



MINUTES

ORDINARY MEETING

MONDAY 18 & TUESDAY 19 FEBRUARY 2013

Please find attached Minutes of the above meeting held on Monday 18th February 9.25am – 5.25pm & Tuesday 19th February 2013 at 9.10am – 5.00pm at the *TSIRC Conference Room, Torres Strait Haus, Victoria Parade, Thursday Island.*

MONDAY 18TH FEBRUARY 2013

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. 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. Ted Billy, Division 10 - Warraber Island
Cr. Phillemon Mosby, Division 11 – Poruma Island
Cr. Fraser Nai, Division 12 – Yorke 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 Dania Ahwang, Deputy CEO
Mr Pat McGuire, Executive Manager Engineering Services
Ms Daisy Ketchell, Acting Executive Officer
Mrs Dinah Sailor, Executive Secretary.

9.25am: Meeting opened in prayer by Cr. Billy.

Apologies:

Cr. Ron Enosa, Division 3 – Saibai Island
Cr. Rocky Stephen, Division 13 – Ugar Island

ONE MINUTE SILENCE

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

ACCEPTANCE OF APOLOGY – COUNCILLORS ABSENCE

APOLOGIES NOTED

CR. ROCKY STEPHEN

- Cr. Stephen, Division 13 – Ugar Island (*Bereavement*)

RESOLUTION

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

Motion Carried

CR. RON ENOSA

Cr. Enosa, Division 3 – Saibai Island (prior commitments)

RESOLUTION

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

Motion Carried

DEPUTATION - Nil

BUSINESS ARISING FROM PREVIOUS MINUTES

Deferred till after lunch.

COMMUNITY GRANTS

Council had lengthy discussions to consider the introduction of Councillor discretionary funding as part of Council's Community Grants Policy and budget deliberations.

Three (3) alternative options presented to Council for consideration:

1. Amend the existing Community Grants Policy to allow greater flexibility but still need to address legislatively requirements
2. Repackage the Community Grants Funding as Councillor Discretionary funding but again allowing greater flexibility but also needs to address additional legislatively requirements.
3. maintain the Community Grants Policy as it stands as it was adopted in the 2012/2013 Budget.

Risk attached is looking at transparency and accountability of allocation of discretionary funding and also that council is complying with any regulatory requirements.

Options recommended:

1. No change to current Community Grants Policy
2. Revise Community Grants Policy for greater flexibility in relation to cultural events
3. Revise Community Grants Policy for greater flexibility in relation to cultural events and also introduce Councillor discretionary funding within the Community Grants process and bring policy back to next Council Meeting.

Resolution

Option 1 – No Change to current Community Grants Policy

Motion Failed

Option 3

RESOLUTION

Moved Cr. Fell, Seconded Cr. Gaiden that Council revise Community Grants Policy for greater flexibility in relation to cultural events and also introduce Councillor discretionary funding with the Community Grants process.

Motion Carried

COUNCILLOR REMUNERATION

The new Local Government Regulation 2012, which supersedes the LGOR, also came into effect on 14 December 2012 and altered the Councillor remuneration determination process and removed the requirement for councils to adopt the new schedule.

The department advises that as the schedule was determined and gazetted under the provisions of the LGOR that, as per the notification provided in the gazette, councils should adopt the remuneration schedule as per the requirements of Section 42 (5) of the LGOR, and that it is done no later than 13 March 2013.

RESOLUTION

Moved Cr. Kris, Seconded Cr. Fell that Council adopts the Councillor Remuneration Schedule applicable from 1 January 2013 in accordance with the provisions of section 42 of the Local Government (Operations) Regulation 2010.

Motion Carried

Discussions to note prior to General Business

Ergon Energy

To invite Ergon Energy to and address the issues during Councillors Training on:

- Recalibration of meters
- sale of power cards,
- look at the tariff - how Council could actually look at reducing the cost and increasing the efficiency.

TSYRSA

TSYRSA highlighted to Council:

1. that Council have been funding a lot of sporting activities and events.
2. TSYRSA receives funding from TSRA.
3. Look at their proposal on how Council would feel in allocating a dollar amount that Council would consider to look at sporting activities annually as they have policies in place to guide the dissemination of funding.

Mayor advised would be good to have a body that have those processes and policies in place.

- Does not require decision from Council but will stimulate Councillors thinking depending on the proposal to Council in looking at maximising and enhancing the Council's dollars.
- *This proposal will go to next Council Meeting as an Agenda Item as Council have only received the formal letter today from TSYRSA prior to this meeting.*

ENTERTAINMENT AND HOSPITALITY POLICY

- ▶ *Report to be provide to Council on budget v actuals \$750 budget per Councillor and \$2000 for Mayor.*

RESOLUTION

Moved Cr. Sabatino Seconded Cr. J. Gela that Council adopts the Entertainment and Hospitality Policy in accordance with s196 of the Local Government Regulation 2012, as presented.

Motion Carried

It was resolved that Council break for Morning Tea at 10.30am – 10.55am.

ANNUAL OPERATIONAL PLAN

- ▶ Mayor
 - Council will look at endorsing this plan
 - Budget figures are original adoption figures and not those revised for adoption today
 - Cr. Sabatino requested divisional reports for Divisional Manager and Divisional Engineering Officer, and was advised a teleconference with Budget Officer could be arranged to walk through running and reading budget reports.
 - Cr. Mosby advised we need to report outcomes back to community including where administration sits and how we empower divisional staff.
 - Prior to General Business will put a motion to the floor that when it comes to Budget Meeting we as a Council will review Council's Corporate and Operational Plan, to focus and look at what areas that hasn't been covered in the Regional aspects and drill it down to what it actually means to our Communities, Community by Community.
 - That way Staff and Councillors are in a better position and given a better picture of what is going to be happening for your community and areas you can use as checklist and evaluate whether or not it's not happening or not.

RESOLUTION

Moved Cr. Fell, Seconded Cr. J. Gela that Council adopt the 2012/2013 Annual Operational Plan developed in accordance with s104 of the Local Government Act 2009 and s175 of the Local Government Regulation 2012, as presented.

Motion Carried

DEVELOPMENT APPLICATION – PORUMA ISLAND TELSTRA LEASE

It was noted that this report “Let Lay” on table until further explanation and clarification is sought by Chief Legal Officer and also seek guidance from Cr. Mosby on how things will proceed forward from then on.

COUNCIL MEETING/TRAINING DATES

It was noted:

- A five (5) day workshop will be held in Cairns to develop new Budget for the new Financial Year including the Corporate and Operational Plan.

