

AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

JULY 2021

Tuesday 20th July 2021, 10:30am – 5:00pm
Wednesday 21st July 2021, 9:00am – 3:00pm

Video Conference

COUNCIL ORDINARY MEETING

Tuesday 20th July 2021

Agenda Items

- | | | |
|-----|--------------------------|---|
| 1. | <u>10:30am – 10:35am</u> | <u>Welcome and Opening Remarks</u> |
| 2. | <u>10:35am – 10:40am</u> | <u>Apologies</u> |
| 3. | <u>10:40am – 10:45am</u> | <u>Declaration of Conflict of Interest (COI) (Prescribed and Declarable)</u> |
| 4. | <u>10:45am – 10:50am</u> | <u>Confirmation of Previous Council Ordinary Meeting Minutes</u> <ul style="list-style-type: none">• 29th – 30th June 2021 - VC |
| 5. | <u>10:50am – 11:15am</u> | <u>Outstanding Council Ordinary Meeting Action Items</u> |
| 6. | <u>11:15am – 11:30am</u> | <u>Standing Agenda Items:</u> <ul style="list-style-type: none">• BSU Update• Housing Authority (verbal) |
| 7. | <u>11:30am – 11:45am</u> | <u>LEGAL – Development Application – Warraber Lot 47</u> |
| 8. | <u>11:45am – 12:00am</u> | <u>COMMUNITY SERVICES – Local Law Enforcement Policy</u> |
| 9. | <u>12:00am – 12:15pm</u> | <u>BUILDING SERVICES – Plug-ins Tender - Erub and Badu</u> |
| 10. | <u>12:15pm – 12:30pm</u> | <u>BUSINESS SERVICES – Organisation Structure</u> |

LUNCH 12:30pm – 1:30pm

- | | | |
|-----|------------------------|--|
| 11. | <u>1:30am – 2:00am</u> | <u>BUSINESS SERVICES – 2021/22 Operational Plan</u> |
| 12. | <u>2:00am – 2:20am</u> | <u>BUSINESS SERVICES – Statement of Estimated Financial position</u> |
| 13. | <u>2:20pm – 3:00pm</u> | <u>BUSINESS SERVICES – 2021/22 Original Budget</u> |

AFTERNOON TEA 3:00pm – 3:30pm

- | | | |
|-----|------------------------|---|
| 14. | <u>3:30pm – 3:45pm</u> | <u>BUSINESS SERVICES – Finance Report</u> |
| 15. | <u>3:45pm – 4:00pm</u> | <u>BUSINESS SERVICES – Community Grant Program</u> |
| 16. | <u>4:00pm – 4:20pm</u> | <u>BUSINESS SERVICES – Investigation Policy</u> |
| 17. | <u>4:20pm – 4:40pm</u> | <u>BUSINESS SERVICES – Accommodation Option</u> |
| 18. | <u>4:40pm – 4:45pm</u> | <u>Next Ordinary Meeting dates – 17th & 18th August 2021 – VC</u> |
| 19. | <u>4:45pm – 4:55pm</u> | <u>Business Arising from Information Reports</u> |
| 20. | <u>4:55Pm – 5:00pm</u> | <u>Closing Remarks and Prayer</u> |

COUNCIL ORDINARY MEETING
Wednesday 21st July 2021
Agenda Items

- | | | |
|---|--------------------------|--|
| 21. | <u>9:00am – 9:05am</u> | <u>Welcome and opening prayer.</u> |
| 22. | <u>9:05am – 10:15am</u> | <u>Deputation 1:</u> – Partnership proposal and Project Update - Gur A Baradharaw Kod (GBK) – Mr Ned David, Chairperson, Mr Charlie Kaddy, Acting Chief Executive Officer |
| <u>MORNING TEA – 10:15am – 10:30am</u> | | |
| 23. | <u>10:30am – 11:30am</u> | <u>Deputation 2:</u> - Torres Strait Treaty Matters – Ms Jacqueline Herbert, Department of Foreign Affairs and Trade. |
| 24. | <u>11:30am – 12:30am</u> | <u>Deputation 3:</u> - ILUA / Trustee - Mr Fred Gela, General Manager Stakeholder Engagement, Community Enterprise Queensland |
| <u>LUNCH – 12:30pm – 1:30pm</u> | | |
| 25. | <u>1:30pm – 1:30pm</u> | <u>COUNCIL MOVE INTO CLOSED BUSINESS</u> |
| 26. | <u>1:30pm – 2:00pm</u> | <u>BUILDING – CB – Community Plug-in Projects</u> |
| 27. | <u>2:00pm – 2:30pm</u> | <u>ENGINEERING – CB – TSLDMG Report</u> |
| 28. | <u>2:30pm – 3:00pm</u> | <u>ENGINEERING – CB – Waste Management Strategy</u> |
| <u>AFTERNOON TEA - 3:00pm – 3:30pm</u> | | |
| 29. | <u>3:30pm – 4:00pm</u> | <u>BUSINESS SERVICES – CB – Internal Audit - Late</u> |
| 30. | <u>4:00pm – 4:00pm</u> | <u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u> |
| 31. | <u>4:00pm – 4:55pm</u> | <u>Strategic Matters</u> |
| 32. | <u>4:55pm – 5:00pm</u> | <u>Closing Remarks and Prayer</u> |



TORRES STRAIT ISLAND REGIONAL COUNCIL

INFORMATION REPORT

ORDINARY MEETING: July

DATE: 16 th July

ITEM: Information Report for Council Meeting

Request:

That Council notes this report.

Staffing:

After discussion with the A/COO BSU Island admin staff will be supervised by the DM's on Badu, Poruma, Kubin and Warrabar. This is to combat the distance between Island and Cairns BSU Cairns.

Partnerships:

The attached action items and commitments made during QBUILD weekly meeting on 8/7/21,

Aged Works (Job Cards & Invoicing)

- TSIRC have made a commitment to have all aged W/O's & JC's over 180 days closed out by next meeting – week of 19/07/2021

Row Labels	June 2021	TSIRC Advice – 08/07/2021
> 61-90 Days Outstanding	219	Current
> 91-120 Days Outstanding	175	Current
> 121-180 Days Outstanding	202	Current
> 181-365 Days Outstanding	98	Finalised by next meeting
> 366-730 Days Outstanding	4	Finalised by next meeting
Grand Total	698	-

Aged Quotes & Tenders

- No Outstanding items

Open Purchase orders

- TSIRC have made a commitment to have all aged OPO's from 2018 closed out by next meeting – week of 19/07/2021

	June 2021		TSIRC Advice – 08/07/2021
P.O Raised	PO No	Total Value	
2018	4	\$140,667.86	Finalised by next meeting
2019	100	\$4,199,859.00	Current
2020	158	\$4,277,272.21	Current
2021	99	\$3,741,943.49	Current
Grand Total	361	\$12,359,742.56	N/A

Program Summary Report

- TSIRC have made a commitment to have all of the below projects at practical completion (100%) by next meeting – week of 19/07/2021
 - NAHA Upgrades – 17 Projects completed
 - Home ownership – 2 projects
- TSIRC have made a commitment to provide firm completion dates for all DoE Projects by next meeting – week of 19/07/2021
 - Murray Island Playground Replacement – Tagai Campus
 - Masig/Yorke Island HIP – Res 006A
 - Masig/Yorke Island HIP – Res 006B
 - Masig/Yorke Island HIP – Res 001

Council Program of Works & Capacity

- TSIRC confirmed the below islands to be prioritised due to current council capacity to deliver works:
 - Warraber Island
 - Badu Island
 - Poruma Island
- QBuild to prioritise scoping schedule and tendering for these Islands as part of 21/22 FYR programs

Action Items

- New proposed completion inspection process (TSIRC to provide 7 days' notice of planned PC. Confirmation that the TSIRC supervisor has inspected the residence and no defects are outstanding. All certificates are to be provided at PC)
- TSIRC to provide weekly completion list at this forum of site to be inspected over the next fortnight
- TSIRC Upgrade report
 - Errors have been noted in report with TSIRC to review and update Planned dates
 - Current report had the below errors:
 - Planned Completion Dates in the Past – 71 W/O's
 - W/O's without Planned Completion Dates – 7 W/O's
- TSIRC to provide update on new staffing and structure with apprenticeship program
 - 5 apprentices – mixed trades
- SWMS - TSIRC not providing SWMS correctly – SWMS to be provided prior to Start-up Meetings.
 - Ongoing
- Completion photos are to be provided to QBuild before invoicing will be approved and processed.
 - Ongoing
- Warraber Island Water tank program Update from TSIRC – 26 still not completed

Capital Works

W4Q.R3 Ugar Guesthouse Upgrade	The Guest House Internal Demolition Completed, New windows Installed and Kitchen & Bathroom Cupboards, Bathroom fixtures have arrived. The Electrical system to be upgraded shortly along with tiling and painting. Works not expected to be completed by June 30, push out to August. Mainly Due to material shortages and Seaswift barge breakdowns of 12 weeks and issue with contractor availability. Requires W4QLD extension to 6 months.
Erub Staircase Refurbishment	Concrete stairs completed, hand rail still on order, issues with supply. June 30 deadline will be met. Handrail delays to sea swift barge breakdowns. Now at 70%, contractor availability issues.
Erub 5 Star Accom Upgrade	Now at 95 % Complete, Percentage complete to be updated. .Invoicing to be finalized to clear commitments.
Lot 162 St Pauls - House Rebuild	Under Construction
Masig Mechanic Shed Repairs Insurance	Ordering Materials
W4Q.R3 Poruma Airport Waiting Shed	Materials Ordered
W4Q.R3 Saibai Airport Waiting Shed	Materials Ordered
W4Q.R3 Masig Builder/Mechanics Workshop	Materials Ordered
W4Q.R3 Dauan Comm Hall (Only Comm Hall Now Scope Change)	Ext of Time granted Tender awarded
W4Q.R3 Iama Covered Sporting Facility	Tender Awarded
Saibai Fuel	Tender Awarded Construction imminent
Ugar Fuel	Awaiting final approval Councillor
Mer Fuel	HOB meeting with Councillor regarding location and design due this month
Mer Offices & Workshop – WIP	Under Construction

Financial

Available via the finance desktop.

BSU on target to Invoice 2.3 Million for the Month of July

Future Impacts on net results.

- Removal of waste
- HOB getting a proposal from JJ Richards for the removal of Builders waste from the Islands via the use of 4 Cubic mt bins.
- HOBs discussing Waste removal with Engineering.

Notification from Housing

Maintenance Program

- The 21/22 program allocation for TSIRC is \$7.3M which includes repaint projects. Additional paint projects which are identified and deemed as urgent through our upcoming condition assessment inspections, can be added to the paint program for the 21/22 FY.

Upgrade Program

- The value of identified projects for the 21/22 program allocation is approx. \$16,890,710. This amount includes approximately \$3,705,715 of approved projects in progress that were not complete by 30th June 2021. Projects from this current FY will continue into the 2021/22 FY. Please note that the value of identified projects for the 21/22 program is based on current inspection data which formulates this program.
- QBuild as the service provider for CHDE, will also be provided with the attached program of works so that they can commence their planning, tendering and quoting process with Council for the delivery of works.

This report outlines the Roll Out of BSU Construction Management System “PROCORE

The roll out has been specifically minimized to enhance buy in and activity. This minimized approach is regarding the reduction of ‘Tools’ initially utilised within Procore.

The reduction has left the main areas of deficiencies, identified by our Stakeholder, QBuild & our internal audit performed on BSU Sept / Oct 2020.

The Main actions are;

- Gathering of works Photos and most importantly completion Photos which is a major requirement for invoicing & enhances TSIRC, BSU’s, quality & standard of delivery with greater overview.
- Completion and storage of SWMS (a legal requirement under the WHS Act 2011) This is being completed via 2 avenues
 1. TSIRC Staff completing an editable TSIRC, SWMS’s directly within The ‘Forms’ tool.
 2. Contractors adding photographic proof of their SWMS directly into the ‘Photos’ tool in Procore
- Program tracking – via all active users to each project updating the percentage completed of their work actions, directly into the ‘*Program*’ Tool within Procore.
- Defects will be controlled via the ‘*Defects*’ Tool directly from Procore and can be issued via identified non conformance works from the photos added into the project. (this has been completed on 1 project already opened the day of completion of works and closed out the following day)

These are the initial actions being rolled out with future improvement actions already identified, post initial roll out.

Role out has been targeting

- Specific island communities of Warraber, Poruma & Badu, with some action across the Northern island communities.
- TSIRC Employees and sole traders are the initial focus.
- Upgrades & HO's have been the initial focus as the workability within Procore is initially easier to understand.

Thus far actions completed or in progress.

- TSIRC Employees
 - Construction Manager has been issued tablet and connectivity
 - Regional Building Supervisors have been issued tablet and connectivity
 - Poruma tablet and Mobile for connectivity have been issued, on ground training and follow up phone assistance has occurred
 - Warraber tablet and Mobile for connectivity have been issued , on ground training and follow up phone assistance has occurred
 - 2 Contractors on Badu have been guided through activation and initial usage via multiple phone calls.
 - 1 Electrician (multiple island Communities) has been guided through activation and initial usage via multiple phone calls.
 - 1 Plumber (mainly St Pauls / Kubin and Badu) has been guided through set up (not initial usage) via phone calls
 - 1 Plumber and one of his supervisors (Warraber, Water Tank Program) has been through initial set up though encountered updating problems (via Phone.)
 - 1 Contractor Scheduled for (Friday 2/7/21) on Saibai.

Additionally:**Upgrades & HO's**

- 199 projects entered with 1956 tasks active
- Approximately ½ projects are loaded.

R&M's projects are built (1 for each Island Community)

- Co-Ordinator is set to start loading R&M Tasks into these.
- Supervisors will need support time during the initial role out of the R&M tasks.

Checks and corrections have been identified and completed through the initial stages of roll out as the sheer volume is large to get across.

Contracts Administration Officer has been across all upgrades and is competent in the creation of projects and has completed multiple actions.

Comment:

Pro core is on track for complete integration by December 2021, the system is already showing a 10% increase in productivity on ground.

ESSO

Conclusion:

That Council notes the report.

Peter Jacques

Endorsed:

Peter Jacques
Head of Building

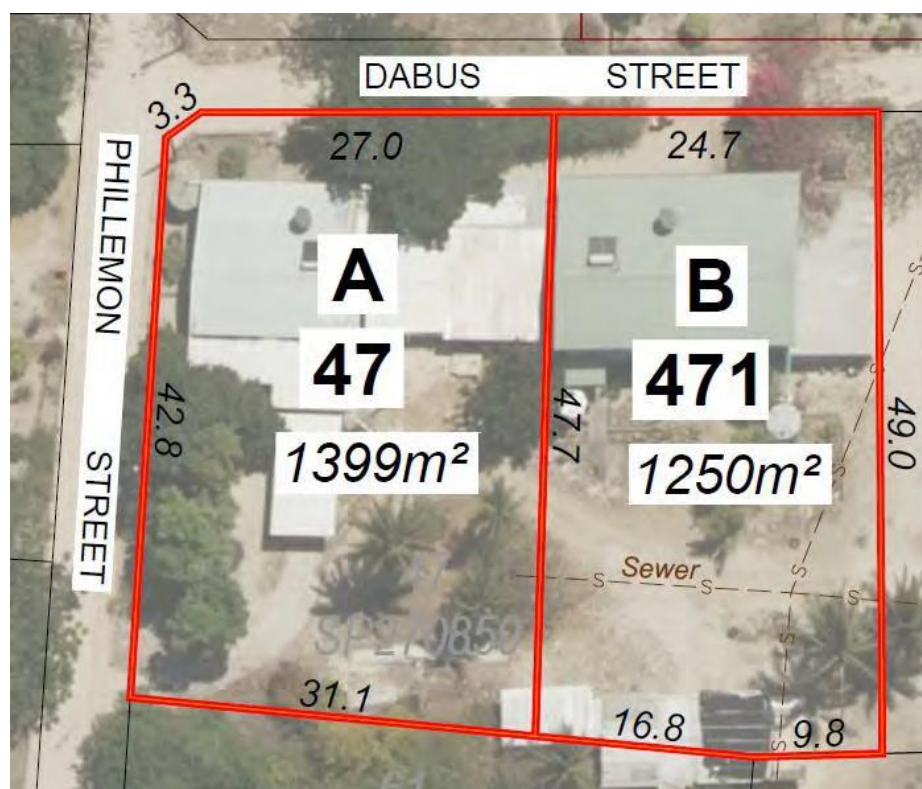
Dawson Sailor

Recommended:

Dawson Sailor
Acting Chief Operations Officer

AGENDA REPORT

PRESENTER: Peter Krebs, Senior Legal Counsel



RECOMMENDATION

That Council issue a Development Permit for 'Reconfiguration of a Lot' (1 Lot into 2 Lots) - Proposed Lots 47 and 471, cancelling Lot 47 on SP270859, with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island, Warraber QLD 4875.

EXECUTIVE SUMMARY

The Remote Indigenous Land and Infrastructure Program Office (RILIPO) seeks development approval for Reconfiguration of a Lot which will result in two (2) Lots on Lot 47 on SP270859, known as 33a and 33b Dabus Street, Warraber Island.

The development proposal aims to subdivide Lot 47 SP270859 to create 2 lots:

- Site A (Proposed Lot 47) existing dwelling, 33A Dabus and Phillemont St
- Site B (Proposed Lot 471) existing dwelling, 33B Dabus Street

The application advises the following:

- *Lot 47 on SP270859 was the subject of an Expression of Interest application under the Aborigines and Torres Strait Islander (Land Holding) Act 1985 for Perpetual leases. Warraber Island Council, who were the authority at the time, approved and granted Entitlement WA1/86 to two (2) original Joint Tenants being Ted and Helena Billy on 04 July 1986.*
- *The subject application was determined to be a valid application however, even though the Entitlement was granted, no Lease was ever granted.*
- *Since the granting of this Entitlement, two social housing dwellings have been built over the lot. Ted and Helena Billy have requested this lot to be reconfigured from one (1) into two (2) lots as summarised in the below Table 1 – Proposed Lots to enable:*
 - *the partial surrender of proposed Lot 33B back to Torres Strait Island Regional Council as Trustee to enable their son Young Billy to remain living in the social housing; and*
 - *the original lease to be granted over the remainder of the Entitlement identified as Lot 33A to their other son James Nelson Billy who has formally agreed to be granted home ownership.*
- *This proposed reconfiguration is recommended for your favour as it will resolve the Land Holding Act Lease Entitlement that has been unresolved since its granting on 04 July 1986.*
- *In order to action the above strategy, the Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships is submitting this Development Application for the subdivision of Lot 47 and will carry out the required survey and registration of plans to create the resulting two (2) lots over Lot 47 on SP270859.*

The development will reconfigure Lot 47 to create two (2) lots as shown on

- **Attach 1 - Proposed ROL Plan Lot 47.pdf**
- **Attach 2 - Location Plan 10358-76-Lot26.pdf**

There are no planning issues and the application is recommended for approval.

DISCUSSION

1. REFERRAL AGENCY

The application was referred to the State Assessment and Referral Agency (SARA) for Coastal management purposes who conditioned the development to be undertaken in accordance with the proposed subdivision plans.

2. ZENADTH KES TOWN PLANNING SCHEME 2016

The proposed development is reflected below:

Strategic	Township
Zone	Township
Local Plan	Warraber Island
Environmental Values	Low Environmental Value area;
Potential Acid Sulphate Soils	Yes land below 5m AHD
Landslide Risk	No
Bushfire Risk	No
Coastal Management District	Yes
Erosion Prone Area	Yes
Storm Tide Inundation	Yes
Flood Hazard Area	No

Within the TSIRC Zenadth Kes Planning Scheme, the proposed development is located within the Township Zone and is subject to Code Assessment. The proposed development has been assessed against the applicable Codes:

- Township zone code
- Warraber Island Local Plan Code
- Reconfiguring a Lot Code
- Infrastructure Works Code
- Water Quality and Acid Sulfate Soils Code

The subject site is zoned for urban purposes and minimises impacts upon areas identified as having Environmental Value.

3. ENGINEERING

Water - services exist in Dabus Street and can service the proposed lots.

Sewer - Councils sewer mains exist through the subject property to both the existing dwellings.

Access – All proposed lots will have frontage to Dabus Street and Phillemon Street and no new roadworks are required.

Electricity (Overhead) and telecommunications (underground) exist for the properties

4. PLANNING ISSUES

The Reconfiguration of a Lot requires planning approval.

The lots are well above the required minimum road frontage of 10m and the required minimum lot size of 300m² (where reticulated sewerage is available).

5. FUTURE APPROVALS

A dwelling house is accepted development in the Township zone, so – under the Planning Scheme – once a lot is created no further approval or consultation is required.

There is no building work regulated by the Planning Scheme, and any Building works are certified by a private building certifier.

6. RECOMMENDATIONS

Based on the above, the recommendation is as follows:

That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the following conditions:

Approved Plans

1. The proposed development is to be undertaken in accordance with the following approved drawings

<i>Plan/Document Number</i>	<i>Plan/Document Name</i>	<i>Date</i>
Page 17 of application	Proposed Subdivision Plan showing proposed lot boundaries for Lots 33A and 33B Dabus Street, Warraber Island	2020
RPS PR10358-77	Warraber DA04-21-10(1) Lot 47 SP270859 1 into 2 ROL - Locality Plan	9-4--2021

subject to any alterations:

- a) found necessary by Chief Executive Officer at the time of examination of drawings or during construction of the works because of particular financial, engineering or cultural requirements and to ensure the works comply in all respects with the requirements of FNQROC Development Manual and good engineering practice; and
 - b) to comply with project specific conditions
2. All works must be carried out in accordance with the approved plans, conditions and specifications, to the requirements and satisfaction of the Chief Executive Officer.

Potential Damage

3. Any existing Council infrastructure or private property (including but not limited to, services, kerb, concrete structures, pits, channel, pavement, footpath, RCP, RCBC, etc.) damaged due to the proposed works is to be rectified or replaced at the applicant's expense prior to the commencement of use. The applicant must notify Council immediately of the affected infrastructure.

Services

4. The applicant is responsible for the cost of any alteration to public utilities as a result of complying with conditions of this Development Permit.
5. The applicant is responsible for providing any required services to the lots, including new House Connection Branch to Council's sewer line if required.
6. The applicant should ensure that the clearance from any structure or building works to any sewer infrastructure is a minimum of 1.5m except as approved by the Chief Engineer. Note that the existing sewer lines cross through both proposed Lot 47 and Lot 471.

Cultural Heritage

7. Torres Strait Islander cultural heritage is protected under the *Torres Strait Islander Cultural Heritage Act 2003*. This Act establishes a cultural heritage duty of care and in section 23(1) mandates that a person who carries out an activity must take all reasonable and practicable measures for ensuring activities are managed to avoid or minimise harm to Torres Strait Islander cultural heritage. The Duty of Care Guidelines gazetted pursuant to the *Aboriginal Cultural Heritage Act 2003* provide guidance on identifying and protecting cultural heritage to fulfil the duty of care.

Currency

8. This approval is valid for four (4) years. A plan of survey must be lodged with Council for endorsement within this time, otherwise the approval will lapse.

Referral Agency Conditions

The development application was referred to the department under the following provisions of the Planning Regulation 2017:

- 10.17.3.5.1 Tidal works or works in a coastal management district

*The Referral Agency Response has advised that there are no requirements in relation to the application – see **Attachment 3** dated 15 June 2021 for the full response.*

Report Prepared By: RPS (Cairns) – Ian Doust G80516
Date Prepared: 30 June 2021

OFFICER COMMENT (Manager Legal Services)

The Trustee passed a resolution in January 2021 granting owner's consent to the development application:

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

[unrelated resolution 1 omitted]

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

FINAL – Minutes – Trustee Meeting – 20 January 2021

The Trustee resolution was in terms of the *Planning Act 2016* and was for the subdivision only. Any future grant and partial surrender of Katter lease entitlement WA1/86 following approval of the subdivision will require a separate Trustee resolution and will be dealt with in a separate process in terms of the

Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld) and Torres Strait Islander Land Act 1991 through the DSDSATSIP Home Ownership Team and the Department of Resources.

CONSULTATION

- DSDSATSIP
- DNRME
- Cr Kabay Tamu has confirmed support

LINKS WITH STRATEGIC PLANS

Operational Plan:

- LHA (Katter) lease resolution

STATUTORY REQUIREMENTS

Aboriginal and Torres Strait Islander Land Holding Act 2013 (Qld)
Planning Act 2016 (Qld)

FINANCE AND RISK

Capital Cost

NIL

Operating Cost

NIL

Risk Assessment

Assessed by RPS (planning consultant) and Manager Legal Services as compliant.

CONCLUSION

As presented.



David Baldwin
A/CEO



Julia Maurus
Manager, Legal Services

Attachments:

1. Proposed Subdivision Plan.pdf
2. Location Plan 10358-77 DA 04-21-10(1) Warraber Lot 47 SP270859
3. Concurrence Conditions 2105-22632 SRA Combined

15 Proposed Subdivision Plan

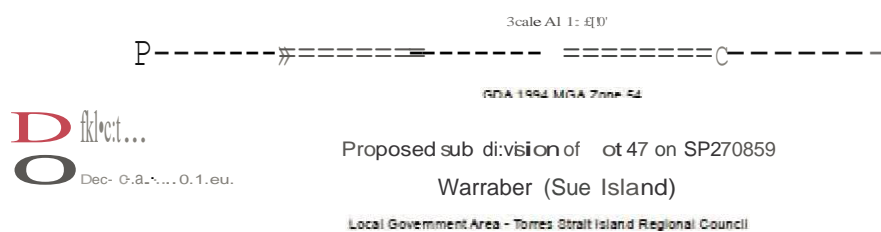
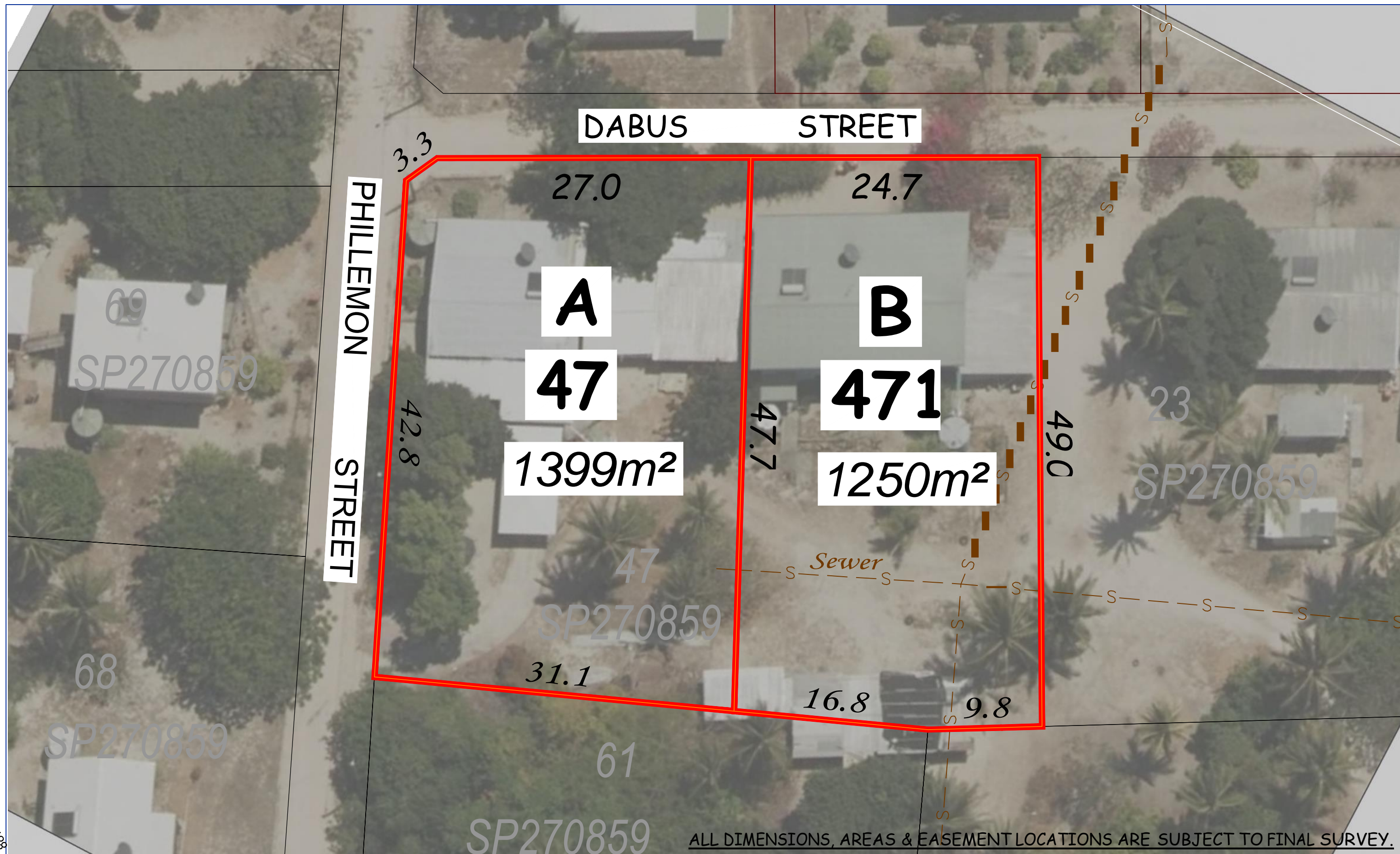


FIGURE 8 PROPOSED SUBDIVISION PLAN SHOWING PROPOSED LOT BOUNDARIES FOR LOTS 33A AND 338
DABUS STREET, WARRABER ISLAND



DA 04-21-10(1) Warraber Lot 47 SP270859
1 into 2 lot ROL - Locality Plan



RPS Australia East Pty Ltd
ACN 140 292 762

135 Abbott St
PO Box 1949
CAIRNS QLD 4870

T +61 7 4031 1336 F +61 7 4031 2942 W rpsgroup.com.au

Datum MGA94 z54 | Scale 1:300 @ A3 | Date 9-4-2021 | Drawing 10358-77



SARA reference: 2105-22632 SRA
Council reference: DA 04-21-10(1) 10358 L80271
Applicant reference: DA2020_030

15 June 2021

Chief Executive Officer
Torres Strait Island Regional Council
PO Box 7336
Cairns Qld 4870
info@tsirc.qld.gov.au

Attention: Ian Doust

Dear Sir/Madam

SARA response—Phillemon Street, Warraber Islet

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency on 25 May 2021.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	15 June 2021
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Reconfiguring a lot (1 lot into 2 lots)
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, Part 17, Division 3 Table 5 (Planning Regulation 2017)	
	Development application for reconfiguring of a lot within a coastal management district	
SARA reference:	2105-22632 SRA	

Assessment Manager: Torres Strait Island Regional Council
Street address: Phillemon Street, Warraber Islet
Real property description: Lot 47 on SP270859
Applicant name: Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships
Applicant contact details: PO Box 5461, Level 9, Cairns Corporate Tower,
15 Lake Street
Cairns QLD 4870
Gerhard.Visser@atsip.qld.gov.au

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Ruth Creffield, A/Senior Planning Officer, on 5352 9775 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Joanne Manson
A/Manager (Planning)

cc Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships,
Gerhard.Visser@atsip.qld.gov.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations provisions
Attachment 5 - Approved plans and specifications

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Reconfiguring of a Lot		
10.17.3.5.1 – Reconfiguring a lot in a coastal management district - The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
1.	<p>The reconfiguration of the lot must be undertaken generally in accordance with the following plans:</p> <ul style="list-style-type: none"> Proposed subdivision of Lot 47 on SP270859, reference DA2020_030, as amended in red by SARA on 15 June 2021. 	Prior to submitting the Plan of Survey to the local government for approval.

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the department's decision are:

- ✓ The proposed development is for a reconfiguring of a lot (1 lot into 2 lots).
- ✓ The subject site is mapped as being within the erosion prone area and coastal management district.
- ✓ SARA assessed the development application against State code 8: Coastal development and tidal works of the *State Development Assessment Provisions* (SDAP), version 2.6, and determined that with conditions, the development achieves compliance with the performance outcomes of the State code.

Material used in the assessment of the application:

- ✓ The development application material and submitted plans
- ✓ *Planning Act 2016*
- ✓ Planning Regulation 2017
- ✓ The *State Development Assessment Provisions* (version 2.6), as published by the department
- ✓ The Development Assessment Rules
- ✓ SARA DA Mapping system

Attachment 4—Change representation provisions

(page left intentionally blank)

Attachment 5—Approved plans and specifications

(page left intentionally blank)



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

Amended in red by SARA on

15 June 2021

AGENDA REPORT

ORDINARY MEETING:	July 2021
DATE:	16 July 2021
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Local Law Enforcement Policy
AUTHORS:	Ewan Gunn, Manager Environment and Health Julia Maurus, Manager Legal Services
PRESENTER:	Chief Operating Officer

Recommendation:

That Council resolves to:

- endorse the updated Enforcement Policy, as presented
- support the proposed approach

Executive Summary:

A local law enforcement working group has been established to review the effectiveness of Council's Enforcement Policy and Enforcement Procedure. The working group resolved to refer all outstanding fines to SPER and review the outcomes after a three-to-six-month period and then provide a report to Council to seek endorsement for a recommended process.

