

AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

FEBRUARY 2021

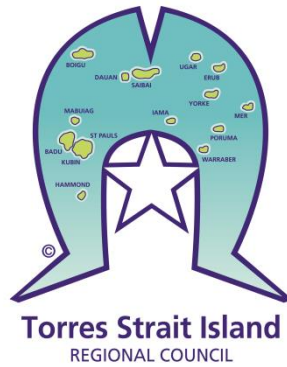
TRUSTEE MEETING

Tuesday 23rd February 2021

Video Conference

TRUSTEE MEETING
Tuesday 23rd February 2021
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) / Material Personal Interest (MPI)</u> |
| 4. | <u>9:10am – 9:15am</u> | <u>Confirmation of Trustee Meeting held on 20th January 2021</u> |
| 5. | <u>9:15am – 9:20am</u> | <u>Standing Agenda Item: (verbal update)</u> <ul style="list-style-type: none">• TRUSTEE – Undocumented commercial land occupation project |
| 6. | <u>9:20am – 9:45am</u> | <u>LEGAL – Surrender of LHA – Masig – Lot 191</u> |
| 7. | <u>9:45am – 9:50am</u> | <u>Next meeting – 16th March 2021</u> |
| 8. | <u>9:50am – 10:00am</u> | <u>Closing Remarks and Prayer</u> |



MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

JANUARY 2021

TRUSTEE MEETING

Wednesday 20th January 2021

9:09am – 10:31am

Video Conference

TRUSTEE MEETING
Wednesday 20th January 2021
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 (Prescribed / declarable)</u> |
| 4. | <u>9:10am – 9:15am</u> | <u>Confirmation of Trustee Meeting held on 8th December 2020</u> |
| 5. | <u>9:15am – 9:20am</u> | <u>Standing Agenda Item: (verbal update)</u> <ul style="list-style-type: none">• TRUSTEE – Undocumented commercial land occupation project |
| 6. | <u>9:20am – 9:35am</u> | <u>LEGAL – LHA Leases – Mabuiaq</u> |
| 7. | <u>9:35am – 9:50am</u> | <u>LEGAL – LHA Leases – Warraber</u> |
| 8. | <u>9:50am – 10:05am</u> | <u>LEGAL – Transfer of LHA – Masig – Lot 20</u> |
| 9. | <u>10:05am – 10:30am</u> | <u>MORNING TEA</u> |
| 10. | <u>10:30am – 10:45am</u> | <u>LEGAL – Transfer of LHA – St Pauls – Lot 32</u> |
| 11. | <u>10:45am – 11:00am</u> | <u>LEGAL – Information Report – Home Ownership</u> |
| 12. | <u>11:00am – 11:05am</u> | <u>Next meeting – February 2021</u> |
| 13. | <u>11:05am – 11:10am</u> | <u>Closing Remarks and Prayer</u> |

Wednesday 20th January 2021

Present

Cr Phillemon Mosby, Mayor (Cairns)
Cr Dimas Toby, Division 1 – Boigu
Cr Torenzo Elisala, Division 2 – Dauan
Cr Conwell Tabuai, Division 3 – Saibai
Cr Keith Fell, Division 4 – Mabuiag (Cairns)
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 (Cairns)
Cr Kabay Tamu, Division 10 – Warraber
Cr Francis Pearson, Division 11 – Poruma
Cr Hilda Mosby, Division 12 – Masig (Cairns)
Cr Rocky Stephen, Division 13 – Ugar (Cairns)
Cr Jimmy Gela, Division 14 – Erub (Cairns)
Cr Aven Noah, Division 15 – Mer (Cairns)

Ms Hollie Faithfull, Acting Chief Executive Officer (ACEO)
Mr Ilario Sabatino, Chief Operating Officer (COO) (Cairns)
Mr David Baldwin, Chief Engineer (CE)
Mr Peter Krebs, Senior Legal Counsel (SLC)
Mrs Kathy Cochran – Secretariat Officer (SO)

Apologies

TRUSTEE MEETING
Wednesday 20th January 2021
Agenda Items

1. 9:09am - 9:14am Opening Prayer and Welcome

Mayor Mosby welcomed all Councillors and staff and acknowledge our Heavenly father for his blessings. Mayor also acknowledge the leadership team, both political and administration. Mayor paid respect to Traditional owners and condolence to the families who are in sorry business.

Mayor Mosby welcomed the newly elected Councillor for Division 14 – Erub, Cr Jimmy Gela to the Trustee meeting as an observer and invited Cr Lui to open the meeting in prayer.

2. 9:14am – 9:15am Apologies

No apology received. Cr Nona and Cr Toby advised they will be a little late joining this morning.

