



Trustee Meeting

Agenda

Date: 18 April 2023
Time: 9.00am
Venue: (VC) VMR 8 – 0299 165
401 #Guest PIN 6905

Agenda

TSIRC **Trustee** Meeting – 18 April 2023

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Time	Agenda
9.00am	1. WELCOME (CHAIR)
9.05am	2. OPENING PRAYER
9.10am	3. ATTENDANCE
9.15am	4. APOLOGIES
9.20am	5. CONFLICT OF INTEREST (COI) - DECLARABLE/PREScribed
9.25am	6. PREVIOUS MINUTES
9.35am	7. ACTION ITEMS FROM PREVIOUS MEETINGS
9.45am	8. MOVE INTO CLOSED BUSINESS <i>Mayor to call for meeting to proceed into Closed Business</i>
9.46am	9. CORPORATE SERVICES: VETO POWERS
10.14am	10. MOVE OUT OF CLOSED BUSINESS <i>Mayor to call for meeting to move out of Closed Business</i>
10.15am	11. BUSINESS ARISING <i>For discussion of additional business which arises throughout the meeting.</i>
10.20am	12. NEXT MEETING ✓ 25-26 May 2023 – Cairns
10.25am	13. CLOSING REMARKS & PRAYER



TRUSTEE MINUTES

22 March 2023

Mayor Mosby opened the meeting at 9.10am, welcomed Councillors and Torres Strait Island Regional Council Executives and staff and made cultural acknowledgement of Country and Community across the TSIRC footprint. Mayor Mosby also gave special acknowledgement to those Communities who may be experiencing Sorry Business at this time.

Cr John Levi (Division 7) opened the meeting with prayer.

A minute's silence was then observed.

Cr Kabay Tamu (Division 10) outlined housekeeping arrangements for the meeting including the emergency evacuation plan, the building exit points and the evacuation and assembly points.

Mayor Mosby made special acknowledgement to Cr Kabay Tamu for the Welcome Dinner organised for the Council. Mayor Mayor thanked the hard working Warraber community for their warm welcome and for the traditional practice of **Sibwanan** (giving visitors a welcome gift - these gifts are a gesture of thanks from the Community for the work being done by Councillors and staff on their behalf).

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The following attendances were confirmed:

Torres Strait Island Regional Council

Mayor

Division 2 – Dauan

Division 3 – Saibai

Division 4 – Mabuiag

Division 5 - Badu

Division 6 – Arkai

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

Division 8 – Kirirri (Hammond)

Division 10 – Warraber

Division 11 – Poruma

Division 12 – Masig

Division 14 – Erub

Cr Phillemon Mosby

Cr Torenzo Elisala

Cr Conwell Tabuai

Cr Keith Fell

Cr Laurie Nona

Cr Lama Trinkoon* (*telephone dial-in*)

Cr John Levi

Cr Seriako Dorante

Cr Kabay Tamu

Cr Francis Pearson Cr

Hilda Mosby Cr

Jimmy Gela

Torres Strait Island Regional Council – Administrative Staff

Chief Executive Officer

Mr James William

Executive Director Building Services

Mr Wayne Green

Executive Director Corporate Services

Ms Noeleen Selke

Executive Director Engineering Services

Mr David Baldwin

Executive Director Financial Services

Ms Hollie Faithfull

Head of Community Services

Mr Dawson Sailor

Senior Legal Officer

Ms Julia Mauro (*telephone dial-in*)

Senior Executive Assistant to the CEO

Ms Julie Marino

Executive Assistant to the Mayor

Ms Trudy Lui

TSIRC Secretariat

Mr Darryl Brooks

Observers

N/A

Mr David Kempton

Mayor Mosby confirmed, therefore, that the required quorum of Councillors was present for the meeting to proceed.

The participation of Cr Lama Trinkoon via telephone dial-in was approved by Council.

Mayor Mosby requested that members make any relevant conflict of interest declarations and advise if any relevant legal proceedings were current pertaining to Council business to be considered at the meeting. No such declarations were made by Councillors. Mayor Mosby encouraged Councillors to be mindful of making relevant declarations if other matters arose throughout the duration of the meeting.

The following apologies were noted:

Torres Strait Island Regional Council

Division 1 – Boigu

Cr Dimas Toby

Division 9 – Iama

Cr Getano Lui Jnr (Deputy Mayor)

Division 13 – Ugar

Cr Rocky Stephen

Division 15 - Mer

Cr Aven S. Noah

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The apology for Cr Dimas Toby was approved by Council.

MOVED: Cr John Levi (Division 7)	THOSE IN FAVOUR:	Unanimous
SECONDED: Cr Kabay Tamu (Division 10)	THOSE AGAINST:	N/A
	RESOLUTION STATUS:	Carried

The apology for Cr Getano Lui (Jnr) was approved by Council.

MOVED: Cr Torenzo Elisala (Division 2)	THOSE IN FAVOUR:	Unanimous
SECONDED: Cr Conwell Tabuai (Division 3)	THOSE AGAINST:	N/A
	RESOLUTION STATUS:	Carried

Mayor Mosby allowed Council to consider a late submission in relation to Cr Rocky Stephen (Division 13) and the Council resolved to:

- Consider the Protected Zone Joint Authority's Fisheries Workshop on Horn Island on 22-23 March 2023 as official Council business;
- Approve the nomination of Cr Rocky Stephen to attend Protected Zone Joint Authority's Fisheries Workshop on Horn Island;
- Approve leave taken by Cr Rocky Stephen as leave taken on 22-23 March 2023 previously approved official Council business;
- Confirm that Council authorises the payment of the monthly meeting allowance for Cr Rocky Stephen; subject to review of Council Policy in this instance.