An Illegal dumping program has been undertaken on two communities (Saibai and Badu) over the last six months, involving Environment and Health Workers (EHW) training, community education and awareness, signage and surveillance of illegal dumping hotspot sites.

Background:

At the March 2021 Council Ordinary Meeting the following action item was recorded:

Legal and Environment & Health to submit a report to the standing committee on policy around enforcement options (including SPER) and implementation plan for enforcement of illegal dumping.

This report was presented to the Housing and Safe and Healthy Communities Standing Committee on 22 June 2021 by Manager Legal Services. At the meeting:

1. Manager Legal Services explained the administrative issues that have arisen with invoicing of fines, non-payment of fines, delay in executive approval of reminder letters, referrals to SPER, lack of action by SPER, lack of reporting by SPER of its enforcement action on the unpaid fines, and the SPER secure access token expiring.
2. The Committee requested island-by-island total of unpaid fines, so that they can remind their constituents at community meetings that they need to pay their fines. The island-by-island statistics are currently being compiled by Manager Environment and Health.
3. The Committee endorsed the recommendation to support the review of the Enforcement Policy and support the proposed approach. (Moved by Cr Fell, seconded by Cr Pearson.)

4. The Committee requested that the Enforcement Policy update/review be presented to the July Ordinary Meeting for endorsement of the current process by Council.

Comment:

Council authorised the Enforcement Policy PO5 in 2013 and the policy has been implemented since 2013. It was last reviewed by Council in June 2019 and was due for review 30 June 2021. The responsible Manager is the Chief Operating Officer. The Enforcement Policy PO5 is proposed to be updated as marked up in **Attachment 1**, as follows:

1. A review date of 30 June 2022 is recommended given the current review being undertaken of Council's local law enforcement.
2. Update Corporate Plan references on page 1.
3. Update the signatory to the Acting CEO.

EHWs have undertaken education and awareness on local laws, verbal and written warnings have been issued by Authorised Persons. As a result of ongoing noncompliance with local laws, in particular animal management, at the behest of Councillors and Executives infringement notices were issued by authorised persons. Since 2017 a total of 188 infringement notices have been issued. The infringement notice fine is set at \$150. Most fines are unpaid.

Eight unpaid fines were referred to the State Penalties Enforcement Register (SPER) in 17/18, with two fine payments being recovered. No other unpaid fines have been referred to SPER. The current debtors report for infringement notices (2018 to 2021) states that there are currently about 60 debtors with outstanding fine to the value of approximately \$18K.

A compliance and enforcement working group has been convened to investigate and establish improved compliance and enforcement results. The working group consists of the Manager Legal Services, Legal Services Administration Officer, Head of Community Services, Co-Ordinator EHW, Senior Administration and Project Officer Community Services, Business Services Accountant Community Services and Manager Environment and Health. A number of options were discussed and considered by the group.

Options:

- Offer an amnesty on the unpaid fines.
- Refer all unpaid fines to SPER.
- Use a debt collection agency rather than SPER.

The working group resolved to re-establish the SPER referral process and to strictly follow the procedures; review the outcomes after a three-to-six-month period and provide a report to Council.

ILLEGAL DUMPING

An Illegal dumping program has been undertaken on two communities (Saibai and Badu) over the last six months, the program is a short program funded by the Department of Environment and Science. The program aims to reduce illegal dumping, focus on prevention and intervention of illegally dumped waste entering the environment and gather data of illegal dumping in hotspot areas to assist with future prevention or intervention activities and strategy development.

As part of the program EHW have undertaken training to complete Certificate IV in Government Investigations. Illegal dumping promotional materials have been prepared for the community education and awareness presentations. Signage has been erected at the hotspot illegal dumping sites.

The program involves the Environmental Health Workers identifying hot spot sites and setting up trail cameras to undertake active surveillance of the identified sites. The EHW have been consulting with PBC and hunters in relation to illegal dumping of turtle and dugong waste and the broader community in general, regarding illegal dumping of waste.

The CEO is the delegated person for the *Waste Reduction and Recycling Act 2011*, however it is anticipated that this authority could be devolved to the EHW as authorised persons with additional education and training.

Considerations

Risk Management

Reputational:

TSIRC Local laws have been developed and established to support community safety and wellbeing. Without compliance and enforcement there will be a loss in reputation and there will likely be a reduction in health and amenity in our communities.

EHW are trained to undertake authorised person duties and are to be supported throughout the process to ensure that local laws are complied with.

Council Finance

Local Law compliance assessment and enforcement is undertaken by the Environment and Health Department. There is no dedicated funding attributed to this activity/task.

There is a \$80 fee for referral to SPER.

\$150 fine infringement may cover cost of issue and administration of infringement, however would not cover monitoring surveillance and warnings.

Consultation:

- Manager Legal Services, Coordinator Environmental Health Workers, SPER, Business Services Accountant Community Services, Financial Operations Accountant, Divisional EHW
- Housing and Safe and Healthy Communities Standing Committee (22 June 2021)

Links to Strategic Plans:

Corporate Plan

- People: Outcome 2: Our Communities are safe, healthy, and active.
- Sustainability: Outcome 9: we actively reduce our environmental footprint and manage our resources sustainably.

Operation Plan

- 45 Delivery of animal management program
- 75 Provide a regional legal framework which addresses both State and Traditional Lore requirements

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Torres Strait Island Regional Council Local Laws

State Penalties and Enforcement Act 1999

Waste Reduction and Recycling Act 2011

Queensland Civil and Administrative Tribunal Act 2009

Uniform Civil Procedure Rules 1999

Conclusion:

It is recommended that Council resolve to:

- endorse the updated Enforcement Policy, as presented
- support the proposed approach

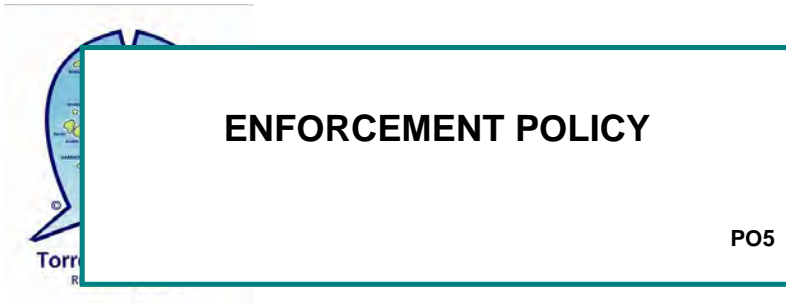
Recommended:

Dawson Sailor
Acting Chief Operating Officer

**Endorsed:**

David Baldwin
Acting Chief Executive Officer





Responsible Manager:	Chief Operating Officer
Head of Power:	<i>Local Government Act 2009 (Qld)</i> <i>State Penalties Enforcement Act 1999 (Qld)</i> <i>Queensland Civil and Administrative Tribunal Act 2009 (Qld)</i> <i>Uniform Civil Procedure Rules 1999 (Qld)</i>
Authorised by:	Council
Authorised on:	25 June 2019
Implemented from:	2013
Last Reviewed:	June 2019
Review History:	2019, 2017, 2015, 2014, 2013
To be reviewed on:	30 June 2024 <u>2022</u>
Corporate Plan:	<u>Governance</u> <ul style="list-style-type: none">• <u>People: Outcome 2: Our Communities are safe, healthy and active.</u>• <u>Sustainability: Outcome 9: we actively reduce our environmental footprint and manage our resources sustainably.</u>

1. POLICY STATEMENT

- (a) Torres Strait Island Regional Council [Council] shall employ proactive, lawful, ethical, effective, responsible, strategic, culturally sensitive and timely practices in the enforcement of rights and remedies reasonably available to it.
- (b) Council shall employ a proactive approach to efficient identification, minimisation and reporting to senior Managers of events which in all reasonableness have potential to adversely affect Council's interests.
- (c) Council shall seek to implement and proactively enforce Local Laws for the betterment of community and the welfare of constituents generally.

2. SCOPE

This Policy applies to all Council employees, Councillors, contractors and agents of Council.

AUTHORISATION

This document was duly authorised by Council as the Torres Strait Island Regional Council Enforcement Policy (PO5) on ~~25 June 2019~~ **INSERT**, and shall hereby supersede any previous policies of the same intent.

Formatted: Highlight

Date:

~~Bruce Range~~ David Baldwin

Acting Chief Executive Officer



ENFORCEMENT PROCEDURE

PO5-PR1

Responsible Manager:	Chief Operating Officer
Head of Power:	Enforcement Policy PO5
Authorised by:	Chief Executive Officer
Authorised on:	
Implemented from:	October 2015
Last reviewed:	December 2018
Review history:	2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018
To be reviewed on:	30 June 2020
Corporate Plan:	Governance

PART 1 - GENERAL

1. POLICY STATEMENT

- a) Council shall employ proactive, lawful, ethical, effective, responsible, strategic, culturally sensitive and timely practices in the enforcement of rights and remedies reasonably available to it.
- b) Council shall seek to implement and proactively enforce Local Laws for the betterment of community and the welfare of constituents generally.

2. SCOPE

- a) This Procedure shall apply to Enforcement Officers.
- b) Enforcement Officers shall seek to follow the steps outlined in the Procedure.
- c) Enforcement Officers shall conduct themselves in accordance with the terms of this Procedure.
- d) This Procedure shall operate and should be read in conjunction with other relevant Council policies and procedures and Council's Enforcement Manual.

3. INTERPRETATION

Act means the *Local Government Act 2009* (Qld) and its successors

Administration Officer – Compliance means the Administration Officer responsible to the Manager Legal Services

Authorised Person means a qualified person who has been duly appointed by the Chief Executive Officer as an Authorised Person under a Local Government Act by way of formal instrument of appointment, direction or according to law

CEO means Chief Executive Officer of Torres Strait Island Regional Council

COO means Chief Operating Officer of Torres Strait Island Regional Council

Compliance Notice means a notice of the same name issued in accordance with a Local Government Act or Local Law

Compliance Officer means a duly appointed officer within the Legal Services Division directly responsible to the CEO and responsible for administering the Procedure

Council means Torres Strait Island Regional Council

Enforcement Manual means a written procedure of the same name developed by the Local Government regulating the Enforcement Process

Enforcement Officer means a Compliance Officer, Administration Officer – Compliance, Authorised Person or other Council employee, contractor, or agent otherwise appointed to administer the Procedure

Enforcement Process means the Enforcement process specified in Schedule 1 to the Procedure

Infringement Notice means a notice of the same name issued in accordance with a Local Government Act or Local Law

Local Government Act means an Act administered by Council in its capacity as a Local Government

Offence means an offence alleged to have been committed against a provision of a Local Government Act or Local Law

Offender means a person or other entity alleged to have committed an offence against a provision of a Local Government Act or Local Law

Outlays means any cost or expense to be incurred by Council in the administration of the procedure

Phase means any phase identified in the Enforcement Process

Stop Order means an order (verbal or in writing) given by an Authorised Person under section 29 of *Local Law No 1 (Administration) 2010*

PART 2 - ENFORCEMENT

4. PROCESS

- a) Enforcement Officers shall aim to follow the Enforcement Process set out in Schedule 1 to this Procedure in administering the Procedure.
- b) Enforcement Officers shall be mindful and shall endeavour to understand the personal, cultural and financial circumstances of the Offender in assessing how best to proceed with the Enforcement process.
- c) Authorised persons shall aim to fully investigate each offence in accordance with the Enforcement Manual and shall take all reasonable steps to exhaust such investigations prior to reporting same to the Compliance Officer.

- d) The Enforcement process is not to be construed as an exhaustive list of rights and remedies available to Council and should be used as a guide only, supplemented by the Enforcement Manual.
- e) The Compliance Officer, with the approval of the CEO, may elect to proceed with an alternate course of action (including complaints and summons) where deemed appropriate, and shall have authority and discretion to pursue such lawful alternate course of action without seeking further consent of Council, unless such consent is required pursuant to statute, Local Law or another Council policy and/or procedure.

5. CRITERIA

- a) In deciding whether or not to proceed from Phase to Phase in the Enforcement Process, the Compliance Officer and/or Authorised Person shall consider and satisfy the enforcement criteria set out in Schedule 2 to the Procedure.
- b) The enforcement criteria are not exhaustive. If other relevant factors should in all reasonableness be considered in deciding whether or not to proceed from Phase to Phase in the Enforcement Process, the Enforcement Officer shall be at liberty to have regard to such considerations. The Enforcement Officer may not however, without the written approval of the Executive Manager Corporate Services, refrain from considering and satisfying mandatory enforcement criteria prescribed by this Procedure.

6. NOTICES

Enforcement Officers shall only use the notices approved by the Executive Manager Corporate Services as amended from time to time.

7. CONDUCT

- a) Authorised Persons shall investigate and address expeditiously and in good faith, any complaint made by the general public pertaining to an offence.
- b) Enforcement Officers shall only exercise those powers granted by a formal delegation of the CEO, and strictly within the limits permitted and prescribed by law.
- c) In implementing the Enforcement Process, Enforcement Officers shall maintain a professional and composed attitude and demeanour throughout all dealings with the public.

- d) Authorised persons shall refrain from:
 - i. exhibiting any conduct by way of correspondence or otherwise, which may be construed as a "threat" pursuant to section 359 of Schedule 1 (The Criminal Code) of the *Criminal Code Act 1899* (Qld); and
 - ii. exercising powers otherwise than in strict compliance with a formal instrument of appointment, lawful direction or in accordance with Council policy and procedure; and
 - iii. contravening any other law of the State or Commonwealth;
 - iv. acting in a way contrary to the Enforcement Manual.

8. INFRINGEMENT NOTICE OFFENCES

- a) The current Council-endorsed penalty structure for Infringement Notice Offences is included as Schedule 3 to this Procedure.
- b) The CEO shall be at liberty to amend the penalty structure at any time provided that the amendment is within the maximum penalty unit limit set by Council resolution.

9. DISCIPLINE

A failure by an Enforcement Officer to act within the scope of their delegation or authority may be considered to be misconduct and may attract disciplinary action under the Human Resources Handbook.

10. OUTLAYS


The COO shall have authority to make payment of all outlays for and on behalf of Council during the Enforcement Process, in accordance with the COO financial delegation.

11. SIGNING

The COO shall have the delegated authority of Council to sign all documents for and on behalf of Council of and incidental to the enforcement process.

12. AUTHORISATION

This page and the previous bearing my initials was/were duly authorised by me as the Torres Strait Island Regional Council Enforcement Procedure and shall hereby supersede any previous procedures of the same intent.



Bruce Ranga
Chief Executive Officer

DATE: 14/10/2019

SCHEDULE 1

ENFORCEMENT PROCESS

PHASE 1 – INVESTIGATION

1. **OBSERVE THE OFFENCE**

Authorised Person to personally observe the offence or record sufficient evidence of the offence.

2. **IDENTIFY THE OFFENCE**

Authorised Person to identify the provision of a Local Government Act or Local Law stipulating the offence.

3. **VERBAL WARNING OR DIRECTION**

Authorised person may give verbal direction or warning to Offender.

4. **COLLECT EVIDENCE**

Authorised Person to collect evidence to prove all elements of the offence in accordance with the Enforcement Manual.

5. **THRESHOLD ASSESSMENT**

Authorised Person to assess the offence against the Enforcement Criteria and make decision to or not to, escalate to Phase 2 - Warning.

PHASE 2 – WARNING

6. **ENFORCEMENT DATABASE**

When decision has been made to escalate to Phase 2 – Warning, Authorised Person to advise Coordinator Environmental Health and Manager Environment and Health of decision to escalate. The Administration Officer – Compliance shall update the Enforcement Database with details of the enforcement action taken.

Authorised Person to issue a Compliance Notice or Stop Order to Offender with respect to the offence.

Alternatively, the Authorised Person may issue a Warning Letter to Offender with respect to the offence, in the template form approved by the Manager Environment and Health.

7. **ASSESS COMPLIANCE**

At expiry of the period allowed in the Compliance Notice or Stop Order or Warning Letter, Authorised Person to assess compliance of Offender with the Compliance Notice or Stop Order or Warning Letter (COMPLIANT or NON-COMPLIANT).

Authorised Person to report to Manager Environment and Health with outcome [COMPLIANT or NON-COMPLIANT]. The Administration Officer – Compliance shall update the Enforcement Database with outcome.

8. THRESHOLD ASSESSMENT

On receipt of a NON-COMPLIANT report by Manager Environment and Health from an Authorised Person, Manager Environment and Health to assess the offence against Enforcement Criteria and approve or reject escalation to Phase 3 - Enforcement.

PHASE 3 – ENFORCEMENT

9. ISSUE INFRINGEMENT NOTICE

Authorised Person to issue an Infringement Notice to the Offender with respect to the offence.

10. REPORT TO MANAGER

Authorised Person to provide to Manager Environment and Health an electronic and original carbon copy of the served Infringement Notice. The Administration Officer – Compliance shall update the Enforcement Database with details of the Infringement Notice.

11. ASSESS COMPLIANCE

At expiry of the period allowed in the Infringement Notice to make payment of the fine, Authorised Person to assess compliance of Offender with the Infringement Notice (COMPLIANT or NON-COMPLIANT) and to advise Manager Environment and Health.

12. WITHDRAWING AND REISSUING INFRINGEMENT NOTICES

Authorised Persons, with approval from the Manager Environment and Health, may withdraw and reissue an Infringement Notice at any time before the fine is paid or otherwise discharged under the *State Penalties Enforcement Act 1999* (Qld). Withdrawal under these circumstances generally occurs where it has been identified that the Infringement Notice contains one or more critical errors.

There may also be circumstances where it is appropriate to withdraw and not reissue an Infringement Notice. For example, Council may no longer wish to pursue a fine. This may be as an outcome of a dispute and review.

13. THRESHOLD ASSESSMENT

If Offender has a status of NON-COMPLIANT at expiry of the Infringement Notice period, Manager Environment and Health in consultation with Compliance Officer to assess the offence against Enforcement Criteria and approve or reject escalation to Phase 4 - Reporting.

PHASE 4 – REPORTING

14. REPORT TO STATE PENALTIES ENFORCEMENT REGISTER (SPER)

If Compliance Officer reports the Offence to SPER for enforcement, Administration Officer – Compliance shall record the offence in the Enforcement Database.

15. SPER MONITORING

Compliance Officer shall remain in contact with SPER and obtain regular reports with respect to the status of reported offence(s).

16. INTERNAL REPORTING

Compliance Officer shall provide the Manager Environment and Health with quarterly reports of pending and finalised SPER matters, for inclusion in Information Reports to Council.

NOTE: This Enforcement Process does not preclude, in any way, a decision being made by the Executive Manager Corporate Services to recommend to the Chief Executive Officer, at any time, commencement of legal proceedings in a Court of competent jurisdiction, seeking prosecution of an Offender for an offence.

SCHEDULE 2

ENFORCEMENT CRITERIA

The Compliance Officer and Authorised Persons, as applicable, must satisfy the following threshold criteria before escalating from Phase to Phase of the Enforcement Process.

LEVEL 1 : PHASE 1 - INVESTIGATION to PHASE 2 - WARNING

Mandatory criteria

1. Supporting evidence satisfies all elements of the offence; and
2. There is no authorisation, reasonable justification or excuse for the offence; and
3. There is no likelihood that the offence will be temporary (less than seven (7) days in duration);

Additional criterion (need not be satisfied)

4. The breach is, in all reasonableness, capable of being remedied within a reasonable time.

LEVEL 2: PHASE 2 - WARNING to PHASE 3 - ENFORCEMENT

Mandatory criteria

1. Supporting evidence satisfies all elements of the offence; and
2. There is no authorisation, reasonable justification or excuse for the offence; and
3. There is no likelihood that the offence will be temporary (less than seven (7) days in duration); and
4. Escalation to Phase 3 would be in the public interest.

OR

The Offender has previously received a Compliance Notice or Infringement Notice for an identical offence within the past six months.

LEVEL 3: PHASE 3 - ENFORCEMENT to PHASE 4 - REPORTING

Mandatory criteria

1. Reporting, including expenditure for lodgement costs, approved by the COO; and
2. Infringement Notice properly served on the Offender at Phase 3; and
3. Supporting evidence satisfies all elements of the offence; and
4. There is no authorisation, reasonable justification or excuse for the offence; and
5. There is no likelihood that the offence will be temporary (less than seven (7) days in duration); and
6. Escalation to Phase 4 would be in the public interest.

SCHEDULE 3**COUNCIL-ENDORSED PENALTY STRUCTURE FOR INFRINGEMENT NOTICE OFFENCES****Schedule of penalties - Local Laws****KEY:** CEO Chief Executive Officer

EHW Environmental Health Worker

Penalty unit 1 unit = \$75

AUTHORISING LOCAL LAW	LOCAL LAW OFFENCE CODE	OFFENCE DESCRIPTION	AUTHORISED PERSON	SECTION OF AUTHORISING LOCAL LAW	MAX ALLOWED PENALTY UNIT	INFRINGEMENT NOTICE OFFENCE PENALTY UNITS	INFRINGEMENT NOTICE MAX FINE - \$
No 1 Administration	LL101	Undertaking a prescribed activity without approval –NO CATEGORY	EHW	6(2)(a)	50	5	375
	LL102	Undertaking a prescribed activity without approval – CATEGORY 1	EHW	6(2)(b)	50	5	375
	LL103	Undertaking a prescribed activity without approval – CATEGORY 2	EHW	6(2)(c)	200	N/A	N/A
	LL104	Undertaking a prescribed activity without approval – CATEGORY 3	EHW	6(2)(d)	500	N/A	N/A
	LL105	Providing false or misleading material in connection with an	EHW	8(7)	20	2	150

AUTHORISING LOCAL LAW	LOCAL LAW OFFENCE CODE	OFFENCE DESCRIPTION	AUTHORISED PERSON	SECTION OF AUTHORISING LOCAL LAW	MAX ALLOWED PENALTY UNIT	INFRINGEMENT NOTICE OFFENCE PENALTY UNITS	INFRINGEMENT NOTICE MAX FINE - \$
		approval application					
	LL106	Failure to comply with the conditions of an approval	EHW	11(1)	50	5	375
	LL107	Threatening, insulting or using abusive language to an authorised person	EHW	21	20	2	150
	LL108	Failure to comply with request from an authorised person to produce records for inspection, as required by a condition of approval	EHW	25(3)	10	1	75
	LL109	Failure to comply with a compliance notice for the contravention of a local law or an approval condition	EHW	26(7)	50	5	375
	LL110	Failure to comply with a compliance notice that is authorised by a local law	EHW	27(6)	50	5	375
	LL111	Failure to comply with a stop order	EHW	29	50	5	375
	LL112	Obstructing the proper conduct of a meeting of a local government or local government	EHW	34(1)	20	2	150

AUTHORISING LOCAL LAW	LOCAL LAW OFFENCE CODE	OFFENCE DESCRIPTION	AUTHORISED PERSON	SECTION OF AUTHORISING LOCAL LAW	MAX ALLOWED PENALTY UNIT	INFRINGEMENT NOTICE OFFENCE PENALTY UNITS	INFRINGEMENT NOTICE MAX FINE - \$
		committee					
	LL113	Failure to immediately withdraw from a meeting place and remain away	EHW	34(3)	20	2	150
No 2 Animal Management	LL201	Prohibition of keeping animals in prescribed circumstances	EHW	5(3)	50	5	375
	LL202	Requirement to de-sex	EHW	7(3)	20	2	150
	LL203	Minimum standards for keeping animals	EHW	8(2)	20	2	150
	LL204	Bringing an animal into a public place	EHW	10(2)	20	2	150
	LL205	Animal not under effective control in a public place	EHW	12(1)	20	2	150
	LL206	Dog on heat in public place	EHW	12(2)	20	2	150
	LL207	Non-removal of animal faeces in a public place	EHW	13	20	2	150
	LL208	Failure to proper enclosure (animal)	EHW	14(1)	20	2	150
	LL209	Found wandering at large (animal)	EHW	14(3)	20	2	150
	LL210	Non-compliance with	EHW	15(3)	20	2	150

AUTHORISING LOCAL LAW	LOCAL LAW OFFENCE CODE	OFFENCE DESCRIPTION	AUTHORISED PERSON	SECTION OF AUTHORISING LOCAL LAW	MAX ALLOWED PENALTY UNIT	INFRINGEMENT NOTICE OFFENCE PENALTY UNITS	INFRINGEMENT NOTICE MAX FINE - \$
		koala area requirements					
		Responsible person (owner) must ensure animal does not attack or cause fear:	EHW	17(1)			
	LL211	a) causes death or grievous bodily harm to person			300	N/A	
	LL212	b) death or grievous bodily harm to animal			100	N/A	
	LL213	c) bodily harm to person or another animal			50	5	375
	LL214	d) other			20	2	150
		A person must not allow or encourage an animal to attack or cause fear:	EHW	17(2)			
	LL215	a) causes death or grievous bodily harm to person			300	N/A	
	LL216	b) death or grievous bodily harm to animal			100	N/A	
	LL217	c) bodily harm to person or another animal			50	5	375
	LL218	d) other			20	2	150

AUTHORISING LOCAL LAW	LOCAL LAW OFFENCE CODE	OFFENCE DESCRIPTION	AUTHORISED PERSON	SECTION OF AUTHORISING LOCAL LAW	MAX ALLOWED PENALTY UNIT	INFRINGEMENT NOTICE OFFENCE PENALTY UNITS	INFRINGEMENT NOTICE MAX FINE - \$
	LL219	Unlawful removal of seized or impounded animal	EHW	35	50	5	375
	LL220	Sale of animals – non-compliance with conditions specified in subordinate local law	EHW	42(3)	50	5	375
No 3 Community and Environmental Management	LL301	Pest control notices (enforced under section 27(5) of the Administration Model Local Law No 1)	EHW	10(1)	50	5	375
	LL302	Prohibition on sale of local pest	EHW	11	50	5	375
	LL303	Prohibition on introducing, propagating etc. a declared local pest	EHW	12(1)	50	5	375
	N/A*	Overgrown allotments *enforced under section 27 of the Administration Model Local Law No 1	EHW	13(2)	50	5	375
	N/A*	Accumulation of objects and materials on allotments *enforced under section 27 of the Administration Model Local Law No 1	EHW	14(2)	50	5	375

AUTHORISING LOCAL LAW	LOCAL LAW OFFENCE CODE	OFFENCE DESCRIPTION	AUTHORISED PERSON	SECTION OF AUTHORISING LOCAL LAW	MAX ALLOWED PENALTY UNIT	INFRINGEMENT NOTICE OFFENCE PENALTY UNITS	INFRINGEMENT NOTICE MAX FINE - \$
	LL306	Regulation of lighting and maintaining fires	EHW	15(3)	50	5	375
	LL307	Compliance with a prohibition or restriction prohibition of lighting or maintaining a fire where it exposes property to risk of damage or destruction	EHW	15(4)	50	5	375
	N/A*	Fire hazards *enforced under section 27 of the Administration Model Local Law No 1	EHW	16(2)	50	5	375
	N/A*	Removal or reduction of community safety hazards *enforced under section 27 of the Administration Model Local Law No 1	EHW	19(2)	50	5	375
	LL310	Prescribed requirements for community safety hazards	EHW	20(2)	50	5	375
No 4 Local Government Controlled Areas, Facilities and Roads	LL401	Prohibited and restricted activities	CEO	5(4)	20	2	150
	LL402	Opening hours of local government controlled areas	CEO	7(2)	20	2	150

AUTHORISING LOCAL LAW	LOCAL LAW OFFENCE CODE	OFFENCE DESCRIPTION	AUTHORISED PERSON	SECTION OF AUTHORISING LOCAL LAW	MAX ALLOWED PENALTY UNIT	INFRINGEMENT NOTICE OFFENCE PENALTY UNITS	INFRINGEMENT NOTICE MAX FINE - \$
	LL403	Power of closure of local government controlled areas	CEO	8(5)	20	2	150
	LL404	Numbering of premises and allotments adjoining a road	CEO	10(1), 10(2)	10	1	75
No 7 Indigenous Community Land Management	LL701	Failure to comply with the specified conditions of the authorisation of a class of persons to enter, be in or live in the trust area	EHW	5(4)	35	4	300
	LL702	Breach of conditions prescribed by subordinate local law on use of a camping ground	EHW	10(2)	20	2	150
	LL703	Camping in a camping site or part of a camping site that is temporarily closed	EHW	12(2)	20	2	150
	LL704	Engaging in a prohibited or restricted activity in a park or reserve	EHW	15(4)	20	2	150
	LL705	Failure to comply with a request by an authorised person to produce an approval for inspection	EHW	17(2)	40	4	300



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	July 2021
DATE:	July 20– 21st 2021
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Tender Submission Project # 81908BLD-1x Plug In Darnley and 2 x Plug Ins Badu
AUTHOR:	Vincent Pynaker Project Manager

Recommendation:

Council resolves to

- Submit a tender to the Queensland State Government through QBuild to carry out the construction of 3 plug ins, Lot 244 Ahmet Street Badu , Lot 155 Yalla Street Badu and Lot 108 Ergue Street Darnley Island (81908BLD-1) with a tender price of \$1,409,525.69 excl of GST

and

Delegate authority to the Chief Executive Officer's submit the tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this tender

Purpose:

The purpose of this report is to seek Council's endorsement for Council to tender for this work with QBuild

Background:

To construct various plug ins to assist in housing more family members in various residences.

TSIRC Building Services Unit completes approximately 140 tenders for works commissioned by the State and Federal Governments each financial year.

QBuild issues the tender documentation to TSIRC Building Services Unit to respond to.

TSIRC Building Services Unit must complete an estimation and the tender documentation for submission back to QBuild within an approximate 2-week timeframe

The QBuild approved tender submission price becomes the formal agreement to initiate construction works.

The price submitted to QBuild includes a gross profit margin for Council. When the tender is awarded to Council, Council commences its own Procurement process to engage a contractor to carry out works on behalf of Council. The difference between the Tendered price to QBuild and the contractors awarded price then becomes the Councils revenue.

Consultation:

- **Head of Building**
- **Manager, Governance & Compliance**

Finance and Risk:

If Council does not tender for this work, QBuild will issue this work as a public tender or award the work to a State Government pre-qualified contractor.

TSIRC Building Services Unit is bound by the tender submission to complete the works/services and invoice for the tendered amount.

TSIRC Building Services Unit receives the first right of refusal for works to be carried out on TSIRC islands.

Non approved delays in submitting the tender could result in offer of works/services being offered to another party.

Sustainability:

Tender submissions returned within the allocated timeframe enhances the workability of the relationship between TSIRC Building Services Unit and QBuild for proactive outcomes

Conclusion:

That Council resolves to submit this tender and delegate to the CEO to tender, enter into contracts, negotiate, finalise and execute any and all matters in relation to this work

**Endorsed:**

Peter Jacques
Head Of Building

**Recommended:**

Dawson Sailor
A/Chief Operation Officer

**Approved:**

David Baldwin
Acting Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	July 2021
DATE:	20/07/2021
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Operational Matter – Corporate Structure FY22
AUTHOR:	Luke Ranga, Head of Corporate Affairs

Resolution:

Council resolves to:

1. adopt the amended organisational structure as presented.
and
2. delegate authority to the Chief Executive Officer to implement the adopted organisational structure.

Purpose:

This paper recommends and seeks approval for a new organisational structure to be adopted by Council in accordance with the provisions of *Section 196(1) of the Local Government Act 2009*.

Background:

A review has been undertaken by the leadership team of the operational functions; this review took into consideration the future needs and priorities of Council to support the implementation of its Corporate and Operational plans.

Significant Changes:

1. *Establishment of a new department:*

It is proposed to establish a Corporate Services department, which will oversee the majority of Council's shared services business functions.

This department would be led by the Chief of Corporate Services (CCS), reporting to the Chief Executive Officer (CEO), alongside the other members of the Executive Leadership Team (ELT).

2. *Changes to business function reporting lines:*

a. Corporate Services

The following business functions will move into the Corporate Services department:

- Corporate Affairs (currently reporting to the Chief Financial Officer)¹
- People & Wellbeing (currently reporting to the Chief Executive Officer)²
- Legal Services (currently reporting to the Chief Executive Officer)³
- IT Services (currently reporting to the Chief Financial Officer)⁴

b. Engineering:

The following business functions will move into the Engineering department:

- Strategic Projects & Logistics (currently reporting to the Chief Executive Officer). This business function will now become 'Fuel & Fleet Services'⁵.

c. Executive Office:

The executive assistance function to the Mayor and Chief Executive Officer will remain reporting to the Chief Executive Officer, under the Executive Office business function.

d. Business Services:

The Procurement⁶ business function will move into the Business Services (previously reporting to Corporate Affairs).

