



NOTICE OF COUNCIL MEETING

In accordance with Section 254C of the *Local Government Regulation 2012* this notice is to advise that the Trustee Council and Ordinary Council Meetings for the month of December 2024 will be held virtually by Microsoft (TEAMS) as follows:

Wednesday, 11 December 2024

(Trustee Meeting – 9.00am to 10.30am)

(Ordinary Meeting – 10.30am to 5.00pm)

Microsoft (TEAMS) | Meeting ID: 489 019 723 71 | Passcode: QutKVv

The attendance of each Councillor is requested.

Members of the public can obtain a copy of agenda papers for both meetings (excluding Closed Business papers) by contacting the TSIRC Secretariat at the following email address:

secretariat@tsirc.qld.gov.au

Please note that this meeting is live streamed on Council's YouTube Channel.

James William
Chief Executive Officer

6 December 2024



Time: 9.00am to 10.30am

Venue: Microsoft (TEAMS) | Meeting ID: 489 019 723 71 | Passcode: QutKVv

ORDER OF BUSINESS

9.00am	<p>A. WELCOME & QUORUM CONFIRMATION ACKNOWLEDGEMENTS OPENING PRAYER OBSERVANCES</p> <p>B. NOTING OF APOLOGIES</p> <p>C. CONFLICT OF INTEREST DECLARATIONS</p> <p>D. LIVE STREAM. <i>This meeting is live streamed on Council's YouTube Channel.</i></p> <p>1. CONFIRMATION OF MINUTES (15 November 2024)</p> <p>1.1. Update on Action Items from Previous Meetings</p> <p>2. RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC</p> <p>3. Warraber - Social Housing Indigenous Land Use Agreement (ILUA)</p> <p><i>[Reason for Closed Discussion: on the basis that public discussion would be likely to prejudice the interests of the trustee council, as these matters involve:</i></p> <ul style="list-style-type: none"><i>• legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government</i><i>• 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.]</i><p>4. Mabuia – Social Housing Indigenous Land Use Agreement (ILUA)</p><p><i>[Reason for Closed Discussion: on the basis that public discussion would be likely to prejudice the interests of the trustee council, as these matters involve:</i></p><ul style="list-style-type: none"><i>• legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government</i><i>• 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.]</i><p>5. RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION</p><p>6. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION</p><p>7. ITEMS ARISING</p><p>8. NEXT MEETING – 29 January 2025 (Microsoft TEAMS)</p>
10.30am	<p>9. CLOSE OF MEETING</p>



TRUSTEE MEETING

11 DECEMBER 2024

Agenda Item

1

DIRECTORATE: Corporate Services

AUTHOR: Executive Director Corporate Services

CONFIRMATION OF MINUTES (15 NOVEMBER 2024)

OFFICER RECOMMENDATION:

Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 15 November 2024.

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 15 November 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:

Statutory:	Section 254F(4) of the <i>Local Government Regulation 2012</i>
Budgetary:	N/A
Policy:	N/A
Legal:	N/A
Risk:	Council breach of its Statutory requirements above.
Links to Strategic Plans:	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. <ul style="list-style-type: none">➤ 4.2 Evolve Council’s communication channels and community’s access to information.
Masig Statement:	N/A
Standing Committee Consultation:	N/A
Timelines:	Standard Procedure at each Monthly Trustee Meeting

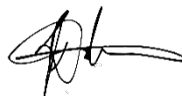
Other Comments:

Nil.

Recommended:

S. Andres

Susanne Andres
Executive Director Corporate Services

Approved:

James William
Chief Executive Officer

ATTACHMENTS:

Draft Minutes of the Trustee Meeting held on 15 November 2024.



TRUSTEE MEETING
15 NOVEMBER 2024

MINUTES

Time: 9.05am

Venue: Bolands Centre Offices & Conference Centre, 14 Spence Street, Cairns

Meeting ID: 438 700 254 554 | Passcode: QDN5qk

PRESENT:

Mayor

Division 2 – Dauan

Division 3 – Saibai

Division 5 – Badu / **Deputy Mayor**

Division 8 – Kirirri (Hammond Island)

Division 9 – Iama

Division 10 – Warraber

Division 11 – Poruma

Division 12 – Masig

Division 13 – Ugar

Division 14 – Erub

Division 15 – Mer

Cr Phillemon Mosby

Cr Torenzo Elisala

Cr **Chelsea** Aniba

Cr **Ranetta** Wosomo

Cr Seriako Dorante

Cr Aggie HankiN

Cr Kabay **Tamu**

Cr Francis Pearson

Cr Ted Mosby

Cr Rocky Stephen

Cr **Nixon** Mye

Cr Bob Kaigey

APOLOGIES:

Division 1 – Boigu

Division 4 – Mabuiag

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

Cr Dimas **Toby** – *Sorry Business*

Cr Keith Fell – *Prior commitments*

Cr John Levi – *Sorry Business*

ABSENT:

Division 6 – Arkai (Kubin)

