



# AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

MAY 2021

Monday 24<sup>th</sup> May 2021, 10:30am – 5:00pm

Tuesday 25<sup>th</sup> May 2021, 9:00am – 4:40pm

Cairns

## **COUNCIL ORDINARY MEETING**

**Monday 24<sup>th</sup> May 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 – 11:00am</u> | <u>Confirmation of Previous Council Ordinary Meeting Minutes</u> <ul style="list-style-type: none"><li>• 17<sup>th</sup> and 18<sup>th</sup> March 2021</li><li>• 21<sup>st</sup> and 22<sup>nd</sup> April 2021</li></ul> |
| 5.  | <u>11:00am – 11:15am</u> | <u>Outstanding Council Ordinary Meeting Action Items</u>   |
| 6.  | <u>11:15am – 11:15am</u> | <b><u>COUNCIL MOVE INTO CLOSED BUSINESS</u></b>  |
| 7.  | <u>11:15am – 11:30am</u> | <u>BUILDING – CB – Dauan Community Hall</u>  |
| 8.  | <u>11:30am – 11:45am</u> | <u>BUILDING – CB – Hammond Island Undercover Shelter</u>   |
| 9.  | <u>11:45am – 12:00pm</u> | <u>BUILDING – CB – Iama Covered Sports Facility</u>  |
| 10. | <u>12:00pm – 12:15pm</u> | <u>BUILDING – CB - Lot 162 Pedro Street, St Pauls</u>  |
| 11. | <u>12:15pm – 12:30pm</u> | <u>ENGINEERING – CB – Funding Matter – ATSI TIDS 2021/22 Funding Agreement</u>   |

### **LUNCH 12:30pm – 1:30pm**

- |     |                        |   |
|-----|------------------------|---|
| 12. | <u>1:30pm – 1:45pm</u> | <u>LEGAL – CB – RTC lease Mer Lot 531 on SP249793</u> |
| 13. | <u>1:45pm – 2:45pm</u> | <u>OCEO – CB – Certified Agreement</u>                |
| 14. | <u>2:45pm – 2:45pm</u> | <b><u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u></b>     |
| 15. | <u>2:45pm – 3:05pm</u> | <u>CORPORATE – Community Grants</u>                   |

### **AFTERNOON TEA 3:05pm – 3:20pm**

- |     |                        |  |
|-----|------------------------|--|
| 16. | <u>3:20pm – 4:20pm</u> | <u>CORPORATE – 2021 Operational Plan Q3 Update</u>   |
| 17. | <u>4:20pm – 4:40pm</u> | <u>ENGINEERING – Award Tender No. TSIRC2020-330 Badu and Iama Sewer Pump Stations (SPS) Upgrades</u> |
| 18. | <u>4:40pm – 4:55pm</u> | <u>ENGINEERING – Award Tender No. TSIRC2020-301 SCADA Upgrades</u>                                   |
| 19. | <u>4:55pm – 5:00pm</u> | <u>Closing Remarks and Prayer</u>  |

**COUNCIL ORDINARY MEETING**  
**Tuesday 25<sup>th</sup> May 2021**  
**Agenda Items**

20. 9:00am – 9:05am Welcome and opening prayer.
21. 9:05am – 10:00am **Deputation 1:** – Master Planning – Mr John Conroy - DATSIP

**MORNING TEA – 10:00am – 10:30am**

22. 10:30am – 11:00am **Deputation 2:** – Community Engagement – COVID Vaccine, Ms Helen Reed and Dr Brown, Torres and Cape Hospital and Health Service
23. 11:00am – 12:00pm **Deputation 3:** – Skytrans – Ms Wendy Wilson

**LUNCH – 12:00pm – 1:00pm**

24. 1:00pm – 1:30pm FINANCE – Asset Valuation – Late
25. 1:30pm – 1:45pm FINANCE – Monthly Financial Report
26. 1:45pm – 2:00pm LEGAL – Correction of Minutes 21 July 2020 - Poruma
27. 2:00pm – 2:20pm OCEO – Audit Committee Proxies
28. 2:20pm – 2:40pm OCEO – Fuel Project Update – Late
29. 2:40pm – 3:00pm OCEO – Councillor Remuneration Policy – Late

**AFTERNOON TEA 3:00pm – 3:20pm**

30. 3:20pm – 3:50pm PEOPLE & WELLBEING – Policy Updates
31. 3:50pm – 4:00pm Business Arising from Information Reports
32. 4:00pm – 4:30pm Strategic Matters
33. 4:30pm – 4:35pm Next COM Meeting Date – 29<sup>th</sup> & 30<sup>th</sup> June 2021 – VC
34. 4:35pm – 4:40pm Closing Remarks and Prayers



# MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

MARCH 2021

Wednesday 17<sup>th</sup> March 2021, 11:00am – 5:00pm

Thursday 18<sup>th</sup> March 2021, 9:00am – 5:00pm

Video Conference



**Wednesday 17<sup>th</sup> March 2021**

**Present**

Cr Phillemon Mosby, Mayor (Poruma)  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
Cr Laurie Nona, Division 5 – Badu  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 - Ugar  
Cr Jimmy Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Poruma)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Ms Rachel Pierce, Acting Chief Operating Officer (ACOO)(TI)  
Ms Julia Maurus, Manager Legal Services (MLS) (from home)  
Ms Ursula Nai, Senior Executive Assistant (SEA) (Poruma)  
Mrs Kathy Cochran – Secretariat Officer (SO) (Cairns)

**Apologies**

Cr Keith Fell, Division 4 – Mabuiag (intermittently - sorry business in his Division)

The following Councillors will be leaving the meeting when the visiting State Members arrive in their respective Division for their formal engagement and have given their apologies for this time.

Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 - Ugar

## **COUNCIL ORDINARY MEETING**

**Wednesday 17<sup>th</sup> March 2021**

### **Agenda Items**

**1. 11:00am – 11:01am Welcome and Opening Remarks**

Mayor welcomed everyone back and carried out a roll call to establish quorum. Mayor declared the March 2021 Ordinary meeting open.

**2. 11:01am – 11:04am Apologies**

- Cr Rocky Stephen – Division 13 – Ugar – Minister's visit
- Cr Francis Pearson – Division 11 – Poruma – Minister's visit
- Cr Hilda Mosby – Division 12 – Masig – Minister's visit

Councillors will be absent from the meeting during the Minister's visit to their respective Division.

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Trinkoon

**That Council accepts the apology of Cr Rock Stephen, Cr Francis Pearson, and Cr Hilda Mosby for their absence at the meeting during the Minister's visit to their respective Divisions.**

**MOTION CARRIED**

- Cr Keith Fell – Division 4 – Mabuiag – Sorry business in his Division and will be required to leave the meeting from time to time on day 1 and absent for day 2.

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

**That Council accepts the apology of Cr Keith Fell for his absence at this meeting due to sorry business in his community.**

**MOTION CARRIED**

**3. 11:04am – 11:08pm**

**DEPUTATION 1:** Minister Craig Crawford MP – Minister for Seniors and Disability Services and Minister for Aboriginal and Torres Strait Islander Partnerships and **Minister Shannon Fentamen MP** – Attorney -General and Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence and Government Champion

Mayor advised, they had a meet and greet with Minister Crawford and Minister Fentamen at the community hall during the morning tea break. The planned State deputations next week will not be proceeding due to the risk associate with going to Brisbane due to recent COVID cases.

**11:08am** – Cr Tabuai joined the meeting.

Cr Toby mentioned he raised an issue with Ms Cynthia Lui and the Deputy Premier during their recent visit regarding the Lagoon incident and have not heard back from their office.

Mayor suggested to Councillors to inform him of matters they raise with visiting Ministers or MP's, so he is aware and to maintain consistency with what's being communicated. Mayor informed Cr Nona, Minister Fentamen will be contacting him directly to speak with him about issues he raised.

Mayor and Senior Executives' community visit to each Division. Advertise and promote the community visit well. TSIRC Deputation Policy is applied at all levels.

**ACTION:** Councillors to respond to Ursula's email regarding the Mayor's community visit.

4. **11:24pm – 11:27pm** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

- Cr Dorante declared a declarable COI for agenda item 9- Legal – CB – Delegation – Sea Swift dispute. Cr Dorante is a current employee of Sea Swift.
- Cr Noah declared a declarable conflict for agenda item 8 – Legal – CB – RTC Lease Mer Lot 531

5. **11:27am – 11:36am** **Confirmation of Meeting Minutes**

- 23<sup>rd</sup> February 2021 Ordinary Meeting – day 1

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Noah

**That the Minutes of the Council Ordinary Meeting, held via video conference on 23<sup>rd</sup> and 24<sup>th</sup> February 2021, be adopted as a true and accurate record of that meeting.**

- Special Meeting – 1<sup>st</sup> February 2021

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Nona

**That the Minutes of the Special Council Meeting, held via video conference on 1<sup>st</sup> February 2021, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

**MOTION RESCINDED** – Secretariat advised these minutes of Special Meeting 1<sup>st</sup> February had previously been endorsed and the minutes added was an administrative error. All Councillors present confirmed the rescission of the immediately preceding resolution to avoid a duplicated resolution.

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Nona

**That the previous resolution be rescinded.**

**MOTION CARRIED**

6. **1:15pm – 1:30pm** **Outstanding Ordinary Meeting Action Items**

Acting Chief Executive Officer, Mr Ilario Sabatino provide Council with an update on all outstanding actions.

Chief Financial Officer requested a copy of the letter be forwarded to the Head of Corporate Affairs and Engagement to add to the document pack.

Acting Chief Executive Officer provide Council with a verbal updated on the Fuel report. The information report will be forwarded to Councillors and raised again later in the agenda in Strategic matters for further discussion.

**12:05pm** – Mayor Mosby delegated the Chair role to Deputy Lui and excused himself from the meeting.

Cr Fell asked for an update on the status of the Business cards. To be mentioned at the June meeting of the Culture Arts and Land standing committee.

**ACTION:** Secretariat Officer to place Business card on the agenda of the Culture, Arts and Land standing committee's June 2021 meeting.

**12:18pm – 1:15pm – LUNCH**

**1:15pm** - Secretariat conducted a roll call. All Councillors and staff in attendance except Cr Fell (apology), Cr Toby (yet to join) and Cr Noah who previously declared a prescribed conflict of interest in the Closed Business matter – LEGAL – RTC Lease Mer - Lot 531 on SP249793.

7. **1:24pm – 3:07pm** **COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Nona

That in accordance with section 254J of the *Local Government Regulation 2012 (Qld)* it is resolved for the meeting to go into closed session to discuss matters of the following nature:

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;
- (h) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government

**MOTION CARRIED**

- 8. LEGAL – CB – RTC Lease Mer – Lot 531 on SP249793
- 9. LEGAL – CB – Delegation – Sea Swift dispute
- 10. ENGINEERING – CB – Variation to the construction of Boigu Coastal defence project – Stage 2
- 11. ENGINEERING – CB – Variation to Mer Sewerage Treatment Plant Renewal
- 12. ENGINEERING – CB – Re-allocation of 2020-2021 ATSI TIDS Funding associated EoT
- 13. ENGINEERING – CB – Information Report – MIP7 and Marine Infrastructure TSRA Program

14. **3:07pm – 3:07pm** **COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Elisala

That Council move out of Closed Business.

**MOTION CARRIED**

**8. LEGAL – CB – RTC Lease Mer Lot 531 on SP249793**

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Elisala

**That Council notes the report.**

**MOTION CARRIED**

**ACTION:** Acting CEO to meet with TSRA Native Title Office to discuss the lease.

**1:34pm** – Cr Toby joined the meeting.

**1:42pm** – Cr Noah re-joined the meeting.

**9. LEGAL – CB – Delegation – Sea Swift dispute**

Cr Dorante declared a prescribed conflict of interest as he is an employee of Sea Swift and left the meeting at 1:44pm.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Trinkoon

**That Council leave this matter lying on the table.**

**MOTION CARRIED**

**ACTION:** Invite Maurice Thompson of Clyde & Co to address Council at the next Council meeting.

**10. ENGINEERING – CB – Variation to the construction of Boigu Coastal Defence Project Stage 2**

**RESOLUTION:**

*Moved:* Cr Toby; *Second:* Cr Gela

**That Council resolves to 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 variations claimed to date 3<sup>rd</sup> March 2021 to the amount of \$228,414.13 excl GST for the Contract. TSIRC2019-203- Construction of Boigu Coastal Defence Structures (Stage 2) – Koppens Development.
- Approve, finalise, and execute any and all matters in relation to variations to date 9<sup>th</sup> February 2021 in the amount of \$233,245.00 (excl GST) for PBO0005490 – Construction Contract Administration and Project Management (Superintendent Duties) -AECOM Pty Ltd.
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project, purchase orders and contract including without limitation any options and/or variations.

**MOTION CARRIED**

**11. ENGINEERING – CB – Variation to Mer Sewerage Treatment Plant Renewal**

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

That Council resolves to 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 variations claimed up till 10/02/2021 to the amount of \$193,202.63 excl GST for Contract. TSRIC2019-154 – ICCIP Project #61 – Mer Sewerage Treatment Plant upgrade;
- Make, amend, and discharge ICCIP Project #61 – Mer Sewerage Treatment Plant; and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

**12. ENGINEERING – CB – Re-allocation of 2020-2021 ATSI TIDS Funding Associated EoT**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Noah

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Seek extension of time for the current 2020/21 ATSI TIDS Funded Projects;
  - Project No. 1620465 – Saibai Airport Apron Upgrade
  - Project No. 1620463 – Dauan Island Helipad Rd Upgrade; and
- Negotiate, finalise and executive any and all matters associated in relation to 202/201 ATSI TIDS Funded Projects, subject to Council's normal procurement policies and practices.

**MOTION CARRIED**

**13. ENGINEERING – CB – Information Report – MIP7 and Marine Infrastructure TSRA Program A**

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

That the Council notes this report.

**MOTION CARRIED**

**14. ENGINEERING – CB – Information Report – Dauan Pontoon – verbal**

Chief Engineer, Mr David Baldwin tabled the information report for Council to note only.

Cr Elisala commended the Chief Engineer and his team on their great work and for their constant communication throughout the process.

**AFTERNOON TEA - 3:21pm – 3:45pm**

**3:45pm** - Secretariat conducted a roll call to establish quorum. Quorum met.

15. **3:49pm – 4:02pm** **ENGINEERING – Local Road and Community Infrastructure - R2**  
**Funding**

Chief Engineer, Mr David Baldwin spoke to the report.

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Gela

**That Council resolves to**

- allocate the Local Roads and Community Infrastructure (LRCI) – Round 2 funding of \$263,693 ex GST, to undertake repair/reinstatement works on the Arkai and Wug Jetty Structures.
- allocate any underspend of Council Funds allocated to Badu Jetty be allocated to jetty repair works at Arkai and Wug
- upon formalising LRCI - Round 2 Funding, award Badu, Arkai and Wug Jetty repairs to Paul Ware Constructions to the amount of \$715,000 ex GST and;
- Delegate the power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to enter into contract, negotiate, finalise and execute any and all matters associated in relation to these projects, subject to Council's normal procurement policies and practices.

**MOTION CARRIED**

16. **4:02pm – 4:08pm** **ENGINEERING – Iama Rising Main Tender Award**

Chief Engineer, Mr David Baldwin spoke to the report. Cr Lui asked if he had a conflict of interest. The advice received is the Councillor's interest is no greater than the community interest therefore no conflict.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

**That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:**

- Award Tender No. TSIRC2019-207 ICCIP Project #40 – Iama Rising Main Renewal Project to Northern Water Ltd Pty for the amount of \$714,454.60 excl. GST; and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

17. **4:08pm – 4:24pm** **ENGINEERING – Warraber Reservoir Tender Award**

Chief Engineer, Mr David Baldwin spoke to the report.

**4:11pm** - Cr Tamu joined the meeting. Cr Tamu declared a conflict of interest and mentioned Rob Clarke Builders is a sponsor of his football team. Legal advice is Cr Tamu has an indirect declarable conflict of interest.

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Pearson

**That Council notes Cr Tamu have declared an indirect conflict of interest, and Council allows Cr Tamu to participate in the discussion and leave the room when voting and do not vote.**

**MOTION CARRIED**

**4:22pm** - Cr Tamu left the room.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Elisala

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local

Government Act 2009 to:

- Award Tender No. TSIRC2020-325 ICCIP Project #73 - Warraber Reservoir Renewal to Robert Clarke Builders for an amount of \$684,420.00 excl. GST;
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement policy.

