



**Torres Strait Island**  
REGIONAL COUNCIL

**MINUTES**

**SPECIAL MEETING**

**MONDAY 14 MARCH 2016**

Please find attached Minutes of the above meeting held on Monday 14 March 9:16am- 12:31pm, via videoconference.

## **MONDAY 14 MARCH 2016**

### **Present**

Cr Fred Gela, Mayor

Cr Keith Fell, Deputy Mayor, Division 4 – Mabuiag Island

Cr Dimas Toby, Division 1 – Boigu (via teleconference) (to 11:37am)

Cr Joel Gaidan, Division 2 – Dauan Island (via teleconference)

Cr Ron Enosa, Division 3 – Saibai Island

Cr Horace Baira, Division 5 – Badu Island

Cr David Bosun, Division 6 – Kubin Community at Moa Island (from 10:47am)

Cr Toshie Kris, Division 7 – St Pauls Community at Moa Island

Cr Mario Sabatino, Division 8 – Hammond Island (via teleconference)

Cr Getano Lui Jnr, Division 9 – Iama Island

Cr Ted Nai, Division 12 – Masig Island

Cr Jimmy Gela, Division 14 – Erub Island

Cr William Akee, Division 15 – Mer Island

Ms Dania Ahwang, Chief Executive Officer (CEO)

Mr Chris McLaughlin, Executive Manager Corporate Services (EMCS)

Ms Melissa Barmettler, Executive Manager Financial Services (EMFS)

Mr David Baldwin, Executive Manager Engineering Services (EMES)

Ms Helen Tarrant, Executive Assistant (EA)

Ms Jessica Cox, Travel and Administration Officer (TAO) (Minutes)

Mr Greg Newman, Senior Advisor – Workplace Relations, Local Government Association of Queensland

### **Apologies**

Cr Willie Lui, Division 10 – Warraber Island

Cr Rocky Stephen, Division 13 – Ugar Island

Cr Phillemon Mosby, Division 11 – Poruma Island

Mr David Abednego, Executive Manager Community Services (EMCoS)

Ms Daisy Ketchell, Executive Officer (EO)

1. **9.16am-9.20am**                      **Opening Prayer and Welcome**

Cr Fell opened the meeting in prayer.

Mayor Gela welcomed the Councillors to their final meeting before elections.

2. **9.20am-9.22am**                      **Apologies**

Cr W Lui – Leave in advance

**RESOLUTION**

*Moved Cr J Gela, Seconded Cr Akee*

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

**MOTION CARRIED**

Cr Stephen – Leave in advance

**RESOLUTION**

*Moved Cr J Gela, Seconded Cr Akee*

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

**MOTION CARRIED**

Cr Mosby – Leave in Advance

**RESOLUTION**

*Moved Cr Fell, Seconded Cr Akee*

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

**MOTION CARRIED**

**9.22am-12.16pm**                      **Closed Business**

**RESOLUTION**

*Moved Cr Baira, Seconded Cr Nai*

That in accordance with s275 of the Local Government Regulation 2012 it is resolved for the meeting to go into closed session to discuss:

(b) Industrial matters affecting employees; or

(c) The local government's budget; or

(e) Contracts proposed to be made by it; 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.

**MOTION CARRIED**

All staff left the room at 9.22am. Greg Newman, LGAQ remained.

3. **9.22am-10.45am**                      **CEO Performance Plan**

Staff re-joined meeting at 10.45am.

4. **10.45am-10.55am**                      **Debtor Write Off**

EMFS presented the report to Council.

Cr Bosun joined meeting at 10.47am

5. **10.55am-11.37am**                      **Procurement of Specialised or Confidential Services – Legal Services**

EMCS presented the report to Council.

Cr Sabatino left meeting at 11.28am.

Cr Toby left meeting at 11.37am.

6. **11.37am-11.58am**                      **Seawalls Options Report**

EMES presented the report to Council.

**Closed Business Action Item**

**12.16am-12.17am**                      **Closed Business**

**RESOLUTION**

*Moved* Cr J Gela, *Seconded* Cr Bosun  
That Council move out of Closed Business.

**MOTION CARRIED**

**Cr Toby – Unapproved Leave**

**RESOLUTION**

*Moved* Cr Akee, *Seconded* Cr Bosun  
That Council accepts the apology from Cr Toby for his absence at this meeting. 'Reasonable Excuse' was not provided as required under the Councillor Remuneration Procedure – leave without pay is granted.

**MOTION CARRIED**

Cr Sabatino re-joined the meeting at 12.20pm

**Debtor Write Off**

**RESOLUTION**

*Moved* Cr Bosun, *Seconded* Cr Enosa  
That Council endorse write-off of \$28,291.78 of deceased debtors.

**MOTION CARRIED**

**Procurement of Specialised or Confidential Services – Legal Services**

**RESOLUTION**

*Moved* Cr Sabatino, *Seconded* Cr Fell  
That pursuant to section 235(b) of the Local Government Regulation 2012 (Qld), the Chief Executive Officer is authorized to engage the legal services of Mr Ronald Merkel QC to advise and provide representation with respect to matters concerning the Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld), on the basis that it would be impractical or disadvantageous for Council to invite quotes or tenders due to the specialized or confidential nature of the services.

**MOTION CARRIED**

## Seawalls Options Report

### **RESOLUTION**

*Moved Cr Enosa, Seconded Cr Akee*

That Pursuant to the Local Government Act 2009 and Local Government Regulation 2012, that Council resolve to:

1. Make a formal funding variation request to the representatives from the four Departments providing funds for the Seawalls Project (the Project), i.e.: Torres Strait Regional Authority (TSRA), Department of Prime Minister and Cabinet (DPMC), Department of Infrastructure and Regional Development (DIRD) and Department of Infrastructure, Local Government and Planning (DILGP) (the Funding Bodies).

The formal request to include:

- amendment to the two funding agreements to enable the Saibai works to be completed within the \$26.237M original overall Project funding.
  - Provision for any unexpended funds from the \$26.237M original Project budget to be allocated to Boigu works.
  - The extent of Boigu works to be undertaken to be confirmed subject to available budget at conclusion of the Saibai works, and to be in accordance with the following priority order:
    - Upgrade/repair all drains to have functional one way flow valves
    - Repair existing bunds to retain function
    - Repair existing seawalls including rebuild of rock armour seawalls in vicinity of boat ramp.
    - Inclusion of wave wall in whole or in part.
2. Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to draft and issue the formal request for variation of the funding agreements, and to negotiate and finalise matters associated with entering into the proposed funding agreement variations.

**MOTION CARRIED**  
**AGAINST: Cr Kris**

Cr Gela thanked the Councillors for their attendance at the Special Meeting. Mayor Gela thanked Councillors and staff and wished all Councillors luck in their campaigns.

### **Action Item**

**CEO to follow-up Councillors payments for week ending 18 March 2016.**

**12.31pm Meeting Closed**