



**TRUSTEE MEETING**  
**Monday, 16<sup>th</sup> May 2022**  
**Agenda Items**

- |    |                          |  |
|----|--------------------------|--|
| 1. | <u>9:00am - 9:03am</u>   | <u>Opening Prayer and Welcome</u>  |
| 2. | <u>9:03am – 9:05am</u>   | <u>Apologies</u>   |
| 3. | <u>9:05am - 9:10am</u>   | <u>Declaration of Conflict of Interest (COI) Declarable and Prescribed</u>   |
| 4. | <u>9:10am – 9:15am</u>   | <u>Confirmation of Trustee Meeting Minutes</u> <ul style="list-style-type: none"><li>• Trustee Meeting – 20<sup>th</sup> April 2022</li></ul>  |
| 5. | <u>9:15am – 9:20am</u>   | <u>Outstanding Action Items</u>  |
| 6. | <u>9:20am – 9:30am</u>   | <u>Standing Agenda Item: (verbal update)</u> <ul style="list-style-type: none"><li>• Undocumented commercial land occupation project – verbal update</li><li>• DOGIT Transfers – Verbal Update</li></ul> |
| 7. | <u>9:30am – 9:30am</u>   | <u>TRUSTEE MOVE INTO CLOSED BUSINESS</u>   |
| 8. | <u>9:30am – 10:00am</u>  | <u>LEGAL – CB – CEQ Leases</u>   |
| 9. | <u>10:00am – 10:00am</u> | <u>TRUSTEE MOVE OUT OF CLOSED BUSINESS AND RESUME IN OPEN COUNCIL</u>  |

**MORNING TEA 10:00am – 10:30am**

- |     |                          |  |
|-----|--------------------------|--|
| 10. | <u>10:30am – 10:50am</u> | <u>LEGAL – LHA lease transfer: Mabuiag Lot 34 SP273192</u> |
| 11. | <u>10:50am – 11:10am</u> | <u>LEGAL – Status of LHA lease resolution</u>              |
| 12. | <u>11:10am – 11:15am</u> | <u>Next meeting – Tuesday 28<sup>th</sup> June 2022</u>    |
| 13. | <u>11:15am – 11:20am</u> | <u>Closing Remarks and Prayer</u>                          |



# Draft Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

April 2022

TRUSTEE MEETING

Wednesday, 20<sup>th</sup> April 2022

Video Conference

**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 – Mabuia  
Cr Laurie Nona, Division 5 – Badu  
Cr Lama Trinkoon, Division 6 – Kubin (Arkai), Mua Island  
Cr John Levi, Division 7 – Wug (St Pauls), Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri (Hammond)  
Cr Getano Lui Jnr, Division 9 – Iama (Yam)  
Cr Kabay Tamu, Division 10 – Warraber (Sue)  
Cr Francis Pearson, Division 11 – Poruma (Coconut)  
Cr Hilda Mosby, Division 12 – Masig (Yorke)  
Cr Rocky Stephen, Division 13 – Ugar (Stephen)  
Cr Jimmy Gela, Division 14 – Erub (Darnley)  
Cr Aven Noah, Division 15 – Mer (Murray)

**STAFF:**

Mr James William, Chief Executive Officer (CEO)  
Ms Hollie Faithfull, Executive Director, Financial Services (EDFS)  
Mr David Baldwin, Executive Director, Engineering Services (EDES)  
Mr Dawson Sailor, Acting Executive Director, Community and Building Services (AEDCBS)  
Ms Megan Barrett, Executive Director, Corporate Services (EDCS)  
Mr Peter Krebs, Manager Legal Services (MLS)  
Mrs Ursula Nai, Senior Executive Assistant to the Chief Executive Officer (SEA)  
Mr Jacob Matysek, Executive Assistant to the Mayor (EA)  
Ms May Mosby, Acting Secretariat Officer (ASO)