**MOTION CARRIED**

18. **4:24pm – 4:33pm**

**ENGINEERING – Poruma Seawall In-house Bid**

Cr Tamu back in the meeting at 4:24pm. Chief Engineer, Mr David Baldwin spoke to the report.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Nona

That Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:

- Submit an In-House Bid for Council's Civil Construction Crew to perform the construction of the Poruma Seawall, Stages 2 – 5, for an estimated value of \$5,000,000 excl. GST
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and In-House Bid/contract including without limitation any options and/or variations, as per Council procurement policy.

**MOTION CARRIED**

19. **4:33pm – 4:**

**LATE REPORT – Interim Remote Capital Program – Variation to Funding Agreement**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

Cr Toby requested if we could cap time – once we give the approval to the CEO then the CEO need to consult with the on ground Divisional Councillor.

Defer for further information to come to Council and put through the relevant Standing committee. Council can then decide on which project to progress out of the seven (7).

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

That Council leave this matter lying on the table for further information and action.

**MOTION CARRIED**

**ACTION:** Update report to go to the Housing and Safe and Healthy Communities Committee review and recommendation.



20. **5:05pm – 5:20pm**

**LATE REPORT – Contractual Matter – Building – 24 Main St, St Pauls**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report. Cr Levi declared a declarable conflict of interest as the Councillor for St Paul's Community – Division 7.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Elisala

**That Council notes Cr Levi's declarable conflict of interest and allow Cr Levi to remain in the room for the discussions and vote on the matter.**

**MOTION CARRIED**

**5:07pm** - Cr Fell apologised and excused himself from the meeting.

**MOTION:**

(No mover or seconder)

**That Council resolves to**

- **Award TSIRC2021-07-5572 – Upgrade Works to 24 Main Street, St Pauls, to Robert Clarke Builders for \$241,100 excluding GST. And**
- **That pursuant to Section 257 of the Local Government Act 2009, council delegates to the Chief Executive Officer;**
  - **Power to make, amend or discharge the contract TSIRC2021-07-5572; and**
  - **Power to negotiate, finalise and execute all matters associated with or in relation to this projects and contract including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.**

**The motion was put on the table – no one moved or second - MOTION LOST**

**ITEM LEFT LYING ON THE TABLE FOR FUTHER INFORMATION TO BE PROVIDED.**

21. **5:20pm – 5:22pm**

**Closing Remarks and Prayer**

Deputy Mayor Lui thanked the Acting Chief Executive Officer and staff and fellow Councillors for their attendance and contribution and invited Cr Levi to close the meeting in prayer.

**MEETING CLOSED – 5:22pm**

**Thursday 18<sup>th</sup> March 2021**

**Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torengo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Laurie Nona, Division 5 – Badu  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Jimmy Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Poruma)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Ms Rachel Pierce, Acting Chief Operating Officer (ACOO) (TI)  
Ms Julia Maurus, Manager Legal Services (MLS) (from home)  
Ms Ursula Nai, Senior Executive Assistant (SEA)(Poruma)  
Mrs Kathy Cochran – Secretariat Officer (SO) (Cairns)

**Apologies**

Cr Keith Fell, Division 4 – Mabuiag  
Cr Rocky Stephen, Division 13 – Ugar

**COUNCIL ORDINARY MEETING**  
**Thursday 18<sup>th</sup> March 2021**  
**Agenda Items**

**22.      9:00am – 9:05am                              Welcome and opening prayer.**

Mayor Mosby welcomed everyone back and gave thanks and acknowledgements to Papa God, Traditional Owners across our region of Zenadth Kes and in the Cairns Region. Mayor thanked Deputy Mayor for chairing the meeting yesterday in his absence and invited Cr Elisala to open the meeting in prayer.

**23.      9:05am – 9:36am                              CORPORATE – Community Grants – Regional Grants Allocations**

Chief Financial Officer, Ms Hollie Faithfull spoke to the report and informed Council, Cr Nona did not support the Ballimore Broncos application, however he is in support of assisting if the application was for accommodation.

**9:09am** – Cr Tabuai joined the meeting. Mayor Mosby encouraged Councillors to declare if they have a conflict of interest at any time during the meeting. No declaration made.

**9:19am** – Cr Toby joined the meeting. Cr Tamu asked about an application from his Division. CFO to take offline with Cr Tamu.

Cr Tabuai asked for information regarding the Community grants go out to the community.

**ACTION:** Team Leader – Service Delivery to circulate to each Division, information for more community awareness on Community grants and the process.

**Application 1 – Elijah Tabernacle**

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Elisala

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

**Application 1:**

- Elijah Tabernacle for the eligible amount of \$10,000.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 2 - Poruma Mens & Ladies Volleyball Teams**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Pearson

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

**Application 2:**

- Poruma Mens & Ladies Volleyball Teams for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 3 – Badu Touch Team**

**RESOLUTION:**

*Moved:* Cr Pearson; *Second:* Cr Trinkoon

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

**Application 3:**

- Badu Touch Team for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 4 – Thaiwa Volleyball Team**

**RESOLUTION:**

*Moved:* Cr Trinkoon; *Second:* Cr Levi

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

**Application 4:**

- Thaiwa Volleyball Team for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 5 – Anthony David**

**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Tabuai

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

**Application 5:**

- Anthony David for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**Application 6 – Boigu Island Dance Team**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Tabuai

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

**Application 6:**

- Boigu Island Dance Team for the eligible amount of \$5,000.00 exclusive of GST (plus in-kind assistance to the value of \$1,043.00 – approval pending), as per the submitted application.

**MOTION CARRIED**

## **Application 7 – Ballimore Broncos**

### **MOTION:**

*Moved:* Cr Gela; *Second:* Cr Pearson

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

#### **Application 6:**

- **Ballimore Broncos for the eligible amount of \$2,370.50 exclusive of GST, as per the submitted application.**

**Cr Gela and Cr Pearson rescinded their motion. Council had further discussions. Motion put back on the table, no mover or seconder – motion lost.**

**MOTION LOST**

**9:30am** – Cr Dorante joined the meeting.

**24. 9:36am – 9:25am**

### **CORPORATE – Contractual – Extension of Register of Pre-qualified Suppliers**

Chief Financial Officer, Ms Hollie Faithfull spoke to the report. Cr Tabuai asked how someone can become a prequalified supplier and Cr Toby commented, we should be empowering our people in the Region.

### **RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Tamu

**That Council resolves to;**

- 1. Extend TSIRC 2019-208 Register of Pre-qualified Suppliers for Trade Services for one year and**
- 2. Extend TSRIC 2019 -209 Register of Pre-qualified Suppliers for Goods, Services and Materials for one year and**
- 3. Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to:**
  - a. Approve, finalise, and execute any and all matters in relation these extensions; and**
  - b. Make, amend, or discharge contract TSIRC 2019-208 Register of Pre-qualified Suppliers for Trade Services and contract TSRIC 2019-209 Register of Prequalified Suppliers for Goods, Services and Materials; and**
  - c. Negotiate, finalise, and execute any and all matters associated with or in relation to registers including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.**

**MOTION CARRIED**

**ACTION: CFO to provide Councillors a full list of the Pre-Qualified suppliers.**

**9:56am** – Cr Hilda Mosby joined the meeting.

25. **10:00am – 10:10am** **BUILDING – Contractual Matter – 112 Sadi Village, Erub**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

**RESOLUTION:**

*Moved:* Cr Gela; *Second:* Cr Noah

**Council resolves to:**

1. **Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 112 Sadi Village, Erub Island (WS154466) with a tender price of 246,759.00 excl of GST; and**
2. **delegate 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.**

**MOTION CARRIED**

**ACTION:** Provide feedback to Council in a report on whether TSIRC have been successful with the tenders.

26. **9:45am – 9:55am** **BUILDING – Contractual Matter – 62 Mualgal Street, Kubin**

Acting Chief Operating Officer, Ms Rachel Pierce spoke to the report.

**RESOLUTION:**

*Moved:* Cr Noah; *Second:* Cr Levi

**Council resolves to:**

1. **Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 62 Mualgau Street, Kubin Island (WS154978) with a tender price of \$270,010.00 excl of GST; and**
2. **delegate 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.**

**MOTION CARRIED**

27. **10:15am – 10:31am** **LEGAL – Amending Subordinate Local Law 4**

Manager Legal Services, Ms Julia Maurus spoke to the report.

**ACTION:** MLS to add a report on dumping things at dump sites and to put through the Housing and Safe and Healthy Communities Committee for review.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Levi

1. **That pursuant to section 28(1) of the Local Government Act 2009 (Qld), Council resolve to make Amending Subordinate Local Law No. 1 (Waste Management) 2021.**

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Gela

2. **That pursuant to section 32(1) of the Local Government Act 2009 (Qld), Council resolve to make Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2019 consolidated version no.1 as in force on 1 July 2021.**

**MOTION CARRIED**

28. **10:31am – 10:15am**

**LEGAL – Delegation Register Update**

Manager Legal Services, Ms Julia Maurus spoke to this report. Mayor Mosby commented to take advantage of the Sub Committees.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Pearson

1. That under section 257 of the Local Government Act 2009, Council delegate to the Chief Executive Officer the exercise of the following powers, and these powers must be exercised subject to Ailan Kustom and any limitations contained in Schedule 2 of the corresponding attached Instruments of Delegation:

Statutory Instrument:	The powers delegated are contained in Schedule 1 of the Instrument of Delegation attached to this report as:
Public Health (Infection Control for Personal Appearance Services) Act 2003 (PHIC)	Attachment 1
Plumbing and Drainage Act 2018 (PLDA)	Attachment 2
Plumbing and Drainage Regulation 2019 (PLDR)	Attachment 3
Public Health Act 2005 (PUHA)	Attachment 4
Water Act 2000 (WATA)	Attachment 5
Waste Reduction and Recycling Act 2011 (WRRRA)	Attachment 6

29. **10:33am – 11:15am**

**PRESENTATION 2:** Torres Strait Marine Safety Program evaluation  
May 2021 - Mr Angus Mitchell, General Manager MSQ, Mr David Ferguson, Cairns Regional Harbour Master, Department of Transport and Main Roads – MSQ and Mr Anthony Dorante – MSQ TI

**10:43pm** – Cr Stephen joined the meeting.

30. **11:15am – 11:49am**

**PRESENTATION 3:** Lone Star Production Group - Mr Aaron Faaso

**RESOLUTION:**

Moved: Cr Noah; Second: Cr Nona

**That Council provide its approval to Lone Star Production Group, in partnership with the Australian Film Television Radio School (AFTRS) to engage and consult with the Zenadth Kes Island communities, subject to compliance with visitor protocol requirements for each visit:**

- a. **to develop a regional Zenadth Kes media and skills audit document, and a media scoping strategy for the AFTRS;**
- b. **to identify and develop a best-practice strategy to partner the Zenadth Kes stakeholders and communities to identify talent and deliver culturally appropriate film, television, radio, and digital media courses and to establish an AFTRS footprint to improve the overall media capacity and infrastructure in the Zenadth Kes Region;**
- c. **to assist the region to create and develop its film, television, radio and digital media industry, capacity, and infrastructure in order to foster training, employment, and career opportunities for our people; and**
- d. **to improve the overall accessibility, engagement, and visibility of our people across the media industry landscape.**

**MOTION CARRIED**

Mayor Mosby reiterated the need for everyone to always follow the visitor's protocol on the website.

Cr Noah suggested the Cultural Arts, Land, and Heritage Standing Committee to monitor this space closely.

**LUNCH – 11:49pm – 12:50pm**

Secretariat conducted a roll call to establish quorum. All staff and Councillors present except Cr Fell (apology).

31. **1:09pm – 1:30pm**

**PRESENTATION 4:** Mr Terrance Whap, Mr Sam Joe and Mr Simi Guise – Fuel Contamination on the island.

**Each community member raised the following concerns that have either impacted themselves individually and or other community members not only on Mabuiag but the wider Western islands;**

- **Safety issues for families and individuals when engines breakdown especially at sea.**
- **Financial and economic effect on livelihood and lifestyle**
- **Health and safety issues for TSIRC workers with no suitable PPE when handling fuel**
- **Facility that is accessible 24hr – crayfishing industry dependant on fuel at Mabuiag, as it is the main area for crayfishing and central to the western islands.**

**Questions:**

1. **Compensation for vehicles and outboard motors affected by contaminated fuel.**
2. **Suitable 24hr reliable facility or structure that addresses the health and safety of TSIRC staff handling fuel and community members accessing the service.**
3. **Undertaking to explore the contaminated fuel issue and doing something to fix the issue.**
4. **Support our local cray fishing industry with providing a reliable uncontaminated fuel supply.**



Mayor Mosby and Acting CEO, Mr Ilario Sabatino, both thanked the community members for their deputation and assured them Council is in the process of rectifying the fuel issue on Mabuiag and the wider Torres Strait Region and bringing our facilities up to WHS standard for all our community members.

**ACTION:** Manager, Strategic Projects, and Logistics to make contact with Mr Terrence Whap to discuss his question offline.

32. **1:38pm – 1:44pm** **PRESENTATION 5:** Mr John Repu – Small Business

Mr Repu was encouraged to speak with Division 4 – Divisional Manager in regard to being a preferred supplier with Council.

**ACTION:** Acting Chief Operating Officer will have a staff member contact Mr Repu regarding the process.

33. **1:44pm – 2:08pm** **PRESENTATION 6:** Ms Flora Warrior – Safe Community – Lighting, Funeral Fund and Unmaintained Service Areas and vacant lots.

Acting Chief Executive Officer, Mr Ilario Sabatino read out the written deputation that was submitted by Ms Warrior for Council's attention and/or action. Ms Warrior raised four (3) points;

1. Lighting for Safe Community
2. Incorrect labelling of Funeral Funds
3. Unmaintained Service areas and vacant Lots

**ACTION:** Chief Engineer to respond to and address point 1 and 3 – follow up to confirm who is responsible and scope on what to do. Possibly action with minister (announcement of Foreign Affairs Minister Dutton on Safe communities).

**ACTION:** Finance department to further investigate funds on hold, details of payments – point 2.

**ACTION:** Manager Legal Services to contact Cr Fell and inform him of the freeze to the funds – point 2.

– Cr Noah excused himself to attend an urgent community matter and left the room.

**2:11pm**

**AFTERNOON TEA – 2:15pm – 2:28pm**

Secretariat conducted a roll call to establish quorum. All staff and Councillors present except Cr Fell and Cr Noah.

34. **2:30pm – 2:32pm** **Confirmation of March 2021 Special Meeting Minutes**

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Gela

**That the Minutes of the Council Special Meeting held on 11<sup>th</sup> March 2021 via video conference, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

35. 2:32pm – 3:30pm

Project Recommendations – 2021-24 Works for Queensland Program

Chief Financial Officer spoke to this report. Council had a robust discussion around the four options on the table.

**RESOLUTION:**

*Moved:* Cr Lui; *Second:* Cr Nona

**That council resolves to endorse;**

- The proposed project scope as per option 4, recommendations for the Works for Queensland 2021-24 funding program, and
- 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 funding application.

Cr Nona raised concerns regarding the Badu Island gazebo and wishes to withdraw from seconding the motion.

Cr Toby seconded the motion and further stressed the need to consult with the community.

**MOTION CARRIED**

**Against: Cr Nona**

36. 3:34pm – 4:00pm

Standing Agenda items

- Monthly Financial Report

Chief Financial Officer spoke to the report.

**RESOLUTION:**

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

**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 28 February 2021 as required under Section 204 Local Government Regulation 2012.**

**MOTION CARRIED**

**ACTION:** Chief Financial Officer – applied category included in the report.

37. 4:00pm – 4:01pm

Business Arising from Information Reports

Cr Lui raised Capital Work. BSU Interim capital delivery – scoping only being done.

38. 4:01pm – 4:06pm

Next Meeting Date – 20 & 21 April 2021 – Video Conference

Council confirmed 20 & 21 April 2021 as meeting date for the April Ordinary Meeting being held via video conference.

39. 4:06pm – 4:50pm

Strategic Matters

Manager Legal Service updated Council on the funeral funds issue raised by Miss Flora Warrior's written deputation. This matter was previously investigated, and a previous Chief Executive Officer closed the matter. No evidence to substantiate, no supporting evidence. No claim by PBC. Flora not a representative of the PBC. Recommend to continue and proceed to make payment and formally respond to Ms Warrior.

**ACTION:** Response from the Office of the CEO to Ms Warrior regarding the Funeral Funds.

Cr Lui asked for a Notice to go out to all Divisions on the next QPS visit for driver's licence.

**ACTION:** Acting Chief Operating Officer to action notices going out in Division on QPS next visit for drivers' licences.

Cr Stephen mentioned the increase in COVID cases in PNG and the Premier raising concerns. Cr Lui suggested we keep the border closed and a strong presence on the border to remain. With our current housing crisis an outbreak will be impossible to control and for the Mayor to do a media release.

