



# CULTURE, ARTS, LAND & HERITAGE COMMITTEE MEETING 15 March 2023

## MINUTES

Cr Aven S. Noah (Chairperson) opened the meeting at 10.15am, welcomed Cr Nona and TSIRC staff and offered a prayer to guide the Committee throughout its proceedings.

The Chairperson gave an acknowledgement of the Torres Strait Islander traditional custodians and their connection to Country within the Council's footprint and gave additional acknowledgement to past, present and emerging leaders.

A minute's silence was also observed to reflect.

The following attendances were confirmed:

### TSIRC CALH Committee Members

Cr Aven S. Noah (Division 15 - Mer)	Chairperson
Cr Laurie Nona (Division 5 – Badu)	Committee Member

### TSIRC OFFICERS

Executive Director Corporate Services	Ms Noeleen Selke
Senior Legal Officer	Ms Julia Mauro
TSIRC Secretariat	Mr Darryl Brooks

The Chairperson confirmed, therefore, that the required quorum of Members was present for the meeting to proceed.

The following apology was noted:

### TSIRC CALH Committee

Cr Torenzo Elisala (Division 2 – Dauan)	Committee Member
---	------------------

The Chairperson requested that attendees make any relevant conflict of interest declarations and advise if any relevant legal proceedings were current pertaining to Committee business to be considered at the meeting.

No such declarations were made.

## 1 CONFIRMATION OF PREVIOUS MINUTES

### 1.1 Ratified Minutes of the CALH Committee Meeting held on 25 February 2022.

The Committee noted the Ratified Minutes of the CALH Committee Meeting held on 25 February 2022.

**Moved:** Cr Aven S. Noah

**Seconded:** Cr Laurie Nona

**Against:** N/A

*Carried Unanimously*

## 2 ACTIONS ARISING FROM PREVIOUS MEETING

The Chairperson noted that as the Committee had not met since its 25 February 2022 meeting, it would be prudent to review the Minutes from that meeting to ascertain the current status of the issues under discussion at the time.

The following matters were reviewed:

- **Torres Strait Flag – Licensing and copyright issues**  
Unauthorised and inappropriate usage of Torres Strait Flag imagery remains an ongoing issue. Of particular concern is its unauthorised use for commercial gain. A strong and robust flag licensing policy for Council endorsement needs to be developed as a priority and then policed by the TSIRC. The Committee requested that an opportunity be sought to engage with the law firm Terri Janke and Company in relation to Indigenous Cultural and Intellectual Property (ICIP) advice for the policy. Further follow-up with the TSIRC's Head of Community Services (former Executive responsible for the CALH Committee) should also be undertaken as a useful source of background information in relation to the development to date of the policy.

Action	Responsible Area	Status
1. A strong and robust flag licensing policy for Council endorsement needs to be developed (in consultation with the Namok Family) as a priority and then policed by the TSIRC.	Legal Services	
2. The Committee requested that an opportunity be sought to engage with the law firm Terri Janke and Company in relation to Indigenous Cultural and Intellectual Property (ICIP) advice for the policy. Further follow-up with the TSIRC's Head of Community Services (former Executive responsible for the CALH Committee) should also be undertaken as a useful source of background information in relation to the development to date of the policy.		

- **Visitor's Application Portal**

An interim review of the content of the Portal should be undertaken as soon as possible to ensure that information and officer contacts are current. A longer-term goal will be to update the Portal to align with an updated and TSIRC approved Trustee policy that addresses visitor permits.

Action	Responsible Area	Status
Secretariat to follow-up on reviewing the content of the Visitor's Application Portal.	Secretariat	

- **Firearms Licence – Legal**

The Committee noted that this issue was to be addressed in the development of an updated TSIRC Trustee Policy.

- **Cultural Heritage Act 2003 Review**

The Committee requested an update be provided at its 24 May 2023 meeting on the outcomes of recommendations made to the Review by the TSIRC.

Action	Responsible Area	Status
Update on the review of the <i>Aboriginal and Torres Strait Islander Cultural Heritage Act 2023</i> to be provided to the Committee's May 2023 meeting.	Legal Services	

- **Radio Licensing**

The Committee requested a briefing paper be prepared for it to recommend to Council a strategic approach to securing a more robust media and broadcasting policy for the Torres Strait Islands. Further follow-up with the TSIRC's Head of Community Services (former Executive responsible for the CALH Committee) should also be undertaken as a useful source of background information in relation to the development to date of the policy.

Action	Responsible Area	Status
<ol style="list-style-type: none"> <li>1. Legal Services to liaise with the TSIRC CEO and Head of Community Services regarding the development of a media and broadcasting policy.</li> <li>2. Briefing paper to be prepared for the Committee to consider recommending a more robust broadcasting policy for the Torres Strait Islands.</li> </ol> <p><i>Committee Chair recommends further discussion with Mr Jim Remedio and Mr Gilmore Johnston (Blackstar Radio), as well as TSIMA and the TSRA.</i></p>	Legal Services	

- **Identity – copyright and wearing of sacred costumes, dances, artefact, etc.**  
Discussion on this issue at the last Committee meeting centred around the issue of inappropriate wearing of a headdress at a NRL post-match celebration. Further consideration is required by the Committee on the development of an appropriate policy.

