



**Time:** 9.00am to 10.30am

**Venue:** The Benson Hotel | Sudbury Conference Room, Level 3 | 50 Grafton Street, Cairns

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## ORDER OF BUSINESS

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9.00am	<div><div>A. WELCOME &amp; QUORUM CONFIRMATION   ACKNOWLEDGEMENTS   OPENING PRAYER   OBSERVANCES</div><div>B. NOTING OF APOLOGIES</div><div>C. CONFLICT OF INTEREST DECLARATIONS</div><div>1. CONFIRMATION OF MINUTES (16 April 2024)</div><div>2. UPDATE ON ACTION ITEMS FROM PREVIOUS MEETINGS</div><div>3. CORPORATE SERVICES DIRECTORATE<div>3.1. Firearms Licence Application – Landowner Consent</div></div><div>4. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC</div><div>5. CORPORATE SERVICES DIRECTORATE<div>5.1. Draft Trustee Policy – Community Engagement</div><div><i>[Reason for closed discussion: These matters involve discussion on contracts proposed to be made by the trustee council]</i></div></div><div>6. RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION</div><div>7. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION</div><div>8. ITEMS ARISING</div><div>9. NEXT MEETING – 25 JUNE 2024 (Teleconference/Microsoft TEAMS)</div></div>
10.30am	10. CLOSE OF MEETING



**DIRECTORATE:** *Corporate Services*

**AUTHOR:** *Executive Director Corporate Services*

## **CONFIRMATION OF MINUTES (16 APRIL 2024)**

### **OFFICER RECOMMENDATION:**

**Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 16 April 2024.**

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### **EXECUTIVE SUMMARY:**

Section 254F(4) of the *Local Government Regulation 2012* requires that at each local government meeting, the minutes of the previous meeting must be confirmed by the councillors or committee members present.

### **Interested Parties/Consultation:**

**N/A**

### **Background / Previous Council Consideration:**

The previous Trustee meeting was held on 16 April 2024.

Section 254(6) of the *Local Government Regulation 2012* requires that a copy of the minutes of each local government meeting must be made publicly available by 5pm on the tenth day after the meeting is held. To meet these compliance requirements, a copy of the draft Minutes from the last meeting were circulated to the Executive Leadership Team for input prior to being posted on the Council website.

Following confirmation of the Minutes by the Council, the confirmed Minutes will replace the draft Minutes on the Council website.

**COMPLIANCE / CONSIDERATIONS:**

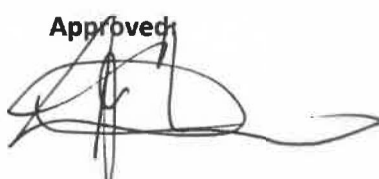
<b>Statutory:</b>	Section 254F(4) of the <i>Local Government Regulation 2012</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	N/A
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. ➤ 4.2 Evolve Council’s communication channels and community’s access to information.
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Trustee Meeting

**Other Comments:**

Nil.

**Recommended:**

Susanne Andres  
Executive Director Corporate Services

**Approved:**

James William  
Chief Executive Officer

**ATTACHMENTS:**

Draft Minutes of the Trustee Meeting held on 16 April 2024.



