

MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

DECEMBER 2020

TRUSTEE MEETING

Tuesday 8th December 2020, 9:20am – 10:15am

Community Hall, Badu Island

TRUSTEE MEETING
Tuesday 8th December 2020

1. **9:20am - 9:29am** **Opening Prayer and Welcome**

Mayor Mosby welcome Councillors and Staff to the Trustee meeting and invites Cr Fell to open the Trustee meeting in prayer. Mayor Mosby invited Cr Nona to address the Council. Cr Nona as the Councillor for Division 5 – Badu welcomed everyone to Badu and thank the Council holding their December Ordinary meeting in his Division.

Mayor Mosby acknowledge and pay respect to the Traditional owners of land in which we meet and to all Elders past, present and emerging.

2. **9:29am – 9:32am** **Apologies**

Mayor Mosby tables the apology of our Acting Chief Executive Officer due to medical reasons.

Apology received from the following Councillors;

- Cr John Levi – Division 7 – St Pauls Community, Moa Island (medical reasons)

RESOLUTION:

Moved: Cr Elisala; *Second:* Cr Tabuai

That Council accepts the apology of Cr Levi for the December 2020 Ordinary Meeting – Badu.

MOTION CARRIED

- Cr Dimas Toby – Division 1 – Boigu (sorry business)

RESOLUTION:

Moved: Cr Trinkoon; *Second:* Cr Fell

That Council accepts the apology of Cr Toby for the December 2020 Ordinary Meeting – Badu.

MOTION CARRIED

3. **9:32am - 9:32am** **Declaration of Conflict of Interest (COI) Prescribed and Declarable**

No declaration made; Mayor Mosby encouraged Councillors to make a declaration at any time.

4. **9:32am – 9:34am** **Confirmation of Trustee Meeting held on 16th November 2020**

RESOLUTION:

Moved: Cr Tamu; *Second:* Cr Nona

That the minutes of the Council Trustee Meeting held on 27th October 2020, be adopted as a true and accurate record of that meeting.

MOTION CARRIED

5. **9:34am – 9:36am** **Standing Agenda Item: (verbal update)**

- TRUSTEE – Undocumented commercial land occupation project

Senior Legal Counsel, Mr Peter Krebs provide Council with an update.

6. **9:36am – 10:08am** **LEGAL – Delegation Register Update**

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

RESOLUTION:

Moved: Cr Pearson; *Second:* Cr Fell

That the Trustee, for those powers concerning its role as a Trustee (registered landowner), delegate to the Chief Executive Officer the exercise of the following powers, and these powers must be exercised subject to any limitations contained in Schedule 2 of the corresponding attached Instruments of Delegation:

- ***Land Act 1994:* the powers contained in Schedule 1 of the Instrument of Delegation attached to this resolution as *Attachment 1.***
- ***Land Title Act 1994:* the powers contained in Schedule 1 of the Instrument of Delegation attached to this resolution as *Attachment 2.***
- ***Mineral Resources Act 1989:* the powers contained in Schedule 1 of the Instrument of Delegation attached to this resolution as *Attachment 3.***

Council resolves not to delegate any of its powers under the *Planning Act 2016*, as noted in Schedule 1 of the Instrument of Delegation attached to this resolution as *Attachment 4.*

MOTION CARRIED

Against: - Cr Stephen

ACTION: SLC to work with Cr Lui and the Governance and Leadership Committee to develop example of emergency situation for the delegation to go to CEO on Trustee Land matters. Provide an information report to Council and to include a flow chart.

7. **10:08am – 10:13am** **LEGAL – TCHHS Leases Kubin and St Pauls**

Mr Peter Krebs, Senior Legal Counsel spoke to the report. Mr Krebs rang Cr Levi and spoke with him and Cr Levi gives his support and approval. Cr Trinkoon is present and give his support and approval.

RESOLUTION:

Moved: Cr Trinkoon; *Second:* Cr Noah

1. **That the Trustee, pursuant to the Torres Strait Islander Land Act 1991 (Qld), grant Torres and Cape Hospital and Health Services (TCHHS) an extension to 31 December 2021 (a further 12-months extension) of the date for the satisfaction of the native title requirements in relation to the proposed lease of Kubin lot 134 on SP271019, subject to payment of a monthly land occupation fee (pro rata at the same rate as the starting rent under the proposed lease) from 1 January 2021 until the commencement of the lease (or until TCHHS ceases occupying the land, which ever is earlier), and delegate to the Chief Executive Officer the power to negotiate the terms of this lease, sign and discharge the lease.**
2. **That the Trustee pursuant to the Torres Strati Islander Land Act 1991 (Qld), grant Torres and Cape Hospital and Health Services (TCHHS) an extension to 31 December 2021 (a further 12-month extension) of the date for the satisfaction of the native title and works approval requirements in relation to the proposed lease of St Pauls Lot 36 on sp256048, subject to payment of a monthly**

land occupation fee (pro rata at the same rate as the starting rent under the proposed lease) from 1 January 2021 until the commencement of the lease (or until TCHSS ceases occupying the land, whichever is earlier), and delegate to the Chief Executive Officer the power to negotiate the terms of this lease, sign and discharge the lease.

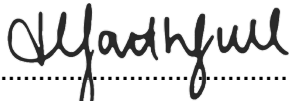
8. **10:13am – 10:14am** **Next meeting – January 2021**

Next meeting will be held in January 2021, date to be advised.

9. **10:14am – 10:15am** **Closing Remarks and Prayer**

Mayor Mosby closed the Trustee Meeting and moved into Local Government Council Ordinary Meeting.

TRUSTEE MEETING – Closed – 10:15am



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Hollie Faithfull
Acting Chief Executive Officer
Torres Strait Island Regional Council
20th January 2021



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Phillemon Mosby
Mayor
Torres Strait Regional Council
20th January 2021