



ORDINARY MEETING
21 AUGUST 2024

MINUTES

Time: 10.30am (*meeting commenced at 11.01am*)

Venue: (Microsoft TEAMS)

Meeting ID: 430 295 436 817

Passcode: XW65oF

PRESENT:

Mayor

Division 2 – Dauan

Division 3 – Saibai

Division 4 – Mabuiag

Division 5 – Badu / **Deputy Mayor**

Division 6 – Arkai (Kubin), Mua Island

Division 8 – Kirirri (Hammond Island)

Division 9 – Iama

Division 10 – Warraber

Division 11 – Poruma

Division 12 – Masig

Division 14 – Erub

Division 15 – Mer

Cr Phillemon Mosby

Cr Torengo Elisala

Cr Chelsea Aniba

Cr Keith Fell

Cr Ranetta Wosomo

Cr Iona Manas

Cr Seriako Dorante

Cr Aggie Hankin

Cr Kabay Tamu

Cr Francis Pearson

Cr Ted Mosby

Cr Nixon Mye

Cr Bob Kaigey

APOLOGIES:

Division 1 – Boigu

Division 7 – Wug (St. Pauls Community), Mua Island

Division 13 – Ugar

Cr Dimas Toby

Cr John Levi

Cr Rocky Stephen

Executive Director Financial Services

Ms Hollie Faithfull

OFFICERS:

Chief Executive Officer

Executive Director Building Services

Executive Director Community Services

Executive Director Corporate Services

Executive Director Engineering Services

Executive Support Coordinator

TSIRC Secretariat

Mr James William

Mr Wayne Green

Mr Dawson Sailor – *via TEAMS for*

Closed Business discussions only

Ms Susanne Andres

Mr David Baldwin

Ms Sharon Russell

Mr Darryl Brooks

GUESTS:

Mr Wayne See Kee PSM | Assistant Secretary, Science and Surveillance Group | Department of Agriculture, Fisheries and Forestry (DAFF)

Deputation (Torres Strait and Northern Peninsula Area Biosecurity Strategy)

Emma Atkins | Director, Far Northern Biosecurity Initiative (Cape York and Torres Straits) | Biosecurity Queensland | DAFF

Deputation (Torres Strait and Northern Peninsula Area Biosecurity Strategy)

Murray Korff | Director, Torres Strait and Field Operations | DAFF

Deputation (Torres Strait and Northern Peninsula Area Biosecurity Strategy)

Paul Mery | Secretariat – Biosecurity Working Group | Assistant Director, Torres Strait and Field Operations | DAFF

Deputation (Torres Strait and Northern Peninsula Area Biosecurity Strategy)

(Observer) George Nona, Assistant Director, Torres Strait and Field Operations, Department of Agriculture, Fisheries and Forestry

Deputation (Torres Strait and Northern Peninsula Area Biosecurity Strategy)

(Observer) Ewan Gunn, Manager, Environment and Health, Community Services Department, Torres Strait Island Regional Council

Deputation (Torres Strait and Northern Peninsula Area Biosecurity Strategy)

Mr James Reynolds (Chief Executive Officer, Mirabou Energy) and Ms Novita Pratignyo (Chief Financial Officer, Mirabou Energy)

Agenda Item 12.1

**A. WELCOME & QUORUM CONFIRMATION | ACKNOWLEDGEMENTS | OPENING PRAYER
| OBSERVANCES**

At 11.10am, the Mayor welcomed Councillors to the Ordinary Council meeting for the month of August 2024, noting that a quorum of members were present.

B. NOTING OF APOLOGIES

The following apologies were noted and accepted by Council:

Division 1 – Boigu

Division 7 – Wug (St. Pauls Community), Mua Island

Division 13 – Ugar

Cr Dimas Toby – *prior commitment*

Cr John Levi – *unwell*

Cr Rocky Stephen – *prior
commitment*

Resolution

#C24-28/2024-08/B

CR PEARSON / CR ANIBA

**Council accepts the apologies of Cr Dimas Toby, Cr John Levi and
Cr Rocky Stephen for the August 2024 Ordinary Council Meeting.**

CARRIED UNANIMOUSLY

C. CONFLICT OF INTEREST DECLARATIONS

Cr Chelsea Aniba advised that she will be declaring a conflict of interest in relation to Agenda Item 6.1 (Community Grants Program Allocation – July 2024).