Mayor requested that Admin Staff provide an email to Councillors on the Council Meeting Dates, Training Dates and Budget Meeting dates for 2013

BUDGET REVIEW

Budget includes flexibility of \$100,000 for Community and Economic Development initiatives eg Kubin Oyster Farm Feasibility report previously funded by TSRA and Council can now seek funding to develop this opportunity.

Underpaid wages had also been budgeted for in this review.

Hammond and Kubin Child Care Centres would have a report on way forward to Council before 13/14 Budget preparation.

Cr. Sabatino requested to be kept updated on Hammond Child Care as Community had previously been advised that centre would be operating from December 2012.

Mayor requested a cash flow assessment of any cash available for Councillor requests. Council to send wish list to CEO, DCEO and Executive Manager Corporate & Finance for assessment during budget consultation.

CEO advised that Council operating budget may be \$3.4m down if TSRA pulls the \$1.7m that they match in State Government Operating and Maintenance funding. If State withdraws their funding, TSRA may also withdraw theirs.

CEO further advised that a meeting on 6 March 2013 would include QTC, DLGP, LGAQ to develop a new funding model for indigenous Councils.

RESOLUTION

Moved Cr. Sabatino, *Seconded* Cr. Bosun that Council adopts in accordance with s169 and s170 of the Local Government Regulation 2012 and amended budget for 2012/2013 Financial Year as presented incorporating:

- (i) Financial Position;
- (ii) Cash Flow;
- (iii) Income and Expenditure
- (iv) Changes in Equity;
- (v) Long Term Financial Forecast
- (vi) Relevant Measures of Financial Sustainability
- (vii) Capital Budget
- (viii) Revenue Statement; and
- (ix) Revenue Policy.

Motion Carried

CORPORATE AND OPERATIONAL PLAN

RESOLUTION

Moved Cr. Bosun, *Seconded* Cr. Nai that the Corporate and Operational plan is to be reviewed by the full Council in a workshop style arrangement.

Motion Carried

ERGON ENERGY

RESOLUTION

Moved Cr. Sabatino, *Seconded* Cr. Baira that Council forward an invite to Ergon Energy to attend Councillors Training in Cairns to provide an opportunity to engage in discussions in addressing issues on sale of power card, tariffs and recalibration of system for the TSIRC Region.

Motion Carried

CASH FLOW

RESOLUTION

Moved Cr. Gaiden, *Seconded* Cr. Sabatino that CEO and Executive Team to provide during Council Workshop style arrangement, a Cash Flow Projection excluding tied unspent funds and capital commitments.

Motion Carried

It was resolved that Council break for Lunch at 12.30pm – 1.45pm.

Noted Cr. Bosun absent at commencement of meeting after lunch.

BUSINESS ARISING FROM PREVIOUS MINUTES – COUNCIL ORDINARY MEETING

- ***Update on Tender for Old Council Vehicles***
 - Cr. Sabatino thanked Executive Manager Corporate & Finance referring to list sent out to all Councillors on old vehicles and assets that would go up for tender and advise he is still going through his list.
 - Noted list to include those that should be divested as well.
 - Councillors to note once they complete their list to email to Executive Manager Corporate & Finance.

- ***Child Care Centre – St. Pauls***
 - As per Cr. Kris query, Deputy CEO advised that the Chief Legal Officer was following up on the issue on the issue of rent collection for the Child Care Centre Building at St. Pauls.
 - Cr. Kris to note and table that at tomorrow's meeting for the Chief Legal Officer to provide an update on the issue.

- ✦ ***Community Aspirations for takeover IBIS Stores***
 - Mayor briefed Councillors on the following:
 - ▶ IBIS CEO will contact with Cr. Lui, and whoever Cr. Lui wants involved in this discussion to look at how lama wants to progress that aspiration and basically to get to know and develop a better understanding of what the Community of lama wants.
 - ▶ Similar contact will be made as well with Cr. Toby as Boigu has that aspiration as well.
 - ▶ The IBIS Board will provide any advice to the Minister but at the end of the day decision is made by the Minister.
 - ▶ It was noted that the Minister has written to the IBIS Board indicating lama and Boigu's aspirations, so it's been received and contact should be made soon with Cr. Lui and Cr. Toby to discuss their proposal.
 - ▶ It was noted that IBIS CEO has not been in contact with Cr. Lui or Cr. Toby since Mayor last met with him.
 - *Mayor to follow up with the CEO of IBIS on engaging with Cr. Lui sooner rather than later because the Minister has already flagged that with the IBIS Board in terms of intentions of lama and Boigu Community.*

- ✦ ***Power Cards - IBIS***
 - Cr. Fell raised concerns on Power Cards, advising that when last discussed IBIS was taking over the sale of the power cards, but it seem Council is still discussing this issue.
 - Mayor advised that:
 - ▶ in discussions IBIS was more than happy to take it on, however, IBIS advised they need to consider risks associated with the sale of the power cards and also the transfer of supplies of the power cards all the way up from Toowoomba - the same risks are place on Council and for them to be willing to accept it as well.

- ▶ in moving forward Council and IBIS both agree to look at engaging with not only Ergon but any other relevant agencies to try and ramp up the ability to have a better system in place. Once that is done Council can make a decision as to whether we still want to pass that responsibility on, and if IBIS would actually take it on.
- ▶ Strongly recommended Councillors that even if IBIS makes a formal agreement that they willing to take it on you as full Council need to form a resolution before any community announcements are made.
- **Asbestos Management Project Update**
 - Executive Manager Corporate & Finance
 - ▶ Tender documentation would come to Council for approval before moving forward so Councillors are fully aware of the program and how it is going to be delivered.
 - ▶ Executive Manager Corporate and Finance will confirm and email Councillors for their information, the exact closed dates of the Tender.
 - ▶ CEO added as part of the National Partnership Housing, Council has been given the job to demolish three (3) homes on Kubin which are full of asbestos funded by State Government.
 - It was noted:
 - As per Cr. Baira request that there needs to be something done to put up safety barriers around the asbestos homes to be demolished.
 - Contractors will be going into communities to do identification works in the first instance.
 - Contractor's documents identified 1100 sites that they will be visiting.
 - Council want to capture everything in the Communities, including Council buildings and all social and private houses and will seek permission to enter private houses.
 - Will be a very long and comprehensive process for the Contractors to do that but this also gives Council a detailed record of what needs to be demolished now and what needs to be removed so Council can manage all those properties into the future.
- **BRACS**
 - Nothing further has transpired in relation to the BRACS.
 - A request was put through to TSRA on how Council wants to proceed but to date haven't got a response as yet.
 - The delay could be waiting on TSIMA as they want to visit every Community first with Wyatt Communications to see what the impact is and what dollars needs to be put into every division for BRACS before they put any other resources into what Council have on the ground.
 - Council can then formulate a submission going forward for the operations for BRACS.
 - CEO will touch base with TSIMA.

