



## **MINUTES**

### **ORDINARY MEETING**

**TUESDAY 19 NOVEMBER - WEDNESDAY 20 NOVEMBER 2013**

Please find attached Minutes of the above meeting held on Tuesday 19th November 9.10am – 4.10pm, Wednesday 20th November 9.15am – 4.30pm at the *TSIRC Conference Room, Ground Floor, Torres Strait Haus, 46 Victoria Parade, Thursday Island.*

**TUESDAY 19 NOVEMBER 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 Community, 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. 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 Services (EMCS)  
Mr Pat McGuire, Executive Manager Engineering Services (EMES)  
Mr. David Abednego, Executive Officer (EO)  
Ms Katherine Wiggins, Senior Executive Support Officer (SES0)  
Ms Jess James, Public Relations & Media Officer (PRMO)  
Ms Dinah Sailor, Executive Secretary (ES)

**9.10am:** Meeting opened in prayer by Cr. Mosby

**Apologies:** Cr. Ron Enosa, Division 3 – Saibai Island  
Cr. Toshie Kris, Division 7 – St. Pauls, Moa Island  
Ms Dania Ahwang, Deputy Chief Executive Officer (DCEO)  
Mr. Jeff Hartley, Chief Finance Officer (CFO)

*\*Noted that Cr. Akee joined the meeting during discussion on Item 6.2 in Closed Business.*

**MAYOR’S WELCOME AND OPENING REMARKS**

Mayor - welcome and opening remarks

**ACCEPTANCE OF APOLOGY – COUNCILLORS ABSENCE**

**APOLOGIES NOTED**

**CR. RON ENOSA**

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

**RESOLUTION**

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

**Motion Carried**

**CR. TOSHIE KRIS**

Cr. Toshie Kris, Division 7 – St. Pauls Community – Moa Island (Daughter's Wedding preparations)

**RESOLUTION**

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

**Motion Carried**

**DEPUTATION** - Nil

**Item 4**

**BUDGET REVIEW**

**Resolution**

*Moved* Cr. Nai, *Seconded* Cr. Billy that Council adopts in accordance with s169 and s170 of the Local Government Regulation 2012 an amended budget for 2013/2014 Financial Year as presented incorporating:

- (i) Financial Position;
- (ii) Cashflow;
- (iii) Income and Expenditure;
- (iv) Changes in Equity;
- (v) Long Term Financial Forecast;
- (vi) Capital Works Summary

**Motion Carried**

*Cr. Baira declared his Conflict of Interest and remained in the meeting room.*

**Item 5**

**COMMUNITY GRANT APPLICATION**

**BADU KULPIYAM GRANT APPLICATION**

**Resolution**

*Moved* Cr. Bosun, *Seconded* Cr. Billy that Council approves the application as requested and provides the initial funding in full.

**Motion Carried**

**Against:** Cr. Toby  
Cr. Mosby

**Item 7.1**      **SUMMARY ACTION ITEMS**

- Brief update by CEO on the action items in progress.
- **Boiqu - Airport, Water Lagoon and Sewerage Fencing**

**Action:**

EMES to:

1. Seeking matching funds from Torres Strait Regional Authority (TSRA) for various fencing issues on Boiqu.
  2. Report to next Council Meeting on Airport Fences
- **Lighting for Helipads - Dauan and Ugar**  
**Action:** EMES to follow up on the issue of lighting around Ugar and Dauan Helipads.
  - **Capital Works**  
**Action:** CEO to provide report to Council on prioritisation list on Capital Works and funding same at the first Council Meeting in 2014.
  - **Desalination Project - Iama Island**  
**Action:**
    1. EMES to write to AECOM on the protocol of working in communities.

**Item 7.2**      **BUSINESS ARISING FROM PREVIOUS MINUTES**

- **Community Policing Hammond**

**Action:** CLO to follow up on recruitment for policing on Hammond Island.

**CONFIRMATION OF MINUTES**

**Resolution**

Moved Cr. Mosby, Seconded Cr. J. Gela that the minutes of Council held 14-16 October 2013 be adopted as true and accurate.

**Motion Carried**

***It was noted that Council break for Morning Tea 10.30am – resumed 11.00am***

11.05am *Staff, with the exception of the CEO, were requested to leave the meeting room. The CEO left the room prior to the discussion on Item 6.2*

**Item 6**  
**11.05am**

**CLOSED BUSINESS**

**RESOLUTION**

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

- 9a) the appointment, dismissal or discipline of employees; or
- (b) industrial matters affecting employees; or
- (c) the local government's budget; or
- (d) rating concessions; or
- (e) contracts proposed to be made by it; or
- (f) starting or defending legal proceedings involving the local government; or
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Further the public in attendance are asked to leave.