3. 9:15am - 9:18am Declaration of Conflict of Interest (Prescribed/ declarable)

- Cr Hilda Mosby declared a declarable conflict of interest for Agenda item 8 – Legal – LHA Transfer of LHA – Masig Lot 20. Cr Mosby is a close relative of the parties.
- Cr Francis Pearson declared a declarable conflict of interest for Agenda item 7 – Legal – LHA Lease – Warraber. Cr Pearson is a close relative of the relative of the parties.

Senior Legal Counsel, Mr Peter Krebs provide Council with legal advice and all Councillors were in favour of both Cr Hilda Mosby and Cr Francis Pearson to remain in the room.

4. 9:18am – 9:19am Confirmation of Trustee Meeting Minutes – 8th December 2020

Minutes not in meeting pack. Team emailing to all Councillors and staff and will be discussed later in the agenda.

5. 9:19am – 9:21am Standing Agenda Item: (verbal update)

- TRUSTEE – Undocumented commercial land occupation project

Senior Legal Counsel, Mr Peter Krebs provided Council with a brief update on the leases and their status.

ACTION: Mr Krebs to provide a report to Council on all the undocumented commercial land occupation, setting out Division by Division and those with and without leases.

6. **9:21am – 9:28am** **LEGAL – LHA Leases – Mabuiag**

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

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Levi

1. That the Trustee recommend advising the Minister that the lease over lot 45 on SP273192 (45 Main Street, Mabuiag) should issue to Gesa William Joseph as soon as possible under section 35 of the Aboriginal and Torres Strait Islander Land Holding Act 2013, and authorise the Chief Executive Officer to sign the Advice and Recommendation Report.
2. That the Trustee recommend advising the Minister that the lease over lot 25 on SP273192 (25 Main Street, Mabuiag) should issue to Norma Elizabeth Whap as sole tenant as soon as possible under section 35 of the Aboriginal and Torres Strait Islander Land Holding Act 2013, and authorise the Chief Executive Officer to sign the Advice and Recommendation Report.
3. That the Trustee recommend advising the Minister that the lease over lot 12 on SP273192 (12 Map Street, Mabuiag) should issue to Pele Mooka as soon as possible under section 35 of the Aboriginal and Torres Strait Islander Land Holding Act 2013, and authorise the Chief Executive Officer to sign the Advice and Recommendation Report.

MOTION CARRIED

Cr Lui asked for all matters to do with Katter Leases come to the Council not the Chief Executive Officer for decision.

9:27am – Cr Toby joins the meeting.

7. **9:28am – 9:44am** **LEGAL – LHA Leases – Warraber**

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

- Cr Kabay Tamu declared a declarable conflict of interest as he is a close relative to the parties.
Council agreed for Cr Tamu to remain in the room.

9:44am – Cr Nona joined the meeting.

Cr Nona asked about the splitting of the lease. Council had a brief discussion.

RESOLUTION:

Moved: Cr Tamu; *Second:* Cr Pearson

1. That the Trustee recommend advising the Minister that the lease over lot 8 on SP270859 (53 Yessie Street, Warraber) should issue to Harold Pearson, Mary Mosby, Olandi Pearson, Cessa Asai, Harry Pearson, Katherine Roberta Sailor and Dorothy Elizabeth Mari as tenants in common as soon as possible under section 35 of the Aboriginal and Torres Strait Islander Land Holding Act 2013, and authorise the Chief Executive Officer to sign the Advice and Recommendation Report.
2. 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 a lot (RAL) 1 lot into 2 lots over Lot 47 on SP270859 (33A and 33B Dabus Street, Warraber), on behalf of Ted and Helena Billy, in relation to Land Holding Act lease application WA1/86, and authorise the Chief Executive Officer to sign the owner's consent form and, subject to local government approval, the resulting survey plans.

MOTION CARRIED

9:50am- 9:54am – IT Manager enters room to replace microphone.

8. 9:54am – 10:00am LEGAL – Transfer of LHA – Masig – Lot 20

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

- Cr Hilda Mosby previously declared a declarable conflict of interest and Council agreed for Cr Mosby to remain in the room.

RESOLUTION:

Moved: Cr Mosby; *Second:* Cr Fell

That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld), the Council as Trustee consent to the transfer of the Land Holding Act (Katter) lease 715653361 from Cynthia Mabo to Ted Fraser Nai for 20 JDL Road (Lot 20 on SP277431) on Masig.

MOTION CARRIED

Cr Nona raised concerns around the perception with the same surname. Senior Legal Counsel, Mr Peter Krebs provided Council with legal advice and clarified conflict of interest and material personal interest.

