



MINUTES

ORDINARY MEETING

TUESDAY 20 & WEDNESDAY 21 NOVEMBER 2012

Please find attached Minutes of the above meeting held on Tuesday 20th November 1.30pm & Wednesday 21st November 2012 at 9.10am – 5.00pm at *the TSIRC Conference Room, Torres Strait Haus, Victoria Parade, Thursday Island.*

TUESDAY 20TH NOVEMBER 2012

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. 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 – Yorke Island
Cr. Rocky Stephen, Division 13 – Ugar Island
Cr. Jimmy Gela, Division 14 – Erub Island
Cr. William Akee, Division 15 – Mer Island
Mr. John Scarce, Chief Executive Officer
Mr. Anthony Bird, Executive Manager Corporate & Finance
Ms David Abednego, Acting Deputy CEO
Ms Daisy Ketchell, Acting Executive Officer
Mrs Dinah Sailor, Executive Secretary.

1.20pm: Meeting opened in prayer by Cr. Lui.

Apologies: Cr. David Bosun, Division 6 – Kubin, Moa Island
Cr. Toshie Kris, Division 7 – St. Pauls, Moa Island
Cr. Ted Billy, Division 10 - Warraber Island

ONE MINUTE SILENCE

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

OATH OF OFFICE – MR. WILLIAM ROBERT AKEE

Mayor welcomed and Congratulated Mr. William Akee, elected Councillor for Division 15 – Mer Island.

Mayor handed the meeting to the CEO to proceed with the Oath of Office for Mr. Akee.

Mr. Akee read and signed the Declaration of Office as he was sworn in as Cr. William Robert Akee, Division 15-Mer Island, Torres Strait Island Regional Council.

Cr. Akee was officially welcomed by Cr. Gela, with applause from fellow Councillors.

ACCEPTANCE OF APOLOGY – COUNCILLORS ABSENCE

APOLOGIES NOTED

CR. TED BILLY

- Cr. Billy, Division 10 – Warraber Island (*Bereavement*)

RESOLUTION

Moved Cr. Fell, *Seconded* Cr. J. Gela that Council accepts the apology from Cr. Billy for his absence at this meeting.

Motion Carried

CR. DAVID BOSUN

Cr. Bosun, Division 6 – Kubin, Moa Island (personal commitments)

RESOLUTION

Moved Cr. Enosa, *Seconded* Cr. Fell that Council accepts the apology from Cr. Bosun for his absence at this meeting.

Motion Carried

CR. JOHN KRIS

Cr. Kris, Division 7 – St. Pauls, Moa Island (*attending meeting regarding funeral arrangements on St. Pauls, will be joining the meeting tomorrow Wednesday 21st November 2012*)

RESOLUTION

Moved Cr. Sabatino, *Seconded* Cr. Baira that Council accepts the apology from Cr. Kris for his absence at this meeting.

Motion Carried

DEPUTATION - Nil

STANDING COMMITTEE & COUNCIL MEETING

CEO gave a briefing on Standing Committee and Council meetings as per clarification requested by Cr. Lui and also for the benefit of new Councillor for Mer Island

- **membership of Standing Committee:**
 - a Standing Committee can be as few as 4-5 Councillors or can be entire Councillors.
 - This term Council has the entire Councillors with the Standing Committees.

- The Standing Committee is like a working group in drilling down even further and further into issues to really be able to start to look at things.
- Admin and Regulatory Standing Committee deals with functions within the Community, Police, legal etc.
- Infrastructure and Planning Standing Committee deals with Water and Sewerage etc.
- A resolution at a Standing committee is as binding on the Council as one that is at a Council meeting provided it has the delegation to do so.
- **powers of decision-making:**
 - *Ordinary Meeting* - can discuss and have power to pass resolution on all issues eg anything to do with Council, Local Government issues.
 - *Standing Committee Meeting*
 - has the same powers to pass resolution on all issues except for issues such as Local Laws, legal issues as that can only happen at a Council Ordinary Meeting as per the Local Government Act.
- **extension of two (days) for Council Ordinary Meetings**
 - In relation to the two days –start half day on the first day and then a full day again on the 2nd day.
 - to have two (2) straight days would be an extra night or two in the community but it is something we need to look into because during Council Meeting in the Communities we are looked after by volunteers most of the time
 - Because of the full attendance of the Council at Standing Committee Meetings, it was suggested that Council might as well just have the monthly Ordinary Meetings
 - Mayor suggested whilst council is in-train of discussing the possibility of extending the amount of days for the Ordinary meeting maybe it's an idea to review as to whether there is a need to hold Standing Committee

