



# 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 MAY 2025 will be held in Cairns at The Pullman Cairns International (Level 1, 17 Abbott Street, Cairns) and will also be accessible online by Microsoft (TEAMS) as follows:

Friday, 23 May 2025

(Trustee Meeting - 9.00am to 10.30am) (Ordinary Meeting - 10.30am to 5.00pm)

Microsoft (TEAMS) Meeting ID: 470 013 452 213 | Passcode: L2sc7Pt6

The attendance of each Councillor is requested.

Agenda papers for this meeting are attached and will soon be available on Council's website (except for any Closed Business papers) and can be accessed by clicking on the link below:

https://tsirc.qld.gov.au/about-us/meetings/

Please note that this meeting is live streamed on Council's YouTube Channel and a recording following the meeting will be available at the following location:

https://www.youtube.com/@lslandCouncil/streams

James William Chief Executive Officer

19 May 2025







Time: 9.00am to 10.30am

Venue: The Pullman Cairns International, 17 Abbott Street, Cairns Qld. 4870

Microsoft TEAMS Meeting ID: 470 013 452 213 | Passcode: L2sc7Pt6

# **ORDER OF BUSINESS**

9.00am		<ul> <li>A. WELCOME &amp; QUORUM CONFIRMATION   ACKNOWLEDGEMENTS   OPENING PRAYER   OBSERVANCES</li> </ul>
		B. NOTING OF APOLOGIES
		C. CONFLICT OF INTEREST DECLARATIONS
		D. LIVE STREAM. <i>This meeting is live streamed on Council's YouTube Channel.</i>
	1.	CONFIRMATION OF MINUTES (23 April 2025)
		1.1. Update on Action Items from Previous Meetings
	2.	RESOLUTION TO CLOSE THE MEETING TO THE PUBLIC
Standing Agenda Item	3.	Culture, Arts, Land & Heritage (CALH) Advisory Committee - Update on Land and Native Title Strategic Matters – <i>verbal update by Cr Chelsea Aniba</i>
		[ <u>Reason for Closed Discussion:</u> To discuss business which public discussion would be likely to prejudice the interests of the trustee council or someone else].
	4.	St Pauls Deed of Agreement
		[ <u>Reason for Closed Discussion</u> : these matters involve contracts proposed to be made for which a public discussion would be likely to prejudice the interests of the local government.]
	5.	RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION
	6.	CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION
	7.	ITEMS ARISING
	8.	NEXT MEETING – 17 June 2025 (Masig)
10.30am	9.	CLOSE OF MEETING



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

# **CONFIRMATION OF MINUTES (23 APRIL 2025)**

#### **OFFICER RECOMMENDATION:**

Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 23 April 2025.

#### **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 23 April 2025.

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 Local Government Regulation 2012		
Budgetary:	N/A		
Policy:	N/A		
Legal:	N/A		
Risk:	Council breach of its Statutory requirements above.		
Links to Strategic Plans:	<ul> <li>TSIRC Corporate Plan 2020–2025 (Bisnis Plan)</li> <li>Delivery Pillar One – People (Bisnis – Pipol)</li> <li>Outcome 4: We are a transparent, open and engaging council.</li> <li>4.2 Evolve Council's communication channels and community's access to information.</li> </ul>		
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 23 April 2025.



# TRUSTEE MEETING 23 APRIL 2025

# MINUTES

Time:

9.00am

Venue:

Microsoft TEAMS Meeting ID: 476 855 447 656 | Passcode: xg7po2yi

#### PRESENT:

#### Mayor

Division 1 – Boigu Division 2 – Dauan Division 4 – Mabuiag Division 6 – Arkai 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

#### APOLOGIES:

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

#### ABSENT:

Division 3 – Saibai Division 5 – Badu / Deputy Mayor

#### OFFICERS:

Chief Executive Officer Executive Director Community Services Executive Director Corporate Services Executive Director Engineering Services Executive Director Financial Services DOGIT Transfer, Land Tenure and Native Title Advisor Executive Assistant to the CEO TSIRC Secretariat

#### APOLOGIES:

Executive Assistant to the Mayor

<u>GUESTS</u>: Moray & Agnew Lawyers Cr Phillemon Mosby Cr Dimas Toby – joined meeting at 10.00am Cr Torenzo Elisala – left meeting at 10.45am for cultural commitments Cr Keith Fell Cr Iona Manas Cr Seriako Dorante Cr Aggie Hankin – joined meeting at 9.20am Cr Kabay Tamu – joined meeting at 9.30am Cr Francis Pearson – joined meeting at 9.55am due to IT issues Cr Ted Mosby Cr Rocky Stephen Cr Nixon Mye Cr Bob Kaigey – joined meeting at 9.35am

# Cr John Levi

Cr Chelsea Aniba – cultural commitments on Saibai Cr Ranetta Wosomo

Mr James William Mr Dawson Sailor Ms Susanne Andres Mr David Baldwin Ms Hollie Faithfull Ms Joanne Bryant

Ms Marie Haines Mr Darryl Brooks

Ms Trudy Lui

Mr Andrew Kerr (Partner) – Al 3 only

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

At 9.05am the Mayor formally opened the April 2025 Trustee Council meeting, noting that a quorum of members was present.

