



Minutes

TRUSTEE COUNCIL MEETING

20 February 2024

MINUTES: Trustee Council Meeting – February 2024

[Confirmed @ March 2024 Trustee Council Meeting]

PRESENT:

Councillors

Mayor

Division 3 – Saibai
Division 4 – Mabuag
Division 5 – Badu
Division 6 – Arkai
Division 8 – Kirirri
Division 9 - Iama
Division 12 – Masig
Division 13 - Ugar
Division 15 – Mer

Cr Phillemon Mosby
Cr Conwell Tabuai
Cr Keith Fell
Cr Ranetta Wosomo
Cr Lama Trinkoon
Cr Seriako Dorante
Cr Getano Lui (Jnr) AM (**Deputy Mayor**)
Cr Hilda Mosby
Cr Rocky Stephen
not represented

Officers:

Chief Executive Officer
Executive Director Building Services
Executive Director Community Services
Executive Director Corporate Services
Executive Director Engineering Services
DOGIT Transfer, Land Tenure & Native Title Advisor
Executive Support Coordinator
Executive Assistant to the Mayor
Secretariat

Mr James William
Mr Wayne Green
Mr Dawson Sailor
Ms Susanne Andres
Mr David Baldwin
Ms Joanne Bryant
Ms Sharon Russell
Ms Trudy Lui
Darryl Brooks

APOLOGIES:

Division 1 - Boigu
Division 2 - Dauan
Division 10 – Warraber
Division 11 – Poruma
Division 14 – Erub

Cr Dimas Toby – *immediate family member needing assistance*
Cr Torenzo Elisala – *prior GBK commitments*
Cr Kabay Tamu – *prior GBK commitments*
Cr Francis Pearson – *prior training commitments in Cairns*
Cr Jimmy Gela – *prior GBK and Malu Lamar Meeting commitments*

1. Welcome | Quorum Confirmation | Opening Prayer

The Mayor formally opened the February 2024 Trustee meeting at 9.20am, noting that a quorum of members were present.

The Mayor welcomed attendees and made the following acknowledgements:

- The Traditional Custodians throughout Zenadth Kes and the communities and constituents that Council serves;
- The Traditional Custodians of the Cairns region which hosts Council's Cairns footprint on Country;
- Our Heavenly Father for his awesome wisdom, knowledge, understanding, favour and blessings throughout our lives.

The Mayor also conveyed to those members of the Torres Strait Islander community – both in the homelands and on the Australian mainland – who may be observing Sorry Business at this time, the thoughts and prayers of all Councillors.

Cr Keith Fell delivered the opening prayer and the Mayor invited participants to observe a minute of silence for remembrance purposes.

2. Apologies

The following apologies were noted:

Division 1 - Boigu

Division 2 - Dauan

Division 10 – Warraber

Division 11 – Poruma

Division 14 – Erub

Cr Dimas Toby – *immediate family member needing assistance*

Cr Torenzo Elisala – *prior GBK commitments (also as advised at the February 2024 Trustee meeting)*

Cr Kabay Tamu – *prior GBK commitments*

Cr Francis Pearson – *prior training commitments in Cairns*

Cr Jimmy Gela – *prior GBK and Malu Lamar Meeting commitments*

RESOLUTION

Moved: Cr Keith Fell

Second: Cr John Levi

Council accepts the apology of Cr Dimas Toby for the February 2024 Trustee Council Meeting.

CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Conwell Tabuai

Second: Cr Lama Trinkoon

Council accepts the apology of Cr Torenzo Elisala for the February 2024 Trustee Council Meeting.

CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Keith Fell

Second: Cr Conwell Tabuai

Council accepts the apology of Cr Kabay Tamu for the February 2024 Trustee Council Meeting.

CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Keith Fell

Second: Cr Ranetta Wosomo

Council accepts the apology of Cr Francis Pearson for the February 2024 Trustee Council Meeting.

CARRIED UNANIMOUSLY

RESOLUTION

Moved: Cr Keith Fell

Second: Cr Ranetta Wosomo

Council accepts the apology of Cr Jimmy Gela for the February 2024 Trustee Council Meeting.

CARRIED UNANIMOUSLY

3. Conflict of Interest (COI) - Declarable/Prescribed

The Mayor invited Councillors to make any relevant conflict of interest declarations and to also advise if they were currently involved in any legal proceedings which pertain to the Trustee Council business to be considered at the meeting.