Mayor

- **Way Forward - Proposed Solution**
 - well and truly in advance look at flashing our proposed agenda.
 - Councillors flag their input and if it warrants a decision to be made by Council then it will make it to the Agenda for discussions.
 - seek feedback from Councillors to look at based on the Agenda what is proposed.
 - Other input that Councillors would like to see any matters specific to Councillors on the Agenda as well,
 - weigh it in and discuss amongst Councillors as to how many days, seek some sort of general consensus with Council on how many days we should have to meet and lock it in for those amount of days.
 - If it is an issue that does not warrant a decision then councillors wants to bring up of things happening on ground in their Community then they could then bring it up in General Business.
- It was noted to look at amending the Structure of the Agendas go into *General Business* at the start of the meeting after *Business Arising from Previous Minutes*.

- Mayor – went through the proceedings for today's Agenda and Wednesday:
 1. Some items to be discussed on Wednesday to be discussed in today's session, to allow the opportunity for Councillors to thoroughly discuss their community issues once it is open up for General Business.
 2. Closed Business Reports - Wednesday afternoon.

BUSINESS ARISING FROM PREVIOUS MINUTES – COUNCIL ORDINARY MEETING

✦ *Turtle and Dugong*

- Mayor has not heard of any engagement yet that has been proposed by Government on that set of regulation.
- There has been no talk of it at all, have not received anything.
- What has been endorsed is powerless and toothless that Council need a set of regulation to regulated and administer that piece of legislation.
- so until that is done have not received anything in writing from the State in relation to that because consultation needs to occur in every community on how to regulate that legislation on Turtle and Dugong
- Council is seeking a commitment from the State to ensure that in order to act on the Policy No.27 a set of regulation needs to be developed.
- Whatever processes or procedures that need to be developed in relation to administering that Policy No. 27 it needs to be heavily guided by the Community and the Communities are consulted.
- But to date have not received a letter on that level of commitment from the Government.

✦ *Community Aspirations to take over IBIS Stores*

- At the recent IBIS Board meeting Mayor tabled the aspirations of lama and Boigu but also flagged it that it was a collective view but at that stage drew the attention in particular to lama and Boigu.
- To Mayor's understanding Ian Copeland the CEO of IBIS will be looking at engaging in discussions with Cr. Lui and Cr. Toby.
- Minister concern about if community takeover will they continue to receive the benefits and not be subjected to sky rocketed prices and what would happen to shops like Ugar or the other shops that some of the other communities subsidized, what would happen to them.
- With that model that is proposed in discussion with Cr. Lui that is certainly different to any proposals that has gone through the door, so IBIS will definitely be coming to Cr. Lui to have those discussions.
- Some members of the Board was very supportive because there is no impact to the other shops overall and at the same time the benefits still goes to lama Community whilst under the Community leadership the community entity will still have the opportunity to purchase goods from the supply chain of IBIS and the same price IBIS purchases it.

- The aspirations of Boigu and Iama has been registered.
- A discussion will be happening very soon.

- **Gas and fuel - IBIS**
 - IBIS is willing to take on the gas for Council on the provision that Council assist them in negotiating extra space in meeting regulations – as there is some provisions in the Act that states they require to keep the distances where things are stored .
 - Discussion are happening.

- **Power Cards - IBIS**
 - Power Cards is a real risk not only to Council but IBIS as well and IBIS has acknowledged that.
 - Collectively between IBIS and TSIRC , in particular, TSIRC will need to make representation directly to Ergon Energy to look at a number of options either way to have those power in the communities especially for housing meters and individual bills.
 - The other options is the same way you do your banking, you can actually pay and credit your tariff.

- ✦ **LGOC**
 - It was noted at the last Standing Committee Meeting it was recorded through that CEO will do another report to Council once we have some sort of surety of what the Local Government Act is going to do and what the Minister for Housing is going to do.
 - The Local Government Act will be enforced come Thursday 22/11/2.
 - Of what went through the Parliament to get adopted it means that we don't have the eligibility to become a LGOC we need to have it as a corporatization entity through the Australian Security Investment Commission.