**APOLOGIES:**

Nil

**TRUSTEE MEETING**  
**Wednesday, 20<sup>th</sup> April 2022**  
**Agenda Items**

**1. 9:06am - 9:10am Opening Prayer and Welcome**

Mayor Mosby opened the meeting with a welcome to Councillors, Executive and Secretariat Staff and acknowledged the following:

- Our Heavenly Father for his awesome wisdom, knowledge and understanding upon our lives; His favour and blessings upon this leadership, our organisation our families and region.
- Traditional Owners throughout the length and breadth of Zenadth Kes including where the footprints are on Thursday Island as well as Cairns.
- Proceeded to do a roll call to establish a quorum

Mayor Mosby requested everyone to be upstanding and invited Cr Keith Fell to open the meeting in a word of prayer and to observe one minute's silence.

One minute silence was observed for the loss of loved ones.

9:08am – Cr Dimas Toby joined the meeting

9:10am – Cr Kabay Tamu joined the meeting.

**2. 9:10am – 9:10am Apologies**

No apologies.

**3. 9:10am - 9:15am Declaration of Conflict of Interest (COI) Declarable and Prescribed**

No declarations were made by Councillors. Mayor Mosby encouraged Councillors to make a declaration at any time during the meeting.

**4. 9:15am – 9:16am Confirmation of Trustee Meeting Minutes**

- Trustee Meeting – 22<sup>nd</sup> March 2022

**RESOLUTION:**

*Moved: Cr John Levi; Second: Cr Jimmy Gela*

**That the Trustee accepts the minutes of the Trustee meeting held on 22<sup>nd</sup> March 2022 as a true and accurate account of that meeting.**

**MOTION CARRIED UNANIMOUS**

9:16am – Cr Conwell Tabuai joined the meeting.

**5. 9:16am – 9:27am Outstanding Action Items**

Mr Peter Krebs, Manager Legal Services provided the Trustee with an update on the Action Items register from March Trustee Meeting.

9:22am – Cr Laurie Nona joined the meeting.

9:22am – Cr Hilda Mosby joined the meeting.

**ACTION: Manager Legal Services to circulate the letter from Mayor Mosby to Ministers office regarding the request for financial support for DOGIT transfers both pre and post transfer.**

6. **9:27am – 9:41am**

**Standing Agenda Item: (verbal update)**

- Undocumented commercial land occupation project – verbal update

Mr Peter Krebs, Manager Legal Services provided a verbal update on the above topic and in-depth discussions were held on the following matters:

- CEQ IBIS – sites at Yam, Masig, Poruma, St Pauls, Kubin and Boigu where IBIS does not have a current lease in place.
- Department of Home Affairs – Kubin – negotiations in place regarding a licence.
- Tagai – school campus and staff accommodation on Masig
- Telstra – site on Hammond Island
- Ergon Energy - Saibai , Kubin and Hammond Island
- Defence of Defence – Boigu
- SES – various TSIRC premises

**ACTION: Manager Legal Services to circulate the letter from Mayor Mosby to Minister Crawford regarding CEQ leases.**

- DOGIT Transfers – Verbal Update

Mr Peter Krebs, Manager Legal Services provided a verbal update on this topic. No further communications were received from the State or GBK regarding this process which was mentioned in the action items. Manager Legal Services to chase up and provide further update at SARG in due course.

9:31am – Cr Torenzo Elisala joined the meeting.

Cr Kabay Tamu declared a Declarable Conflict of Interest in Trustee Meeting Agenda Item 7 LEGAL – LHA lease transfers: Warraber Lot 8 and Lot 81 SP270859 as persons involved are close relatives and therefore a related party under s150EP. Cr Kabay Tamu declared an interest under s150EQ(4). Cr Kabay Tamu proposed to leave the meeting.

Cr Francis Pearson declared a Declarable Conflict of Interest in Trustee Meeting Agenda Item 7 LEGAL – LHA lease transfers: Warraber Lot 8 and Lot 81 SP270859 as persons involved are close relatives and therefore a related party under s150EP. Cr Francis Pearson declared an interest under s150EQ(4). Cr Francis Pearson proposed to leave the meeting.

