



MINUTES

ORDINARY MEETING

TUESDAY 16th SEPTEMBER – WEDNESDAY 17th SEPTEMBER 2014

Please find attached Minutes of the above meeting held on Tuesday 16th September 9:06am – 5:07pm, Wednesday 17th September 9:25am – 2:17pm at the Community Hall at Mabuag.

TUESDAY 16th SEPTEMBER 2014

Present: Cr Fred Gela, Mayor
Cr Keith Fell, Deputy Mayor, Division 4 - Mabuiag Island
Cr Dimas Toby, Division 1 – Boigu Island
Cr Joel Gaidan, Division 2 – Dauan Island
Cr Ron Enosa, Division 3 – Saibai Island
Cr Horace Baira, Division 5 – Badu Island
Cr David Bosun, Division 6 – Kubin, Moa Island
Cr Toshie Kris, Division 7 – St Pauls, Moa Island
Cr Getano Lui Jnr, Division 9 – Iama Island
Cr Willie Lui, Division 10 – Warraber Island
Cr Phillemon Mosby, Division 11 – Poruma Island
Cr Fraser Nai, Division 12 – Masig Island
Cr Rocky Stephen, Division 13 – Ugar Island
Cr Jimmy Gela, Division 14 – Erub Island
Cr William Akee, Division 15 – Mer Island
Ms Dania Ahwang, Chief Executive Officer (CEO)
Mr David Abednego, Executive Manager Community Services (EMCoS)
Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)
Ms Larissa Bani, Executive Secretary (ES)

Apologies: Cr Mario Sabatino, Division 8 - Hammond Island
Mr Patrick McGuire, Executive Manager Engineering Services (EMES)
Mr Anthony Bird, Executive Manager Corporate Services (EMCS)
Mr Chris McLaughlin, Chief Legal Officer (CLO)

9.06am: Meeting opened in prayer by Cr Fell

ONE MINUTE SILENCE

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

MAYOR'S WELCOME AND OPENING REMARKS

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

Cr Fell also welcomed the Councillors to Mabuia.

ACCEPTANCE OF APOLOGY – COUNCILLORS' ABSENCE

APOLOGIES NOTED

CR MARIO SABATINO

Cr Mario Sabatino, Division 8– Hammond Island

Reason: Due to sudden illness

RESOLUTION

Moved Cr Nai, Seconded Cr Fell

That Council accepts the apology from Cr Sabatino for his absence at this meeting.

Motion Carried

Item 3 BUSINESS ARISING AND MINUTES OF PREVIOUS MEETING

Item 3.1. ACTION ITEM SUMMARY – PREVIOUS MEETING

Action Item:

CEO to follow up on Inspector Lacey's availability to attend next Council Meeting.

Action Item:

CEO to follow up on Boigu EFTPOS lines and also to review back up procedures for non-availability of EFTPOS facility.

Action Item: Item 37 – Kubin Housing

CEO to follow up on Kubin houses plans for on forwarding to Cr Bosun.

Action Item: Item 3 - Freezer

CEO to follow up on PZJA letter

Action Item: Item 19 – One Boat

MPA to close action 19 in relation to One Boat as completed as Mayor has actioned

Action Item: Item 48: - Seawalls Project

CEO to follow up with Engineering team regarding the Saibai Seawall project to provide update to Cr Enosa on timelines for project.

Action Item: Item 4 – lama Drainage

CEO to follow up with EMES on lama drainage due to wet season approaching.

Action Item: Item 24 Rain Water Tanks)

CEO & EMCoS to liaise with the Department of Housing and Public Works to review current procedures for repairs and maintenance to rain water tanks and report to October meeting.

Item 35 – Mer Vet Visit

Cr Akee thanked Council for assistance & support for recent animal program.

Action Item: Item 25 – Sewerage Treatment Plant)

EMES to ensure Engineering Officers are equipped with appropriate safety equipment when working at Sewerage Treatment Plants (including gas detectors)

Action Item

CEO and MPA to write to Paul Taylor – Far North District, Queensland Police Service to arrange a meeting with Cr Kris regarding community concerns.

Action Item

Cr Kris requested update on horse program. EMCoS to provide update in October Meeting.

Action Item

EMCS to provide update on Asbestos project.

Action Item

CEO to review Fuel Bowser computer and recharge problem on Mabuiag and Boigu.