9. 10:00am – 10:02am LEGAL – Transfer of LHA – St Pauls – Lot 32

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

RESOLUTION:

Moved: Cr Levi; *Second:* Cr Elisala

That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld), the Council as Trustee consent to the transfer of the Land Holding Act (Katter) lease 719331053 from Christopher Ware to Michael Ibigan Ware for 98 Ware Street (Lot 32 on SP256048) on St Pauls

MOTION CARRIED

10. 10:02am – 10:19am LEGAL – Information Report – Home Ownership

Senior Legal Counsel, Mr Peter Krebs spoke to the report. The purpose of the report was to provide Council with an update on the home-ownership program.

RESOLUTION:

Moved: Cr Trinkoon; *Second:* Cr Nona

That the Trustee note this report.

MOTION CARRIED

11. 10:19am – 10:30am Confirmation of Trustee Meeting Minutes – 8th December 2020

RESOLUTION:

Moved: Cr Nona; *Second:* Cr Tamu

That the minutes from the Trustee meeting held on the 8th December 2020 be adopted as a true and accurate record of that meeting.

MOTION CARRIED

12. **10:30am – 10:31am**

Next meeting – February 2021

Next Trustee Meeting date – Tuesday 23rd February 2021 at Division 4 - Mabuiag

13. **10:31am – 10:31am**

Closing Remarks and Prayer

Mayor Mosby encouraged Councillors to speak to the legal team in relation to their respective community on the Trustee matters and declared the Trustee meeting closed.

Meeting Closed – 10:31am

.....
Ilario Sabatino
Acting Chief Executive Officer
Torres Strait Island Regional Council
23rd February 2021

.....
Phillemon Mosby
Mayor
Torres Strait Island Regional Council
23rd February 2021

TORRES STRAIT ISLAND REGIONAL COUNCIL

TRUSTEE REPORT

COUNCIL TRUSTEE MEETING

DATE: February 2021

SUBJECT: Partial Surrender of Masig LHA Lease over Lot 191

AUTHOR: Peter Krebs, Senior Legal Counsel

PERSONAL INTERESTS

Councillors are reminded to declare any prescribed or declarable conflicts of interests relating to:

- Dick Billy and Andrew Meme
- Traditional Owner interests at Masig

RECOMMENDATION

That pursuant to the Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld), the Council as Trustee consent to the partial surrender of the Land Holding Act (Katter) lease 715653318 over Lot 191 on SP277431 on Masig.

PURPOSE

This report provides information to Council on the application for a partial surrender of a Katter lease over Lot 191 (JDL Road) Masig.

As trustee for Masig Island Deed of Grant in Trust, it is TSIRC's role to provide consent to a partial surrender of a LHA (Katter) lease. This report is for the Trustee to consider providing consent to the partial surrender of the Katter lease.

BACKGROUND

1. On 10 September, Dick Billy made an application for a Katter lease for both Lot 15 and Lot 191 on SP277431. This Katter Lease was granted to Dick Billy on 4 June 1987. TSIRC is the lessor of the lease.
2. In September 1986 Andrew Mene made a valid application for a Katter Lease over Lot 15. However, since this application overlapped the Dick

Billy's Katter lease, this lease cannot be granted while the overlap remains.

3. Both Dick Billy and Andrew Mene have passed away, hence beneficiaries are entitled to the Katter leases.
4. On 2 December 2020, DATSIP advised TSIRC that it had undertaken consultation with the Billy and Mene families. Agreement was reached that Lot 191 is traditionally Mene family land and should not have been granted to the Billy family in the first place. Both families agree to the partial surrender of the Katter Lease over Lot 191 and have signed the necessary approval. (**Attachment 1**).
5. If the partial surrender is approved by TSIRC, this means that a Katter lease can be granted to Sepoima Warria, Moses Mene, John Mene and Edward Mene for Lot 191.
6. The Billy family will have the remaining Katter lease over Lot 15.

OFFICER COMMENT

The Form 8 Surrender of Lease (**Attachment 2**) needs to be signed by the Chief Executive Officer to become effective.

CONSULTATION

- Cr Hilda Mosby
- CEO
- DATSIP

LINKS WITH STRATEGIC PLANS

Operational Plan:

To be advised

STATUTORY REQUIREMENTS

Torres Strait Islander Land Act 1991 (Qld)
Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld)
Land Title Act 1994 (Cth)

FINANCE AND RISK

Capital Cost

NIL

Operating Cost

NIL

Risk Assessment

NIL

SUSTAINABILITY

NA

CONCLUSION

As presented.


