

MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

JULY 2021

SPECIAL MEETING

Wednesday 14th July 2021

Video Conference

COUNCIL SPECIAL MEETING

Wednesday 14th July 2021

Agenda Items

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| 1. | <u>10:00am – 10:05am</u> | <u>Welcome and Opening Prayer</u> |
| 2. | <u>10:05am – 10:10am</u> | <u>Apologies (Cr Tabuai, Cr Elisala)</u> |
| 3. | <u>10:10am – 10:20am</u> | <u>Declaration of Conflict of Interest (COI) Prescribed / Declarable</u> |
| 4. | <u>10:20am – 10:20am</u> | <u>COUNCIL MOVE INTO CLOSED BUSINESS</u> |
| 5. | <u>10:20am – 10:55am</u> | <u>LEGAL – CB – Ahwang -v- TSIRC Matter</u> |
| 6. | <u>10:55am – 10:55am</u> | <u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u> |
| 7. | <u>11:55am – 12:00noon</u> | <u>Closing Remarks and Prayer</u> |

Wednesday 14th July 2021

Present

Cr Phillemon Mosby, Mayor (Cairns)
Cr Laurie Nona, Division 5 – Badu
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island
Cr John Levi, Division 7 – St Pauls, Mua Island
Cr Seriako Dorante, Division 8 – Kiririri
Cr Getano Lui Jnr, Division 9 – Iama
Cr Francis Pearson, Division 11 – Poruma
Cr Hilda Mosby, Division 12 – Masig
Cr Rocky Stephen, Division 13 - Ugar
Cr Jimmy Gela, Division 14 – Erub
Cr Aven Noah, Division 15 – Mer

Mr David Baldwin, Acting Chief Executive Officer (ACEO)
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)
Mr Peter Krebs, Senior Legal Counsel (SLC)(Cairns)
Ms Julia Maurus, Manager Legal Services (MLS) (Cairns)
Ms Naila Nomoa – Acting Secretariat Officer (SO) (Cairns)

Apologies

Cr Dimas Toby, Division 1 – Boigu
Cr Torenzo Elisala, Division 2 – Dauan
Cr Conwell Tabuai, Division 3 – Saibai
Cr Keith Fell, Division 4 – Mabuiag

8. 10:04am – 10:06am Welcome and Opening Prayer

Mayor Mosby welcomed Councillors and staff, acknowledged the Traditional landowners and invited Cr Pearson to open the meeting with a word of prayer.

9. 10:06am – 10:07am Apologies

- Cr Dimas Toby, Division 1 – Boigu
- Cr Torenzo Elisala, Division 2 – Dauan
- Cr Conwell Tabuai, Division 3 – Saibai
- Cr Keith Fell, Division 4 – Mabuiag

RESOLUTION:

Moved: Cr Nona; *Second:* Cr Pearson

That Council accepts the apology from Cr Dimas Toby, Cr Torenzo Elisala, Cr Conwell Tabuai and Cr Keith Fell for their absence at this meeting.

MOTION CARRIED

10. 10:07am – 10:10am Declaration of Conflict of Interest (COI) Prescribed / Declarable

- Cr Jimmy Gela declared a declarable conflict of interest for Agenda Item 12 – LEGAL – CB – Ahwang -v- TSIRC Matter
 - Cr Jimmy Gela raised family connection concerns.
 - Senior Legal Counsel, Mr Peter Krebs provided legal advice on the conflict and confirmed this is a Declarable Conflict of Interest
 - The Council as Trustee voted in favour of Cr Jimmy Gela to remain in the room, participate in the discussion and vote on the matter.

11. 10:10am – 10:10am TRUSTEE MOVES INTO CLOSED BUSINESS

RESOLUTION:

Moved: Cr Aven Noah; *Second:* Cr Jimmy Gela

That in accordance with section 254J of the *Local Government Regulation 2012* (Qld) it is resolved for the meeting to go into closed session to discuss matters of the following nature:

(e) 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.

MOTION CARRIED

- **LEGAL – CB – Ahwang -v- TSIRC Matter**

12. 10:11am – 11:23am

LEGAL – CB – Ahwang -v- TSIRC Matter

RESOLUTION:

Moved: Cr John Levi; *Second:* Cr Laurie Nona

That Council approves the lodgement of an appeal against the decision of the Supreme Court in the matter of Ahwang v TSIRC which was handed down on 21 June 2021 and instructs the Chief Executive Officer to take all necessary steps to implement the appeal.

MOTION CARRIED

AGAINST – Cr Aven Noah

13. 11:24am – 11:24am

COUNCIL MOVE OUT OF CLOSED BUSINESS

RESOLUTION:

Moved: Cr Gela; *Second:* Cr Mosby

That the Trustee move out of Closed Business.

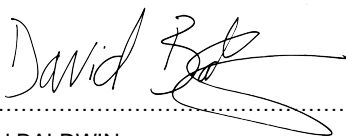
MOTION CARRIED

14. 11:24am – 11:27am

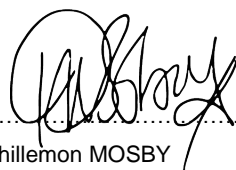
Closing Remarks and Prayer

Mayor Mosby invited Cr Levi to close with a word of Prayer

METTING CLOSED – 11:27am



David BALDWIN
Acting Chief Executive Officer
Torres Strait Island Regional Council
17th August 2021



Cr Phillemon MOSBY
Mayor
Torres Strait Island Regional Council
17th August 2021