40. **4:30pm – 4:48pm**

**COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Pearson

That in accordance with section 254J of the *Local Government Regulation 2012 (Qld)* it is resolved for the meeting to go into closed session to discuss matters of the following nature:

b) industrial matters affecting employees;

(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;

**MOTION CARRIED**

- Industrial Matter

**4:31pm** – Secretariat officer left the meeting.

41. **4:48 pm – 4:48pm**

**COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Nona

That Council move out of closed business.

**MOTION CARRIED**

42. **4:48pm – 5:00pm**

**Closing Remarks and Prayer**

Mayor Mosby thanked Councillors and staff for their attendance and contribution and closed the meeting in prayer.

**MEETING CLOSED – 5:00pm**

.....  
**Mr Ilario Sabatino**  
**Acting Chief Executive Officer**  
**Torres Strait Island Regional Council**  
**22<sup>nd</sup> April 2021**

.....  
**Mr Phillemon Mosby**  
**Mayor**  
**Torres Strait Island Regional Council**  
**22<sup>nd</sup> April 2021**



# MINUTES

TORRES STRAIT ISLAND REGIONAL COUNCIL

APRIL 2021

Wednesday 21<sup>st</sup> April 2021, 9:00am – 5:00pm

Thursday 22<sup>nd</sup> April 2021, 9:00am – 12:30pm

Video Conference

## **Present**

Cr Phillemon Mosby, Mayor (Poruma) – Thursday Island  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri  
Cr Getano Lui Jnr, Division 9 – Iama (Thursday Island)  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 – Ugar  
Cr Jimmy Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Hammond Island)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Mr Dawson Sailor, Acting Chief Operating Officer (ACOO)(Warraber)  
Mr Peter Krebs, Senior Legal Counsel (Thursday Island)  
Ms Julia Maurus, Manager Legal Services (MLS) (Cairns)  
Ms Ursula Nai, Senior Executive Assistant (SEA) (Thursday Island)  
Ms Naila Nomoa, Acting Secretariat (Thursday Island)

## **Apologies**

Cr Laurie Nona, Division 5 – Badu

**COUNCIL ORDINARY MEETING**  
**Wednesday 21<sup>st</sup> April 2021**  
**Agenda Items**

**1.      09:10am – 09:15am                              Welcome and Opening Remarks**

Mayor Mosby welcomed Councillors and Staff to TSIRC April Ordinary Council meeting, acknowledging our Heavenly Father for his wisdom, knowledge and understanding upon our lives, his favour and blessing upon Councillors and their families, staff, and our People across Zenadth Kes.

Mayor Mosby acknowledge traditional lands and landowners throughout the length and breadth of Zenadth Kes and the respective divisional officers, Cairns Office, Thursday Island office and where Councillors and staff are dialling in from.

Mayor Mosby invited Cr Levi to open with a word of prayer.

Councillors and Staff observed a minute silence for our families who are grieving for their loss of their loved ones.

**2.      09:15am – 09:33am                              Apologies**

- Cr Nona- Medical reasons

**RESOLUTION:**

Moved: Cr John Levi; Second: Cr Conwell Tabuai  
That Council accepts the apology of Cr Nona due medical reason.

**MOTION CARRIED**

- Cr Toby apologies - 22<sup>nd</sup> April (Day 2 meeting) left lying on the table as the Senior Legal Counsel will investigate if this apology meets the criteria in the policy.

**3.      09:33am – 09:39am                              Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

- Cr Seriako Dorante declared a declarable conflict of interest for Agenda Item 7 – SeaSwift Dispute. Cr Dorante is an employee of SeaSwift Dispute – SeaSwift Employee
- Mayor Phillemon Mosby declared a declarable conflict of interest for Agenda Item 8 – CLOSED BUSINESS Industrial Relations Matter  
Mayor Mosby was a previous employee of TSIRC.
- Cr Conwell Tabuai declared a declarable conflict of interest for Agenda Item 8 – CLOSED BUSINESS – Industrial Relations Matter.  
Cr Tabuai was a previous employee of TSIRC
- Cr Keith Fell declared a declarable conflict of interest for Agenda Item 8 – CLOSED BUSINESS – Industrial Relations Matter.  
Cr Fell was a previous employee of TSIRC and a Councillor for the past three terms.

**4.      09:39am – 09:39am                              Confirmation of Meeting Minutes**

- 17<sup>th</sup> and 18<sup>th</sup> March 2021 – adjourned until May Ordinary Meeting

**5.      09:39am – 09:39am                              Outstanding Ordinary Meeting Action Items**

**Adjourned until May Ordinary Meeting**

6. 09:40am – 09:40am COUNCIL MOVE INTO CLOSED BUSINESS

Moved: Cr Jimmy Gela, Second: Cr Aven Noah

That in accordance with section 254J of the *Local Government Regulation 2012* (Qld) it is resolved for the meeting to go into closed session to discuss matters of the following nature:

(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

(h) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local Government

MOTION CARRIED

7.	<u>9:40am – 10:03am</u>	<u>FINANCE – CB – Industrial Relations Matte</u>
8.	<u>10:03am – 10:38am</u>	<u>MAYOR – CB – Industrial Matter – Late</u>
9.	<u>10:38am – 11:32am</u>	<u>MAYOR – CB – Industrial Matter – Late</u>
10.	<u>11:32am – 11:38am</u>	<u>BSU – CB – Contractual Matter – 11 School Road, Badu</u>
11.	<u>11:38am – 12:15pm</u>	<u>BSU – CB – Contractual Matter – 24 Main Street, St Pauls</u>

12. 12:15pm – 12:15pm COUNCIL MOVE OUT OF CLOSED BUSINESS

RESOLUTION:

Moved: Cr Noah Second: Cr Elisala

That Council move out of Closed Business.

MOTION CARRIED

10:38am – Cr Hilda Mosby joined Meeting

ACTION: Head of Building Services to Workshop Tender process in May Workshop 2021 or another ordinary meeting if time permits.

7. FINANCE – CB – Industrial Relations Matter

Chief Finance officer spoke to this report.

RESOLUTION:

Moved: Cr Aven Noah, Second: Cr Jimmy Gela

Council resolves to

(a) make the payments to the Affected Employees, for the reasons, and on the terms, considered by Council during the closed session of this meeting; an

(b) make any payment to a relevant body as required or allowed by law if payment cannot be made to an Affected Employee; and

(c) delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to liaise with employees and otherwise give effect to item (a) and (b) of this resolution.

MOTION CARRIED

8. MAYOR – CB – Industrial Matter – Late

Chief Finance officer reads resolution.

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Lama Trinkoon

Council resolves:

a) to confirm that Ilario Sabatino's appointment as Council's Acting Chief Executive Officer ends on 23 April 2021;

(b) pursuant to section 195 of the *Local Government Act 2009*, to appoint David Baldwin as Council's Acting Chief Executive Officer for the period commencing 24 April 2021 until further resolution of Council ending David Baldwin's appointment as Acting Chief Executive Officer or such time as a permanent Chief Executive Officer is appointed by Council;

(c) to delegate to the Mayor the power to negotiate and finalise a suitable higher duties arrangement with Mr Baldwin for the period in which Mr Baldwin is acting as Council's Chief Executive Officer.

MOTION CARRIED



**9. MAYOR – CB – Industrial Matter – Late**

Chief Finance officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Rocky Stephen; *Second:* Cr Aven Noah

**Council resolves to delegate to the Mayor the power to:**

- (a) initiate a recruitment and selection process for the appointment of a permanent Chief Executive Officer;
- (b) brief consultants to commence the recruitment process and provide advice in relation to the recruitment process;
- (c) appoint a selection panel, whose role will be to shortlist and interview candidates and provide a recommendation to Council about the appointment of a qualified person to be its Chief Executive Officer pursuant to section 194(1) of the *Local Government Act 2009*.

**MOTION CARRIED**

**10. BSU – CB – Contractual Matter – 11 School Road, Badu**

Head of Building Services spoke to this report.

**Resolution:**

*Moved:* Cr Jimmy Gela, *Second:* Cr Francis Pearson

**Council resolves to:**

- 1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 11 School Road, Badu Island (WS155543) with a tender price of \$251,849.00 excl of GST and
- 2. delegate 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.

**MOTION CARRIED**

**11. BSU – CB – Contractual Matter – 24 Main Street, St Pauls**

Head of Building Services spoke to report.

**RESOLUTION:**

*Moved:* Cr Getano Lui; *Second:* Cr Aven Noah

**That Council Award contract TSIRC2021-07-5572 – Upgrade Works to 24 Main Street, St Pauls, to Robert Clarke Builders for \$241,100 excluding GST. and Pursuant to Section 257 of the *Local Government Act 2009*, Council delegates to the Chief Executive Officer:**

- o power to make, amend or discharge the contract TSIRC2021-07-5572; and
- o power to negotiate, finalise and execute all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's Procurement and Ethical Sourcing Policy.

**MOTION CARRIED**

**AGAINST - Cr Keith Fell and Cr John Levi**

**LUNCH 12:30pm – 1:30pm**

**13. 1:43pm – 1:56pm**

**BSU – Interim Remote Capital Program - Variation to Funding Agreement**

Head of Building services unit spoke to Report.

**RESOLUTION:**

*Moved:* Cr Torenzo Elisala; *Second:* Cr Jimmy Gela

**Council resolves to:**

- 1. Build 5/7 plug-ins only, and the 2 excluded are those allocated to Badu, under the \$2.35M Interim capital program.

**and**

- 2. Build the 2 plug-ins allocated under the Rural and remote program at Badu.

**And**

- 3. Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to enter into contract, negotiate, finalise, and execute any and all matters associated with or in relation to \$2.35M Interim capital program funding agreement, including any further variations to allow for extensions of time or increase in funding.

**MOTION CARRIED**

14. **1:56pm – 2:03pm** **COMMUNITY SERVICES – Removal of Donga, 95 Egriu Village Erub**

Acting Chief Executive Officer spoke to this report on behalf of the acting Chief Operating Officer.

Cr Lui declared – COI as he is related to the owner/operator of Strait Support. Cr Lui left the room

**RESOLUTION:**

*Moved:* Cr Jimmy Gela; *Second:* Cr Francis Pearson

**Council resolves to:**

- request Department of Communities, Housing & Digital Economy (DCHDE) remove and demolish the donga at Lot 95 Egriu Village, Erub

And

- Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to this matter.

**MOTION CARRIED**

15. **2:03pm – 2:29pm** **CORPORATE – Community Grants**

The Chief Financial officer spoke to this report. The Chief Financial Officer advised that although Cr Nona is an apology for today's council meeting, he had sent an email declaring his conflict of interest regarding Sophie Nona's application as they are related.

**RESOLUTION:**

*Moved:* Cr Kabay Tamu, *Second:* Cr Francis Pearson

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Serub Serub Nar Racing Club for the eligible amount of \$1,978.75 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr John Levi

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Badu United Team for the eligible amount of \$1772.31 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Jimmy Gela, *Second:* Cr Conwell Tabuai

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Masigal Gal Community for the eligible amount of \$9,372.72 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Francis Pearson; *Second:* Cr Aven Noah

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Norita Kris for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Torenzo Elisala; *Second:* Cr John Levi

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Dhadhin Geai Warriors & Sports for the eligible amount of \$5029.12 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Hilda Mosby; *Second:* Cr John Levi

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Sophie Nona for the eligible amount of \$632.72 exclusive of GST (plus in-kind assistance to the value of \$1,043.00 – approval pending), as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Francis Pearson; *Second:* Cr Hilda Mosby

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Erub Arts for the eligible amount of \$7,985.10 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Kabay Tamu; *Second:* Cr Jimmy Gela

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Mui Kuzi Touch Football Team for the eligible amount of \$9,522.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Torenzo Elisala; *Second:* Cr Aven Noah

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- Melita Hosea for the eligible amount of \$1772.31 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

**RESOLUTION:**

*Moved:* Cr Kabay Tamu; *Second:* Cr Rocky Stephen

**Council resolved to allocate Community Grants Program funding to the following applicant in accordance with the Community Grants Policy:**

- St Pauls Anglican Church for the eligible amount of \$1,000.00 exclusive of GST, as per the submitted application.

**MOTION CARRIED**

16. **2:29pm – 2:35pm**

**CORPORATE – Public Interest Disclosure Policy and Management Program**

The Chief Financial Officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Torenzo Elisala; *Second:* Cr John Levi

**Council resolves to;**

**adopt the Public Interest Disclosure Policy and Management Program and**

**delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make further minor administrative amendments as they arise.**

**MOTION CARRIED**

17. 2:35pm – 2:41pm CORPORATE – Ugar Community Safe Access – Deed of Variation

The Chief Financial Officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Rocky Stephen; *Second:* Cr Torenzo Elisala

**Council resolves to:**

endorse the proposed amendments to the original Funding Agreement for Ugar Community Safe Access, by the sum of \$180,000.00 excluding GST, and the extended time period within the terms and conditions contained in the Deed.

and

Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009*:

- power to make, amend or discharge the Deed of Variation relating to the Ugar Community Safe Access funding agreement; and
- power to negotiate, finalise and execute any and all matters associated with or in relation to this project and agreement including without limitation any options and/or variations.

**MOTION CARRIED**

18. 2:41pm – 2:54pm CORPORATE – Enterprise Risk Management Guidelines Document - **Late**

The Chief Financial officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Jimmy Gela

**That Council adopts the Enterprise Risk Management Guidelines**

**MOTION CARRIED**

19. 2:54pm – 3:13pm CORPORATE – Policies Update – **Late**

The Chief Financial officer spoke to this report.

There was a discussion on the Audit Policy with the Chief Financial Officer noting there was a Council resolution back in 2019 stating the Chair of the Audit Committee is Mr Eric Muir and the Deputy Chair is Mr Paul Shipperley, and they were contracted for 2 years which will expire this year.

A discussion was held on the Conflict-of-Interest Policy and it was recommended that Conflict of interest should sit under Governance. I was also discussed that Conflicts of Interest will be completed annual whether a Staff or Councillors has a conflict or not.

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Francis Pearson

**Council resolves to:**

1. Endorse the following Torres Strait Island Regional Council policies:

- Advertising Spending Policy
- Conflict of Interest Policy
- Audit Policy

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 endorsed policies, including the power to make any further minor administrative amendments to the policies as they arise.

**MOTION CARRIED**

**AFTERNOON TEA 3:13pm – 3:27pm**

20. 3:29pm – 3:34pm CORPORATE – National Voice Proposal – **Late**

The Chief Financial officer spoke to this report.

An email has been sent to all Councillors for feedback. The submission date is the 31<sup>st</sup> April 2021. This paper will be discussed on Day 2 of the Council meeting.

**ITEM LEFT LAYING ON THE TABLE**

21. **3:34pm – 4:03pm** **ENGINEERING – LDMG Membership**

The Chief of Engineer spoke to this Report and provided an update of the current LDMG Membership and the proposed changes. Cr. Fell requested this Agenda item be added to the Housing and Safe and Healthy Communities Committee as a Standing Agenda Item.

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Keith Fell

**Council Resolves to:**

**Subject to the commencement of engagement by TSIRC Mayor and CEO with TSC in relation to the proposed disestablishment to the TSLDMG, as per resolution made at the May 2020 Ordinary Meeting.**

- **Engage with identified stakeholders to seek the formation of membership and advisors of the proposed TSIRC LDMG as outlined in this report.**

**and**

- **Delegate the CEO to undertake engagement with proposed members and advisors to the proposed TSIRC LDMG, and undertake other administrative matters relating to the formation of a stand-alone TSIRC LDMG.**

**MOTION CARRIED**

22. **4:03pm – 4:10pm** **Closing Remarks**

Cr Dimas Toby raised his apologies for Day 2 of the Council Meeting due to other board commitments. After discussion with the Senior Legal Counsel officer Mayor Mosby accepted the Apology for Cr Toby for 22<sup>nd</sup> of April 2021 however notes that Sitting Fee's will not be paid as per policy.

Cr Keith Fell requested sitting fees be paid prior to 5pm however Chief Financial Officer advised that as per policy the fees are unable to be paid until the meeting has closed on the second day.

Mayor Mosby invited Cr Keith Fell to close in a word of prayer.