Action Item

CEO & MPA to draft a letter to National Basketball Association (San Antonio SPURS) to build partnership for future funding opportunities for Sports & Recreation.

Action Item

EMES to provide update on Dolphins

Action Item

CEO to follow up on Dauan Pontoon damage and assess if any damage is claimable under insurance of Council or freight company

Item 3.2. Business Arising from Previous Minutes

No further business arising from previous minutes

Item 3.3. Confirmation of Minutes

RESOLUTION

Moved Cr Fell, Seconded Cr Kris that, the minutes of Council meeting held 21st – 22nd August 2014 is adopted as true and accurate.

Motion Carried

Item 4 Councillor Remuneration

Cr Baira entered the meeting at 10:26am

RESOLUTION

Moved Cr Nai , Seconded Cr Bosun that:
Council adopt a minimum 75% attendance for resolutions adoption at the mandated monthly meeting with independent certification from Mayor or Chief Executive Officer for the Councillor to be eligible for the monthly meeting fee of \$1,989.

Motion Carried

It was noted that Council break for morning tea 10:30am – 11:07am

Item 5 **Planning Scheme**

RESOLUTION

Moved Cr Kris, Seconded Cr Bosun that, Council lodge the draft planning scheme for State Interest Review and seeks the Minister's approval to release the scheme for public notification, pending any minor changes prior to lodgement.

Motion Carried

Action Item

EMES to send copy of Minister's letter to all Councillors

Item 6 **CAPITAL WORKS PROGRAM**

Council notes the co-contribution strategy with TSRA in prior financial year's capital works program.

Action Item:

CEO and MPA to seek \$750k matching funds from TSRA as co-contribution for current financial year's capital works program

Action:

CEO to follow up with Deputy Mayor on Michael Anderson's proposal to provide free quotes for resurfacing of various community infrastructure.

RESOLUTION

Moved Cr Kris, Seconded Cr Stephen

That, Council commit \$500,000 for Sporting Infrastructure on the delivery of the four stadium works at Erub, lama, St Pauls and Masig as part of the approved 2014/15 capital works program.

Motion Carried

Item 6.1. **Late Report – Royalties for Regions Grant**

RESOLUTION

Moved Cr Mosby, Seconded Cr J Gela

That, Council endorse the Airport Line marking project as a priority and direct Engineering Services to undertake the necessary works as soon as practicable.

Motion Carried

Item 7 **BUSINESS ARISING FROM INFORMATION REPORTS**

Item 7.1. **Draft Financial Statements 2013/14**

Action Item

CEO to distribute Draft Financial Statements to Councillors

Item 7.2. **Operational Plan Q4 2013/14**

Update provided for Council Information

Item 7.3. **Housing**

Action Item

CEO to report to Council on CBRC history including how original 26 constructions was amended over time

Action Item

CEO and EMCoS to Check Lot 76 for CBRC construction does not duplicate Lot 76 for proposed NPARIH construction at Saibai

12:16pm Council Meeting Close

12:16pm Meeting of Council as Trustee of DOGIT

RESOLUTION

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

Motion Carried

Item 8.1. **Boigu Roads**

RESOLUTION

Moved Cr Toby, Seconded Cr Enosa That the Trustee resolves to:-

1. Accept plan SP258861 and map 13255, showing, in general, the roads to be opened on Boigu Island, subject to final agreement with the Divisional Councillor and if necessary minor adjustment by RILIPO and the survey team.
2. Accept any land administration actions incidental and necessary to facilitate lodgement and registration of the Plan and includes applying to the Minister responsible for administering the Land Act 1994 (LA) to the surrender of part of the Deed of Grant in Trust land in terms of section 55 of the Land Act for the purposes of dedicating those surrendered areas as roads.

Motion Carried

Item 8.2. **Mabuiag National Partnership Agreement on Remote Indigenous Housing (NPARIH)**

RESOLUTION

Moved Cr Fell, Seconded Cr Nai

That, pursuant to the Torres Strait Islander Land Act 1991 (Qld), the Trustee grant a standard lease to the State of Queensland (as represented by the Department of Housing and Public Works) over the below Lease areas in part of Lot 2 on Crown Plan TS168, for Social Housing Purposes and other Government Services use of and incidental to that purpose, namely:-

Plan/Document number	Plan/Document name	Date
SP258860	Plan of Leases AA - AJ	13/06/13

Motion Carried

12:27pm Meeting closed as Trustee

Item 9 **Boigu Roads**

RESOLUTION

Moved Cr Toby, Seconded Cr Fell that, Council resolves to:-

1. Accept plan SP258861 and map 13255, showing, in general, the roads to be opened on Boigu Island, subject to final agreement with the Divisional Councillor and if necessary minor adjustment by RILIPO and the survey team.