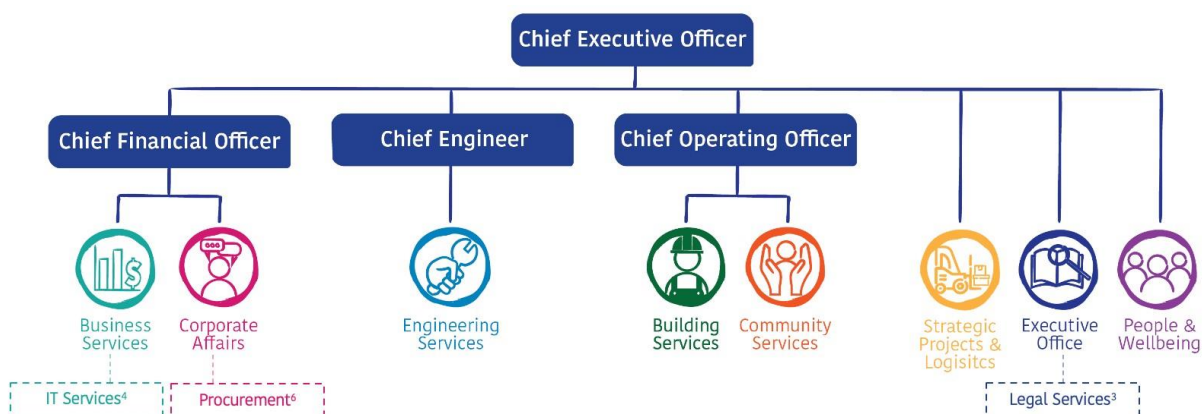
Proposed Organisational Structure:

The organisational structure proposed for adoption by Council is as follows:



Note: Position titles subject to change pending Council endorsement of this paper and subsequent employee consultation by the CEO.

The previously adopted organisational structure for the 2020-21 period was as follows:



Links with Strategic Plans:

The proposed organisational structure facilitates strategic delivery of Council's current Corporate Plan (2020-2025) and the objectives outlined within its Operational Plan (FY22).

Statutory Requirements:

- *Local Government Act 2009*
- *Local Government Regulation 2012*

Finance and Risk:

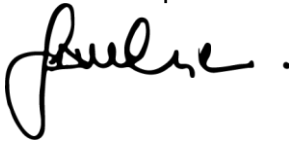
No substantial risks are associated with this matter.

Conclusion:

It is recommended that Council adopts the proposed organisation structure and delegate to the Chief Executive Officer to implement this structure.

Endorsed:

Luke Ranga
Head of Corporate Affairs

**Recommended:**

Hollie Faithfull
Chief Financial Officer

**Approved:**

David Baldwin
Acting Chief Executive Officer





TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	July 2021
DATE:	20/07/2021
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Operational Plan 2021-22
AUTHOR:	Luke Ranga, Head of Corporate Affairs

Resolution:

Council resolves to:

1. endorse the Operational Plan for the 2021-22 financial year, in accordance with Section 174 of the *Local Government Regulation 2012*.
and
2. delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make any further minor administrative amendments to the Operational Plan 2021-22 as they arise.

Purpose:


Pursuant to both the *Local Government Act 2009*, and the *Local Government Regulation 2012*, Council has prepared an annual Operational Plan in alignment with the Corporate Plan 2020-2025.



The annual Operational Plan will outline Council's performance and progress against the objectives set forth in the Corporate Plan and will be reported on quarterly by the relevant Department of Council.

Council may, by resolution, amend its annual Operational Plan at any time before the end of the financial year. Both the Elected Members and Officers of Council must discharge their responsibilities in a way that is consistent with both the Annual Operational Plan and the current Corporate Plan.

Links with Strategic Plans:

Each of the 60 objectives listed in the Operational Plan, link back to a relevant strategic delivery pillar of Council's current Corporate Plan (2020-25); these pillars are as follows:

	People	<ul style="list-style-type: none">✓ Outcome 1: We preserve cultural heritage, history and place.✓ Outcome 2: Our communities are safe, healthy and active.✓ Outcome 3: We ensure accessibility to community support services.✓ Outcome 4: We are a transparent, open and engaging council.
---	---------------	---

	Sustainability	<ul style="list-style-type: none"> ✓ Outcome 5: We plan effectively for the future of our individual communities and region. ✓ Outcome 6: Our communities remain resilient to the effects of climate change and natural disasters. ✓ Outcome 7: Our communities are consulted around liveable places, aligned to lifestyle and environmental suitability. ✓ Outcome 8: We manage council affairs responsibly to the benefit of our communities. ✓ Outcome 9: We actively reduce our environmental footprint and manage our resources sustainably.
	Prosperity	<ul style="list-style-type: none"> ✓ Outcome 10: We advocate and foster regional prosperity through enterprise development. ✓ Outcome 11: We invest in the retention of key skills within our region. ✓ Outcome 12: We bring opportunity to our region and put our culture on the world stage.

Risk:

Financial:

The Operational Plan has been developed in concert with the development of the annual budget. All activity recorded in the plan has been appropriately funded where required.

Statutory Requirements:

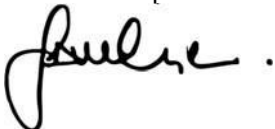
- ✓ Section 104 of the *Local Government Act 2009*
- ✓ Sections 174 and 175 of the *Local Government Regulation 2012*

Conclusion:

That Council resolves to endorse the Operational Plan for the 2021-22 financial year and delegate authority to the Chief Executive Officer to make any further minor administrative amendments as they arise.

Endorsed:

Luke Ranga
Head of Corporate Affairs



Recommended:

Hollie Faithfull
Chief Financial Officer



Approved:

David Baldwin
Acting Chief Executive Officer



Attachment:

- ✓ 2021-2022 Operational Plan



Torres Strait Island
REGIONAL COUNCIL

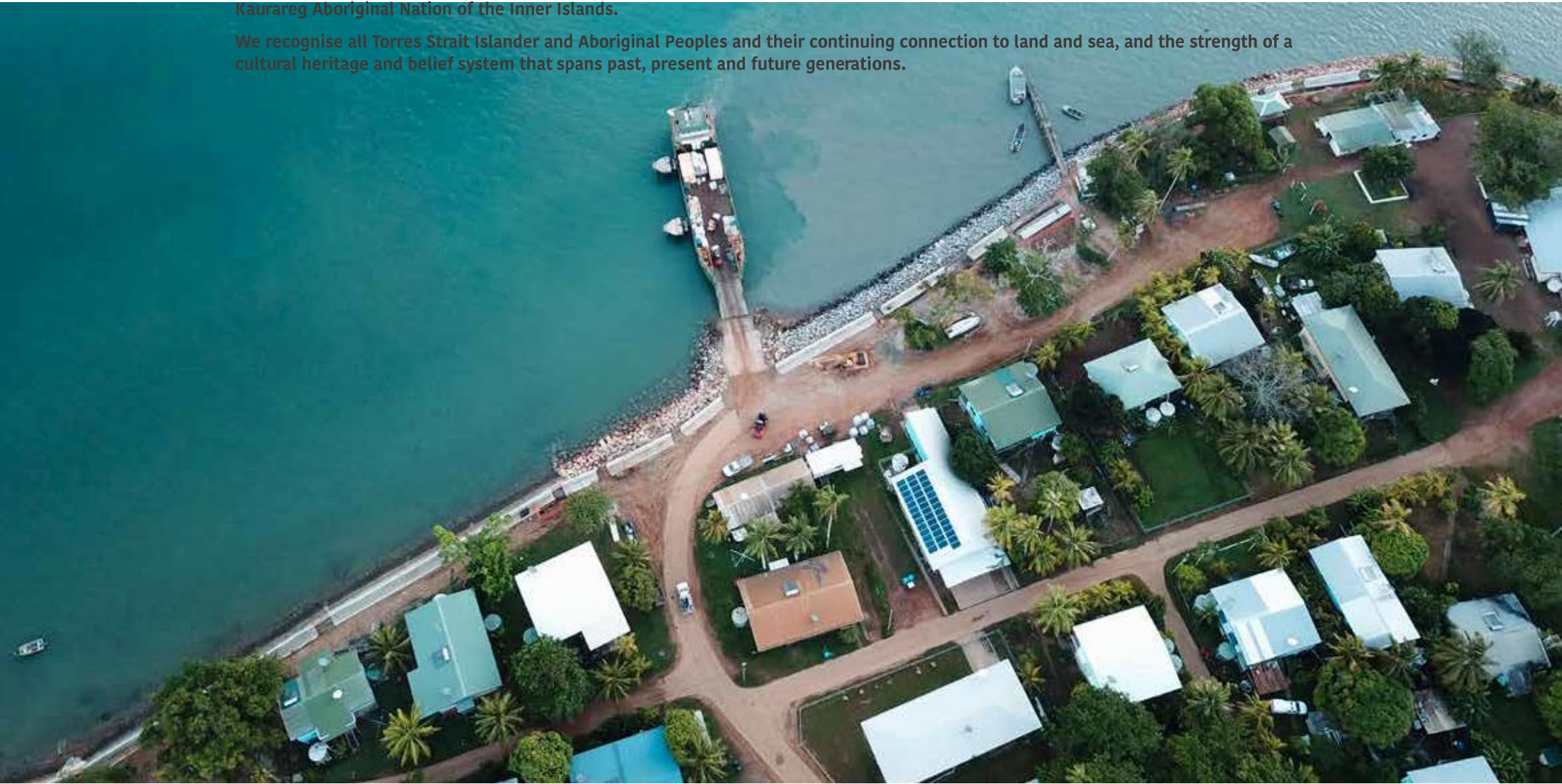
Operational Plan

2021/22

Acknowledgement

The Torres Strait Island Regional Council acknowledges our Native Title Holder, our Elders past and present, and all members of the Communities we service within the five Nations of Zenadth Kes: the Gudaw Maluligal Nation of the Top Western Islands, the Maluligal Nation of the Western Islands, the Kemer Kemer Meriam Nation of the Eastern Islands, the Kulkalgal Nation of the Central Islands, and the Kaiwalagal Kaurareg Aboriginal Nation of the Inner Islands.

We recognise all Torres Strait Islander and Aboriginal Peoples and their continuing connection to land and sea, and the strength of a cultural heritage and belief system that spans past, present and future generations.



Message from the CEO



I acknowledge our Traditional Owners, Leaders and Community Members throughout the length and breadth of Zenadth Kes, and celebrate their enduring connection to culture, land and sea. I pay my respects to Elders and Ancestors who watch over and guide us in our important work of delivering for our region.

Queensland's recovery from COVID-19 is well underway and as our region emerges from this unprecedented period, we must reflect on our success in keeping our Communities virus-free, providing security to our workforce, and maintaining essential service provision.

Our Operational Plan 2021-22 will see the realisation of several large, multi-year infrastructure programs, and the continued delivery of critical capital works, focusing in particular on waste management, accessibility and coastal defences. We will have an organisation-wide commitment to the evolution of our financial and governance maturity, through the further development of internal and local capability, and systems innovation.

Together, we remain resilient and dedicated in the delivery of our vision of autonomous, prosperous and sustainable Communities and Council.

A handwritten signature in black ink, reading 'David Baldwin' with a stylized flourish at the end.

David Baldwin
Acting Chief Executive Officer
June 2021

Youmpla Values



RESPECT

We have respect for each other and the communities we serve.



COURAGE

We are courageous leaders, who think innovatively.



ACCOUNTABILITY

We are accountable and responsive to our communities.



RESILIENCE

We are builders of a sustainable and resilient region.



ONE

We are one team who achieves together.

Youmpla Vision

"For our communities and council to be Autonomous, Prosperous and Sustainable"

Autonomous:

We achieve autonomy when we empower our people and community through rigorous engagement, consultation and participation. An autonomous Council fuels both local and regional self-sufficiency.

Prosperous:

We are prosperous when we are flourishing, thriving, or have success; This can be in our faith, culture, traditions, happiness, fortune or health and wellbeing.

Sustainable:

We are sustainable when we deliver social, economic or environmental solutions that enhance current community needs and long term aspirations.

Youmpla Mission

"To improve our communities' livability in all we do"

Liveability:

Liveability is the sum of the factors that add up to a community's quality of life - including the built and natural environments, economic prosperity, social stability and equity, educational opportunity, and cultural, entertainment and recreational possibilities.

strategic Planning

Council develops strategic plans to set priorities for core business operations and guide our budgetary management.

Our Operational Plan (2021-2022) sets out Council's key annual objectives in alignment with the annual budget and the three strategic delivery pillars of our Corporate Plan (2020-2025):



Pipol
People



Mekem las long
Sustainability

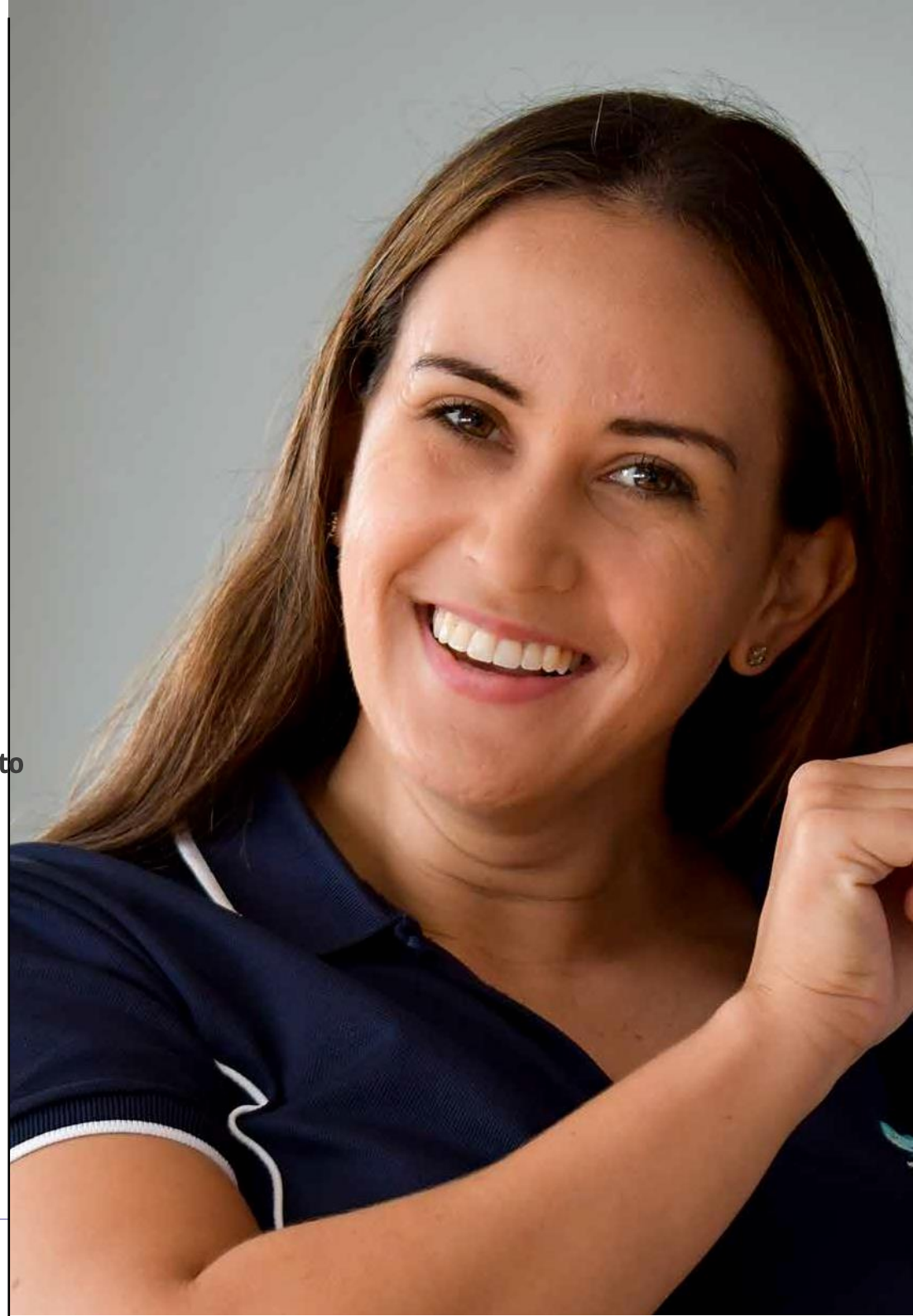


Pruitpul
Prosperity

Delivery objectives and outcomes within this Plan are aligned to the following operating model:






TBA

For more information on Council's strategic planning process, please visit: <http://www.tsirc.qld.gov.au/your-council/publications/plans>







Business Services

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
1.	Develop regional disaster and alternative communication capabilities.		Information Technology Services	Q1-Q4	<ul style="list-style-type: none"> Deliver scope and pilot implementation roadmap.
2.	Develop strategic IT program focusing on regional frontline capability and security.		Information Technology Services	Q1-Q4	<ul style="list-style-type: none"> Successful engagement of consultant and delivery of regionally appropriate strategy. Strategy endorsed by key stakeholder groups.
3.	Automation of fees & charges platform.		Financial Services	Q1-Q2	<ul style="list-style-type: none"> Successful implementation of platform in time for FY23 budget.
4.	Streamline Council's budget and financial statement process aligned to legislated time frames.		Financial Services	Q2-Q4	<ul style="list-style-type: none"> Successfully meet Budget Review 21/22 - December 2021. Successfully meet Original Budget 22/23 - June 2022. Statements should be adopted prior to mandated date and be free from material error or misstatement.
5.	Migration of all business units to CI Anywhere and implementation of financial performance dashboard capability.		Financial Services	Q1-Q4	<ul style="list-style-type: none"> Development of implementation plan and gain roll-out approval. Successful scoping of CI Anywhere dashboard capabilities and implementation roadmap identified.







Business Services

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
6.	Deliver end of month continuous improvement program to further drive Council's financial maturity.		Financial Services	Q1-Q4	<ul style="list-style-type: none"> All monthly reports to Council submitted by due date. Implementation of standard checklist for end of month processes which are routinely completed in a timely manner.
7.	Deliver asset management enhancement strategy and system upgrade delivery roadmap.		Asset Management	Q1-Q3	<ul style="list-style-type: none"> Strategy complete & roadmap identified.





Corporate Affairs

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
8.	Develop Council's first Reconciliation Action Plan.		Governance & Risk	Q1-Q4	<ul style="list-style-type: none"> Scoping and research. Reconciliation Action Plan developed.
9.	Scoping of formal name change proposal and delivery of implementation road map.		Governance & Risks	Q1-Q4	<ul style="list-style-type: none"> Undertake risk and cost analysis. Collect and analyse data from community consultation/surveys.
10.	Evolve Council's community information & engagement channels.		Enterprise Development & Delivery	Q1-Q4	<ul style="list-style-type: none"> Obtain project funding & commence digital noticeboard project. Community feedback/training sessions delivered.
11.	Further develop a good governance and risk culture across Council.		Governance & Risk	Q1-Q4	<ul style="list-style-type: none"> Delivery of Corporate Governance Framework incl. Governance, Risk, Fraud & Ethics awareness programs. Incident reporting implemented. Full implementation of LocalBuy NextGen & reporting suite. Further evolve Council's procurement procedures & policies. Evolve Council's Business Continuity Plan model, awareness, core team training & tools. Website phase 2 implementation successfully delivered.








Corporate Affairs

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
12.	Delivery of Council's Enterprise Development Strategy, identifying key sector opportunities.		Enterprise Development	Q1-Q2	<ul style="list-style-type: none"> • Successful delivery of strategy. • Community consultation completed.
13.	Evolve employee information & engagement channels.		Creative Services	Q1-Q4	<ul style="list-style-type: none"> • Successful implementation of internal digital noticeboards. • Implementation and further development of Council's employee Intranet - phase 2 and 3.







Engineering Services

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
14.	Streetlight defect audit completed, and fee proposal obtained from Ergon to undertake rectification works.		Engineering	Q1-Q4	<ul style="list-style-type: none"> Audit completed.
15.	Coastal inundation mitigation: <ul style="list-style-type: none"> Coastal Hazard Adaptation Strategy (CHAS). Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships Master planning. Seawalls Program works for Boigu, Poruma, Iama, Warraber & Masig Communities. 		Engineering	Q1-Q4	<ul style="list-style-type: none"> CHAS Stage 4. Seawalls program on schedule.
16.	Access projects delivery: <ul style="list-style-type: none"> Dauan helipad road upgrade. Saibai airport road upgrade - design. Poruma airport access road - design. Dauan western reservoir - design. Badu wells access road culvert reconstruction. 		Engineering	Q1-Q4	<ul style="list-style-type: none"> All capital works completed prior to end of financial year.
17.	Water and waste water: <ul style="list-style-type: none"> Saibai STP upgrade. Badu & Iama SPS upgrades SCADA Upgrade for Sewer Pump Stations at Masig, Poruma, Warraber & Mabuiag. 		Engineering	Q1-Q4	<ul style="list-style-type: none"> All capital works completed prior to end of financial year.
18.	Ugar channel dredging study & scoping.		Engineering	Q1-Q4	<ul style="list-style-type: none"> Study and scoping works delivered.



Engineering Services

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
19.	<p>Access projects scoping:</p> <ul style="list-style-type: none"> Marine infrastructure scoping and condition assessment. Regional airstrip condition assessment. Dauan pontoon upgrade - design. Mer airport fencing upgrade. Boigu airport apron upgrade -Design. Badu, Kubin, St. Pauls and Masig finger jetty repairs. Airport/helipad mangrove clearing - Mabuiag & Iama. 		Engineering	Q1-Q4	<ul style="list-style-type: none"> Studies and design work complete.
20.	Climate Risk Management Strategy.		Engineering	Q1-Q4	<ul style="list-style-type: none"> Strategy drafted.
21.	<p>Disaster management program:</p> <ul style="list-style-type: none"> Separation of Torres Strait Local Disaster Management Group (LDMG). Annual update of Community Disaster Management Plans. Set up and coordination of Local Disaster Management Group (LDMG). 		Engineering	Q1-Q4	<ul style="list-style-type: none"> New Local Disaster Management Group (LDMG) model established and operational readiness achieved.
22.	<p>Waste management:</p> <ul style="list-style-type: none"> Local Government Association Queensland Regional Waste Strategy. Metal Waste Legacy Stockpile Clean-up Project. 		Engineering	Q1-Q4	<ul style="list-style-type: none"> Regional Waste Strategy completed. Initial clean up completed.








Engineering Services

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
23.	Water projects: <ul style="list-style-type: none"> Dauan rising main and well refurbishment. Indigenous Councils Critical Infrastructure Program (ICCIP) – water project - critical infrastructure/legislative compliance upgrades. De-sludge lagoons - Badu, Kubin, St Pauls. Lagoon cover replacement - Boigu, Warraber, Masig. Rising main and reservoir upgrade - Iama, Kubin, Mabuiag, St Pauls. 		Engineering	Q1-Q4	<ul style="list-style-type: none"> All capital works completed prior to end of financial year.








Building Services

24.	Delivery of fuel bowser program.		Building Services	Q1-Q4	<ul style="list-style-type: none"> Program scope identified and commencement of works.
25.	Delivery of capital works program.		Building Services	Q1-Q4	<ul style="list-style-type: none"> Building Services Unit engaged internally to undertake.
26.	Partnering with agencies to look at alternative materials that are more sustainable such as replacing laminex benchtops with stainless steel.		Building Services	Q1-Q4	<ul style="list-style-type: none"> Alternative materials identified.
27.	Build new tropical house design on St Pauls.		Building Services	Q1-Q4	<ul style="list-style-type: none"> House completed within specified time frames.
28.	Procore system along with Pro Est fully integrated and all Building Services Unit staff trained.		Building Services	Q1-Q4	<ul style="list-style-type: none"> All staff trained and Procore running by December 2022.








Community Services

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
29.	<p>Tenancy management program:</p> <ul style="list-style-type: none"> Develop and deliver programs to clients in support of sustaining long term tenancy. Provide awareness of general tenancy agreement for clients to strengthen relationships between TSIRC and communities. 		Housing	Q1-Q4	<ul style="list-style-type: none"> Successfully deliver Awareness of Landlord and Tenants Responsibility Program to all communities.
30.	Complete housing needs assessment with relevant stakeholders ensuring appropriate housing modifications are completed.		Housing	Q1-Q4	<ul style="list-style-type: none"> Successful assessments completed in all communities.
31.	Develop a Community focus group to address complex housing situations, provide appropriate recommendations, including future housing design and construction quality in conjunction with Building Services Unit.		Housing	Q1-Q4	<ul style="list-style-type: none"> Successfully conducted focus groups, recommendations drafted.
32.	Increase rental collection rates.		Housing	Q1-Q4	<ul style="list-style-type: none"> Achieve a reduction in debt from 20/21 to 21/22.
33.	Undertake regional tenancy management study.		Housing	Q1-Q4	<ul style="list-style-type: none"> Delivery of study and recommendations.



Community Services

No.	Objective	Corp. Plan	Function	Q1	Delivery/Target
34.	Advocate for the establishment of localised small businesses in communities to provide support services for consumers with a disability.		Community Services	Q1-Q4	<ul style="list-style-type: none"> • NDIS representation in region.
35.	Review and streamline referral process for respite care in partnership with QLD Health and regional residential care providers.		Community Services	Q1-Q4	<ul style="list-style-type: none"> • Completion of review, recommendations presented.
36.	Work collaboratively with Council's Housing Department, Department of Communities, Housing and Digital Economy and Qld Health occupational therapists to streamline the process for undertaking home modifications to enhance in- home safety and address accessibility.		Community Services	Q1-Q4	<ul style="list-style-type: none"> • Process streamlined and implemented.
37.	Improve the delivery of and access to childcare services.		Community Services	Q1-Q4	<ul style="list-style-type: none"> • Meeting KPIs of funding agreements. • Increased enrolment.
38.	Advocate the Queensland Government to identify childcare options for the region.		Community Services	Q1-Q4	<ul style="list-style-type: none"> • Queensland Government Commence process of identifying childcare options.



Community Services

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
39.	Development and implementation of compliance and enforcement program (Local Laws - Authorised Officers).		Environmental Health	Q1-Q4	<ul style="list-style-type: none"> Successful implementation and delivery and 100% compliance.
40.	Delivery of Environmental Health and Animal Management Program.		Environmental Health	Q1-Q4	<ul style="list-style-type: none"> Program delivered on time and within budget.
41.	Develop and implement 12 weeks Keriba Way co-design program.		Health and Wellbeing	Q1-Q4	<ul style="list-style-type: none"> Signed Service agreement.
42.	Health and wellbeing program: <ul style="list-style-type: none"> Secure funding for employment and delivery of Health and wellbeing program. Delivery of KPIs identified in signed service agreement. 		Health and Wellbeing	Q1-Q4	<ul style="list-style-type: none"> Signed service agreement. Meeting set in signed service agreement KPIs.
43.	Develop and implement annual events planner to increase engagement and visibility of Council at divisional level through partnering with stakeholders.		Visitor Operations & Events	Q1-Q4	<ul style="list-style-type: none"> Facilitation of events in accordance with annual plan.








Community Services

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
44.	Indigenous Knowledge Centres (IKC) <ul style="list-style-type: none"> Develop and implement 2021-22 IKC strategy. Delivery of core IKC programs: <ul style="list-style-type: none"> First 5 Forever program. Public/Community Library program. 		Health and Wellbeing	Q1-Q4	<ul style="list-style-type: none"> Strategy developed and implemented. Successful delivery of IKC core programs.
45.	Implement standard admin processes including guides and templates across 15 Divisions in line with audit requirement.		Divisional Administration	Q1-Q4	<ul style="list-style-type: none"> All divisional admin staff and offices utilising same processes.
46.	Lead implementation of the Visitor Management Strategy, including visitor entry and exit, accommodation, and travel.		Visitor Operations & Events	Q1-Q4	<ul style="list-style-type: none"> Successful implementation of process and roadmap.





Executive Office

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
47.	Support for the development of regional governance framework.		Legal Services	Q1-Q4	<ul style="list-style-type: none"> Support provided as required.
48.	Assist in the effective management of DOGIT Land as a Trustee.		Legal Services	Q1-Q4	<ul style="list-style-type: none"> Trustee requirements delivered accordingly.
49.	Change to Local Government Area boundary review.		Legal Services	Q1-Q4	<ul style="list-style-type: none"> Undertake risk and cost analysis. Collect and analyse data from community consultation/surveys.
50.	Saibai land transfer & Ugar Land Transfer: To facilitate the progression of transfer of Deeds of Grant in Trust from Council to community-based entity that has been fully endorsed by the community to be the trustee.		Legal Services	Q1-Q4	<ul style="list-style-type: none"> Progress of Ugar land transfer and Saibai land transfer with stakeholders.
51.	Landing Holding Act (LHA) Katter Lease Resolution (OP).		Legal Services	Q1-Q4	<ul style="list-style-type: none"> Reduction in number of outstanding LHA lease entitlements.



Executive Office

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
52.	Template execution for (Regional) Infrastructure & Housing Indigenous Land Use Agreement (ILUA): To develop an ILUA for each division of the electorate to cover all frequently used Future Acts under the Native Title Act 1993 (Cth) and maximise expediency in Native Title		Legal Services	Q1-Q4	<ul style="list-style-type: none"> Remaining communities completed.
53.	Create working group to develop collateral in collaboration with Torres Strait Regional Authority, Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships and NAB - for home ownership options		Legal Services	Q1-Q4	<ul style="list-style-type: none"> Information delivered to communities about home ownership options. Trustee Policy updated. Existing applications for home-ownership leases progressed.





People and Wellbeing

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
54.	Refresh Council's Transitional Action Plan (TAP).		People & Wellbeing	Q1-Q4	<ul style="list-style-type: none"> Consultant brief developed and consultant engaged. Refresh of TAP commenced.
55.	Work, Health and Safety (WHS) <ul style="list-style-type: none"> Increase WHS support & representative footprint within region. Health and Safety Representative elections to be conducted. 		Safety & Wellbeing	Q1-Q4	<ul style="list-style-type: none"> Health and Safety Representative elected for each community, trained and WHS Committee established and operational.
56.	Conduct workshops in region to raise awareness of recruitment processes and other People and Wellbeing operations.		People & Wellbeing	Q1-Q4	<ul style="list-style-type: none"> Workshops conducted in all communities by end of financial year.
57.	Implementation of Council's Diversity & Inclusion Policy.		People & Wellbeing	Q1-Q4	<ul style="list-style-type: none"> Diversity and Inclusion Policy implemented across Council.
58.	Roll-out and Implementation of certified agreement.		People & Wellbeing	Q1-Q4	<ul style="list-style-type: none"> CA rolled out, position descriptions fully reviewed and reclassified.



People and Wellbeing

No.	Objective	Corp. Plan	Function	Timeline	Delivery/Target
59.	Review and evaluate learning & development strategy.		Learning & Development	Q1-Q4	<ul style="list-style-type: none">Learning and Development strategy reviewed, and evaluation conducted by June 2022.
60.	Grow Council's existing apprenticeship program.		People & Wellbeing	Q1-Q4	<ul style="list-style-type: none">Increase in number of trainees employed.

How we manage our Operational Risk

Our Risk Management Policy and the related Enterprise Risk Management Guidelines, ensure a uniform and consistent approach to the management of risk across Council. Our Guidelines outline our approach in alignment with AS/NZS ISO

31000:2018 and assist our employees to achieve an appropriate level of risk management in our strategic planning and objective delivery.

Our enterprise risk management informs:





TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	July 2021
DATE:	21-22 July 2021
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Statement of Estimated Financial Position
AUTHOR:	Nicola Daniels, Head of Financial Services

Recommendation:

That Council note the Statement of Estimated Financial Position in accordance with section 205 of the *Local Government Regulation 2012*.

Executive Summary:

This report provides a comparison of the Statement of Financial Operations and Financial Position between the 2020/21 budget adopted December 2020 and the 2020/21 forecast.

Background:

Pursuant to section 205 of the *Local Government Regulation 2012*;

- (1) The chief executive officer must present the local government's annual budget meeting with a statement of estimated financial position.
- (2) A statement of estimated financial position is a document stating the financial operations, and financial position, of the local government for the previous financial year.

Officer Comment:

The Statement of Estimated Financial Position is based upon Council's actual result for the period 1 July 2020 to 30 June 2021 and has been adjusted for estimated end of year transactions / adjustments that are expected to be processed prior to finalisation of the accounts and submission to audit.

The net operating result forecast for 2020/21 is a deficit of \$30 million compared to a budget surplus of \$7.9 million. The main reason for this variance relates to capital works that have been extended and pushed forward to future financial years for varying reasons, which has meant a delay in the anticipated receipt of funding. Additional factors include a loss on revaluation of 40-year leases and payment made to Stream A employees working 38 hours.

COVID-19 has affected Council operations though this affect has not been quantified. For the first half of the financial year frequent lockdowns across Australia, affected the activity in the region due to restricted travel and lack of available resources. While the second half of the year has not been prone to lockdowns in Queensland, there has been a noticeable increase in cost of supplies, increased lead times and lack of availability of products which has affected the bottom line.

A financial report that includes a comparison of budget to actual results year to date at a consolidated and department level, is provided monthly at the ordinary council meeting. This report includes comments on variance.

Consultation:

Executive Team

Financial Services Department

Links to Strategic Plans:

Corporate Plan 2020-2025

- ✓ Sustainability
- ✓ Prosperity

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Recommendation:

That Council note the Statement of Estimated Financial Position in accordance with section 205 of the *Local Government Regulation 2012*.