Cr Iona Manas

OFFICERS:

Chief Executive Officer

Executive Director **Building Services**

Executive Director **Community Services**

Executive Director **Corporate Services**

Executive Director **Engineering Services**

Executive Director **Financial Services**

DOGIT Transfer, Land Tenure and Native Title Advisor

Preston Law

Executive Assistant to the CEO

TSIRC Secretariat

TSIRC Secretariat Support

Mr James William

Mr Wayne Green

Mr Dawson Sailor

Ms Susanne Andres

Mr David Baldwin

Ms Hollie Faithfull

Ms Joanne Bryant

Mr Julian Bodenmann

Ms Jessica Conway

Mr Darryl Brooks

Ms Julie Marino

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

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

The Mayor welcomed attendees and thanked Councillors and Executives for their attendance and contributions during the recent Council Workshop (4–14 November 2024) 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 Kaurareg and Cairns who host elements of the TSIRC footprint; 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 Torenzo Elisala delivered the opening prayer and this was followed by a Minute of Silence for reflection.

B. NOTING OF APOLOGIES

The following apologies were accepted by Council:

Division	Councillor/Reason	Mover/Seconder
Division 1 – Boigu	Cr Dimas Toby – <i>Sorry Business</i>	CR ELISALA / CR KAIGEY
Division 4 – Mabuiag	Cr Keith Fell – <i>Prior commitment</i>	CR ELISALA / CR PEARSON
Division 7 – Wug	Cr John Levi – <i>Sorry Business</i>	CR ANIBA / CR MYE

C. CONFLICT OF INTEREST DECLARATIONS

The Mayor invited Councillors to declare any Conflict of Interest matters. No declarations were made.

D. LIVE STREAM

The Mayor advised Council that this meeting is being LIVE STREAMED on Council's YouTube Channel and welcomed members of the general public who may be viewing proceedings.

1. CONFIRMATION OF MINUTES (15 October 2024)

#T24-28/2024-11/1

CR ELISALA / CR ANIBA

Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 15 October 2024.

CARRIED UNANIMOUSLY

1.1. UPDATE ON ACTION ITEMS FROM PREVIOUS MEETINGS

The Chief Executive Officer (Mr James William) spoke to this item and the update was noted by Council.

2. HELIPAD DEVELOPMENT KUBIN BANKS PEAK – DEPARTMENT OF HOME AFFAIRS

#T24-28/2024-11/2

CR TAMU / CR MOSBY

(a) Council (as Trustee):

- (i) notes that the Department of Home Affairs (DHA) is a party to a Conditional Agreement to Lease (CATL) for land at Kubin Banks Peak, for the purpose of constructing and maintaining helipad and related infrastructure;
 - (ii) notes that DHA requested that the area subject to the CATL is expanded to meet its infrastructure requirements which includes constructing a new helipad at the site, as shown on indicative plans contained in this Report;
 - (iii) approves the increase to the area and a subsequent lease over the site for a term of eight years; and
- (b) 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 the revised CATL, which will set out that the grant of the lease will be subject to necessary planning requirements and Native Title consent.

CARRIED UNANIMOUSLY

3. JETTY REPLACEMENT (DAUAN, SAIBAI AND BOIGU) – REQUEST FOR CONSENT FROM COUNCIL AS TRUSTEE OF THE ROADS

#T24-28/2024-11/3

CR ELISALA / CR ANIBA

Council (as Trustee of the roads):

- (a) consents to works located on Public Roads or Esplanades associated with the Jetty Replacement Projects for Dauan, Saibai and Boigu Jetties; and
- (b) delegates to the Chief Executive Officer the power to progress the required consents including signing the appropriate applications.

CARRIED UNANIMOUSLY

4. ITEMS ARISING

Nil.

5. NEXT MEETING – 11 DECEMBER 2024 (Microsoft TEAMS)

Noted by Council (as Trustee).

6. CLOSE OF MEETING

The Mayor formally closed the Trustee meeting at 9.35am.

MINUTES CONFIRMED – 11 December 2024	
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Cr Phillemon Mosby	James William
Mayor	Chief Executive Officer
Torres Strait Island Regional Council	Torres Strait Island Regional Council
Date: 11 December 2024	Date: 11 December 2024

DRAFT



TRUSTEE COUNCIL MEETING ACTION ITEMS

(Updated as at 3 Dec 2024)

Agenda Item

1.1

Agenda Item	Action	Action Area	Current Status
Sept 2024 Mtg AI 3.2 Items Arising	Medivac Helicopter Issues at the St Paul's Community (Cr John Levi) Cr Levi and the Executive Director Community Services to discuss alternative landing sites for the Medivac Helicopter on St Pauls Community.	Cr Levi / ED Community Services	Ongoing. No update from Cr Levi at this stage.
Sept 2024 Mtg AI 3.4 Items Arising	New/Expanded Cemetery on Mer (Cr Bob Kaigey) 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.	DOGIT Transfer, Land Tenure and Native Title Advisor	Letter sent to PBC on 29/10/24 seeking a meeting between the TSIRC CEO and the Mer PBC to discuss this matter. Awaiting response from PBC to this request. No update – Dec OM
Sept 2024 Mtg AI 3.7 Consideration of Matters Discussed in Closed Session	<ol style="list-style-type: none">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:<ul style="list-style-type: none">• 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	<ol style="list-style-type: none">1. Cr Aniba2. CEO	CALH Advisory Committee members have met informally. A consultation/feedback process with PBCs is recommended in relation to the proposed TSIRC/GBK MOU.