The Mayor welcomed attendees and made the following acknowledgements:

- Papa God for His awesome wisdom, knowledge, understanding, favour and blessings upon our lives, our families, our leaders, our region and people and our Council and staff;
- 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.

The Mayor conveyed to those members of the Torres Strait Islander community throughout the homelands and on the Australian mainland who may currently be experiencing Sorry Business, the collective thoughts, prayers and well wishes of Council during this time.

Cr Keith Fell delivered the opening prayer and the Council observed a minute of silence as a gesture of respect and reflection to honour the memory of deceased loved ones.

#### B. NOTING OF APOLOGIES

The following apologies were noted and accepted by Council:

Division	Councillor/Reason	Mover/Seconder
Division 7 - Wug	Cr John Levi – medical commitment	CR FELL / CR ELISALA

#### C. CONFLICT OF INTEREST (COI) DECLARATIONS

The Mayor invited Councillors to advise if they had any COI declarations to disclose in relation to items listed on the agenda. No declarations were made by Councillors.

The Mayor also requested that if there are any legal matters involving Councillors, then Councillors should advise the Mayor as soon as possible. No declarations were made by Councillors.

#### D. LIVE STREAM

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

#### 1. CONFIRMATION OF MINUTES (18 March 2025)

#T24-28/2025-4/1

CR FELL / CR DORANTE

Council (as Trustee) confirms the Minutes of the Trustee Meeting held on 18 March 2025.

CARRIED UNANIMOUSLY

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

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

#T24-28/2025-4/2

CR DORANTE / CR MANAS

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.

CARRIED UNANIMOUSLY

Mr Andrew Kerr, Partner – Moray & Agnew Lawyers, joined the meeting at 9.30am and spoke to Agenda Item 3 below.

#### 3. UPDATE ON HAMMOND ISLAND NATIVE TITLE CLAIM

[<u>Reason for Closed Discussion:</u> To discuss business which public discussion would be likely to prejudice the interests of the trustee council or someone else].

#T24-28/2025-4/3

CR PEARSON / CR DORANTE

#### Council (as Trustee):

- (a) notes the report; and
- (b) authorises Moray & Agnew to have further negotiations with Chalk & Behrendt regarding the outstanding Lots mentioned in the table attached to this report, including negotiating an Indigenous Land Use Agreement.

CARRIED UNANIMOUSLY

# 4. CULTURE, ARTS, LAND & HERITAGE (CALH) ADVISORY COMMITTEE – UPDATE ON LAND AND NATIVE TITLE STRATEGIC MATTERS

[<u>Reason for Closed Discussion</u>: To discuss business which public discussion would be likely to prejudice the interests of the trustee council or someone else].

Not discussed in the absence of Cr Aniba.

#### 5. NATIVE TITLE CONSENT PROCESS FOR NEW HOUSING - 'QUICKSTARTS QLD'

[<u>Reason for Closed Discussion</u>: To discuss business which public discussion would be likely to prejudice the interests of the trustee council or someone else].

#T24-28/2025-4/5

CR MANAS / CR FELL

Council (as Trustee) approves that engagement is undertaken with relevant Prescribed Bodies Corporate and GBK in relation to a Native Title consent proposal for social housing new builds under the "QuickStarts Qld" funding package.

#### CARRIED UNANIMOUSLY

Cr Toby declared his dual responsibility as a Councillor and as Chair of his local PBC in relation to Agenda Item 6 above and supported the Trustee decision.

- Cr Elisala dialled-out of the meeting at 10.45am to attend cultural commitments on Saibai Island. The Mayor requested that Cr Elisala pass on to the Saibai Community the thoughts, heartfelt sympathies and prayers of Council at this time.
- Cr Tamu declared a Conflict of Interest (direct family member) in relation to Agenda Item 6 and dialled out of the meeting at 10.45am.

