



**MINUTES**

**ORDINARY MEETING**

**THURSDAY 21 AUGUST – FRIDAY 22 AUGUST 2014**

Please find attached Minutes of the above meeting held on Thursday 21<sup>st</sup> August 9.22am – 3.55pm, Friday 22<sup>nd</sup> August 9.15am – 2.54pm at the Community Hall at Masig

**THURSDAY 21<sup>ST</sup> AUGUST 2014**

**Present:** Cr Fred Gela, Mayor  
Cr Keith Fell, Deputy Mayor, Division 4 - Mabuiag Island  
Cr Dimas Toby, Division 1 – Boigu Island  
Cr Joel Gaiden, Division 2 - Dauan Island  
Cr Ron Enosa, Division 3 – Saibai Island  
Cr Horace Baira, Division 5 – Badu Island  
Cr David Bosun, Division 6 – Kubin, Moa Island  
Cr Toshie Kris, Division 7 – St. Pauls, Moa Island  
Cr Mario Sabatino, Division 8- Hammond  
Cr Getano Lui Jnr, Division 9 - Iama Island  
Cr Phillemon Mosby, Division 11 – Poruma Island  
Cr Fraser 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 Chris McLaughlin, Chief Legal Officer (CLO)  
Mr Anthony Bird, Executive Manager Corporate Services (EMCS)  
Ms Larissa Bani, Executive Secretary (ES)

**Apologies:** Cr Willie Lui – Division 10 – Warraber Island  
Mr David Abednego, Executive Manager Community Services (EMCoS)  
Mr Pat McGuire, Executive Manager Engineering Services (EMES)  
Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)

**Item 1**

**9:22am** Meeting opened in prayer by Cr Fell

**ONE MINUTE SILENCE**

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 thanked Cr Nai and the community for hosting the meeting and acknowledged the Traditional Owners of the Land.

Cr Nai also welcomed Council to Masig community and encouraged Councillors and staff to engage with community members while visiting Masig.

**ACCEPTANCE OF APOLOGY – COUNCILLORS' ABSENCE**

**APOLOGIES NOTED**

**CR WILLIE LUI**

Cr Willie Lui, Division 10 – Warraber Island

Reason: Due to August 22 community celebrations on Warraber Island.

**RESOLUTION**

Moved Cr Bosun, Seconded Cr J. Gela that Council accepts the apology from Cr W Lui for his absence today at this meeting.

**Motion Carried**

**1 against**

**Item 3.1** **Action Item Summary – Previous Meeting**

**Action Item – Derelict Housing:**

- Information report regarding derelict and abandoned houses to future meeting. Details to include what Council action will be taken in relation to the demolition of derelict dwellings.

**Action Item – Torres Strait Island Police Support Officers**

- CEO to extend invitation to Inspector David Lacey to attend a Council Meeting to discuss operational issues of Torres Strait Island Police Support Officers (TSIPSOs) and their roles and responsibilities. Also, to request access to statistics being reported by TSIPSOs of community incidents.

**Action Item- Freezers:**

- CEO and CLO to provide information report on status of freezer divestments.
- CEO to invite TSRA's CEO to present on funding policies for revenue usage, future planning and criteria for local fishermen to access funding. TSRA CEO to also provide update on total investment to date, outcome/s from that investment, any leftover funding for investment and any targets for that leftover funding.
- CEO review to also include considering which fisheries committee for Council to be a part of and whether Protected Zone Joint Association (PZJA) is the most appropriate.
- CEO to provide update to Cr G Lui on discussion with Kenny Bedford on Thursday Island on 19 August.

**Action Item – lama Drainage**

- CEO to follow up with EMES on lama drainage – program of works and works to date.

**Action item – Social behaviours of employees:**

- CEO to consider potential impacts of social behaviour outside of workplace on employee's conduct in the workplace.

**Action item – IBIS divestments:**

- CLO to follow up on IBIS discussions with IBIS CEO.

**Action Item – Fuel Bowsers:**

- CEO to check fuel prices on all TSIRC fuel bowsers are in accordance with 2014/15 TSIRC Register of Fees and Charges.
- EMCS to arrange training of all administration staff at Boigu in fuel bowser computer system update.

**Action Item – Temporary Housing Boigu**

- CEO to prioritise follow up of temporary housing at Boigu.

**Action Item – Hammond Island Council Office Loan**

- CEO to follow up on lodgement of updated financial data to Department.