 - If that would be the case CEO recommends that Council do not go down that path simply because a Master Builder is required to hold the QBSA Licence.
 - The risk is going to be huge.
 - ▶ Council have tried every possible avenue to try and put up a tender document in for 8 houses allocated at Kubin but they have actually snubbing us.
 - ▶ Council was going to the Minister for Housing Bruce Flegg, but he is no longer there, Tim Mander is the new Minister for Housing.
 - ▶ LGOC - need to really sit down and do all the options in future reports and see what the risks are in building.

- ✦ **BRACS**
 - With regards to Remote Area Broadcasting Strategy (RIBS) - It was lost in new board of TSRA, CEO advised will know a lot more to our request in the next week or so in what Council have done in relation to that.
 - There is money there just need to arrange it a little bit to look at the best way forward.

- CEO will look at meeting with TSRA CEO on Thursday or Friday this week to have that dialogue with him on all of that issue.
- ✦ **Asbestos Removal**
 - CEO advised that the Deputy CEO is still working on the approach that was presented at the last October Meeting.
 - To date nothing has transpired and CEO was unable to give any update on that issue.
- ✦ **CBRC**
 - Mayor gave a brief on the Cabinet Budget Review Committee (CBRC) for the benefit of new Councillors.
 - ▶ Prior to that National Partnership Funding (Commonwealth Investment) being made available the State had some surplus funds in area to investigate Housing.
 - ▶ The CBRC funding that was allocated to TSIRC was \$13M through Projects Services (QBuild).
 - ▶ Projects Services was managing the whole rollout even the Project Management of that same money and the services – it took Projects Services at that time prior to Council making an approach just about one Year.
 - ▶ Council wrote a letter to Karen Struthers at that time and requested that our Building Team be provided with the opportunity to quote on 9 dwelling and to build 9 dwelling
 - ▶ Council went in with designs and full costing and was granted the green light and since that time 9 houses have been delivered by our Building Team.
 - ▶ The other remaining houses, that \$13M was supposed to deliver 25 homes that was the target.
 - ▶ A few discussions was held with the Deputy Director General of Housing and General Manager of the Department of Housing in Brisbane trying to inquire about the remaining CBRC funds (\$13M), because Council wanted to construct more houses after completing nine (9) Houses.
 - ▶ We were informed back then that the Tender Contractual Documents were being developed.
 - ▶ What they have done was the money has been taken away the excuse and the reason that gave is that they have tied up the Development into the National Partnership money.
 - ▶ But the argument Mayor always had was under the CBRC there was no 40 year leases, there were no terms and conditions as such.
 - ▶ Till today this is three and a half (3 ½) Years - the litmus test is there.
 - ▶ Council have put up a strong argument that the National Partnership money should not be invested through Projects Services.
 - ▶ Council was told that the Contractual Agreement was done and dusted, and was going out to Tender.
 - ▶ Mayor advised he hasn't even seen the Contractual Agreement or the Tender Documents, that hasn't been drawn up.
 - ▶ There has been no talk or any definite answer as to where the rest of the money is.
 - ▶ The response received was that there is no money.

- ▶ For those Developments that are proposed to occur in those communities, there is a lot of money involved and available under the National Partnership.
- ▶ But the Catch 22 is one need an Indigenous Land Use Agreement to be executed.
- ▶ There will be 90 homes that will be coming into our Region.

1. **Council draft a letter requesting a full explanation from the State.**
2. **Once that response comes back in black and white Council provide a covering letter with a response back to the Families, to indicate that it wasn't our downfall on Council's behalf.**

✦ ***Update on Tender of Old Council Vehicles***

- No feedback from the Divisions as yet.
- Two stage process to tender vehicles
 1. Identify vehicle for tender go through the register assets as to its value, if it's over \$5000 we go to a full tender Ad in the Torres News.
 2. If it is under \$5000 it will just be tendered locally in the Division. Advised locally that this is up for tender, and people submit an envelope marking it's for xyz tender and the all the tenders are open at the same time, and the highest bidder wins that tender.

RESOLUTION

CONFIRMATION OF MINUTES

Moved Cr. Fell, *Seconded* Cr. J. Gela that the minutes of Council Budget Meeting held 12 September 2012 be adopted as true and accurate.