TRUSTEE Action Items

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Aug 2024 Mtg AI 5 Iama DOGIT Transfer	Cr Aniba (through Council's Culture, Arts, Land and Heritage Advisory Committee) to progress the development of a clear policy position in relation to responsibility for DOGIT matters/land tenure (TSIRC or PBCs) in the context of a Torres Strait Regional Assembly arrangement.	Cr Aniba / ED Corporate Services	In progress to be included on CALH Advisory Committee agenda.
Aug 2024 Mtg AI 6 Native Title Consent Process for New Housing	Council's Trustee Policy to provide clear consultation processes that must be undertaken prior to the submission of requests to the Trustee Council for decisions on matters requiring Native Title consent.	ED Corporate Services / DOGIT Transfer, Land Tenure and Native Title Advisor	In progress for updated Trustee Policy. Currently engaging with individual Divisions. Policy to be endorsed by CALH Advisory Committee and SARG prior to consideration by Council.
Apr 2024 Mtg AI 6 Matters Arising (DOGIT Policy)	Cr Stephen requested that a range of issues in relation to finalising Council's DOGIT policy be discussed at Council's May 2024 Workshop. <u>Action:</u> Chief Executive Officer to discuss further with Cr Stephen out of session.	Chief Executive Officer	In progress & to be maintained as an ongoing action as DOGIT remains an ongoing and significant issue.

<p>Nov 2023 Mtg</p> <p>AI 6</p> <p>Action Items from Previous Meetings</p>	<p>ACTION:</p> <ol style="list-style-type: none"> 1. <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). 2. <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. 	<p>Chief Executive Officer / Corporate Services (Legal Services)</p> <p>Community Services</p>	<ol style="list-style-type: none"> 1. Remains in progress. Discussions with Seaswift and CEQ CEOs have been held and will be a regular occurrence. 2. Ongoing work. The Saibai Island Church matter (as it unfolds) is being treated as a model to use right across the TSIRC footprint. <p>ED BSU; ED Community Services and the consultant engaged with Anglican Bishop 5/11/24 to discuss funding and lease appetite.</p> <p>No update for December OM</p>
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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.

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:

Statutory:	Section 84 of the <i>Local Government Act 2009</i>
Budgetary:	N/A
Policy:	N/A
Legal:	N/A
Risk:	Council breach of its Statutory requirements above.
Links to Strategic Plans:	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. <ul style="list-style-type: none">➤ 4.2 Evolve Council’s communication channels and community’s access to information.
Masig Statement:	N/A
Standing Committee Consultation:	N/A
Timelines:	Standard Procedure at each Monthly Trustee Meeting

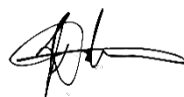
Other Comments:

Nil.

Recommended:

S. Andres

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*.

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:

Statutory:	Section 84 of the <i>Local Government Act 2009</i>
Budgetary:	N/A
Policy:	N/A
Legal:	N/A
Risk:	Council breach of its Statutory requirements above.
Links to Strategic Plans:	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.
Masig Statement:	N/A
Standing Committee Consultation:	N/A
Timelines:	Standard Procedure at each Monthly Trustee Meeting

Other Comments:

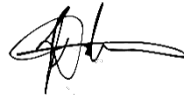
Nil.

Recommended:

S. Andres

Susanne Andres
Executive Director Corporate Services

Approved:

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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.

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:

Statutory:	Section 84 of the <i>Local Government Act 2009</i>
Budgetary:	N/A
Policy:	Council meetings State Development and Infrastructure
Legal:	N/A
Risk:	Council breach of its Statutory requirements above.
Links to Strategic Plans:	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. <ul style="list-style-type: none">➤ 4.2 Evolve Council’s communication channels and community’s access to information.
Masig Statement:	N/A
Standing Committee Consultation:	N/A
Timelines:	Standard Procedure at each Monthly Trustee Meeting

Other Comments:

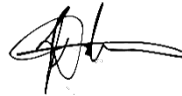
Nil.

Recommended:

S. Andres

Susanne Andres
Executive Director Corporate Services

Approved:

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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.

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:

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

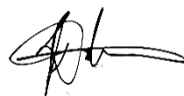
Other Comments:

Nil.

Recommended:

S. Andres

Susanne Andres
Executive Director Corporate Services

Approved:


James William
Chief Executive Officer

ATTACHMENTS:

Nil.