Ilario Sabatino
ACEO



Peter Krebs
Senior Legal Counsel

ATTACHMENTS:

1. Letter dated 7 January 2021 from DATSIP requesting the transfer.
2. Surrender of Lease (FORM 8)



Department of
Seniors, Disability Services
and Aboriginal and Torres
Strait Islander Partnerships

Our Ref: MS22/86
Date: 02 December 2020

Mr Peter Krebs
Senior Legal Counsel
Torres Strait Island Regional Council
PO Box 7336
Cairns QLD 4870

Dear Peter

Please find enclosed a Titles Form 8 surrender document for the partial surrender of Trustee lease 715653318 for execution by the Torres Strait Island Regional Council in order to progress matters regarding the lease covering lot 191 on SP277431. Specifically, the Billy family would like to surrender lot 191 to the Mene family.

Details of the partial surrender are:

- An application for a *Land Holding Act* (LHA) lease was lodged by Dick Whittington Billy on 10 September 1986 over what appears to be the area now described as lot 15 on SP277431 and lot 191 on SP27743. This application was deemed valid.
- Trustee Lease 715653318 was granted on 04 June 1987 over lot 15 on SP277431 and lot 191 on SP27743.
- Dick Whittington Billy passed away on 26 December 1990.
- The Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP) issued a s60 Certificate on 19 March 2020 which identified Mr Elia Billy, Ms Edna Billy and Mr Ingvali Emanuel Billy as beneficiaries in equal interest to Trustee lease 715653318.
- An application for a LHA lease was lodged by Andrew Mene on 10 September 1986, over what appears to be the area now described as lot 191 on SP277431. This application was deemed valid.
- It has not been possible to grant Andrew Mene's lease because lease 715653318 exists over lot 191 on SP277431.
- Andrew Mene passed away on 03 June 1997.
- DSDSATSIP issued a s60 Certificate on 19 December 2019 which identified, Sepoima Vida Warria, Moses Mene, John Mene and Edward Mene as beneficiaries to the LHA entitlement over lot 191 on SP277431.

Cairns Corporate Tower
Level 9, 15 Lake Street
Cairns QLD 4870

Telephone: +61 7 4252 5129
www.datsip.qld.gov.au

ABN: 73882262700

- DSDSATSIP has undertaken consultation with the Billy and Mene families and there is complete agreement between the families that lot 191 on SP277431 is traditionally Mene land and that lease 715653318 should not have been applied for by, or granted to the Billy family over lot 191 on SP277431.
- In respect of Cultural land ownership practice, the identified beneficiaries of Dick Whittington: Mr Elia Billy, Ms Edna Billy and Mr Ingvali Emanuel Billy, and now lessees of lease 715653318 have signed the enclosed Form 8 and Form 20 requesting a partial surrender covering lot 191 on SP277431.
- When the partial surrender over lot 191 on SP277431 has taken effect, the Department of Resources will facilitate the grant of the LHA lease over lot 191 on SP277431 to Sepoima Vida Warria, Moses Mene, John Mene and Edward Mene as beneficiaries to the LHA entitlement over lot 191 on SP277431

I have enclosed a stamped, self-addressed envelope for return of the documents once executed by the Torres Strait Island Regional Council. I have also enclosed both original applications and a map showing the area referred to in these documents.

If you have any questions, please don't hesitate to call me on 4252 5117 or 1800 001 931.