Endorsed:

Nicola Daniels

Head of Financial Services



Recommended:

Hollie Faithfull

Chief Financial Officer



Approved

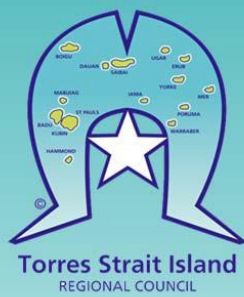
David Baldwin

Acting Chief Executive Officer



Attachment:

Statement of Estimated Financial Position



Torres Strait Island Regional Council

Statement of Estimated Financial Position

For the year ended 30 June 2021

Torres Strait Island Regional Council

Statement of Financial Operations

For the period July 2020 to June 2021

	Budget 30 June 2021 \$'000	Estimated 30 June 2021 \$'000	Variance \$'000	Variance %
Revenue				
Recurrent revenue:				
Net rates and utility charges	1,534	1,454	(80)	-5.22%
Fees and charges	4,055	4,530	475	11.71%
Sales - contract and recoverable works	21,283	13,611	(7,672)	-36.05%
Sales - other	2,668	2,504	(164)	-6.15%
Grants, subsidies, contributions and donations	23,746	23,493	(253)	-1.07%
Interest received	379	343	(36)	-9.50%
Rental income	4,844	4,847	3	0.06%
Other recurrent income	740 -	133	(873)	-117.97%
Total recurrent revenue	59,249	50,649	(8,600)	-14.52%
Capital revenue:				
Government subsidies and grants	47,003	19,407	(27,596)	-58.71%
Capital contributions	16,683	9,556	(7,127)	-42.72%
Total capital revenue	63,686	28,963 -	34,723	-54.52%
Total income				
Expenses				
Recurrent expenses:				
Employee benefits	27,083	28,501	1,418	5.24%
Materials and services	37,248	29,823	(7,425)	-19.93%
Depreciation and amortisation	46,508	46,298	(210)	-0.45%
Finance costs	665	623	(42)	-6.32%
Total recurrent expenses	111,504	105,245 -	6,259	-5.61%
Capital expenses:				
Other capital expenses	3,500	4,500	1,000	28.57%
Total capital expenses	3,500	4,500	1,000	28.57%
Total expenses	115,004	109,745	(5,259)	-4.57%
Net operating surplus/(deficit) exc capital and depreciation	(5,747)	(8,298)	(2,551)	44.39%
Net operating surplus/(deficit) inc depreciation	(52,255)	(54,596)	(2,341)	4.48%
Net result attributable to Council	7,931	(30,133)	(38,064)	-479.94%

Torres Strait Island Regional Council

Statement of Financial Position

For the period July 2020 to June 2021

	Budget 30 June 2021 \$'000	Estimated 30 June 2021 \$'000	Variance \$'000	Variance %
Current assets				
Cash assets and cash equivalents	44,500	45,179	679	1.53%
Inventories	250	250	-	0.00%
Receivables	492	5,825	5,333	1083.94%
Prepayments	119	175	56	47.06%
Other current assets	5,084	2,760	2,324	-45.71%
Total current assets	50,445	54,189	3,744	7.42%
Non-current assets				
Property, plant and equipment	916,743	864,747	51,996	-5.67%
Intangible assets	-	-	-	0.00%
Capital works in progress	-	-	-	0.00%
Other non-current assets	16,045	14,608	1,437	-8.96%
Total non-current assets	932,788	879,355	53,433	-14.63%
Total assets	983,233	933,544	49,689	-7.21%
Current liabilities				
Trade and other payables	1,906	5,660	3,754	196.96%
Borrowings	-	-	-	0.00%
Other current liabilities	18,496	18,496	-	0.00%
Provisions	2,870	3,332	462	0.00%
Total current liabilities	23,272	27,488	3,754	196.96%
Non-current liabilities				
Loans	36	36	-	0.00%
Other non-current liabilities	689	689	-	0.00%
Provisions	4,018	3,686	332	-8.26%
Total non-current liabilities	4,743	4,411	332	-8.26%
Total liabilities	28,015	31,899	3,422	188.69%
Net community assets	955,218	901,645	53,111	-195.90%
Community equity				
Asset revaluation reserve	482,322	482,322	-	0.00%
Retained surplus (deficiency)	472,896	419,323	53,573	-11.33%
Total community equity	955,218	901,645	53,573	-11.33%

TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING: July 2021

DATE: 20 & 21 July 2021

SUBJECT: 2021/2022 ORIGINAL BUDGET

ECM REF:

AUTHOR: Hollie Faithfull, Chief Financial Officer

RECOMMENDATIONS

- I. That council adopts in accordance with sections 169 and 170 of the *Local Government Regulation 2012*, Council's Budget for the 2021/2022 financial year, incorporating:
 - (i) The statements of financial position;
 - (ii) The statements of cashflow;
 - (iii) The statements of income and expenditure;
 - (iv) The statements of changes in equity;
 - (v) The long-term financial forecast;
 - (vi) The revenue statement;
 - (vii) The revenue policy (adopted by Council resolution on 30 June 2021);
 - (viii) The relevant measures of financial sustainability; and
 - (ix) The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget;
 - (x) Capital Budget.
- II. That Council adopts the 2021/2022 Fees and Charges Schedule, effective from 22 July 2021 by:
 - (i) Fixing the cost-recovery fees as indicated in the 2021/22 Fees and Charges Schedule in accordance with section 97(1) of the *Local Government Act 2009*.
 - (ii) Fixing all other fees and charges contained in the 2021/22 Fees and Charges Schedule

- III. Delegates authority to the Chief Executive Officer to set or vary any fee or charge, other than those that are cost-recovery fees, in accordance with section 257(1)(b) of the *Local Government Act 2009*.

EXECUTIVE SUMMARY

Council's Annual Budget for 2021/2022 including Register of Fees and Charges is presented for adoption by Council. The Annual Budget is developed in accordance with the *Local Government Act 2009* (LGA) and *Local Government Regulation 2012* (LGR).

Council is forecasting an operating deficit before depreciation of \$3.3M for the 2021/2022 financial year and a capital works program of \$38.8M.

BACKGROUND

Budget Financial Statements

Section 170 of the *Local Government Regulation 2012* requires Council to adopt, by resolution, a budget for each financial year. Section 169 of the *Local Government Regulation 2012* requires that the budget include the following:

- ✓ Financial statements for the financial year for which the budget is prepared and the next two financial years; and
- ✓ A long-term financial forecast, revenue statement and revenue policy; and
- ✓ Measures of financial sustainability for the financial year for which the budget is prepared and the next nine financial years; and
- ✓ The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget.

Section 169 of the *Local Government Regulation 2012* stipulates that the budget be consistent with the following Council documents:

- ✓ Five Year Corporate Plan
- ✓ Annual Operational Plan

Fees and Charges

Section 98(1) of the *Local Government Act 2009* requires Council to adopt a register of its cost-recovery fees.

Revenue Statement

Each year, as part of the adoption of the Annual Budget, Council is required to adopt a Revenue Statement which sets out the differential rating categories under which rates will be levied for the year and utility charges for 2021/2022.

COMMENT

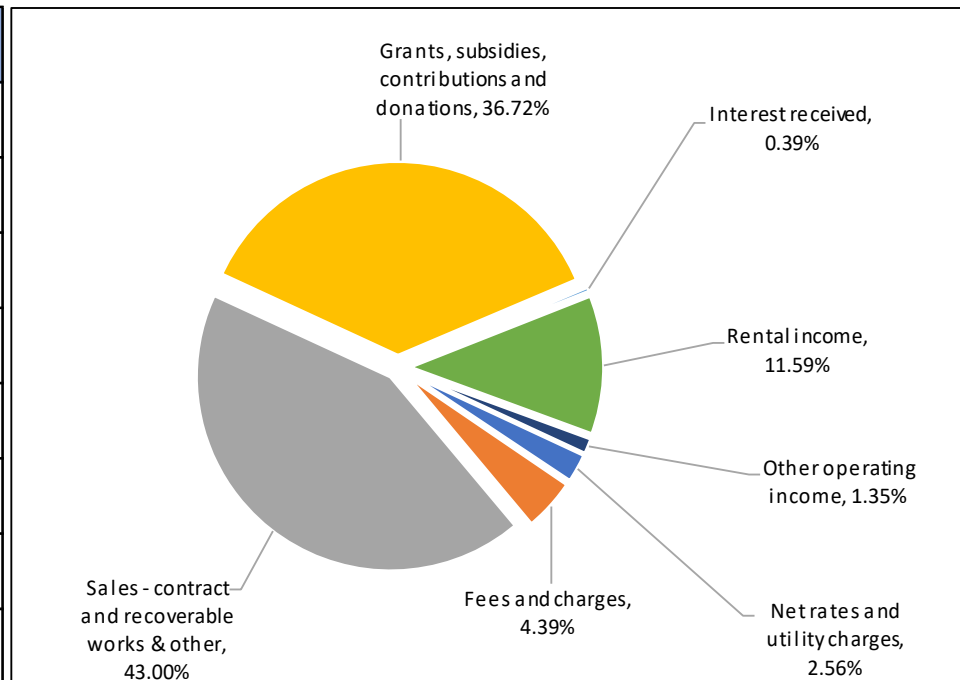
The budget, incorporating fees and charges, has been formulated from analysing current operating activities and reviewing all grant funding agreements.

CONSOLIDATED PERFORMANCE

Operating Revenue

OPERATING REVENUE CATEGORIES 2021/22 Original Budget

Category	Budget \$'000
Net rates and utility charges	1,607
Fees and charges	2,749
Sales - contract & recoverable works and other	26,952
Grants, subsidies, contributions and donations	23,020
Interest received	247
Rental income	7,265
Other operating income	844
Total Operating Revenue	62,685

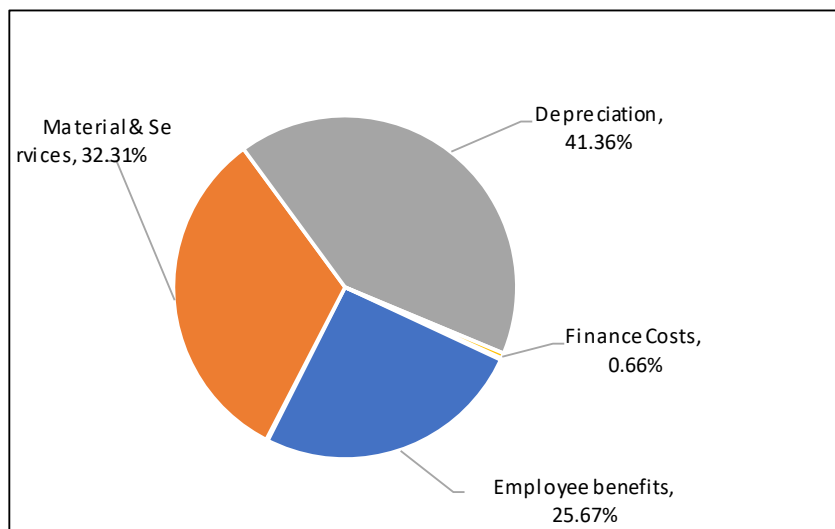


Contracts and recoverable works along with grants, subsidies, contributions, and donations continue to be the major source of income for Council at 43.00% and 36.72% of total operating revenue respectively.

Operating Expenditure

OPERATING EXPENSES CATEGORIES 2021/22 Original Budget

Category	Budget \$'000
Employee benefits	28,872
Material & Services	36,331
Depreciation	46,508
Finance Costs	744
Total Operating Expenses	112,455



Materials and services together with employee benefits comprise 57.98% of the Council's forecast total operating expenditure. Council is responsible for the provision of water and waste services maintenance, community, sport and cultural services and infrastructure for the community.

In addition to these expenses, depreciation makes up 41% of Council's planned expenditure. Depreciation represents an allocation of the use, or wear and tear of an asset over its expected useful life. It is impacted by the age, condition, pattern of use and disposal of existing assets, as well as the purchase and construction of new assets.

2021/2022 ORIGINAL BUDGET AT A GLANCE

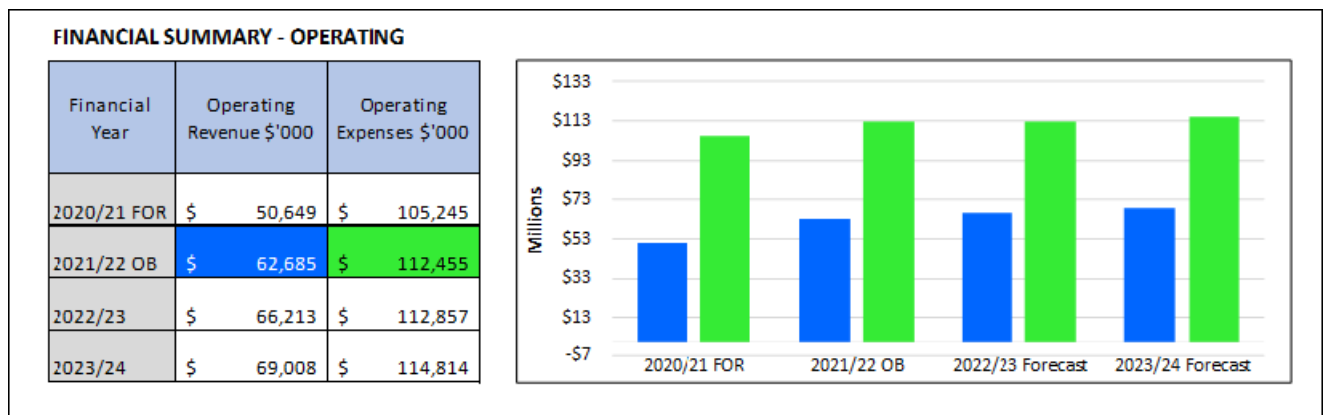
Statement of Income and Expenditure		\$'000
Operating Revenue		62,685
Operating Expenses(Excl Depn)		65,947
Net Operating Result(exc Depn)		(3,262)
Depreciation		46,508
Capital Revenue		35,112
Capital Expenses		1,500
Net Result		(16,158)
Capital Expenditure (\$'000)		
Capital Works Program		38,761

Operating Capability

Councils budgeted Operating Capability (before depreciation) is budgeted as a deficit of \$3,261,641 for 2021/2022 financial year.

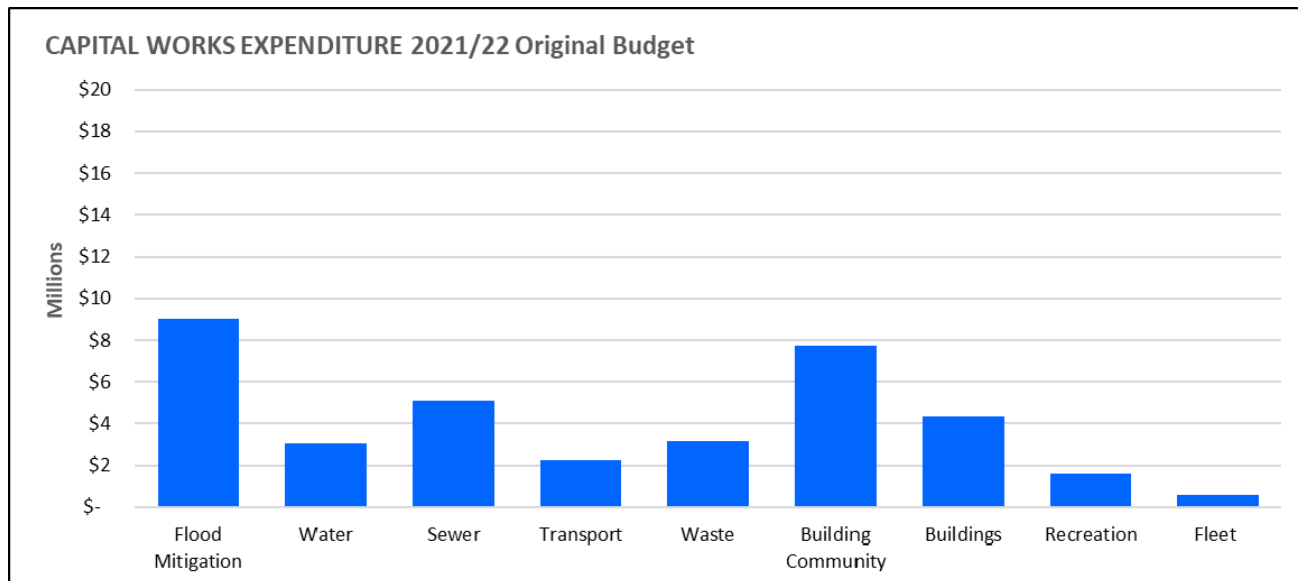
Total budgeted depreciation expense for 2021/2022 Original Budget is forecast to be \$46,507,984. The Operating Capability (after depreciation and before capital items) is a consolidated budgeted deficit position of \$49,769,625.

The graph below summaries the estimated operating revenue and expenditure (including depreciation) for the previous financial year and the next three.



Capital Budget

The Capital Expenditure Budget for 2021/2022 Original Budget totals \$38.8M. Council will utilise a combination of revenue, capital grants and capital contributions to fund Council's capital budget. The following table provides a breakdown of the proposed capital works for the 2021/2022 year by asset category.



Council capital revenue for 2021/2022 is budgeted to be \$35.1M.

LINKS WITH STRATEGIC PLANS

The budget has been developed in accordance with Council's Operational and Corporate Plans.

STATUTORY REQUIREMENTS

This report and its recommendations are consistent with the following legislative provisions:

Local Government Act 2009
Local Government Regulation 2012

CONSULTATION

There has been significant consultation on the framing of the 2021/2022 Original Budget including internal meetings/workshops with Executives and Managers coupled with liaison with external funding agencies and lobbying government departments to secure funding commitments. Additionally, workshops were held with Councillors, representing the interests of the community, and Executive Officers throughout the budget process.

CONCLUSION

The 2021/22 Budget including the Long Term Financial Forecast and Register of Fees and Charges have been prepared in accordance with the aforementioned legislative requirements and are recommended for adoption.



Hollie Faithfull
Chief Financial Officer



David Baldwin
Acting Chief Executive Officer

ATTACHMENTS:

Attached for Council endorsement:

Model 1 – Same Service Level – Continuing Internal Tenancy Management – Confirmed sources of capital funding only.

- ✓ *Statement of Financial Position;*
- ✓ *Statement of Cash Flow;*
- ✓ *Statement of Income and Expenditure;*
- ✓ *Statement of Changes in Equity;*
- ✓ *Long Term Financial Forecast;*
- ✓ *Revenue Statement*
- ✓ *Revenue Policy (adopted by Council resolution on 30 June 2021);*

- ✓ *The relevant measures of financial sustainability;*
- ✓ *The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget;*
- ✓ *Capital Budget;*
- ✓ *2021-2022 Register of Fees and Charges.*

Attached for Council information ONLY:

Model 2 – Same Service Level – Continuing Internal Tenancy Management – Capital works identified in Asset Management Plans.

- ✓ *Statement of Financial Position;*
- ✓ *Statement of Cash Flow;*
- ✓ *Statement of Income and Expenditure;*
- ✓ *Statement of Changes in Equity;*
- ✓ *Long Term Financial Forecast;*
- ✓ *The relevant measures of financial sustainability;*
- ✓ *The total value of the change, expressed as a percentage, in the rates and utility charges levied for the financial year compared with the rates and utility charges levied in the previous budget.*

Torres Strait Island Regional Council

Statement of Financial Position

For the period July 2021 to June 2031

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000
Current assets				
Cash assets and cash equivalents	44,500	39,919	38,360	38,277
Inventories	250	250	250	250
Receivables	492	377	389	399
Prepayments	119	119	119	119
Other current assets	5,084	5,084	5,084	5,084
Total current assets	50,445	45,749	44,202	44,129
Non-current assets				
Property, plant and equipment	916,743	905,496	877,749	832,046
Intangible assets	-	-	-	-
Capital works in progress	-	-	-	-
Other non-current assets	16,045	16,045	16,045	16,045
Total non-current assets	932,789	921,541	893,794	848,091
Total assets	983,234	967,290	937,996	892,221
Current liabilities				
Trade and other payables	1,906	2,157	1,142	1,173
Borrowings	-	-	-	-
Other current liabilities	18,496	18,496	18,496	18,496
Provisions	-	-	-	-
Total current liabilities	20,402	20,653	19,638	19,669
Non-current liabilities				
Loans	36	-	-	-
Other non-current liabilities	689	689	689	689
Provisions	6,888	6,888	6,888	6,888
Total non-current liabilities	7,613	7,577	7,577	7,577
Total liabilities	28,016	28,230	27,215	27,246
Net community assets				
Community equity				
Asset revaluation reserve	482,322	482,322	484,187	484,187
Retained surplus (deficiency)	472,896	456,738	426,593	380,788
Total community equity	955,218	939,060	910,781	864,975

Torres Strait Island Regional Council

Statement of Cashflow

For the period July 2021 to June 2031

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000
Cash flows from operating activities:				
Receipts from customers	33,334	34,552	37,664	39,904
Receipt from rental income	4,844	4,982	4,882	4,980
Payment to suppliers and employees	(69,925)	(65,696)	(67,760)	(69,081)
	(31,748)	(26,162)	(25,214)	(24,197)
Interest received	379	247	186	186
Non-capital grants and contributions	23,746	23,020	23,469	23,928
Finance costs	(6)	(1)	-	-
Net cash inflow (outflow) from operating activities	(7,629)	(2,896)	(1,558)	(83)
Cash flows from investing activities:				
Payments for property, plant and equipment	(55,600)	(38,761)	(16,500)	-
Payments for intangible assets	-	-	-	-
Proceeds from sale of property, plant and equipment	-	-	-	-
Subsidies, donations and contributions for new capital expenditure	55,033	35,112	16,500	-
Other	-	2,000	-	-
Net cash inflow (outflow) from investing activities	(567)	(1,649)	-	-
Cash flows from financing activities				
Repayment of borrowings	(68)	(36)	-	-
Other	-	-	-	-
Net cash inflow (outflow) from financing activities	(68)	(36)	-	-
Net increase (decrease) in cash held	(8,263)	(4,581)	(1,558)	(83)
Cash at beginning of reporting period	52,763	44,500	39,919	38,360
Cash at end of reporting period	44,500	39,919	38,360	38,277
QTC recommended working capital	16,249	16,487	16,686	17,278
Variance	28,251	23,432	21,674	20,999

Torres Strait Island Regional Council

Statement of Income and Expenditure

For the period July 2021 to June 2023

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000
Revenue				
Recurrent revenue:				
Net rates and utility charges	1,534	1,607	1,688	1,772
Fees and charges	4,456	2,981	3,041	3,101
Sales - contract and recoverable works	21,283	25,098	28,106	30,107
Sales - other	2,246	4,008	4,089	4,170
Grants, subsidies, contributions and donations	23,746	23,020	23,469	23,928
Interest received	379	247	186	186
Rental income	4,844	4,982	4,882	4,980
Other recurrent income	761	741	752	763
Total recurrent revenue	59,249	62,685	66,213	69,008
Capital revenue:				
Government subsidies and grants	47,003	27,464	16,500	-
Capital contribution	16,684	7,648	-	-
Developer contributions	-	-	-	-
Total capital revenue	63,686	35,112	16,500	-
Total income	122,936	97,797	82,713	69,008
Expenses				
Recurrent expenses:				
Employee benefits	27,083	28,872	29,770	30,654
Materials and services	37,248	36,331	36,231	37,703
Depreciation and amortisation	46,508	46,508	46,113	45,703
Finance costs	665	744	744	755
Total recurrent expenses	111,505	112,455	112,857	114,814
Capital expenses:				
Other capital expenses	3,500	1,500	-	-
Total capital expenses	3,500	1,500	-	-
Total expenses	115,005	113,955	112,857	114,814
Net operating surplus/(deficit) exc capital and depreciation	(5,748)	(3,262)	(532)	(103)
Net operating surplus/(deficit) inc depreciation	(52,256)	(49,770)	(46,645)	(45,806)
Net result attributable to Council	7,931	(16,158)	(30,145)	(45,806)

Torres Strait Island Regional Council

Statement of Changes in Equity

For the period July 2021 to June 2031

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Total \$'000	Retained surplus \$'000	Asset revaluation reserve \$'000	Other reserves \$'000
Balance at 30 Jun 2021 Budget Review	955,218	472,896	482,322	-
Net result for the period	(16,158)	(16,158)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2022 Original Budget	939,060	456,738	482,322	-
Net result for the period	(30,145)	(30,145)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	1,865	-	1,865	-
Balance at 30 Jun 2023 Forecast	910,781	426,593	484,187	-
Net result for the period	(45,806)	(45,806)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2024 Forecast	864,975	380,788	484,187	-

Torres Strait Island Regional Council

Statement of Financial Position

For the period July 2021 to June 2031

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000	Forecast 30 June 2025 \$'000	Forecast 30 June 2026 \$'000	Forecast 30 June 2027 \$'000	Forecast 30 June 2028 \$'000	Forecast 30 June 2029 \$'000	Forecast 30 June 2030 \$'000	Forecast 30 June 2031 \$'000
Current assets											
Cash assets and cash equivalents	44,500	39,919	38,360	38,277	38,955	40,124	41,828	43,159	44,724	46,213	47,639
Inventories	250	250	250	250	250	250	250	250	250	250	250
Receivables	492	377	389	399	413	426	439	452	467	482	498
Prepayments	119	119	119	119	119	119	119	119	119	119	119
Other current assets	5,084	5,084	5,084	5,084	5,084	5,084	5,084	5,084	5,084	5,084	5,084
Total current assets	50,445	45,749	44,202	44,129	44,820	46,002	47,719	49,063	50,644	52,148	53,590
Non-current assets											
Property, plant and equipment	916,743	905,496	877,749	832,046	787,626	747,098	705,601	666,842	632,432	598,341	566,831
Intangible assets	-	-	-	-	-	-	-	-	-	-	-
Capital works in progress	-	-	-	-	-	-	-	-	-	-	-
Other non-current assets	16,045	16,045	16,045	16,045	16,045	16,045	16,045	16,045	16,045	16,045	16,045
Total non-current assets	932,789	921,541	893,794	848,091	803,671	763,144	721,646	682,887	648,478	614,386	582,877
Total assets	983,234	967,290	937,996	892,221	848,491	809,146	769,366	731,950	699,122	666,535	636,466
Current liabilities											
Trade and other payables	1,906	2,157	1,142	1,173	1,211	1,247	1,285	1,320	1,363	1,404	1,446
Borrowings	-	-	-	-	-	-	-	-	-	-	-
Other current liabilities	18,496	18,496	18,496	18,496	18,496	18,496	18,496	18,496	18,496	18,496	18,496
Provisions	-	-	-	-	-	-	-	-	-	-	-
Total current liabilities	20,402	20,653	19,638	19,669	19,707	19,743	19,781	19,816	19,859	19,900	19,942
Non-current liabilities											
Loans	36	-	-	-	-	-	-	-	-	-	-
Other non-current liabilities	689	689	689	689	689	689	689	689	689	689	689
Provisions	6,888	6,888	6,888	6,888	6,888	6,888	6,888	6,888	6,888	6,888	6,888
Total non-current liabilities	7,613	7,577	7,577	7,577	7,577	7,577	7,577	7,577	7,577	7,577	7,577
Total liabilities	28,016	28,230	27,215	27,246	27,284	27,320	27,358	27,393	27,436	27,477	27,519
Net community assets											
Community equity											
Asset revaluation reserve	482,322	482,322	484,187	484,187	484,187	486,660	486,660	486,660	488,929	488,929	488,929
Retained surplus (deficiency)	472,896	456,738	426,593	380,788	337,020	295,166	255,348	217,897	182,757	150,129	120,019
Total community equity	955,218	939,060	910,781	864,975	821,207	781,826	742,008	704,557	671,686	639,058	608,948

Torres Strait Island Regional Council

Statement of Cashflow

For the period July 2021 to June 2031

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000	Forecast 30 June 2025 \$'000	Forecast 30 June 2026 \$'000	Forecast 30 June 2027 \$'000	Forecast 30 June 2028 \$'000	Forecast 30 June 2029 \$'000	Forecast 30 June 2030 \$'000	Forecast 30 June 2031 \$'000
Cash flows from operating activities:											
Receipts from customers	33,334	34,552	37,664	39,904	41,930	44,062	46,300	48,010	49,784	51,631	53,550
Receipt from rental income	4,844	4,982	4,882	4,980	5,079	5,181	5,285	5,390	5,498	5,608	5,720
Payment to suppliers and employees	(69,925)	(65,696)	(67,760)	(69,081)	(70,914)	(73,133)	(75,427)	(78,112)	(80,265)	(82,815)	(85,436)
	(31,748)	(26,162)	(25,214)	(24,197)	(23,905)	(23,890)	(23,842)	(24,711)	(24,983)	(25,576)	(26,166)
Interest received	379	247	186	186	186	186	186	186	186	186	186
Non-capital grants and contributions	23,746	23,020	23,469	23,928	24,396	24,873	25,360	25,856	26,362	26,879	27,405
Finance costs	(6)	(1)	-	-	-	-	-	-	-	-	-
Net cash inflow (outflow) from operating activities	(7,629)	(2,896)	(1,558)	(83)	677	1,169	1,704	1,331	1,566	1,489	1,426
Cash flows from investing activities:											
Payments for property, plant and equipment	(55,600)	(38,761)	(16,500)	-	-	-	-	-	-	-	-
Payments for intangible assets	-	-	-	-	-	-	-	-	-	-	-
Proceeds from sale of property, plant and equipment	-	-	-	-	-	-	-	-	-	-	-
Subsidies, donations and contributions for new capital expenditure	55,033	35,112	16,500	-	-	-	-	-	-	-	-
Other	-	2,000	-	-	-	-	-	-	-	-	-
Net cash inflow (outflow) from investing activities	(567)	(1,649)	-	-	-	-	-	-	-	-	-
Cash flows from financing activities											
Repayment of borrowings	(68)	(36)	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-
Net cash inflow (outflow) from financing activities	(68)	(36)	-	-	-	-	-	-	-	-	-
Net increase (decrease) in cash held	(8,263)	(4,581)	(1,558)	(83)	677	1,169	1,704	1,331	1,566	1,489	1,426
Cash at beginning of reporting period	52,763	44,500	39,919	38,360	38,277	38,955	40,124	41,828	43,159	44,724	46,213
Cash at end of reporting period	44,500	39,919	38,360	38,277	38,955	40,124	41,828	43,159	44,724	46,213	47,639
QTC recommended working capital	16,249	16,487	16,686	17,278	17,738	18,292	18,866	19,537	20,077	20,714	21,369
Variance	28,251	23,432	21,674	20,999	21,217	21,831	22,962	23,622	24,647	25,499	26,270

Torres Strait Island Regional Council

Statement of Income and Expenditure

For the period July 2021 to June 2031

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000	Forecast 30 June 2025 \$'000	Forecast 30 June 2026 \$'000	Forecast 30 June 2027 \$'000	Forecast 30 June 2028 \$'000	Forecast 30 June 2029 \$'000	Forecast 30 June 2030 \$'000	Forecast 30 June 2031 \$'000
Revenue											
Recurrent revenue:											
Net rates and utility charges	1,534	1,607	1,688	1,772	1,861	1,954	2,051	2,154	2,262	2,375	2,493
Fees and charges	4,456	2,981	3,041	3,101	3,163	3,227	3,291	3,357	3,424	3,493	3,563
Sales - contract and recoverable works	21,283	25,098	28,106	30,107	31,891	33,769	35,747	37,188	38,687	40,248	41,872
Sales - other	2,246	4,008	4,089	4,170	4,254	4,339	4,426	4,514	4,604	4,697	4,791
Grants, subsidies, contributions and donations	23,746	23,020	23,469	23,928	24,396	24,873	25,360	25,856	26,362	26,879	27,405
Interest received	379	247	186	186	186	186	186	186	186	186	186
Rental income	4,844	4,982	4,882	4,980	5,079	5,181	5,285	5,390	5,498	5,608	5,720
Other recurrent income	761	741	752	763	775	786	798	810	822	834	847
Total recurrent revenue	59,249	62,685	66,213	69,008	71,605	74,315	77,144	79,456	81,846	84,319	86,878
Capital revenue:											
Government subsidies and grants	47,003	27,464	16,500	-	-	-	-	-	-	-	-
Capital contribution	16,684	7,648	-	-	-	-	-	-	-	-	-
Developer contributions	-	-	-	-	-	-	-	-	-	-	-
Total capital revenue	63,686	35,112	16,500	-	-	-	-	-	-	-	-
Total income	122,936	97,797	82,713	69,008	71,605	74,315	77,144	79,456	81,846	84,319	86,878
Expenses											
Recurrent expenses:											
Employee benefits	27,083	28,872	29,770	30,654	31,574	32,521	33,497	34,501	35,536	36,603	37,691
Materials and services	37,248	36,331	36,231	37,703	38,613	39,872	41,180	42,846	43,961	45,431	46,952
Depreciation and amortisation	46,508	46,508	46,113	45,703	44,420	43,000	41,497	38,760	36,678	34,091	31,510
Finance costs	665	744	744	755	765	777	788	799	811	823	835
Total recurrent expenses	111,505	112,455	112,857	114,814	115,373	116,169	116,962	116,907	116,986	116,948	116,988
Capital expenses:											
Other capital expenses	3,500	1,500	-	-	-	-	-	-	-	-	-
Total capital expenses	3,500	1,500	-	-	-	-	-	-	-	-	-
Total expenses	115,005	113,955	112,857	114,814	115,373	116,169	116,962	116,907	116,986	116,948	116,988
Net operating surplus/(deficit) exc capital and depreciation	(5,748)	(3,262)	(532)	(103)	652	1,146	1,680	1,309	1,538	1,463	1,400
Net operating surplus/(deficit) inc depreciation	(52,256)	(49,770)	(46,645)	(45,806)	(43,768)	(41,854)	(39,817)	(37,451)	(35,140)	(32,628)	(30,110)
Net result attributable to Council	7,931	(16,158)	(30,145)	(45,806)	(43,768)	(41,854)	(39,817)	(37,451)	(35,140)	(32,628)	(30,110)

Torres Strait Island Regional Council

Statement of Changes in Equity

For the period July 2021 to June 2031

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Total \$'000	Retained surplus \$'000	Asset revaluation reserve \$'000	Other reserves \$'000
Balance at 30 Jun 2021 Budget Review	955,218	472,896	482,322	-
Net result for the period	(16,158)	(16,158)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2022 Original Budget	939,060	456,738	482,322	-
Net result for the period	(30,145)	(30,145)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	1,865	-	1,865	-
Balance at 30 Jun 2023 Forecast	910,781	426,593	484,187	-
Net result for the period	(45,806)	(45,806)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2024 Forecast	864,975	380,788	484,187	-
Net result for the period	(43,768)	(43,768)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2025 Forecast	821,207	337,020	484,187	-
Net result for the period	(41,854)	(41,854)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	2,472	-	2,472	-
Balance at 30 Jun 2026 Forecast	781,826	295,166	486,660	-
Net result for the period	(39,817)	(39,817)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2027 Forecast	742,008	255,348	486,660	-
Net result for the period	(37,451)	(37,451)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2028 Forecast	704,557	217,897	486,660	-
Net result for the period	(35,140)	(35,140)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	2,269	-	2,269	-
Balance at 30 Jun 2029 Forecast	671,686	182,757	488,929	-
Net result for the period	(32,628)	(32,628)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2030 Forecast	639,058	150,129	488,929	-
Net result for the period	(30,110)	(30,110)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2031 Forecast	608,948	120,019	488,929	-

Revenue Statement for the 2021/2022 Financial Year

Responsible Manager	Chief Financial Officer
Head of power	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
Authorised by	Torres Strait Island Regional Council
Authorised on	[TBC] July 2021
Implemented from	1 July 2021
Last reviewed	June 2021
Review history	2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021
To be reviewed on	30 June 2022
Corporate Plan	Sustainability

Introduction

This revenue statement is prepared in accordance with section 104 of the *Local Government Act 2009* and sections 169(2)(b) and 172 of the *Local Government Regulation 2012* (**LGR**).