# TRUSTEE MEETING

16 APRIL 2024

# MINUTES

**Time:** 4.50pm

**Venue:** TSIRC Cairns Office, Level 3, 111 Grafton Street, Cairns

<b><u>PRESENT:</u></b>	<b>Mayor / Chairperson</b>	Cr Phillemon Mosby
	Division 1 – Boigu	Cr Dimas Toby
	Division 2 – Dauan	Cr Torenzo Elisala – <i>TEAMS dial-in</i>
	Division 3 – Saibai	Cr Chelsea Aniba
	Division 4 – Mabuiag	Cr Keith Fell
	Division 5 – Badu / <b>Deputy Mayor</b>	Cr Ranetta Wosomo
	Division 6 – Arkai	Cr Iona Manas – <i>TEAMS dial-in</i>
	Division 7 – Wug (St. Pauls), Mua Island	Cr John Levi
	Division 8 – Kirirri (Hammond)	Cr Seriako Dorante
	Division 9 – Iama	Cr Aggie Hankin
	Division 10 – Warraber	Cr Kabay Tamu
	Division 11 – Poruma	Cr Francis Pearson
	Division 12 – Masig	Cr Ted Mosby
	Division 13 – Ugar	Cr Rocky Stephen
	Division 14 – Erub	Cr Nixon Mye
	Division 15 – Mer	Cr Bob Kaigey
<b><u>APOLOGIES:</u></b>	Nil	
<b><u>OFFICERS:</u></b>	<b>Chief Executive Officer</b>	Mr James William
	Executive Director Building Services	Mr Wayne Green
	A/g Executive Director Community Services	Ms Ella Kris
	Executive Director Corporate Services	Ms Susanne Andres – <i>TEAMS dial-in</i>
	Executive Director Engineering Services	Mr David Baldwin
	Executive Director Financial Services	Ms Hollie Faithfull
	Advisor - DOGIT Transfer, Land Tenure and Native Title	Ms Joanne Bryant
	Manager People & Wellbeing	Mr Anthony King
	Legal Advisor – Preston Law	Ms Martine Care
	Executive Support Coordinator	Ms Sharon Russell
	Executive Assistant to the Mayor	Ms Trudy Lui
	TSIRC Secretariat	Mr Darryl Brooks

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

The Mayor welcomed Councillors to the Trustee Council meeting for the month of April 2024, noting that this was the inaugural meeting of the new Council for the 2024-2028 term. The Mayor made a special acknowledgement to the newly-elected members of Council.

**B. NOTING OF APOLOGIES**

N/A

**C. CONFLICT OF INTEREST DECLARATIONS**

**Cr Seriako Dorante** declared a prescribed conflict of interest in relation to Agenda Item 3.1 as this matter involves a close family member.

- *For the benefit of new Council members, the Mayor requested the Chief Executive Director to introduce all staff to Council.*

**1. CONFIRMATION OF MINUTES**

CR STEPHEN / CR PEARSON

**Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 5 March 2024.**

**CARRIED UNANIMOUSLY**

**2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC**

CR FELL / CR MYE

**The Trustee resolves to close the meeting to the public pursuant to section 84 of the *Local Government Act 2009* to allow the Trustee to discuss items listed on the agenda for closed discussion and for the reasons outlined under those items.**

**CARRIED UNANIMOUSLY**

**4. RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION**

CR STEPHEN / CR WOSOMO

**The Trustee resolves to move out of closed discussions pursuant to Section 84 of the *Local Government Act 2009*.**

**CARRIED UNANIMOUSLY**

**5. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION**

- *Prior to the commencement of discussions on Agenda Item 3.1, Cr Dorante left the meeting (5.05pm) in accordance with his declaration of a prescribed conflict of interest. Cr Dorante rejoined the meeting (5.20pm) at the conclusion of discussion on Agenda Item 3.1.*

**3.1 Expression of Interest/Conditional Agreement to Lease - Lot 38 on SP 248418, Hammond Island**

CR HANKIN / CR KAIGEY

*[AGAINST – CR TAMU / CR PEARSON / CR STEPHEN]*

That Council delegates to the Chief Executive Officer the power to negotiate, finalise and execute on behalf of Council a Conditional Agreement to Lease (CATL) with Ilario Sabatino over Lot 38 on SP 248418.

**CARRIED**

**6. MATTERS ARISING**

A. DOGIT Matters

Cr Stephen requested that a range of issues in relation to finalising Council's DOGIT policy be discussed at Council's May 2024 Workshop.

**Action:**

Chief Executive Officer to discuss further with Cr Stephen out of session.