Yours sincerely



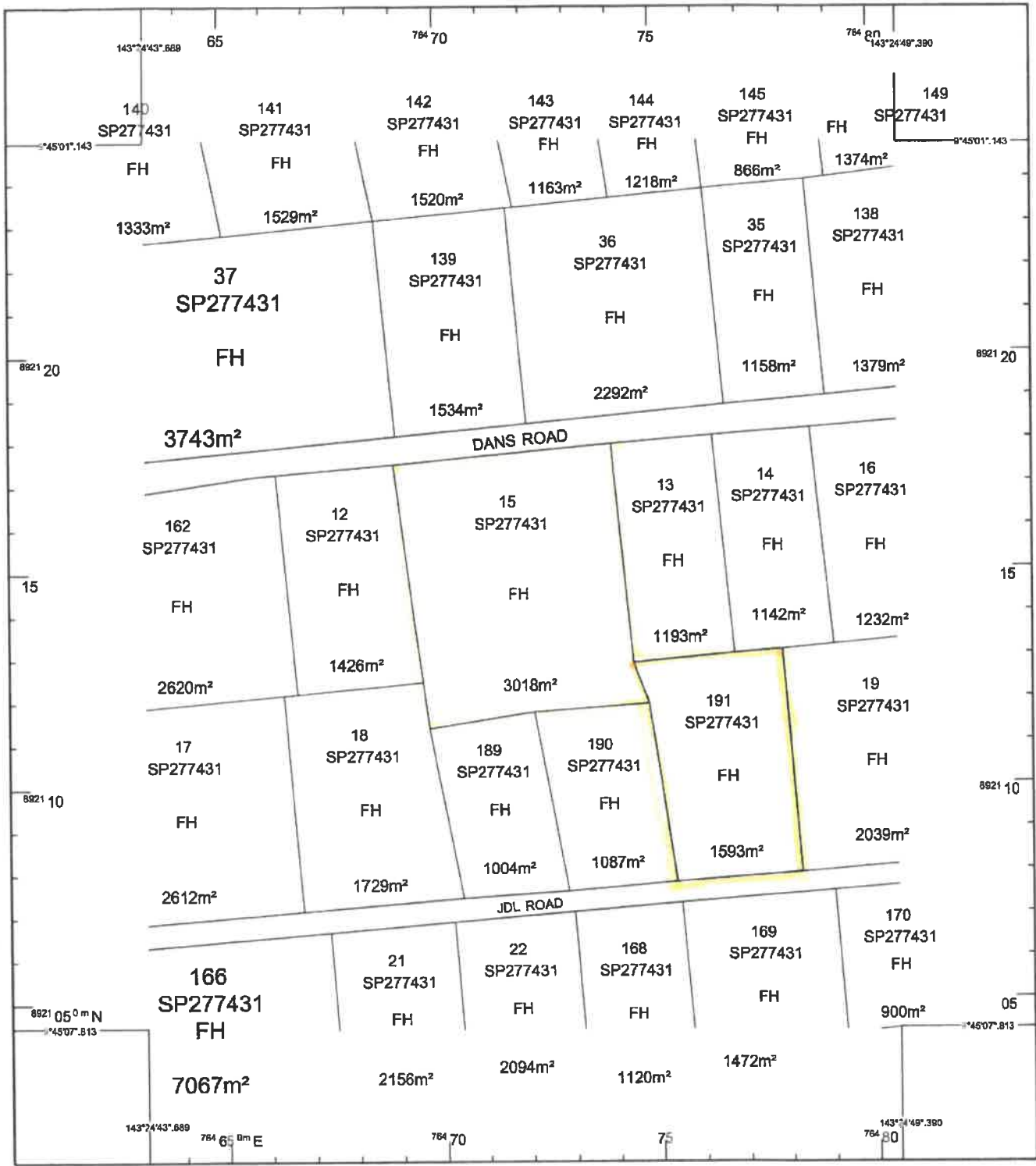
John Coyle

**Manager Home Ownership Team
Remote Indigenous Land and Infrastructure Program Office
Infrastructure and Coordination**

Caïms Corporate Tower
Level 9, 15 Lake Street
Caïms QLD 4870

Telephone: +61 7 4252 5129
www.datsip.qld.gov.au

ABN: 73882262700



STANDARD MAP NUMBER
7578-21414



SmartMap

An External Product of
SmartMap Information Services
Based upon an extraction from the
Digital Cadastral Data Base

MAP WINDOW POSITION &
NEAREST LOCATION

143°24'43".889
9°45'01".143
STEPHENS ISLAND
30.75 604

SUBJECT PARCEL DESCRIPTION

DCDB	15/SP277431
Lot/Plan	3018m ²
Area/Volume	FREEHOLD
Tenure	TORRES STRAIT ISLAND RESERVE
Local Government	MASIG ISLAND
Locality	81093/128
Segment/Parcel	

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 23/10/2019

DCDB 22/10/2019

DISCLAIMER

Users of the information recorded in this document (the Information) except all responsibility and risk associated with the use of the information and should seek independent professional advice in relation to dealings with property.

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Queensland Government
(c) The State of Queensland,
(Department of
Natural Resources,
Mines and Energy) 2019.



Form 2
QUEENSLAND

Aborigines and Torres Strait Islanders (Land Holding) Act 1985 (S.6)
Aborigines and Torres Strait Islanders (Land Holding) Regulations 1986

NOTIFICATION OF DETERMINATION BY TRUSTEE COUNCIL

Refer Application No. 22186
Refer Council Minute No. 10-09-86
Council YORKE ISLAND

TO: THE MINISTER FOR NORTHERN DEVELOPMENT
AND COMMUNITY SERVICES

The Trustee Council for the trust area of YORKE ISLAND, hereby notifies you that the person/s named in Schedule I hereto applied to the Council seeking its approval that a lease be granted to ~~him/her~~ in respect of the land described in Schedule II hereto.