Differential General Rates – Section 172(1)(a) of the LGR

Council does not levy differential general rates on the basis that all land is deemed non rateable by virtue of section 71(2) of the *Local Government Regulation 2012*.

Special rates or charges for joint government activity – Section 172(1)(b) of the LGR

Council does not levy special rates or charges for a joint government activity.

Council has leased the properties listed below to the Queensland State Government for a period of 40 years for the operation of State Government facilities. Council receives a set annual contractual payment for each dwelling or site subject to the lease arrangements in lieu of charging special rates or charges.

- 51 properties on Moa Island (Kubin)
- 9 properties on Saibai Island
- 7 properties on Mabuiag Island
- 10 properties on Boigu Island
- 8 properties on Warraber Island
- 5 properties on Poruma Island
- 21 properties on Hammond Island
- 10 properties on Mer Island
- 18 properties on Badu Island
- 25 properties on Moa Island (St Paul's)
- 7 properties on Erub Island
- 10 properties on Masig Island
- 6 properties on Iama Island
- 2 properties on Ugar Island
- 3 properties on Dauan Island

Cost-recovery fees – Section 172(1)(c) of the LGR

Cost-recovery fees are fixed to cover the costs, including allocated administrative costs, of each cost-recovery process. These fees will not be set at more than the cost to Council for providing the service or taking the action for which the fee is charged.

The user-pays principle is to be applied in setting the fees unless the imposition of the fee is contrary to its express social, economic, environmental and other corporate goals of Council. This is considered to be the most equitable and effective revenue approach and is founded on the basis that the Region's rating base cannot subsidise the specific users or clients of Council's regulatory products and services.

All cost-recovery fees set by Council are included in the Fees and Charges Register which is open for inspection at Council offices or on its website.

Council business activities – Section 172(1)(d) of the LGR

Council conducts business activities and charges business activity fees for services and facilities it provides on this basis. Business activity fees are charged where Council provides a service and the party receiving the service can elect whether or not to avail itself of the service. Business activity fees are a class of charge, which are purely commercial in application and are usually subject to the Commonwealth's Goods and Services Tax. The criteria Council uses to determine business activity fees is a combination of Council's costs to provide the service, what Council considers to be an appropriate mark up where appropriate, and the market for these types of services generally.

Business activity fees include but are not limited to rents, plant hire, private works and hire of facilities as contained in Council's Register of Fees & Charges.

Council may decide to provide subsidised services in certain instances to various disadvantaged groups and may relax or reduce user fees in those cases. Decisions to subsidise these community groups will be explicit both in terms of the groups to be subsidised and the level of subsidy to be provided.

Outline of measures adopted by Council for raising revenue – Section 172(2)(a)(i) of the LGR

Utility Charges – Overview

Section 94(b)(ii) of the *Local Government Act 2009* provides the power for Council to levy utility charges. Utility charges are service charges relating to the provision of water, sewerage and waste management services. For avoidance of doubt utility charges are not levied on vacant land. The service charges for water, sewerage and waste as detailed below are differentiated having regard to whether they fall under the service charge category of either residential or commercial. Those terms are further defined in the following table: -

SERVICE CHARGE CATEGORY	DESCRIPTION
Residential	Land that is occupied and used solely for residential purposes (excluding residential land the subject of a 40-year lease to the State Government).
Mixed-Use	<p>Land that is used, in part, for residential purposes and used, in part, for commercial/industrial purposes, including, but not limited to: guest houses, motels, home-run businesses and tourist facilities.</p> <p>This category includes residential properties that:</p> <ul style="list-style-type: none">a) are owned by Council where the tenant is running a business from home; orb) are owned by the occupant as a private property, a Katter Lease or home ownership where the owner/lessee is operating a business.

Commercial	<p>Land that is occupied and used for commercial/industrial purposes, including, but not limited to:</p> <ul style="list-style-type: none"> • guest houses, hotels, motels; • shops, tourist facilities, arts and culture activities; • land used by government or utility (telecommunications, electricity); <p>providers to aid in the delivery of commercial and/or government services. i.e. Education, Health, Customs, etc; or</p> <ul style="list-style-type: none"> • all other land not categorised as residential.
-------------------	--

Exemptions

Churches are exempt from utility charges.

There are no other exemptions from utility charges.

Water Charges

All properties receiving water from a reticulated Council supplied water scheme shall be levied the following charges:

- ✓ A Water Service/Access Charge per property to be levied annually; and
- ✓ A Volumetric Water Charge per property to be levied annually.

Water Service Charges	Access Charge	Volumetric Charge	Basis of Charge
Residential	\$207.72	\$0.00KI	Per Property
Mixed-Use	\$1,038.60	\$1.42KI	Per Property
Commercial	\$2,077.18	\$2.84KI	Per Property

Sewerage Charges

All properties receiving sewerage services from a Council supplied network shall be levied a Sewerage Service/Access Charge to be levied annually as set out below.

Sewerage Service Charges	Access Charge	Basis of Charge
Residential	\$248.58	Per Property
Mixed-Use	\$1,242.92	Per Water Closet (WC). WC is equivalent to: <ul style="list-style-type: none">✓ A single pedestal; or✓ 1.3 meters of urinal; or✓ One (1) to Three (3) wall hung urinals
Commercial	\$2,485.83	Per Water Closet (WC). WC is equivalent to: <ul style="list-style-type: none">✓ A single pedestal; or✓ 1.3 meters of urinal; or✓ One (1) to Three (3) wall hung urinals

Waste Management Charges

All properties receiving waste management services from Council shall be levied a Waste Management Service Charge per property to be levied annually as set out below.

Waste Management Service Charges	Access Charge	Basis of Charge
Residential	\$138.03	Per Property
Mixed-Use	\$690.18	Per Property
Commercial	\$1,380.35	Per Property

Concessions – Section 172(2)(a)(ii) of the LGR

Chapter 4, Part 10 of the *Local Government Regulation 2012* enables Council to grant concessions for rates or charges. Whether Council elects to grant a concession in respect of an application for a concession for rates or charges will be at Council's discretion and an application may be made to Council on one or more of the following grounds:

1. the land is owned or occupied by a pensioner;
2. the land is owned by:
 - a. an entity whose objects do not include making a profit; or

- b. an entity that provides assistance or encouragement for arts or cultural development;
- 3. the payment of the rates or charges will cause hardship to the land owner;
- 4. the concession will encourage the economic development of all or part of the local government area;
- 5. the concession will encourage land that is of cultural, environmental, historic, heritage or scientific significance to the local government area to be preserved, restored or maintained;
- 6. the land is used exclusively for the purpose of a single dwelling house or farming and could be used for another purpose, including, for example, a commercial or industrial purpose;
- 7. the land is subject to a GHG tenure, mining tenement or petroleum tenure; or
- 8. the land is part of a parcel of land (a parcel) that has been subdivided and:
 - a. the person who subdivided the parcel is the owner of the land; and
 - b. the land is not developed land.

To be considered for a concession, eligible individuals/organisations are required to submit a letter to Council detailing the individual's/organisation's eligibility to be considered for the concession and the grounds and basis for requesting the concession.

Concessions will be at the discretion of Council and granted by way of Council resolution upon Council being satisfied of the individual's/organisation's eligibility. Any concession granted by Council may be subject to conditions imposed by Council at its discretion.

Pensioners

Eligible pensioners may be able to receive from the Queensland State Government a subsidy of 20 per cent (up to a maximum amount of \$200 each year) of the gross rates and charges levied by Council.

Further information may be obtained from the Queensland State Government website at <https://www.qld.gov.au/community/cost-of-living-support/rates-subsidy>.

Where the State Government subsidy applies the Council will upon proof of eligibility deduct the appropriate amount off the rate notice and claim re-imbursement from the State Government.

Limitation on Increases in Service Charges – Section 172(2)(b) of the LGR

Council has not made a resolution limiting an increase of rates and charges for the 2021/2022 financial year.

Other Matters

Issue of rate notices

Council intends to issue rate notices annually as follows:

- ✓ Rate notices relating to Water Access, Sewerage Access and Waste Management Service Charges will be issued in the 4th quarter of the financial year
- ✓ Rate notices relating to Water Usage Notices will be issued in the 4th quarter of the financial year.

Note that the timeframes for issuing rate notices are indicative only and may be subject to change without notice in line with Council's operational requirements.

The due date for payment is thirty-one (31) days from the date of issue of the rate notice. Council reserves the right to charge interest at the rate of 8.03% per annum calculated at compound interest on a daily basis on all rates and charges which remain unpaid after the due date, pursuant to section 133 of the *Local Government Regulation 2012*.

Authorisation

This document was duly authorised by Council as the Torres Strait Island Regional Council Revenue Statement on [TBC] July 2021, and shall hereby supersede any previous procedures of the same intent.

David Baldwin

Acting Chief Executive Officer

Date: July 2021

Revenue Policy

Responsible Manager

Chief Financial Officer

Head of power

Local Government Act 2009
Local Government Regulation 2012

Authorised by

Council

Authorised on

30 June 2021

Implemented from

1 July 2021

Last reviewed

2021

Review history

2012, 2013, 2014, 2015, 2016, 2017, 2018,
2019, 2020

To be reviewed in

June 2022

Corporate Plan

People, Sustainability and Prosperity

1. Purpose

The purpose of this policy is to provide details of the principles applied by Council when:

- a) Levying rates and charges; and
- b) Granting concessions for rates and charges; and
- c) The purpose of concessions
- d) Recovering overdue rates and charges; and
- e) Cost recovery methods; and
- f) The purpose of concessions
- g) Infrastructure charges for a new development

2. Application

This policy applies to Torres Strait Island Regional Council and associated enterprises.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Local Government Act 2009* and the *Local Government Regulation 2012*.

4. Provisions

Making and Levying Rates and Charges

In levying rates and charges the following principles will be applied:

- Consider the level of revenue that can be achieved from direct user charges, grants and subsidies, contributions and other sources;
- Consider the cost of maintaining existing facilities and necessary services and the need for additional facilities and services;
- Make clear what is the Council's and each ratepayer's responsibility to the rating system;
- Timing any rates and charges to ensure a sustainable cash flow for the operation of Council and to spread the burden to the ratepayer over the financial year;
- Equity through flexible payment arrangements for ratepayers with a lower capacity to pay;
- Transparency in the making of rates and charges;
- Making the system for paying rates and charges simple and inexpensive to administer;
- Equity by taking account of the different levels of capacity to pay within the local community;
- Flexibility to take account of changes to the local economy;
- Council will consider National Competition Policy when considering utility charges;
- Council may consider levying special and separate rates and charges where appropriate, to recover the cost associated with a particular service, project of facility that provides direct or additional benefit to the ratepayers or class of ratepayers.

Concessions for Rates and Charges

In considering the application of concessions, Council will be guided by the principles of:

- Equity by having regard to the different levels of capacity to pay within the local community;

- The same treatment of ratepayers with similar circumstances;
- Transparency by making clear the requirements necessary to receive concessions;
- Flexibility to allow Council to respond to local economic issues.

Council may give consideration to granting a concession to a class of landowners without the need for an individual application in accordance with section 122(4) of the *Local Government Regulation 2012*.

The Purpose of Concessions

Council will support community objectives through the application of concessions to:

- Reduce the financial burden of rates and charges payable by pensioners;
- Support the community activities of not for profit organisations and support their economic development;
- Provide assistance to ratepayers suffering genuine financial hardship;
- Encourage the economic development of all or part of the local government area.

Recovery of Overdue Rates and Charges

Council will exercise its recovery powers in order to reduce the overall burden on ratepayers. It will be guided by the principles of:

- Transparency by making clear the obligations of ratepayers and the processes used by Council in assisting them to meet their financial obligations;
- Making the processes used to recover outstanding rates and charges clear, simple to administer and cost effective;
- Capacity to pay in determining appropriate arrangements for different sectors of the community;
- Equity by having regard to providing the same treatment for ratepayers with similar circumstances;
- Flexibility by responding where necessary to changes in the local economy;
- Council may charge interest on overdue rates and charges;
- Council's Debt Recovery Procedure PR-PO4-7 sets out the detail of the processes used to recover outstanding rates and charges.

Cost Recovery Methods

Section 97 of the *Local Government Act 2009* allows Council to set cost-recovery fees. Cost-recovery fees are fixed to cover the costs, including allocated administrative costs of each cost-recovery regime. These fees will not be set at more than the cost to Council for providing the service or taking the action for which, the fee is charged. The user-pays principle is applied in setting the fees unless the imposition of the fee is contrary to its express social, economic, environmental, and other corporate goals.

This is considered to be the most equitable and effective revenue approach and is founded on the basis that the Region's rating base cannot subsidise the specific users or clients of Council's regulatory products and services.

All cost-recovery fees set by Council are included in the Fees and Charges Register which is open for inspection at Council offices or on its website.

Infrastructure Charges for a New Development

While it is expected that developers will contribute to new physical and social infrastructure when they commence a new development, the amount of their contribution and how much of the infrastructure they fund may vary. This will depend on many factors and will be assessed for each development. The processes used in determining the contribution, however, will be transparent, fair and equitable

Manager Responsible for Review:

Chief Financial Officer

A handwritten signature in black ink, appearing to read 'David Bell', with a long horizontal flourish extending to the right.

Adopted: 30/06/2021

Due for revision: 30/06/2022

Acting Chief Executive Officer

Torres Strait Island Regional Council

Statement of Key Sustainability Ratios

For the period July 2021 to June 2031

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000	Forecast 30 June 2025 \$'000	Forecast 30 June 2026 \$'000	Forecast 30 June 2027 \$'000	Forecast 30 June 2028 \$'000	Forecast 30 June 2029 \$'000	Forecast 30 June 2030 \$'000	Forecast 30 June 2031 \$'000
(Net Operating Surplus / Total Operating Revenue) (%)	(88)%	(79)%	(70)%	(66)%	(61)%	(56)%	(52)%	(47)%	(43)%	(39)%	(35)%
(Net Operating Surplus / (Total Operating Revenue - Depreciation Expense on Community Housing) (%)	(56)%	(49)%	(42)%	(40)%	(36)%	(33)%	(30)%	(28)%	(25)%	(23)%	(21)%

Target is between 0% and 10% (on average over the long-term)

This is an indicator of the extent to which revenues raised cover operational expenses or are available for capital funding purposes. The percentage indicates the percentage increase in Operating Revenue needed to break-even. A negative ratio result indicates that Council is expecting to not generate sufficient revenue to cover operating expenses (including depreciation) or fund from own sources capital items. This ratio includes Depreciation Expense of \$46.5M for the 21/22 financial year. A secondary Operating Surplus Ratio has been calculated removing depreciation expenses on community housing. A improvement on average of 23% can be seen in Council's Operating Surplus Ratio with the removal of Community Housing depreciation which accounts for approximately \$19.3M in 21/22

2 Net Financial Asset / Liability Ratio											
((Total Liabilities - Current Assets) / Total Operating Revenue)	(38)%	(28)%	(26)%	(24)%	(24)%	(25)%	(26)%	(27)%	(28)%	(29)%	(30)%

Target is <60% (on average over the long-term)

This is an indicator of the extent to which net financial liabilities can be serviced/repaid from operating revenues. A negative indicator is favourable as it is below the target of 60%. The negative indicators show that Council has more current assets than liabilities as a percentage of Total Operating Revenue

3 Asset Sustainability Ratio											
(Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)	106%	62%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Target is >90% (on average over the long-term)

This is the extent to which assets are being replaced as they reach the end of their useful life. Council is dependent on State and Federal funding for renewal of infrastructure assets. Timing of renewal programs do not always coincide with the annual allocation of depreciation.

Torres Strait Island Regional Council

Rates and Utility charges

For the period July 2021 to June 2024

Model 1 - Same Service Level - Continuing Internal Tenancy Management - Confirmed sources of capital funding only

	Budget Review	Original Budget	Forecast	Forecast
	30 June 2021	30 June 2022	30 June 2023	30 June 2024
	\$'000	\$'000	\$'000	\$'000
Rates and utility charges				
General rates	-	-	-	-
Separate rates	-	-	-	-
Levies	59	59	62	65
Water	405	425	446	468
Sewerage	872	915	961	1,009
Waste management	198	208	219	230
Other rates and utilities revenue	-			
Total rates and utility charge revenue	1,534	1,607	1,688	1,772
	Budget Review	Original Budget	Variance	Variance
	30 June 2021	30 June 2022		
	\$'000	\$'000	\$'000	%
Rates and utility charges - value of change				
Gross rates and utility charges	1,534	1,607	73	5%

Summary 2021/22 Original Budget

		CAPITAL EXPENDITURE				CAPITAL REVENUE							
Department	Task Description	Total Forecast Spend Inception to EOFY 20/21	Forecast Spend during 21/22	Forecast Spend during 22/23 and onwards	Total forecast Spend for life of Project	Budget Review COF ITD 20/21	Budget Review Funders ITD 20/21	Original Budget 21/22 Revenue COF	Original Budget 21/22 Funders	Original Budget 21/22 - Forecast COF in 22/23	Original Budget 21/22 - Forecast Funders in 22/23	Project Life funded by COF	Project Life funded by external Funders
Engineering	Badu Finger Jetty- Assess and repair	220,456	96,788		317,244	220,456	-	96,788	-	-	-	317,244	-
Engineering	Badu Island Jetty - Local Roads & Community Infrastructure	194,288	263,693		457,981	-	194,288	-	263,693	-	-	-	457,981
Engineering	Boigu Island Seawalls Phase 2.	13,000,000	2,000,000		15,000,000	-	13,000,000	-	2,000,000	-	-	-	15,000,000
Engineering	Dauan Pontoon - Insurance (part payment)	-	2,500,000	-	2,500,000	-	-	2,500,000	-	-	-	2,500,000	-
Engineering	Iama Seawall Stage 2	-	-	7,000,000	7,000,000	-	-	-	-	-	7,000,000	-	7,000,000
Engineering	ICCIP Solid Waste	1,920,943	3,179,057		5,100,000	-	1,920,943	-	3,179,057	-	-	-	5,100,000
Engineering	ICCIP Wastewater	15,763,881	5,108,122		20,872,003	-	15,763,881	-	5,108,122	-	-	-	20,872,003
Engineering	ICCIP Water	24,572,971	3,061,798		27,634,769	-	24,572,971	-	3,061,798	-	-	-	27,634,769
Engineering	Local Disaster Management Group (LDGG) Establish facilities	-	100,000	-	100,000	-	-	100,000	-	-	-	100,000	-
Engineering	Masig Seawall Stage 2	-	-	6,000,000	6,000,000	-	-	-	-	-	6,000,000	-	6,000,000
Engineering	Poruma Seawall Construction Stage 2.	4,000,000	1,000,000		5,000,000	-	4,000,000	-	1,000,000	-	-	-	5,000,000
Engineering	TMR TIDS (inc TSRA funding of \$500,000)	-	1,515,000	-	1,515,000	-	-	-	1,515,000	-	-	-	1,515,000
Engineering	Warraber Seawall Stage 2	-	3,500,000	3,500,000	7,000,000	-	-	-	3,500,000	-	3,500,000	-	7,000,000
Engineering Total		59,672,539	22,324,458	16,500,000	98,496,997	220,456	59,452,083	2,696,788	19,627,670	-	16,500,000	2,917,244	95,579,753
Assets	Building Corporate Council Owned Funds (General) 21/22	-	500,000	-	500,000	-	-	500,000	-	-	-	500,000	-
Assets	Building Corporate leased and Licenced Assets 21/22	-	200,000	-	200,000	-	-	200,000	-	-	-	200,000	-
Assets	Building Corporate WHS Emergency Tasks 21/22	-	300,000	-	300,000	-	-	300,000	-	-	-	300,000	-
Assets	Dauan Basketball Court and Grandstand	345,000	345,000		690,000	-	345,000	-	345,000	-	-	-	690,000
Assets	Mabuiaig Point Road - Iama	-	380,000		380,000	-	-	380,000	-	-	-	380,000	-
Assets	W4Q.R3 Dauan Comm Hall & BBall Court	54,035	295,965		350,000	-	54,035	-	295,965	-	-	-	350,000
Assets	W4Q.R3 Hammond Undercover Shelter	51,404	188,596		240,000	-	51,404	-	188,596	-	-	-	240,000
Assets	W4Q.R3 Iama Covered Sporting Facility	53,479	751,521		805,000	-	53,479	-	751,521	-	-	-	805,000
Assets	W4Q.R3 Masig Builder/Mechanics Workshop	52,716	127,284		180,000	-	52,716	-	127,284	-	-	-	180,000
Assets	W4Q.R3 Poruma Airport Waiting Shed	52,982	412,018		465,000	-	52,982	-	412,018	-	-	-	465,000
Assets	W4Q.R3 Saibai Airport Waiting Shed	52,248	412,752		465,000	-	52,248	-	412,752	-	-	-	465,000
Assets	W4Q.R3 Ugar Guesthouse Upgrade	53,296	216,704		270,000	-	53,296	-	216,704	-	-	-	270,000
Assets Total		715,159	4,129,841	-	4,845,000	-	715,160	1,380,000	2,749,841	-	-	1,380,000	3,465,001
Building Services	Building Services 21/22	-	5,747,677	-	5,747,677	-	-	-	7,982,884	-	-	-	7,982,884
Building Services Total		-	5,747,677	-	5,747,677	-	-	-	7,982,884	-	-	-	7,982,884
Fleet	Corporate Fleet - unallocated 21/22 (equivalent to depreciation 21/22)	-	590,949	-	590,949	-	-	590,949	-	-	-	590,949	-
Fleet Total		-	590,949	-	590,949	-	-	590,949	-	-	-	590,949	-
Housing	Community Housing Program Plug-Ins with HPW. Amount reflects se	1,010,170	1,497,327	-	2,507,497	-	937,673	-	1,497,327	-	-	-	2,435,000
Housing	St Pauls Housing	414,465	475,535	-	890,000	414,465	-	475,535	-	-	-	890,000	-
Housing Total		1,424,635	1,972,862		3,397,497	414,465	937,673	475,535	1,497,327	-	-	890,000	2,435,000
SP&L	Mer Fuel Facility COF	11,483	561,234	-	572,717	11,483	-	561,234	-	-	-	572,717	-
SP&L	Saibai Fuel Facility Upgrade	-	1,006,600	-	1,006,600	-	-	179,700	826,900	-	-	179,700	826,900
SP&L	Ugar Fuel Bowser	45,614	527,104	-	572,718	-	45,614	-	527,104	-	-	-	572,718
SP&L Total		57,097	2,094,938		2,152,035	11,483	45,614	740,934	1,354,004			752,417	1,399,618
Donated	MIP6	5,161,947	1,900,000	-	7,061,947	-	5,161,947	-	1,900,000	-	-	-	7,061,947
Donated Total		5,161,947	1,900,000		7,061,947	-	5,161,947	-	1,900,000	-	-	-	7,061,947
Grand Total		67,031,377	38,760,725	16,500,000	122,292,102	646,404	66,312,477	5,884,206	35,111,726	-	16,500,000	6,530,610	117,924,203

REGISTER OF FEES AND CHARGES 21/22

Description of Fee, Charge, Penalty plus conditions	Unit	GST (Y/N)	Rate Inc GST	Min. or Surch.	Cost Recovery Fee	Legislation
COMMERCIAL FEES						
Council now subsidises fuel and gas costs						
FUEL *						
ULP	Litre	Y	1.98		No	LGA 2009 s262(3)(c)
Diesel	Litre	Y	1.98		No	LGA 2009 s262(3)(c)
Outboard Oil	Litre	Y	13.00		No	LGA 2009 s262(3)(c)
ULP (from Drum)	Litre	Y	1.98		No	LGA 2009 s262(3)(c)
Diesel (from Drum)	Litre	Y	1.98		No	LGA 2009 s262(3)(c)
GAS*						
Swap & Go						
9kg Bottle	Each	Y	69.00		No	LGA 2009 s262(3)(c)
45kg Bottle	Each	Y	198.09		No	LGA 2009 s262(3)(c)
Full Bottle Price (no empty return)						
9kg Bottle	Each	Y	100.00		No	LGA 2009 s262(3)(c)
45kg Bottle	Each	Y	246.90		No	LGA 2009 s262(3)(c)
POWERCARDS						
Sale price set at face value of card	Each	Y	Value of credit placed on card		No	LGA 2009 s262(3)(c)
PEST TREATMENTS						
Pest treatment of a standard dwelling house	Each	Y	402.00		No	LGA 2009 s262(3)(c)
Termite treatment of a standard dwelling house	Each	Y	POA		No	LGA 2009 s262(3)(c)
Commercial properties pest and termite treatments	Each	Y	POA	440.00	No	LGA 2009 s262(3)(c)
COUNCIL ROOM / FACILITY HIRE						
Commercial Hire of Grafton Street Committee Room	Daily	Y	625.00		No	LGA 2009 s262(3)(c)
Commercial Hire of Thursday Island Conference Room	Daily	Y	304.00	149.00	No	LGA 2009 s262(3)(c)
Commercial Hire of Community Building	Daily	Y	304.00	149.00	No	LGA 2009 s262(3)(c)
Commercial Hire of Community Building, when part use only	m ²	Y	11.00	50.00	No	LGA 2009 s262(3)(c)
Commercial Hire of Community Building - Local First Nations Community Members only	Daily	Y	152.00	74.00	No	LGA 2009 s262(3)(c)
Commercial Hire of Sports Stadium	Daily	Y	304.00	149.00	No	LGA 2009 s262(3)(c)
Stall Hire (Erub sporting facility)	Event	Y	80.00	80.00	No	LGA 2009 s262(3)(c)
<i>Additional:</i> If available tables included in room hire rate Catering not included in room hire rates. Discounts on standard rates may be available to eligible community organisations upon submission and approval of a community grant.	Cleaning will be charged extra if the premises not left as found.					
POSTAGE SERVICES						
Sale of Stamps, Parcel Packs, Express Post Packs	Each	N	Face Value		No	LGA 2009 s262(3)(c)
LEASING - TRUST LAND						
Community / residential	Square Metre/ p.a	Y	4.40		No	LGA 2009 s262(3)(c)
Commercial / government*	Square Metre/ p.a	Y	11.80	6,000.00	No	LGA 2009 s262(3)(c)
*minimum charge of \$6,000 per annum						
COMMERCIAL LICENCE FEES						
Office space use	Square Metre/ p.a	Y	1,000.00		No	LGA 2009 s262(3)(c)
General storage use	Square Metre/ p.a	Y	392.00		No	LGA 2009 s262(3)(c)
Carports, awnings and airport IBC storage	Square Metre/ p.a	Y	27.50		No	LGA 2009 s262(3)(c)
Communication Services	Facility/Mth	Y	631.00	631.00	No	LGA 2009 s262(3)(c)
PLANT HIRE*						
<i>Utility - Dual Cab</i>						
Hourly rate	Hourly	Y	22.00		No	LGA 2009 s262(3)(c)
Daily rate	Daily	Y	132.00		No	LGA 2009 s262(3)(c)
<i>Loader - Backhoe</i>						
Hourly rate	Hourly	Y	157.00		No	LGA 2009 s262(3)(c)
Daily rate	Daily	Y	1,255.00		No	LGA 2009 s262(3)(c)
<i>Old Childcare Bus - Badu Only</i>						
Daily rate - External Hire	Daily	Y	154.00		No	LGA 2009 s262(3)(c)
Daily rate - Local First Nations Community	Daily	Y	99.00		No	LGA 2009 s262(3)(c)
Hirer must provide credit card details prior to hire, or otherwise provide a bond of \$2,000 to cover for damage of vehicles/equipment. Wet Hire only (dry hire not available), customer pays for fuel + GST and is subject to TSIRC insurance, hire terms and conditions at time of hire.						
Operator @ \$80 per hour x 3 hrs min	Hourly	Y	240.00		No	LGA 2009 s262(3)(c)
Minimum 3 Hour rate for mobilisation to site, plus return 1 hour and time on site which is subject to minimum 3 hour charge						
<i>The below items of plant are available for internal hire (TSIRC) only:</i>						
<i>Tip Truck - Civil Crew</i>						
Hourly rate	Hourly	N	84.00		No	LGA 2009 s262(3)(c)
Daily rate	Daily	N	670.00		No	LGA 2009 s262(3)(c)
<i>Trailer</i>						
Daily rate only	Daily	N	50.00		No	LGA 2009 s262(3)(c)
* Fuel and operator excluded for all plant hire - hirer must have all applicable permits / licences before approval can be given						
ADMINISTRATIVE SERVICES						
Video Conferencing (Note: A cancellation fee of \$100 (GST inc.) will be charged for 'No Shows')	Hourly	Y	230.00		No	LGA 2009 s262(3)(c)
Wireless Internet Access - Indigenous Knowledge Centres (IKC's)	Hourly	N	No charge		No	LGA 2009 s262(3)(c)
Photocopying and Printing						
Scan any size	Per page	Y	0.20		No	LGA 2009 s262(3)(c)
Laminating service	Per page	Y	1.20		No	LGA 2009 s262(3)(c)
A4 - Black and White	Per page	Y	0.30		No	LGA 2009 s262(3)(c)
A4 - Colour	Per page	Y	0.50		No	LGA 2009 s262(3)(c)
A3 - Black and White	Per page	Y	0.50		No	LGA 2009 s262(3)(c)
A3 - Colour	Per page	Y	1.00		No	LGA 2009 s262(3)(c)
OTHER CHARGES						
Sundry Administrative/Financial Services	Each	Y	POA		No	LGA 2009 s262(3)(c)
Sundry Private Works - Engineering	Each	Y	POA		No	LGA 2009 s262(3)(c)
Sundry Private Works - Building	Each	Y	POA		No	LGA 2009 s262(3)(c)
Sundry Equipment Hire	Each	Y	POA		No	LGA 2009 s262(3)(c)