#### 6. TRANSFER OF DWELLING – 25 WILLIAM STREET, PORUMA (LOT 25 ON SP270862)

[Reason for Closed Discussion: This matter involves a contract proposed to be made by the Trustee Council for which a public discussion would be likely to prejudice the interests of the Trustee Council or someone else.]

#T24-28/2025-4/6

CR PEARSON / CR FELL

Council (as Trustee):

- (a) agrees to transfer the dwelling located at 25 William Street, Poruma (described as Lot 25 on SP270862) to the registered leaseholder; and
- (b) delegates to the Chief Executive Officer the power to take all necessary steps to give effect to paragraph (a) of this resolution, including by negotiating, finalising and executing on behalf of Council an Agreement to Transfer Dwelling with the leaseholder.

CARRIED UNANIMOUSLY

> Cr Tamu was invited to rejoin the meeting at the conclusion of discussion on Agenda Item 6.

7. RESOLUTION TO RETURN THE MEETING TO OPEN DISCUSSION

#T24-28/2025-3/7

CR TAMU / CR MANAS

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

#### CARRIED UNANIMOUSLY

#### 8. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION

Council (as Trustee) formally resolved as detailed in Agenda Items 3 to 7 above.

9. ITEMS ARISING

The Mayor requested that an action arising from discussions was the need for more training for Councillors in relation to clarifying the decision—making responsibilities for Councillors with dual responsibilities as members of a local PBC.

#### **Action Required:**

Additional training to be provided at the May 2025 Council Workshop in relation to clarifying the decision—making responsibilities of Councillors who also have dual responsibilities as members of a local PBC.

Noted by Council (as Trustee).

#### **11. CLOSE OF MEETING**

The Mayor closed the Trustee Council meeting at 11.00am.

MINUTES CONFIRMED – 23 May 2025	
Cr Phillemon Mosby	James William
Mayor	Chief Executive Officer
Torres Strait Island Regional Council	Torres Strait Island Regional Council
Date: 23 May 2025	Date: 23 May 2025



# **TRUSTEE** COUNCIL MEETING ACTION ITEMS

(Updated as at 14 May 2025)

Agenda Item	Action Area / Completion Date	Current Status
Apr 2025 Mtg   AI 9   ITEMS ARISING	ED Corporate Services	Department will present on Thursday 22
		May 2025
Action Required:		
Additional training to be provided at the May 2025 Council Workshop in relation to clarifying the decision—making responsibilities of Councillors who also have dual		Close action item
responsibilities as members of a local PBC.		
responsibilities as members of a local r be.		
Mar 2025 Mtg   AI 6   CONSIDERATION OF MATTERS DISCUSSED IN CLOSED		
SESSION		
Action Required: Housing, Families and Safe and Healthy Communities (HFSHC) Advisory Committee	HFSHC Chair (Cr Fell) / ED	In progress
to explore future options in relation to TSIRC peppercorn leases and provide advice	Community Services	In progress.
to Council via the Strategic Action Reference Group (SARG) Standing Committee.		

#### TRUSTEE Action Items Page **2** of **5**

Jan 2025 Mtg   AI 5   ARMY AILAN COMMUNITY ASSISTANCE PROGRAMME (AACAP) 2025 - WARRABER Action Required: Executive Director Building Services to discuss out-of-session with Cr Tamu arrangements for the removal of building waste from demolished buildings in relation to AACAP project.	ED Building Services	Contractor has agreed to relocate rubbish to a safe area on the Island and will prepare quotes to remove rubbish from the Island. ED Building Services has been liaising with Cr Tamu on this matter and are developing a strategy for the removal of waste on Warraber (and Poruma). As at 14 Apr 2025: Issues with Bio Security and extent to be cleaned still working closely with contractor. Will endeavor to have temporary measures in place prior to Army commencement.
Sept 2024 Mtg       AI 3.2       Items Arising       Medivac Helicopter Issues at the St         Paul's Community (Cr John Levi)         Action Required:         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. Cr Levi in discussion with the TSIRC Division Manager to organise a community information session. Cr Levi advised that he has been in contact with the PBC Chair on this matter.