2. Accept any land administration actions incidental and necessary to facilitate lodgement and registration of the Plan and includes applying to the Minister responsible for administering the Land Act 1994 (LA) to the surrender of part of the Deed of Grant in Trust land in terms of section 55 of the Land Act for the purposes of dedicating those surrendered areas as roads.

Motion Carried

Item 10 **Council Policies**

RESOLUTION

Moved Cr Fell, Seconded Cr J Gela

That, Council adopt the following amended policies:

- Human Resources (PO 02)
- Procurement (SPO 2)
- Fiscal Governance (PO 4)
- Privacy (PO 6)

Motion Carried

Action Item

CEO to invite Department, LGAQ and/or Crime and Corruption commission representatives to present legislative updates to Councillors at the November workshop.

It was noted that Council break for Lunch 12:45pm – 2:07pm

Item 11 **2:07pm – 2:30pm CLOSED BUSINESS**

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

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

Further the public in attendance are asked to leave.

Motion Carried

Cr G Lui has declared a Material Personal Interest in relation to the lama Bus Divestment and left the room at 2:25pm

End of Closed Business 2:30pm

11.2. Fleet Maintenance

Action Item

CEO to follow up on Mechanic visits, particularly reported parts not being available for mechanic visit.

RESOLUTION

Moved Cr Nai, Seconded Cr J Gela That Council resolves:

To increase the program of works of contract TSIRC2011-02 with Remote Fleet Management to include an extra fourteen (14) site visits to perform mechanical services in accordance with the 2014 – 2015 adopted budget and the attached 2015 TSIRC Mechanic Schedule with the exclusion of Mer and Ugar pending the outcome of negotiations with local mechanic within a two (2) week timeframe.

Motion Carried

11.3. lama Bus Divestment (Late Report)

RESOLUTION

Moved Cr Kris, Seconded Cr Mosby that, Council resolve, pursuant to section 236(1)(b)(ii) of the Local Government Regulation 2012 (Qld), to dispose of the lama Bus registration 567LUF operated by Council by way of Expression of Interest to the lama Mura Mabaigal (TSI Corporation).

Motion Carried

Cr G Lui returned to meeting.

Item 12 General Business

Action Item

CEO to review reported gaps/issues with Remote Jobs Communities Program (RJCP) and My Pathway Policies in regard to host employing My Pathway participants.

Action Item

CEO and MPA to draft a letter to TSRA (for Cr Fell's distribution) requesting an opportunity to present to the Board in December on various matters including:

- MIP reform
- Enterprise divestment
- 1.7 million O & M
- Asset Sustainability

Action Item

CEO and MPA to provide report on KPI's to October meeting.

Action Item

EMES to review Badu dump operations and consider dozer operations and any required training for existing staff to maintain dump.

It was noted that Council break for afternoon tea 4:05pm – 4:25pm

Action Item

CEO to draft a resolution on s24JAA for Council consideration in relation to St Paul's NPARIH Social Housing

Action Item

CLO to provide an update on Freehold submission including any feedback on submission and also any recent State Government announcements

Council Meeting Close for Day 1

5:07pm Meeting closed in prayer by Cr Gaidan

WEDNESDAY 17th SEPTEMBER 2014

Present: Cr Fred Gela, Mayor
Cr Keith Fell, Deputy Mayor, Division 4 - Mabuiag Island
Cr Dimas Toby, Division 1 – Boigu Island
Cr Joel Gaidan, Division 2 - Dauan Island
Cr Ron Enosa, Division 3 – Saibai Island
Cr Horace Baira, Division 5 – Badu Island
Cr David Bosun, Division 6 – Kubin, Moa Island
Cr Toshie Kris, Division 7 – St. Pauls, Moa Island
Cr Getano Lui Jnr, Division 9 - Iama Island
Cr Willie Lui, Division 10 - Warraber Island
Cr Phillemon Mosby, Division 11 – Poruma Island
Cr Fraser Nai, Division 12 – Masig Island
Cr Rocky Stephen, Division 13 – Ugar Island
Cr Jimmy Gela, Division 14 – Erub Island
Cr William Akee, Division 15 – Mer Island
Ms Dania Ahwang, Chief Executive Officer (CEO)
Mr David Abednego, Executive Manager Community Services (EMCoS)
Ms Katherine Wiggins, Manager Performance and Advocacy (MPA)
Ms Larissa Bani, Executive Secretary (ES)

