised request to visit notifications to be received shortly.

EMCoS discussed the rain water tank maintenance program, identifying Badu, Hammond, St Pauls and Ugar as priority due to health and safety issues.

Cr J Gela discussed the dump disposal site, noting it as green lighted to go ahead. Cr J Gela enquired about processes from now on. Mayor Gela advised Letter from PBC and Native Title Office to address the community meeting. Cr J Gela noted challenges with ILUA as land is not identified as belonging to any specific Traditional Owner. Mayor advised s24KA notice may be needed if no ILUA.

Cr W Lui noted the need for maintenance on the Quarantine chemical storage shed at Warraber Airstrip.

Action Item

EMCoS to liaise with Bio Security regarding the maintenance on Quarantine chemical storage shed at Warraber airstrip.

Cr W Lui queried the lease status of the waiting house office lease with Bio Security/Immigration, noting there appears to be no activity apart from the air conditioner running.

Action Item

EMCoS to follow-up Warraber waiting house office lease status.

Cr Nai requested the travel dates of Councillors attending the August Council Meeting. Cr Nai added that the meeting falls on August 23, and requests that the meeting be moved to 24-25 August to take into consideration celebrations planned.

Action Item

CEO to email Councillors regarding August Council Meeting at Masig.

Cr Fell queried if Mabuiag office could be supplied paint to re-paint the office.

Action Item

CEO to progress purchase of paint for Mabuiag office re-paint.

Apologies for July 2015 Council Meeting:

- Cr Toby
- Cr Stephen

Meeting closed in prayer by Cr Fell

4.40pm Council Meeting Close