**Moved:** Cr Aven S. Noah

**Seconded:** Cr Laurie Nona

**Against:** N/A

*Carried Unanimously*

### 3 EXECUTIVE DIRECTOR CORPORATE SERVICES REPORT

The Chairperson welcomed the Executive Director Corporate Services, Ms Noeleen Selke, to the Committee and indicated that he and fellow Committee Members looked forward to working with her into the future.

Ms Selke thanked the Chairman and Members for her welcome. She also expressed her enthusiasm to assist the Committee in its deliberations and to work to set in place processes to advance the important work of this portfolio.

The Committee noted the verbal report by the ED Corporate Services.

**Moved:** Cr Aven S. Noah

**Seconded:** Cr Laurie Nona

**Against:** N/A

*Carried Unanimously*

### 4 DEPUTATIONS

There were no deputations for this meeting.

### 5. CLOSED BUSINESS

In accordance with regulation 254J (3)(e) of the *Local Government Regulation 2012* (Qld) the Committee resolved to go into closed business to discuss Agenda Items 5.1 and 5.2.

**Moved:** Cr Laurie Nona

**Seconded:** Cr Aven S. Noah

**Against:** N/A

*Carried Unanimously*

Following discussion of the above matters, the Committee resolved to move out of closed business.

**Moved:** Cr Laurie Nona

**Seconded:** Cr Aven S. Noah

**Against:** N/A

*Carried Unanimously*

## RESOLUTIONS ARISING FROM MATTERS DISCUSSED IN CLOSED BUSINESS:

### 5.1. November 2021 CLOSED BUSINESS Trustee Report – Visitor Entry onto DOGIT and COVID-19 Protocols

Ms Julia Mauro, Senior Legal Officer, spoke to this item and provided the Committee with an update on the status of a resolution arising from the November 2021 Trustee meeting regarding visitor entry onto DOGIT areas during the COVID-19 pandemic.

At the November 2021 meeting (and a subsequent Councillors' Workshop in November 2022) the Council recommended that the Queensland Government be approached to issue a notice for the TSIRC's local government area – either as a public health directive/remote area declaration with necessary statutory powers delegated to TSIRC – which would also accommodate Council's preference for each Divisional Councillor to have the clear power to regulate entry to their communities.

Ms Mauro further advised the Committee that the recommended changes to TSIRC's Local Laws (particularly Subordinate Local Law No. 7) proposed by TSIRC in this regard is now an outstanding action item.

The Committee noted Cr Elisala's previous request to streamline the community entry process.

Action	Responsible Area	Status
ED Corporate Services and Senior Legal Officer to follow-up further (particularly regarding required amendments to Subordinate Local Law No. 7) with the incoming Manager of Legal Services and resubmit to the Committee.	Legal Services	
Legal Services to advise on visitor entry onto DOGIT: Can Councillors delegate the community entry process to the PBC?	Legal Services	

**Moved:** Cr Aven S. Noah

**Seconded:** Cr Laurie Nona

**Against:** N/A

*Carried Unanimously*

## 5.2. Trustee Policy Review

The Committee recommended:

1. That SARG endorse a community consultation process for each TSIRC DOGIT community, with inter-agency stakeholder consultation (including each RNTBC), to confirm DOGIT decision-making processes, and update the Trustee Policy accordingly.
2. Further, that SARG recommend that Council hire an additional lawyer (contract special projects officer) in FY23/24 to run the home-ownership project.
3. That SARG record the following Action item: Legal Services to write a CEO letter to DSDSATSIP and DCDEH to propose a home-ownership working group (interdepartmental) roadshow to visit each TSIRC DOGIT community to deliver home-ownership information and confirm the community decision-making process for leases in each community.

**Moved:** Cr Laurie Nona  
**Seconded:** Cr Aven S. Noah  
**Against:** N/A

*Carried Unanimously*

Action	Responsible Area	Status
<p>The following recommendations be submitted for consideration at the next meeting of the Council's Strategic Advisory Reference Group:</p> <ol style="list-style-type: none"><li>1. That SARG endorse a community consultation process for each TSIRC DOGIT community, with inter-agency stakeholder consultation (including each RNTBC), to confirm DOGIT decision-making processes, and update the Trustee Policy accordingly.</li><li>2. Further, that SARG recommend that Council hire an additional lawyer (contract special projects officer) in FY23/24 to run the home-ownership project.</li><li>3. That SARG record the following Action item: Legal Services to write a CEO letter to DSDSATSIP and DCDEH to propose a home-ownership working group (interdepartmental) roadshow to visit each TSIRC DOGIT community to deliver home-ownership information and confirm the community decision-making process for leases in each community.</li><li>4. Apply CPI increase to all Trustee lease rent rates except for the community rate.</li></ol>	Legal Services	

## 6 BUSINESS ARISING/OTHER BUSINESS

No other business was discussed.

## 7 NEXT MEETING

The Committee noted that its next meeting will be held on 24 May 2023 by video conference.

The meeting closed at 12.25pm and Cr Laurie Nona closed the meeting with Prayer.



.....  
Mr James William  
Chief Executive Officer  
Torres Strait Island Regional Council  
Date: 13/9/2023



.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date: 13/9/2023

RATIFIED