**MEETING CLOSED – 4:10pm**

## **Present**

Cr Phillemon Mosby, Mayor (Poruma) -  
Cr Torengo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag -  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island -  
Cr Seriako Dorante, Division 8 – Kirriri -  
Cr Getano Lui Jnr, Division 9 – Iama -  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma -  
Cr Hilda Mosby, Division 12 – Masig -  
Cr Rocky Stephen, Division 13 – Ugar -  
Cr Jimmy Gela, Division 14 – Erub -  
Cr Aven Noah, Division 15 – Mer -

Mr Ilario Sabatino, Acting Chief Executive Officer (ACEO) (Hammond)  
Ms Hollie Faithfull, Chief Financial Officer (CFO) (Cairns)  
Dawson Sailor, Acting Chief Operating Officer (Warraber)  
Mr David Baldwin, Chief Engineer (CE) (Cairns)  
Mr Peter Krebs, Senior Legal Counsel (Thursday Island Office)  
Ms Ursula Nai, Senior Executive Assistant (SEA) (Thursday Island)  
Ms Naila Nomoa, Travel Officer (TO) (Thursday Island)

## **Apologies**

Cr Dimas Toby, Division 1 – Boigu  
Cr Laurie Nona, Division 5 – Badu

**COUNCIL ORDINARY MEETING**  
**Wednesday 21<sup>st</sup> April 2021**  
**Agenda Items**

**1. 9:03am – 9:10am**

**Welcome and opening prayer.**

Mayor Mosby welcome Councillors, Staff and acknowledged Traditional landowners throughout the length and breadth of Zenadth Kes.

Mayor Mosby invited Cr Pearson to open with a word of prayer.

**2. 9:10am – 9:40am**

**Deputation 1 – Gina Bin Juda – Social Justice Interagency Services**

Ms Gina Bin Juda discussed the Social Just Interagency Services and the Draft “Keeping community safe plan”. Mayor Mosby requested a copy of the plan and for this to be placed on the next SARG Agenda. It was recommended that the Social Justice Interagency Service work closely with Cr. Keith Fell to provide recommendations to SARG Committee.

**ACTION:** Secretariat to add Keeping Community Safe Plan onto the next SARG Agenda.

**3. 9:41am – 9:41am**

**COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Kabay Tamu; *Second:* Cr Conwell Tabuai

That in accordance with section 254J of the *Local Government Regulation 2012 (Qld)* it is resolved for the meeting to go into closed session to discuss matters of the following nature:

- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;
- (h) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local Government

Cr Seriako Dorante declared and prescribed conflict of interest as he is an employee of SeaSwift and left the room at 9:43am

**4. 9:41am – 10:39am**

**LEGAL-CB-Delegation- Sea Swift Dispute**

**5. 10:39am – 10:40am**

**COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Jimmy Gela

That Council move out of Closed Business.

**MOTION CARRIED**

**4. LEGAL-CB-Delegation- SeaSwift Dispute**

**RESOLUTION:**

*Moved:* Cr Getano Lui; *Second:* Cr Rocky Stephen

1. That under section 257 of the Local Government Act 2009, Council empower the Chief Executive Officer to: a. decide to enter into any litigation funding agreement to pursue Council's interest in this dispute;

b. negotiate, execute, discharge, amend and renew any such litigation funding agreement, as the Chief Executive Officer considers appropriate taking into account any advice from Clyde & Co

c. decide to enter into any client costs agreement with Clyde & Co to pursue Council's interest in this dispute;

d. negotiate, execute, discharge, amend and renew any such client costs agreement with Clyde & Co, as the Chief Executive Officer considers appropriate;

e. provide instructions to Clyde & Co in the litigation of the dispute, including in respect of any settlement negotiations.

2. Council directs the Chief Executive Officer to report periodically to Council on the progress of the matter.

**MOTION CARRIED**

10:39am - Cr. Seriako Dorante returned to meeting.

**MORNING TEA – 10:40am – 10:48am**

**6. 11:00am – 11:08am OCEO- Change to May 2021 Ordinary Meeting Dates**

The Acting Chief Executive Officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Lama Trinkoon; *Second:* Cr Torenzo Elisala

**That Council change the dates for Council's May Ordinary Meeting to Monday 24<sup>th</sup> and Tuesday 25<sup>th</sup> May 2021, and confirm Cairns as the location for the meeting.**

**MOTION CARRIED**

**7. 11:08am – 11:36am Standing Agenda Item:**

**• Monthly Financial Report**

The Chief Finance officer spoke to report.

**RESOLUTION:**

*Moved:* Cr Aven Noah; *Second:* Cr Francis Pearson

**That Council Note this report.**

**MOTION CARRIED**

**8. 11:36am – 11:45am CORPORATE – National Voice Proposal – Late**

The Chief Finance officer spoke to report.

Cr Lui spoke about the conclusion our voice and added a number of suggestions. The final Draft will be sent to the Mayor for review prior to submission date of 31<sup>st</sup> of April 2021.

**ACTION:** Chief Financial Officer to send through final draft to Mayor Mosby for review prior to submission date of 31<sup>st</sup> April 2021

**9. 11:45am – 11:56am LEGAL – Complaint Management Policy Review – Late**

Senior Legal Counsel spoke to this report.

**RESOLUTION:**

*Moved:* Cr Rocky Stephen; *Second:* Cr Francis Pearson

**That Council endorse the updated SP09 Complaint Management Policy, as presented.**

**MOTION CARRIED**

**10. 11:56am – 12:09pm LEGAL- Strait Support, Erub**

The following Councillors declared COI and left the room at 12:08pm. Cr Lui

- Cr Noah – COI – Family member
- Cr Stephen – COI – Family member
- Cr Gela - COI – Family Member

The Senior Legal Counsel spoke to this report.

**RESOLUTION:**

*Moved:* Second:

**That Council resolve to;**

- **A waiver of commercial licensing agreement (at adopted General storage use rates) with Strait Support at Lot 91 Builders Shed, Erub totalling \$12,972.00 for six months occupancy between 1 July to 31 December 2019 is approved/not approved.**

**MOTION LOST**

**11. 12:09pm – 11:50 Business Arising from Information Reports**

The Acting Chief Engineer spoke to Engineering Information Reports.

Cr Fell would like sea rescue's to be included in monthly information reports

**ACTION:** Chief Engineer to include sea rescues in monthly information reports.



Cr Hilda Mosby raised concerns on the accuracy of information reports coming to Council especially in regard to the information on Masig Airport as the report does not reflect what is happening on ground.

Cr Getano Lui would like to see all report template to be standard, and the information reports provided to checked on ground so that what is happening on the ground is accuracy reflected in the information reports.

Cr Francis Pearson raised the Poruma Airport fence as being damaged.

**ACTION:** Chief Engineer to follow up offline on Cr. Mosby's concerns regarding the airport on Masig and Cr. Francis Pearson concerns regarding the Poruma Airport fence.

Cr Seriako Dorante met with Engineering Team on their recent trip to Hammond Island and discussed

- Roads (Potholes)
- Drain not cleaned out.
- Engineering does have a backhoe and a tractor on ground, staff training required to operate the machines.

The Acting Chief Operating officer spoke to information report.

Cr Getano Lui raised concerns about Indigenous Knowledge Centres and would like an information report to be presented to Council at the next Ordinary Meeting.

**ACTION:** Chief Operating officer to follow-up different programmes provided by the Indigenous Knowledge Centres and provide a status on Indigenous Knowledge Centres on each division.

Acting Chief Operation Officer spoke to their information report.

Cr Getano Lui raised concerns that the pallets that the fuel drums are put on do not correct align and the pallets do not fit.

**ACTION:** Chief Engineer to follow-up the pallet sizing of the fuel drums and confirm sizing at the next Ordinary Meeting.

Mayor Mosby discussed the Fuel health and safety issue and Financial risk to council. The Chief Finance Officer spoke on the Fuel (Catastrophic Risk).

**ACTION:** Chief Operating Officer to provide a total costing of removing the fuel drums from the remaining islands that have bowsers.

**ACTION:** Chief Operating Officer to email the stage 1 plan on the Fuel Safety completed by the Healthy and Safety officer to all Councillors.

**ACTION:** Chief Operating Officer to provide update to Council on project plan for fuel bowsers at the next Ordinary Meeting.

Cr Conwell Tabuai advised as per information report the temporary fuel shed on Saibai is due to finish by the end of April but there is no progress on ground.

**ACTION:** Chief Operating Officer to investigate the timeline of the temporary fuel shed on Saibai and advise Cr. Conwell Tabuai via email on the status.

Cr Keith Fell asked if Consultations could be involved as a committee, standing committee or SARG. This advice was provided to Cr. Keith Fell.

Moved: Cr Aven Noah, Second: Cr Conwell Tabuai

**That Council note all information reports.**

**MOTION CARRIED**

**12. 11:50am – 1:14pm Strategic Matters**

Cr Lui raised a late agenda item as a Community Grant. A robust discussion was held with involvement of the Senior Legal Counsel and Chief Financial Officer on the eligibility of the Community Grants and the timeline for applications to be submitted to Council.

**LUNCH – 1:38pm – 2:37pm**

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Levi

Council endorses the grant of \$3800.00 to cover the funeral expenses of the Late Elizabeth Songoro and notes that the grant is outside of Council's Community Grants Procedure, but due to extenuating circumstances and Ailan Kustom, makes this grant as a one-off exception to the policy."

**MOTION CARRIED**  
**AGAINST - Cr Seriako Dorante**

It was noted during the deliberations of the above resolution, that the Chief Financial Officer and Senior Legal Counsel strongly advised of this resolution's failure to meet Council policy and procedure.

**ACTION ITEMS:** Chief Financial Officer to add Community Grants in May Workshop.

Cr Conwell Tabuai raised his disappointment at Qantas as Family members travelling on Qantas from Horn Island to Cairns did not receive their luggage on arrival.

Cr Hilda Mosby raised Asbestos on Yorke island building over 50 years old.

**ACTION:** Chief Operating Officer and Head of Building Services to have offline discussion on Asbestos Building on Masig

Cr Lui discussed the COVID-19 rollout.

Cr. Keith Fell discussed the Railway Courses currently being rolled out on certain islands.

**ACTION:** Cr Keith Fell to send email to all Councillors regarding information on the certificate II in railway.

Acting Chief Operating Officer discussed information sessions currently being held on Saibai for driver's licence and conversation with Legal Aid.

Cr Noah congratulated the Engineering team on the completion of the Mer Island lagoon which is finally full after so many restrictions.

**13.      12:20pm – 12:25pm                      Next Meeting Date – 17 & 18 May 2021 – Cairns**

Mayor Mosby reminded Councillors the next Ordinary Meeting has been changed to Monday 24<sup>th</sup> and Tuesday 25<sup>th</sup> May 2021 as per earlier resolution.

**14.      2:55pm – 2:55pm                      Meeting Closed**

.....  
Mr David Baldwin  
Acting Chief Executive Officer  
Torres Strait Island Regional Council  
24<sup>th</sup> May 2021

.....  
Mr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
24<sup>th</sup> May 2021

DRAFT

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/21 and 25/05/21
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	Community Grants Program Allocation – May 2021
<b>AUTHOR:</b>	Kim Kelly, Team Leader – Service Delivery

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### **Recommendation:**

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

#### Community Grant Applications:

- Restoration Revival Ministries for the eligible amount of \$7,339.75 exclusive of GST, as per the submitted application.
- Aaron Tom for the eligible amount of \$2,487.66 exclusive of GST, as per the submitted application.
- Arkai Brothers Rugby League Team for the eligible amount of \$9,990.00 exclusive of GST, as per the submitted application.
- Mabuygiw Garkaziw Kupay TSI Corporation for the eligible amount of \$2,286.90 exclusive of GST, as per the submitted application.
- Warraber Sporting Association for the eligible amount of \$1,100.00 exclusive of GST (plus in-kind assistance to the value of \$200.00 – approval pending), as per the submitted application.
- Roxin Eagle Football Club for the eligible amount of \$9,920.00 exclusive of GST, as per the submitted application.
- St James Anglican Parish for the eligible amount of \$9,959.96 exclusive of GST, as per the submitted application.
- St Pauls Anglican Church for the eligible amount of \$3,774.00 exclusive of GST (plus in-kind assistance to the value of \$745.00 – approval pending), as per the submitted application.

### **Executive Summary:**

As per Council's Community Grants Policy, which was endorsed by Council at the June 2020 Ordinary Meeting, all community grants applications must be decided monthly at the Ordinary Council meeting.

### **Background:**

For the month of April eight 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 eight applications, which meet eligibility requirements, are:

Applicant	Project	Location
Restoration Revival Ministries	Contribution towards purchase of musical equipment for use by fellowship and community youth	Saibai
Aaron Tom	Contribution towards Crab Project	Boigu
Arkai Brothers Rugby League Team	Contribution towards travel costs to attend Badu Island of Origin	Kubin
Mabuygiw Garkaziw Kupay TSI Corporation	Contribution towards purchase of shirts for Men's group	Mabuiag
Warraber Sporting Association	Contribution towards catering for Mabo Day Celebration	Warraber
Roxin Eagle Football Club	Contribution towards catering, jerseys and travel to Island of Origin	Dauan
St James Anglican Parish	Contribution towards costs to establish Admin support	Mer
St Pauls Anglican Church	Contribution towards catering for Coming of the Light celebrations	St Pauls

#### 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*

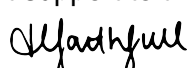
#### Conclusion:

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

#### Endorsed:

  
Luke Rang  
Head of Corporate Affairs

#### Recommended:

  
Hollie Faithfull  
Chief Financial Officer

#### Approved:

  
David Baldwin  
Acting Chief Executive Officer

**Attachment:** Fund balances

**Attachment: Fund Balances (after payment of April approved applications)**

<b>Division</b>	<b>Councillor</b>	<b>Budget</b>	<b>Less approved funding</b>	<b>Closing Balance</b>
Boigu	Cr. Toby	\$25,000.00	\$10,492.50	\$14,507.50
Hammond	Cr. Dorante	\$25,000.00	\$0.00	\$25,000.00
St Pauls	Cr. Levi	\$25,000.00	\$8,651.27	\$16,348.73
Ugar	Cr. Stephen	\$25,000.00	\$0.00	\$25,000.00
Badu	Cr. Nona	\$25,000.00	\$24,919.31	\$80.69
Dauan	Cr. Elisala	\$25,000.00	\$1,990.00	\$23,010.00
Erub	Cr. Gela	\$25,000.00	\$9,963.85	\$15,036.15
Iama	Cr. Lui	\$25,000.00	\$13,728.08	\$11,271.92
Kubin	Cr. Trinkoon	\$25,000.00	\$10,000.00	\$15,000.00
Mabuiag	Cr. Fell	\$25,000.00	\$6,500.00	\$18,500.00
Mer	Cr. Noah	\$25,000.00	\$2,549.82	\$22,450.18
Poruma	Cr. Pearson	\$25,000.00	\$21,521.98	\$3,478.02
Saibai	Cr. Tabuai	\$25,000.00	\$10,490.00	\$14,510.00
Warraber	Cr. Tamu	\$25,000.00	\$8,500.00	\$16,500.00
Yorke	Cr. Mosby	\$25,000.00	\$17,351.86	\$7,648.14
Mayor	Cr. Mosby	\$30,000.00	\$0.00	\$30,000.00
Regional Grant		\$50,000.00	\$2,507.50	\$47,492.50
		<b>\$455,000.00</b>	<b>\$149,166.17</b>	<b>\$305,833.83</b>

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## COUNCIL REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/2021 and 25/05/21
<b>ITEM:</b>	Agenda Item for Noting by Council
<b>SUBJECT:</b>	Operational Plan 2020/21 Q3 Update
<b>AUTHOR:</b>	Mette Nordling, Manager of Governance and Compliance

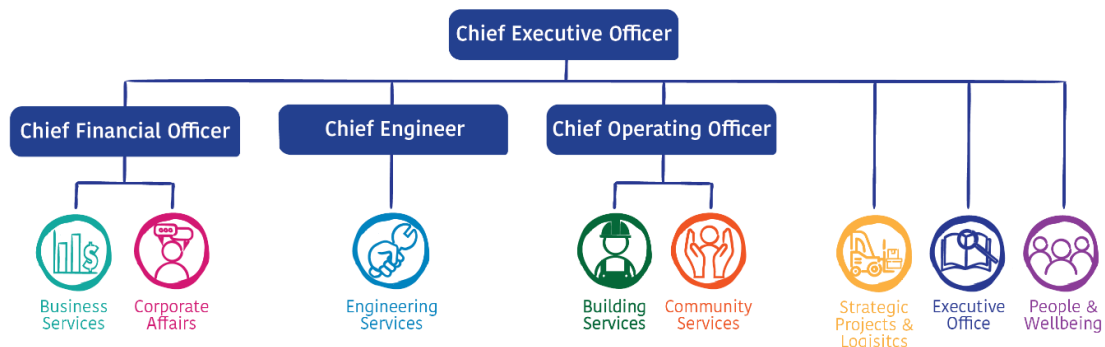
### Recommendation:

Council resolves to note the Operational Plan 2020-21 Quarter 3 Update.