The Council has decided that the applicant/s described in Schedule I hereto ~~should be granted the tenure of the land described in Schedule II hereto.~~
~~should not be granted the tenure of the land described in Schedule II hereto for the reasons set out in Schedule III hereto.~~

DATED at YORKE ISLAND this TENTH day of September 1986.

Joseph Insley *Kolupnd Manna*

(Execution by Council).



*Delete whichever is inapplicable.

SCHEDULE I - NAME OF APPLICANT/S AND ADDRESS/ES

Dick W. Billy
YORKE ISLAND.

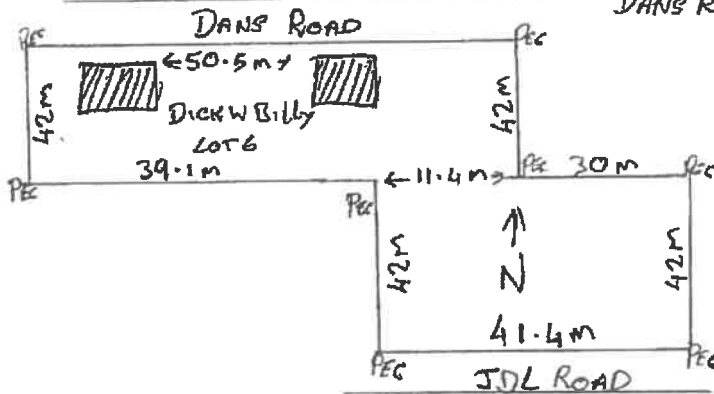
Note: State Christian names and Surname in full in block letters. State also full residential address. If more than one applicant, state how tenure is to be held, i.e. as joint tenants or as tenants in common, and if the latter, the shares to be held by each applicant.

Sole TENANT.

SCHEDULE II - DESCRIPTION OF LAND

- (i) Survey description (if any) -
Council - YORKE ISLAND
Lot 6 on Plan Area
County TORRES Parish UMAGA Town
- (ii) Metes and Bounds description (if it is known) - 50.5m x 42 x 30 x 42 x 41.4 x 42 x 39.1 x 42

or (iii) Other appropriate description - 2 RECTANGULAR BLOCKS BOUNDED BY
DANS RD + JDL RD



SCHEDULE III - REASONS FOR REFUSAL OF APPLICATION

New Lot No 15

QUEENSLAND

Aborigines and Torres Strait Islanders (Land Holding) Act 1985 (S-5)
Aborigines and Torres Strait Islanders (Land Holding) Regulations 1986

APPLICATION TO TRUSTEE COUNCIL FOR APPROVAL THAT
LEASE BE GRANTED OVER LAND SITUATED IN A TRUST AREA

Name of Trustee Council: Yorke Island Date: 22, 86

Address: Dick W. Billy

I hereby apply for TRUSTEE COUNCIL approval that a lease be granted to me over land described in the Schedule hereto and declare that -

- (a) I have attained the age of 18 years and my date of birth is 1-4-36.
- (b) I am of lawful person(s) within the meaning of the Aborigines and Torres Strait Islanders (Land Holding) Act 1985;
- (c) I seek to hold the land described in the Schedule hereto for the purpose of: Residential + TRADITIONAL LAND

And I do make this declaration believing the same to be true.

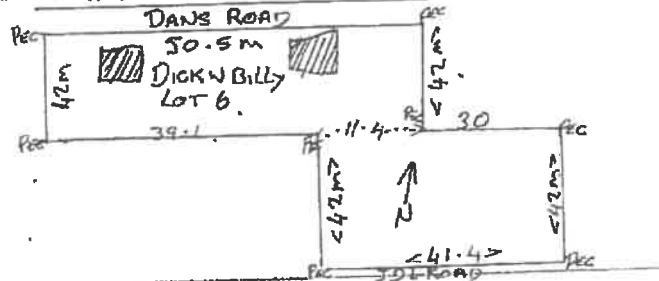
Signed and sealed by the within named declarant on this SIXTH day of AUGUST 1986 before me (print full name) Alisa JP

Dick W. Billy
Signature of Declarant

Signature of Witness

SCHEDULE - DESCRIPTION OF LAND

- (1) Survey description (if any) -
Catalina - YORKE ISLAND
Lot 6 on Plan Area County TORRES Parish UMAGA
Town
- (2) Area and Boundaries description (if it is known) - 50.5 x 42 x 39.1 x 42 x
- (3) Other appropriate description -



New Lot No 15

- (Note 1) State Christian names and Surnames in full in block letters. Also state full residential address.
- (Note 2) If more than one applicant, state how it is to be held, i.e. as joint tenants or as tenants in common, and if the latter, the shares to be held by each applicant.
- (Note 3) If more than one applicant advise the date of birth of each applicant.
- * Delete whichever is inapplicable.