- **Cr John Levi** declared a perceived COI in relation to Agenda Item 6 (Amendment of Social Housing Lease – St Pauls Community on Mua Island) as he is a resident of the community and left the meeting during the deliberation and decision-making.

4. Confirmation of Council Trustee Meeting Minutes – January 2024

RESOLUTION

Moved: Cr Lama Trinkoon

Second: Cr Conwell Tabuai

Trustee Council confirms that the Minutes for the Council Trustee Meeting held on 23 January 2024 are a true and accurate record of that meeting.

CARRIED UNANIMOUSLY

5. Action Items from Previous Trustee Council Meetings

The Trustee Council noted the verbal update provided by the Chief Executive Officer on the status of Action Items arising from the previous meeting.

- *Cr John Levi signed-out of the TEAMS application prior to the commencement of discussion on this agenda item.*

6. CORPORATE SERVICES: Amendment of Social Housing Lease – St Pauls Community on Mua Island

OFFICER RECOMMENDATION:

That the Trustee delegate to the Chief Executive Officer the power to finalise and execute on behalf of the Trustee, the amendments considered in this report to Lease No. 718552835, (the Lease) which was granted by the Trustee as lessor to the State of Queensland represented by Department of Housing.

RESOLUTION:

Moved: Mayor Mosby

Second: Cr Conwell Tabuai

That the Trustee delegate to the Chief Executive Officer the power to finalise and execute on behalf of the Trustee, the amendments considered in this report to Lease No. 718552835 (the Lease) which was granted by the Trustee as lessor to the State of Queensland represented by Department of Housing.

CARRIED UNANIMOUSLY

- *Cr John Levi was requested to sign back in to the TEAMS application following endorsement of the agenda item above.*

7. CORPORATE SERVICES: LHA Lease Transfer: Hammond Lot 7 on SP248418

OFFICER RECOMMENDATION:

The Trustee resolves pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 to:

- consent to the transfer of a trustee lease (Lease No. 719137195) from Rosina Hadassah Neibling over Lot 7 SP248418 (title reference 51067141) to Patricia Joy Sabatino; and*
- delegate to the Mayor and the Chief Executive Officer each the power to execute the General Consent form.*

RESOLUTION:

Moved: Cr Keith Fell

Second: Cr Conwell Tabuai

The Trustee resolves pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 to:

- consent to the transfer of a trustee lease (Lease No. 719137195) from Rosina Hadassah Neibling over Lot 7 SP248418 (title reference 51067141) to Patricia Joy Sabatino; and
- delegate to the Mayor and the Chief Executive Officer each the power to execute the General Consent form.

CARRIED UNANIMOUSLY

8. BUSINESS ARISING

Iama (Yam) Island DOGIT – Update

The Deputy Mayor requested an update in relation to the recent decisions of the Queensland Minister for Resources with respect to the transfer of the Iama Island Deeds of Grant in Trust (DOGIT).

The Chief Executive Officer (Mr James William) recapped for the benefit of Councillors that two formal actions were initiated by Council in response to the Minister's decision:

- An Application for Statutory Order of Review ('Judicial Review Application') was filed on 8 January 2024 and is still in progress; and
- Filing of a stay application on 9 January 2024 to seek an order preventing the Minister from carrying out the Decisions. That stay application was listed for hearing on 22 January 2024 and was subsequently unsuccessful.

The Chief Executive Officer advised that he will be meeting with Council's legal representatives (Moray & Agnew) later this week and following that meeting he will be in a better position to update Council with a current status report in relation to the Judicial Review Application. The Chief Executive Officer will then provide an update to Councillors out of session.

The Chief Executive Officer took the opportunity to introduce to Council the newly-appointed DOGIT Transfer, Land Tenure & Native Title Advisor (Ms Joanne Bryant) to oversee Council's strategies into the future.

9. Next meeting: 5 March 2024 (Iama)

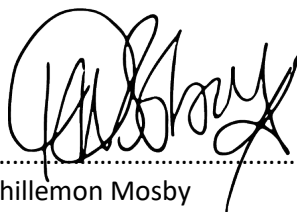
Noted by the Trustee Council.

16. Closing remarks and Prayer

The Mayor closed the Trustee Meeting at 10.40am.



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Mr James William
Chief Executive Officer
Torres Strait Island Regional Council
Date: 5 March 2024



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Cr Phillemon Mosby
Mayor
Torres Strait Island Regional Council
Date: 5 March 2024