

ANNEXURE TO POLICY

BOIGU DECISION-MAKING PROCESS

1. This process applies when TSIRC (as Trustee) makes decisions to lease land in the Boigu DOGIT. This includes decisions to give a person a 99 year home ownership lease or a lease for a business after a person has submitted an Expression of Interest (EOI) for a lease.
2. This part of the Policy must be read along with the other parts of the Policy. If there is any inconsistency between other parts of the Policy and this part of the Policy, this part of the Policy takes priority.

Community Engagement

3. TSIRC engaged with the Boigu community about this decision-making process:
 - (a) During a community consultation session on 1 May 2025, which was publicly notified;
 - (b) [Insert other opportunities for community feedback].
4. TSIRC:
 - (a) considers that the process set out in this Policy provides all community members with a fair and reasonable opportunity to have their say about EOIs;
 - (b) is satisfied that the decision-making process in this Policy reflects the Ailan Kastom applying to decisions to be made on Boigu, and/or is the agreed decision-making process for Torres Strait Islanders at Boigu.
5. This Policy is TSIRC's process of decision-making agreed to by the community and adopted by the trustee for decisions of this kind.

Summary of Decision-Making Process

6. A summary of the decision-making process for Boigu is set out below:
 - (a) EOI to be submitted and accepted **only if** it has the support of both the Divisional Councillor and the Malu Kiai (Torres Strait Islanders) Corporation RNTBC (**PBC**).
 - (b) Public notification for 4 weeks.
 - (c) TSIRC decision at the next opportunity.

Full Decision-Making Process

Receiving Expressions of Interest

7. TSIRC is prepared to receive and consider EOIs made by community members, or eligible people outside of the community, who want a home ownership lease or commercial lease anywhere in the Boigu DOGIT.

8. **The EOI will only be accepted by TSIRC if the Divisional Councillor and the PBC supports the EOI.**
9. TSIRC has an approved form that must be used to apply for EOIs.
10. If the approved form is not used for EOIs, TSIRC may reject those EOIs.
11. After receiving an EOI, TSIRC can release the applicant's name and other information from the EOI to the public, so that TSIRC can carry out consultation.
12. At any point when considering the EOI, TSIRC may ask the Applicant to give further information about the EOI.
13. The PBC will be responsible for getting the views of the Traditional Land Owners about an EOI.
14. The Boigu community has decided that the PBC should have the role of providing comments on behalf of Traditional Owners.

Inconsistent interests

15. TSIRC will refuse any EOI over Land that has an existing registered or unregistered interest that is not compatible with the EOI. For example, any other EOI that has already been approved or land that has TSIRC or other essential infrastructure on it.
16. However, an Applicant can make an EOI over Land that contains a TSIRC social house or a social house that has a 40-year social housing lease with the State Government.

Community Notification

17. Upon receiving an EOI, TSIRC will publish a notice on community notice boards and the TSIRC website for a 4-week period.
18. The community notice will confirm that the applicant has consulted with the Divisional Councillor and the PBC, prior to submitting an EOI.

EOI Disputes

19. An EOI Dispute is any disagreement about whether the EOI should be approved by TSIRC. That disagreement might be raised by another person who submitted or wants an EOI over the same land, or a person who thinks the Applicant is not the right person to have a Lease over the EOI area.
20. The Boigu community has decided not to include a separate process for resolving EOI Disputes because an EOI can only be submitted to TSIRC with the support of the Divisional Councillor and the PBC. It is at this stage that disputes, if any, will be raised and resolved by the Divisional Councillor and PBC, prior to TSIRC receiving the EOI.

Council Decision

21. Once an EOI has been submitted to TSIRC, it will be assumed that there is no dispute about that EOI, and after TSIRC has passed a resolution agreeing to grant a lease that was applied for under an EOI, no disputes about the EOI will be considered by TSIRC.

22. A TSIRC resolution agreeing to grant a lease that was applied for under an EOI will usually have conditions, one of which is that the grant of the lease can only occur with Native Title consent from the PBC.

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