(2) FURTHER
Resolved on 7, 8, 1986 at 11 AM o'clock.

[Signature]
Council Clerk

Notice of this application was exhibited at YORKE ISLAND for a period of 28 days from 7, 12, 1986 to 7, 19, 1986.

[Signature]
Deponent

COMMUNITY COUNCIL

YORKE

10-09-86

Dick W Billy

NOTIFICATION OF DETERMINATION

BY

YORKE ISLAND COUNCIL

Dear MR BILLY

At a Council Meeting held on 10-09-86
This Council determined that you be granted a Tenure under the
Aborigines and Torres Strait Islanders (Land Holding) Act 1975,
over the parcel of Land described in your application number 22186
Island on 06-08-86 (date)

A letter is being forwarded to the Minister for Northern
Development and Community Services informing him of the Decision
of this Council.



On behalf of
YORKE ISLAND COUNCIL

Form 2
QUEENSLAND

Aborigines and Torres Strait Islanders (Land Holding) Act 1985 (S.6)
Aborigines and Torres Strait Islanders (Land Holding) Regulations 1986

NOTIFICATION OF DETERMINATION BY TRUSTEE COUNCIL

Refer Application No. 30/86
Refer Council Minute No. 10-09-86
Council YORKE ISLAND

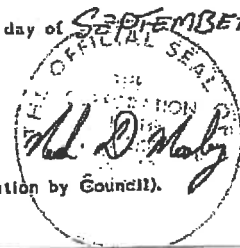
TO: THE MINISTER FOR NORTHERN DEVELOPMENT
AND COMMUNITY SERVICES

The Trustee Council for the trust area of YORKE ISLAND, hereby notifies you that the person/s named in Schedule I hereto applied to the Council seeking its approval that a lease be granted to *him/~~them~~ in respect of the land described in Schedule II hereto.

The Council has decided that the applicant/s described in Schedule I hereto *should be granted the tenure of the land described in Schedule II hereto.
~~*should not be granted the tenure of the land described in Schedule II hereto for the reasons set out in Schedule III hereto.~~

DATED at YORKE ISLAND this TENTH day of SEPTEMBER 1986

Joseph Muly
Kelford Maria
*Date/s whichever is inapplicable.



SCHEDULE I - NAME OF APPLICANT/S AND ADDRESS/ES

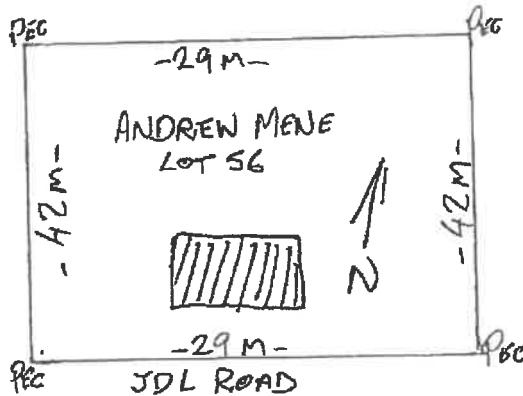
ANDREW MENE
YORKE ISLAND

Note: State Christian names and Surname in full in block letters. State also full residential address. If more than one applicant, state how tenure is to be held, i.e. as joint tenants or as tenants in common, and if the latter, the shares to be held by each applicant.

SOLE TENANT

SCHEDULE II - DESCRIPTION OF LAND

- (i) Survey description (if any) -
Council - YORKE ISLAND
Lot 56 on Plan Area
County TORRES Parish UMAGA Town
- (ii) Metes and Bounds description (if it is known) - 42 M x 29 M
- or (iii) Other appropriate description - N SIDE JDL ROAD



SCHEDULE III - REASONS FOR REFUSAL OF APPLICATION

30/86

QUEENSLAND

Aborigines and Torres Strait Islanders (Land Holding) Act 1985 (S.5)
Aborigines and Torres Strait Islanders (Land Holding) Regulations 1986

APPLICATION TO TRUSTEE COUNCIL FOR APPROVAL THAT
LEASE BE GRANTED OVER LAND SITUATED IN A TRUST AREA

To:
Name of Trustee Council:

No. 30,186

Applicant:

I/We (Note 1) Andrew Mene
hereby apply for TRUSTEE COUNCIL approval that a lease be granted to
Andrew Mene (sole tenant)
as set forth in the Schedule hereto and declare that -
(a) I have attained the age of 20 years and my date of birth is 24 SEPT 15 1949

- (b) I am not qualified personally with the meaning of the Aborigines and Torres Strait Islanders (Land Holding) Act 1985;
- (c) I/We seek to hold the land described in the Schedule hereto for the purpose of:
(give details) RESIDENTIAL

And I/We make this declaration hallowing the same to be true.