**Motion Carried**

**END OF CLOSED BUSINESS**

**Item 6.1**

**CORPORATE STRUCTURE**

**RESOLUTION**

*Moved Cr. Mosby, Seconded Cr. Fell that Council adopt the Corporate Structure reporting to the Chief Executive Officer comprising of the Deputy Chief Executive Office, Chief Financial Officer, Executive Manager Corporate Services, Executive Manager Engineering Services and Executive Manager Community Services. Further in accordance with Section 196 (1) of the Local Government Act 2009 adopt this Corporate Structure, and is effective from the 1<sup>st</sup> July 2014.*

**Motion Carried**

**Against:** Cr. Sabatino  
Cr. Stephen  
Cr. Nai  
Cr. J. Gela

**Item 6.2**      **MENTOR STRATEGIST**

**RESOLUTION**

Moved Cr. Lui, Seconded Cr. J. Gela that Council engages a Mentor Strategist.

**Motion Carried**

**Against:** Cr. Sabatino  
Cr. Stephen  
Cr. Toby  
Cr. Bosun

***It was noted that Council break for Lunch 1.30pm – 2.35pm***

**GENERAL BUSINESS**

***Seawall Project Updates***

- Mayor briefed Councillors on update of Seawall Project
- No timeframe at this time due to Parliament sitting but will be kept informed through Mr. Warren Entsch MP.

***Mabuiag***

- Mobile Coverage – CEO advised will ensure it be on the agenda during the discussion of MOU with TSRA.
- Mer and Mabuiag Jetty – presented to Department of Transport and Main Roads (TMR) but no funding is currently available.
- Bus/Divestment

**Action:** CEO to follow up

Sporting Facility Mabuiag – current facilities need to be upgraded.

**Action:** EMCS to locate previous quotes for future grant funding when available.

***Kubin***

- Mechanic – on arrival into the community found that no parts have arrived for him to fix vehicles, such as the Councillor's vehicle

**Action:** EMCS will follow up and liaise with Cr. Bosun

- Local Government Council Owned Oyster Farm Kubin

**Action:** EMCS to report on an options paper at the first Council Meeting in 2014.

***Ugar***

- Landslide near Church

**Action:** Email to Cr. Stephen on the state of play.

- Ergon & Telstra Funds from ICC to transfer back to Prescribed Body Corporate (PBC).

**Action:** CLO to advise Cr. Stephen

- Update on Helicopter Subsidy

**Action:** DCEO to provide a chronological order of advocacy action to date and future action proposed.

- Health Service - No health worker on ground in the Community - *Noted that QLD Health CEO is on top of this issue.*

**Hammond**

- Trustee Account Balances  
**Action:** CEO to provide by 29<sup>th</sup> November 2013 to all Councillors.
- Town Planning Scheme – will start after Christmas.
- Traffic Management Plan  
**Action:** EMES to compile a Traffic Management Plan for all communities and identify in a separate information report monthly the progress, timeframe and costs inclusive of budget implications.
- Parks and Gardens  
**Action:** EMCS & EMES to finalise tender documents for Parks and Gardens as well as cleaning contracts and place to tender. Additionally an information report to be presented at each monthly meeting identifying the progress and budgetary implications.
- ILUA /Section 24JAA  
**Action:** Discussion to take place at the December Ordinary Meeting.

**Erub**

- Sports Stadium at Erub  
**Action:** EMCS to commence works in accordance with capital budget appropriation to make sports stadiums and safe. And to report on progress via the capital works information report.
- Erub Anglican Church Lease  
**Action:** CLO to provide copy of Erub Anglican Church Lease to be provided to Cr. J. Gela.

**Deductions on Councillors Pay Advice**

- Councillors requested their deductions be shown on their pay advice  
**Action:** CEO to ensure a complete summary of deductions are provided on the pay advice to Councillors.

4.10pm **MEETING CLOSED FOR THE DAY**

Meeting closed in prayer by Cr. Lui.