Description of Fee, Charge, Penalty plus conditions	Unit	GST (Y/N)	Rate Inc GST	Min. or Surch.	Cost Recovery Fee	Legislation
ACCOMMODATION						
<i>Accommodation is charged at a flat room/bed rate for singles or double based on bedding configuration below. Payments must be made in advance, and "no-shows" will be charged at full rate.</i>						
Self- contained Accommodation:						
Boigu - Motel (Lot 114)						
Kubin - Motel (Lot 41)						
Mabuiag - Motel (Lot 16)						
Warraber - Resort (Lot 201)						
Iama - Council Office Flat (Lot 20)						
Self- contained Rates:						
Daily rate - Single	Daily	Y	225.00		No	LGA 2009 s262(3)(c)
Daily rate - Double	Daily	Y	404.00		No	LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Daily	Y	112.50		No	LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) - Single	Daily	Y	112.50		No	LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) - Double	Daily	Y	202.00		No	LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) - Single	Weekly	Y	1,296.00		No	LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) - Double	Weekly	Y	2,485.00		No	LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) - Single	Weekly	Y	648.00		No	LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) - Double	Weekly	Y	1,242.50		No	LGA 2009 s262(3)(c)
Shared Facilities Accommodation:						
Boigu - Highset Yellow Guesthouse (Lot 113)	Saibai - Council House 1 (Lot 23)					
Boigu - Lowset House (Lot 95)	Saibai - Council House 2 (Lot 24)					
Boigu - Lowset Donga (Lot 117)	Saibai - Council House 3 (Lot 307)					
Boigu - Lowset Contractor Camp(Lot 116)	Saibai - Council House 4 (Lot 308)					
Poruma - Guesthouse (Lot 216)	Saibai - Council Donga (Lot 122)					
Erub - Guesthouse (Five Star/Ocean View Lot 161)	Ugar - Guesthouse (Lot 45)					
Erub - Sunrise Lodge(Windsock Dongas) (Lot 38)	Ugar - Council Unit (Lot 56A)					
Dauan - Guesthouse (Lot 30)	Ugar - Council Unit (Lot 56C)					
Kubin - Contractor Dongas (Lot 42)	Iama - Guest House - Kodakal (Cnr of Mosby St & Kebisu St)					
Sabai - Guesthouse (School Road, Lot 315)	Sabai - Guesthouse (Lot 23)					
Warraber - Guesthouse (Lot 21)						
Shared Facilities Rates:						
Daily rate - Single	Daily	Y	180.00		No	LGA 2009 s262(3)(c)
Daily rate - Double	Daily	Y	323.00		No	LGA 2009 s262(3)(c)
Half day rate (50% of room rate)	Daily	Y	90.00		No	LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) - Single	Daily	Y	90.00		No	LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Daily) - Double	Daily	Y	161.50		No	LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) - Single	Weekly	Y	982.00		No	LGA 2009 s262(3)(c)
Weekly rate (7 nights or more) - Double	Weekly	Y	1,919.00		No	LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) - Single	Weekly	Y	491.00		No	LGA 2009 s262(3)(c)
Local Indigenous Stay (Non-commercial) 50% of room rate (Weekly) - Double	Weekly	Y	959.50		No	LGA 2009 s262(3)(c)
<i>Local First Nations community are people of Torres Strait Islander or Aboriginal descent, who identify as such, are accepted by the community as such, and who reside in the TSIRC Local Government Area.</i>						
Short-term rental of whole Accommodation Unit (minimum 3 months, maximum 12 months)						
3 bedroom	Weekly	GST added if	1,700.00		No	LGA 2009 s262(3)(c)
2 bedroom	Weekly	applicable on	1,350.00		No	LGA 2009 s262(3)(c)
Each additional bedroom, above 3 bedroom	Weekly	case by case	350.00		No	LGA 2009 s262(3)(c)
Caravan: 3 bedroom, includes one kitchen & laundry for each camp	Weekly	basis	1,000.00		No	LGA 2009 s262(3)(c)
<i>All short term rentals are liable for gas, electric, tv, repairs and any other running costs. Cleaning will be charged at the end if the premises are not vacated clean and tidy.</i>						
CHILDCARE						
Badu						
Childcare - Daily rate per child	Daily	N	32.00		No	LGA 2009 s262(3)(c)
Childcare - Weekly rate per child (Monday to Friday)	Weekly	N	160.00		No	LGA 2009 s262(3)(c)
Hammond						
After School Care - Daily rate per child (2 hours a day)	Daily	N	6.00		No	LGA 2009 s262(3)(c)
After School Care - Weekly rate per child (Monday to Friday, 2 hours a day)	Weekly	N	30.00		No	LGA 2009 s262(3)(c)
Vacation Care - Daily rate per child	Daily	N	12.00		No	LGA 2009 s262(3)(c)
Vacation Care - Weekly rate per child (Monday to Friday)	Weekly	N	60.00		No	LGA 2009 s262(3)(c)
<i>All centres and listed services are CCS eligible.</i>						

Description of Fee, Charge, Penalty plus conditions	Unit	GST (Y/N)	Rate Inc GST	Min. or Surch.	Cost Recovery Fee	Legislation
REGULATORY FEES						
Development Assessment - General Fee Information						
1. Waiver of Development Application Charges - The CEO or Manager may determine to partially or wholly waive a Development Application Fee where strict Application of the scheduled fee is considered unreasonable for the type of Application being received.						
2. Combined Applications - The application shall be accompanied by a fee that is the combined total of all applicable fees.						
3. Undefined Use - Where an Application involves a use that is not defined in the applicable planning scheme or is not specifically provided for in the Schedule of Fees, the fee will be set as the use deemed most similar by the CEO or Manager.						
4. Self Assessable - There is no fee for self assessable development.						
5. Consultant Costs - The cost of external consultant's fees for any further assessment or advice required by Council in consideration of any application or submission and/or technical report may be charged to the Applicant. The Applicant will be notified of Council's intent to refer the Applicant to a consultant following receipt of a response to Information Request (or earlier). If Council elects to recover the cost of the consultant, the consultant's costs must be paid prior to the final determination of the Application.						
ENVIRONMENTALLY RELEVANT ACTIVITY						
Application Fee	Permit	N	POA		Yes, 97(2)(a)	EPR 2019
Annual Fee	Permit	N	POA		Yes, 97(2)(a)	EPR 2019
DEVELOPMENT APPLICATIONS						
Development Assessment - Material Change of Use						
Minor Scale Development - Code Assessable - No referrals	Application	N	1,905.00		Yes, 97(2)(a)	SPA 2009
Medium Scale Development - Code Assessable - with referrals to State Agency	Application	N	5,714.00		Yes, 97(2)(a)	SPA 2009
Large Scale Development - Code Assessable - No referrals	Application	N	5,714.00		Yes, 97(2)(a)	SPA 2009
Large Scale Development - Impact Assessable or Complex Scale Development - as determined by the CEO or Manager	Application	N	POA		Yes, 97(2)(a)	SPA 2009
Development Assessment – Reconfiguration of a Lot (Preliminary Approval and Development Permits)						
Reconfiguration - Minor Scale Development - Code Assessable - up to 2 lots - with NO referrals and NO public notification AND compliant with applicable Acceptable Outcomes	Application	N	1,905.00		Yes, 97(2)(a)	SPA 2009
Reconfiguration - Medium Scale Development - Code Assessable - between 3-10 lots - with NO referrals AND compliant with applicable Acceptable Outcomes	Application	N	3,808.00		Yes, 97(2)(a)	SPA 2009
Reconfiguration - Large Scale Development - as determined by the CEO or Manager	Application	N	POA		Yes, 97(2)(a)	SPA 2009
Development Assessment – Operational Works						
Operational Works associated with reconfiguration of a Lot	Application	N	POA	8,000.00	Yes, 97(2)(a)	SPA 2009
Operational Works - other works	Application	N	POA		Yes, 97(2)(a)	SPA 2009
ANTENNA MASTS						
Height up to 1 metre	Application	N	1,775.00		No	LGA 2009 s262(3)(c)
Height from 1 metre up to 3 metres	Application	N	5,909.00		No	LGA 2009 s262(3)(c)
Height greater than 3 metres (permit also required under LL1)	Application	N	5,909.00		No	LGA 2009 s262(3)(c)
<i>These fees are applicable as 'one off' application charges</i>						
FOOD BUSINESS LICENSE						
Annual food license	Annual	N	361.00		Yes, 97(2)(a)	LGA 2009 s262(3)(c)
ANIMAL REGISTRATION						
Annual registration fee - dog and cat (de-sexed)	Annual	N	10.00		Yes, 97(2)(a)	LGA 2009 s262(3)(c)
LOCAL LAWS						
PRESCRIBED ACTIVITY PERMIT						
Alteration or improvement to local government controlled areas and roads	Application	N	291.00		Yes, 97(2)(a)	LL1
Commercial use of local government controlled areas and roads (general and moorings & landings applications)	Application	N	146.00		Yes, 97(2)(a)	LL1
Establishment or occupation of a temporary home	Application	N	146.00		Yes, 97(2)(a)	LL1
Installation of advertising devices	Application	N	146.00		Yes, 97(2)(a)	LL1
Keeping of animals where permit is required	Application	N	146.00		Yes, 97(2)(a)	LL1
Operation of camping grounds	Application	N	291.00		Yes, 97(2)(a)	LL1
Operation of caravan parks	Application	N	291.00		Yes, 97(2)(a)	LL1
Operation of cemeteries	Application	N	291.00		Yes, 97(2)(a)	LL1
Operation of public swimming pools	Application	N	291.00		Yes, 97(2)(a)	LL1
Operation of shared facility accommodation	Application	N	291.00		Yes, 97(2)(a)	LL1
Operation of temporary entertainment	Application	N	146.00		Yes, 97(2)(a)	LL1
Disturbance of human remains buried outside a cemetery Burial	Application	N	-		Yes, 97(2)(a)	LL1
or disposal of human remains outside a cemetery Disturbance	Application	N	-		Yes, 97(2)(a)	LL1
of human remains in a local government cemetery Driving or	Application	N	-		Yes, 97(2)(a)	LL1
leading of animals to cross a road	Application	N	72.50		Yes, 97(2)(a)	LL1
Depositing of goods or materials on a local government controlled area or road	Application	N	POA		Yes, 97(2)(a)	LL1
Holding of a public place activity	Application	N	POA		Yes, 97(2)(a)	LL1
Bringing or driving motor vehicles onto a park or reserve	Application	N	POA		Yes, 97(2)(a)	LL1
Bringing or driving prohibited vehicles onto motor vehicle access areas	Application	N	POA		Yes, 97(2)(a)	LL1
Carrying out works on a road or interfering with a road or its operation	Application	N	291.00		Yes, 97(2)(a)	LL1
Entry to trust areas	Application	N	-		Yes, 97(2)(a)	LL1
Undertaking scientific research on a Trust area	Application	N	-		Yes, 97(2)(a)	LL1
Camping within a camping site in a Trust area	Application	N	-		Yes, 97(2)(a)	LL1
LEGAL CHARGES						
Leasing						
Care and Consideration	Lease	Y	2,797.00		No	LGA 2009 s262(3)(c)
Licensing						
Care and Consideration	License	Y	402.00		No	LGA 2009 s262(3)(c)
Legal Services (other than Leasing and Licensing)						
Care and Consideration	Hour	Y	153.00		No	LGA 2009 s262(3)(c)
Mediation fees (capped at \$1,000 per day)	Hour	Y	204.00		No	LGA 2009 s262(3)(c)
Signing/Endorsement Services						
Instrument (e.g. Survey, Lease)	Instrument	Y	255.00		No	LGA 2009 s262(3)(c)
Advisory Committee Services						
Meeting	Meeting	Y	2,797.00		No	LGA 2009 s262(3)(c)

Description of Fee, Charge, Penalty plus conditions	Unit	GST (Y/N)	Rate Inc GST	Min. or Surch.	Cost Recovery Fee	Legislation
RECORDS						
RIGHT TO INFORMATION						
RTI Applications: Non-personal application <i>Processing charges may also be payable.</i>	Application	N	52.60		Yes, 97(2)(c)	RTI 2009
Information Privacy Applications	Application	N	0.00		Yes, 97(2)(c)	RTI 2009
RTI & IP access charges	Per A4 black and white page, otherwise refer Schedule of Administrative Services for further information.	N	0.25			
PORT FEES						
AIRPORT LANDING FEES						
All airports and aircraft types (including helicopters)	Tonne	Y	9.80		No	LGA 2009 s262(3)(c)
Charges apply to airport usages and are expressed as \$/tonne. The normal charge is determined by multiplying the certified maximum take-off weight of an aircraft by the charge rate.						
Avdata Australia engaged to collect charges on behalf of Council.						
SUBSIDISED HELICOPTER PASSENGER SERVICE:						
Private or personal travel only for communities of Ugar and Dauan. Ugar and Dauan Communities to/from Horn Island <i>Note: Conditions apply - please contact your local council office for more information.</i>	One Way Travel	Y	POA		No	LGA 2009 s262(3)(c)
MARITIME FEES						
Harbour Dues						
Harbour Dues at the following rates are payable in respect of all goods discharged at or shipped from or transhipped.						
All cargo except sand & gravel (not in bulk a bags), demountable buildings and fuel/bulk fuel based on whichever produces the greater amount (tonne or m ³).	Tonne	Y	31.65		No	LGA 2009 s262(3)(c)
General cargo includes dangerous cargo, freezer & chiller cargo, vehicles, empty pallets & containers, bulk a bags and other unspecified cargo.	m ³	Y	31.65		No	LGA 2009 s262(3)(c)
Sand and gravel (not in bulk a bag)	Tonne	Y	8.12		No	LGA 2009 s262(3)(c)
Demountable buildings	m ³	Y	15.88		No	LGA 2009 s262(3)(c)
Fuel/bulk fuel	Litre	Y	0.05		No	LGA 2009 s262(3)(c)
Tonnage Dues						
Tonnage Dues at the following rates are payable in respect of vessels for each period of 24 hours or part thereof that a ship occupies a wharf or barge ramp under the control of the Torres Strait Island Regional Council.						
Should a ship use more than one such wharf or facility within a 24 hour period a separate charge for each wharf or facility will apply.						
Fuel levy	Daily	Y	0.05		No	LGA 2009 s262(3)(c)
Vessels less than 50 tonnes	Daily	Y	40.63		No	LGA 2009 s262(3)(c)
Vessels 51 - 100 tonnes	Daily	Y	68.66		No	LGA 2009 s262(3)(c)
Vessels greater than 101 - 1,500 tonnes	Daily	Y	434.94		No	LGA 2009 s262(3)(c)
Vessels greater than 1,500 tonnes	Daily	Y	531.71		No	LGA 2009 s262(3)(c)
Vessel laid up at wharf or facility	Daily	Y	528.68		No	LGA 2009 s262(3)(c)
Passenger services - Daily	Daily	Y	36.65		No	LGA 2009 s262(3)(c)
Passenger services - Annually	Annually	Y	9,525.44		No	LGA 2009 s262(3)(c)
Other Commercial - Daily	Daily	Y	97.12		No	LGA 2009 s262(3)(c)
Other Commercial Activity - Weekly	Weekly	Y	485.13		No	LGA 2009 s262(3)(c)
Other Commercial Activity - Annually	Annually	Y	25,250.45		No	LGA 2009 s262(3)(c)
Default Maritime Fees : Failure of permit holders to submit compliant maritime fees self-reporting may result in a Default Maritime Fee being applied. Please refer to your permit and related correspondence for details.						
Miscellaneous						
Wharf and facility lighting - if available - for working ship	Nightly	Y	111.60		No	LGA 2009 s262(3)(c)
Water - minimum charge \$25	Kilolitre	N	9.42	25.00	No	LGA 2009 s262(3)(c)
Surcharge for water sales on Sunday and Statutory Holidays	Kilolitre	Y	4.58		No	LGA 2009 s262(3)(c)
OTHER CHARGES						
WASTE MANAGEMENT						
Construction waste disposal prohibited unless prior approval is granted by CEO or delegate Note: a disposal approval and associated fee will only be granted in exceptional circumstances	m ³	N	POA		No	LGA 2009 s262(3)(c)
Commercial waste (in addition to standard property bin collection)	m ³	N	POA		No	LGA 2009 s262(3)(c)
Domestic waste including green waste (in addition to standard property bin collection and excluding construction and commercial waste)	m ³	N	10.61		No	LGA 2009 s262(3)(c)
SEWAGE PUMP OUTS						
Applicable where Council service is available						
Residential property - pump out fee for septic tanks (fee for each attendance)	per pump out	N	450.00		No	LGA 2009 s262(3)(c)
Commercial property - pump out fee for septic tanks (fee for each attendance)	per pump out	N	562.00		No	LGA 2009 s262(3)(c)
SEWAGE DISPOSAL						
Applicable where Council service is available						
Liquid waste dumping fee - for disposal of waste into Council's sewage trenches and/or Council's treatment plants.						
Residential - waste from pump outs - per septic tank pump out	per pump out	N	63.00		No	LGA 2009 s262(3)(c)
Commercial - waste from pump outs - per septic tank pump out	per pump out	N	126.00		No	LGA 2009 s262(3)(c)

Description of Fee, Charge, Penalty plus conditions	Unit	GST (Y/N)	Rate Inc GST	Min. or Surch.	Cost Recovery Fee	Legislation
RATES AND UTILITY CHARGES						
Differential General Rates Council does not levy differential general rates by virtue of section 172(1)(a) of the Local Government Regulation 2012.						
Utility Charges Section 94(1)(b) of the Local Government Act 2009 provides the power for Council to levy utility charges. Utility charges are service charges relating to the provision of water, sewerage and waste management services. For avoidance of doubt, utility charges are not levied on vacant land. The service charges for water, sewerage and waste as detailed below are differentiated having regard to whether they fall under the service charge category of either residential, mixed-use or commercial. Those terms are further defined in the following table:						
Service Charge Description Category Residential - Land that is occupied and used only for residential purposes (excluding residential land the subject of a 40 year lease to the State Government). Mixed-use: Mixed-Use rate is for all rateable land that is used, in part, for residential purposes and used, in part, for commercial/industrial purposes, including, but not limited to: guest houses, motels, home-run businesses and tourist facilities. This category includes residential properties that: a) are owned by council where the tenant is running a business from home; b) are owned by the occupant – either as a private property, a Katter Lease or home ownership where the owner/lessee is operating a business. Commercial - Land used for commercial / industrial purposes, including but not limited to: - guest houses, hotels, motels - shops, tourist facilities, arts and cultural activities - land used by government or utility (telecommunications, electricity) providers to aid in the delivery of commercial and/or government services i.e. education, health, customs etc. - all other land not categorised as residential or mixed-use						
Exemptions - Churches are exempt from utility charges There are no other exemptions from utility charges.						
Water Charges All properties receiving water from a reticulated Council supplied water scheme shall be levied the following charges: - A Water Service/Access Charge per property to be levied annually - A Volumetric Water Charge per property to be levied annually						
Residential Annual Access Charge Volumetric charge	Per property	N	207.72		No	LGA 2009 s94(1)(b)
	Kilolitre		-			
Mixed-use Annual Access Charge Volumetric charge	Per property	N	1,038.60			
	Kilolitre		1.42			
Commercial Annual Access Charge Volumetric charge - (All Kilolitres used - no free allocation)	Per property	N	2,077.18		No	LGA 2009 s94(1)(b)
	Kilolitre		2.84			
Sewerage Charges All properties receiving sewerage services from a Council supplied network shall be levied a Sewerage Service/Access Charge to be levied annually as set out below.						
Residential Annual Access Charge	Per property	N	248.58		No	LGA 2009 s94(1)(b)
Mixed-use Annual Access Charge Per Water Closet (WC). WC is equivalent to: - A single pedestal; or - 1.3 metres of urinal; or - One (1) to Three (3) wall hung urinals	Per WC	N	1,242.92		No	LGA 2009 s94(1)(b)
Commercial Annual Access Charge Per Water Closet (WC). WC is equivalent to: - A single pedestal; or - 1.3 metres of urinal; or - One (1) to Three (3) wall hung urinals	Per WC	N	2,485.83		No	LGA 2009 s94(1)(b)
Waste Management Charges All properties receiving waste management services from Council shall be levied a Waste Management Service Charge per property to be levied annually as set out below.						
Residential Annual Access Charge	Per property	N	138.03		No	LGA 2009 s94(1)(b)
Mixed-use Annual Access Charge	Per property	N	690.18		No	LGA 2009 s94(1)(b)
Commercial Annual Access Charge	Per property	N	1,380.35		No	LGA 2009 s94(1)(b)

Concessions
Section 119 of the Local Government Regulation 2012 enables Council to grant concessions for Service Charges. Whether Council elects to grant a concession in respect of an application for a concession for Service Charges will be at Council's discretion and an application may be made to Council on one or more of the following grounds:

- Community Sporting Organisations – Not for profit organisations only
- Community Cultural or Arts Organisations – Not for profit organisations only
- Charitable Organisations which are;
 - a) Not for profit organisations; and
 - b) Registered as a charity institution or a public benevolent institution; and
 - c) Providing benefits directly to the community; and
 - d) Endorsed by the Australian Tax Office - Charity Tax Concession.
- The land is owned or occupied by a pensioner
- The payment of the charges will cause hardship to the land owner or occupier
- The concession will, in Council's opinion, encourage the economic development of all or part of the local government area.

To be considered for a Service Charge concession, eligible individuals/organisations are required to submit a letter to Council detailing the individual's/organisation's eligibility to be considered for a concession and the grounds for requesting a concession.

Concessions will be at the discretion of Council and granted by way of Council resolution upon satisfaction of the individual's/organisation's eligibility.

Torres Strait Island Regional Council

Statement of Financial Position

For the period July 2021 to June 2024

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000
Current assets				
Cash assets and cash equivalents	44,500	39,919	40,907	15,953
Inventories	250	250	250	250
Receivables	492	377	389	399
Prepayments	119	119	119	119
Other current assets	5,084	5,084	5,084	5,084
Total current assets	50,445	45,749	46,748	21,806
Non-current assets				
Property, plant and equipment	916,743	905,496	884,297	872,522
Intangible assets	-	-	-	-
Capital works in progress	-	-	-	-
Other non-current assets	16,045	16,045	16,045	16,045
Total non-current assets	932,789	921,541	900,342	888,568
Total assets	983,234	967,290	947,090	910,373
Current liabilities				
Trade and other payables	1,906	2,157	1,142	1,173
Borrowings	-	-	-	-
Other current liabilities	18,496	18,496	18,496	18,496
Provisions	-	-	-	-
Total current liabilities	20,402	20,653	19,638	19,669
Non-current liabilities				
Loans	36	-	-	-
Other non-current liabilities	689	689	689	689
Provisions	6,888	6,888	6,888	6,888
Total non-current liabilities	7,613	7,577	7,577	7,577
Total liabilities	28,016	28,230	27,215	27,246
Net community assets				
Community equity				
Asset revaluation reserve	482,322	482,322	484,187	484,187
Retained surplus (deficiency)	472,896	456,738	435,688	398,940
Total community equity	955,218	939,060	919,875	883,128

Torres Strait Island Regional Council

Statement of Cashflow

For the period July 2021 to June 2024

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000
Cash flows from operating activities:				
Receipts from customers	33,334	34,552	37,664	39,904
Receipt from rental income	4,844	4,982	4,882	4,980
Payment to suppliers and employees	(69,925)	(65,696)	(67,760)	(69,081)
	(31,748)	(26,162)	(25,214)	(24,197)
Interest received	379	247	186	186
Non-capital grants and contributions	23,746	23,020	23,469	23,928
Finance costs	(6)	(1)	-	-
Net cash inflow (outflow) from operating activities	(7,629)	(2,896)	(1,558)	(83)
Cash flows from investing activities:				
Payments for property, plant and equipment	(55,600)	(38,761)	(23,048)	(34,146)
Payments for intangible assets	-	-	-	-
Proceeds from sale of property, plant and equipment	-	-	-	-
Subsidies, donations and contributions for new capital expenditure	55,033	35,112	25,594	9,276
Other	-	2,000	-	-
Net cash inflow (outflow) from investing activities	(567)	(1,649)	2,546	(24,870)
Cash flows from financing activities				
Repayment of borrowings	(68)	(36)	-	-
Other	-	-	-	-
Net cash inflow (outflow) from financing activities	(68)	(36)	-	-
Net increase (decrease) in cash held	(8,263)	(4,581)	988	(24,953)
Cash at beginning of reporting period	52,763	44,500	39,919	40,907
Cash at end of reporting period	44,500	39,919	40,907	15,953
QTC recommended working capital	16,249	16,487	16,686	17,278
Variance	28,251	23,432	24,220	(1,324)

Torres Strait Island Regional Council

Statement of Income and Expenditure

For the period July 2021 to June 2024

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000
Revenue				
Recurrent revenue:				
Net rates and utility charges	1,534	1,607	1,688	1,772
Fees and charges	4,456	2,981	3,041	3,101
Sales - contract and recoverable works	21,283	25,098	28,106	30,107
Sales - other	2,246	4,008	4,089	4,170
Grants, subsidies, contributions and donations	23,746	23,020	23,469	23,928
Interest received	379	247	186	186
Rental income	4,844	4,982	4,882	4,980
Other recurrent income	761	741	752	763
Total recurrent revenue	59,249	62,685	66,213	69,008
Capital revenue:				
Government subsidies and grants	47,003	27,464	19,046	2,597
Capital contribution	16,684	7,648	6,548	6,679
Developer contributions	-	-	-	-
Total capital revenue	63,686	35,112	25,594	9,276
Total income	122,936	97,797	91,807	78,285
Expenses				
Recurrent expenses:				
Employee benefits	27,083	28,872	29,770	30,654
Materials and services	37,248	36,331	36,231	37,703
Depreciation and amortisation	46,508	46,508	46,113	45,921
Finance costs	665	744	744	755
Total recurrent expenses	111,505	112,455	112,857	115,032
Capital expenses:				
Other capital expenses	3,500	1,500	-	-
Total capital expenses	3,500	1,500	-	-
Total expenses	115,005	113,955	112,857	115,032
Net operating surplus/(deficit) exc capital and depreciation	(5,748)	(3,262)	(532)	(103)
Net operating surplus/(deficit) inc depreciation	(52,256)	(49,770)	(46,645)	(46,024)
Net result attributable to Council	7,931	(16,158)	(21,050)	(36,748)

Torres Strait Island Regional Council

Statement of Changes in Equity

For the period July 2021 to June 2024

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Total \$'000	Retained surplus \$'000	Asset revaluation reserve \$'000	Other reserves \$'000
Balance at 30 Jun 2021 Budget Review	955,218	472,896	482,322	-
Net result for the period	(16,158)	(16,158)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2022 Original Budget	939,060	456,738	482,322	-
Net result for the period	(21,050)	(21,050)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	1,865	-	1,865	-
Balance at 30 Jun 2023 Forecast	919,875	435,688	484,187	-
Net result for the period	(36,748)	(36,748)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2024 Forecast	883,128	398,940	484,187	-

Torres Strait Island Regional Council

Statement of Financial Position

For the period July 2021 to June 2031

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000	Forecast 30 June 2025 \$'000	Forecast 30 June 2026 \$'000	Forecast 30 June 2027 \$'000	Forecast 30 June 2028 \$'000	Forecast 30 June 2029 \$'000	Forecast 30 June 2030 \$'000	Forecast 30 June 2031 \$'000
Current assets											
Cash assets and cash equivalents	44,500	39,919	40,907	15,953	-	-	-	-	-	-	-
Inventories	250	250	250	250	250	250	250	250	250	250	250
Receivables	492	377	389	399	413	426	439	452	467	482	498
Prepayments	119	119	119	119	119	119	119	119	119	119	119
Other current assets	5,084	5,084	5,084	5,084	5,084	5,084	5,084	5,084	5,084	5,084	5,084
Total current assets	50,445	45,749	46,748	21,806	5,866	5,879	5,892	5,904	5,920	5,935	5,950
Non-current assets											
Property, plant and equipment	916,743	905,496	884,297	872,522	866,838	877,622	854,840	867,064	865,371	828,739	794,588
Intangible assets	-	-	-	-	-	1,317	1,414	1,667	1,835	1,769	1,702
Capital works in progress	-	-	-	-	-	-	-	-	-	-	-
Other non-current assets	16,045	16,045	16,045	16,045	16,045	16,045	16,045	16,045	16,045	16,045	16,045
Total non-current assets	932,789	921,541	900,342	888,568	882,883	894,985	872,299	884,776	883,251	846,553	812,335
Total assets	983,234	967,290	947,090	910,373	888,748	900,863	878,191	890,681	889,171	852,488	818,286
Current liabilities											
Trade and other payables	1,906	2,157	1,142	1,173	1,211	1,247	1,285	1,320	1,363	1,404	1,446
Borrowings	-	-	-	-	14,210	56,494	72,660	123,611	151,137	155,793	160,738
Other current liabilities	18,496	18,496	18,496	18,496	18,496	18,496	18,496	18,496	18,496	18,496	18,496
Provisions	-	-	-	-	-	-	-	-	-	-	-
Total current liabilities	20,402	20,653	19,638	19,669	33,917	76,238	92,441	143,427	170,996	175,693	180,680
Non-current liabilities											
Loans	36	-	-	-	-	-	-	-	-	-	-
Other non-current liabilities	689	689	689	689	689	689	689	689	689	689	689
Provisions	6,888	6,888	6,888	6,888	6,888	6,888	6,888	6,888	6,888	6,888	6,888
Total non-current liabilities	7,613	7,577	7,577	7,577	7,577	7,577	7,577	7,577	7,577	7,577	7,577
Total liabilities	28,016	28,230	27,215	27,246	41,494	83,815	100,018	151,004	178,573	183,270	188,257
Net community assets											
Community equity											
Asset revaluation reserve	482,322	482,322	484,187	484,187	484,187	490,466	490,466	490,466	502,403	502,403	502,403
Retained surplus (deficiency)	472,896	456,738	435,688	398,940	363,067	326,583	287,708	249,211	208,195	166,814	127,626
Total community equity	955,218	939,060	919,875	883,128	847,254	817,049	778,174	739,677	710,598	669,218	630,029

Torres Strait Island Regional Council

Statement of Cashflow

For the period July 2021 to June 2031

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000	Forecast 30 June 2025 \$'000	Forecast 30 June 2026 \$'000	Forecast 30 June 2027 \$'000	Forecast 30 June 2028 \$'000	Forecast 30 June 2029 \$'000	Forecast 30 June 2030 \$'000	Forecast 30 June 2031 \$'000
Cash flows from operating activities:											
Receipts from customers	33,334	34,552	37,664	39,904	41,930	44,062	46,300	48,010	49,784	51,631	53,550
Receipt from rental income	4,844	4,982	4,882	4,980	5,079	5,181	5,285	5,390	5,498	5,608	5,720
Payment to suppliers and employees	(69,925)	(65,696)	(67,760)	(69,081)	(70,914)	(73,133)	(75,427)	(78,112)	(80,265)	(82,815)	(85,436)
	(31,748)	(26,162)	(25,214)	(24,197)	(23,905)	(23,890)	(23,842)	(24,711)	(24,983)	(25,576)	(26,166)
Interest received	379	247	186	186	69	(1,006)	(3,319)	(4,553)	(7,410)	(8,884)	(9,168)
Non-capital grants and contributions	23,746	23,020	23,469	23,928	24,396	24,873	25,360	25,856	26,362	26,879	27,405
Finance costs	(6)	(1)	-	-	-	-	-	-	-	-	-
Net cash inflow (outflow) from operating activities	(7,629)	(2,896)	(1,558)	(83)	561	(23)	(1,801)	(3,408)	(6,030)	(7,581)	(7,929)
Cash flows from investing activities:											
Payments for property, plant and equipment	(55,600)	(38,761)	(23,048)	(34,146)	(40,186)	(50,595)	(24,068)	(57,282)	(31,591)	(7,521)	(7,672)
Payments for intangible assets	-	-	-	-	-	(1,317)	(140)	(302)	(146)	-	-
Proceeds from sale of property, plant and equipment	-	-	-	-	-	-	-	-	-	-	-
Subsidies, donations and contributions for new capital expenditure	55,033	35,112	25,594	9,276	9,462	9,651	9,844	10,041	10,242	10,446	10,655
Other	-	2,000	-	-	-	-	-	-	-	-	-
Net cash inflow (outflow) from investing activities	(567)	(1,649)	2,546	(24,870)	(30,724)	(42,261)	(14,364)	(47,543)	(21,496)	2,925	2,984
Cash flows from financing activities											
Repayment of borrowings	(68)	(36)	-	-	-	-	-	-	-	-	-
Other	-	-	-	-	-	-	-	-	-	-	-
Net cash inflow (outflow) from financing activities	(68)	(36)	-	-	-	-	-	-	-	-	-
Net increase (decrease) in cash held	(8,263)	(4,581)	988	(24,953)	(30,164)	(42,284)	(16,166)	(50,951)	(27,526)	(4,656)	(4,945)
Cash at beginning of reporting period	52,763	44,500	39,919	40,907	15,953	(14,210)	(56,494)	(72,660)	(123,611)	(151,137)	(155,793)
Cash at end of reporting period	44,500	39,919	40,907	15,953	(14,210)	(56,494)	(72,660)	(123,611)	(151,137)	(155,793)	(160,738)
QTC recommended working capital	16,249	16,487	16,686	17,278	17,767	18,590	19,742	20,722	21,976	22,982	23,708
Variance	28,251	23,432	24,220	(1,324)	(31,978)	(75,084)	(92,402)	(144,333)	(173,113)	(178,775)	(184,446)

