



Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

October 2022

TRUSTEE MEETING

Tuesday, 11th October 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, Deputy Mayor, 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) – Dialling in to meeting mid-morning
Mr David Baldwin, Executive Director, Engineering Services (EDES) – Dialling in later due to emergency operational matter
Mr Wayne Green, Executive Director Building Services (EDBS)
Mr Peter Krebs, Acting Executive Director Corporate Services (A/EDCS)
Mr Dawson Sailor, Head of Community Services (HOCS)
Ms Julie Marino, Executive Assistant to the CEO (EA)
Ms May Mosby, Acting Secretariat Officer(A/SO)

APOLOGIES:

Nil

TRUSTEE MEETING
Tuesday, 11th October 2022

1. 9:00am - 9:10am Opening Prayer and Welcome

Mayor Phillemon Mosby opened the Trustee Meeting for October with a welcome and roll call of each Councillor to establish a quorum and acknowledged:

- Our Heavenly Father for his awesome, wisdom, knowledge and understanding upon our lives. His blessings upon us all and our family, our region, our Organisation and where our footprints are.
- Traditional Owners of ples, past, present and emerging throughout the length and breadth of Zenadth Kes.
- Family sitting in sorry business on ples and on the mainland.

Mayor Mosby invited Cr Keith Fell to open the meeting in a word of prayer.

A minute's silence was observed as a mark of respect to families in sorry business throughout the region and on the mainland.

2. 9:10am – 9:12am Apologies

Nil apologies

9:12am – Cr Conwell Tabuai joined the meeting.

9:12am – Cr Hilda Mosby joined the meeting.

3. 9:12am - 9:15am Declaration of Conflict of Interest (COI) Declarable and Prescribed

Mayor Mosby encouraged Councillors to make a declaration of a Conflict of Interest or any relevant legal proceedings at any time during the meeting.

Cr Hilda Mosby declared a Declarable Conflict of Interest in Trustee Meeting Agenda Item 7 LEGAL – Development Application: Masig Lot 38 on SP277431 as persons involved are close relatives and therefore a related party under s150EP. Cr Hilda Mosby declared an interest under s150EQ(4). Upon legal advice, Cr Hilda Mosby remained in the meeting.

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

- Trustee Meeting – 20th September 2022

RESOLUTION:

Moved: Cr Aven Noah; Second: Cr John Levi

That the Trustee accepts the minutes of the Trustee meeting held on 20th September 2022 as a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

5. 9:16am – 9:29am Trustee Outstanding Action Items

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

9:29am – 9:44am

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 particular, the status of IBIS stores. An in-depth discussion was had.

- DOGIT Transfers – Verbal Update

Mr Peter Krebs, Manager Legal Services provided a verbal update on the DOGIT Transfers.

9:34am – Cr Torenzo Elisala joined the meeting.

ACTION: Manager Legal Services to write a letter of invitation to the Minister responsible for DOGIT transfers to attend the November 2022 workshop.

ACTION: Manager Legal Services to follow up action regarding Ergon Energy to make them enter into a lease.

ACTION: That the current DOGIT policy to be reviewed by Culture, Arts, Land and Heritage Committee.

ACTION: Secretariat Officer to add the DOGIT Transfers as a standing agenda to the Culture, Arts, Land and Heritage Committee Agenda.

ACTION: Manager Legal Services obtain information on the case of Badu v Minister judicial review case (pre amalgamation case).

9:37am – Cr Dimas Toby joined the meeting.

6. **9:44am – 9:51am** **LEGAL - TR – Department of Education lease Poruma**

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

RESOLUTION:

Moved: Cr Jimmy Gela; Second: Cr Torenzo Elisala

That the Trustee resolve, pursuant to the Torres Strait Islander Land Act 1991 (Qld), to grant the State of Queensland represented by the Department of Education an extension to 18 September 2023 (a further 12-month extension) of the date for the satisfaction of the native title requirements in relation to the proposed lease of Poruma Lot 50 on SP270862, and delegate to the Chief Executive Officer the power to negotiate the terms of the Deed of Variation and lease, sign and discharge the Deed of Variation and lease.

MOTION CARRIED UNANIMOUS

7. **9:51am – 9:55am** **LEGAL – TR – Masig Lot 38 – consent to development application**

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

RESOLUTION:

Moved: Cr Laurie Nona; Second: Cr Lama Trinkoon

1. That the Trustee grant owner's consent to the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships in support of a development application for a Reconfiguration of Lot (1 lot into 3 lots) over **Lot 38 on SP277431** (38 Williams Road, Masig Island), on behalf of Dan Murray Mosby (the lessee of Land Holding Act Lease No. 715653388), to create new lots 38, 381 and 382 on SP308574; and

2. Authorise the Chief Executive Officer to sign the owner's consent form and, subject to local government approval, the resulting survey plans.

MOTION CARRIED UNANIMOUS

8. **9:55am – 10:02am** **LEGAL – TR – Telstra request to transfer lease interests to Amplitel**

Mr Peter Krebs spoke to the report. All communities were processed back at the September meeting on Poruma except for Kubin and Warraber due to the absence of the councillors.

RESOLUTION:

Moved: Cr Lama Trinkoon; Second: Cr John Levi

Arkai/Kubin: That the Trustee resolve, pursuant to the Torres Strait Islander Land Act 1991 (Qld), to consent to Telstra's lessee request to transfer or licence of **Lease T (716688153, Banks Peak) and Lease U (717120988, Kubin Village)** from Telstra Corporation Limited to Amplitel Pty Ltd as trustee for the Towers Business Operating Trust, care of Telstra Corporation Limited; and delegate to the Mayor and Chief Executive Officer each the power to sign and discharge lease transfer, Deed of Consent to Assignment and General Consent forms, as required.

MOTION CARRIED UNANIMOUS

RESOLUTION:

Moved: Cr Kabay Tamu; Second: Cr Jimmy Gela

Warraber: That the Trustee resolve, pursuant to the Torres Strait Islander Land Act 1991 (Qld), to consent to Telstra's lessee request to transfer or licence of **Lease T (715884606)** from Telstra Corporation Limited to Amplitel Pty Ltd as trustee for the Towers Business Operating Trust, care of Telstra Corporation Limited; and delegate to the Mayor and Chief Executive Officer each the power to sign and discharge lease transfer, Deed of Consent to Assignment and General Consent forms, as required.

MOTION CARRIED UNANIMOUS

9. **10:02am – 10:04am** **Next meeting – Thursday, 17th November 2022 – Cairns**
10. **10:04am – 10:14** **Closing Remarks**

Mayor Mosby declared the Trustee meeting closed to reconvene in Council Ordinary Meeting after morning tea.

MEETING CLOSED - 10:14AM



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



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Cr Phillemon Mosby
Mayor
Torres Strait Island Regional Council
Date: