



TRUSTEE MEETING
18 SEPTEMBER 2024

MINUTES

Time: 9.00am
Venue: (Microsoft TEAMS)
Meeting ID: 450 516 418 607
Passcode: St9vxc

PRESENT:

Mayor

Division 2 – Dauan
Division 3 – Saibai
Division 5 – Badu / **Deputy Mayor**
Division 7 – Wug (St. Pauls Community), Mua Island
Division 8 – Kirirri (Hammond Island)
Division 12 – Masig
Division 13 – Ugar
Division 14 – Erub
Division 15 – Mer

Cr Pillemon Mosby
Cr Torengo Elisala
Cr Chelsea Aniba
Cr Ranetta Wosomo
Cr John Levi
Cr Seriako Dorante
Cr Ted Mosby
Cr Rocky Stephen
Cr Nixon Mye
Cr Bob Kaigey

APOLOGIES:

Division 1 – Boigu
Division 4 – Mabuiag
Division 9 – Iama
Division 10 – Warraber
Division 11 – Poruma

Cr Dimas Toby
Cr Keith Fell
Cr Aggie Hankin
Cr Kabay Tamu
Cr Francis Pearson

Executive Director Financial Services
Executive Director Engineering Services

Ms Hollie Faithfull
Mr David Baldwin

ABSENT:

Division 6 – Arkai (Kubin), Mua Island

Cr Iona Manas

OFFICERS:

Executive Director Building Services
Executive Director Community Services
Executive Director Corporate Services
DOGIT Transfer, Land Tenure and Native Title Advisor
Preston Law
Executive Support Coordinator
Executive Assistant to the Mayor
TSIRC Secretariat

Mr Wayne Green
Mr Dawson Sailor
Ms Susanne Andres
Ms Joanne Bryant
Mr Julian Bodenmann
Ms Sharon Russell
Ms Trudy Lui
Mr Darryl Brooks

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

At 9.05am the Mayor formally opened the September 2024 Trustee Council meeting, noting that a quorum of members were present.

The Mayor welcomed attendees and made the following acknowledgements:

- Our Heavenly Father for His awesome wisdom, knowledge, understanding, favour and blessings upon our lives, our families, our region and people and our Council;
- The Traditional Custodians throughout the length and breadth of Zenadth Kes and the communities and constituents that Council serves;
- The Traditional Custodians of Cairns; and
- All Elders and Leaders – past, present and emerging.

The Mayor also conveyed to those members of the Torres Strait Islander community throughout the homelands and on the Australian mainland who may be observing Sorry Business at this time, the thoughts and prayers of all Councillors.

Cr John Levi delivered the opening prayer and this was followed by a Minute of Silence for reflection.

B. NOTING OF APOLOGIES

The following apologies were noted by Council:

Division 1 – Boigu	Cr Dimas Toby
Division 4 – Mabuig	Cr Keith Fell
Division 9 – Iama	Cr Aggie Hankin
Division 10 – Warraber	Cr Kabay Tamu
Division 11 – Poruma	Cr Francis Pearson

C. CONFLICT OF INTEREST DECLARATIONS

Cr Torenzo Elisala declared a COI in relation to AI 2 (his family are the native title holders for the impacted areas).

D. LIVE STREAM

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

1. CONFIRMATION OF MINUTES (21 August 2024)

#T24-28/2024-09/1

CR ELISALA / CR MOSBY

Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 21 August 2024.

CARRIED UNANIMOUSLY

1.1. UPDATE ON ACTION ITEMS FROM PREVIOUS MEETINGS

The Executive Director Corporate Services (Ms Susanne Andres) spoke to this item in the absence of the Chief Executive Officer and the update was noted by Council.

Action:

Cr Aniba to formalise to Council a decision by the Saibai Island community to hand the Saibai Island Church facility responsibility to the Anglican Diosece for funding (*refer AI 6 actions from the November 2023 Trustee Meeting*).

- *Prior to commencement of discussions on AI 2 below, Cr Torenzo Elisala declared a COI (his family are the native title holders for the impacted areas) and dialled out of the meeting at 9.25am.*

2. HELIPAD DEVELOPMENT DAUAN ISLAND – DEPARTMENT OF HOME AFFAIRS

#T24-28/2024-09/2

CR ANIBA / CR STEPHEN

Council (as Trustee):

- (a) approves the surrender of the existing lease over Lot 77 on SP270872 between the Trustee and the Department of Home Affairs (DHA) at Dauan Island;**
- (b) approves a new lease to DHA (for a term of six years) of an increased area (comprising the existing lease area plus an additional area) for the purpose of constructing and maintaining helipad and related infrastructure; and**
- (c) delegates to the Chief Executive Officer the power to progress negotiations with DHA to formalise the Trustee's agreement in relation to the matters set out in this resolution on commercial terms and conditions, satisfactory to the Chief Executive Officer, including by executing necessary documents, including Conditional Agreement to Grant Lease (CATL), which will include that the lease and construction are subject to necessary planning requirements and Native Title Consent.**

CARRIED UNANIMOUSLY

- *Cr Torenzo Elisala was invited to rejoin the meeting at 9.32am.*

3. ITEMS ARISING

3.1. EOI from Community of Hammond for a Ranger Program on Hammond Island (Cr Seriako Dorante)

Cr Dorante requested that a formal letter be sent to the Kaurareg RNTBC from Council in support of the Hammond Island community's EOI for a Ranger Program to be implemented on Hammond Island.