Torres Strait Island Regional Council

Statement of Income and Expenditure

For the period July 2021 to June 2031

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000	Forecast 30 June 2025 \$'000	Forecast 30 June 2026 \$'000	Forecast 30 June 2027 \$'000	Forecast 30 June 2028 \$'000	Forecast 30 June 2029 \$'000	Forecast 30 June 2030 \$'000	Forecast 30 June 2031 \$'000
Revenue											
Recurrent revenue:											
Net rates and utility charges	1,534	1,607	1,688	1,772	1,861	1,954	2,051	2,154	2,262	2,375	2,493
Fees and charges	4,456	2,981	3,041	3,101	3,163	3,227	3,291	3,357	3,424	3,493	3,563
Sales - contract and recoverable works	21,283	25,098	28,106	30,107	31,891	33,769	35,747	37,188	38,687	40,248	41,872
Sales - other	2,246	4,008	4,089	4,170	4,254	4,339	4,426	4,514	4,604	4,697	4,791
Grants, subsidies, contributions and donations	23,746	23,020	23,469	23,928	24,396	24,873	25,360	25,856	26,362	26,879	27,405
Interest received	379	247	186	186	186	186	186	186	186	186	186
Rental income	4,844	4,982	4,882	4,980	5,079	5,181	5,285	5,390	5,498	5,608	5,720
Other recurrent income	761	741	752	763	775	786	798	810	822	834	847
Total recurrent revenue	59,249	62,685	66,213	69,008	71,605	74,315	77,144	79,456	81,846	84,319	86,878
Capital revenue:											
Government subsidies and grants	47,003	27,464	19,046	2,597	2,649	2,702	2,756	2,811	2,868	2,925	2,984
Capital contribution	16,684	7,648	6,548	6,679	6,812	6,949	7,088	7,229	7,374	7,521	7,672
Developer contributions	-	-	-	-	-	-	-	-	-	-	-
Total capital revenue	63,686	35,112	25,594	9,276	9,462	9,651	9,844	10,041	10,242	10,446	10,655
Total income	122,936	97,797	91,807	78,285	81,067	83,966	86,988	89,497	92,088	94,766	97,533
Expenses											
Recurrent expenses:											
Employee benefits	27,083	28,872	29,770	30,654	31,574	32,521	33,497	34,501	35,536	36,603	37,691
Materials and services	37,248	36,331	36,231	37,703	38,613	39,872	41,180	42,846	43,961	45,431	46,952
Depreciation and amortisation	46,508	46,508	46,113	45,921	45,871	46,089	46,894	45,107	45,200	44,220	41,889
Finance costs	665	744	744	755	882	1,968	4,293	5,538	8,407	9,893	10,190
Total recurrent expenses	111,505	112,455	112,857	115,032	116,940	120,450	125,863	127,993	133,104	136,147	136,722
Capital expenses:											
Other capital expenses	3,500	1,500	-	-	-	-	-	-	-	-	-
Total capital expenses	3,500	1,500	-	-	-	-	-	-	-	-	-
Total expenses	115,005	113,955	112,857	115,032	116,940	120,450	125,863	127,993	133,104	136,147	136,722
Net operating surplus/(deficit) exc capital and depreciation	(5,748)	(3,262)	(532)	(103)	536	(46)	(1,825)	(3,430)	(6,058)	(7,607)	(7,955)
Net operating surplus/(deficit) inc depreciation	(52,256)	(49,770)	(46,645)	(46,024)	(45,335)	(46,135)	(48,719)	(48,537)	(51,258)	(51,827)	(49,844)
Net result attributable to Council	7,931	(16,158)	(21,050)	(36,748)	(35,873)	(36,484)	(38,875)	(38,497)	(41,016)	(41,381)	(39,189)

Torres Strait Island Regional Council

Statement of Changes in Equity

For the period July 2021 to June 2031

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Total \$'000	Retained surplus \$'000	Asset revaluation reserve \$'000	Other reserves \$'000
Balance at 30 Jun 2021 Budget Review	955,218	472,896	482,322	-
Net result for the period	(16,158)	(16,158)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2022 Original Budget	939,060	456,738	482,322	-
Net result for the period	(21,050)	(21,050)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	1,865	-	1,865	-
Balance at 30 Jun 2023 Forecast	919,875	435,688	484,187	-
Net result for the period	(36,748)	(36,748)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2024 Forecast	883,128	398,940	484,187	-
Net result for the period	(35,873)	(35,873)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2025 Forecast	847,254	363,067	484,187	-
Net result for the period	(36,484)	(36,484)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	6,278	-	6,278	-
Balance at 30 Jun 2026 Forecast	817,049	326,583	490,466	-
Net result for the period	(38,875)	(38,875)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2027 Forecast	778,174	287,708	490,466	-
Net result for the period	(38,497)	(38,497)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2028 Forecast	739,677	249,211	490,466	-
Net result for the period	(41,016)	(41,016)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	11,937	-	11,937	-
Balance at 30 Jun 2029 Forecast	710,598	208,195	502,403	-
Net result for the period	(41,381)	(41,381)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2030 Forecast	669,218	166,814	502,403	-
Net result for the period	(39,189)	(39,189)	-	-
Transfers to reserves	-	-	-	-
Transfers from reserves	-	-	-	-
Asset revaluation adjustment	-	-	-	-
Balance at 30 Jun 2031 Forecast	630,029	127,626	502,403	-

Torres Strait Island Regional Council

Statement of Key Sustainability Ratios

For the period July 2021 to June 2031

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Budget Review 30 June 2021 \$'000	Original Budget 30 June 2022 \$'000	Forecast 30 June 2023 \$'000	Forecast 30 June 2024 \$'000	Forecast 30 June 2025 \$'000	Forecast 30 June 2026 \$'000	Forecast 30 June 2027 \$'000	Forecast 30 June 2028 \$'000	Forecast 30 June 2029 \$'000	Forecast 30 June 2030 \$'000	Forecast 30 June 2031 \$'000
(Net Operating Surplus / Total Operating Revenue) (%)	(88)%	(79)%	(70)%	(67)%	(63)%	(62)%	(63)%	(61)%	(63)%	(61)%	(57)%
(Net Operating Surplus / (Total Operating Revenue - Depreciation Expense on Community Housing) (%)	(56)%	(49)%	(42)%	(40)%	(39)%	(39)%	(42)%	(42)%	(45)%	(46)%	(43)%

Target is between 0% and 10% (on average over the long-term)

This is an indicator of the extent to which revenues raised cover operational expenses or are available for capital funding purposes. The percentage indicates the percentage increase in Operating Revenue needed to break-even. A negative ratio result indicates that Council is expecting to not generate sufficient revenue to cover operating expenses (including depreciation) or fund from own sources capital items. This ratio includes Depreciation Expense of \$46.5M for the 21/22 financial year. A secondary Operating Surplus Ratio has been calculated removing depreciation expenses on community housing. A improvement on average of 23% can be seen in Council's Operating Surplus Ratio with the removal of Community Housing depreciation which accounts for approximately \$19.3M in 21/22

2 Net Financial Asset / Liability Ratio											
((Total Liabilities - Current Assets) / Total Operating Revenue)	(38)%	(28)%	(30)%	8%	50%	105%	122%	183%	211%	210%	210%

Target is <60% (on average over the long-term)

This is an indicator of the extent to which net financial liabilities can be serviced/repaid from operating revenues. A negative indicator is favourable as it is below the target of 60%. The negative indicators show that Council has more current assets than liabilities as a percentage of Total Operating Revenue

3 Asset Sustainability Ratio											
(Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)	106%	62%	14%	74%	88%	110%	51%	127%	70%	17%	18%

Target is >90% (on average over the long-term)

This is the extent to which assets are being replaced as they reach the end of their useful life. Council is dependent on State and Federal funding for renewal of infrastructure assets. Timing of renewal programs do not always coincide with the annual allocation of depreciation.

Torres Strait Island Regional Council

Rates and Utility charges

For the period July 2021 to June 2024

Model 2 - Same Service Level - Continuing Internal Tenancy Management - Capital works identified in Asset Management Plans

	Budget Review	Original Budget	Forecast	Forecast
	30 June 2021	30 June 2022	30 June 2023	30 June 2024
	\$'000	\$'000	\$'000	\$'000
Rates and utility charges				
General rates	-	-	-	-
Separate rates	-	-	-	-
Levies	59	59	62	65
Water	405	425	446	468
Sewerage	872	915	961	1,009
Waste management	198	208	219	230
Other rates and utilities revenue	-			
Total rates and utility charge revenue	1,534	1,607	1,688	1,772
	Budget Review	Original Budget	Variance	Variance
	30 June 2021	30 June 2022		
	\$'000	\$'000	\$'000	%
Rates and utility charges - value of change				
Gross rates and utility charges	1,534	1,607	73	5%

TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING: July 2021
DATE 20 - 21 July 2021
ITEM: Agenda Item for Resolution by Council
SUBJECT: June Financial Dashboard
AUTHOR: Nicola Daniels – Head of Financial Services

Officer's recommendation:

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2020-21 year to date, for the period ended 30 June 2021, as required under Section 204 *Local Government Regulation 2012*.

Purpose:

This report seeks Council endorse the monthly financial statements for the 2020-21 year to date, for the period ended 30 June 2021.

Note: The final 2020-21 financial statements will differ from the report presented to Council due to end of year and audit adjustments. Changes will include reclassification of revenue and expenses from operational to capital, additional accruals, and balance sheet adjustments.

Background:

The 2020-21 budget review was adopted on 8 December 2020 and has taken into consideration the current COVID-19 pandemic and the expected impacts on the year ahead.

The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

Each month, year to date financial statements are prepared to monitor actual performance against budget. Below is a summary of the financial performance for the period ended stated above. Actual amounts are compared against year-to-date Budget Review 2020/21 figures. (See Appendix 1 for Summary Financial Statements by Department and Appendix 2 Detailed Capital Report).

Resource implications:

The actual operating result for June 2021 YTD is a \$5.5 million deficit compared to a forecasted operating deficit of \$5.7 million (\$1.1M or 19.9% under budget) for the 2020/21 financial year.

FINANCIAL PERFORMANCE AT A GLANCE – YTD JUNE 2021

Key financial results	Annual budget review	YTD budget review	YTD actual	YTD variance \$	YTD variance %	Status
Recurrent revenue	53,285,964	53,285,964	53,623,454	337,490	0.6%	●
Other income	5,963,102	5,963,102	6,117,451	154,349	2.6%	●
Recurrent expenditure (excl. depreciation)	(64,996,594)	(64,996,594)	(65,243,489)	(246,896)	(0.4%)	●
Operating result (excl. depreciation)	(5,747,527)	(5,747,527)	(5,502,584)	244,943	(4.3%)	●
Capital revenue	63,686,473	63,686,473	20,932,046	(42,754,427)	(67.1%)	●
Capital expenses	(3,500,000)	(3,500,000)	(4,499,815)	(999,815)	(28.6%)	●
Net result (excl. depreciation)	54,438,946	54,438,946	10,929,647	(43,509,299)	(79.9%)	●
Depreciation expense	(46,507,984)	(46,507,984)	(46,298,179)	209,805	0.5%	●
Net result	7,930,962	7,930,962	(35,368,531)	(43,299,493)	(546.0%)	●

Operating Result

The YTD (\$1.1M) operating result variance can be attributed to:

- Increased salaries and wages;
 - o Payment to Stream A employees transitioning to a 36.25 hour working week per the Award. Payment per Council resolution.
 - o This increase in salaries and wages has been partly offset by expenditure savings across the organisation.
- Recoverable works revenue and expenses overstated as part will be reallocated to capital grants income and capital assets in line with AASB 1058 Income of Not-for-profit Entities (no effect to the net result of Council). Adjustment to be processed as part of end of year adjustments.
- Timing differences in the receipt of recurrent grants.
- Delays in completion of building works impacting recoverable works income received.

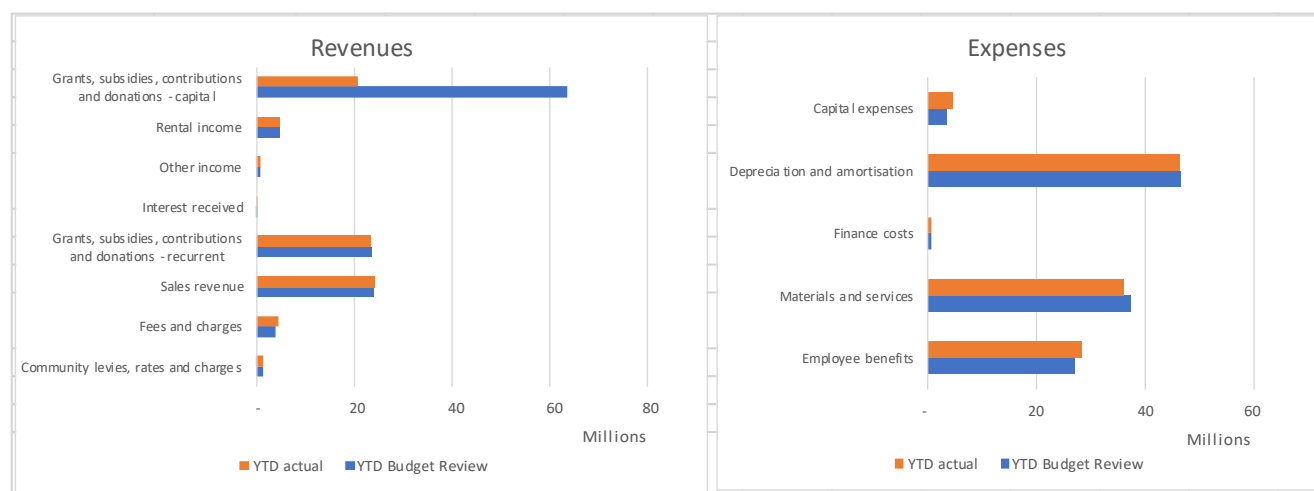
Net Result

The YTD (\$44.7M) net result variance can be attributed to:

- ICCIP funding not received due to delay in timing of works – approved extension date to 30 June 2022
- Capital grants income and capital assets understated as allocation from recoverable works in line with new accounting standards (no effect to the net result of Council). Adjustment to be processed as part of end of year adjustments.
- Cost of asset disposal is higher than budgeted (Budget: \$3.5M Actual: \$4.5m) – disposal of residential housing transferred per Katter Lease/Home Ownership Program
- Capital grant revenue not yet allocated from contract liabilities account in line with expenditure of associated grants

STATEMENT OF FINANCIAL PERFORMANCE

	Annual Budget Review	YTD Budget Review	YTD actual	YTD variance \$	YTD variance %
Income					
Recurrent revenue					
Community levies, rates and charges	1,534,078	1,534,078	1,453,642	(80,436)	(5.2%)
Fees and charges	4,055,497	4,055,497	4,530,509	475,012	11.7%
Sales revenue	23,950,753	23,950,753	24,146,344	195,591	0.8%
Grants, subsidies, contributions and donations	23,745,636	23,745,636	23,492,959	(252,677)	(1.1%)
	53,285,964	53,285,964	53,623,454	337,490	0.6%
Capital revenue					
Grants, subsidies, contributions and donations	63,686,473	63,686,473	20,932,046	(42,754,427)	(67.1%)
	63,686,473	63,686,473	20,932,046	(42,754,427)	(67.1%)
Interest received	379,151	379,151	342,671	(36,480)	(9.6%)
Other income	739,888	739,888	927,551	187,662	25.4%
Rental income	4,844,063	4,844,063	4,847,229	3,166	0.1%
Total income	122,935,539	122,935,539	80,672,951	(42,262,588)	(34.4%)
Expenses					
Recurrent expenses					
Employee benefits	27,083,224	27,083,224	28,501,420	(1,418,196)	(5.2%)
Materials and services	37,248,310	37,248,310	36,119,438	1,128,872	3.0%
Finance costs	665,059	665,059	622,631	42,428	6.4%
Depreciation and amortisation	46,507,984	46,507,984	46,298,179	209,805	0.5%
	111,504,577	111,504,577	111,541,668	(37,090)	(0.0%)
Capital expenses	3,500,000	3,500,000	4,499,815	999,815	28.6%
Total expenses	115,004,577	115,004,577	116,041,483	1,036,905	0.9%
Net result	7,930,962	7,930,962	(35,368,531)	(43,299,493)	(546.0%)

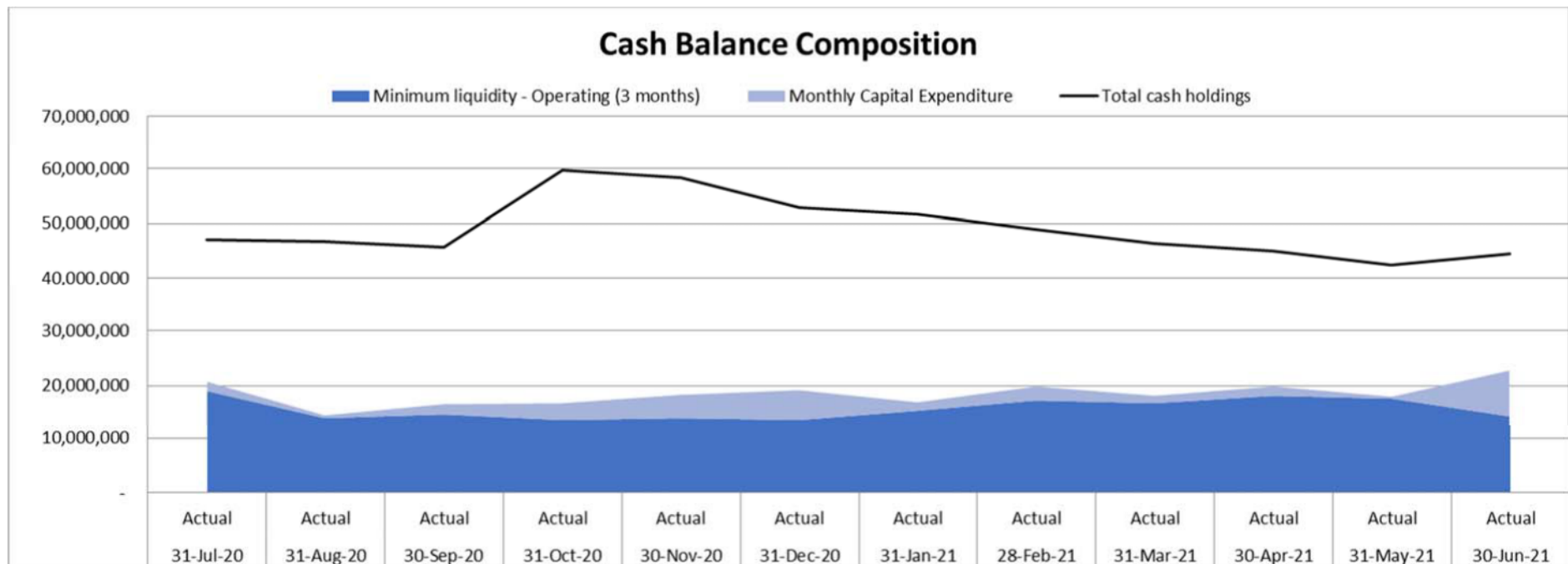


STATEMENT OF FINANCIAL POSITION

	Current Month 2021	Prior Month 2021	variance \$	variance %
Current assets				
Cash and cash equivalents	45,179,212	43,098,966	2,080,246	4.8%
Short term deposits	65,374	65,374	0	0.0%
Trade and other receivables	6,000,855	2,197,087	3,803,768	173.1%
Inventories	249,515	249,515	0	0.0%
Contract assets	2,318,734	2,406,134	(87,400)	(3.6%)
Lease receivables	- 425,378	-	(425,378)	
Total current assets	53,388,312	48,017,076	5,371,236	11.2%
Non-current assets				
Lease receivables	14,715,268	14,715,268	(0)	(0.0%)
Property, plant and equipment	858,450,599	860,047,950	(1,597,351)	(0.2%)
Right of use assets	1,330,000	1,330,000	0	0.0%
Intangible assets	-	-	0	
Total non-current assets	874,495,867	876,093,218	(1,597,351)	(0.2%)
Total assets	927,884,179	924,110,294	3,773,885	0.1%
Current liabilities				
Trade and other payables	5,235,238	4,634,815	(600,423)	(13.0%)
Borrowings	109	18,392	18,283	99.4%
Provisions	3,331,518	3,383,443	51,925	1.5%
Contract liabilities	17,844,335	17,844,335	0	0.0%
Lease liabilities	651,775	651,775	0	0.0%
Total current liabilities	27,062,975	26,532,760	(530,215)	(2.0%)
Non-current liabilities				
Borrowings	36,100	36,100	0	0.0%
Provisions	3,686,488	3,757,298	70,810	1.9%
Lease liabilities	688,927	688,927	0	0.0%
Total non-current liabilities	4,411,515	4,482,326	70,810	1.6%
Net community assets	896,409,689	893,095,208	3,314,480	0.4%

Cash Forecasting

The Queensland Treasury Corporation (QTC) recommends that Council maintain a minimum liquidity of three months operating cashflows. Council has based the monthly cashflow projections on the 20/21 Budget Review projections. Grant revenue has been forecasted on expected timing of receipt of funds as per funding agreements and Council's adopted Capital Budget has been evenly distributed over the financial year. July to June figures reflect actual cash balances.



Cashflow Comments

YTD June 2021 - \$44M

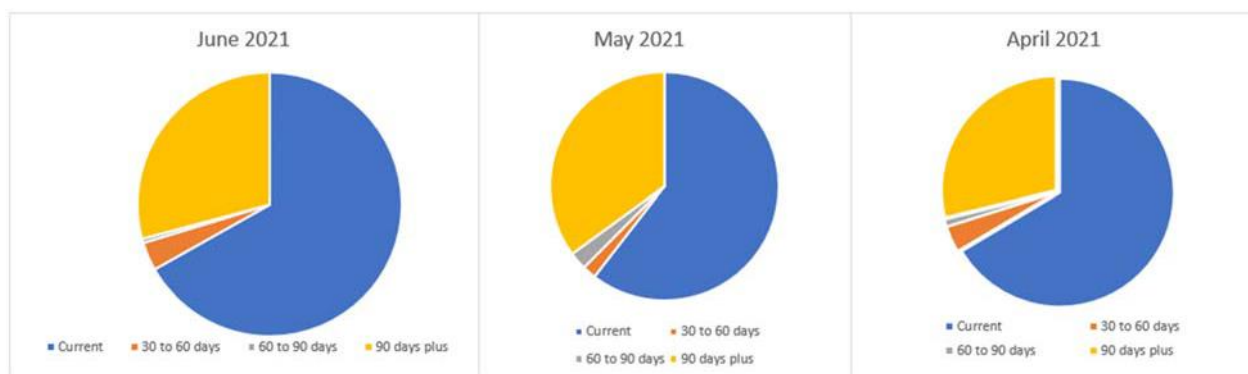
- Although cash holdings remain above QTC recommendations, a majority of this is constrained funding
- No significant movements in current month

Debtor Analysis

Days outstanding	As at 30 June 2021		As at 31 May 2021		As at 30 April 2021	
	\$	%	\$	%	\$	%
Current	2,655,064	67%	2,365,536	60%	2,079,572	66%
30 to 60 days	138,548	3%	75,457	2%	116,303	4%
60 to 90 days	19,998	1%	98,962	3%	32,024	1%
90 days plus	1,159,720	29%	1,370,714	35%	902,248	29%
Total aged debtors	3,973,330	100%	3,910,668	100%	3,130,146	100%
Housing debtors (Note 1)	13,178,232		13,178,232		13,150,656	
Provision	-		14,168,801	-	14,141,890	
Net debtors (exc. Unapplied credits)	3,015,511		2,920,099		2,138,912	
Unapplied Credits	-		2,815,970	-	1,511,440	

Notes to table:

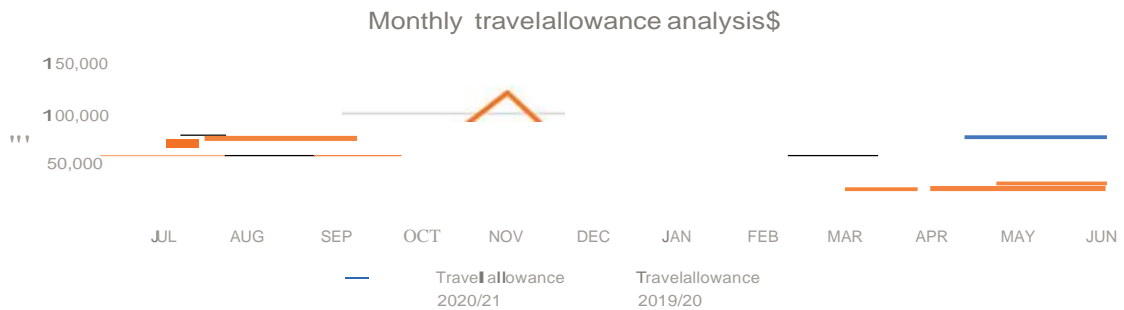
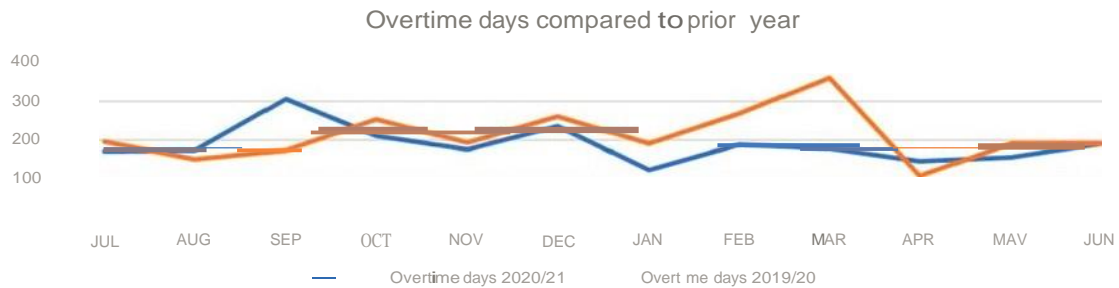
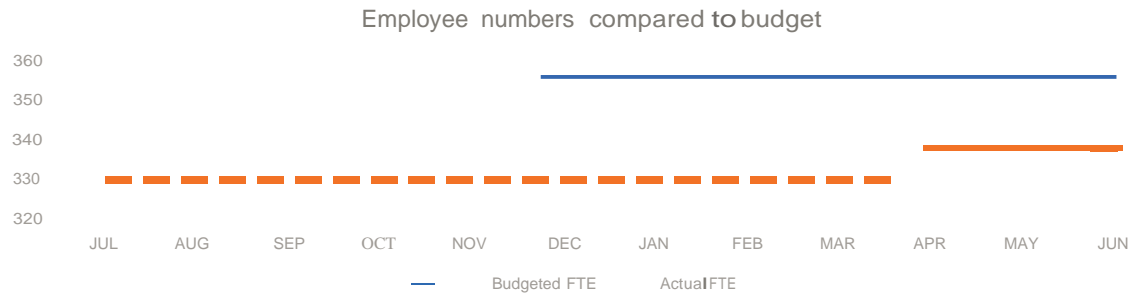
- For housing debtors and collection rates analysis refer to monthly Housing Information Report
- Provision for doubtful debt to be recalculated as part of end of year adjustments
- Unapplied credits balance relates predominantly to unallocated grant funding receipts (TSRA \$53k, DLGRMA \$405K) – due to remittances not received by funder



Analysis of top five debtors in excess of 90 Days:

Debtor name	Amount outstanding in excess of 90 days	Commentary
Torres Strait Major Infrastructure and Other Projects Trust Fund	133,629.20	Relates to 2 acquittals submitted but not yet paid - last correspondence received from funder advised the documentation was with the delegates for approval. Funder will be called in July to determine why the acquittals have not been paid in line with the terms of the funding agreement.
BIF Badu Island Foundation	120,239.66	Debtor has declined to pay the invoices on the grounds that Council has outstanding lease / licence fees owing from prior years. Legal has been requested to provide confirmation.
Tagai State College	96,204.46	Debtor has previously disputed/questioned the content/property details of invoices - however investigation done by Council staff has confirmed that the debtor has been correctly charged. Debtor has been called again and have agreed to review invoices once they have been sent again. If debtor does not agree to pay recommendation on further action will be given to CEO for approval.
Ged Erub Trading Homeland Enterprise (TSI) Corporation Tavern	85,931.29	Legal team has provided a formal response regarding the debtors options in line with Council's current Revenue Statement. Response to be sent in July and debtor followed up.
Badhulgaw Kuthinaw Mudh TSI Corporation Badu Art Centre	85,615.67	Debtor has requested an exemption and has subsequently been requested to submit an official request which will be sent to management for review. Debtor to be contacted in July and if issue is not resolved a report will be sent to CEO recommending further action.

Payroll Analysis



Grant Analysis:

Refer to 'Funding Acquisition Report' by Corporate Affairs

Corporate Plan Linkage:

Outcome: We manage Council affairs responsibly to the benefit of our communities: evolve Council's cost management and analysis reporting.

Consultation and communication:

Senior Executive Team
Department Heads / Managers
Finance Department

Risk Management Implications:

Risk Management emerges from Council's intent to effectively and efficiently manage risks that may have an impact on the achievement of strategic priorities, operational goals and project objectives as defined in the Corporate and Operational Plans.

Significant Risks

Risk	Likelihood	Consequence	Treatment	Financial Impact
Increase in prices & delay in receiving products	High	Delay in works and increased costs of building	Consider alternative solutions and value for Council	Negative impact to net profits
Poor weather conditions	Medium	Delay in works, and service delivery, increase in costs	Consider works schedule	Negative impact to net profits and service delivery

Areas of Concern for Noting

Risk	Comment
Covid-19 outbreak impact	While risk in Australia is minimal, there will be an on-flow effect from international outbreaks, seen in the shortage of the goods and labour markets. It is expected that government funding will become more restricted. Rollout of the vaccine is expected to help the recovery process however there has been a very faltering start with the rollout well behind target timeframe.

Final Considerations:

Risk Management

In terms of financial performance and risk, the approach taken sees the Finance Team working with the various business departments to understand and report on financial outcomes whilst also considering what those outcomes indicate for the future, particularly the requirement to deliver within budget. It is expected this forward-looking approach will allow the management team to implement timely rectification actions to emerging trends.

Council continues to be impacted by the lingering effects of COVID-19 which has affected overall operations, however business is starting to return to normal. Rollout of the vaccine should see further improvements in the economy. Management will continue to progressively adapt, monitor, and plan into the future as the COVID-19 situation and its impact evolves over the coming months. With continuing uncertainty in the economic climate and the possibility of a 'second wave' of infection, it makes future forecasting quite challenging.



Nicola Daniels
Head of Financial Services



Hollie Faithfull
Chief Financial Officer



David Baldwin
Acting Chief Executive Officer

Executive financial performance at a glance

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	571,801	571,801	571,063	(738)	-0.1%	●
Other income	35,000	35,000	112,561	77,561	221.6%	●
Recurrent expenditure (excl. depreciation)	(3,668,630)	(3,668,630)	(4,097,595)	(428,966)	-11.7%	●
Operating surplus (exc. Depreciation)	(3,061,829)	(3,061,829)	(3,413,971)	(352,142)	-11.5%	●
Capital revenue	0	0	0	0	0.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	(3,061,829)	(3,061,829)	(3,413,971)	(352,142)	-11.5%	●
Depreciation Expense	0	0	0	0	0.0%	●
Net result	(3,061,829)	(3,061,829)	(3,413,971)	(352,142)	-11.5%	●

* Result prior to end of year adjustments - final result will change

Comments:

Operating surplus under budget due to payments made to Stream A employees.

People and Wellbeing financial performance at a glance

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	0	0	0	0	0.0%	●
Other income	34,000	34,000	126,390	92,390	271.7%	●
Recurrent expenditure (excl. depreciation)	(1,594,944)	(1,594,944)	(1,507,979)	86,965	5.5%	●
Operating surplus (exc. Depreciation)	(1,560,944)	(1,560,944)	(1,381,589)	179,355	11.5%	●
Capital revenue	0	0	0	0	0.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	(1,560,944)	(1,560,944)	(1,381,589)	179,355	11.5%	●
Depreciation Expense	0	0	0	0	0.0%	●
Net result	(1,560,944)	(1,560,944)	(1,381,589)	179,355	11.5%	●

* Result prior to end of year adjustments - final result will change

Comments:

Overall performance has remained within budget.

Building Services financial performance at a glance

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	21,282,675	21,282,675	21,642,404	359,729	1.7%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(17,884,838)	(17,884,838)	(18,677,567)	(792,728)	-4.4%	●
Operating surplus (exc. Depreciation)	3,397,837	3,397,837	2,964,838	(432,998)	-12.7%	●
Capital revenue	1,735,124	1,735,124	0	(1,735,124)	-100.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	5,132,961	5,132,961	2,964,838	(2,168,122)	-42.2%	●
Depreciation Expense	0	0	0	0	0.0%	●
Net result	5,132,961	5,132,961	2,964,838	(2,168,122)	-42.2%	●

* Result prior to end of year adjustments - final result will change

Comments:

Net result below budget due to delays in the completion of the Warraber duplex and upgrades under the Home Ownership program.

Backpayments made to current and former Stream A employees has contributed to the overspend in Operating Expenditure.

Capital revenue to be recognised in accordance with new accounting Standards. This will be performed as part of the financial statement preparation process.

Health and Community Services financial performance at a glance

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	8,845,048	8,845,048	9,360,092	515,045	5.8%	●
Other income	426,853	426,853	501,026	74,172	17.4%	●
Recurrent expenditure (excl. depreciation)	(12,574,166)	(12,574,166)	(12,608,341)	(34,175)	-0.3%	●
Operating surplus (exc. Depreciation)	(3,302,265)	(3,302,265)	(2,747,223)	555,042	16.8%	●
Capital revenue	364,735	364,735	19,735	(345,000)	-94.6%	●
Capital expenses	0	0	45	45	0.0%	●
Net result (excl. depreciation)	(2,937,530)	(2,937,530)	(2,727,443)	210,087	7.2%	●
Depreciation Expense	(4,421,009)	(4,421,009)	(4,678,622)	(257,612)	-5.8%	●
Net result	(7,358,540)	(7,358,540)	(7,406,065)	(47,525)	-0.6%	●

* Result prior to end of year adjustments - final result will change

Comments:

Operational budget before depreciation has performed better than budget.