## **WEDNESDAY 20 NOVEMBER 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 Community, 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. 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 Services (EMCS)  
Mr Pat McGuire, Executive Manager Engineering Services (EMES)  
Mr. David Abednego, Executive Officer (EO)  
Ms Katherine Wiggins, Senior Executive Support Officer (SESO)  
Ms Dinah Sailor, Executive Secretary (EO)

**9.15am:** Meeting opened in prayer by Cr. Billy

**Apologies:** Cr. Ron Enosa, Division 3 – Saibai Island  
Cr. Toshie Kris, Division 7 – St. Pauls, Moa Island  
Ms Dania Ahwang, Deputy Chief Executive Officer (DCEO)  
Mr. Jeff Hartley, Chief Finance Officer (CLO)

### **Item 10**      **GENERAL BUSINESS**

- ✦ Cr Fell gave a briefing on the Sports & Recreation Program coordinated under the Torres Shire Council.
- ✦ Sewer Pump Station - Boigu  
**Action:** EMES to take remedial action to rectify the issue.
- ✦ Mechanic – removal of old vehicle's motor engineers from Yam  
**Action:** EMCS to follow up with the Mechanic.
- ✦ Child Care - Hammond  
**Action:** Report on the progress for the operational opening of the Child Care for Hammond.
- ✦ Council Office – Hammond (Loan Funds)
  - Still awaiting application approval.
  - Outcome to be advised in December.



- ✦ Poruma
    - Child Care Facility
      - Facility used by Tagai for Montessori Program taking over from TSIREC.
      - It was noted that Torres Strait Islander Regional Education Council (TSIREC) has a Licence Agreement with TSIRC for the use of the facility.  
**Action:** CLO to follow up.
    - Tenancy Management
      - Vacant houses in the community with tenants residing in Cairns
      - Need to review all caretaker provisions  
**Action:** CEO to follow up.
    - Community Funeral Funds
      - Community wish to return funds to community organisation.  
**Action:** CEO to work with Community of Poruma to transfer funds.
    - Aged Care Facility
      - Cr Mosby requested feasibility on having aged care facility in the community as elders do not want to leave the island.  
**Action:** EMCS to progress a feasibility study on an aged care facility.
  - ✦ Reflecting the Past Year (2013)  
**Action:** CEO to provide a power point presentation to the next Council Meeting on Hammond evaluating on what has been achieved over the past year across the TSIRC Communities including Infrastructure on ground, Capital Assets and any level of investments that has gone into the Community.
  - ✦ Action Items
    - Provided clarity or indication of projects financial/non-financial on the item action item list instead of just “in Progress”  
**Action:** Status of Action items will be detailed explanation.
  - ✦ Facility at Horn Airport - Funeral transition process
    - Cr. Fell requested Mayor to follow up on progress discussions with Torres Shire Council and TSRA in providing some sort of an air-conditioned private facility at the airport when they look at upgrading, with regards to arrangement and comforting of families transiting through Horn to the Communities.  
**Action:** Mayor to follow up
- It was noted that Council break for Morning Tea 10.35am – resumed 11.10am**
- ✦ Badu
    - Council's Property/Hire of Hall – Cr. Baira requested that CEO provide a Notice for Badu Division from Council the return of any Council's property that has been hired out and not returned.

**Action:** CEO to follow up

- ✦ Cross Boarder Health Care Provision
  - Cr. Lui requested that Council obtain a detailed copy of the information report on the Cross Boarder Health Care Provision Costs.
- ✦ Issues are being repeatedly raised at Council meetings that have not been completed due to:
  - Communication breakdown
  - Performance indicators

**Action:** CEO gave an assurance to the Councillors that he heard loud and clear what they said on multiple occasions over the past two days, and that appropriate action will be taken to ensure that Council functions in accordance with the Policy, Legislation and Agreements Council has in place. The CEO also mentioned that Councillors may receive questions from community members and staff as he inacts the appropriate measures to ensure staff performance and housing issues in particular are resolved.

***It was noted that Council break for Lunch 12.30pm – 1.35pm***

11.30am Staff with the exception of the CEO was requested to leave the meeting room. Cr. Sabatino left the meeting at 11.40am and did not return.

**Item 6**  
**11.30am**

**CLOSED BUSINESS**

**RESOLUTION**

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

- 9a) the appointment, dismissal or discipline of employees; or
- (b) industrial matters affecting employees; or
- (c) the local government's budget; or
- (d) rating concessions; or
- (e) contracts proposed to be made by it; or
- (f) starting or defending legal proceedings involving the local government;
- or
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Further the public in attendance are asked to leave.

**Motion Carried**

**END OF CLOSED BUSINESS**

**2.10pm**      *Staff called back into the meeting room.*

**Item 11**      **GENERAL BUSINESS (CONT'D)**

- ✦ Discussions on Christmas Breakup
- ✦ Update on Observer Air
  - Telephones will be hooked up ready for business on 29/11/13
  - Arrival date and operational from 3<sup>rd</sup> December 2013

**2.30pm**      **COUNCIL MEETING CLOSE**

With no further discussions the Council meeting closed in prayer by Mayor Gela.