



# MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

SEPTEMBER 2021

TRUSTEE MEETING

Tuesday 21<sup>st</sup> September 2021

Kirirri (Hammond) Island

## **PRESENT**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
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 – Kirriri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
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, Executive Director Financial Services (EDFS)  
Mr Dawson Sailor, Acting Executive Director Community & Building Services (AEDCS)  
Mr Adeah Kabai, Acting Executive Director Engineering Services (AEDES)  
Mr Peter Krebs, Senior Legal Counsel (SLC)  
Mrs Ursula Nai, Senior Executive Assistant (SEA)  
Ms Naila Nomoa, Acting Secretariat Officer (SO)

**TRUSTEE MEETING**  
**Tuesday 21<sup>st</sup> September 2021**

**1. 9:00am - 9:36am**

**Opening Prayer and Welcome**

Mayor Phillemon Mosby welcomed all Councillors and Staff to Hammond Island Ordinary Meeting. Mayor Mosby acknowledged Papa God for wisdom, knowledge upon our lives and acknowledge the traditional owners being the Kaurareg People and Zenadth Kes Elders past, present and emerging.

Mayor Phillemon Mosby invited Cr Levi to open the meeting with a word of prayer and remain standing for one minute silence.

Cr Seriako Dorante welcomed all Councillors and staff to the community of Hammond Island.

Mayor Phillemon Mosby spoke councillors conduct during the meeting and reminded Councillors of the EAP services available for councillors and intermediate families.

Acting Chief Executive Officer, Mr David Baldwin advised Councillors on several good news stories within the organisation.

Mayor Phillemon Mosby gave an update on Chief Executive Officer recruitment in Cairns.

**ACTION ITEM:** Chief Financial Officer to send flyer on Employee Assistance Program and their services to all Councillors.

**2. 9:36am – 9:37am**

**Apologies**

No Apologies.

**3. 9:37am - 9:40am**

**Declaration of Conflict of Interest (COI) Declarable and Prescribed**

Cr John Levi declared a Declarable Conflict of Interest in Council Meeting Agenda Item 7 – Legal – Transfer of St Pauls LHA (Katter) Lease from Dora Alice Uiduldam to Gayai Yamanu Ernest Uiduldam as Dora Uiduldam is his mother-in-law and therefore a related party under s150EP. Dora Uiduldam is the applicant in this matter and Cr John Levi declared an interest under s150EQ(4).

Cr John Levi proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Cr John Levi declared a Declarable Conflict of Interest in Council Meeting Agenda Item 8 – Legal – Transfer of St Pauls LHA Lease from Mavis Ware to Wilson Matthew Ned Kris as Mavis Ware is his cousin and therefore a related party under S150EP. Mavis Ware is the applicant in this matter and Cr John Levi declared an interest under s 150EQ(4).

Cr John Levi proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

**4. 9:40am – 9:41am**

**Confirmation of Trustee Meeting Minutes**

- **Trustee Meeting – 17<sup>th</sup> August 2021 – Video Conference**

**RESOLUTION:**

Moved: Cr Torenzo Elisala Second: Cr Lama Trinkoon

**That the Trustee accepts the minutes of the Trustee meeting held on the 17<sup>th</sup> of August 2021 via Video conference as a true and accurate account of the meeting.**

**5. 9:41am – 10:39am**

**Outstanding Action Items**

Acting Chief Executive Officer discussed the outstanding action items.

**ACTION ITEM:** Senior Legal Counsel to invite Mr Peter Lawrence to attend the Councillor Strategic Workshop to be held in November

**ACTION ITEM:** Manager of Information Services to do a PowerPoint presentation on IT at November Workshop.

**ACTION ITEM:** Interim Executive Director of Corporate Services to investigate the possibility of having an IT Champion on ground in each division.

**MORNING TEA 10:39am – 11:01am**

**6. 11:01am – 11:05am**

**Standing Agenda Item: (verbal update)**

- TRUSTEE – Undocumented commercial land occupation project – verbal update
- DOGIT Lease - verbal update

11:11am- Cr John Levi left room as per the previous declared Conflict of Interest.

**7. 11:05am – 11:13am**

**LEGAL – Transfer of St Pauls LHA (Katter) Lease from Dora Alice Uiduldam to Gayai Yamanu Ernest Uiduldam**

Senior Legal Counsel, Mr Peter Krebs spoke to this report.

**Recommendation:**

Moved; Cr Keith Fell Second; Cr Lama Trinkoon

**That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld), the Council as Trustee consent to the transfer of the Land Holding Act (Katter) lease 719331037 from Dora Uiduldam to Gayai Uiduldam for 54 Anu Namai Street (Lot 54 on SP256048) on St Pauls.**

**MOTION CARRIED**

**8. 11:13am – 11:15am**

**LEGAL – Transfer of St Pauls LHA Lease from Mavis Ware to Wilson Matthew Ned Kris**

Senior Legal Counsel, Mr Peter Krebs spoke to this report.

**Recommendation;**

Moved; Cr Keith Fell Second; Cr Lama Trinkoon

**That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld), the Council as Trustee consent to the transfer of the Land Holding Act (Katter) lease 719331037 from Mavis Ware to Wilson Matthew Ned Kris for 99 Ware Street (Lot 33 on SP256048) on St Pauls.**

**MOTION CARRIED**

11:15am Cr John Levi returned to the meeting.

**9. 11:15am – 11:30am**

**LEGAL – Warraber TCHHS sub-lease (Request for consent)**

Senior Legal Counsel, Mr Peter Krebs spoke to this report.

**Recommendation:**

Moved; Cr Kabay Tamu Second; Cr Aven Noah

**The Trustee resolves pursuant to the *Torres Strait Islander Land Act 1991* (Qld) and the *Land Title Act 1994* (Qld) to**

- consent to the sub-lease of lease 712724686 (Lease H located within Lot 43 SP270859, Warraber Island) from the Torres and Cape Hospital and Health Service (TCHHS) to the State of Queensland (represented by the Department of Energy and Public Works) on terms consistent with head lease 712724686

and

- consent to the sub-sublease of lease 712724686 from the State of Queensland (represented by the Department of Energy and Public Works) back to the Torres and Cape Hospital and Health Service (TCHHS) on terms consistent with head lease 712724686

and

- delegate to the Mayor and/or the Chief Executive Officer the power to execute a General Consent for the sub-lease and sub-sublease.

**MOTION CARRIED**

10. 11:39am – 11:43am LEGAL – CEQ Occupancy of Trust Land – Request for exemption of Trustee Lease charge of \$10.80 per square metre

Senior Legal Counsel, Mr Peter Krebs spoke to this report.

**Recommendation:**

Moved; Cr Laurie Nona Second; Cr Aven Noah

**That the Trustee resolves to:**

- Confirm the previous resolution of the Trustee that CEQ must pay the required rental rate of \$10.80 per square metre under a lease as per the resolution of 25 and 26 June 2019.

**. MOTION CARRIED**

**ACTION ITEM:** Senior Legal Counsel to email Councillors to obtain information for other businesses operating in our local government area and provide a report to Council on current lease charges

11. 11:43am – 11:44am Next meeting – Tuesday 19<sup>th</sup> October 2021 via Video Conference.

12. 11:44am – 12:00pm Closing Remarks and Prayer

12:03pm – Meeting closed.