### Background:

Pursuant to Section 174 of the *Local Government Regulation 2012*, Council adopted its Operational Plan for the 2020/21 period, during its Ordinary Meeting on 21 July 2020.

The Operational Plan is structured around Council's corporate structure as at 21 July 2020, which was updated and endorsed to that shown below in the same meeting:


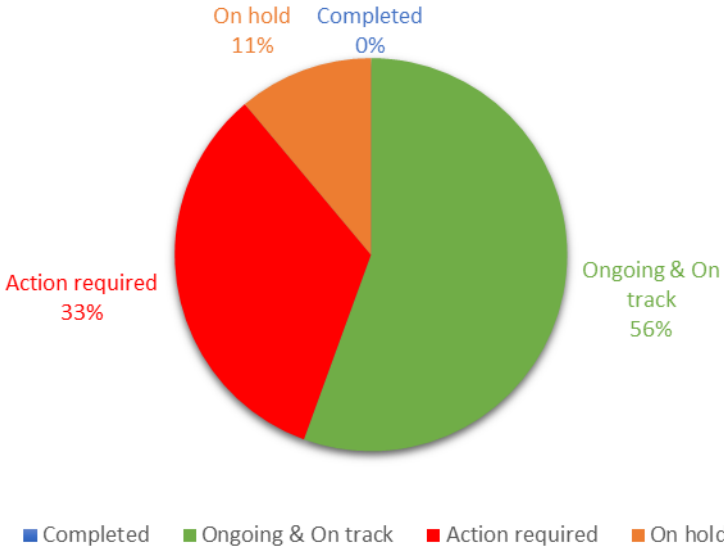

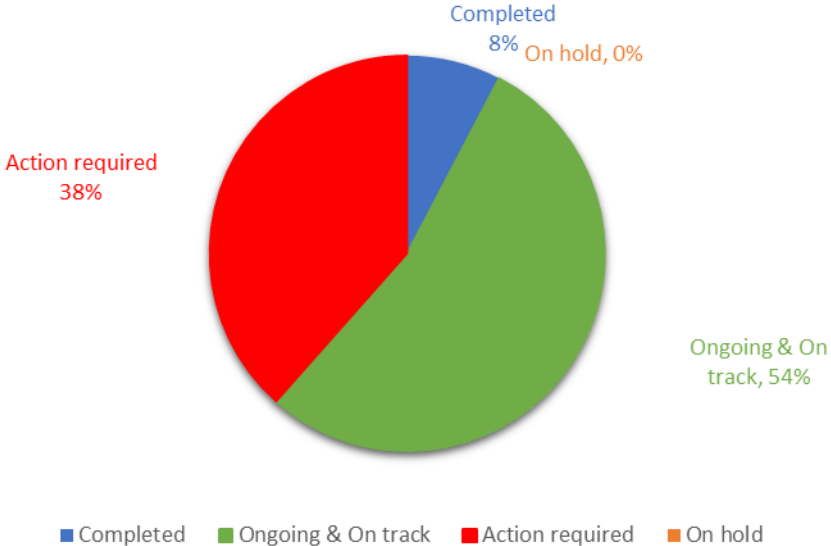

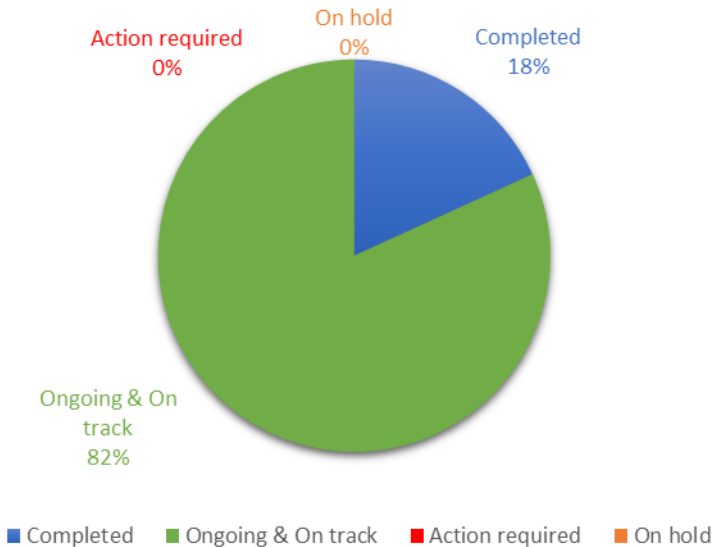


Each of the 86 objectives listed in the Operational Plan, link back to a relevant *Strategic Delivery Pillar* of Council's current Corporate Plan 2020-25; these pillars are as follows:


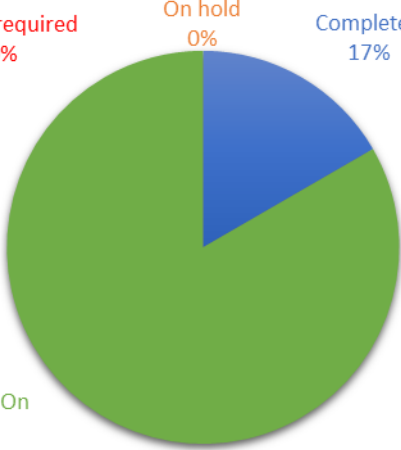

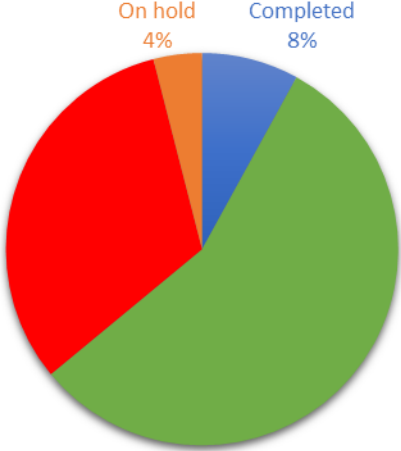

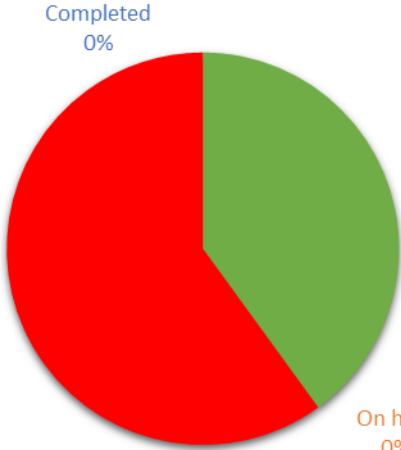
	People	<p>Outcome 1: We preserve cultural heritage, history and place.</p> <p>Outcome 2: Our communities are safe, healthy and active.</p> <p>Outcome 3: We ensure accessibility to community support services.</p> <p>Outcome 4: We are a transparent, open and engaging council.</p>
	Sustainability	<p>Outcome 5: We plan effectively for the future of our individual communities and region.</p> <p>Outcome 6: Our communities remain resilient to the effects of climate change and natural disasters.</p> <p>Outcome 7: Our communities are consulted around liveable places, aligned to lifestyle and environmental suitability.</p> <p>Outcome 8: We manage council affairs responsibly to the benefit of our communities.</p> <p>Outcome 9: We actively reduce our environmental footprint and manage our resources sustainably.</p>
	Prosperity	<p>Outcome 10: We advocate and foster regional prosperity through enterprise development.</p> <p>Outcome 11: We invest in the retention of key skills within our region.</p> <p>Outcome 12: We bring opportunity to our region and put our culture on the world stage.</p>


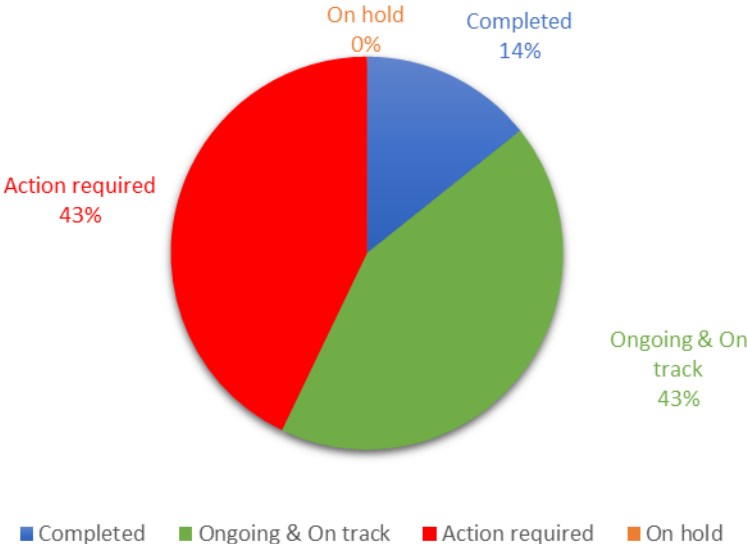

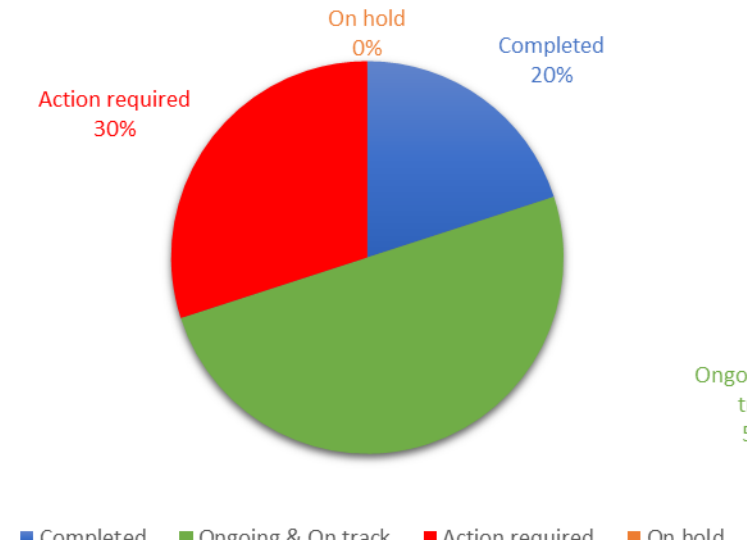
## Operational Plan Progress:

Council's Operational Plan 2019-20 Q3 Dashboard is as follows:

Department:	Total Objectives:	Progress
 Business Services	9	 <p>Completed 0% On hold 11% Action required 33% Ongoing &amp; On track 56%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 Corporate Affairs	13	 <p>Completed 8% On hold, 0% Action required 38% Ongoing &amp; On track, 54%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 Engineering Services	11	 <p>Action required 0% On hold 0% Completed 18% Ongoing &amp; On track 82%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>



 Building Services	6	 <p>Completed 17%</p> <p>Ongoing &amp; On track 83%</p> <p>Action required 0%</p> <p>On hold 0%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 Community Services	25	 <p>Completed 8%</p> <p>Ongoing &amp; On track 56%</p> <p>Action required 32%</p> <p>On hold 4%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 Strategic Projects & Logistics	5	 <p>Completed 0%</p> <p>Ongoing &amp; On track 40%</p> <p>Action required 60%</p> <p>On hold 0%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>

 Executive Office	7	 <p>Completed 14%</p> <p>Ongoing &amp; On track 43%</p> <p>Action required 43%</p> <p>On hold 0%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>
 People & Wellbeing	10	 <p>Completed 20%</p> <p>Ongoing &amp; On track 50%</p> <p>Action required 30%</p> <p>On hold 0%</p> <p>■ Completed ■ Ongoing &amp; On track ■ Action required ■ On hold</p>

### Statutory Requirements:

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)


### Conclusion:

That Council notes the Operational Plan 2020-21 Quarter 3 Update.

**Endorsed:**

  
 Luke Ranga  
 Head of Corporate Affairs

**Recommended:**

  
 Hollie Faithfull  
 Chief Financial Officer

**Approved:**

  
 David Baldwin  
 Acting Chief Executive Officer


### Attachments:

- Table providing breakdown of objectives, process, and comments
- Operational Plan 2020

# Operational Plan Reporting 20/21



Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
	<b>TSIRC Operational Plan 20/21</b>						
	<b>Business Services</b>						
1	Continue to evolve Council's long-term financial planning and quantify regional program delivery, service levels and associated costs.	Successful delivery of framework & modelling.	Financial Accounting & Assets	1	4	Ongoing & on track	Ongoing commitment to improvement of current reporting and evolving of Council's long term planning
2	Develop stronger link between Asset Management Plans and Councils budget development.	Framework delivered.	Financial Accounting & Assets	1	4	Action required	Asset Management plans are currently being developed.
3	Evolve & deliver Council's Asset Revaluation program.	100% program completion	Financial Accounting & Assets	4	4	Ongoing & on track	
4	Collaborate with key Council operational functions to deliver effective debt management program(s).	Framework identified. >50% program delivery.	Financial Accounting & Assets	1	4	Ongoing & on track	Debt policy, procedures and forms are currently being reviewed by an external party. Planned implementation date is early in the new year.
5	Deliver Corporate Overhead Analysis program, through effective cost allocation modelling.	Program modelling developed & delivered.	Management Accounting	1	4	Action required	Program will be delivered in the following year. The current year focus is to ensure that any costs that are able to be directly allocated will be done first to ensure a more reasonable cost allocation.
6	Implementation of statistical dash boards and metric reporting to enable real time data capability.	Successful implementation of agreed dashboard scope.	Financial Accounting & Assets	1	4	On hold	The resource that was to implement the dashboards, has been vacant since December 2020, therefore the project has been put on hold until there are enough resources to manage the project.
7	Deliver IT Transformation Strategy & identified program deliverables.	Strategy complete & roadmap identified.	Financial Accounting & Assets	2	4	Ongoing & on track	Information Services are now looking to tighten up security within the TSIRC environment such as Zero Trust Network Access (ZTNA) and Multi-Factor Authentication (MFA).  Products to be investigated are Wandera and Duo.  These were not in the original road map, but In light of the recent increase in Cyber-security attacks on businesses, organizations and government entities, this matter has to be addressed.
8	Evolve Community Services frontline IT capability.	Gap analysis conducted for all communities. Recommendation paper delivered.	Financial Accounting & Assets	1	4	Ongoing & on track	Email has been sent to all Regional and Divisional Managers requesting feedback for ideas on how to evolve the IT capabilities for community members
9	Further develop Council's disaster management & business continuity technology capabilities.	Pilot program completed across two sites. Roadmap identified.	Financial Accounting & Assets	1	4	Action required	Liaising with Telstra and third party Telstra Partner Mangano IT on 21/04/21 to discuss their offering to customers using the VeloCloud offering that could better suit remote and regional areas where connectivity is challenging.
	<b>Corporate Affairs</b>						
10	Continue Council's core brand refresh across all digital mediums & community channels.	Web & intranet sites implemented. Brand guidelines delivered.	Compliance & Governance	1	3	Action required	•Intranet redevelopment project commenced - phase 1 go live is being planned •Baseline analytics to inform web redevelopment commenced •Brand guideline first draft
11	Grow the Youmpla Voice program & community specific engagement models.	1 campaign per community.	Compliance & Governance	1	4	Ongoing & on track	•Community Survey drafted and sent to Divisions
12	Evolve employee engagement tools for Council's vision, mission, values & service delivery excellence.	Engagement program delivered to all sites.	Compliance & Governance	1	4	Ongoing & on track	•Employee survey has been slightly delayed due to competing priorities •Further engagement tools to be developed based on outcome of survey
13	Further develop Council's strategic planning tools, embracing digitisation & automation.	Implementation of integrated planning automation & dashboards.	Compliance & Governance	1	4	Ongoing & on track	•Smartsheet business case for Creative services request developed •Smartsheet for Operational Plan updates developed •Smartsheet for 2022/23 Operational Plan underway •Smartsheet for 2021/22 Annual report underway
14	Evolve Council's ethical procurement standards & policies.	Policy published. Training delivered across all stakeholder groups.	Compliance & Governance	1	4	Ongoing & on track	•Policy endorsed •Procedures under review •Training conducted with BSU and Engineering •New contract templates developed and trial underway
15	Further develop a good governance culture and compliance framework across Council.	Framework implemented. Engagement tools developed.	Compliance & Governance	1	4	Ongoing & on track	•Governance framework under development