Apologies: Cr Mario Sabatino, Division 8 - Hammond Island
Mr Patrick McGuire, Executive Manager Engineering Services (EMES)
Mr Anthony Bird, Executive Manager Corporate Services (EMCS)
Mr Chris McLaughlin, Chief Legal Officer (CLO)

9:25am: Meeting opened in prayer by Cr G Lui

Item 13 **PRESENTATION – National Aboriginal and Torres Strait Islander Social Survey (NATSISS) 2014/2015**
(Cheryal Kyle and Annmarie Campbell, Australian Bureau of Statistics)

Cr Mosby joined the meeting at 9.45am and Cr Enosa joined the meeting at 9.50am and Cr Fell was absent from the meeting from 10.00am – 10.10am during the Item 13 discussions.

Action Item

CEO & MPA to forward visitor protocols to ABS to follow for community visit prior to conducting surveys in elected communities.

Action Item

CEO and MPA to follow up on nominating facilitators from each community (male and female) to help with survey logistics and community engagement.

14. **St Pauls NPARIH (Late Report)**

RESOLUTION

Moved Cr Kris, Seconded Cr Nai

That, Council resolve that for the purpose of rolling out Social Housing under the National Partnership Agreement for St Paul's Community, Moa Island that Council supports the use of Section 24JAA by the State Government as a result of consultations and negotiations being exhausted.

Motion Carried

Action Item

CEO to write to Native Title Office and other key stakeholders to advise of Council's changed position in relation to s24JAA

It was noted that Council break for morning tea 10:27am – 11:00am

Approved Leave

Next Meeting to be held on Boigu 21 & 22 October.

Cr Kris and Cr Gaidan were absent from the meeting during discussions on approved leave

RESOLUTION

Moved Cr Lui, Seconded Cr Bosun that, Council accepts Cr Fell's leave of absence for October Ordinary meeting at Boigu.

Motion Carried

General Business

Council's 10 Point Plan

Cr Kris and Cr Gaidan returned during discussions on Council's 10 Point Plan

Action Item

CEO to write to Aboriginal Hostels Ltd to relay concerns with cash being collected at Jumula Dubbins Hostel and no receipt being issued by staff.

Action Item

Council agreed to contribute \$3,150 to Pentecostal Outreach (Pastor J A Repu) for Church repairs. Council will also provide In-Kind support by utilising Council Builders' procurement arrangements.

Action Item

CLO to distribute copy of draft TSRA MOU to all Councillors

Action Item

CEO and MPA to commence planning of cultural festival for late 2015

It was noted that Council break for lunch 12:52pm – 1:40pm

General Business continued

Action Item

EMES to follow up on Warraber Solid Waste issues including Biowaste Generator not working, garbage truck not working and crusher not working

Action Item

EMES to provide update on Boigu water lagoon fencing and pump station removal from jetty at Boigu to Cr Toby

Action Item

CEO to review the current and new land fill site for Erub as notice has been given of proposed closure of existing site as at 30 September 2014.

Action Item

CEO to follow up on Engineering issues, particularly response times.

Action Item

CEO to follow up on Digital T.V. connections to Council accommodations

2:12pm Close of General Business

Approved Leave

RESOLUTION

Moved Cr Enosa, Seconded Cr J Gela that, Council accept Cr Baira's leave of absence from October Ordinary Meeting at Boigu.

Motion Carried

The Mayor provided a brief update to Council on upcoming audit exit meeting on Friday 19 September 2014 and that preliminary results indicate no high risk issues and Council would be looking forward to an unqualified audit result.

The Mayor thanked the community, staff, caterers and Councillor of Mabuiag for the hospitality during attendance for the Council meeting.

2:17pm Council Meeting closed in prayer by Cr Fell