



Governance & Leadership Committee Meeting

Minutes

Date: 18 October 2023

Time: 10.00am to 12.00nn

Venue: (VC) VMR 8 – 0299 165 402
Guest PIN - 6905#

1. Welcome & Quorum Confirmation (Chair)

Mayor Phillemon Mosby and Cr Lama Trinkoon were the only two members of the Governance and Leadership Committee who were able to attend this meeting. Cr Trinkoon invited the Mayor to Chair the meeting.

Mayor Mosby thanked Cr Trinkoon for his attendance and formally opened the meeting at 10.05am and welcomed staff.

2. Opening Prayer

The Mayor provided the opening prayer.

3. Attendance / Apologies

The following participants were in attendance:

Committee Members

Member
Member

Mayor Phillemon Mosby
Cr Lama Trinkoon

TSIRC Officers

Chief Executive Officer
Senior Legal Officer
TSIRC Secretariat

Mr James William
Ms Julia Mauro
Mr Darryl Brooks

Cr Getano Lui (Jnr) AM was an apology for medical reasons and Cr Dimas Toby was an apology due to a family emergency.

RESOLUTION:

Moved: Cr Lama Trinkoon

Seconded: Mayor Phillemon Mosby

That the Committee accepts the apologies of Cr Getano Lui (Jnr) AM and Cr Dimas Toby for this meeting.

CARRIED

4. Conflict of Interest (COI) – Declarable/Prescribed

No declarations were made by Members.

5. Noting of Ratified Minutes of the Governance and Leadership Committee Meeting held on 22 June 2022

The Committee noted that the Minutes of the Governance and Leadership Committee Meeting held on 22 June 2022 were ratified at the Council Ordinary Meeting held on 28-29 June 2022. There were no actions arising from the previous meeting.

6. Delegations Update

The Senior Legal Officer (Ms Julia Mauro) spoke to this item, presenting the Committee with an overview of the Council powers that are delegated to the Chief Executive Officer. An update of Instruments of Delegations must occur regularly (at least annually) to ensure TSIRC's powers are being exercised according to law. The overview provided by Ms Mauro covered:

- updates to existing delegations;
- annual confirmation of existing delegations; and
- powers not to be delegated.

The Committee noted the overview provided by Ms Mauro and made the following three recommendations:

RESOLUTION:

Moved: Cr Lama Trinkoon

Seconded: Mayor Phillemon Mosby

1. Updates to existing delegations:

That the Committee recommend to Council (and the Trustee, as indicated) that under section 257 of the *Local Government Act 2009*, Council delegate to the Chief Executive Officer the exercise of powers under the following statutory instruments and these powers must be exercised subject to Ailan Kastom and any limitations contained in Schedule 2 of the Instruments of Delegation attached to the Committee's briefing report (consistent with Attachment 12 of the Committee's briefing report):

Statutory Instrument:	The powers delegated are contained in Schedule 1 of the Instrument of Delegation attached to the briefing report as:
State Penalties Enforcement Act 1999 ("SPEA")	Attachment 1
Residential Tenancies and Rooming Accommodation Regulation 2009 (Qld) (RTRR)	Attachment 2
Heavy Vehicle National Law (Qld) (HVNL) – minor technical corrections only	Attachment 3
Heavy Vehicle (Mass, Dimension and Loading) National Regulation (Qld) (HVNR) – minor technical corrections only	Attachment 4
Industrial Relations Act 2016 (Qld) (INRA)	Attachment 5
Public Health Act 2005 (Qld) (PUHA)	Attachment 6
Plumbing and Drainage Regulation 2019 (Qld) (PLDR)	Attachment 7
Land Act 1994 (Qld) (LANA) <i>*Trustee resolution also required</i>	Attachment 8
Residential Tenancies and Rooming Accommodation Act 2008 (RTRA)	Attachment 9
Waste Reduction and Recycling Act 2011 (WRRRA)	Attachment 10
Biosecurity Regulation 2016 (BIOR)	Attachment 11

CARRIED

RESOLUTION:

Moved: Cr Lama Trinkoon

Seconded: Mayor Phillemon Mosby

2. Annual confirmation of existing delegations:

That the Committee recommend to Council (and the Trustee, as indicated) that under section 257 of the *Local Government Act 2009*, Council renew its delegation to the Chief Executive Officer to exercise powers under the following statutory instruments and these powers must be exercised subject to the consolidated “Schedule 2 Standard Limitations to the Exercise of Power” contained in Attachment 12 of the Committee’s briefing report:

Statutory Instrument:	The powers delegated are contained in Schedule 1 of the Instrument of Delegation attached to the briefing report as:
Aboriginal Cultural Heritage Act 2003 (ACHA)	Attachment 13
Acquisition of Land Act 1967 (ACLA)	Attachment 14
Animal Care & Protection Act 2001 (ACPA)	Attachment 15
Animal Management (Cats and Dogs) Act 2008 (AMCD)	Attachment 16
Biosecurity Act 2014 (BIOA)	Attachment 17
Building Act 1975 (BUIA)	Attachment 18
Building Regulation 2021 (BUIR)	Attachment 19
Coastal Protection and Management Act 1995 (CPMA)	Attachment 20
Disaster Management Act 2003 (DIMA)	Attachment 21
Disaster Management Regulation 2014 (DIMR)	Attachment 22
Environmental Protection Act 1994 (ENPA)	Attachment 23
Environmental Protection Regulation 2019 (ENPR)	Attachment 24
Environment Protection (Water) Policy 2019 (EPWP)	Attachment 25
Fire and Emergency Services Act 1990 (FESA)	Attachment 26
Food Act 2006 (FOOA)	Attachment 27
Housing Act 2003 (HOUA)	Attachment 28
Housing Regulation 2003 (HOUR)	Attachment 29
Information Privacy Act 2009 (INPA)	Attachment 30
Land Regulation 2020 (LANR)	Attachment 31
Land Title Act 1994 (LATA) <i>*Trustee resolution also required</i>	Attachment 32
Liquor Act 1992 (LIQA)	Attachment 33
Local Government Act 2009 (LOGA)	Attachment 34
Local Government Regulation 2012 (LOGR)	Attachment 35
Mineral Resources Act 1989 (MIRA) <i>*Trustee resolution also required</i>	Attachment 36
Public Health (Infection Control for Personal Appearance Services) Act 2003 (PHIC)	Attachment 37
Public Interest Disclosure Act 2010 (PIDA)	Attachment 38
Planning Act 2016 (PLAA)	Attachment 39
Planning Regulation 2017 (PLAR)	Attachment 40
Plumbing and Drainage Act 2002 (PLDA)	Attachment 41
Plumbing and Drainage Act 2018 (PLDA)	Attachment 42

Public Health Regulation 2018 (PUHR)	Attachment 43
Public Records Act 2002 (PURA)	Attachment 44
Queensland Heritage Act 1992 (QUHA)	Attachment 45
Right to Information Act 2009 (RTIA)	Attachment 46
Standard Plumbing and Drainage Regulation 2003 (SPDR)	Attachment 47
Transport Operations (Road Use Management) 1995 (TORA)	Attachment 48
Tobacco and Other Smoking Products Act 1998 (TOSP)	Attachment 49
Transport Infrastructure Act 1994 (TRIA)	Attachment 50
Water Act 2000 (WATA)	Attachment 51
Water Regulation 2016 (WATR)	Attachment 52
Work Health and Safety Act 2011 (WHS)	Attachment 53
Waste Reduction & Recycling Regulation 2011 (WRRR)	Attachment 54
Water Supply (Safety and Reliability) Act 2008 (WSSR)	Attachment 55

CARRIED

RESOLUTION:

Moved: Mayor Phillemon Mosby

Seconded: Cr Lama Trinkoon

3. Powers not delegated

That the Committee recommend to Council not to delegate any of its powers under the following statutory instruments, as this legislation is not relevant to Council's local government area or (in the case of NDDF) it is not appropriate to delegate because land issues should be put to the Trustee and Council:

- (a) Building Units and Group Titles Act 1980 (BUGT)
- (b) Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 (NDDF)
- (c) Stock Route Management Act 2002 (SRMA)
- (d) Stock Act 1915 (STOA)

CARRIED

7. General / Other Business (on notice)

No other matters discussed.

8. Next Meeting Date: 27 November 2023

The Committee noted the next meeting date of 27 November 2023.

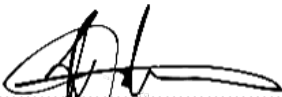
9. Closing Remarks & Prayer

The Chairperson closed the meeting at 12.20pm and delivered the closing prayer.

Mayor Phillemon Mosby
Acting Chairperson
Governance and Leadership Committee

18 October 2023

RATIFIED AT THE OCTOBER 2023 ORDINARY COUNCIL MEETING.



.....
Mr James William
Chief Executive Officer
Torres Strait Island Regional Council
Date: 24 October 2023



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Cr. Phillemon Mosby
Mayor
Torres Strait Island Regional Council
Date: 24 October 2023