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
16	Delivery of group insurance evaluation and cost efficiency program.	Program delivered.	Compliance & Governance	4	4	Ongoing & on track	Renewal information submitted for all current policies & underway for new "Construction All Risks" policy as a result of potential Sea Walls projects.
17	Evolve Business Continuity Planning Processes (BCP) & exercises.	Gap analysis completed. Program framework identified.	Compliance & Governance	2	4	Action required	Annual training exercise to be planned.
18	Implementation of customer contact centre & automation tools.	IVR technology implemented. Data capability delivered.	Enterprise development & Delivery	1	3	Action required	Data collation will continue to the end of Q4. Automation tools will be reviewed in Q4.
19	Development of Council's Visitor Management Strategy, tools & implementation roadmap.	Strategy published. Implementation roadmap identified.	Enterprise development & Delivery	2	4	Ongoing & on track	A Draft Visitor Management Strategy (VMS) has been completed via Sydney University SLIC program. The VMS to be handed over to the Manager Visitor Operations within the Community Services Team to finalise.
20	Delivery of Council's Enterprise Development Strategy, identifying key sector opportunities.	Strategy published.	Enterprise development & Delivery	1	3	Action required	Still in planning phase. Community visit will take place in June 2021 to complete Community consultation and collate data.
21	Refresh of Council's community grant program.	Successful program delivery to all communities.	Enterprise development & Delivery	1	2	Complete	•Program adopted •Continuous updates •New forms and criteria published
22	Grow strategic domestic & international knowledge alliances.	Framework developed & 2 agreements in place.	Enterprise development & Delivery	2	3	Action required	The second partnership arrangement project to commence in Q4.
 Engineering Services							
23	Seawall program (stage 2) design works for Poruma, Iama, Warraber & Masig Communities.	Design works complete. Tendering and Construction plan determined	Major Infrastructure	1	4	Ongoing & on track	Poruma detailed design works completed. Detailed design works for Iama, Masig and Warraber are currently underway. Geotechnical technical investigations are still outstanding.
24	Seawall program (stage two) construction.	Boigu & Poruma Construction works underway.	Major Infrastructure	1	4	Ongoing & on track	Boigu Seawalls Construction Stage 2 is progressing well with revised PC Date of September 2021. Poruma In-House Bid is in final stages for review/approval with onsite construction forecasted to commence in July 2021.
25	Deliver the Torres Strait Tide Gauge Project.	Funding arrangement formalised and works underway.	Major Infrastructure	1	4	Ongoing & on track	New tide gauges have been installed and operational. New access ladder at Kubin has been installed. Iama to have new access ladder installed in May 2021.
26	Complete water lagoon cover repairs/replacements for Saibai, Erub, Mer & Ugar Communities.	Works complete.	Water Management	1	2	Complete	Cover repairs and replacements have been completed. Contractor is undertaking defect rectification works.
27	Deliver Water & Wastewater project - Critical infrastructure/legislative compliance upgrades. (ICCIP – MULTIPLE PROJECTS).	Multiple projects completed, some into future years.	Wastewater Services Water Management	1	4	Ongoing & on track	Multiple projects completed, some identified projects on hold and require scope changes and for completion over multiple FY's as scheduled for completion prior to June 2022.
28	Deliver regional Smart Water Meter project.	Project completed.	Water Management	1	4	Ongoing & on track	SMW successfully installed at 9/15 communities. All communities are on track to have SWMs installed by 2020/21 FY.
29	Construct Saibai sewerage treatment plant effluent outfall pipe.	Works complete.	Wastewater Services	1	4	Complete	Practical Completion issued. Project Close-out documentation is finalised. Project is now in Defect & liability period.
30	Metal Waste -Clean Up project.	Planning finalised, works commenced.	Waste Services	1	4	Ongoing & on track	EOIs have been reviewed and suitable tenderers have been shortlisted. The project is now in Tender and Procurement Stage.
31	Complete Erub Airport Road upgrade works.	Works completed	Transport Management	1	4	Ongoing & on track	Works on site completed. Minor defects rectification works have been completed.
32	Badu Aerodrome fence, Safety improvements Saibai Aerodrome - apron upgrade (Helipad), and Dauan access road to Helipad.	Works complete.	Transport Management	1	4	Ongoing & on track	Badu Aerodrome Fencing Upgrade and safety improvements have been completed. Saibai Aerodrome Apron Upgrade and Dauan Helipad Access Road Upgrades Projects TMR TIDS funding has been rolled over to 2021/22 FY.

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
33	Water & Wastewater Projects (W4Q – COVID). MULTIPLE PROJECTS	Works complete	Wastewater Services Water Management	1	4	Ongoing & on track	<ul style="list-style-type: none"> <li>- 190kL desalination unit purchase - Completed</li> <li>- Leak detection equipment and monitoring program for Mer, Badu &amp; St Pauls - Mer completed. Badu &amp; St Pauls on track to be completed in 2020/21 FY.</li> <li>- Boigu Lagoon Cover Replacement Project - project is currently at Tender Stage. Funding extended to 31 December 2021</li> <li>- Mabuag Well, pump station, telemetry and riser upgrade Project - Procurement Award Stage.</li> <li>- Mer sewerage treatment ablation and shower block - Design completed. Procurement underway.</li> <li>- Warraber sewerage treatment plant fencing replacement - Completed.</li> <li>- St Pauls wastewater lagoon fencing replacement - Completed.</li> <li>- Ugar bores - bag filter and pipework replacement - Procurement Stage.</li> <li>- lama and Mer Reservoir magflow and power supply installation - Completed.</li> <li>- Erub 80mm water main replacement project - The project is currently at tender stage.</li> </ul>
■ Building Services							
34	Implementation of desired operating model in alignment and consultation with key stakeholder delivery groups	Operating Model implemented	All departmental functions	1	4	Complete	Position successfully awarded
35	Delivery of fuel bowser upgrade program	Implementation roadmap identified Program delivery of greater than 60%	Construction	2	4	Ongoing & on track	Saibai Fuel is out to tender at this time, Ugar waiting for finalized plans to be sent to tender and MER design being finalize
36	Evolve core project management capability and efficiencies through software implementations	Gap analysis completed Identified software implemented	Construction	1	4	Ongoing & on track	Roll is progressing well Key staff have been trained and 40 jobs running in Procore transitioning all R & M works at present, financial package purchased and installed along with Microsoft Project B1 for reporting
37	Refresh council asset and capital works program	Program framework & roadmap published	Repairs & Maintenance	1	4	Ongoing & on track	QBuild are allowing new pricing structure for R & M works
38	Develop and grow local engagement modelling	Development of framework with key stakeholders	All departmental functions	3	4	Ongoing & on track	Procore system is on track for complete rollout in July we have 40 works in Procore and are currently transitioning all R & M works into the system, Financial package for Procore has just been introduced.
39	Work with key partners to develop sustainable and increased durability housing concepts	Host workshop with key partners Recommendation paper delivered	Construction	1	4	Ongoing & on track	<p>Badu Quarry is now fully Operational being 100% 1st Nation owned</p> <p>QBuild and BSU have weekly Meetings to discuss any ongoing difficulties.</p> <p>Carport Project is still on hold</p>
■ Community Services							
40	Delivery of Food Safety program: - Community education & awareness. - Licensing Program Stage 1 – Commercial premises. - Licensing Program Stage 2 – Community licences.	1 campaign per community. All applicable commercial/other premises compliant.	Environmental Health	1	4	Action required	education and awareness ongoing EHW , delays in food licencing process and development of i auditor audits being developed
41	Delivery of education & awareness programs on water sanitation, waste management & sewerage.	1 campaign community.	Environmental Health	1	4	Ongoing & on track	consultation and training of EHW with Qld Health, strategy to be developed wwith engineering dept
42	Deliver illegal dumping hotspot program.	Program fully implemented within two communities.	Environmental Health	2	4	Action required	Delays due to staff resources, purchasing and signs erected
43	Delivery of Mosquito Management program: -Inspection, Albopictus survey. -Education, awareness, control activities. -Assist the Dengue Action Response Team (DART). -Implement Mosquito management plan.	Program & applicable plan(s) implemented.	Environmental Health	1	4	Ongoing & on track	training,treatments undertaken, reveiw of chemicals,
44	Complete Environmental Health Worker development & certification program(s).	Annual Professional development workshop delivered.	Environmental Health	2	3	Action required	Ongoing mentoring and coaching of EHWs. Planning for EHWs workshop, Certificate IV Government Investigations for four EHWs completed, planning for Authorised Person for Biosecurity Act 2014
45	Delivery of Animal Management program: -Domestic animal compliance. -Veterinary services. -Compliance & enforcement program.	Bi-annual vet visits. Compliance education program delivered to each community.	Environmental Health	1	4	Ongoing & on track	An add on of parasitic efficacy trials (3 islands) Scheduled vet visit was cancelled due to weather. vet prep undertaken for rescheduled May visit. Vet visit 3-14 May

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
46	Develop local law & disturbance awareness program in collaboration with regional compliance and enforcement partners.	Program & framework delivered.	Environmental Health	1	2	Action required	Draft Procedure and Policy completed.
47	Delivery of Biosecurity Act compliance program.	100% of EWH workforce compliant.	Environmental Health	1	4	Action required	Biosecurity training planned for April
48	Delivery of healthy lifestyle tools & awareness program(s) in conjunction with community identified areas of need.	Community need/gap analysis completed. Program framework delivered	Community Health & Wellbeing	1	4	Ongoing & on track	Keriba Way 12 weeks program launched on Warraber and Erub in February and March, with 22 registered participants.
49	Development & delivery of the Community Volunteer program.	Develop & implement framework.	Community Health & Wellbeing	3	4	On hold	This was an Torres Strait Sports, Youth and Recreation funding criteria however no funds was received from Torres Strait Sports, Youth and Recreation.
50	Complete Healthy Lifestyle Officer Development & Certification Program(s).	Annual Professional development workshop delivered.	Community Health & Wellbeing	2	3	Action required	December HLO participated in Professional Development Living Strong. Development and implementation of KERIBA Way at Warraber and Erub. - components of program delivered - Community Weigh in and Wasit measurement. Garden Basket, Why people get Heavy, commence Walk the Strait with Health Foundation. Worked with Brendan Graphic Artist to design and purchase local resources for program.
51	Conduct IKC program gap analysis & in collaboration with State Library develop community driven KPIs for regional footprint.	Community need/gap analysis & full program completed. Program KPI framework delivered.	Indigenous Knowledge Centres	1	2	Action required	Review of IKC program undertaken in partnership with State Library of Queensland
52	Delivery of core IKC programs: -First 5 Forever Program. -Public/Community Library Program. -Roll out of Fresh Start to all IKC. -Finalise Masig footprint utilising Idea's Box components	100% program delivery to existing IKC footprint. Successful establishment of Masig IKC.	Indigenous Knowledge Centres	1	4	Ongoing & on track	IKC Coordinators and MSAOs attended IKC workshop professional development in Cairns March 2021. Fresh Started completed. First5Forever Programs ongoing Public/Community Programs ongoing Masig Idea's Box - funding ceased 2 years 2018.
53	Review, evolve & deliver home care support services to aged care program participants in accordance with state and federal standards.	Delivery of review paper & associated recommendations	Aged Care	1	4	Ongoing & on track	Research has been conducted on Aged Care management software providers across QLD, NSW and VIC to support and improve, staff and client scheduling, staff data and reporting. A discussion paper will be finalised and put forward for endorsement. Met with the NDIS team from Brisbane to discuss the roll out of NDIS program across Torres Strait for people aged 0-65 years. The NDIS team will be visiting Torres Strait communities during 2021 and working closely with local schools and Council's Aged Care Team to support people to register and access support services. Communities visited to date, Saibai and Hammond, community scheduled for next visit is Badu in May 2021.
54	Review, evolve & deliver Aragon Child Care Centre (Badu) & Hammond After School Care, embedding Torres Strait Islander and Aboriginal cultural perspectives.	Delivery of review paper & associated recommendations.	Child Care	1	4	Ongoing & on track	Services are currently in the process of purchasing more culturally appropriate toys and resources for each classrooms, to support children's sense of identity. Educators plan and implement cultural learning experiences and activities in the educational programs. Educational programs are developed, monitored and reviewed to reflect the Early Years Learning Framework. Educators speak in local language as well as SAE when engaging with children to support and extend their language and literacy.

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
55	Research current & future models of child care service delivery and develop business case aligned to community specific requirements.	Delivery of regional childcare business case & recommendation paper.	Child Care	3	4	Ongoing & on track	<p>Child Care surveys were undertaken in 2018 to gauge the communities views on Child Care service models that would best suit their community needs.</p> <p>9 communities were surveyed – Kubin, St Pauls, Masig, Dauan, Saibai, Boigu, Mabuag, Poruma and Warraber.</p> <p>Badu, Hammond, Yam were not included in the survey due to having existing services.</p> <p>Due to insufficient funds the communities of Darnley, Murray and Stephen Islands were unable to be surveyed to capture community needs and aspirations.</p> <p>Research was also conducted on existing infrastructure to assess their suitability for potential Child Care operations in the future.</p> <p>Existing infrastructure on Warraber, Masig, Poruma and Saibai were identified and visited. Warraber and Masig were deemed unsuitable as they did not meet the building code and the centre at Warraber was termite ridden. The infrastructure on Poruma and Saibai required significant investment and work to bring them up to standard. Clarification was also required if existing infrastructure on Poruma and Saibai were divested to community organisations.</p> <p>A meeting was held with a group of university students from Sydney University on 22 April 2021 to identify areas that they could assist with for TSIRC's operational plans for each program assigned to Community Services managers.</p> <p>Child Care options – Family Day service model was one of the projects identified in discussions. The students gathered primary information and will use the information to conduct further research and prepare a report with their findings, recommendations and strategies. The report will be forwarded to TSIRC management to assist with future planning to support the delivery or assist with the set up and delivery of services identified by communities to close the gaps in service delivery and deliver on Council's Vision.</p>
56	Increase rental collections rate(s).	Regional collection rate of >80%.	Housing Services	1	4	Ongoing & on track	All divisions are collection 80% and above including changes to Masig rental collection which increased from 73% to 82% that was collected in March 2021.
57	Drive an active reduction in current debt levels.	Development of debt management strategy.	Housing Services	1	4	Ongoing & on track	All debt recovery projects are on-going
58	Undertake tenants survey & develop strategic recommendations report.	Annual survey completed. Recommendation report delivered.	Housing Services	1	2	Complete	All surveys are completed as required for the current registration.
59	Successfully complete full registration under QSR SCH	Full registration completed.	Housing Services	1	2	Complete	Registration completed. Updates will be provided at the end of June for the next registration information upload.
60	Provide advice on development and lead implementation of a standardised approach to visitor management, including visitor entry and exit, accommodation and travel.	Provide strategic advice & recommendations for Visitor Management Strategy. Deliver on strategy roadmap milestones.	Divisional Offices	1	4	Ongoing & on track	Final Visitor Mgt Strategy presented to TSIRC and for progression to Standing committee and Council OM. Action items in the Strategy to be approved prior to implementation.
61	Strengthen financial governance through online training and professional development.	Annual Professional development workshop delivered.	Divisional Offices	1	4	Ongoing & on track	Annual workshop rescheduled for the new financial year due to budget pressures and overall financial position. Financial governance development achieved through 1:1 and DM discussions.
62	Evolve local disaster preparedness, response and recovery in accordance with state legislation and guidelines.	Develop template & procedure per community.	Divisional Offices	1	4	Ongoing & on track	Undertake audit of working Sat Phones and corrective actions taken where necessary to address. Propose to update and include pandemic with linkage to BCP in CDM.
63	Establish standardised operating procedures of Divisional Offices, improving timeliness and quality of customer service.	Develop & implement standard operating procedure for divisional office management.	Divisional Offices	1	3	Action required	Efforts to standardise processes have stalled however domestic work to existing resources were undertaken in partnership with financial services (debtors team). Divisional Manager workshop rescheduled to FY22 due to budget pressures.