MOVED: Cr Conwell Tabuai (Division 3)	THOSE IN FAVOUR:	Unanimous
SECONDED: Cr Francis Pearson (Division 11)	THOSE AGAINST:	N/A
	RESOLUTION STATUS:	Carried

A discussion developed "What is Policy vs What is Compliance"?

Cr Kabay Tamu said as Councillors we have dual roles to represent our constituents and other responsibilities. The Policy is a bit restrictive and should complement our work. Cr Laurie Nona agreed with Cr Kabay Tamu and asked would it be beneficial to update the Policy as TSIRC Policy is totally different to other Councils in this regard. We need to benefit our constituents by attending other meetings – where does the transparency end? Cr Keith Fell said he often has to cancel other meetings to attend Council and that we do not have enough people on the ground to cover. We have obligations to sports groups; men's groups; women's groups and health groups, just to name a few. As a Councillor we have to make a judgement. We are here to serve the people - the minor entities as well as the major ones.

Mayor Mosby was firm that the Policy stands.

Cr Laurie Nona asked for Council to make a decision now regarding sitting fees.

Once again, Mayor Mosby was firm that the Policy stands.

Ms Hollie Faithfull sourced the TSIRC Policy on line and read out the relevant paragraphs on policy and procedure to Council.

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ACTION ARISING:

1. Mr David Kempton with the assistance of administration to create a template for Council use when Councillors are required to submit a formal submission in order to be excused from attending Council meetings to attend “other” meetings that are of significance to Council and are considered Council business. This template is to be assessed by Council against current Policy.
2. Mr David Kempton to provide Council with advice which clarifies current policy in relation to the payment of monthly meeting allowances to Councillors who are unable to attend Council meetings.

Mayor Mosby declared the apology/matter regarding Cr Aven S. Noah will be discussed in Closed Business.

CONFIRMATION OF PREVIOUS MINUTES

- 1.1 The Draft Minutes of the Trustee Meeting held on 21 February 2023 were ratified by Council. There were some misspelt names which had been corrected on the original copy.

MOVED:	Cr Torenzo Elisala (Division 2)	THOSE IN FAVOUR:	Unanimous
SECONDED:	Cr Francis Pearson (Division 11)	THOSE AGAINST:	N/A
		RESOLUTION STATUS:	Carried

2 ACTIONS ARISING FROM PREVIOUS MEETING

An updated list of action items and outcomes of Trustee meetings held over the past three months was provided to the Council.

3 VERBAL UPDATE

No verbal updates were tabled.

4 CORPORATE SERVICES

4.1 TCHHS leases St. Pauls and Kubin

Recommendation:

1. That the Trustee resolve, pursuant to the *Torres Strait Islander Land Act 1991* (Qld), to grant Torres and Cape Hospital and Health Service (TCHHS) a further extension to 17 May 2023 of the date for the satisfaction of the native title and works approval requirements in relation to the proposed lease of St Pauls Lot 36 on SP256048 and subject to continued payment of a monthly land occupation fee (pro rata at the same rate as the starting rent under the proposed lease) until the commencement of the lease (or until TCHHS ceases occupying the land, whichever is earlier), and delegate

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to the Chief Executive Officer the power to the power to negotiate, sign and discharge the Deed of Variation and lease.

2. That the Trustee resolve, pursuant to the *Torres Strait Islander Land Act 1991* (Qld), to grant Torres and Cape Hospital and Health Service (TCHHS) a further extension to 17 May 2023 of the date for the satisfaction of the native title requirements in relation to the proposed lease of Kubin Lot 134 on SP271019, subject to continued payment of a monthly land occupation fee (pro rata at the same rate as the starting rent under the proposed lease) until the commencement of the lease (or until TCHHS ceases occupying the land, whichever is earlier), and delegate to the Chief Executive Officer the power to negotiate the terms of the Deed of Variation and lease, sign and discharge the Deed of Variation and lease.

MOVED:	Cr John Levi (Division 7)	THOSE IN FAVOUR:	All
SECONDED:	Cr Lama Trinkoon	THOSE AGAINST:	N/A
		RESOLUTION STATUS:	Carried

Ms Julia Mauro updated Council on TCHHS leases St. Pauls and Kubin.

Cr John Levi received feedback that it was a very successful meeting and Cr Lama Trinkoon said it was indeed a historic day resulting in the successful signing of the agreement.

The CEO thanked the Councillors and expressed hearty congratulations on the excellent outcome.

5 DEPUTATIONS

N/A

6 CLOSED BUSINESS

N/A

7 BUSINESS ARISING/OTHER MATTERS

N/A

8 NEXT MEETING

The Council noted that the next meeting will be held on 18-19 April 2023 by video conference.

The Trustee Meeting was closed by Mayor Mosby at 10.10am.

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Mr James William
Chief Executive Officer
Torres Strait Island Regional Council
Date:

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Cr Phillemon Mosby
Mayor
Torres Strait Island Regional Council
Date:

DRAFT

ACTION ITEMS - TSIRC Trustee Meeting – 22 March 2023

Item	Action Area	Status
1. Mr David Kempton with the assistance of administration to create a template for Council use when Councillors are required to submit a formal submission in order to be excused from attending Council meetings to attend “other” meetings that are of significance to Council and are considered Council business. This template is to be assessed by Council against current Policy.	Legal Services	Policy Paper to be considered at April 2023 Trustee Meeting.
2. Mr David Kempton to provide Council with advice which clarifies current policy in relation to the payment of monthly meeting allowances to Councillors who are unable to attend Council meetings.		