



# Trustee Meeting

## Agenda

**Date:** 18 July 2023  
**Time:** 9.00am  
**Venue:** WUG (St Paul's Community)  
Aka Demaga Uruba Ware Community Hall  
Lot 206 Saveka Street  
St Pauls Community  
Moa Island, Torres Strait

# Agenda

TSIRC **Trustee** Meeting – 18 July 2023  
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Time	Agenda	
9.00am	1.	Welcome (Chair)
9.05am	2.	Opening Prayer
9.10am	3.	Attendance
9.15am	4.	Apologies
9.20am	5.	Conflict of Interest (COI) - Declarable/Prescribed
9.25am	6.	Previous Minutes (27 June 2023)
9.35am	7.	Action Items from Previous Meetings
10.15am	8.	BUSINESS ARISING
10.20am	9.	Next Meeting: <b>[TBC] 15 August 2023 (VC)</b>
10.25am	10.	Closing Remarks & Prayer



TORRES STRAIT ISLAND  
REGIONAL COUNCIL

## **DRAFT TRUSTEE COUNCIL MEETING**

27 June 2023

**COUNCIL TRUSTEE MEETING**  
**Tuesday 27 June 2023**

**PRESENT:**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu (*joined meeting at 9.20am*)  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Lama Trinkoon, Division 6 – Arkai  
Cr John Levi, Division 7 – Wug (St. Pauls), Mua Island  
Cr Seriako Dorante, Division 8 – Kirirri (Hammond)  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Rocky Stephen, Division 13 – Ugar  
Cr Jimmy Gela, Division 14 – Erub  
Division 15 – Mer was not represented

**PRESENT:**

Mr James William, Chief Executive Officer  
Ms Hollie Faithfull, Executive Director Financial Services  
Mr David Baldwin, Executive Director Engineering Services  
Mr Wayne Green, Executive Director Building Services  
Mr Dawson Sailor, Head of Community Services  
Mr David Kempton, Acting Executive Director Corporate Services  
Ms Julia Mauro, Senior Legal Officer  
Ms Julie Marino, Senior Executive Assistant to the Chief Executive Officer  
Ms Trudy Lui, Executive Assistant to the Mayor  
Mr Darryl Brooks, Secretariat Officer

**APOLOGIES:**

Cr Keith Fell, Division 4 – Mabuiag (medical reasons)  
Cr Laurie Nona, Division 5 – Badu (Sorry Business)  
Cr Getano Lui (Jnr), Deputy Mayor Division 9 – Iama (Sorry Business)  
Cr Hilda Mosby, Division 12 – Masig (medical reasons)

**COUNCIL TRUSTEE MEETING**  
**Tuesday 27 June 2023**

**1. 9:10am Welcome**

Our Mayor Mosby commenced the Council's video conference Meeting for June 2023. Mayor Mosby recognised the commitment and dedication of Councillors, the Chief Executive Officer, Executive and staff.

Our Mayor Mosby also acknowledged the traditional Aboriginal custodians of Cairns, where this meeting was being held; as well as:

- Cultural acknowledgements for the Torres Strait region across the length and breadth of Zenadth Kes and the Gimuy-walubarra yidi people – the traditional owners of the lands on which we are meeting;
- Our Heavenly Father for his awesome wisdom, knowledge and understanding;
- Those who work in health; educators of our children; those who work in employment services; and
- All Elders, past, present and emerging.

**2. Opening Prayer**

Cr John Levi asked everyone to be upstanding and delivered the opening prayer, followed by one minute silence in respect of those who are currently experiencing Sorry Business.

May their Souls rest in peace.

**3. Attendance**

Mayor Mosby completed a roll call of Councillors to establish a Quorum. A Quorum was achieved.

**4. Apologies**

Mayor Mosby reminded Council to advise Secretariat in advance by text or email if they are an apology.

The following apologies were tabled.

- Cr Keith Fell, Division 4 – Mabuiag (medical apology by email)
- Cr Laurie Nona, Division 5 – Badu (apology by email)
- Cr Getano Lui (Jnr), Deputy Mayor, Division 9 -Iama (Sorry Business apology by email)
- Cr Hilda Mosby, Division 12 – Masig (medical – apology by text)

**RESOLUTION**

*Moved: Cr Torenzo Elisala; Second: Cr Francis Pearson*

**That Council accepts the apology for Cr Keith Fell, for the June 2023 Trustee Meeting.**

**MOTION CARRIED UNANIMOUS**

**RESOLUTION**

*Moved: Cr Jimmy Gela; Second: Cr Rocky Stephen*

**That Council accepts the apology for Cr Laurie Nona, for the June 2023 Trustee Meeting.**

**MOTION CARRIED UNANIMOUS**

**COUNCIL TRUSTEE MEETING**  
**Tuesday 27 June 2023**

**RESOLUTION**

*Moved: Cr Rocky Stephen; Second: Cr Kabay Tamu*

**That Council accepts the apology for Cr Getano Lui (Jnr), for the June 2023 Trustee Meeting.**

**MOTION CARRIED UNANIMOUS**

**RESOLUTION**

*Moved: Cr Torenzo Elisala; Second: Cr Francis Pearson*

**That Council accepts the apology for Cr Hilda Mosby, for the June 2023 Trustee Meeting.**

**MOTION CARRIED UNANIMOUS**

**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 Council business to be considered at the meeting. No such declarations were made.