Motion Carried

AUSTRALIA DAY AWARDS 2013 JUDGING PANEL SELECTION

- ✦ Nominees called for three (3) - Councillors to sit on a Panel to judge the Australia Day Awards 2013
 - ▶ Nominations of the Australia Day Awards closes 7th December 2012
 - ▶ Nominations:
 - Cr. Sabatino nominated Cr. P. Mosby. Cr. Mosby accepted
 - Cr. Fell nominated. Cr. Fell accepted
 - Cr. Sabatino nominated Cr. Nai. Cr. Nai accepted.

It was noted that Mayor will also sit in with the Judges to assist in the selections.

Moved Cr. Enosa, *Seconded* Cr. Gaiden that Cr. Phillemon Mosby, Cr. Keith Fell, Cr. Ted Nai form the judging panel for selection of the Australia Day wards 2013.

PARLIAMENTARY/REGIONAL GOVERNANCE FRAMEWORK OPTIONS

Lengthy discussions on:

- *Parliamentary Options*
 - *Regional Governance Framework*
1. Look at joint government arrangements.
 2. Look at what needs to be done to ramp up progress using what we already have eg infrastructure in place.

3.40am

It was noted that Cr. Lui left the Meeting due to prior commitment.

It was resolved that Council break for Lunch at 3.45am – 4.15pm.

ANNUAL REPORT

RESOLUTION

Moved Cr. P. Mosby, Seconded Cr. Nai that Council adopts the Annual Report for 2011-2012.

Motion Carried

REMOTE JOB AND COMMUNITIES PROGRAM (RJCP) EXPRESSION OF INTEREST

RESOLUTION

Moved Cr. Fell, Seconded Cr. J. Gela That Council ratifies the actions of Mr John Scarce Chief Executive Officer for expressing interest to run the RJCP (New CDEP).

Motion Carried.

5.54pm

CLOSED BUSINESS

Moved Cr. Fell, Seconded Cr. J. Gela that in accordance with Regulation 71 of the Local Government Operation Regulation it is resolved for the meeting to go into closed session to discuss section the appointment, dismissal or discipline of employees, starting or defending legal proceedings involving it, other business for which a public discussion would be likely to prejudice the interests of the local Government further the public in attendance are asked to leave.

Motion Carried

5.55pm Cr. Stephen declared his conflict of interest and left the Meeting Room during Closed Business
Cr. Sabatino declared his conflict of inters but was advised by Mayor he can remain in the meeting room during Closed Business.

6.01 **END OF CLOSED BUSINESS**

UGAR FERRY DIVESTMENT

RESOLUTION

Moved Cr. Fell, *Seconded* Cr. Mosby that Council accepts offer price of \$25,000 from Brother Bear Ferry/Water Taxi Service Ugar island to purchase the Arthur Mesepa, to operate a ferry service between Ugar, Masig and Erub Islands in accordance with the Local Government (Finance, Plans and Reporting) Regulation 2010 Chapter 4 Contracting.

Motion Carried.

6.02pm **MEETING CLOSED FOR THE DAY**

With no further discussions, the meeting closed in prayer for the day by Cr. Gaiden.

WEDNESDAY 22ND NOVEMBER 2012

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. 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 – Yorke Island
Cr. Rocky Stephen, Division 13 – Ugar Island
Cr. Jimmy Gela, Division 14 – Erub Island
Cr. William Akee, Division 15 – Mer Island
Mr. John Scarce, Chief Executive Officer
Mr. Anthony Bird, Executive Manager Corporate & Finance
Ms David Abednego, Acting Deputy CEO
Ms Daisy Ketchell, Acting Executive Officer
Mrs Dinah Sailor, Executive Secretary.

9.15am: Meeting opened in prayer by Cr. Enosa.

Apologies: Cr. David Bosun, Division 6 – Kubin, Moa Island
Cr. Ted Billy, Division 10 - Warraber Island

It was noted that Cr. Kris joined the meeting at 9.45am

GENERAL BUSINESS

✦ Land Holding Act

- Cr. Lui raise an issue regarding letter from Department of Environment regarding the Land Holding Act – wasn't aware of the issue regarding invalid leases.
- Mayor advised consultation process wasn't done properly with regards to invalid leases at Iama and other communities – they are challengeable.
- CEO received an email the Premier has announced that there is a discussion paper on Free Hold and there is a request for the Assistant Minister David Kempton to address the Council – so have set aside, 2 hrs at Infrastructure & Planning Standing Committee.