Mayor Mosby declared a Declarable Conflict of Interest in Trustee Meeting Agenda Item 7 LEGAL – LHA lease transfers: Warraber Lot 8 and Lot 81 SP270859 as persons involved are close relatives and therefore a related party under s150EP. Mayor Mosby declared an interest under s150EQ(4). Mayor Mosby proposed to leave the meeting.

Manager Legal Services provided advice that since it is a Trustee Meeting of Council, the Department guidelines is that Councillors do not have to leave the meeting during the discussions so Cr Kabay Tamu, Cr Francis Pearson and Mayor Mosby continued to participate in the meeting.

7. **9:41am – 9:52am**

**LEGAL – LHA lease transfers: Warraber Lot 8 and Lot 81 SP270859**

Mr Peter Krebs, Manager Legal Services spoke to this report.

Cr Kabay Tamu clarified the surname of Tyore on the recommendation, which is not the surname of applicant, Dorothy Elizabeth Mari. Mr Peter Krebs, Manager Legal Services amended the report accordingly.

**RESOLUTION:**

*Move: Cr Aven Noah; Second: Cr Hilda Mosby*

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. 720577055) from Harold Pearson, Mary Mosby, Olandi Pearson, Cessa Asai, Harry Pearson, Katherine Roberta Sailor and Dorothy Elizabeth Mari over Lot 8 on SP270859 (title reference 51056732) to Mark Smith Pearson;
- consent to the transfer of a trustee lease (Lease No. 720398420) from Della Maira Pearson over Lot 81 on SP270859 (title reference 51056805) to Laura Lillian Pearson; and
- delegate to the Mayor and the Chief Executive Officer each the power to execute the General Consent forms.

**MOTION CARRIED UNANIMOUS**

8. **9:52am – 10:01am** **LEGAL – TCHHS lease St Pauls (Lot 36 on SP256048)**

Mr Peter Krebs, Manager Legal Services spoke to this report.

**RESOLUTION:**

*Move: Cr John Levi; Second: Cr Lama Trinkoon*

That the Trustee resolve, pursuant to the Torres Strait Islander Land Act 1991 (Qld), to grant Torres and Cape Hospital and Health Service (TCHHS) an extension to 30 August 2022 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 continued payment of a monthly land occupation fee (pro rata at the same rate as the starting rent under the proposed lease) until the commencement of the lease (or until TCHHS ceases occupying the land, whichever is earlier), and delegate to the Chief Executive Officer the power to the power to negotiate, sign and discharge the Deed of Variation and lease.

**MOTION CARRIED UNANIMOUS**

9. **10:01am – 10:04am** **Next meeting – Monday, 16<sup>th</sup> May 2022**

Mayor Mosby confirmed the next meeting date in Cairns on Monday 16<sup>th</sup> May 2022.

10. **10:04am – 10:04am** **Closing Remarks and Prayer**

Mayor Mosby declared the Trustee meeting closed.

**MEETING CLOSED 10:04AM**

.....  
Mr James William  
Chief Executive Officer  
Torres Strait Island Regional Council  
Date:

.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date:

**STRATEGIC AND OPERATIONAL ACTIONS FROM ORDINARY MEETING AND EXECUTIVE - PLUS OPERATIONAL ACTIONS ONLY FROM SARG TO BE INPUT ONTO THIS DOCUMENT #85075**

Date	Month of Meeting	Year	Type of Meeting	Community	Agenda Report	Action	Lead Officer	Advisory Officer	Budgets	Plans	Lead Officer Comments	ETA
20	April	2022	Trustee	VC	Outstanding Action Items	Manager Legal Services to circulate the letter from Mayor Mosby to Minister office regarding the request for financial support for DOGIT transfers both pre and post transfer	Manager Legal Services				Letter sent to Councillors	
20	April	2022	Trustee	VC	Standing Agenda Item - Undocumented Commercial land occupation project.	Manager Legal Services to circulate the letter from the Mayor Mosby to Minister Crawford regarding CEQ leases	Manager Legal Service				Letter sent to Councillors	