Action:

Executive Director Community Services to prepare a letter of support from Council to the Kaurareg RNTBC in relation to the Hammond Island community's EOI for a Ranger Program to be established for Hammond Island.

3.2. Medivac Helicopter Issues at the St Paul's Community (Cr John Levi)

Cr Levi advised that the Medivac Helicopter continues to land on the Oval at St Pauls Community, causing disruption/health hazards/safety issues on ground. The Executive Director Community Services currently awaiting formal advice from Cr Levi and the local PBC identifying an alternative site for the Medivac Helicopter to land. The Mayor requested that Cr Levi and the Executive Director Community Services discuss this matter further offline and report back to the next meeting.

Action:

Cr Levi and the Executive Director Community Services to discuss alternative landing sites for the Medivac Helicopter on St Pauls Community.

3.3. DOGIT Matters - including Timelines for Finalisation of TSIRC Trustee Policy and an Update on the Iama DOGIT Transfer (Cr Rocky Stephen)

Cr Stephen requested an update on the timelines in relation to finalisation of Council's Trustee Policy. The **DOGIT Transfer, Land Tenure and Native Title Advisor** (Ms Joanne Bryant) advised that the Trustee Policy Consultations are currently underway across the Divisions and hopefully will be completed by 31 December 2024. The outcome of these consultations, hopefully, will result in each community endorsing their individual local decision-making processes for inclusion in the TSIRC Trustee Policy. It is expected that Council will then adopt the Trustee Policy by early to mid-2025 so that EOIs for Leases can be considered. The Trustee Policy consultation does not cover DOGIT Transfers as this is a totally separate issue.

In relation to the Iama DOGIT Transfer matter, the **Mayor** advised that this will need to be discussed as a closed business matter as it relates to a legal matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Cr Chelsea Aniba advised Council that she hopes to convene a meeting of the Culture, Arts, Land and Heritage (CALH) Advisory Committee shortly which will focus on DOGIT Transfer matters.

Cr Seriako Dorante also recommended that Council be mindful that appropriate levels of funding will also need to be set aside after the TSIRC Trustee Policy is endorsed to facilitate the community consultation processes required under the Trustee Policy for EOI disputes.

3.4. New/Expanded Cemetery on Mer (Cr Bob Kaigey)

Cr Kaigey advised that the current Cemetery on Mer has reached (or is close to reaching) full capacity and the Mer Traditional Custodians have requested that Council write to the local PBC to advise and seek leasing options for an expansion of the site.

Action:

Executive Director Community Services to prepare a letter from TSIRC to the Mer PBC advising that the Mer Cemetery has reached (or is close to reaching) full capacity and seek advice from the PBC on leasing options available for Council.

➤ *At 9.45am Council (as Trustee) moved into Closed Business discussions.*

3.5. Resolution to Move Into Closed Business to Discuss the lama DOGIT Transfer Matter

#T24-28/2024-09/3.5

CR STEPHEN / CR LEVI

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 the lama DOGIT Transfer Matter as this relates to a legal matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

CARRIED UNANIMOUSLY

➤ *At 10.10am Council (as Trustee) moved to return the meeting to Open Discussion*

3.6. Resolution to Return the Meeting to Open Discussion

#T24-28/2024-09/3.6

CR DORANTE / CR LEVI

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

CARRIED UNANIMOUSLY**3.7. Consideration of Matters Discussed in Closed Session**

Council discussions in closed session resulted in endorsement of the following actions:

Action:

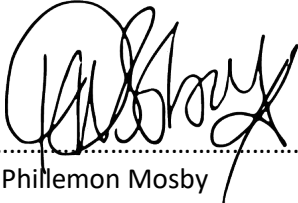
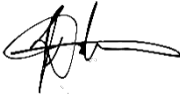
1. Cr Aniba to convene a meeting of the Culture, Arts, Land and Heritage (CALH) Advisory Committee as soon as possible to discuss a way forward for Council to consider in relation to DOGIT Transfer matters.
2. Chief Executive Officer to expedite the preparation a draft Memorandum of Understanding between TSIRC and GBK (to be considered at the November 2024 Council Workshop) covering:
 - Regional Governance/Regional Assembly matters
 - the Masig Statement
 - Treaty
 - Regular Roundtable Meetings (i.e. SARG and GBK Executive)
 - other matters identified by the CALH Advisory Committee

4. NEXT MEETING – 15 OCTOBER 2024 (DAUAN)

Noted by Council (as Trustee).

5. CLOSE OF MEETING

The Mayor closed the Trustee meeting at 10.17am.

MINUTES CONFIRMED – 15 October 2024	
	
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Cr Phillemon Mosby Mayor Torres Strait Island Regional Council Date: 15 October 2024	James William Chief Executive Officer Torres Strait Island Regional Council Date: 15 October 2024

CONFIRMED