✦ Federal Minister for Environment

- Cr. Lui queried Federal Minister for Environment announced National Park around Australia, heard fishermen already questioning that, are we aware whats happening to us.
- Mayor advise will make enquiries into the that and will flick the response to all Councillors.

✦ Traditional adoption

- Council to raised an issue with Minister Kempton as well with regards to Ailan Kastom when he meets with Council on 13 December 2012.

✦ Mayor's Update on Various Issues

- ▶ *MOU with TSRA needs to be reviewed – Mayor requested CEO to provide at the next meeting and in advance provide copy to all Councillors.*
- ▶ *Update on Program Office Board Meeting attended on 14th November in Brisbane.*
 - *Seisia 9 lots subdivisions*
 - *Umagico 6 lots subdivision*
 - *Injinoo 20 lots subdivision*
 - *Torres 5 Lots subdivision to be completed by middle of this month*
 - *90 homes to be constructed over 2 ½ years, if we don't have those 90 lots available within that 2 ½ then we could risk losing part of that investment to another community.*
- ▶ *Mer Island DOGIT Transfer meeting held 9th November at the Program Office in Cairns with to progress transfer of Mer Island Transfers*
- ▶ *Torres Strait Land Use Planning Scheme – contract has been award to AECON, AECON has now a proposed program of works and community engagement plan to be sent to Councillors for comment by end of this month.*
- ▶ *Road Network Survey*
- ▶ *Boundary Issues/Grant Lease*
- ▶ *Employment & Training - Compiling of data of how many apprentices have been skilled up - evaluate overall program made by Commonwealth.*
- ▶ *Execution of ILUA – Cape Indigenous Communities racing ahead with ILUAs because they have exercised the “Catch 23”*
- ▶ *Katter Leases – 443 Katter lease across the State – majority is Indigenous communities.*
- ▶ *National Partnership Agreement – Regional ILUA has been developed to capture all major works through the State.*

It was resolved that Council break for Morning Tea at 10.35pm – 11.05pm

✦ Hammond Office Upgrade

- ▶ *CEO in response to Cr. Sabatino awaiting on loan approval.*
- ▶ *Budgeted for four (4) gas cages, not in breach of the regulations for Hammond.*

✦ Enterprise Bargaining Agreement

- ▶ *Nothing has changed, Council lodge to the Commission in May 2011*
- ▶ *CEO advised a report on EBA will go to December Standing Committee Meetings in Closed Business*

✦ Building Services Unit

- ▶ Broken into three (3) divisions:
 1. Darnley Murray Yoke Ugar (Eastern)
 2. Central Division
 3. Kubin, Badu, Mabuiag, Boigu, Saibai
- ▶ At this stage it was advised that Hammond sits under Eastern Cluster.
- ▶ Building Services reports to the Project Manager of TSIRC
- ▶ Project Manager reports to Lloyd Sunderland.

✦ Ugar Church

- ▶ Cr. Stephen raised the issue in his community regarding landslides near Ugar Church
- ▶ Will also affect Ergon.

✦ Qld Health Services

- ▶ Concerns raised by Cr. Stephen that there is not Health Worker on ground at Ugar.
- ▶ Health services provided to Ugar Wednesday every week with the Doctors flying in and out the same day.
- ▶ Mayor advised will flag for full stock and performance of all Health Centre throughout TSIRC.

✦ Advisory Committee - Update

- ▶ There is no feedback from Council at this time.
- ▶ Chief legal Officer on leave
- ▶ Will refer to December meeting -CEO encouraged Councillors to provide feedback to himself or Chief Legal Officer (CLO) on the advisory committee in the next two weeks.

✦ Housing & ILUAs

- ▶ Cr. Kris queried about the ILUA for Housing and if QLD was under pressure to deliver.
- ▶ There are delivery targets for TSIRC to deliver 90 homes to be delivered and fully structured with 2 ½ years
- ▶ If we cannot meet those targets because of lack of Infrastructure State will redirect traffic with x amount of houses across communities such as Kowanyama, Hopevale etc who already have vacant lots.
- ▶ State does not want to be in a position to lose out on those investment, that's why they focusing on these targets and that's the pressure from Commonwealth.
- ▶ Mayor advised that St. Pauls is one of the Communities that Program Office will be targeting because of the issues as raised by Cr. Kris.