# TORRES STRAIT ISLAND REGIONAL COUNCIL

## TRUSTEE REPORT

LEG

<b>ORDINARY MEETING:</b>	May 2022
<b>DATE:</b>	16 May 2022
<b>ITEM:</b>	Agenda Item for Resolution by Trustee
<b>SUBJECT:</b>	LHA lease transfer: Mabuiag Lot 34 SP273192
<b>AUTHOR:</b>	Julia Maurus, Senior Legal Officer
<b>PRESENTER:</b>	Peter Krebs, Manager Legal Services

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### **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. 719578721) from the late Epesia Hankin over Lot 34 on SP273192 (title reference 51176752) to Louisa Ruth Guise; and
- delegate to the Mayor and the Chief Executive Officer each the power to execute the General Consent forms.

### **Executive Summary:**

This report seeks the Trustee's consent to a LHA/Katter lease transfer for Lot 34 on SP273192 (address 34 Daniel Road also known as 34 Warria Road, Mabuiag).

The lease transfer is supported by Cr Fell.

### **Background:**

The Katter (LHA) lease for Lot 34 on SP273192 (address 34 Daniel Road also known as 34 Warria Road, Mabuiag) is currently registered in the name of the late Epesia Hankin. Prior to his passing, Mr Hankin signed a form to transfer this lease to Louisa Ruth Guise.

The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) Home Ownership Team is assisting the family with the lease transfer request. The Department did not receive the signed lease transfer form back until after Mr Hankin's passing. The Land Titles Office has advised that it will accept the lease transfer form.

This report proposes that the Trustee consent to the lease transfer.

### **Comment:**

1. This Land Holding Act lease (Lease No. 719578721) was granted under the *Aboriginal and Torres Strait Islander Land Holding Act 2013* (Qld) to Epesia Hankin over Lot 34 on SP273192. The lease commenced on 26 August 2019. TSIRC is the lessor of the lease.
2. Section 64 of the *Aboriginal and Torres Strait Islander Land Holding Act 2013* (Qld) states that a lease may be transferred only to an Aboriginal or Torres Islander person, or a spouse, or former spouse, of an Aboriginal or Torres Strait Islander person who is deceased, and the lessor must not unreasonably withhold its consent.

3. Under the current Trustee Policy, consent to the transfer of an LHA/Katter lease requires a Council resolution.

**Considerations**

Risk Management

Senior Legal Officer has reviewed the documents and all is in order. No identified risks.  
Senior Legal Officer is currently reviewing internal processes to ensure that the lease database and land record are updated when a Katter lease is registered, transferred or surrendered.

Council Finance

Not applicable

**Consultation:**

- Supported by Cr Fell
- Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) Home Ownership Team

**Links to Strategic Plans:**

TSIRC Corporate Plan 2020–2025

Delivery Pillar: Sustainability

Outcome 8: We manage council affairs responsibly for the benefit of our communities

- 8.1: Effective management of DOGIT Land as a Trustee

Operational Plan:

LHA (Katter) lease resolution

**Statutory Requirements:**

*Torres Strait Islander Land Act 1991 (Qld)*

*Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld)*

**Conclusion:**

It is recommended that the Trustee consent to the proposed transfer of this Katter lease.



**Recommended:**

Peter Krebs  
Manager Legal Services



**Endorsed:**

Megan Barrett  
Executive Director, Corporate Services

**Endorsed:**

James William  
Chief Executive Officer



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## TRUSTEE REPORT

<b>ORDINARY MEETING:</b>	May 2022
<b>DATE:</b>	16 May 2022
<b>ITEM:</b>	Information Report for noting by Trustee
<b>SUBJECT:</b>	Status of LHA lease resolution
<b>AUTHOR:</b>	Julia Maurus, Senior Legal Officer
<b>PRESENTER:</b>	Peter Krebs, Manager Legal Services

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### **Recommendation:**

The Trustee resolves to note the report.