The Mayor also requested that if there are any legal matters involving Councillors, then Councillors should advise the Mayor as soon as possible.

D. LIVE STREAM

The Mayor advised that this meeting is being LIVE STREAMED on Council's YouTube Channel.

1. CONFIRMATION OF MINUTES (24 July 2024)

#C24-28/2024-08/1

CR MYE / CR PEARSON

Council confirms the Minutes of the Ordinary Meeting held on 24 July 2024.

CARRIED UNANIMOUSLY

1.1. ACTION ITEMS UPDATE

The Chief Executive Officer (Mr James William) spoke to this item. Items noted as 'completed' during this update will be deleted from future reports. The update was noted by Council.

2. MAYORAL REPORT

The Mayor spoke to his report. The report was noted by Council.

3. CHIEF EXECUTIVE OFFICER REPORTS

3.1. TSIRC 10 Priorities – Advocacy Plan – *verbal update*

The Chief Executive Officer (Mr James William) advised Council that the TSIRC 10 Priorities – Advocacy Plan remains in progress. The Asset Investment Plan is progressing very well. Similarly, work is currently underway in relation to Council's Operational Plan as to what the budget forecasting should look like. It is expected that these two items should be completed for presentation to Council in November 2024 for implementation by end-2024.

The term 'Advocacy' also links to grant funding and strategic budget bids for financial sustainability in the delivery of essential services to community. The recent engagement of a former senior executive from Peak Services (Ms Jessica Buxton) has been undertaken to provide Council with strategic advice to address these issues.

Operational priorities and major strategic priorities (i.e. TAP, a potential regional hub, etc. which will require a significant amount of investment) historically has not been given the proper priority for advocacy in TSIRC's documents.

Action:

The Chief Executive Officer to circulate to Councillors out of session a briefing paper provided to him by Ms Buxton outlining the proposed approach on these issues going forward.

3.2. CHIEF EXECUTIVE OFFICER MONTHLY REPORT (AUGUST 2024)

The Chief Executive Officer (Mr James William) spoke to his report. The report was noted by Council.

DEPUTATION: Australian Government Department of Agriculture, Fisheries and Forestry (DAFF)

Council noted the deputation from the Australian Government's Department of Agriculture, Fisheries and Forestry (DAFF) lead by Mr Wayne See Kee PSM (Assistant Secretary, Science and Surveillance Group) to discuss and update Council on the Torres Strait and Northern Peninsula Area Biosecurity Strategy.

Other Deputation attendees included:

- Emma Atkins | Director, Far Northern Biosecurity Initiative (Cape York and Torres Straits) | Biosecurity Queensland | DAFF
- Murray Korff | Director, Torres Strait and Field Operations | DAFF
- Paul Mery | Secretariat – Biosecurity Working Group | Assistant Director, Torres Strait and Field Operations | DAFF
- (Observer) George Nona, Assistant Director, Torres Strait and Field Operations, Department of Agriculture, Fisheries and Forestry
- (Observer) Ewan Gunn, Manager, Environment and Health, Community Services Department, Torres Strait Island Regional Council

Council commended the DAFF deputation for the incredible work undertaken across the region and for their engagement with community and requested that Council be kept updated on a regular basis.

Council reminded the DAFF deputation of the need for more vigilance (especially on-ground officer presence by authorities) in strengthening and working with TSIRC and other Federal and State Government agencies on cross-border biosecurity matters associated with traditional visits under the Torres Strait Treaty.

➤ *The Council meeting was suspended from 12.30pm to 1.30pm for lunch.*

4. BUILDING SERVICES DIRECTORATE

Nil

5. COMMUNITY SERVICES DIRECTORATE

Nil

6. CORPORATE SERVICES DIRECTORATE

- *Cr Rocky Stephen declared a Conflict of Interest in relation to (b)(4) below (as the applicant is his father). Cr Stephen was not present at the August 2024 Council meeting.*
- *Cr Chelsea Aniba declared a Conflict of Interest in relation to (b)(1) below (as the applicant and club committee are her family members) and was not present during Council deliberation on this particular application.*

6.1 Community Grants Program Allocation (July 2024)

#C24-28/2024-08/6.1

CR MANAS / CR MYE

(a) Council resolves to allocate Community Grants Program funding to applicants in accordance with the Community Grants Policy.

