



# MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

NOVEMBER 2020

TRUSTEE MEETING

Monday 16<sup>th</sup> November 2020, 9:25am – 11:23am

Corporate Conference Room, Barlow Park  
Cnr Scott and Severin Street, Cairns

## **Monday 16<sup>th</sup> November 2020**

### **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 – Mabuig  
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 Aven Noah, Division 15 – Mer

Ms Hollie Faithfull, Acting Chief Executive Officer (ACEO)  
Ms Nicola Daniels, Acting Chief Financial Officer (ACFO)  
Mr Ilario Sabatino, Chief Operating Officer (COO)  
Mr David Baldwin, Chief Engineer (CE)  
Mr Peter Krebs, Senior Legal Counsel (SLC)  
Mrs Ursula Nai – Senior Executive Assistant (SEA)  
Mrs Kathy Cochran – Secretariat Officer (SO)

### **Apologies**

POSITION VACANT - Division 14 – Erub

**TRUSTEE MEETING**  
**Monday 16<sup>th</sup> November 2020**  
**Agenda Items**

1. **9:25am - 9:28am** **Opening Prayer and Welcome**  
Mayor Mosby welcomed Councillors and Staff to the meeting and invited Cr Pearson to open the meeting in prayer.
  
2. **9:28am – 9:29am** **Apologies**  
No apology. Mayor informed everyone Cr Stephen and Cr Hilda Mosby will be attending soon.
  
3. **9:29am - 9:39am** **Declaration of Conflict of Interest (COI) Prescribed or Declarable**
  - Cr Pearson declared a conflict for Agenda Item #8 – Legal – DA – Poruma Seawall. Cr Pearson is the Division Councillor for Poruma and a member of the Porumalgal PBC.
  - Mayor Mosby declared a conflict for Agenda Item #8 – Legal - DA – Poruma Seawall. Mayor Mosby is the Chair of the Porumalgal PBC and is based on Poruma.
  - Cr Hilda Mosby declared a conflict for Agenda Item #6&7 - Legal – DA – Lot 20 & Lot 26 Masig. Cr Mosby is a close relative.  
Council agrees for Cr Hilda Mosby to stay in the room until the Agenda item is tabled.
  
4. **9:39am – 9:43am** **Confirmation of Minutes of Trustee Meeting held on 27<sup>th</sup> October 2020**  
*Amendments:*
  - 7. Report title should read – “TCHHS Lease - Mabuiag” not Warraber
  - Attendance list – remove Division 14 – Erub

**RESOLUTION:**  
*Moved:* Cr Trinkoon; *Second:* Cr Pearson  
That the minutes of the Council Trustee Meeting held on 27<sup>th</sup> October 2020, be adopted as a true and accurate record of that meeting with the above amendments.

**MOTION CARRIED**
  
5. **9:43am – 9:44am** **Standing Agenda Item: (verbal update)**
  - TRUSTEE – Undocumented commercial land occupation projectSenior Legal Counsel, Mr Peter Krebs provided the Trustee with an update. Currently in negotiation with Ergon and IBIS, some stores have no lease. Other entities, continued investigations into their occupation.

6. **9:44am – 10:15am** **LEGAL – Development Application – Masig – Lot 20**

- Cr Hilda Mosby declared a conflict. Cr Mosby is a close relative. Cr Mosby leaves the room.

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

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Toby

**That the Trustee consent to the Application for a Development Permit for “Reconfiguration of Lot” (1 Lot into 3 Lots) – Proposed Lots 20, 38 and 201 cancelling Lot 20 on SP277431 with the inclusion of the conditions set out in Part 6 of the Agenda Report for Masig Island, Masig QLD 4875.**

**MOTION CARRIED**

**FOR NOTING:** Cr Nona raised an issue with the process and Cr Toby supports Cr Nona and reiterates we need to get the process right before we move forward.

**ACTION:** CEO to invite DATSIP to deputise with Council to address the process around Katter leases and 99-year leases.

7. **10:15am – 10:25am** **LEGAL – Development Application – Masig – Lot 26**

- Cr Hilda Mosby declared a conflict. Cr Hilda Mosby is a close relative. Cr Hilda Mosby is still out of the room.

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

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Tamu

**That the Trustee consent to the Application for a Development Permit for ‘Reconfiguration of a Lot’ (1 Lot into 2 Lots) - Proposed Lots 26 and 261 cancelling Lot 26 on SP277431 with the inclusion of the conditions set out in Part 6 of the Agenda Report for Masig Island, Masig QLD 4875.**

**MOTION CARRIED**

**Against: Cr Levi**

8. **10:25am – 10:47am** **LEGAL – Development Application – Poruma Seawall**

- Cr Pearson declared a conflict of interest. Cr Pearson is the Divisional Councillor for Poruma and a member of the Porumalgal PBC.
- Mayor Mosby declared a conflict of interest. Mayor is the Chair of the Porumalgal PBC and is based on Poruma.

Mr Peter Krebs, Senior Legal Counsel spoke to the report

**RESOLUTION:**

*Moved:* Cr Pearson; *Second:* Cr Stephen

**That the Trustee consent to the Application for a Development Permit for ‘Operational Works (Prescribed Tidal Works) Stages 4 & 5 and Environmental Authority (Material Change of Use) for Dredging for Stages 1-5’ with the inclusion of the conditions set out in Part 6 of the Trustee Report, for the Seawall on Poruma (Coconut Island), subject to native title future act validation.**

**MOTION CARRIED**

Cr Dorante asked about the left-over materials to be sold. CEO advised Council has a process in place to dispose of material locally.

Cr Stephen asked if the removal of waste by contractors can be incorporated into the contracts.

Cr Toby applied to be excused due to his wife going into emergency surgery.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Trinkoon

**That Council accepts the apology from Cr Toby for his absence at the meeting.**

**MOTION CARRIED**

Cr Toby is excused and leaves the meeting at 10:47am.

**9. 10:47am – 10:58am LEGAL – Delegations Register Update**

Mr Peter Krebs, Senior Legal Counsel spoke to the report. Cr Lui suggested anything to do with Land should go to the Mayor to satisfy Council.

**ACTION:** MLS to change the delegation of the CEO to consult with the Mayor on Land matters.

**MATTER TO LAY ON THE TABLE – December 2020 Ordinary Meeting**

**10:58am – 11:10am – MORNING TEA**

**10. 11:10am – 11:22am LEGAL – Policy Review – Trustee Policy1**

Cr Lui suggest the Policy be workshopped for the benefit of the new Councillors.

**MATTER TO LAY ON THE TABLE**

CEO briefed Council on a matter regarding an operation involving a desalination plant enroute to Papua New Guinea via Saibai. This is not a TSIRC run operation. Band on all cross-border movement is still in place. Cr Lui further advised Council to inform their communities to be more vigilant.

**11. 11:22am – 11:22am Next meeting - 9<sup>th</sup> December 2020 – Badu**

Next meeting to be held at Badu on the 9<sup>th</sup> December 2020.

**12. 11:22am – 11:23am Closing Remarks**

Mayor Mosby declared the Trustee meeting closed.



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**David Baldwin**  
**Acting Chief Executive Officer**  
**Torres Strait Island Regional Council**  
**9<sup>th</sup> December 2020**



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**Phillemon Mosby**  
**Mayor**  
**Torres Strait Island Regional Council**  
**9<sup>th</sup> December 2020**