### **Executive Summary:**

This report provides the Trustee with a status update on the resolution of *Land Holding Act* (Katter) lease entitlements in Torres Strait.

### **Background:**

Council is working with the Department of Seniors, Disability Services, and Aboriginal and Torres Strait Islander Partnerships (ATSIP), Department of Resources and Department of Communities, Housing and Digital Economy (DCHDE) to facilitate private home-ownership and the resolution of Land Holding Act ("Katter") perpetual lease interests in the region.

The steps required for the resolution of a Katter lease entitlement are:

- i. ATSIP consultation regarding home ownership responsibilities. Entitlement holder/beneficiary signs a letter confirming understanding of home ownership. (For either vacant land or house)
- ii. If the entitlement holder/beneficiary is not the current tenant of the house, it may be necessary to wait for the tenant to be relocated to another social house.
- iii. If there is no practical obstacle, Department of Resources will grant the lease to the entitlement holder, or beneficiary/beneficiaries. TSIRC is notified of the pending registration of a lease and given an opportunity to object if there is a practical obstacle.
- iv. When the lease commences, TSIRC removes the house from its asset database and the general tenancy agreement terminates.
- v. If the entitlement holder/beneficiary is the tenant of the LHA house, DCHDE will inspect the house, identifying any maintenance required.
- vi. Maintenance work undertaken by DCHDE.
- vii. The entitlement holder/beneficiary signs a form confirming maintenance has been completed.
- viii. Agreement to Transfer Dwelling is executed or gazette notice is published (depending on the type of entitlement).
- ix. The house now belongs to the entitlement holder/beneficiary.

### **Comment:**

#### ***Obstacles to resolving remaining entitlements – plan from 1 July 2022***

Since the February 2022 Trustee Information Report, when the number of unresolved LHA entitlements was 52, a further 10 leases have been granted, bringing the total unresolved entitlements

to 42 (for the region, including Badu).

<b>TORRES STRAIT REGIONAL COUNCIL</b>							
<b>Island Community</b>	<b>Perpetual Leases Granted</b>	<b>Entitlements</b>	<b>Invalid Applications</b>	<b>Surrendered Lease/Ent</b>	<b>Total Applications</b>	<b>TAN PUBLISHED</b>	<b>LEN PUBLISHED</b>
Badu	18	2	13	0	33	30/05/2014	YES
Boigu	25	21	12	2	60	22/03/2019	YES
Hammond	22	0	31	0	53	20/08/2015	YES
Kubin	4	0	16	0	20	20/08/2014	NIL
lama	0	0	33	0	33	26/11/2014	NIL
Mabuiag	12	4	0	0	16	14/03/2019	YES
Masig	35	4	0	0	39	24/05/2019	YES
Poruma	26	0	1	0	27	25/01/2019	YES
Saibai	3	3	2	7	15	21/08/2015	YES
St Pauls	23	2	1	0	26	19/10/2018	YES
Ugar	4	2	7	0	13	23/11/2018	YES
Warraber	11	4	0	4	19	14/03/2019	YES
<b>TOTAL (12)</b>	<b>183</b>	<b>42</b>	<b>116</b>	<b>13</b>	<b>354</b>		

For TSIRC DOGIT communities, there are **40** unresolved LHA entitlements.

Please refer to the **attached** status update from ATSIP, detailing the obstacles for the **40** remaining LHA entitlements on TSIRC DOGIT land. These are separated into three categories:

- *DSDSATSIP Engagement Ceased (unable to resolve)*: John Coyle, Manager of the ATSIP Home Ownership Team, has advised that ATSIP has done everything it can to resolve **26** of the entitlements. Examples include inability to identify, locate or contact the lease beneficiary, disagreement within the family over who should receive the lease, and competing interests on the land such as Council assets or a tenant who needs to be relocated. Most of these entitlements (15) are for Boigu, however Cr Toby has indicated that 10 of these are working towards resolution through the PBC's process. From 1 July 2022, the resolution of these entitlements will be handed over to the Department of Resources team. Jan Bradley's team within the Department of Resources will develop a plan for each individual entitlement for the 2022-2023 period. Families requiring assistance with resolving beneficiary issues will have to engage a lawyer or seek assistance from the Public Trustee.
- *DSDSATSIP Engagement Ongoing*: ATSIP's Katter lease resolution project is scheduled to end on 30 June 2022. However, if a case is progressing and has a good chance of being resolved after 30 June 2022, ATSIP will continue working on it until it is resolved. There are currently **11** entitlements that have not hit a dead end and are progressing towards resolution.
- *DSDSATSIP Engagement Finalised (Yet to Grant)*: ATSIP has completed engagement on a further **3** entitlements and handed these over to Department of Resources. It is expected that these 3 entitlements will be granted in due course.

After 30 June 2022, the Home Ownership Team will continue to work on those LHA entitlements that are progressing towards resolution. ATSIP will also continue to assist with LHA lease transfers, development applications related to home-ownership, and divestment of Council assets on registered LHA lease land, along with assisting applicants for 99-year home-ownership leases.

The Home Ownership Team has offered to assist Council with its 99-year home-ownership lease applications (ATSIP already does a preliminary assessment report for each Expression of Interest). The Home Ownership Team is now exploring for how ATSIP can provide assistance with commercial leasing, and is open to ideas from Council on this.

## **Considerations:**

### Risk Management

TSIRC is notified of the pending registration of a lease and given an opportunity to object if there is a

practical obstacle.

Following audit, Council is undertaking a reconciliation to ensure that Council's land record, lease database and asset database reflect the current status of each lease entitlement and dwelling.

### Council Finance

#### Capital Cost

- Divestment of Council assets (reduces Council's social housing stock and tenancy revenue).
- In November 2018, the CEO under delegated authority confirmed the peppercorn divestment of social housing assets for the purpose of resolving LHA lease entitlements.
- State (Department of Housing) is bearing the cost of bringing houses up to a safe standard before ownership transfer.

#### Operating Cost

- Divestment of Council assets (reduces Council's social housing stock and tenancy revenue).

### **Consultation:**

- Department of Seniors, Disability Services, and Aboriginal and Torres Strait Islander Partnerships (ATSIP)
- Department of Resources
- Department of Communities, Housing and Digital Economy (DCHDE)
- SARG meeting 5 April 2022

### **Links to Strategic Plans:**

TSIRC Corporate Plan 2020–2025

Delivery Pillar: Sustainability

Outcome 8: We manage council affairs responsibly for the benefit of our communities

- 8.1: Effective management of DOGIT Land as a Trustee

Operational Plan 2021–2022

- LHA (Katter) lease resolution

### **Statutory Requirements:**

*Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld)*

*Torres Strait Islander Land Act 1991 (Qld)*

*Aboriginal Land Act 1991 (Qld)*

### **Conclusion:**

It is recommended that the Trustee note this report.