- In response to Cr. Lui's query regarding those communities who had BRACS taken off them CEO advised:
 - A Gentlemen's agreement is in place for those existing employees that we still had at 1st of July - TSRA funding their wages.
- **Update on RJCP**
 - RJCP requested further information which the Deputy CEO sent to them whilst the CEO was on leave.
 - To date had no response from them but this could be seen as a positive that they requested the information which was around Council's finances.
 - RJCP may be looking at advising the successful candidate in March.
- **Joint Sitings**
 - It was noted that CEO and Mayor will be meeting with TSRA Chair on Wednesday 20th February. Have had discussions with Mayor Stephen already.
 - Mayor advised there will be a preliminary discussion in terms of shaping up a summit. Council already written to other stakeholders and have received confirmation.

RESOLUTION

CONFIRMATION OF MINUTES

Moved Cr. P. Mosby, *Seconded* Cr.Fell that the minutes of Council held 20 -21 November 2012 be adopted as true and accurate.

Motion Carried

MIP 5 – TSIRC CAPITAL INFRASTRUCTURE PROGRAM - CANDIDATE PROJECTS

- CEO briefed Councillors and handed out for their information a list of priorities received on the 11th hour, two days ago from the Project Managers against projects that Council might have and for Council to get back to them by 21st February 2013.
- Will have a report tomorrow to Council to formalize it tomorrow afternoon once receive more information from Black & More.
- The recommendations by Council in relation to these priority lists will be presented to the MIP Committee next week.
- Lengthy discussions on the MIP Management Committee representation, level of bureaucracy and the MIP remodelling to better the arrangement.
- *Executive Manager Engineering Services to source a list of projects already committed to by other external agencies such as road sealing, Moa road and provide to Councillors so that they are well aware and not input the same things.*
- *Mayor advised will look at having an audience with TSRA to discuss why and expand more on the resolution put to the floor.*

- Cr. Lui will table at the full TSRA Board Meeting to discuss and debate on it.

RESOLUTION

Moved Cr. Lui, Seconded Cr. J. Gela that the MIP delivery be remodelled with the emphasis of decision making being placed with the elected representatives of the recipient Councils who have the legislative responsibility of the outcomes. To reduce costs, speed up project delivery by amending the Memorandum of Understanding between the State and Federal Government, Terms of Reference and Trustee arrangements.

Motion Carried

It was resolved that Council break for Afternoon Tea at 3.00pm – 3.30pm.

CLOSED BUSINESS

Nil

GENERAL BUSINESS

- ✦ Protocols of Departments/Agencies going into Communities.
 - Cr. Kris raised concerns and frustration on the Police turning up on St. Pauls with no knowledge of their visit and carried out police checks on unregistered vehicles, learners driving with open licence person etc and issuing of fines at St .Pauls.
 - Look at concessional registration – if that opportunity was there for communities.
 - Cr. Lui advised need to get the protocol right, to have that courtesy in place to let Divisional Council knows whenever Department /agencies visit Communities.
 - A letter be written to the Department/Agencies on the traditional protocol of entry into communities.
 - Review that policy that governs that and have discussions and debate around that when CLO is in attendance tomorrow, and if need to change we change it.
 - Mayor will discuss with Police Commissioner when he meets with them again.
- ✦ Australia Day Awards Presentation – St.Pauls
 - Cr. Kris also requested if one of the Australia Day Awards Committee members could attend their Award celebrations to present awards to his constituents at St. Pauls.
- ✦ Ordinary Meetings
 - Dinah to provide to Councillors Notice of Meeting dates for 2013.
 - It was noted that Council Ordinary Meeting is held on the 3rd week of every month.

✦ Mobile Coverage

- Cr. Fell queried on support of mobile coverage which have blind spots.
- Cr. Lui advised that Telstra Contractors recently went to lama to do some upgrade at lama and when Cr. Lui queried why they can't do line of site for Poruma and Warraber while they out there, they advised that the provision is there but they are not able to do it until they are given the go ahead to do it.

✦ Lobbying Regional Issues

- Mayor advised with the upcoming Federal elections
 - Council to look at compiling a list of key Regional issues, this will
 - provide the foundation to actively start lobbying with the Federal politicians that will stand for election.
 - provide Council with an opportunity to start formalizing some submissions developing the way forward.
- Need to start facilitating this process forward so Council is much coordinated rather than disjointed - timeframe 8 month.
- With issues on connectivity in some communities for Councillors to access email remotely, Mayor will get in contact with Councillors on the phone or fax through to council office to have that list delivered. If Councillors think that some things shouldn't be considered as a key regional issue to provide their input on it.
- Talking about communications it is one of the key issues, can look at start ramping up things with the Telecommunications Ministers and the Federal Minister that funds it.
- Councillors to email Chief Executive Officer issues for inclusions into 10 point plan of Election Promises.

✦ Regional Community Grants

- In response to Cr. Baira's query the Deputy CEO advised it is an annual provision for Regional Community Grants.

✦ Council Meeting - Badu

- Mayor advised waiting confirmation from Cr. Baira to have the Council Meeting at Badu in April.
- Cr. Baira requested if there is time on the Agenda he would like to hold special presentations during that Council meeting on Badu.

✦ Local Government Election Eligibility

- Cr. Baira's queried on engaging in discussion with either Member for Leichhardt or Minister on the Local Government Election Eligibility.
- CEO advised the best support we can get is that Local Government keep pushing to have Constitutional Referendum on Constitutional recognition of Local Government in the Federal Constitution – if vote yes to that we can say we are tier of Local Government on our own.
- Mayor added need to be ready to develop and submit through another submission when the Local Government Act comes under review then we can actually lobby and speak to have that submission pushed through just need to time it when they review the Local Government Act.

✦ Engaging in Volunteers

- Cr. Sabatino needed update from Executive Manager Corporate & Finance on discussions he put to the floor at the Councillors Induction course about bringing in Volunteers to work for Council for a couple of hours.
- His community has a couple of people ready to go eg IKC Hammond need manning, wanted to know how ready and how set Council is on the ground with this.
- If Cr. Sabatino takes them to the office and say this is person is going is a volunteer, is there an induction process.
- CEO all we need is the name of the volunteer and he is put on the volunteer register.
- Every Divisional Managers are Workplace Health & Safety Officers and they can go through that induction process with the volunteers.
- Cr Sabatino looking at utilizing volunteers to help out on the ground.