Signed and declared by the
within named declarant/s
this SEVENTH day of
AUGUST, 1986

Andrew Mene
Signature of Declarant/s

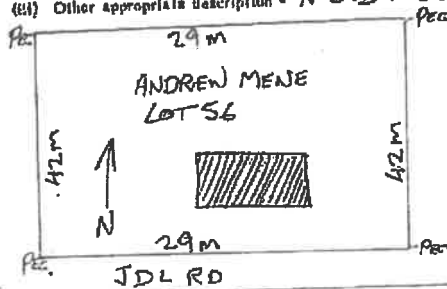
(insert name of full name)
Andrew Mene
Residence of Applicant

SCHEDULE - DESCRIPTION OF LAND

(i) Survey description (if any) -
Section - Y
Lot 56 on Plan Aves County TORRES Parish UMAGA
Town

or (ii) Dates and Bounds description (if it is known) - 42m x 29m

or (iii) Other appropriate description - N SIDE JDL ROAD



(Note 1) State CI claim names & Surnames in full in black letters.
Note also full residential address.

(Note 2) If more than one applicant, state how tenure is to be held, i.e. as joint tenants or as tenants in common, and if the latter, the shares to be held by each applicant.

(Note 3) If more than one applicant advise the date of birth of each applicant.
* Insert whichever is applicable.

OFFICER USE

Received on 7/8/86 at 11AM o'clock.

[Signature]
Council Clerk,

Notice of this application was published at
26 p.m. from 7/8/86 to 7/9/86.

for a period of
2 days

COMMUNITY COUNCIL

YORKE

10-09-86

ANDREW MENE

NOTIFICATION OF DETERMINATION

BY

YORKE ISLAND COUNCIL

Dear MRI MENE

At a Council Meeting held on 10-09-86
This Council determined that you be granted a Tenure under the
Aborigines and Torres Strait Islanders (Land Holding) Act 1985,
over the parcel of Land described in your application number 30186
Island on 07-08-86 (date)

YORKE

A letter is being forwarded to the Minister for Northern
Development and Community Services informing him of the decision
of this Council.



On behalf of

YORKE ISLAND COUNCIL

Dealing Number



OFFICE USE ONLY

Privacy Statement

Collection of information from this form is authorised by legislation and is used to maintain publicly searchable records. For more information see the Department's website.

1. Dealing number of instrument being surrendered TRUSTEE LEASE NO 715653318	Lodger (Name, address, E-mail & phone number)	Lodger Code 175
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2. Lot on Plan Description LOT 191 ON SP277431	Title Reference 51071752
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3. Lessor
TORRES STRAIT ISLAND REGIONAL COUNCIL DEED OF GRANT IN TRUST

4. Lessee
ELIA JULIUS BILLY
EDNA MAKU BILLY
INGVALI EMANUEL BILLY

5. Surrender/Execution
a) **Surrender of Freehold Lease**
Full Surrender The lease in item 1 is surrendered from 27/07/2020.

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

.....signature
Arthur John Huntfull name
JP (QVA) 53348qualification
Witnessing Officer

"JPs in the Community" Program
Department of Justice & Attorney - General
Lvl. 6, 154 Melbourne Street
South Brisbane QLD 4101

27 JULY 2020
Execution Date **Lessee's Signature**

(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

ELIA JULIUS BILLY

6. Acceptance
The Lessor accepts this surrender.

.....
Execution Date **Lessor's Signature**

**CHIEF EXECUTIVE OFFICER
TORRES STRAIT ISLAND REGIONAL COUNCIL**

RECEIVED 29 JUL 2020

Title Reference 51071752

Item 5 – Lessee's Signature.

Neil Craig Thyersignature
NEIL CRAIG THYERfull name
J.P. N: 75854qualification

Witnessing Officer
(Witnessing officer must be in accordance with Schedule 1
of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)



Edna Maku Billy
Lessee's Signature

EDNA MAKU BILLY

Joanne L Bryantsignature
Joanne L Bryantfull name
JP Qual # 121915qualification

Witnessing Officer
(Witnessing officer must be in accordance with Schedule 1
of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)

22/9/20
Execution Date

Ingvald E. Billy
Lessee's Signature

INGVALI EMANUEL BILLY