(b) For the reporting period, six (6) Community Grants applications were received for eligible amounts that require Council resolution:

- 1. CG2025-008 - UGUL MALU WOMEN'S RUGBY LEAGUE TEAM, BOIGU for the amount of \$9,000.00, exclusive of GST;**
 - *Cr Dimas Toby supports this application for \$5,000.00 only.*
 - **Council allocates \$5,000.00.**
- 2. CG2025-009 - MULGA TIGERS RUGBY LEAGUE FOOTBALL CLUB, BADU for the amount of \$2,000.00, exclusive of GST;**
 - *Cr Ranetta Wosomo supports this application for \$1,000.00 only.*
 - **Council allocates \$1,000.00.**
- 3. CG2025-012 - PORUMA MEN'S BASKETBALL TEAM for the amount of \$5,757.50, exclusive of GST;**
 - *Cr Francis Pearson supports this application for \$5,000.00 only.*
 - **Council allocates \$5,000.00.**

4. CG2025-013 – ARK OF TRANSFIGURATION CHURCH, UGAR for the amount of \$10,000.00, exclusive of GST;

- *Cr Rocky Stephen has declared a COI (as applicant is his father).*
- *James William (CEO) supports this application for \$10,000.00.*
- Council allocates \$10,000.

5. CG2025-017 – GOEMU BAU RAIDERS, MABUIAG for the amount of \$4,080.00, exclusive of GST;

- *Cr Keith Fell supports this application for \$4,080.00.*
- Council allocates \$4,080.00.

6. CG2025-019 – SAIBAI STAGS RLFC for the amount of \$3,828.00, exclusive of GST;

- *Cr Chelsea Aniba has declared a COI (applicant and club committee are her family members).*
- *James William (CEO) supports this application for \$3,828.00.*
- Council allocates \$3,828.00.

(c) Council notes the following:

1. zero (0) Community Grants applications were declined due to unavailable funds
2. one (1) Community Grants application was deemed ineligible for funding
3. two (2) conflicts of interest (COI) were declared:

(i) CG2025-013 – ARK OF TRANSFIGURATION CHURCH, UGAR ISLAND

- *Cr Rocky Stephen declares COI as applicant is his father*
- *Application supported by CEO, James William.*

(ii) CG2025-019 – SAIBAI STAGS RLFC

- *Cr Chelsea Aniba declares COI as the applicant and club committee are her family members.*
- *Application supported by CEO, James William.*

(d) Note the grant applications processed Out-of-Cycle, Funeral Donations and Funeral Travel Assistance provided in July 2024 in accordance with the Community Grants policy.

CARRIED UNANIMOUSLY

6.2 Funding Acquisition Report (July 2024)

#C24-28/2024-08/6.2

CR FELL / CR PEARSON

Council notes the report and its content.

CARRIED UNANIMOUSLY

Action:

Cr Keith Fell requested an update on the Operational Project Funding 2024-2025 for the Mabuiag Dump Road Upgrade. The Chief Executive Officer advised that the Executive Director Engineering Services will provide Cr Fell with an update out of session.

6.3 Operational Plan 2023-24 Outcomes Report

#C24-28/2024-08/6.3

CR HANKIN / CR FELL

Council notes the Operational Plan 2023-24 Outcomes Report.**CARRIED UNANIMOUSLY****6.4 Entertainment and Hospitality Policy**

#C24-28/2024-08/6.4

CR FELL / CR ANIBA

Council resolves to:

1. amend and endorse the Torres Strait Island Regional Council's Entertainment and Hospitality Policy, previously endorsed by Council at its Ordinary Meeting on 6 June 2023, in the terms presented to Council; and
2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policy.

CARRIED UNANIMOUSLY**7. ENGINEERING SERVICES DIRECTORATE**

Nil

8. FINANCIAL SERVICES DIRECTORATE

- *The Executive Director Corporate Services (Ms Susanne Andres) spoke to this report in the absence of the Executive Director Financial Services.*

8.1. Financial Dashboard Report (July 2024)

#C24-28/2024-08/8.1

CR MYE / CR TAMU

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2024-25 year to date, for the period ended 31 July 2024, as required under Section 204 of the *Local Government Regulation 2012*.

CARRIED UNANIMOUSLY**9. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC**

#C24-28/2024-08/9

CR HANKIN / CR PEARSON

The Council resolves to close the meeting to the public pursuant to section 254J of the *Local Government Regulation 2012* to allow the Council to discuss items listed on the agenda for closed discussion and for the reasons outlined under those items.