✦ Road Signage and Drainage

- Cr. Sabatino requested to Executive Manager Engineering Services queried if maybe a report can go to the next meeting on putting up appropriate road signage.
- Cr. Sabatino was concerned and believes it is Council obligations to look into these issues as there really need to be some safety aspects put up:
 - with concrete roads with one single lane, there are no advice with speed limit, and people can automatically go over 80 - 100km;
 - blind spot have no mirrors in place;
- Executive Manager Engineering to have a look at Traffic Management Plan for every community, particularly Badu and Hammond.

✦ Community Policing Model

- Cr. Sabatino queried on the Policing Model for the Torres Strait as some new councillors are not privy to it and don't know anything about it.
- It was noted that:
 - it is going to be call the Torres Strait Policing Model
 - certainly knows what Council wants but haven't see what they have actually scoped out.
 - greatest aspirations that Council wants is for the QPS to take over the Community Police.
 - If that is what QPS are going to do and it's something that they mentioned come October 2013 but Council wants to see the mechanism behind it.

✦ Connectivity – Wi-Fi

- Discussions raised by Cr. Sabatino on Wi-Fi connected up around the IKC and Council office and hotspots and password for the general community to use to get connectivity within a 50m radius around the IKC and Council Office:
- Mayor:

- Reiterated that this has been established and in-train and is basically happening at Hammond, but without password unable to use it even if you want to pay for the utilization of it.
 - Requested on the topic of the Wi-Fi Mayor requested that an opportunity be given for the IT Manager to do a small demo run-through of what's been established at Hammond, whilst Councillors in Cairns for the week, to give Councillors an insight of the capability and ability of what Council will actually look at rolling out to the IKCs.
- Disaster Management Plan
- Cr. Sabatino requested if Murray Hayton could give a presentation and give update on Disaster Management Plan
- HACC Services – Hammond Island
- Cr. Sabatino concerned that HACC clients on Hammond is not getting any service at all which was suppose to be provided by TI HACC as their funding comes under them.
 - Underneath the HACC provisions that Hammond is under, Hammond is losing out because the provision of services that are available to other communities is much more than what TI provides let alone TI hasn't even provide that service across to Hammond.
 - Mayor:
 - Historically when ICC administer the HACC Program, ICC was purely manning and being responsible for the other communities, Hammond came under the Port Kennedy at that time and that's how it was actually administered, so when the Department looked at the dissemination of funding they did it accordingly without any real engagement with people on ground.
 - Council need to do:
 - Is not deal with HACC on TI because they don't make that decision, need to go to the funding body, the Department of Health and Aging highlighting that:
 - as a result of amalgamation that Hammond is one of our electorate and well within our jurisdiction
 - this is what Council delivers as opposed to what's being offered to Hammond right now and Council can offer better
 - Need to ensure that what TI gets is filtered through to the level of funding we get for TSIRC.
 - Council don't receive funding under the HACC provision for Hammond HACC Program, but have been assisting some of the Community's aged frail elderly especially those in need for disability fit-out for their houses.
 - The level of funding TSIRC gets for HACC is a significant level of funding and reassures Cr. Sabatino that Council will continue to provide that level of service while it is being formalised to have it remove from under TI HACC and come under Council's arrangements.
 - Deputy CEO will follow this up and look at having that dialogue with a Senior Departmental Officer, HACC.

➤ Acting Manager for DFAT

- Acting Manager for Department of Foreign Affairs, Lisa Hornsby-Scott that took over from Simon Moore wanted to attend Council just for introduction maybe at morning tea to meet and greet Councillors.
- Cr. Fell received an email to from her to say she was visiting communities, but Cr. Fell advised her that all Councillors was here on TI and it was best for her to meet and greet during morning tea.

➤ Joint PBC Meeting

- Mayor in response to Cr. Baira's comments:
 - that the resolution was for Council to write to them highlight the need for Council to actually meet because the resolution was not necessary for Council to facilitate otherwise Council would have to pay for everyone to come together and that's been done.
 - Council just need to follow up at Wednesday meeting or with the TSRA Chair because we have not received anything in terms of getting them together.
 - Council in a situation now - not sure how they will react to it and whether or not they will support it, because that funding in getting PBCs around the table has to come from Native Title Office (NTO).
 - We can only highlight the need to get everybody together but they got to do it at their cost.

➤ Proposal Sports Funds - TSY&SA

- Will not be formalised tomorrow just for information to Council and Cr. Fell will provide brief Councillors basically on aspects of the proposal itself.
- Have to look at a discussion paper to be developed at next Council Meeting and an invite go out to TSY&SA representatives to attend the Council Meeting.

5.25pm

MEETING CLOSED FOR THE DAY

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

TUESDAY 19TH FEBRUARY 2013

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. 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. Ted Billy, Division 10 - Warraber Island
Cr. Phillemon Mosby, Division 11 – Poruma Island
Cr. Fraser Nai, Division 12 – Yorke 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 Dania Ahwang, Deputy CEO
Mr. Pat McGuire, Executive Manager Engineering Services
Mr. Chris McLaughlin, Chief Legal Officer
Ms Daisy Ketchell, Acting Executive Officer
Mrs Dinah Sailor, Executive Secretary.

In

Attendance: Mr. Kevin Holzapfel, Financial Controller

9.00am: Meeting opened in prayer by Cr. Billy.

Apologies:

Cr. Ron Enosa, Division 3 – Saibai Island
Cr. Rocky Stephen, Division 13 – Ugar Island

FINANCIAL CONTROLLER BRIEFING UPDATE

Financial Controller, Kevin briefed Councillors on update on the financial situation:

- ▶ Underpaid wages work almost completed \$0.4m not \$4m
- ▶ CFO and internal audit positions
- ▶ Building Services procurement procedures improved
- ▶ Cash flow fairly strong in short term
- ▶ Financial Leadership improvements such as written procedures, processes
- ▶ Only legacy issues are underpaid wages and unpaid superannuation, others seem to have been resolved
- ▶ Fairly stable environment, need to put operations back into Divisions from Cairns.
- ▶ Transitional Action Plan moving forward
- ▶ DCEO/CFO role combined
- ▶ Move to Hammond Officer
- ▶ CFO should be briefed to review efficiencies and effectiveness of Qbuild invoicing by Building Services.

9.40am: Dinah called into the meeting.

Financial Controller Recommendation – Chief Finance Officer (CFO)

RESOLUTION

Moved Cr. Bosun, Seconded Cr. Fell that Council that council include in the Corporate Structure a position of Chief Finance Officer (CFO) by splitting the entire finance function from the Executive Manager Corporate & Finance. Additionally change position descriptions to the Deputy CEO, Executive Manager Corporate, Executive Manager Engineering, and Executive Officer over time as part of the CEO succession. Further in accordance with Section 196 (1) of the Local Government Act 2009 adopt the Corporate Structure as presented.

Motion Carried

Financial Controller Recommendation –Travelling Allowance

RESOLUTION

Moved Cr. Sabatino, Seconded Cr. J. Gela that Council accept the recommendation of the Financial Controller by amending the Expense Reimbursement Policy and the Travel Policy of Council, endorse the actions of the CEO to amend any employment contracts to reflect the recommendation. Further in accordance with the Local Government Regulation 2012: Division 2 Reimbursement of expenses and provision of facilities, Council adopts the Expense Reimbursement Policy.

Motion Carried

It was resolved that Council break for Morning Tea 10.15 – 10.45am.

DFAT – Briefing Update

- Briefing and introduction by Lisa Hornsby-Scott as her role as Acting Manager for Department of Foreign Affairs until Canberra sorts out the position on Thursday Island.
- Discussed and listed emerging issues being discussed at Government Level for 2013 including:
 - Office of Inspector Transport invited TSIRC and TSC to a workshop on the 13th March that's the inquiry into unauthorized air and sea transport entry/exit into and throughout Torres Strait and Northern Australia.
 - Combined TIM & JAC in PNG
 - Federal Election 14 September
 - Torres Strait Inter-Departmental Committee Meeting
 - Health Issues meeting in Cairns
 - Health Funding for Saibai
- Lengthy discussions – Councillors Comments
 - TIM & JAC representatives around the table.

- Funding of more representatives to attend the TIM and JAC Meetings.
- Representations should be all the TSIRC Councilors because influx of PNG Nationals is more to the communities not sitting in the TIMS or JAC meetings.
- Treaty in place to do bartering and trading purposes.
- There are certain Protocols in place when visiting communities –need to have that traditional respect for each other, because we know how to communicate across the border.
- When Council deal with JAC or TIMS the department needs to understand that that policy applies to two sides of the Border, sometime it there is this perception from communities that the policy applies more to the PNG Sector to get that service delivery from our communities especially with the health clinics
- Its good funding on the health clinic at Saibai but it's about the service delivery on the ground now that will come knocking on the door for Councillors.
- Commonwealth Government agency that interacts with the Treaty doesn't actually does all the practical things on the ground like Local Government.
- Need to take all those aspects into consideration when making decisions on such things that there needs to be continuous consultation with Local Government on that service delivery and interaction on the Treaty Movement.
- Still looking at Mayor be given negotiation status instead of observation status to have participation rights.

✦ Ms Hornsby-Scott

- will take it on board funding more representatives to go to the TIM and JAC and take it to Canberra.
- Sent an email to Councillors introducing herself and to try and liaise with Councillors as first point of call and to follow protocols in visiting the communities etc.
- Was a good opportunity to come and meet Councillors at this meeting.
- Her roles in DFAT is in relation to implementation of the Treaty and the policy responsibility of the Treaty and the Bilateral Relationship with PNG but know it's our Communities and would like Councillors to advise her of any concerns regarding treaty and inhabitants coming into the community.

✦ Mayor Closing Remarks

- Monitoring Treaty:
 - How the Department's responsible of administering and monitoring the Treaty Provision utilizing Saibai as the main administrative hub.
 - The movement under the Treaty provision, 26,000 people has moved in to accessing the region whether it be provision of Local Government services, our services which we fund or health related services or purely for the Treaty for what it was established for bartering and trading purposes.
 - The Democratic elected arm the Leaders that represents the interests and rights of their communities are powerless when it comes to making a determination

whether the border should be closed – that rests with Canberra.

- Health Issues:
 - When outbreaks of cholera and malaria was happening the border coming into Saibai accessing and continued to use as an administrative hub wasn't even closed.
 - Rather than listening to the Leaders that represented grassroots perspective they preferred to listen to Tropical Public Health Unit in Cairns and because of them not supporting and seeing that it would warrants that border being closed they didn't see any real risk and the need to close the border - Saibai was at real risk.
- Breach of Treaty
 - Individuals travelling just for the provision of health services there has to be another vehicle for that requirement to be done - it is making a mockery of the Treaty.
 - Health is not covered under the Treaty. This has been going on for far too long it has to stop
 - Individual travelling only for the Health Clinics
 - That has been going on for a long time – it has to stop.
 - Feel it is part of the Department responsible for monitoring and managing the administration of the Treaty to sit on their hands rather than deal with the issue.
- We were provided with a brief from Maria the Chair of the health Issue Committee she advised that there has been some traction in terms of investing in a Clinic on Mabudauan.
- Individuals that are making these a decision without any level of guidance or input from the leadership sitting around this table , theses leaders sitting around this table would know the borders better those villages across the border better than anybody.
- Need to look at representation of TIMS and JAC and the Health Issue Committee Meetings.
- Mayor need participating and voting rights when sitting around the table for TIMS and JAC Meetings and not just as observer status -formal letter going to Maria on this issue.
- Mayor will liaise with CEO to invited Lisa to attend Council meeting to provide an updated report to full Council on:
 - Outcomes TIMs meeting;
 - Outcomes of JAC meeting; and
 - To try and source the outcome and results from the health Issue Committee.
- Thanked Ms Hornsby-Scott and hope that she would continue with the work as Simon did an excellent job.
- Cr. Lui advised Lisa that she needs to aware of the traditional protocols getting permission to visit Communities from Councillors in the first instance and then copy the PBC.