**Item 3.3. Confirmation of Minutes**

**Amendments to Minutes 15 - 16 July 2014:**

- Inclusion of Mer Airport waiting house action item.
- Community Grant application – Iama Mura Mabaigal TSI Corporation– check resolution wording re “tax invoice”.
- Community Grant Application – Frances Whap – no contribution from Hammond nor Kubin.

**Action Item – Council Meeting Agenda Composition and Councillor Remuneration**

- CEO and CLO to review Councillor Remuneration Procedure and present for future meeting:
  - Percentage of meeting attendance required to be eligible for sitting fee;
  - ‘Approved leave’ clarification; and
  - ‘Reasonable excuse’ clarification.
- CEO to revise Council Meeting Agenda composition to bring together all resolutions onto one day of meeting agenda.

**RESOLUTION**

Moved Cr J Gela, Seconded Cr Akee that, subject to the above amendments, the minutes of Council meeting held 15<sup>th</sup> -16<sup>th</sup> July 2014 is adopted as true and accurate.

**Motion Carried**

**It was noted that Council break for Morning Tea 10:42am – 11:08am**

**Item 4 Business Arising From Information Reports**

**Item 4.1. Meeting Handbook**

CLO provided an update on the Meeting Handbook as presented as information report.

**Item 4.2. Teleconferencing**

CLO provided an update on Teleconferencing as presented as information report.

**Item 4.3. Sport and Recreation Funding from TSRA \$0.5m (Late Report)**

CEO clarified that decision on TSRA funding of \$0.5m is yet to be determined by Council and is to prepare options paper on funding including:

- Resolution to be provided for Council decision in relation to TSRA funding;
- Report to include eligibility criteria for the TSRA funding;

- Carry over funds from \$0.2m funding approved as part of 13/14 Capital Works Program for stadiums to also be considered in resolution of Council;
- Scope of works and costing estimates for St Paul's and Erub Stadiums currently being finalised by Assets and Building to be included in report; and
- Consideration to be given to Ugar Helicopter Subsidy as part of options paper.

**Item 5**

**COMMUNITY GRANT APPLICATIONS**

**Item 5.1. Kulpiyam Badu – Murri Rugby League Carnival**

**RESOLUTION**

Moved Cr Nai, Seconded Cr Kris:

That Council agree to provide Community Grant support of \$1000 in accordance with the Community Grants policy to Kulpiyam Badu Team, for the purposes of Murri Carnival 2014 attendance in Ipswich.

**Motion Carried**

**Item 5.2. Saguci Tigers Badu Murri Rugby League Carnival**

**RESOLUTION:**

Moved Cr Nai, Seconded Cr Baira:

That Council agree to provide Community Grants support to requested amount of \$3,664 available in accordance with the Community Grants policy, to Saguci Tigers Rugby League Team, for the purposes of Murri Carnival 2014 attendance in Ipswich.

**Motion Carried**

**Item 5.3. Muyngu Koekaper Dance Team Saibai – NPA Cultural Festival**

**RESOLUTION**

Moved Cr Sabatino, Seconded Cr Fell

That Council agree to provide Community Grants support to the maximum amount of \$10,000 available in accordance with the Community Grants policy, to Muyngu Koekaper Dance Team Saibai, for the purposes of Inaugural NPA Cultural Festival attendance on 2 – 4 October 2014 subject to final signing off on application & furnishing of grant income budget and grant acquittal confirmation. It is further noted that funding cannot be used for administration fees nor volunteer times cost items of the project budget as both are considered ineligible expenditure items.

**Motion Carried**

**Action Item – Community Grant Application**

- CEO to develop assistance program for local community organisations and individuals filling out Community Grant Application forms.
- Community Grant Application process to be revised by CEO to consider other fundraising performed by the applicant
- CEO to review Community Grant Application maximum funding amounts to be brought back to Council for consideration.

**Item 5.4. Kulpiyam Badu – Torres Strait Cup 2014**

**RESOLUTION**

Moved Cr Gela, Seconded Cr Mosby

That Council agree to provide community grants support of \$1000 available in accordance with the Community Grants Policy, to Kulpiyam Rugby League, for the purposes of Torres Strait Cup 2014.

**Motion Carried**

**Item 5.5. Kuruwai Warriors Badu – 2014 Zenadth Kes Cup**

Cr Baira declared a Material Personal Interest as a Team Member/Player and left the room at 12:40pm.