CARRIED UNANIMOUSLY**10. BUILDING SERVICES DIRECTORATE**

Nil.

11. COMMUNITY SERVICES DIRECTORATE

11.1. Tender Consideration Plan - “Too Deadly Diabetes”

[Reason for closed discussion: This report is presented in the closed meeting of the Council as it involves negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.]

#C24-28/2024-08/11.1

CR HANKIN / CR KAIGEY

Council resolves:

1. To approve exemptions to procurement for Mr Ray Kelly Deadly Diabetes valued at \$50,100; and
2. Pursuant to Section 257 of the *Local Government Act 2009 (Qld)*, delegate the Chief Executive Officer to negotiate, finalise, and execute any and all matters associated with or in relation to the project and contract including without limitation any options and/or variations as per Council’s procurement and ethical sourcing policy.

CARRIED UNANIMOUSLY

12. CORPORATE SERVICES DIRECTORATE

- *Mr James Reynolds (Chief Executive Officer, Mirabou Energy) and Ms Novita Pratignyo (Chief Financial Officer, Mirabou Energy) joined the meeting by TEAMS dial-in (2.10pm-3.15pm) for discussion of this agenda item only.*

12.1. Mirabou Energy - Renewable Energy Project Update

[Reason for closed discussion: These matters involve negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.]

#C24-28/2024-08/12.1

[PART A]

Council:

1. Notes the updates on the Renewable Energy Project contained in this report;
2. Acknowledges the continued perceived conflict of interest of the Chief Executive Officer and that his involvement in the Renewable Energy Project will be managed by continued consultation with members of the Executive Team and with the oversight of the Mayor;
3. Affirms Council’s in-principle support for the Mirabou Energy - Renewable Energy Project subject to:
 - a. Continued due diligence investigations into key implications and risks;
 - b. Undertaking the necessary steps to obtain relevant statutory approvals;
 - c. Ensuring Council’s statutory compliance is achieved at all times;
 - d. The preparation and implementation of plans for staged community engagement;
 - e. The negotiation of a Master Agreement with due regard for Council’s financial and reputational risks and its sustainable involvement in the project (both short-term and long-term);
 - f. Satisfactory resolution whether a procurement exemption under section 235(b) of the *Local Government Act 2009* applies for the delivery of the Master Agreement; and

4. Instructs the Chief Executive Officer in consultation with the Executive Leadership Team to continue to undertake work to progress the Renewable Energy Project and to regularly report back to Council on the progress of the project.

MOVED: CR ELISALA
SECONDED: CR PEARSON
CARRIED UNANIMOUSLY

[PART B]

Council:

1. Endorse Mirabou Energy's engagement with Energy Queensland Limited to seek a Letter of Support for the TSIRC Renewable Energy Project and collaboration with Ergon Energy Limited; and
2. Endorse Mirabou Energy's EOI submission to ARENA's First Nations Community Microgrids subject to the condition that, if successful, funding will not be accepted unless a Master Agreement is in place.

MOVED: CR MYE
SECONDED: CR ANIBA
CARRIED UNANIMOUSLY

[PART C]

Council endorses the selection of three further Island communities (Ugar, Erub and Mer) to be proposed in the EOI in addition to Masig.

MOVED: CR HANKIN
SECONDED: CR WOSOMO
FOR: CRS MYE, FELL, ANIBA, DORANTE, MOSBY & KAIGEY
AGAINST: CRS PEARSON, ELISALA, TAMU, WOSOMO & HANKIN
DID NOT VOTE: CR MANAS (off-line)

CARRIED

13. ENGINEERING SERVICES DIRECTORATE**13.1 Award Tender No.TSIRC 2024-649 Erub Reservoir Refurbishment**

[Reason for this matter to be discussed in Closed Business: This report relates to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.]

#C24-28/2024-08/13.1

CR FELL / CR WOSOMO

Council resolves to:

- (a) Award Tender No. TSIRC 2024-694 Erub Island Reservoir Refurbishment to M&J Arthur Pty Ltd for an amount of and up to \$1,346,000.00 excl. GST; and**
- (b) Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding, and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.**

CARRIED UNANIMOUSLY

13.2 Award Tender No.TSIRC 2024-692 Saibai School and Hospital Road Pavement Upgrade

[Reason for this matter to be discussed in Closed Business: This report relates to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.]