**7. NEXT MEETING – 30 May 2024 (Cairns)**

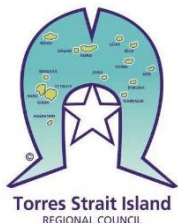
**8. CLOSE OF MEETING**

The Mayor closed the Trustee meeting at 5.35pm.

MINUTES CONFIRMED – 31 May 2024

.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date: 31 May 2024

.....  
Mr James William  
Chief Executive Officer  
Torres Strait Island Regional Council  
Date: 31 May 2024



# TRUSTEE COUNCIL MEETING ACTION ITEMS

(as at 14 May 2024)

Agenda Item	Action	Action Area	Current Status
<p>Apr 2024 Mtg</p> <p>AI 6</p> <p>Matters Arising (DOGIT Policy)</p>	<p>Cr Stephen requested that a range of issues in relation to finalising Council's DOGIT policy be discussed at Council's May 2024 Workshop.</p> <p><b>Action:</b></p> <p>Chief Executive Officer to discuss further with Cr Stephen out of session.</p>	Chief Executive Officer	
<p>Nov 2023 Mtg</p> <p>AI 6</p> <p>Action Items from Previous Meetings</p>	<p><b>ACTION:</b></p> <ol style="list-style-type: none"> <li><u>CEQ Matters</u> - Chief Executive Officer to liaise with Cr Dimas Toby in relation to CEQ Board engagement (particularly in relation to Seaswift matters, leasing, fuel matters and general pricing).</li> <li><u>Saibai Island Church</u>/options to assist in the maintenance and/or restoration of heritage-listed sites and buildings to be considered at the December 2023 meeting.</li> </ol>	<p>Chief Executive Officer / Corporate Services (Legal Services)</p> <p>Community Services</p>	<ol style="list-style-type: none"> <li>Remains in progress.</li> <li>Ongoing work is taking place with the Department of Environment and Heritage, as this is a heritage listed building. Quotes due in the w/b 22/1/24. Cr Tabuai is being kept informed of developments. Concept design phase almost complete (Site visit in April; Report with outcome almost finalised).</li> </ol>



**DIRECTORATE:** Corporate Services

**AUTHOR:** Manager Legal Services

## **FIREARMS LICENCE APPLICATION – LANDOWNER CONSENT**

### **OFFICER RECOMMENDATION:**

**Council (as Trustee) grants landowner consent in accordance with section 13 of the *Weapons Act 1990* to Mr Jack David for the purposes of his firearms licence application.**

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### **EXECUTIVE SUMMARY:**

Section 13 of the *Weapons Act 1990* requires that an applicant for a recreational Shooting licence must produce a written permission from a landowner authorising the applicant to shoot on the landowner's land.

This permission is one of several supporting documents required as part of the overall application process to the Queensland Police.

In March 2024, Jack David of Hammond Island, sent a formal request to the TSIRC CEO for landowner permission to obtain his firearms licence. Since TSIRC holds the Hammond Island DOGIT, it is the 'landowner' for this purpose.

Council (as Trustee) has already set a precedent by granting landowner consent in 2022 to another applicant.

### **Interested Parties/Consultation:**

Cr Seriako Dorante (Division 8 – Kirirri)

### **Background / Previous Council Consideration:**

Council (as Trustee) does not have a robust position in relation to landowner consent in its Trustee Policy and there is no guidance in the current policy or any procedure on how these requests should be processed, other than the decision taken at the March 2022 Trustee Meeting that:

- all landowner consent for firearms licence applications under the *Weapons Act 1990* be referred to the Trustee for approval, with the Divisional Councillor having the right of veto;
- requested that a register of all landowner consent applications be maintained; and
- that the Trustee Policy be amended to incorporate these changes.