**RESOLUTION**

Moved Cr Mosby , Seconded Cr Kris

That Council agree to provide \$1,000 from Regional Grant to Kuruwai Warriors Rugby Football League Club, for the purposes of 2014 Zenadth Kes Cup

**Motion Carried**

**Item 6 Asbestos Project Update**

EMCS provided an update on Asbestos Project:

- Preliminary audit findings have been forwarded to Councillors
- High and very high risks have been highlighted
- Next 4 steps:
  1. Project plan to be compiled of individual community results
  2. Community Housing findings to be provided to Department of Housing and Public Works and Council's Building Team
  3. Corporate Building findings to be provided to Council's Building Team

4. Costings from Council's Building Team to form the basis of a report to be prepared to seek funding for asbestos actions.

### **Action Item – Asbestos Project**

EMCS to action:

- Develop action plan of how to address churches including how to prioritise.
- Asbestos report to include details of those properties that were excluded from the audit due to refusal by occupant/tenant.
- Clarify whether white asbestos is contained in fibro/hardiplank materials in existing buildings.
- Regular status reports on Asbestos Project to be provided to Council.

**It was noted that Council break for Lunch 1:00pm – 2:00pm**

### **Meeting of Council as Trustee of Community DOGIT**

#### **RESOLUTION**

Moved Cr Kris, Seconded Cr Baira that in accordance with Section 83 of Local Government Act 2009 (QLD) Management of Community Development of Grant in Trust, the meeting of the Trustee of Community DOGIT be convened and conducted as separate meetings of the Indigenous Regional Council.

**Motion Carried**

### **Saibai Social Housing Leases**

#### **RESOLUTION**

Moved Cr Baira, Seconded Cr Enosa

That pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant a standard lease to the State of Queensland (as represented by the Department of Housing and Public Works) over the below lease areas in part of Lot 3 on TS157 on SP267929 and SP267930, for Social Housing Purposes and other Government Services Use of and incidental to that purpose, subject to Development Approval under the Sustainable Planning Act 2009 (Qld), namely: -



<b>Plan/Document number</b>	<b>Plan/Document name</b>	<b>Date</b>
SP267929	Plan of Leases P - U	13/06/13
SP267930	Plan of Lease V	13/06/13

**Motion Carried**

Meeting closed as Trustee 2:20pm

**Item 7**      **General Business**

**Action Item – One Boat**

- Mayor provided an update on response from Prime Minister on One Boat deputation and copy of response to be provided to all Councillors.

**Action Item - Uniforms**

- CEO provided an update on uniforms with polo shirts currently being designed and costed and to be presented to Council for consideration.

Also, previously bulk printed material for corporate shirts and tops to be fully utilised to make final order of corporate uniforms.

**Action Item – Kubin New Housing Handover Date**

- CEO to provide available dates to Cr Bosun for Mayor and Deputy Mayor to attend Kubin new Housing handover

**Action Item – After Hours Power Outage Emergency Procedures**

- CEO to clarify and distribute Ergon Emergency After Hours Contact for Power Disruptions out of hours.

**Action Item – Airport Security Checks**

- CEO to confirm with Federal Department on mandatory Airport Security Checks.

**Action Item – Rain Water Tanks**

- EMCoS to confirm with Department of Housing and Public Works as to their position on Rain Water Tanks and their replacement.

**Action Item – Masig Sewerage Treatment Plant (STP)**

- CEO to address potential safety issues with confined space works at all STP's including safety harness usage, working alone, methane gas risks, manhole securing and safety signage.
- EMES to address broken spotlight at Masig STP.

**Action Item – Engineering Officer training**

- EMES to consider more specific training for Engineering Officers including minor fault fixing of plant, basic plumbing training.

**Horn Island Airport Waiting Facilities**

CEO provided update on discussions with Torres Shire Council CEO who had confirmed that the previously used security facilities area would be the short term arrangement for grieving families to sit. Longer term, Torres Shire Council would be looking for funding to develop a longer term purpose built facility at Horn Island airport and the previously used security facilities would become the check in areas for the regional airlines.

**Action Item – Boigu Council Office**

- EMCS to follow up on Councillors printer
- Council office fax to be installed – staff currently use Centrelink fax machine – EMCS to follow up
- Councillor office airconditioner repair – EMCS to follow up
- RTC airconditioners to be fixed – EMCS to follow up
- Boigu Stadium lock up to be actioned by CEO
- EFTPOS Line not working – Executive Officer to attend Boigu next week and try to fix
- CEO to follow up on lounge for Councillor office reception area

**Action Item – Vet Visit Mer**

- EMCS and EMCoS to work on ensuring backhoe and vehicle are available for upcoming vet visit.