#### **Recommended:**

Peter Krebs  
Manager Legal Services



#### **Endorsed:**

Megan Barrett  
Executive Director, Corporate Services

#### **Endorsed:**

James William  
Chief Executive Officer



**DSDSATSIP ENGAGEMENT ONGOING (Note DSDSATSIP engagement ceases at 30 June 2022)**

Community	Granted	Entitlements	Entitlements still progressing	Visit required	Location of clients	Status of entitlements where engagement has failed	Responsible agency post 30 June 2022
Boigu	25	21	3	No No No	NT, TSI, Lotus Glen Cairns Boigu Island	BO53/89 - surrender in progress, BO54/89 - surrender, documents not fully signed, with DoR BO61/89 - surrender, documentation with the sole beneficiary, with DoR	DSDSATSIP DoR DoR
Hammond	22	0	0				
Kubin	4	0	0				
Mabuiag	12	4	3	Yes Possible  Yes	Mabuiag, Cairns Mabuiag  Thursday Island	MB13/89 - To visit MB2/89 - secondary beneficiary assessment required, assessment will not be completed, engagement ongoing in relation to home ownership MB5/89 - To visit, engagement ongoing	DSDSATSIP DSDSATSIP  DSDSATSIP
Masig	35	4	1	No	Masig	MS32/86 - Partial surrender required, DA underway, when survey is completed send out partial surrender	DSDSATSIP
Poruma	26	0	0				
Saibai	3	3	0				
St Pauls	23	2	1	No	WA, St Pauls	MB21/87 - engagement ongoing, waiting on a copy of a will, engaged with 05/04/2022	DSDSATSIP
Ugar	4	2	0				
Warraber	11	4	3	Yes No Yes	Warraber Island Cairns, Warraber Island Warraber Island	WA10/86 - engagement commenced WA1/86 - partial surrender, DA completed, survey to be lodged, partial surrender docs to be signed WA4/86 - engagement commenced, requires a visit to Warraber	DSDSATSIP DSDSATSIP DSDSATSIP
	165	40	11				

**DSDSATSIP ENGAGEMENT FINALISED - YET TO GRANT**

Community	Granted	Entitlements	Entitlements - engagement finalised	Visit required	Location of clients	Status of entitlements	Responsible agency post 30 June 2022
Boigu	25	21	3	N/A	N/A	BO23/89 - tenant relocation required BO9/89 - waiting on PBC endorsement BO60/89 - waiting on PBC endorsement	Department of Resources for all entitlements
Hammond	22	0	N/A	N/A	N/A		
Kubin	4	0	N/A	N/A	N/A		
Mabuiag	12	4	N/A	N/A	N/A		
Masig	35	4	N/A	N/A	N/A		
Poruma	26	0	N/A	N/A	N/A		
Saibai	3	3	N/A	N/A	N/A		
St Pauls	23	2	N/A	N/A	N/A		
Ugar	4	2	N/A	N/A	N/A		
Warraber	11	4	N/A	N/A	N/A		
	<b>165</b>	<b>40</b>	<b>3</b>				





Department of **Resources**

10 May 2022

Mr James William  
Chief Executive Officer  
Torres Strait Island Regional Council  
PO Box 7336 Cairns QLD 4870

Dear Mr William

I am writing to inform you the Land Holding Act (LHA) implementation program is concluding and will be finalised by June 2023. The State intends to grant the remaining leases under the provisions of the *Aboriginal and Torres Strait Islander Land Holding Act 2013* over land which is subject to an entitlement to have a lease granted. The program has been underway since 2016 and forty-two entitlements remain in the Torres Strait region.

For the majority of these outstanding entitlements, the Department of Resources (Resources) in partnership with the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships has exhausted all avenues of engagement with entitlement holders to obtain a decision on whether to have the lease granted, or to surrender their lease entitlement. Given the circumstances and the approaching program end date, Resources will now work towards granting the remaining lease entitlements.

Resources will be writing to entitlement holders advising of the State's intention to grant the leases. Entitlement holders will have the opportunity to provide the State with a response by either agreeing to the grant of their lease, or to surrender their lease entitlement. Should Resources not receive a reply within the timeframe advised, it will proceed to grant the lease.

Representatives from Resources are able to meet with Council to discuss this matter further if Council so wishes.

Should you have any further enquiries, please contact Mr Peter Lawrence, Principal Land Officer, Indigenous Land Operations, Resources on telephone 07 4222 5429 or via email at [peter.lawrence@resources.qld.gov.au](mailto:peter.lawrence@resources.qld.gov.au) .

Yours sincerely

A handwritten signature in black ink that reads 'Julie Brogan'.

Julie Brogan  
**Director, Indigenous Land Operations**  
**Native Title and Indigenous Land Services**

Cc: Cr Mosby, Torres Strait Island Regional Council  
Julia Maurus, Senior Legal Officer, Torres Strait Island Regional Council