BUSINESS ARISING FROM PREVIOUS MINUTES – STANDING COMMITTEE MEETINGS

- ***Amendments to Minutes***
 - Note that Cr. Kris did not attend the Standing Committee Meetings, was an apology.
 - Change of wording to Resolution on Community Grants to read “any applications and submissions”.
- ***Mer Island Resolution Transfer***
 - CLO advised just a formality that if the mayor and CEO didn't sign, but the Mayor did sign on that day and that was acceptable.
- ***Standing Committee Resolution***
 - Query on the budget amended to include additional \$180,000.
 - The original budget was adopted that Council have face to face Ordinary Meeting and Standing Committee Meetings till December, and have three (3) teleconference of Standing Committee at our average about \$60,000 to have meetings that is why the additional \$180,000.
- ***Ugar Dredging***
 - Tony Stanton and Executive Manager Engineering Services went out to Ugar to look at alternatives for dredging at Ugar.
 - Have no funding for the construction estimated to be about \$12M.
 - Meet with Cr. Stephen to look at possible options, identified several options that was worthwhile progressing further.
 - One of the options was to drilling out to deep water.
 - Look at sketch designs, prepare costing and take it back to the funding agency.
 - Time plan of 6 – 9 months to get that work done.
- ***Freehold Presentation***
 - Cr. Sabatino need to hold a Workshop for Council on freehold land
 - CEO advised looking at early March, looking at getting in an Independent Facilitator to do it.
 - Mayor requested at that time from CEO
 - ▶ *Independent Facilitator to facilitate workshop*
 - ▶ *State to present separately a day before so that Council can hear State's perspectives and then can the Independent Facilitator involved.*
 - ▶ *To be held a couple of days for Council to absorb all that information.*
 - *It was noted will also engage in discussions with DERM in Cairns.*
 - Mayor advised DERM also mentioned that as part of the process DERM will be engaging with Communities. Have not received anything from DERM and Councillors received no feedback from them on how are they looking at managing that approach.

- **Advisory Committee - Update**
 - Chief Legal Officer advised:
 - ▶ Terms of Reference is completed, just a matter of sending the Expressions of Interests out to communities.
 - ▶ Sent email out to Councillors for feedback as to how each division wants to deal with Trust Changes proposal. Leases etc, whether they want an Advisory community or whether they want to do it just by way of Community Meeting.
 - ▶ It is not compulsory you can elect to have it if you want it..
 - ▶ Have received feedback from Iama and Boigu.
 - ▶ As per Cr. Toby's request can move with Boigu straight away.
- **Home Dialysis**
 - Cr. Baira requested update on this issue.
 - DCEO to provide and liaise with Cr. Baira.
- **Badu Removal Concrete – Construction of Badu Child Care**
 - Executive Manager Engineering Services gave update on this issue.
 - ▶ Unable to get evidence to prosecute anyone on the dumping of the concrete, so don't believe we have sufficient evidence to prosecute them on that issue
 - ▶ Need to have control measures in place monitored by Authorized Officers in the future.
- **Stickers/Logo on Council Vehicles**
 - Mayor requested someone to follow up on this issue.
- **Housing Tenancy – Mabuiaig**
 - Cr. Fell raised concerns need assistance on the housing tenancy issue and requested someone to go to Mabuiaig community to talk about it and the issues with rent etc.
There has been no update on housing issues for the whole 12 months, as to meeting with Communities on Housing.
- **Rate Relief**
 - Executive Manager Corporate & Finance will provide a report to the next Council Meeting
- **Community Grants**
 - Cr. Lui's questioned why late reports were still being received and not giving Councillors enough time to consider the report.
 - Amendments are done to reflect accurately in terms of what Cr. Lui meant in that discussion, it was for all business papers.
 - Wording to be changed to instead of just Community Grants "any applications and submissions that comes to Council".
 - CEO apologized for the late response being presented which is not the usual practice, but had a couple of extenuating circumstances that happened over the last couple of weeks for the Agenda. In addition to that it did take quite a bit of work to get the recommendations through from the Financial Controller.

- In relation to the MIP Report that just came last week, of which a response was required this week.
- Will put forward to Executive Team that there will be no late reports unless there is some extenuating circumstances behind it.

- **Vacant Houses - update**
 - Deputy CEO
 - ▶ Received all the information from each of the Divisions of vacant houses and other tenant's matters that needs to be addressed in communities but was not able to get it into a report for presentation at this meeting.
Deputy CEO will have a report to the next Council Meeting.

- **Apprentices - update**
 - Deputy CEO
 - ▶ There are some bigger decisions that Council is working with at the moment for the apprenticeships particularly in relation to the National Partnership housing at Kubin.
 - ▶ looking at the option that State has proposed with going with pre-fabricated houses, because the opportunities for the apprentices that was initially identified as part of that National Partnership roll out, won't be delivered with the pre-fabricated housing
 - ▶ In the process of seeking all those costs for State Government of pre-fabricated and working closely with Cr. Bosun as to how that housing program rolls out.
 - ▶ With our current upgrade program and current repairs and maintenance program don't have the level of work to put the boys through apprenticeships.
 - ▶ Was relying on the National Partnership Housing to be able to give those boys the experience and the years of Trade that's required to get those tickets.
 - Mayor
 - ▶ Cannot have an effective Apprenticeship Program being piloted within 22 weeks - cannot be done realistically.
 - ▶ State should start communication in relation to developing roads with Public Works to see if there is vacancy coming up to take on apprentices.'
 - ▶ There are 20 vacant apprentice positions that are going to be available.
 - ▶ It was noted that 10 individuals at Kubin wanted to be involved in that project when it happens, so need to negotiated to block those vacancy positions.
 - ▶ Real issue with the Building Team is having that amount of work to take on apprenticeships. At the moment they fully focused on upgrades only.

- **Divestment of Enterprise**
 - Chief Legal Officer advised Expressions of Interests have been out on Communities on Notice Board for the past two (2) weeks
 - Cr. Sabatino advised have not seen anything for Hammond.
 - It was noted that those notices will be sent out to Communities again.
 - Chief Legal Officer will follow up on the Notice of Expressions of Interests for Hammond.

- **Update Desalination Plants Update**
 - Executive Manager Engineering advised:
 - ▶ There is a brief report on the Desalination plants in the Information Report.
 - ▶ The three (3) affected area Mer, Masig and Poruma CEO has given approval for our building team to finish the works
 - ▶ Whilst those works are under away the other three (3) communities Warraber, lama and Boigu - the Project Manager will be looking at the best way to complete those works.
 - ▶ Work should be starting within the next week as Building Teams along with Engineering Staff have been out looking at the works in the Communities.

- **Coastal Management**
 - Executive Manager Engineering Services:
 - ▶ Report in the Information Report on Seawalls.
 - ▶ Councillors are aware the State's Contribution is coming out of the Capital Infrastructure Program
 - ▶ There will be a Meeting on 25th February between the Federal and State Government Representatives, CEO and Executive Manager Engineering will be attending representing Council.
 - ▶ In the mean time Council moving on with the designs at Saibai with the \$2M of funding which Council received from TSRA.
 - ▶ Until Council gets the sign off of the funding our hands are basically tied.

- **Airport Fencing - Boigu**
 - Executive Manager Engineering Services advised Cr. Toby, Council is still trying to source funds for a new fence and as soon as the Engineering team gets to Boigu will try and make temporarily repairs to the existing fence.