These changes have since been incorporated into the ***draft*** Trustee Policy currently being prepared for Trustee endorsement. The Trustee may like to consider strengthening its Trustee Policy to ensure that future applicants provide more detail when seeking landowner consent and that applicants agree to abide by any additional requirements which Council (as Trustee) may require in the interests of local community safety and wellbeing. For example:

- a copy of current firearm licence;
- a copy of the application to be submitted to the Queensland Police (*this application contains relevant information that may assist the Trustee in its deliberations*);
- no firearm discharges in the direction of townships, households, in the vicinity of aerodromes, aircraft landing strips, aircraft flight zones, etc.;
- no firearm discharges in restricted areas (sacred areas);
- restrictions on when and where firearms can be discharged;
- advising relevant parties in the community when and where the firearm may be discharged;
- sensitive cultural events.

#### **COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	<ul style="list-style-type: none"> <li>• <i>Local Government Act 2009</i></li> <li>• <i>Local Government Regulation 2012</i></li> <li>• <i>Weapons Act 1990</i></li> </ul>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	N/A
<b>Legal:</b>	N/A
<b>Risk:</b>	Under section 168 of the <i>Weapons Act 1990</i> , the Landowner incurs no liability merely because the Landowner provides a person with written permission to shoot on the Landowners land.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) <ul style="list-style-type: none"> <li>➤ Delivery Pillar One – People (<i>Bisnis – Pipol</i>)</li> </ul> Outcome 4: We are a transparent, open and engaging council. <ul style="list-style-type: none"> <li>➤ 4.2 Evolve Council’s communication channels and community’s access to information.</li> </ul>
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	N/A

**Other Comments:**

Nil.

**Endorsed:**



Mark Pollock  
Manager Legal Services

**Recommended:**



Susanne Andres  
Executive Director Corporate Services

**Approved:**



James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil



**DIRECTORATE:** *Corporate Services*

**AUTHOR:** *Executive Director Corporate Services*

## **RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC**

### **OFFICER RECOMMENDATION:**

Council (as Trustee) resolves to close the meeting to the public pursuant to section 84 of the *Local Government Act 2009* to allow the Trustee to discuss items listed on the agenda for closed discussion and for the reasons outlined under those items.

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### **EXECUTIVE SUMMARY:**

Section 84 of the *Local Government Act 2009* allows the Trustee Council to close its meeting to the public to discuss business for which public discussion would be likely to:

- (a) prejudice the interests of the trustee council or someone else; or
- (b) enable a person to gain a financial advantage.

For example, a meeting may be closed to the public to allow the trustee council to discuss:

- (a) the appointment, discipline or dismissal of local government employees; or
- (b) industrial matters affecting local government employees; or
- (c) starting or defending legal proceedings; or
- (d) that part of the budget that relates to the trust land; or
- (e) contracts proposed to be made by the trustee council.

Section 84(5) of the *Local Government Act 2009* stipulates that the trustee council must not make a resolution (other than a procedural resolution) in a meeting that is closed to the public.

### **Interested Parties/Consultation:**

N/A

### **Background / Previous Council Consideration:**

N/A

**COMPLIANCE / CONSIDERATIONS:**

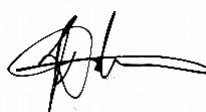
<b>Statutory:</b>	Section 84 of the <i>Local Government Act 2009</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	N/A
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> )  Delivery Pillar One – People ( <i>Bisnis – Pipol</i> )  Outcome 4: We are a transparent, open and engaging council.  ➤ 4.2 Evolve Council’s communication channels and community’s access to information.
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Trustee Meeting

**Other Comments:**

Nil.

**Recommended:**

Susanne Andres  
Executive Director Corporate Services

**Approved:**

James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil.



**DIRECTORATE:** Corporate Services

**AUTHOR:** Executive Director Corporate Services

## RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION

### OFFICER RECOMMENDATION:

Council (as Trustee) resolves to move out of closed discussions pursuant to Section 84 of the *Local Government Act 2009*.

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### EXECUTIVE SUMMARY:

Section 84(1) of the *Local Government Act 2009* requires that all meetings relating to trust land must be open to the public.