Costs to maintain assets, as reflected in depreciation, has exceeded budget.

Business Services financial performance at a glance

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	18,521,005	18,521,005	18,075,053	(445,952)	-2.4%	●
Other income	579,151	579,151	352,650	(226,501)	-39.1%	●
Recurrent expenditure (excl. depreciation)	(7,011,157)	(7,011,157)	(6,750,562)	260,595	3.7%	●
Operating surplus (exc. Depreciation)	12,088,999	12,088,999	11,677,141	(411,858)	-3.4%	●
Capital revenue	6,926,811	6,926,811	509,491	(6,417,320)	-92.6%	●
Capital expenses	(3,500,000)	(3,500,000)	(4,508,820)	(1,008,820)	-28.8%	●
Net result (excl. depreciation)	15,515,810	15,515,810	7,677,812	(7,837,998)	-50.5%	●
Depreciation Expense	(1,040,048)	(1,040,048)	(985,357)	54,691	5.3%	●
Net result	14,475,762	14,475,762	6,692,455	(7,783,307)	-53.8%	●

* Result prior to end of year adjustments - final result will change

Comments:

Operating surplus below budget following payments made to Stream A employees and prepayment of 21/22 FAGS deposit below budget expectations (down \$360K)

Capital expenses above budget due to disposal of social housing for the Home Ownership program.

Engineering Services financial performance at a glance

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	3,939,522	3,939,522	3,902,234	(37,287)	-0.9%	●
Other income	0	0	67,035	67,035	0.0%	●
Recurrent expenditure (excl. depreciation)	(14,245,401)	(14,245,401)	(13,628,625)	616,776	4.3%	●
Operating surplus (exc. Depreciation)	(10,305,879)	(10,305,879)	(9,659,355)	646,524	6.3%	●
Capital revenue	47,309,038	47,309,038	19,989,370	(27,319,669)	-57.7%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	37,003,159	37,003,159	10,330,014	(26,673,144)	-72.1%	●
Depreciation Expense	(21,772,716)	(21,772,716)	(21,885,483)	(112,767)	-0.5%	●
Net result	15,230,443	15,230,443	(11,555,469)	(26,785,912)	-175.9%	●

* Result prior to end of year adjustments - final result will change

Comments:

Operating surplus above budget due to less contractor costs due to delay in timing of works and project costs coming in under budget.

Capital revenue under budget due to the delay in the receipt of funding for ICCIP which has been extended to 30 June 2022.

Housing and Tenancy Services financial performance at a glance

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	4,844,063	4,844,063	4,848,170	4,107	0.1%	●
Other income	0	0	87,091	87,091	0.0%	●
Recurrent expenditure (excl. depreciation)	(4,507,349)	(4,507,349)	(4,719,288)	(211,939)	-4.7%	●
Operating surplus (exc. Depreciation)	336,714	336,714	215,973	(120,741)	-35.9%	●
Capital revenue	6,937,314	6,937,314	0	(6,937,314)	-100.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	7,274,028	7,274,028	215,973	(7,058,055)	-97.0%	●
Depreciation Expense	(19,274,210)	(19,274,210)	(18,557,384)	716,826	3.7%	●
Net result	(12,000,182)	(12,000,182)	(18,341,411)	(6,341,229)	-52.8%	●

* Result prior to end of year adjustments - final result will change

Comments:

Operating surplus below budget due to payments made to Stream A employees.

Capital revenue nil due to timing of Capital Housing Program receipt as well as capitalisation of building works on Housing assets. This is to occur in line with the new accounting standards and will form part of the financial statement preparation process.

Corporate Affairs financial performance at a glance

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	65,160	65,160	46,161	(18,999)	-29.2%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(1,630,475)	(1,630,475)	(1,424,842)	205,633	12.6%	●
Operating surplus (exc. Depreciation)	(1,565,315)	(1,565,315)	(1,378,681)	186,634	11.9%	●
Capital revenue	0	0	0	0	0.0%	●
Capital expenses	0	0	0	0	0.0%	●
Net result (excl. depreciation)	(1,565,315)	(1,565,315)	(1,378,681)	186,634	11.9%	●
Depreciation Expense	0	0	0	0	0.0%	●
Net result	(1,565,315)	(1,565,315)	(1,378,681)	186,634	11.9%	●

* Result prior to end of year adjustments - final result will change

Comments:

Overall performance better than budget due to cost savings in recurrent expenditure.

Strategic Projects and Logistics financial performance at a glance

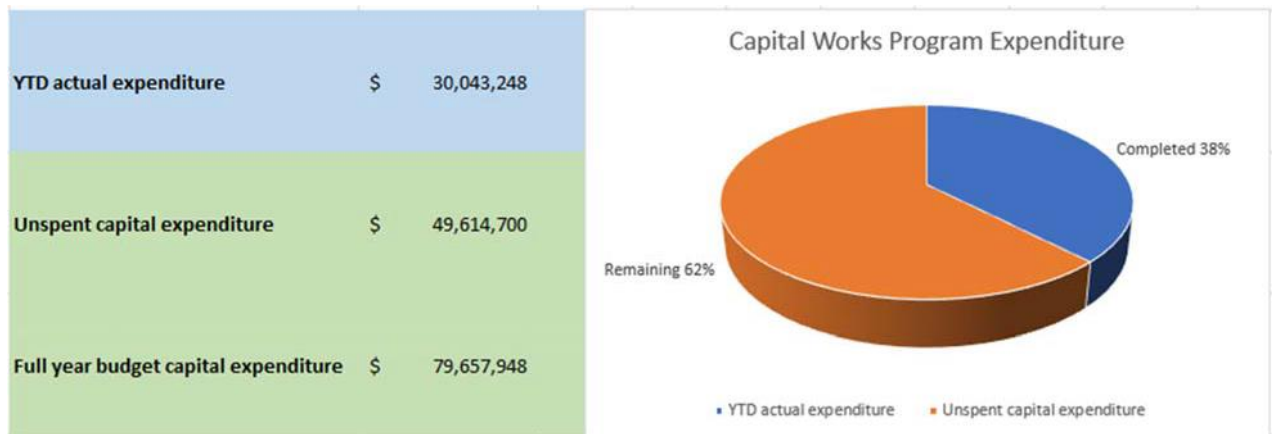
Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	60,754	60,754	25,505	(35,248)	-58.0%	●
Other income	44,035	44,035	23,469	(20,566)	-46.7%	●
Recurrent expenditure (excl. depreciation)	(1,879,633)	(1,879,633)	(1,828,690)	50,943	2.7%	●
Operating surplus (exc. Depreciation)	(1,774,844)	(1,774,844)	(1,779,716)	(4,872)	-0.3%	●
Capital revenue	413,450	413,450	413,450	0	0.0%	●
Capital expenses	0	0	8,960	8,960	0.0%	●
Net result (excl. depreciation)	(1,361,394)	(1,361,394)	(1,357,306)	4,088	0.3%	●
Depreciation Expense	0	0	(191,333)	(191,333)	0.0%	●
Net result	(1,361,394)	(1,361,394)	(1,548,639)	(187,245)	-13.8%	●

* Result prior to end of year adjustments - final result will change

Comments:

Fleet costs, reflected through depreciation, is over budget. Council's fleet currently being assessed and there is ongoing financial analysis regarding the strategic direction of the Logistics business operation.

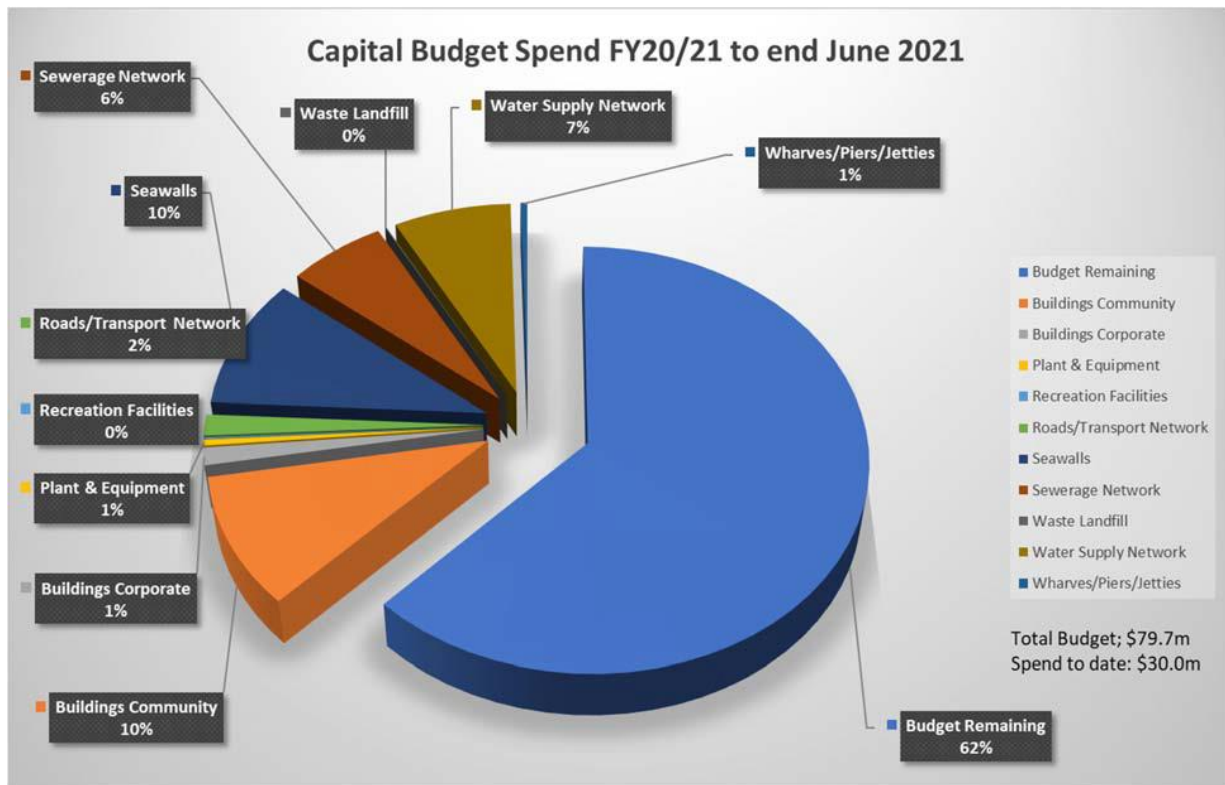
CAPITAL WORKS PROGRAM



Council's capital works program is below budget due to ICCIP capital works.

Not expected to reach budget by EOFY

CAPITAL SPEND BY ASSET CLASS





TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	July 2021
DATE:	20 & 21 July 2021
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Community Grants Program Allocation – July 2021
AUTHOR:	Kim Kelly, Team Leader – Service Delivery

Recommendation:

Council resolves to allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:

Community Grant Applications:

- ✓ Wakeyama Women's Rugby League for the eligible amount of \$6,500.00 exclusive of GST, as per the submitted application.
- ✓ Surumau Gladiators for the eligible amount of \$6,500.00 exclusive of GST, as per the submitted application.
- ✓ Deddeyal Gammaz WRL for the eligible amount of \$10,000.00 exclusive of GST, as per the submitted application.
- ✓ Badu Community Justice Group for the eligible amount of \$160.00 exclusive of GST, as per the submitted application.
- ✓ Glory of the Cross Tabernacle for the eligible amount of \$9,199.80 exclusive of GST, as per the submitted application.

Executive Summary:

In line with Council's Community Grants Policy, which was endorsed by Council at the June 2020 Ordinary Meeting, and further advice provided by MacDonnell Law, community grant applications must be decided on one occasion at any time during the month.

Background:

For the month of June five (5) community grant applications meeting the eligibility requirements were received.

An assessment based on eligibility criteria was conducted by Council officers in accordance with the Community Grant Policy. An acknowledgement of each application being received and assessed as compliant was issued to the applicants.

The five (5) applications, which meet eligibility requirements, are:

Applicant	Project	Location
Wakeyama Women's Rugby League	Contribution towards catering, accommodation and travel to Zenadth Kes Cup	Warraber
Surumau Gladiators	Contribution towards catering, accommodation and travel to Zenadth Kes Cup	Warraber
Deddeyal Gammaz WRL	Contribution towards catering and travel to Zenadth Kes Cup	St Pauls

Badu Community Justice Group	Contribution towards fuel costs for Community Justice Group Court Sitting	Badu
Glory of the Cross Tabernacle	Contribution towards Church Conference	Boigu

Links to Strategic Plans:

These projects strategically align to specific delivery objectives under the People and Prosperity pillars of Council's Corporate Plan.

Finance & Risk:

No financial risk identified as the allocation is within existing Community Grants budget.

Sustainability:

N/A

Statutory Requirements:

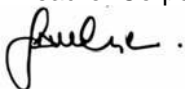
Local Government Act 2009

Conclusion:

That Council resolves to provide Community Grant support to the eligible applicant in accordance with the Community Grants policy.

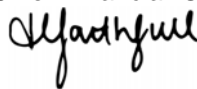
Endorsed:

Luke Ranga
Head of Corporate Affairs



Recommended:

Hollie Faithfull
Chief Financial Officer



Approved:

David Baldwin
Acting Chief Executive Officer



Attachment: Fund balances

Attachment: Fund Balances

Division	Councillor	Budget	Less approved funding	Closing Balance
Boigu	Cr. Toby	\$25,000.00	-	\$25,000.00
Hammond	Cr. Dorante	\$25,000.00	-	\$25,000.00
St Pauls	Cr. Levi	\$25,000.00	-	\$25,000.00
Ugar	Cr. Stephen	\$25,000.00	-	\$25,000.00
Badu	Cr. Nona	\$25,000.00	-	\$25,000.00
Dauan	Cr. Elisala	\$25,000.00	-	\$25,000.00
Erub	Cr. Gela	\$25,000.00	-	\$25,000.00
Iama	Cr. Lui	\$25,000.00	-	\$25,000.00
Kubin	Cr. Trinkoon	\$25,000.00	-	\$25,000.00
Mabuiag	Cr. Fell	\$25,000.00	-	\$25,000.00
Mer	Cr. Noah	\$25,000.00	-	\$25,000.00
Poruma	Cr. Pearson	\$25,000.00	-	\$25,000.00
Saibai	Cr. Tabuai	\$25,000.00	-	\$25,000.00
Warraber	Cr. Tamu	\$25,000.00	-	\$25,000.00
Yorke	Cr. Mosby	\$25,000.00	-	\$25,000.00
Mayor	Cr. Mosby	\$30,000.00	-	\$30,000.00
Regional Grant		\$50,000.00	-	\$50,000.00
		\$455,000.00	\$0.00	\$455,000.00



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

ORDINARY MEETING:	July 2021
DATE:	20 & 21 July 2021
ITEM:	Agenda Item for Resolution
SUBJECT:	Policy Matter - Investigation Policy
AUTHOR:	Mette Nordling, Manager of Governance and Compliance

Recommendation:

That Council resolve to:

1. amend the Torres Strait Island Regional Council's Investigation Policy previously endorsed by Council at its Ordinary Meeting on 28 April 2021 in the terms presented to Council at today's Ordinary Meeting and endorse the same

and

2. delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to exercise the functions and powers assigned to the Chief Executive Officer under the amended and endorsed policy, including the power to make any further minor administrative amendments to the policy as they arise.

Executive Summary:

In accordance with *Local Government Act 2009* Council is required to adopt an investigation policy. This policy was adopted by Council in April 2021 but following legislative changes later in 2021 now requires re-adoption. Regular monitoring and review of policies are necessary to reflect legislative changes, operational governance and to continuously improve Council governance.

Comment:

Section 150AE of the *Local Government Act 2009* provides that Council must adopt, by resolution, a policy about how it deals with the suspected inappropriate conduct of councillors referred, by the assessor to the local government to be dealt with.

The then, Department of Local Government, Racing and Multicultural Affairs, provided a template policy for Council's to adopt following the introduction of this requirement. This was the policy originally adopted by Council.

Following updates to legislation and to ensure consistency in application the template policy has been updated by the Department of State Development, Infrastructure, Local Government and Planning, and this is the policy put forward for adoptions by Council.

Policy presented to the July SARG Meeting on 13 July 2021.

Consultation:

Department of State Development, Infrastructure, Local Government and Planning.
SARG

Links to Strategic Plans:

This policy strategically aligns to specific delivery objectives under all 3 pillars of Council's Corporate Plan, being *People*, *Sustainability* and *Prosperity*.

Risk:

Due to policy being laid on the table at the June Ordinary Meeting, Council's current Investigation Policy is now overdue for review as it had a review date of 30 June 2021. Good governance recommends that all policies are reviewed and endorsed by their review dates.

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

That Council endorse the amended policy and delegates to the Chief Executive Officer to make further minor administrative amendments as they arise.

Recommended:

Hollie Faithfull
Chief Financial Officer

**Approved**

David Baldwin
Acting Chief Executive Officer

**Attachments:**

- Amended Investigation Policy

Investigations Policy

Responsible Manager:	Head of Corporate Affairs
Head of power:	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
Authorised by:	Council
Authorised on:	
Implemented from:	1 July 2021
Last reviewed:	May 2021
Review history:	2020
To be reviewed:	June 2022
Corporate Plan:	People, Sustainability and Prosperity

1. Authority

This is Torres Strait Island Regional Council's investigation policy for how complaints about the inappropriate conduct of Councillors will be dealt with as required by the section 150AE of the *Local Government Act 2009* (the LGA). However, this policy does not relate to more serious Councillor conduct.

2. Commencement

The investigation policy was adopted by Council resolution on 2x June 2021 and applies from 1 July 2021.

3. Scope

This investigation policy applies to investigations and determinations of a complaint about the alleged inappropriate conduct of a Councillor/s which has been referred by the Independent Assessor.

4. Definitions

Assessor means the Independent Assessor appointed under section 150CV of the LGA

Behavioural standard means a standard of behaviour for Councillors set out in the Code of Conduct [for Councillors in Queensland](#) approved under section 150E of the LGA

Conduct includes -

- (a) failing to act; and
- (b) a conspiracy, or attempt, to engage in conduct

Councillor conduct register means the register required to be kept by Council as set out in section 150DX of the LGA

Inappropriate conduct see section 150K of the LGA

Investigation policy, refers to this policy, as required by section 150AE of the LGA

Investigator means the person responsible under this investigation policy for carrying out the investigation of the suspected inappropriate conduct of a Councillor or Mayor

LGA means the *Local Government Act 2009*

Local government meeting means a meeting of—

- (a) a local government; or
- (b) a committee of a local government.

Misconduct see section 150L of the LGA

Model procedures see section 150F of the LGA

~~**Natural justice**—a set of principles to ensure fair and just decision making, including a fair hearing, an absence of bias, decisions based on evidence, and the proper examination of all issues.~~

Referral notice see section 150AC of the LGA

Tribunal means the Councillor Conduct Tribunal as established under section 150DK of the LGA

Unsuitable meeting conduct see section 150H of the LGA

5. Confidentiality

Matters of suspected inappropriate conduct of a Councillor are confidential except as otherwise specifically provided for either in the LGA or this investigation policy.

Note: It must be kept in mind that the matter is an allegation only and not yet proven. Further, there will be circumstances where the detail of the referral will need to remain confidential to the *Local Government*. Any release of ~~confidential~~ information that a *Councillor* knows, or should reasonably know, to be confidential to the local government, may be contrary to section 171(3) of the LGA and dealt with as misconduct.

6. Natural Justice

Any investigation of suspected inappropriate conduct of a Councillor/s must be carried out in accordance with natural justice. An overview of the principles of natural justice follows.

"Natural justice" or procedural fairness, refers to three key principles:

- x ~~that~~ the person being investigated has a chance to have his or her say before adverse formal findings are made and before any adverse action is taken (fair hearing)
- x ~~that~~ the investigator(s) should be objective and impartial (absence of bias), ~~and~~)
- x ~~that~~ any action taken is based on evidence (not suspicion or speculation).

A fair hearing means the Councillor who is the subject of the suspected inappropriate conduct matter must be told of the case against them including any evidence and be provided with an opportunity to put their case in writing with the investigation report provided to the Councillors as part of the meeting agenda.

An absence of bias means that any investigation must not be biased or be seen to be biased in any way. This principle embodies the concept of impartiality.

~~Decisions~~ Ensuring decisions are based on evidence requires that the investigation should not be based on mere speculation or suspicion but instead must be based upon evidence material.

A proper examination of all issues means the investigation must give a proper and genuine consideration to each party's case.

7. Assessor's referral

The Council ~~may~~ will receive from the Assessor a referral notice about the suspected inappropriate conduct of a Councillor/s. ~~Council~~ The referral notice will include details of the conduct and any complaint received about the conduct, state why the assessor reasonably suspects that the councillor has engaged in inappropriate conduct, and include information about the facts and circumstances that form the basis of the assessor's reasonable suspicion.

The referral notice may be accompanied by a recommendation from the assessor about how the local government may also receive referrals directly investigate or deal with the conduct. The recommendation of the assessor may be inconsistent with this policy.

The investigation must be conducted in a way consistent with:

- (i) any recommendation of the assessor
- (ii) to the extent that this policy is not inconsistent with the recommendation of the assessor

- this investigation policy, or
(iii) in another way the local government decides by resolution.

A resolution under subsection (iii) must state the decision and the reasons for the decision.

8. Receipt of Assessor's referral

On receipt of a referral notice about the suspected inappropriate conduct of a Councillor/s from the Assessor, the Council's Chief Executive Officer will forward a copy of that referral notice to the Mayor and all ~~Councillors as a confidential document.~~

~~Should the Mayor or a Councillor/s (councillors,~~ other than the councillor who is the subject of the complaint, ~~or the complainant)~~ if the complainant is a councillor, as a confidential document.

Should the mayor or a councillor/s disagree with any recommendation accompanying the Assessor's referral notice, or form the opinion that the complaint should be dealt with in a way other than under this policy, the Mayor or Councillor may request the matter be placed on the agenda of the next Council meeting for the council to decide ~~on, by resolution,~~ the appropriate process to investigate the complaint. Such a request must be made in accordance with the Council's meeting procedure requirements.

9. Investigator

Unless otherwise resolved by Council, the Mayor will manage the investigation of suspected inappropriate conduct of other Councillors.

If the suspected inappropriate conduct involves conduct ~~that~~where, in the circumstances, the Mayor believes, ~~it is in the best interests of the investigation to refer the matter for external investigation, then the Chief Executive Officer must~~may refer the suspected inappropriate conduct to the President of the Councillor Conduct Tribunal ~~(the Tribunal)~~ or other entity to investigate and make recommendations to the Council about dealing with the conduct.

If the suspected inappropriate conduct involves:

- x an allegation about the conduct of the Mayor, or
- x the Mayor as the complainant, then

the Chief Executive Officer ~~must~~may refer the suspected inappropriate conduct to the President of the Tribunal, or another entity, to investigate and make recommendations to the Council about dealing with the conduct.

10. Early resolutions

Before beginning an investigation, the investigator ~~must~~should consider whether the matter is appropriate for resolution prior to the investigation. This consideration ~~includes~~can include any ~~recommendation~~recommendations made by the Assessor.

A matter is only appropriate for early resolution if the parties to the matter both voluntarily agree to explore early resolution.

The investigator may engage an independent person with suitable qualifications or experience to facilitate this process.

If the matter cannot be resolved, the matter will then be investigated as outlined in this

investigation policy.

If the matter is resolved prior to investigation, the investigator will advise the Chief Executive Officer of this outcome. In turn, the Chief Executive Officer will advise the Mayor (if the Mayor is not the investigator) and all Councillors that the matter has been resolved. The Chief Executive Officer will also update the Councillor Conduct Register to reflect this.

11. Timeliness

The investigator will make all reasonable endeavours to complete the investigation and provide a report for inclusion on the agenda of a Council meeting no more than eight weeks after the receipt of the complaint.

Note: If the investigator is of the opinion that it may take longer than eight weeks to complete the investigation, the matter should be raised with the *Mayor* (if the *Mayor* is not the investigator) to seek an extension of time.

12. Assistance for investigator

If the Mayor, or another councillor appointed by council resolution, is the investigator of a matter of suspected inappropriate conduct, the Mayor or councillor may use section 170A of the LGA to seek assistance during the investigation.

The Mayor is authorised by Council to expend money as reasonably needed to engage contractors in accordance with the Council's procurement policy.

13. Possible misconduct or corrupt conduct

If during the course of an investigation the investigator obtains information which indicates a Councillor/s may have engaged in misconduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Assessor of the possible misconduct.

If during the course of an investigation, the investigator obtains information ~~which~~that indicates a Councillor/s may have engaged in corrupt conduct, the investigator must cease the investigation and advise the Chief Executive Officer. The Chief Executive Officer will then notify the Crime and Corruption Commission of the possible corrupt conduct.

Instances of suspected misconduct or corrupt conduct may be referred back to the Council if determined by the Assessor or Crime and Corruption Commission to be inappropriate conduct.

14. Completion of investigation

On the completion of an investigation, the investigator will provide a report to ~~the Council outlining a council meeting outlining as appropriate: the investigation process, the investigation findings, any recommendations about dealing with the conduct and a record of the investigation costs.~~

x the investigation process

x any witnesses interviewed

x documents or other evidence obtained

x a statement of the relevant facts ascertained

x confirmation that the subject councillor has been provided with an opportunity to respond to

- the complaint and the evidence gathered
- x the investigation findings
- x a statement of any relevant previous disciplinary history
- x any recommendations about dealing with the conduct
- x a record of the investigation costs.

If there is a risk to the health and safety of the complainant, under s 254J of the LGR the council may resolve that the meeting be closed to the public for the councillors to consider the investigation report and any recommendations.

The Council (with the exception of the councillor the subject of the investigation and the complainant, if another councillor) will consider the findings and recommendations of the investigator's report and decide whether the Councillor has engaged in inappropriate conduct and, if so, what action it will take under section 150AH of the LGA. In accordance with s275(3) of the LGR, the resolution in relation to what action is to be taken as a result of the investigation must be made after the meeting has been re-opened to the public and the decision recorded in the meeting minutes. The chief executive officer is also required to ensure the details are entered into the councillor conduct register.

~~Provisions for internal and external review of decisions are set out in sections 150CO to 150CS of the LGA.~~

15. Disciplinary action against councillors

If the council decides at the completion of decisions are set out the investigation that the councillor has engaged in sections 150CO to 150CS inappropriate conduct, the council may:

- (i) order that no action be taken against the councillor, or
- (+)(ii) make an order outlining action the councillor must undertake in accordance with section 150AH(1)(b) of the LGA.

15.16. Notice about the outcome of investigation

After an investigation is finalised, the Council must give notice about the outcome of the investigation to the person who made the complaint about the Councillor/s' conduct that was the subject of the investigation and the subject councillor.

16.17. Councillor conduct register

The ~~Chief Executive Officer of the respective Council~~ chief executive officer must ensure decisions about suspected inappropriate conduct of a Councillor/s ~~must be~~ are entered into the ~~Councillor~~ councillor conduct register.

Where a complaint has been resolved under section 10 of this policy, ~~the Chief Executive Officer or otherwise withdrawn by the complainant, the chief executive officer~~ will update the register to reflect that the complaint was withdrawn.

17.18. Expenses

Council must pay any reasonable expenses of Council associated with the ~~informal early resolution or~~ investigation of suspected inappropriate conduct of a Councillor including any costs of:

- x the president of the Tribunal in undertaking an investigation for Council
- ~~x a mediator engaged under this investigation policy~~

- ☒ ~~a private~~ an independent investigator engaged on behalf of, or by the Tribunal
- ☐ an independent investigator engaged on behalf of ~~or by the investigator~~ local government
- ☐ travel where the investigator needed to travel to undertake the investigation, or to interview witnesses
- ☐ seeking legal advice
- ☐ engaging an expert.

Note: Council may order the subject Councillor reimburse it for all or some of the costs arising from the Councillor's inappropriate conduct. Any costs incurred by complainants or the subject councillors will not be met by council.

~~Any costs incurred by complainants or the subject Councillors will not be met by Council.~~



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING: July 2021

DATE: 20 & 21 July 2021

ITEM: Agenda Item for Resolution by Council

SUBJECT: Accommodation Option

AUTHOR: Hollie Faithfull

Recommendation:

Option 1 (recommended):

That Council does not resolve to enter into a one-year lease for a one-bedroom apartment for the sole use of the Mayor when in Cairns on Mayoral duties, at an estimated cost of \$30,500 for the first year excluding the fit out of the apartment.

Or

Option 2:

1. That Council does resolve to enter into a one-year lease for a one-bedroom apartment for the sole use of the Mayor when in Cairns on Mayoral duties, at an estimated cost of \$30,500 for the first year excluding the fit out of the apartment.

and

2. delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:
 - ✓ approve, finalise and execute any and all matters in relation to this lease arrangement;
 - and
 - ✓ make, amend or discharge the resulting lease including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.

Executive Summary:

The purpose of this report is to provide Council with estimated costs of leasing a one-bedroom apartment for the sole purpose of the Mayor when in Cairns on Mayoral duties to determine if Council wishes to enter into such a lease.

Background:

In October 2020, Pacifica undertook a review of Council's then two leased Cairns rental properties. Findings and recommendations from the Financial Sustainability Measures – Release of Cairns Rental Property Expense Report were provided to Management. The report provided supporting evidence to management's recommendation to terminate the leases of both properties at the end of their respective term as properties were no longer considered value for money based on a cost benefit analysis. Council supported this recommendation and resolved to terminate both properties at the October 2020 Ordinary Meeting.

21. 4:36pm – 4:43pm LEGAL – Abbott St and Sheridan St Cairns Tenancies

Manager Legal Services spoke to this report.

RESOLUTION:

Moved: Cr Fell; *Second:* Cr Levi

That Council give Notice of Intention to Leave to terminate:

- 1. The General Tenancy Agreement for 2/110-112 Sheridan Street, Cairns City, effective 2 December 2020; and**
- 2. The General Tenancy Agreement for 25/189-191 Abbott Street (Wallamurra Towers), Cairns City, effective 3 December 2020**

MOTION CARRIED

Acting Chief Executive Officer also noted Internal Audit supports the recommendation by Council.

Extract of minutes from October 2020 Ordinary Meeting

Officers Comments:

Research of the rental market in the Cairns CBD was undertaken and indicated that the price of a one-bedroom unfurnished apartment would cost approximant \$400 to \$420 per week to rent.

Analysis below is based on Mayor being in or transiting through Cairns for 55 nights per year and estimated costs.

Rent @ \$420 per week x 52 weeks	\$21,840
Vacate Clean and Servicing @ \$350 per clean x 12 stays	\$4,200
Services connections and usage	\$2,000
General maintenance of property	\$1,500
Internet connection @ \$80per month x 12 months	\$960
Total Estimated Annual Cost (exclude one-off capital outlay)	\$30,500
Furniture, bedding, and utensils	\$13,000
Total Estimated Costs based on a one-year lease term	\$43,500
Estimated nights in premises	55

Estimated equivalent nightly rate based on estimated stay in Cairns on a one-year lease term (based on 55 nights per year)	\$791
Estimated equivalent nightly rate based on estimated stay in Cairns on for second year lease (based on 55 nights per year) ie Furniture is a one of cost	\$555

As Council can rent an apartment/hotel room in the Cairns CBD at a nightly rate of \$170 to \$220, the apartment does not represent value for money to Council. The Mayor provided anecdotal advice into non-monetary benefits of having a dedicated accommodation in Cairns. These include:

- ✓ Convenience.
- ✓ Surety of availability.
- ✓ Parking guaranteed.
- ✓ Set up with food/cooking utensils/work-station.
- ✓ Privacy.
- ✓ Large contingency of staff in the Cairns office
- ✓ Cairns is a base for numerous external agencies and officials.

Council would not be able to comply with its obligations under the *Local Government Act 2009* to uphold the sound contracting principles of value for money and ethical behaviour and fair dealing. If Council did enter a lease arrangement, it would likely raise unfavourable implications and create reputational, legal and financial risks for Council.

Links to Strategic Plans:

Aligns to specific delivery objectives under all the *Sustainability* pillar of Council's Corporate Plan.

Risk:

If Council did enter a lease arrangement, it would likely raise unfavourable implications and create reputational, legal and financial risks for Council.

Consultation:

- ✓ Business Services
- ✓ Executive Team
- ✓ Internal Audit
- ✓ Governance

Statutory Requirements:

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Conclusion:

Council endorses one of the options below regarding the leasing of a one-bedroom apartment in Cairns.

Option 1 (recommended):

That Council does not resolve to enter into a one-year lease for a one-bedroom apartment for the sole use of the Mayor when in Cairns on Mayoral duties, at an estimated cost of \$30,500 for the first year excluding the fit out of the apartment.

Or

Option 2:

1. That Council does resolve to enter into a one-year lease for a one-bedroom apartment for the sole use of the Mayor when in Cairns on Mayoral duties, at an estimated cost of \$31,500 for the first year excluding the fit out of the apartment.

and

2. delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:
 - approve, finalise and execute any and all matters in relation to this lease arrangement;
 - and
 - make, amend or discharge the resulting lease including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.

**Recommended**

Hollie Faithfull

Chief Financial Officer

**Approved**

David Baldwin

Acting Chief Executive Officer