#### TRUSTEE Action Items Page **3** of **5**

Sept 2024 Mtg   AI 3.7   Consideration of Matters Discussed in Closed Session		CALH Advisory Committee has met and is progressing this matter.
<ul> <li>Action Required:</li> <li>1. 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:</li> </ul>	CEO	A consultation/feedback process with local PBCs is recommended in relation to the proposed TSIRC/GBK MOU.
<ul> <li>Regional Governance/Regional Assembly matters</li> <li>the Masig Statement</li> <li>Treaty</li> <li>Regular Roundtable Meetings (i.e. SARG and GBK Executive)</li> <li>other matters identified by the CALH Advisory Committee</li> </ul>		Draft MOU developed by CALH Advisory Committee brought to SARG SC. Saibai and Ugar will be the first two communities to meet/present with respective PBCs on the ground.
		14/5/25: No further update. This project is underway.
		Close action item

Aug 2024 Mtg   AI 5   Iama DOGIT Transfer	Cr Aniba / ED Corporate Services	Amendments proposed to be added to
AI 6   Native Title Consent Process for New Housing	/ DOGIT Transfer, Land Tenure	the Trustee Policy, which are to be
	and Native Title Advisor	endorsed by CALH and SARG prior to
Action Required:		consideration by the Trustee.
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		Remains in progress.
DOGIT matters/land tenure (TSIRC or PBCs) in the context of a Torres Strait Regional		
Assembly arrangement.		Final communities underway- lama and
		Boigu scheduled 30 April and 1 May.
Council's Trustee Policy to provide clear consultation processes that must be		Round 2 at Erub to be completed in
undertaken prior to the submission of requests to the Trustee Council for decisions		May.
on matters requiring Native Title consent		
		<u>Regarding AI 5</u> - Iama DOGIT Transfer
		Court Process finalised with a win in
		Council's favour. Agreement on costs
		underway. Mayor wrote to Minister
		about next steps.
		14/5/25: No further update. Trustee
		Policy being finalised.

#### TRUSTEE Action Items Page **5** of **5**

Nov 2023 Mtg   AI 6   Action Items from Previous Meetings	Community Services	Ongoing work. The Saibai Island Church matter (as it unfolds) is being treated as
Action Required:		a model to use right across the TSIRC
Saibai Island Church/options to assist in the maintenance and/or restoration of		footprint.
heritage-listed sites and buildings to be considered at the December 2023 meeting.		
		ED BSU; ED Community Services and the
		consultant engaged with Anglican
		Bishop 5/11/24 to discuss funding and
		lease appetite. Awaiting response from
		the Anglican Bishop and a reminder
		follow-up will occur prior to the
		April 2025 meeting.
		As at 14 Apr 2025: Email forwarded as
		requested at the Poruma Council
		meeting to Cr Aniba seeking support
		regarding contacting / meeting the
		Bishop. Will follow up.



23 MAY 2025

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
- starting or defending legal proceedings; or (c)
- (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 Local Government Act 2009
Budgetary:	N/A
Policy:	<i>TSIRC Standing Orders (Meeting Procedures) Policy – August 2024</i> applies.
Legal:	N/A
Risk:	Council breach of its Statutory requirements above.
Links to Strategic Plans:	<ul> <li>TSIRC Corporate Plan 2020–2025 (Bisnis Plan)</li> <li>Delivery Pillar One – People (Bisnis – Pipol)</li> <li>Outcome 4: We are a transparent, open and engaging council.</li> <li>4.2 Evolve Council's communication channels and community's access to information.</li> </ul>
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.



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**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 closedmeeting discussion.

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

N/A

#### Background / Previous Council Consideration:

N/A

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

Statutory:	Section 84 of the Local Government Act 2009
Budgetary:	N/A
Policy:	<i>TSIRC Standing Orders (Meeting Procedures) Policy – August 2024</i> applies.
Legal:	N/A
Risk:	Council breach of its Statutory requirements above.
Links to Strategic Plans:	<ul> <li>TSIRC Corporate Plan 2020–2025 (Bisnis Plan)</li> <li>Delivery Pillar One – People (Bisnis – Pipol)</li> <li>Outcome 4: We are a transparent, open and engaging council.</li> <li>4.2 Evolve Council's communication channels and community's access to information.</li> </ul>
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.



TRUSTEE MEETING 23 MAY 2025

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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 254D(4) of the *Local Government Regulation 2012* 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 <u>not</u> be considered at any local government meeting unless permission for that purpose is given by the local government at the meeting (*Source: TSIRC Standing Orders Policy – August 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 254D(4) of the Local Government Regulation 2012
Budgetary:	N/A
Policy:	<i>TSIRC Standing Orders (Meeting Procedures) Policy – August 2024</i> applies.
Legal:	N/A
Risk:	Council breach of its Statutory requirements above.
Links to Strategic Plans:	<ul> <li>TSIRC Corporate Plan 2020–2025 (Bisnis Plan)</li> <li>Delivery Pillar One – People (Bisnis – Pipol)</li> <li>Outcome 4: We are a transparent, open and engaging council.</li> <li>4.2 Evolve Council's communication channels and community's access to information.</li> </ul>
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.