**Action Item – Staff Criminal Checks**

- CEO to follow up on mandatory criminal history checks of staff as part of recruitment process

**Gazetted Roads**

- CLO provided update on LG Controlled roads & gazetted roads

**Action Item – Kubin New Housing Plans**

- CEO to provide copy of approved new housing plans for Kubin to Cr Bosun

**Action Item – Building Works at Masig**

- CEO and EMCoS to follow up on housing repairs and maintenance raised at Masig community visit in July 2014.

**Meeting Closed for Day 1**

3:55pm Meeting closed in prayer by Cr Enosa

**FRIDAY 22<sup>ND</sup> AUGUST 2014**

**Present:** Cr Fred Gela, Mayor  
Cr Keith Fell, Deputy Mayor, Division 4 - Mabuiag Island  
Cr Dimas Toby, Division 1 – Boigu Island  
Cr Joel Gaiden, Division 2 - Dauan Island  
Cr Ron Enosa, Division 3 – Saibai Island  
Cr Horace Baira, Division 5 – Badu Island  
Cr David Bosun, Division 6 – Kubin, Moa Island  
Cr Toshie Kris, Division 7 – St. Pauls, Moa Island  
Cr Mario Sabatino, Division 8- Hammond  
Cr Getano Lui Jnr, Division 9 - Iama Island  
Cr Phillemon Mosby, Division 11 – Poruma Island  
Cr Fraser 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 Chris McLaughlin, Chief Legal Officer (CLO)  
Mr Anthony Bird, Executive Manager Corporate Services (EMCS)  
Ms Larissa Bani, Executive Secretary (ES)

**Apologies:** Cr Willie Lui – Division 10 – Warraber Island  
Mr David Abednego, Executive Manager Community Services (EMCoS)  
Mr Pat McGuire, Executive Manager Engineering Services (EMES)  
Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)

**Item 8** **Opening Prayer**

9:15am Meeting opened in prayer by Cr G Lui

**Item 9** **Development Application**

**9.1.** **Telstra – Kubin**

**RESOLUTION**

Moved Cr Nai, Seconded Cr Enosa

That Council issue a Development Permit for *'Reconfiguration of a Lot'* with inclusion of the following conditions:

1. The proposed development is to be undertaken in accordance with the following approved drawings: SP238257 Plan of Lease U 24/09/10
2. The approval is valid for two (2) years. A Plan of Survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.
3. The applicant is responsible for the cost of providing any necessary services to the proposed lease area.

**Motion Lost**

**9.2. Telstra – St Paul's**

**RESOLUTION**

Moved Cr Kris, Seconded Cr Baira

That Council issue a Development Permit *'Reconfiguration of a Lot'* with inclusion of the following conditions:

1. The proposed development is to be undertaken in accordance with the following Drawings: SP145580 Plan of Lease T 15/10/01
2. The approval is valid for two (2) years. A Plan of Survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.
3. The applicant is responsible for the cost of providing any necessary services to the proposed lease area.

**Motion Carried**

**Item 10. Presentation – Department Foreign Affairs and Trading**

Clayton Harrington and Mandy Sinclair provided an update since last attendance at Council's May 2014 meeting:

- Traditional Inhabitants' Meeting – concerns were raised over the perceived additional scrutiny being applied to treaty movements;
- Clarification sought from DFAT on eligibility of spouses from non-treaty villages to travel via treaty movements.
- Confirmation of statistics provided by DFAT on treaty movements and handed out at meeting.

**Action Item – Treaty Movement eligibility of non-treaty village spouses**

- Council to write to DFAT to confirm that any eligibility review of treaty movements needs consultation with each individual community rather than one solution for all communities. In particular, several communities have confirmed that DFAT needs to consult Community Elders in determining movement eligibility.

It was noted that Council break for morning tea 10:34am – 12:11pm to attend school invitation.

**9.3 Telstra – Moa**

**RESOLUTION**

Moved Cr Baira, Seconded Cr Nai

That Council issue a Development Permit *'Reconfiguration of a Lot'* with inclusion of the following conditions:

1. The proposed development is to be undertaken in accordance with the following approved drawings: SP145570 Plan of Lease T 4/10/01
2. The approval is valid for two (2) years. A Plan of Survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.
3. The applicant is responsible for the cost of providing any necessary services to the proposed lease area.

**9.4. RILIPO – Saibai**

**RESOLUTION**

Moved Cr Enosa, Seconded Cr Gela

That Council issue a Development Permit *'Reconfiguration of a Lot'* with inclusion of the following conditions:

1. The proposed development is to be undertaken in accordance with the following approved drawings: SP267929 Plan of Lease P-U 13/06/13  
: SP267930 Plan of Lease V 13/06/13
2. The approval is valid for two (2) years. A Plan of Survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.
3. The applicant is responsible for the cost of providing any necessary services to the proposed lease area.