**6. Confirmation of Previous Trustee Minutes of 25 May 2023**

**RESOLUTION**

*Moved: Cr Francis Pearson; Second: Cr Jimmy Gela*

**That Council resolves to accept the minutes of the Trustee Meeting held on 25 May 2023, to be a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUSLY**

**7. Action Items from Previous Meetings**

Acting Executive Director Corporate Services provided the Council with a verbal update on action items from the Trustee Meeting held in May 2023.

**Agenda Item 12 (Business Arising) – Status of Ugar and Saibai re DOGIT**

- Cr Rocky Stephen asks when will we have the lessons learned meeting with the effected communities, along with advice to those communities from Council on a recommended way forward.
- Acting Executive Director Corporate Services commented that the current issue is that the transfer process is driven by the Department according to Government policy and consultation does not necessarily include all of the options available both to Council or to the community. The letter to the Premier therefore seeks to delay matters until Council's policies around freehold and trustee policy. Hopefully, these policies can be presented to the November 2023 Council Workshop.
- Cr Torenzo Elisala requested that the correspondence also highlight the complexities that exist between local PBC, GBK and TSIRC interests and issues around these complexities and any proposed solutions need to be diplomatically communicated to the Premier.

**COUNCIL TRUSTEE MEETING**  
**Tuesday 27 June 2023**

- Chief Executive Officer – we have to consider our options if we engage with the PBC and GBK – this is the challenge. Dealing directly with one interest group without going through another, immediately affords the potential for matters to become political, then our strategy must change – this is a challenge.
- Cr Rocky Stephen – commented that the Acting Executive Director Corporate Services gave us some excellent information at the Workshop including a new perspective on how to strategically address the process and that is why I am really supporting the letter to the Premier go out.
- Acting Executive Director Corporate Services advised that all parties concerned need to understand what the bigger issues are. Basically the recommended approach is that the Government has to stop the current process whilst we have conversations with our Communities and ascertain their preferences for the best way forward for them. The Government holds the Native Title – so this is a very complex conversation.
- Chief Executive Officer supported this approach and recommended that the Council be guided by the approach proposed by the Acting Executive Director Corporate Services.
- Acting Executive Director Corporate Services will send an updated version of the letter to the Premier to Mayor Mosby.

**8. Corporate Services – Freehold Policy**

**RESOLUTION**

*Moved: Cr Rocky Stephen; Second: Cr John Levi*

**Council resolves to refer the pathway to residential freehold to SARG committee to prepare a policy addressing:**

- 1. The statutory and practical implications of residential freehold land on Torres Strait Island DOGIT.**
- 2. The comparative advantages and disadvantages of residential freehold as against 99-year home ownership leases.**
- 3. The Native Title Act considerations.**
- 4. What impact the transfer of the DOGIT to the PBC or other Land Trust would have on the residential freehold option.**
- 5. The interactions with Council Trustee lease policy, and**
- 6. The role of security of tenure in self-governance.**

**MOTION CARRIED UNANIMOUSLY**

**9. Business Arising**

No business discussed.

**10. Next Meeting**

Council noted that its next meeting will be a face to face on 18 July 2023 at St Pauls (to be endorsed formally at this June 2023 meeting).

**COUNCIL TRUSTEE MEETING**  
**Tuesday 27 June 2023**

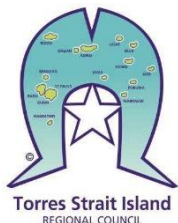
**11. Closing Remarks & Prayer**

Our Mayor Mosby thanked Councillors, Chief Executive Officer, Executive and Administration Staff for their contributions to the Trustee Meeting and closed the meeting at 9.40am for a short break prior to commencement of the Ordinary Meeting agenda.

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**Mr James William**  
**Chief Executive Officer**  
**Torres Strait Island Regional Council**  
**Date:**

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**Cr. Phillemon Mosby**  
**Mayor**  
**Torres Strait Island Regional Council**  
**Date:**





# TRUSTEE MEETING

## ACTION ITEMS

### Actions Arising from June 2023 Meeting / **NIL**

OUTSTANDING ACTIONS FROM PREVIOUS MEETINGS			
Agenda Item	Action	Action Area	Current Status
7B	<b>Power of Veto</b>  Acting Executive Director Corporate Services to prepare a briefing paper on Power of Veto matters for consideration at an upcoming meeting of the Culture, Arts, Land and Heritage Committee.	Acting Executive Director Corporate Services	To be completed. Will be considered at July 2023 Committee Meeting.
8	<b>St Paul's Lots 46 and 152 – Consent to development application</b>  Chief Executive Officer to write to CEQ to clarify that the granting of this consent to development application should not be regarded by CEQ as ongoing acceptance by the Council of the terms and conditions under the existing current leasing arrangements.	Senior Legal Officer, Corporate Services	In progress.
12	<b>Business Arising (Status of Ugar and Saibai re DOGIT)</b>  Further information to be provided to Minister Scott Stewart by Chief Executive Officer on TSIRC's stand on DOGIT and lessons learned.	Chief Executive Officer	In progress. The Department remains steadfast to maintaining the status quo. Letter to Premier to urge the Department to stop the urgency and consider the unintended consequences impacting on the community.