✦ Mabuiag

- ▶ Cr. Fell informed Councillors of his resignation from Mabuiag PBC Committee.

- ✦ Cr. Baira request electronic copy of Mayors briefing papers if that could be sent to him.

- Disaster Management Plan
 - ▶ Needs to be on the Agenda as well as a separate issue.
 - ▶ Sought any objections from Councillors to look at amalgamating the group TSC, TSIRC for service provision only not for Council.
 - ▶ etc
 - ▶ Councillors agree to have that as one group for whole of Torres Strait.

- License Agreement
 - ▶ CEO will liaise with Chief Legal Officer (CLO) draw up all Licenses Agreement for all Divisions and have a one on one chat.
 - ▶ CEO advised he knows where Cr. Baira query is coming from but do not know if there is a license agreement in place for that particular person.
 - ▶ Mayor advised there was a proposal but it was never executed and it needs to be executed by the individual.
 - ▶ All License Agreement executed can be terminated with signature from both parties.
 - ▶ Mayor advised before engaging in any consultation is to bring Cr. Baira up to speed in relation to the paper trial that has been going forward then go forward to the next step.
 - ▶ Otherwise if you have gone forward to the next step without knowing what has transpired then you would know be in that position to know what has happened.
 - ▶ Mayor advised rather than just the licensing agreement, provide a register of all leases and licensing agreement to all Councillors Island by island.

- Actions Items
 - Mayor reassured Cr. Lui that everything that has been raised here in General Business has been noted and it will make the list of Action Items that needs to be addressed by Administration
 - Following the General Meetings and Standing Committee meetings the Mayor sits at times with Deputy Mayor Cr. Fell to exchange notes to look at what Council has captured, and acknowledging that the Minutes has been taken too as well, but the notes are exchanged even before the minutes comes out.
 - Mayor also flicks an email to CEO of the things that he has picked up during the deliberation of the meetings

- Q & A – Financial Controllers
 - Session with Financial Controllers on Thursday morning 22/11/12.
 - Mayor provided brief update to Councillors
 - This session is an In-Camera Session.
 - CEO briefly ran through the Annual Report once more for the benefit of Cr. Lui and Cr. Kris who was absent during this session.
 - Mayor will put out media release regarding Certified Audit.
 - Cr. Kris commended and thanked Mayor, CEO, and Anthony and Staff on the Annual Report.

It was resolved that Council break for Lunch 12.35 – 1.50pm.

- Utilization of Council Vehicle
 - Discussions on vehicles that have been allocated and vehicles from the pool and maintenance side
 - Cr. Kris requested Council pay Bus Taxi fares between St. Pauls and Kubin when attending Council meetings to meet the plane.
 - It was noted that Council is charging ITEC for the use of Council vehicles.
- Waste Management
 - Metal Waste completely stalled – still on LGAQ list but awaiting money from State Government.
- Coastal Erosion
 - Cr. Mosby queried that funding allocated for Boigu and Saibai for coastal erosion - what is the way forward for other communities where a lot of investment and plan has been put into.
 - The federal government is going to give us the money on the assumption that State will commit to the \$12M
 - Always been at situation with sea wall, feds won't give the money to State unless they will commit to the \$12M.
- Tender Bus Service
 - Erub – CEO advised no update on this issue.
 - Cr. Sabatino suggested divest in that in a few communities. Bus Service – obligation still lies with Council.
- CDEP Projects
 - It was noted that CDEP projects are sitting on trust land – council owns it.
 - Write formally to CEA to process of any constructions
 - RJCP - Council stand alone application for CDEP.
- Drainage at Erub Medigee
 - Issue raised by Cr. Gela on drainage are at Medigee
 - CEO advised concrete brought – will follow up where that concrete's been laid.
- Child Care Centre St. Pauls
 - Child care Centre Closed – needs to be looked at.
 - Infrastructure is a Council asset
 - Kaziw Assesered Le Organization is using the building as an office.
 - Mayor advised to do an assessment on it.
- Sporting Complex Erub
 - Stadium falling apart
 - Need council to have a look at it to assess for repairs and maintenance.

