



# Minutes

## TRUSTEE COUNCIL MEETING

### 30 August 2023

**PRESENT:**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu (joined the meeting at 9.30am)  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 - Mabuiag  
Cr Lama Trinkoon, Division 6 – Arkai (by telephone dial-in)  
Cr John Levi, Division 7 – Wug (St. Pauls) (joined the meeting at 9.15am)  
Cr Seriako Dorante, Division 8 – Kirirri (Hammond)  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig (joined meeting at 9.15am)  
Cr Rocky Stephen, Division 13 – Ugar  
Division 15 – Mer - *was not represented*

**OFFICERS:**

Mr James William, Chief Executive Officer  
Ms Hollie Faithfull, Executive Director Financial Services  
Mr Wayne Green, Executive Director Building Services  
Mr Dawson Sailor, Executive Director Community Services  
Mr Martin Leech, Acting Executive Director Corporate Services  
Mr Adeah Kabai, Manager Capital Works  
Mr Julian Bodenmann, Preston Law (TSIRC Legal Advisor)  
Ms Julie Marino, Senior Executive Assistant, Executive Office  
Ms Trudy Lui, Executive Assistant to the Mayor  
Mr Darryl Brooks, Secretariat Officer

**APOLOGIES:**

Cr Getano Lui (Jnr) AM, Division 9 – Iama (Deputy Mayor)  
Cr Jimmy Gela, Division 14 – Erub  
Mr David Baldwin, Executive Director Engineering Services

**OBSERVER:**

Ms Sharon Russell, Executive Support Co-ordinator, Corporate Affairs

# MINUTES: Trustee Council Meeting – August 2023

*[Confirmed at September 2023 Trustee Meeting]*

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## 1. Welcome

At 9.00am the Mayor completed a roll call of Councillors to establish a Quorum for the Trustee Meeting to commence. A Quorum was achieved and the Mayor formally opened the Trustee Meeting for August 2023 at 9.10am.

- *Cr Keith Fell made a request to the Mayor for a closed session for Councillors only before the commencement of the meeting. The Mayor requested Cr Fell to provide him separately a formal request outlining the reasons for a closed session and the matter will be considered.*

The Mayor made the following acknowledgements:

- Our Heavenly Father for his awesome wisdom, knowledge, understanding, favour and blessings for our lives; upon our leadership, our Council and for our people right across the length and breadth of Zenadth Kes;
- Acknowledgements of Traditional Owners throughout Zenadth Kes and the communities and constituents that Council serves;
- All Elders with us, past, present and emerging.

The Mayor also acknowledged those members of the community who are experiencing Sorry Business and extended to them the thoughts and prayers of Council at this time.

## 2. Opening Prayer

Cr Francis Pearson delivered the opening prayer and a minute of silence was observed by Council for reflection and to honour those who have recently passed.

## 3. Attendance

Noted at Agenda Item 1.

## 4. Apologies

The following apologies were noted:

- Cr Getano Lui (Jnr) AM, Division 9 -Iama (Sorry Business)
- Cr Jimmy Gela, Division 14 - Erub (native title commitments as Erub PBC Chair)

### RESOLUTION

*Moved: Cr Torenzo Elisala; Second: Cr Lama Trinkoon*

**That the Trustee accepts the apology for Cr Getano Lui (Jnr) AM for the August 2023 Trustee Meeting.**  
**MOTION CARRIED UNANIMOUSLY**

### RESOLUTION

*Moved: Cr Francis Pearson; Second: Cr Rocky Stephen*

**That the Trustee accepts the apology for Cr Jimmy Gela for the August 2023 Trustee Meeting.**

**MOTION CARRIED UNANIMOUSLY**

- *The Trustee also noted and accepted the attendance of Cr Lama Trinkoon by telephone dial-in.*

**5. Conflict of Interest (COI) - Declarable/Prescribed**

Mayor Mosby requested that members make any relevant conflict of interest declarations and advise if any relevant legal proceedings were current pertaining to Trustee business to be considered at the meeting. No such declarations were made.