#C24-28/2024-08/13.2

CR PEARSON / CR KAIGEY

Council resolves to:

- (a) Award Tender No. TSIRC 2024-692 Saibai School and Hospital Road Pavement Upgrade to T.I. Concrete Works Pty Ltd for an amount of and up to \$6,191,794.00 excl. GST; and**
- (b) Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding, and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.**

CARRIED UNANIMOUSLY

13.3 Award Tender No.TSIRC 2024-732 Poruma and lama Aerodrome Safety Improvements

[Reason for this matter to be discussed in Closed Business: This report relates to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.]

#C24-28/2024-08/13.3

CR FELL / CR KAIGEY

Council resolves to:

- (a) Award Tender No. TSIRC 2024-732 Poruma and lama Aerodrome Safety Improvements – Separable Portion A Poruma Aerodrome Safety Improvements to Paul Ware Constructions Pty Ltd for an amount and up to \$1,231,550.00 excl. GST;**
- (b) Award Tender No. TSIRC 2024-732 Poruma and lama Aerodrome Safety Improvements –Separable Portion B lama Aerodrome Safety Improvements, to Paul Ware Constructions Pty Ltd for an amount and up to \$1,171,245.00 excl. GST; and**
- (c) Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to negotiate, finalise, and execute any and all matters associated with or in relation to this project, funding and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.**

CARRIED UNANIMOUSLY

13.4 INFORMATION REPORT – CAPITAL WORKS

[Reason for this matter to be discussed in Closed Business: This report relates to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.]

#C24-28/2024-08/13.4

CR WOSOMO / CR PEARSON

Council notes this report.

CARRIED UNANIMOUSLY

14. FINANCIAL SERVICES DIRECTORATE

Nil.

15. RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION

#C24-28/2024-08/15

CR ANIBA / CR PEARSON

The Council resolves to move out of closed discussions pursuant to Section 254I of the *Local Government Regulation 2012*.

CARRIED UNANIMOUSLY

16. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION

Council formally resolved on the decisions taken in relation to Agenda Items 10-14 above.

17. MATTERS ARISING**(a) Collaboration between GBK, regional Councils and TSRA Chairs regarding MOU (Cr Elisala)**

The Mayor advised that both TSIRC papers will be considered by the TSRA Board. GBK MOU needs input from the three Councils (TSIRC, Torres Shire and NPA) and the TSIRC Mayor awaiting feedback. Mayor has sent similar requests to the two Mayors and the TSRA Chair seeking their expectations of the framework.

(b) Inter-Agency Update (JAC and TIMS) (Cr Elisala)

No further updates from Mayor. Meetings to be convened within the next week.

(c) Health Equity Matters (Cr Hankin)

The Mayor advised that there is no further update at this stage.

(d) Monthly Reports & Mandatory Training for Councillors (Mayor)

The Mayor stressed that both he and the Deputy Mayor would like all Councillors to complete their **monthly reports**. These reports will provide Council with an oversight on what is happening in each community and will assist Council in lobbying strategic partnerships across the region to better support those communities with their immediate priorities.

The Mayor reminded Councillors that their **mandatory training** (post-election requirement) must be completed online by 31 August 2024.

18. INFORMATION REPORTS**18.1. (Nil) - BUILDING SERVICES****18.2. COMMUNITY SERVICES: Community Services (July 2024)****18.3. CORPORATE SERVICES: Corporate Services Information Report (July 2024)****18.4. ENGINEERING SERVICES: Engineering Operations****18.5. ENGINEERING SERVICES: Water & Wastewater**

Council noted the reports. The Mayor encouraged Councillors to follow-up directly with Executive Directors if they required clarification on any matters contained in the Information Reports.

19. NEXT MEETING – 17-18 SEPTEMBER 2024 (Dauan)

Noted by Council. The Mayor requested that all Councillors confirm with him their attendance as soon as possible in order for quorum and travel arrangements to be confirmed.

20. CLOSE OF MEETING & PRAYER

The Mayor thanked Councillors and staff for their contributions to this monthly meeting of Council.

The Mayor formally closed the meeting at 4.10pm and delivered the closing prayer.

MINUTES CONFIRMED – 18 September 2024



 Cr Phillemon Mosby
 Mayor
 Torres Strait Island Regional Council
 Date: 18 September 2024



 James William
 Chief Executive Officer
 Torres Strait Island Regional Council
 Date: 18 September 2024

CONFIRMED