- Feedback – TSRA Board
 - Discussions on TIMS/JAC, visa permits
- Homelessness and Overcrowdness – Housing Issues
 - Homelessness and overcrowdness, disability
 - Re priority of housing accommodation
 - Council allocation at the end of the day

2.46pm

CLOSED BUSINESS

Moved Cr. Gaiden, *Seconded* Cr. Nai that in accordance with Regulation 71 of the Local Government Operation Regulation it is resolved for the meeting to go into closed session to discuss section the appointment, dismissal or discipline of employees, starting or defending legal proceedings involving it, other business for which a public discussion would be likely to prejudice the interests of the local Government further the public in attendance are asked to leave.

Motion Carried

It was noted that Cr. Sabatino declared his conflict of interest and there's a possible MPI.

2.48pm

Cr. Sabatino left the room.

END OF CLOSED BUSINESS

HAMMOND MINI MART

RESOLUTION

Moved Cr. Kris, *Seconded* Cr. Nai that Council: -

1. grant a Standard Lease under the *Torres Strait Islander Land Act 1991* (Qld) to Mario Sabatino on the following terms, namely: -
 - a. rental of \$6,000 per annum, increasing annually with CPI;
 - b. term of 30 years;
 - c. permitted use of Retail Business; and
 - d. no options to renew.
2. pursuant to section 185(1)(b)(ii) of the *Local Government (Finance, Plans and Reporting) Regulation 2010* (Qld), Council transfer the Mini Mart and Old Council Office buildings located at lot 50 Teachers Avenue, Hammond Island to Mario Sabatino for consideration of \$10,000.
3. the Lease and the asset transfer shall be contingent upon the following pre-conditions first being met, namely: -
 - a. the consent of the Hammond Island Community to the lease by the way of Poll facilitated by Council;

- b. the consent of the Torres Strait Island Regional Council in its capacity as Trustee of the Deed of Grant in Trust;
 - c. Development Approval under the Sustainable Planning Act 2009 (Qld);
 - d. Ministerial consent under the Torres Strait Islander Land Act (Qld) or Aboriginal Land Act 1991 (Qld); and
 - e. Obtaining native title approval if deemed necessary under the Native Title Act 1993 (Cth).
4. arrange a Poll by electors of the Hammond Island Electorate as to whether Lease is supported by the electorate;
 5. all costs of Lease be borne by the successful tenderer (resurvey, development application etc).

Motion Carried

3.15pm Executive and Staff was asked to leave the meeting room.

3.15pm ***IN-CAMERA SESSION***

4.20pm **COUNCIL MEETING CLOSED**

4.30pm **PROPOSED DECISION TRUSTEE MEETING**

MEETING OF COUNCIL AS TRUSTEE OF COMMUNITY DOGIT

Moved Cr. Enosa, Seconded Cr. Gaiden that in accordance with Section 85 of the 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

ROMAN CATHOLIC TRUST CORPORATION – HAMMOND ISLAND

Moved Cr. Sabatino, Seconded Cr. J. Gela That the Trustee grant a Trustee Lease to the Roman Catholic Trust Corporation for the Diocese of Cairns over part of the land identified in the highlighted section of the Preliminary Plan reference 60046821 and comprising part of the Deed of Grant in Trust being lot 155 on CP TS172, County of Torres, Parish of Port Kennedy, title reference 21296131, for the operation and maintenance of an educational facility being the School and to provide educational and ancillary services for the community of Hammond Island, subject to Development Approval under the Sustainable Planning Act 2008 (Qld), Ministerial Consent under the Torres Strait Islander Land Act 1991 (Qld) and/or Native Title consent under the Native Title Act 1993 (Cth) (as applicable).'

Motion Carried

- **CEO Succession**

Recommendation 1 – Option

Moved Cr. Kris, Seconded Cr. Nai that a Committee of five (5) comprising of the Mayor, Deputy Mayor, two Councillors being Cr. Kris and Cr. Lui and a Representative from LGAQ was approved to draft the terms of the new Contract for CEO and Deputy CEO and when finalised the Mayor will execute a Contract extension for the CEO to 31st July 2014 in accordance with the terms and conditions agreed by Council and sign a new Contract for Deputy CEO as CEO from 1st August 2014 in accordance with the terms and conditions agreed by Council.

5.10pm **MEETING CLOSED FOR THE DAY**

With no further discussions, the meeting closed in prayer by Cr. Mosby.