- *Cr Keith Fell made a second request to the Mayor for a closed session for Councillors only. The Mayor advised that he is considering the request provided legal advice is present during discussion.*

**6. Previous Minutes (18 July 2023)**

**RESOLUTION**

*Moved: Cr Lama Trinkoon; Second: Cr Francis Pearson*

**That the Trustee resolves to accept the minutes of the Trustee Meeting held on 18 July 2023 to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUSLY**

**7. Action Items from Previous Meetings**

The Chief Executive Officer provided Council with a verbal update on the status of Action Items arising from the previous meeting and outstanding action items from previous meetings.

**ACTION: Trustee to consider sending a deputation to Brisbane to raise directly with the Premier and relevant Ministers the concerns of the Trustee in relation to DOGIT matters in the Torres Strait, including consideration on calling for a judicial review.**

**ACTION: November 2023 Workshop to examine in detail the TSIRC's Trustee Policy, including particular focus on 'Power of Veto' policy.**

- *Cr John Levi declared a Conflict of Interest in relation to Agenda Item 8, stating that Ms Susannah Sailor is his sister. Cr Levi temporarily left the meeting at 10.55am.*

**8. CORPORATE SERVICES: St Pauls Lodge**

**RESOLUTION**

*Moved: Cr Torenzo Elisala; Second: Cr Lama Trinkoon*

**The Trustee resolves to:**

- **Consent to Susannah Sailor (sole trader) to sub-licence the St Pauls Lodge "Licence to Operate" to allow the St Pauls Lodge to be operated by Ms Sailor's new company, St Pauls Lodge Pty Ltd (ACN 651 283 706), from 1 July 2021;**
- **Grant Ms Sailor an extension of time to 13 August 2024 to satisfy the native title special condition and the requirement to register a lease over the premises (Lot 176 on SP256048); and**
- **Delegate to the Mayor and the Chief Executive Officer each the power to execute documentation to effect the extension of time for the native title special condition.**

**MOTION CARRIED UNANIMOUSLY**

- *Cr John Levi rejoined the meeting at 11.00am following the conclusion of discussion/resolution on this agenda item.*

**9. CORPORATE SERVICES: Department of Education Lease - Poruma**

**RESOLUTION**

*Moved: Cr Francis Pearson; Second: Cr Seriako Dorante*

That the Trustee resolve, pursuant to the *Torres Strait Islander Land Act 1991 (Qld)*, to grant the State of Queensland represented by the Department of Education an extension to 18 September 2024 (a further 12-month extension) of the date for the satisfaction of the native title requirements in relation to the proposed lease of Poruma Lot 50 on SP270862, 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.

**MOTION CARRIED UNANIMOUSLY**

**10. CORPORATE SERVICES: CEQ Leases (late paper)**

The Trustee noted advice from the Acting Executive Director Corporate Services that this agenda item briefing could not be finalized in time for this meeting and would be deferred to the September 2023 Trustee Meeting.

**11. Business Arising**

- DOGIT/Land Matters

Cr Seriako Dorante requested that Councillors receive clear legal advice to assist Councillors when addressing DOGIT/land matters and for informing community on such issues.

- Standing Agenda Item (Cr Rocky Stephen)

Cr Rocky Stephen requested that 'DOGIT Issues' to be a Standing Agenda Item for each Trustee Meeting.

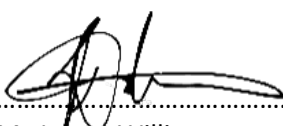
**ACTION:** Mayor Mosby to speak to Cr Torenzo Elisala out of session to clarify several issues in relation to divestment policy and other matters for feedback to community.

**12. Next Meeting: 19 September 2023 (Saibai)**

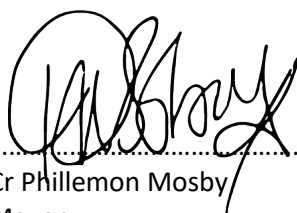
**13. Closing Remarks & Prayer**

The Mayor thanked Councillors, Chief Executive Officer, Executive and Administration Staff (including Julian Bodenmann for legal support) for their contributions to the Trustee Meeting and closed the August 2023 Trustee Meeting at 10.15am, noting that Council will reconvene at 10.30am to commence Ordinary Council Meeting business.

➤ *All officers were then requested to leave the meeting to enable Council to move into a closed session for Councillors only.*



Mr James William  
Chief Executive Officer  
Torres Strait Island Regional Council  
Date: 3 October 2023



Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date: 3 October 2023