### Interested Parties/Consultation:

N/A

### Background / Previous Council Consideration:

N/A

### COMPLIANCE / CONSIDERATIONS:

<b>Statutory:</b>	Section 84 of the <i>Local Government Act 2009</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	N/A
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. ➤ 4.2 Evolve Council’s communication channels and community’s access to information.
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Trustee Meeting

**Other Comments:**

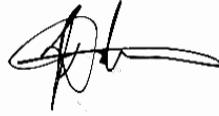
Nil.

**Recommended:**



Susanne Andres  
Executive Director Corporate Services

**Approved:**



James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil.

**DIRECTORATE:** Corporate Services**AUTHOR:** Executive Director Corporate Services**CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION****OFFICER RECOMMENDATION:**

*For Council (as Trustee) to formally resolve on the matters discussed in its Closed Session.*

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**EXECUTIVE SUMMARY:**

Section 84(5) of the *Local Government Act 2009* stipulates that the trustee council must not make a resolution (other than a procedural resolution) in a meeting that is closed to the public.

The open meeting must resume to pass a resolution if any decisions are necessary following the closed-meeting discussion.

**Interested Parties/Consultation:**

N/A

**Background / Previous Council Consideration:**

N/A

**COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	Section 84 of the <i>Local Government Act 2009</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	<a href="#">Council meetings   State Development and Infrastructure</a>
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. ➤ 4.2 Evolve Council's communication channels and community's access to information.
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Trustee Meeting

**Other Comments:**

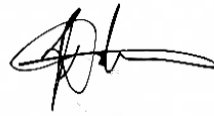
Nil.

**Recommended:**



Susanne Andres  
Executive Director Corporate Services

**Approved:**



James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil.





**DIRECTORATE:** Corporate Services

**AUTHOR:** Executive Director Corporate Services

## **ITEMS ARISING**

### **OFFICER RECOMMENDATION:**

*For Council (as Trustee) to formally resolve to consider those items arising after the agenda for the meeting has been made public.*

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### **EXECUTIVE SUMMARY:**

Section 74(6) of the *Local Government (Operations) Regulation 2010* allows for a local government or a committee of local government to discuss or deal with (at any meeting) items arising after the agenda for the meeting has been made available to Councillors.

Standard practice is that business not on the published agenda, or not fairly arising from the agenda, should not be considered at any local government meeting unless permission for that purpose is given by the local government at the meeting ([Source](#): Queensland Government 'Best practice example standing orders for local government and standing committee meetings - March 2024').

Council will need to make a formal resolution to consider/discuss any items nominated for this agenda item.

### **Interested Parties/Consultation:**

N/A

### **Background / Previous Council Consideration:**

N/A

**COMPLIANCE / CONSIDERATIONS:**

<b>Statutory:</b>	Section 74(6) of the <i>Local Government (Operations) Regulation 2010</i>
<b>Budgetary:</b>	N/A
<b>Policy:</b>	<a href="#">Council meetings   State Development and Infrastructure</a>
<b>Legal:</b>	N/A
<b>Risk:</b>	Council breach of its Statutory requirements above.
<b>Links to Strategic Plans:</b>	TSIRC Corporate Plan 2020–2025 ( <i>Bisnis Plan</i> ) Delivery Pillar One – People ( <i>Bisnis – Pipol</i> ) Outcome 4: We are a transparent, open and engaging council. ➤ 4.2 Evolve Council’s communication channels and community’s access to information.
<b>Masig Statement:</b>	N/A
<b>Standing Committee Consultation:</b>	N/A
<b>Timelines:</b>	Standard Procedure at each Monthly Council Meeting

**Other Comments:**

Nil.

**Recommended:**


Susanne Andres  
Executive Director Corporate Services

**Approved:**


James William  
Chief Executive Officer

**ATTACHMENTS:**

Nil.