**Motion Carried**

**9.5 DETE - Boigu**

**RESOLUTION**

Moved Cr Toby, Seconded Cr Gaidan

That Council issue a Development Permit *'Reconfiguration of a Lot'* with inclusion of the following conditions:

1. The proposed development is to be undertaken in accordance with the following approved drawings: SP151783 Plan of Leases E & F 14/08/09
2. The approval is valid for two (2) years. A Plan of Survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.
3. The applicant is responsible for the cost of providing any necessary services to the proposed lease area.

**Motion Carried**

**Item 11**      **12:19 – 1:18pm Closed Business**

*Moved Cr Nai* *Seconded Cr Enosa* that in accordance with s275 of the *Local Government Regulation 2012* it is resolved for the meeting to go into closed session to discuss s275

- (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.

**End of Closed Business 1:18pm**

**11.1**            **RIBS Divestment**

**RESOLUTION**

Moved Cr Akee, Seconded Cr Baira

That Council resolves to:

1. Transfer only the six (6) prioritised ACMA licenses to Torres Strait Islanders Media Association Inc. (TSIMA) – Badu, Erub, Mabuiag, Warraber, Iama and Poruma; and
2. Enter into commercial licensing arrangements (at adopted Shared Facility hire rates) with TSIMA for RIBS facilities at Council owned buildings

Subject to Council being provided with details of the TSIMA review and the planned implementation program for the way forward and timeframes of the implementation program.

**Motion Carried**

**11.2**            **Fleet Maintenance – held over.**

**Action Item – Fleet Maintenance**

- EMCS to progress Expression of Interest for local mechanical service provision at Hammond, St Pauls, Badu, Saibai, Ugar & Mer.

**It was noted that Council break for Lunch 1:30pm – 1:50pm**

**Item 12      **Presentation – Aged Care Master Plan****

**Action Item – Aged Care Master Plan**

- CEO to distribute Aged Care Master Plan Presentation that was not delivered today due to flight delays of presenter.

**General Business**

**Action Item – War Memorial Funding**

- CEO to follow up on war memorial funding and provide update to Councillors.
- CEO to consider fast tracking process via Vanessa at Liberty.

**Action Item – Fuel Pumps and Pricing:**

- EMCS to follow up on fuel meter pumps for all manual pumping sites.
- EMCS to program a full review of fuel pricing.

**Action Item – Dolphins**

- EMES to provide a report on timelines for addressing including any incidents that Council can access reports on to consider insurance claim.

**Action Item – Corporate Plan**

- CEO to note that Saibai community has prioritised deer farming for feasibility studies for future economic development.

**Action Item – Seawalls**

- CEO and EMES to follow up Council's review of Seawalls funding agreement and in particular the various layers of reporting requirements and conflicting roles and responsibilities of the various parties to the agreement.

**Action Item – Warraber Community Hall Kitchen**

- CEO to program kitchen works at Warraber Community Hall with \$30,000 leftover funds.

**Action Item – DETE Erub Development Application**

CEO to follow up with EMES for update on development application previously held over for DETE Erub.



**Action Item – Erub Stadium Works**

- CEO to follow up on scope of works, funding source and approvals for reported works performed already on Erub Stadium.

**Action Item – Building Works**

- CEO to follow up on tendering process for Kubin Ranger works.

**Action Item – Next Councillor Training**

- CEO to send calendar booking for next Councillor Training in Cairns between Monday 3 and Friday 14 November 2014.
  - Training to include Company Directors Course training.

**Freight Coastal Inquiry**

Mayor provided update on submission presented at Wednesday's hearing:

- Access issues including Ugar Island restrictions and existing infrastructure limitations;
- Environmental risks;
- Greater flexibility sought for future infrastructure;
- Safety risks.
- Joint submission to be presented with Torres Shire Council.

**Next Council Meeting**

Tuesday 16 & Wednesday 17 September 2014 on Mabuiag.

**August 23 Celebrations**

Mayor tabled his apologies for the evening celebrations of August 23 due to flight out at 2pm.

**Action Item – Masig Basketball Courts**

- CEO to arrange for assessment of Masig Basketball courts including a scope of works and full costings for refurbishment of facilities.

**Closing Remarks**

Mayor thanked Masig Traditional Owners, Masig community and Cr Nai for their hospitality during the Council meeting and advised that a \$5,000 contribution is to be made to the Masig community.

Cr Nai thanked Council for attending Masig for the Council meeting.

**2:54pm Council Meeting Closed in prayer by Cr Fell**