



Confirmed Minutes

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)

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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

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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.

- 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

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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).

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: 18/7/2023



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Cr. Phillemon Mosby
Mayor
Torres Strait Island Regional Council
Date: 18/7/2023