RESOLUTION

CONFIRMATION OF MINUTES – ADMINISTRATIVE & REGULATORY STANDING COMMITTEES

Moved Cr. Gaiden, *Seconded* Cr. Nai that the minutes of the previous Administrative and Regulatory Standing Committee Meeting held 12 December 2012 be adopted as true and accurate.

Motion Carried

RESOLUTION

CONFIRMATION OF MINUTES- INFRASTRUCTURE & PLANNING STANDING COMMITTEES

Moved Cr. Fell, Seconded Cr. Baira that the minutes of the previous Infrastructure and Planning Standing Committee Meeting held 13 December 2012 be adopted as true and accurate.

Motion Carried

COUNCILLORS - DONATIONS FUNDS

- Cr. Kris discussions
 - on donating cash to families to assist and support them in their time of bereavement.
 - looking at the majority of Councillors to donate around the table if there was a way the funds can be managed - can take it out from somewhere and repay it back.
 - Look at some arrangements because it's coming out of each individual Councillors eg from our allowance.
- Mayor advised CEO will provide a brief towards end of meeting on how we can best manage that without having the Auditors on our backs.

It was resolved that Council break for Lunch 12.15 – 1.05pm.

Absent at start of meeting after Lunch Cr. Billy arrived 1.10pm, Cr. Sabatino, arrived 1.13pm, Cr. Lui arrived 1.15pm)

PRESENTATION – FISHERIES (TSRA)

Mayor brief Councillors and welcomed Kenny Bedford, Fisheries Portfolio Member for TSRA to give update on Fisheries for the Torres Strait Region. Accompanied Mr. Bedford was Susan Stratton and John Adams from TSRA.

Mr. Bedford provided provide Councillors with information packs, and presented to Council a brief background on the terms of the work they do and also the Structure.

Mayor closing remarks:

- Thanked Mr. Bedford for the progress and work involved in Fisheries
- Mr. Bedford has done well in terms of the level of clarity and giving us the opportunity to tease out and to debate and question some of the thinking around where we headed.
- Look forward an ongoing process like this to have Mr. Bedford attend and brief full Council.

DEVELOPMENT APPLICATION – PORUMA ISLAND TELSTRA LEASE

- Chief Legal Officer provided clarity with regards to the Telstra lease for Poruma as per queried by Councillors.
 - Under transitionary provisions of the Local Government Act 2009 that any formal agreement by the former Council has to be ratified by the current Council.

- As a result of that it wasn't something that needed to be put to the Council again. It was something that was already agreed.
- Have plenty of documentation supporting that and as a result issued the lease, and that was done in February 2011.
- The lease is done.
- The Determination Deed is done.
- Just the matter of the Development Application.
- The was not delay from Chief Legal Officer or Executive Manager Engineering, it was a delay from Telstra in getting the Development Application to us to bring life to both the lease and the Determination Deed.
- Executive Manager Engineering and Chief Legal Officer to note in future to work with all levels through processing Development Application.
- Mayor in relation to Cr. Lui's comments advised CEO to note that:
 - When staff provides any explanation such as why Garrad are not there, it can be interpreted in many different ways.
 - How the conversation is interpreted means a lot to councillors - can make a break a decision going forward.
 - It needs to be a conversation providing full in depth detail around how we arrived at that point and where basically in terms of the steps in moving forward on it.
- CEO noted and advised he will take full responsibility for the team that works under him in getting that information to Councillors in a timely manner and as well as take it up in the appropriate form.

RESOLUTION

Moved Cr. Mosby, *Seconded* Cr. J. Gela that Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the following conditions:

1. The proposed development is to be undertaken in accordance with the following approved drawings:

Plan/Document number	Plan/Document name	Date
SP145583	Plan of Lease T	15/10/2001

2. This 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.

Motion Carried

ENVIRONMENTAL HEALTH INFRASTRUCTURE PROJECTS

- Executive Manager Engineering Services briefed members explaining the appendixes that were distributed to Councillors during this session.
- CEO advised happy to accept emails from Councillors due to the urgency of the Development of the new program and in order to meet presentation deadlines.

- Council to urgently compile a list of eligible environmental health Infrastructure projects for the submission to the Commonwealth Government for funding.
- Council required to provide a response by 22nd February 2013.
- Options:
 1. Adopting the listing prepared by TSRA in Appendix B of this report or
 2. Adopting the listing prepared by TSIRC Officers in Appendix D of this report, or
 3. Preparing a revised priority listing based on Appendix D of this report.
- Mayor advised Councillors to email their suggested inputs to CEO and Executive Manager Engineering by 22/02/13 and cc all Councillors as well.

RESOLUTION

Moved Cr. Kris, Seconded Cr. Sabatino that Council develop a priority listing of Environmental Health Capital Infrastructure by adopting the listing prepared by the TSIRC Offices in Appendix D subject to suggested amendments/inputs by Councillors.

Motion Carried

It was resolved that Council break for Afternoon Tea 3.00pm – 3.30pm.

ENTRY INTO COMMUNITIES BY DEPARTMENTS/AGENCIES

- Discussions on entry into Trust Areas.
- Cr. Kris advised more of a notification from Departments/agencies in the first instance prior to Council prior to them visiting Communities
- Chief Legal Officer advised
 - Under the Aboriginal & Torres Strait Islander Justice Land and Other Matters Act, it says that Police Officers may enter trust areas without conditions
 - They are not an entity that we can restrict entry on and that is obviously without telling people for law enforcements.
 - Police are a law unto themselves because it's a State Law and it is difficult for Council.
 - Whole point is to get feedback from Councillors on what sort of notification they want in checking licenses etc.
- Further discussions around the table on Community Police Training, Enforcement Process such as infringement notices, wrongful use of Police vehicles, issues around the wording of entry permits such as exemption.

RESOLUTION

Moved Cr. Sabatino, Seconded Cr. J. Gela that Council convene a Workshop style session to review all Local Laws commencing with Entry Local Law No. 7 in the first instance.

Motion Carried

GENERAL BUSINESS

✦ Community Police Training

Chief Legal Officer:

- Made a point to Community Police to do practical training rather than theoretical and have advised QPS to concentrate on Practical, running through scenario
- Training is facilitated by QPS.
- Will be assessing their level at end of training.
- Enforcement Process the Chief Legal Officer and the Compliance Officer make sure infringement notices are issued correctly for enforcement process and make sure that there are grounds to be actually issue infringement notices.
- Screening Process is done at the recruitment stage when employing a person to become Community Police and make sure they are eligible for Blue Card or have a Blue Card and check any criminal history that it is not going to be an issue.
- Change shifts/rosters depending on what comes back on the current sheets, it's called entail base rostering, we response to risk hours during the weekend, do change rosters to meet that risk.

✦ Digital TV Update

CEO:

- Federal Government has appointed a company called Sky Bridge to install the satellite dishes. Sky Bridge:
 1. Will be able to roof mount the satellite dishes instead of installing them on the ground.
 2. Travel by chopper into communities and back out
 3. have been collecting all those information.
- Council was appointed by Sky Bridge a week ago as the Community Liaison contact and will have to go through and collect all the data by end of March as they want to start rolling it out in April.
- Forms needs to be filled out by every single household seeking permission to do this, except for Hammond Community.
- Look at any Community based organization that may be able to help Council on collecting these data.
- There is a form that needs to be filled out by every single household (except Hammond), seeking permission to do this.
- Each household will have a package which includes 1 satellite dish, 1 set of cabling, 1 box for free, but there is not stopping each individual if they want to another box if they want to pay for it.
- Sky Bridge will not install Austar it will be the individual responsibility to do that.
- Hammond is caught up in the area that is being serviced by Thursday Island.
- Council question that last week, and Sky Bridge were going back to their mapping to see if Hammond is in the footprint,

and if Hammond is not in the footprint they must extend their policy for Hammond to be included in their footprint.

- Haven't heard anything as yet from them.
- Cr. Sabatino request to verify not only footprint but also if they could physically stop over at Hammond to test the signals.
- Utilizing Divisional Managers and MSO to meet the deadlines in getting all the information on ground.

➤ St. Pauls Block Plant

It was noted that:

- The St. Pauls Block Plant is subject to an Insurance Claim. Council as gone as far as through our Insurance Broker.
- QBE who is the underwriter of this insurance requested a meeting with the CEO.

➤ Roll out of National Partnership for Moa Island

- Deputy CEO advised looking at getting dates as to when Cr. Kris and Cr. Bosun will be available to go out to Moa Island with Allen Cunneen and herself and have that meeting with Cr. Kris and Cr. Bosun on the roll out of the National Partnership Program.
- Deputy CEO to synchronise their diaries to hold this meeting sooner.

➤ BRACS

- Cr. Bosun requested someone to follow up on their TV Channels on Kubin as there only receive two channels after the storm that caused all the communication break down at that time.

➤ Vacant Houses in Communities

- Cr. Mosby raised the issue on vacant houses and how long will it take to get people who are on the waiting list into one.
- Deputy CEO advised:
 1. Last Month got Acting Executive Officer, Elizabeth Pearson at that time to collect information through each of the Divisional Managers of vacant houses as in people still have their possessions but have not lived there for a long time.
 2. Also some families who have gone away have put other families into houses instead of coming back through council to formalize tenancy agreement.
 3. Have received all that data will see how much is there to get a good idea of how we progress that with it.
- Chief Legal Officer advised of the process of Tenancy Abandonment:
 1. Council issue Abandonment Notice
 2. Attach the notice to the tenant's door and give them 28 days to respond.
 3. If no response council then go to Court to issue an Application Termination Order for Abandonment
 4. This goes to court and if the tenant don't turn up because do not know where they are
 5. The Notice is issued.

- Cr. Toby requested Chief Legal Officer to circulate information on this to Councillors so that it can be address at Public Meeting and in consult with family members of the vacant houses.
- Deputy CEO also requested Councillors assistance in circulating Lots that have been reported by Divisional Managers to Councillors so as there may be other houses that haven't been captured in that list.
- Once all that information is collected Deputy CEO can send it to Councillors that might be able to add or give contact details of those particular tenants as well – this should help with that process.

✦ Statement of Principles

Cr. Lui requested to have the Statement of Principles on the Agenda at the next Meeting.

- Advised not to lose focus and not lose sight of what we have endorsed.
- Need to strike home because of the fact of the Federal Government elections and also need to make sure that State is aware of what the aspirations of our people are in that sense.
- Need to start progressing the Governance arrangements further down the track based on that.
- Got to be able to make Government realize that's the path we on and if they are any small ways they can start move towards giving us additional powers, through the eyes of our people they can see that we are serious about where we heading.
- Would like to push this through the Federal Government.
- Mayor advised CEO to note that the 'Statement of Principles' be on the Agenda to be discussed at the next Council Meeting.

✦ Financial Contributions/Donations Management Process

Mayor stimulate discussions around the issue in looking at a mechanism to endorse and give Councillors the ability to sacrifice and garnish 'x' amount of dollars (\$) from their allowance as financial contributions to assist families who have lost their loved ones in particular when some families are real close to Councillors.

Cr. Lui advised that in the first instance before monetary donations need to give recognition and respect.

Cr. Mosby reiterated advising that our culture is so unique and we as Torres Strait Islander shows that respect even if families are not connected or don't even know the family who has just lost their loved one.

CEO advised if they want it done now, it can be done, but need Councillors to send him an email advising their request and the specific amount.

CEO advised there are numerous ways Council can manage it. In the first instance request that Councillors send him an email and he will make sure that it happens.

✦ Boigu Vehicle

Cr. Toby advised that don't have a vehicle on Boigu?
Mayor advised there vehicle on Hammond used by Mayor is the vehicle going out to Boigu – it's there ready at Hammond ready to be deployed.

✦ Car Ports

Cr Baira raise concerns that car ports for are very small and narrow. Wants to know if there is scope of works for next delivery of carports to look at standard or larger designs.

✦ Media Stories

Cr Toby queried on how we can control media story when we don't want it aired, relating to a Police issue at Boigu.
Cr Toby advised that media was broadcast without his knowledge and he had already briefed them on the protocols Boigu has in place.
Cr. Toby advised makes people aware and paints a picture that it's not safe to go to Boigu when reports like that are reported by media.
Mayor advised the only way you can only try and comeback with that media campaign is to start pushing out positive stories with a focal point on Boigu and its traditions

✦ Dugong and Turtle

- Mayor briefed Council on the amendments done to the Legislation regarding animals which captured now for the first time, Dugong,
- The Legislation has been passed and there are clauses there on dugong and turtle.
- Mayor will flick a copy to all Councillors.

NEXT COUNCILLORS TRAINING & COUNCIL MEETING

- Next Council Meeting 19-20 March at Boigu
- Councillors Training in Cairns 11-15 march.
- CEO/Executive Secretary to provide digital copies of the dates to Councillors.

5.00pm

MEETING CLOSED FOR THE DAY

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