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Complete Quarter	Q3 update	Q3 notes
64	Drive and deliver effective community engagement events through local Divisional Offices.	4 events delivered per community.	Divisional Offices	1	4	Ongoing & on track	Ongoing efforts to increase engagement and visibility of TSIRC in community through events and programs during Q2, International Womens Day celebrations; Australia Day events IKC programs. In partnership with Corporate Affairs, acquit divisional engagement reporting and bring up to date also investigate opportunities to further promote activities and events.
	 Strategic projects & Logistics						
65	Implement project allocation and delivery framework.	Framework identified & implemented.	Logistics	1	3	Action required	Logistics function/model being reviewed.
66	Mobilisation of Cairns operational footprint.	Cairns site 100% operational.	Strategic Projects	1	3	Action required	Selected project specific related logistics are operational, and near-future internal projects identified.
67	Implement community freight support service.	Model & roadmap identified for implementation.	Logistics	1	4	Action required	Freight contract being finalised.
68	Finalise fuel & Gas best practise fulfilment model.	Gap analysis conducted. Model developed & successfully delivered to all communities.	Logistics	1	4	Ongoing & on track	Project plan developed. WHS improvements made and progressing. New fuel cells/bowser components sourced to priority sites. Contamination risks better controlled/mitigated/ Procedure/safety provisions being rolled-out to divisions.
69	Develop fleet service fulfilment model, incorporating community & regional partnerships.	Gap analysis conducted. Model developed & successfully delivered to all communities.	Logistics	2	4	Ongoing & on track	Project plan developed. Asset (plant/fleet) identification and status check completed. Plant/fleet AMP under revision.
	 Executive Office						
70	Poruma Land, Saibai Land Transfer & Ugar Land Transfer: 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.	Process completed.	Legal Services	3	4	Action required	Department of Resources presented a proposed process, which has been endorsed by the Lands Standing Committee and SARG, and is to be presented to the April 2021 Trustee meeting for endorsement.
71	Evolve Council's Enterprise Divestment Strategy (aligned to Enterprise Development Strategy).	Develop framework in alignment with Enterprise Development Strategy.	Legal Services	1	4	Ongoing & on track	Draft Divestment Policy submitted to Economic Growth Standing Committee in February 2021. Awaiting consideration at the next Committee meeting.
72	Landing Holding Act (LHA) Katter Lease Resolution: To advocate for the grant of pending LHA entitlements in all Divisions.	Process completed.	Legal Services	1	4	Ongoing & on track	The project is ongoing and progressing well in coordination with the Department of Resources and DATSIP.
73	Template execution for (Regional) Infrastructure & Housing 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) maximise expediency in Native Title validation.	Remaining communities completed.	Legal Services	1	2	Action required	Dauan, Mer and Poruma ILUAs are the only proposed ILUAs outstanding and are currently at consultation stage (TSIRC awaiting outcome). No proposed ILUA for Hammond Island due to ongoing native title claim.
74	Support the development of regional governance via One Boat and regional planning.	Assist regional leadership in consultation process. Support model identified.	Legal Services	1	4	Action required	Holding Redlich has completed work as briefed. Legal Services to review and assess what further work may be required on this project.
75	Provide a regional legal framework which addresses both State and Traditional Lore requirements.	Framework developed for consultation.	Legal Services	3	4	Complete	The regional legal framework is made up of State and Federal law, local laws, TSRA ranger program, native title system and traditional lore.  Legal Services is available to assist as required in navigating the intersection between State and Traditional Lore.
76	Effective management of DOGIT Land as a Trustee.	Trustee requirements delivered accordingly.	Legal Services	1	4	Ongoing & on track	Proposed updated Trustee Policy endorsed by Cultural Arts. Land and Heritage Standing Committee. Proposed updated Trustee Policy to be presented to Trustee for formal adoption in Q4 or next financial year.
	 People & Wellbeing						
77	Complete negotiations of new certified agreement with workforce.	Negotiations complete. Agreement developed.	Employee Relations	1	4	Ongoing & on track	Final draft CA completed with agreement from all parties i.e. TSIRC mgt reps and Unions. Presentation being made to May SARG mtg and OM of Council. CA to then go out to vote to all employees.
78	Develop Council's Diversity & Inclusion policy.	Policy delivered.	Employee Relations	3	4	Action required	Draft document being developed for presentation to June OM of Council
79	Implementation of learning & development strategy.	Strategy developed & implemented.	Learning & Development	2	4	Ongoing & on track	Elements of L&D Strategy continue to be implemented.



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# Torres Strait Island Regional Council Operational Plan 2020/21





# Acknowledgement

The Torres Strait Island Regional Council (TSIRC) acknowledges our Native Title Holders, our Elders past and present, and all members of the Communities we serve within the 5 clusters of Zenadth Kes; the Gudaw Maluligal Nation of the Top Western Islands, Maluligal Nation of the Western Islands, Kemer Kemer Meriam Nation of the Eastern Islands, Kulkalgal Nation of the Central Islands, and the Kaiwalagal Kaurareg Aboriginal Nation of the Inner Islands.

We recognise 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



Firstly, I would like to acknowledge the true custodians of the lands we serve across the length and breadth of Zenadth Kes. I acknowledge and pay my respects to Elders past, present and emerging.

As Queensland navigates its road to recovery from the global pandemic and enacts mitigation measures to prevent further outbreaks, the many downstream economic and social impacts will still be felt throughout the 2020-2021 period. So now, more than ever we remain steadfast on driving a corporate culture of operational efficiency and innovation, and a key focus for this period on the reignition of strategic programs of work and regional infrastructure delivery, as aligned to our Corporate Plan (2020-2025) aspirations.

Council's operating model (as shown on page 5) aligns to our strategic delivery areas and ensures our diverse and extraordinary team is well placed to face the unprecedented environment we operate in today, and ultimately continue on our mission of improving our communities' livability in all we do.

A stylized, handwritten signature in black ink, appearing to read 'Bruce Ranga'.

Bruce Ranga  
Chief Executive Officer  
June 2020

## 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.

## 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.

## 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 (2020-2021) 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):



People

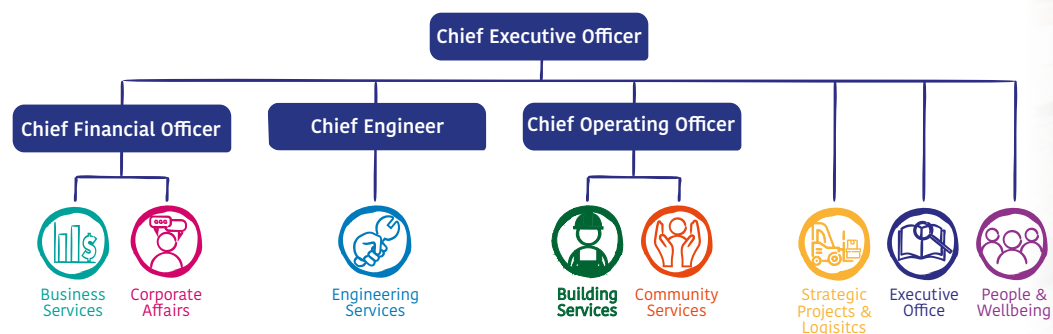


Sustainability



Prosperity

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



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







# Business Services

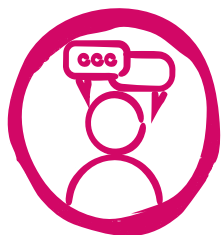
No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
1.	Continue to evolve Council's long-term financial planning and quantify regional program delivery, service levels and associated costs.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Successful delivery of framework &amp; modelling.</li> </ul>
2.	Develop stronger link between Asset Management Plans and Councils budget development.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Framework delivered.</li> </ul>
3.	Evolve & deliver Council's Asset Revaluation program.		Financial Accounting & Assets				●	<ul style="list-style-type: none"> <li>100% program completion.</li> </ul>
4.	Collaborate with key Council operational functions to deliver effective debt management program(s).		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Framework identified.</li> <li>&gt;50% program delivery.</li> </ul>
5.	Deliver Corporate Overhead Analysis program, through effective cost allocation modelling.		Management Accounting	●	●	●	●	<ul style="list-style-type: none"> <li>Program modelling developed &amp; delivered.</li> </ul>








## Business Services

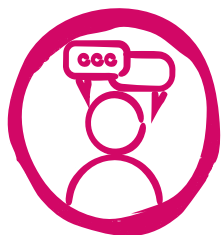
No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
6.	Implementation of statistical dash boards and metric reporting to enable real time data capability.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Successful implementation of agreed dashboard scope.</li> </ul>
7.	Deliver IT Transformation Strategy & identified program deliverables.		Financial Accounting & Assets		●	●	●	<ul style="list-style-type: none"> <li>Strategy complete &amp; roadmap identified.</li> </ul>
8.	Evolve Community Services frontline IT capability.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Gap analysis conducted for all communities.</li> <li>Recommendation paper delivered.</li> </ul>
9.	Further develop Council's disaster management & business continuity technology capabilities.		Financial Accounting & Assets	●	●	●	●	<ul style="list-style-type: none"> <li>Pilot program completed across two sites.</li> <li>Roadmap identified.</li> </ul>










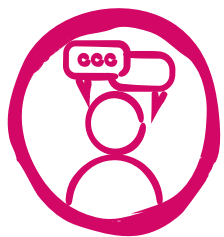
# Corporate Affairs

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
10.	Continue Council's core brand refresh across all digital mediums & community channels.		Governance & Compliance	●	●	●		<ul style="list-style-type: none"> <li>Web &amp; intranet sites implemented.</li> <li>Brand guidelines delivered.</li> </ul>
11.	Grow the Youmpla Voice program & community specific engagement models.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>1 campaign per community.</li> </ul>
12.	Evolve employee engagement tools for Council's vision, mission, values & service delivery excellence.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>Engagement program delivered to all sites.</li> </ul>
13.	Further develop Council's strategic planning tools, embracing digitisation & automation.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>Implementation of integrated planning automation &amp; dashboards.</li> </ul>
14.	Evolve Council's ethical procurement standards & policies.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>Policy published.</li> <li>Training delivered across all stakeholder groups.</li> </ul>






# Corporate Affairs

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
15.	Further develop a good governance culture and compliance framework across Council.		Governance & Compliance	●	●	●	●	<ul style="list-style-type: none"> <li>Framework implemented.</li> <li>Engagement tools developed.</li> </ul>
16.	Delivery of group insurance evaluation and cost efficiency program.		Governance & Compliance				●	<ul style="list-style-type: none"> <li>Program delivered.</li> </ul>
17.	Evolve Business Continuity Planning Processes (BCP) & exercises.		Governance & Compliance		●	●	●	<ul style="list-style-type: none"> <li>Gap analysis completed.</li> <li>Program framework identified.</li> </ul>
18.	Implementation of customer contact centre & automation tools.		Enterprise Development & Delivery	●	●	●		<ul style="list-style-type: none"> <li>IVR technology implemented.</li> <li>Data capability delivered.</li> </ul>
19.	Development of Council's Visitor Management Strategy, tools & implementation roadmap.		Enterprise Development & Delivery		●	●	●	<ul style="list-style-type: none"> <li>Strategy published.</li> <li>Implementation roadmap identified.</li> </ul>



## corporate Affairs

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
20.	Delivery of Council's Enterprise Development Strategy, identifying key sector opportunities.		Enterprise Development & Delivery	●	●	●		<ul style="list-style-type: none"> <li>Strategy published.</li> </ul>
21.	Refresh of Council's community grant program.		Enterprise Development & Delivery	●	●			<ul style="list-style-type: none"> <li>Successful program delivery to all communities.</li> </ul>
22.	Grow strategic domestic & international knowledge alliances.		Enterprise Development & Delivery		●	●	●	<ul style="list-style-type: none"> <li>Framework developed &amp; 2 agreements in place.</li> </ul>




# Engineering Services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
23.	Seawall program design works for Poruma, lama, Warraber & Masig Communities.		Major Infrastructure	●	●	●	●	• Design works complete.
24.	Seawall program stage two construction.		Major Infrastructure	●	●	●	●	• Boigu and Poruma construction works underway.
25.	Deliver the Torres Strait Tide Gauge Project.		Major Infrastructure	●	●	●	●	• Project delivered.
26.	Complete water lagoon cover repairs/replacements for Saibai, Erub, Mer & Ugar Communities.		Water Management	●	●			• Works complete.
27.	Deliver Water & Wastewater project - Critical infrastructure/legislative compliance upgrades. (ICCIP – MULTIPLE PROJECTS).		Water Management/ Waste Water Services	●	●	●	●	• Multiple projects completed, some into future years.



# Engineering Services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
28.	Deliver regional Smart Water Meter project.		Water Management/ Waste Water Services	●	●	●	●	• Project completed.
29.	Construct Saibai sewerage treatment plant effluent outfall pipe.		Waste Water Services	●	●	●	●	• Works complete.
30.	Quantify & deliver Metal Waste & Clean Up project.		Waste Water Services	●	●	●	●	• Planning finalised, works underway.
31.	Complete Erub Airport Road upgrade works.		Transport Management	●	●	●	●	• Works completed
32.	Badu Aerodrome fence and safety improvements Saibai Aerodrome apron upgrade (Helipad) Dauan access road to Helipad.		Transport Management	●	●	●	●	• Works complete.
33.	Water & Wastewater Projects (W4Q – COVID).		Waste Water Services	●	●	●	●	• Works complete.







# Building Services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
34.	Implementation of desired operating model in alignment and consultation with key stakeholder delivery groups.		All Functions	●	●	●	●	<ul style="list-style-type: none"> <li>Operating model implemented.</li> </ul>
35.	Delivery of fuel bowser upgrade program.		Construction		●	●	●	<ul style="list-style-type: none"> <li>Implementation roadmap identified.</li> <li>Program delivery of &gt;60%.</li> </ul>
36.	Evolve core project management capability and efficiencies through software implementations.		Construction	●	●	●	●	<ul style="list-style-type: none"> <li>Gap analysis completed.</li> <li>Identified software implemented.</li> </ul>
37.	Refresh council asset and capital works program.		Repairs & Maintenance	●	●	●	●	<ul style="list-style-type: none"> <li>Program framework &amp; roadmap published.</li> </ul>
38.	Develop and grow local engagement modelling.		All Functions			●	●	<ul style="list-style-type: none"> <li>Development of framework with key stakeholders.</li> </ul>
39.	Work with key partners to develop sustainable and increased durability housing concepts.		Construction	●	●	●	●	<ul style="list-style-type: none"> <li>Host workshop with key partners.</li> <li>Recommendation paper delivered.</li> </ul>



# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
40.	Delivery of Food Safety program: - Community education & awareness. - Licensing Program Stage 1 - Commercial premises. - Licensing Program Stage 2 - Community licences.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>1 campaign per community.</li> <li>All applicable commercial/other premises compliant.</li> </ul>
41.	Delivery of education & awareness programs on water sanitation, waste management & sewerage.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>1 campaign community.</li> </ul>
42.	Deliver illegal dumping hotspot program.		Environmental Health		●	●	●	<ul style="list-style-type: none"> <li>Program fully implemented within two communities.</li> </ul>
43.	Delivery of Mosquito Management program: - Inspection, Albopictus survey. - Education, awareness, control activities. - Assist the Dengue Action Response Team (DART). - Implement Mosquito management plan.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>Program &amp; applicable plan(s) implemented.</li> </ul>
44.	Complete Environmental Health Worker development & certification program(s).		Environmental Health		●	●		<ul style="list-style-type: none"> <li>Annual Professional development workshop delivered.</li> </ul>








# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
45.	Delivery of Animal Management program: - Domestic animal compliance. - Veterinary services. - Compliance & enforcement program.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>• Bi-annual vet visits.</li> <li>• Compliance education program delivered to each community.</li> </ul>
46.	Develop local law & disturbance awareness program in collaboration with regional compliance and enforcement partners.		Environmental Health	●	●			<ul style="list-style-type: none"> <li>• Program &amp; framework delivered.</li> </ul>
47.	Delivery of Biosecurity Act compliance program.		Environmental Health	●	●	●	●	<ul style="list-style-type: none"> <li>• 100% of EWH workforce compliant.</li> </ul>
48.	Delivery of healthy lifestyle tools & awareness program(s) in conjunction with community identified areas of need.		Community Health & Wellbeing	●	●	●	●	<ul style="list-style-type: none"> <li>• Community need/gap analysis completed.</li> <li>• Program framework delivered.</li> </ul>
49.	Development & delivery of the Community Volunteer program.		Community Health & Wellbeing			●	●	<ul style="list-style-type: none"> <li>• Develop &amp; implement framework.</li> </ul>










# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
50.	Complete Healthy Lifestyle Officer Development & Certification Program(s).		Community Health & Wellbeing		●	●		<ul style="list-style-type: none"> <li>Annual Professional development workshop delivered.</li> </ul>
51.	Conduct IKC program gap analysis & in collaboration with State Library develop community driven KPIs for regional footprint.		Indigenous Knowledge Centres	●	●			<ul style="list-style-type: none"> <li>Community need/gap analysis &amp; full program completed.</li> <li>Program KPI framework delivered.</li> </ul>
52.	Delivery of core IKC programs: - First 5 Forever Program. - Public/Community Library Program. - Roll out of Fresh Start to all IKC. - Finalise Masig footprint utilising Idea's Box components.		Indigenous Knowledge Centres	●	●	●	●	<ul style="list-style-type: none"> <li>100% program delivery to existing IKC footprint.</li> <li>Successful establishment of Masig IKC.</li> </ul>
53.	Review, evolve & deliver home care support services to aged care program participants in accordance with state and federal standards.		Aged Care	●	●	●	●	<ul style="list-style-type: none"> <li>Delivery of review paper &amp; associated recommendations.</li> </ul>
54.	Review, evolve & deliver Aragon Child Care Centre (Badu) & Hammond After School Care, embedding Torres Strait Islander and Aboriginal cultural perspectives.		Child Care	●	●	●	●	<ul style="list-style-type: none"> <li>Delivery of review paper &amp; associated recommendations.</li> </ul>



# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
55.	Research current & future models of child care service delivery and develop business case aligned to community specific requirements.		Child Care			●	●	<ul style="list-style-type: none"> <li>Delivery of regional childcare business case &amp; recommendation paper.</li> </ul>
56.	Increase rental collections rate(s).		Housing Services	●	●	●	●	<ul style="list-style-type: none"> <li>Regional collection rate of &gt;80%.</li> </ul>
57.	Drive an active reduction in current debt levels.		Housing Services	●	●	●	●	<ul style="list-style-type: none"> <li>Development of debt management strategy.</li> </ul>
58.	Undertake tenants survey & develop strategic recommendations report.		Housing Services	●	●			<ul style="list-style-type: none"> <li>Annual survey completed.</li> <li>Recommendation report delivered.</li> </ul>
59.	Successfully complete full registration under QRSCH.		Housing Services	●	●			<ul style="list-style-type: none"> <li>Full registration completed.</li> </ul>








# community services

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
60.	Provide advice on development and lead implementation of a standardised approach to visitor management, including visitor entry and exit, accommodation and travel.		Divisional Offices	●	●	●	●	<ul style="list-style-type: none"> <li>Provide strategic advice &amp; recommendations for Visitor Management Strategy.</li> <li>Deliver on strategy roadmap milestones.</li> </ul>
61.	Strengthen financial governance through online training and professional development.		Divisional Offices	●	●	●	●	<ul style="list-style-type: none"> <li>Annual Professional development workshop delivered.</li> </ul>
62.	Evolve local disaster preparedness, response and recovery in accordance with state legislation and guidelines.		Divisional Offices	●	●	●	●	<ul style="list-style-type: none"> <li>Develop template &amp; procedure per community.</li> </ul>
63.	Establish standardised operating procedures of Divisional Offices, improving timeliness and quality of customer service.		Divisional Offices	●	●	●		<ul style="list-style-type: none"> <li>Develop &amp; implement standard operating procedure for divisional office management.</li> </ul>
64.	Drive and deliver effective community engagement events through local Divisional Offices.		Divisional Offices	●	●	●	●	<ul style="list-style-type: none"> <li>4 events delivered per community.</li> </ul>



# strategic Projects and Logistics

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
65.	Implement project allocation and delivery framework.		Logistics	●	●	●		<ul style="list-style-type: none"> <li>Framework identified &amp; implemented.</li> </ul>
66.	Mobilisation of Cairns operational footprint.		Strategic Projects	●	●	●		<ul style="list-style-type: none"> <li>Cairns site 100% operational.</li> </ul>
67.	Implement community freight support service.		Logistics	●	●	●	●	<ul style="list-style-type: none"> <li>Model &amp; roadmap identified for implementation.</li> </ul>
68.	Finalise fuel & Gas best practise fulfilment model.		Logistics	●	●	●	●	<ul style="list-style-type: none"> <li>Gap analysis conducted.</li> <li>Model developed &amp; successfully delivered to all communities.</li> </ul>
69.	Develop fleet service fulfilment model, incorporating community & regional partnerships.		Logistics		●	●	●	<ul style="list-style-type: none"> <li>Gap analysis conducted.</li> <li>Model developed &amp; successfully delivered to all communities.</li> </ul>





# Executive Office

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
70.	Poruma Land, Saibai Land Transfer & Ugar Land Transfer: 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			●	●	<ul style="list-style-type: none"> <li>Process completed.</li> </ul>
71.	Evolve Council's Enterprise Divestment Strategy (aligned to Enterprise Development Strategy).		Legal Services	●	●	●	●	<ul style="list-style-type: none"> <li>Develop framework in alignment with Enterprise Development Strategy.</li> </ul>
72.	Landing Holding Act (LHA) Katter Lease Resolution: To advocate for the grant of pending LHA entitlements in all Divisions.		Legal Services	●	●	●	●	<ul style="list-style-type: none"> <li>Process completed.</li> </ul>
73.	Template execution for (Regional) Infrastructure & Housing 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) maximise expediency in Native Title validation.		Legal Services	●	●			<ul style="list-style-type: none"> <li>Remaining communities completed.</li> </ul>
74.	Support the development of regional governance via One Boat and regional planning.		Legal Services	●	●	●	●	<ul style="list-style-type: none"> <li>Assist regional leadership in consultation process.</li> <li>Support model identified.</li> </ul>



# Executive Office

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
75.	Provide a regional legal framework which addresses both State and Traditional Lore requirements.		Legal Services			●	●	<ul style="list-style-type: none"> <li>Framework developed for consultation.</li> </ul>
76.	Effective management of DOGIT Land as a Trustee.		Legal Services	●	●	●	●	<ul style="list-style-type: none"> <li>Trustee requirements delivered accordingly.</li> </ul>



## People and Wellbeing

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
77.	Complete negotiations of new certified agreement with workforce.		Employee Relations	●	●	●	●	<ul style="list-style-type: none"> <li>Negotiations complete.</li> <li>Agreement developed.</li> </ul>
78.	Develop Council's Diversity & Inclusion policy.		Employee Relations			●	●	<ul style="list-style-type: none"> <li>Policy delivered.</li> </ul>
79.	Implementation of learning & development strategy.		Learning & Development		●	●	●	<ul style="list-style-type: none"> <li>Strategy developed &amp; implemented.</li> </ul>
80.	Grow Council's existing apprenticeship & traineeship program.		Learning & Development	●	●	●	●	<ul style="list-style-type: none"> <li>Fulfilment of traineeship placements.</li> </ul>
81.	Refresh Council's Transitional Action Plan (TAP).		Recruitment Services		●	●	●	<ul style="list-style-type: none"> <li>Plan delivered.</li> </ul>



## People and Wellbeing

No.	Objective	Corp. Plan	Function	Q1	Q2	Q3	Q4	Delivery/Target
82.	Evolve Council's recruitment process & systems, focusing on regional accessibility.		Recruitment Services		●	●		<ul style="list-style-type: none"> <li>Software implemented.</li> <li>Local applicant feedback captured.</li> </ul>
83.	Develop employee benefit & wellbeing programs.		Safety & Wellbeing		●	●		<ul style="list-style-type: none"> <li>Program parameters identified.</li> </ul>
84.	Evolve WHS policies & procedures.		Safety & Wellbeing	●	●	●		<ul style="list-style-type: none"> <li>Applicable policies implemented.</li> </ul>
85.	Implement WHS systems.		Safety & Wellbeing	●	●	●		<ul style="list-style-type: none"> <li>System implementations complete.</li> </ul>
86.	Increase WHS support & representative footprint within region.		Safety & Wellbeing	●	●	●	●	<ul style="list-style-type: none"> <li>Candidates identified &amp; appointed.</li> </ul>



# How we manage our Operational Risk

The Local Government Regulation 2012 requires the management of risk to be included in Council's Annual Operational Plan. Annual operational plan contents s 175 (1) - the annual operational plan for a local government must – (b) state how the local government will – (ii) manage operational risks.

The Council's risk management vision is 'creating excellence in risk, work health and safety and business continuity management'. The objectives are managing risk exposure, consistently and systematically to maximise community outcomes. This effectively leverages the benefit of opportunities, manages uncertainty, builds organisational resilience and minimises the impact of adverse events to ensure sustainability.

Risk management for Council's local government area is governed by the Enterprise Risk Management Framework which is integral to the overarching Corporate Governance Framework. This approach is aligned with AS/NZS ISO 31000: 2018 Risk Management and is tailored to the specific business and the organisational context of Council at an operational, tactical and strategic level.

The framework provides procedures, systems, policies and strategies that focus on effective risk management leadership through engagement and consultation.

In addition to ongoing risk reviews at corporate, operational and local level, the Executive Leadership Team participates in an annual workshops to review the corporate risk profiles and ensure risks are managed effectively to a level as low as is reasonably practicable taking into consideration emerging issues, global trends, threats and opportunities. Risks are also reviewed regularly through engagement of the Risk Managers, the Work Health and Safety Advisory Committee and the Audit Committee. These Committees support good governance through consultation and engagement with Council Executive Leadership, Managers and Officers.

By identifying and actively managing risks and with the implementation of numerous risk treatment strategies, business continuity plans, incident management protocols, inspections and audits, security plans and work health and safety initiatives, the Council is equipped to ensure that risks are managed to a level as low as is reasonably practicable whilst optimising restricted opportunities available.



**Torres Strait Island**  
REGIONAL COUNCIL

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# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/2021
<b>ITEM:</b>	Agenda Item for <u>Resolution</u> by Council
<b>SUBJECT:</b>	Award of Contract – TSIRC 2020-330 – Badu & Iama Sewer Pump Station (SPS) Renewals
<b>AUTHOR:</b>	Daniel Harrington – Senior Project Engineer, Capital Works

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### Recommendation:

That;

Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Award Contract TSIRC 2020-330 – Badu (ICCIP project #7) and Iama (ICCIP project #42) Sewer Pump Station (SPS) Renewals to M&J Arthur Pty Ltd for an amount of \$2,425,500.00 excl. GST, and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council procurement policy.

### Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to award the Construction and Supply Works for the Badu & Iama SPS Renewals to M&J Arthur Pty Ltd for their quoted amount of \$2,425,500.00 excl. GST.

### Background:

ICCIP is a one-off funding program, administered by the Queensland Government Department of Local Government, Racing and Multicultural Affairs (DLGRMA). The Grantee for the Badu & Iama SPS Renewals is the Torres Strait Island Regional Council (TSIRC).

The Badu and Iama SPS's are approximately 20 years in age and are in poor condition, therefore requiring upgrading and refurbishment. The SPS's are also not monitored remotely, which impacts on the reliability of the sewerage systems.

### Works Scope:

Both the Badu (ICCIP project #7) and Iama (ICCIP project #42) involve the general works outlined below:

- Mobilisation to each site,
- Construction of temporary bypass system for each SPS to enable continued operation,
- Refurbishment of existing wells, including associated pumps and pipework,
- Replacement of existing switchboards as required,
- Installation of SCADA monitoring infrastructure,
- Disposal of all redundant equipment and material offsite,
- Quality control testing and commissioning,
- As constructed survey, and
- Demobilisation from each site.

Badu SPS upgrade (ICCIP project #7) includes the following detailed scope items;

- SPS 1, 2 and 3;
  - replacement of perimeter fencing and gate – stainless steel
  - supply and install new pipework, screening basket and pump assembly
  - supply and install new manhole cover and davit crane
  - supply and install new switchboard, sensors and cabling
  - supply and install remote monitoring to SCADA
  - STP inlet flow meter
- SPS 4 and 5;
  - supply and install new switchboard, sensors and cabling
  - supply and install remote monitoring to SCADA

Iama SPS upgrade (ICCIP project #42) includes the following detailed scope items;

- SPS 1 and 2;
  - replacement of perimeter fencing and gate – paling timber
  - supply and install new pipework, screening basket and pump cover
  - supply and install new gantry
  - supply and install new switchboard, sensors and cabling
  - supply and install remote monitoring to SCADA

### **Funding**

The ICCIP funding deadline is 30<sup>th</sup> June 2022. M&J Arthur's program has a 126 day construction period from when the Letter of Acceptance (LoA) is issued until completion of commissioning. Pending the outcome of May 2021 Council Resolution, it is anticipated that the LoA will be issued in May 2021 and project scheduled for completion in October 2021, which will be in time for the ICCIP funding deadline.

Based on M&J Arthur Pty Ltd's price there is sufficient budget allocated through ICCIP for this project.

It is to be noted that the anticipated project schedule is not inclusive of any unknown delays associated with impacts due to Covid 19. Potential impacts could be supply of equipment, as well as site access to complete the scope of works. Any delays will be communicated to the funding body and managed by TSIRC accordingly.

### **Procurement Process:**

In accordance with Council's procurement policy and the Local Government Regulations 2012, an open tender process was initiated via LG Tenderbox for Tender No TSIRC2020-330. A site inspection was undertaken on Wednesday 10<sup>th</sup> March 2021.

Table 1 below outlines the Tendering process undertaken.

Description	Details
Advertising	Open public tenders (via LG Tenderbox)
Advertised Date	Thursday 18 <sup>th</sup> February 2021
Tender Close Date	Wednesday 31 <sup>st</sup> March 2021
Tender Period	6 weeks
Tenders received	Three (3) tenders were received by TSIRC.

Table 1 – Tender details.

At the close of the public tender process on 31<sup>st</sup> March 2021, Council received three (3) submissions from the following companies:

- M&J Arthur Pty Ltd
- Koppens Development Pty Ltd
- Fewster Brothers Contracting Pty Ltd

A value-based assessment was undertaken for the 3 tenders, the tenders were assessed by:

- Daniel Harrington – Senior Project Engineer (TSIRC)
- Michael Lancini – Senior Engineer (MAL Engineers Pty Ltd)
- Simon Wood – Civil Engineer (GHD)

The tender assessment was completed in accordance with the predefined tender evaluation criteria weighting as per Table 2.

Criteria	Weighting
Price	40%
Relevant experience	15%
Technical skills	15%
Demonstrated understanding	10%
Project quality, health and safety management	10%
Project experience within the Torres Strait and IEOP	10%

Table 2 – Scoring criteria weighting.

The tender evaluation found M&J Arthur Pty Ltd's to be the highest ranked tender submission (see Table 3 below).

Tenderer	Tender Score (out of 10)
M&J Arthur Pty Ltd	7.68
Koppens Development Pty Ltd	7.55
Fewster Brothers Contracting Pty Ltd	4.09

Table 3 – Contractor tender evaluation scores.

At the completion of the assessment the evaluation panel considered the offer from M&J Arthur Pty Ltd as the best value for money submission. M&J Arthur's strong performance on other current major infrastructure projects with TSIRC, along with their nominated subcontractor's (Northern Water and Austek) previous experience on similar water and wastewater projects with TSIRC favourably addressed the requirements of the Project.

The M&J Arthur submission was significantly lower in cost than the other submissions.

M&J Arthur IEOP was for \$76k and 800 apprentice/trainee hours. It is to be noted that M&J Arthur have recently employed a full time local apprentice which is deemed a sustainable approach to IEOP.

## **Considerations**

### Risk Management

Schedule risk - delaying Council Resolution to award the Contract at the May Council Meeting will directly impact the commissioning schedule.

### Council Finance

The project is fully funded by ICCIP.

## **Statutory Requirements:**

*Local Government Act 2009*

*Local Government Regulation 2012*

## Conclusion

Based upon the tender assessment it is recommended that Council delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Award Contract TSIRC 2020-330 – Badu (ICCIP project #7) and Iama (ICCIP project #42) Sewer Pump Station (SPS) Renewals to M&J Arthur Pty Ltd for an amount of \$2,425,500.00 excl. GST, and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council procurement policy.



**Author:**

Daniel Harrington  
Senior Project Engineer



**Recommended:**

Adeah Kabai  
Acting Chief Engineer



**Approved:**

David Baldwin  
Acting Chief Executive Officer



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

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<b>DATE:</b>	24/05/2021
<b>ITEM:</b>	Agenda Item for <u>Resolution</u> by Council
<b>SUBJECT:</b>	Award of Contract TSIRC 2020-301 – SCADA Upgrades
<b>AUTHOR:</b>	Daniel Harrington – Senior Project Engineer, Capital Works

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### Recommendation:

That;

Council resolves to delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Award Contract TSIRC 2020-301 – SCADA Upgrades (ICCIP project #75) to Austek Pty Ltd for an amount of \$2,330,751.60 excl. GST, and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council procurement policy.

### Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to award the Construction and Supply Works for the SCADA Upgrades to Austek Pty Ltd for their quoted amount of \$2,330,751.60 excl. GST.

### Background:

ICCIP is a one-off funding program, administered by the Queensland Government Department of Local Government, Racing and Multicultural Affairs (DLGRMA). The Grantee for the SCADA Upgrades is the Torres Strait Island Regional Council (TSIRC).

The SCADA Upgrades (ICCIP Project #75) involves the installation of telemetry and monitoring infrastructure to all wastewater facilities (Sewer Pumpstations and Sewer Treatment Plants) for Mabuiag, Masig, Poruma and Warraber. This upgrade will allow for remote monitoring at these sites which is essential for continued and reliable operation. Currently these sites do not have SCADA monitoring capabilities.

### Works Scope:

The general scope of works will be undertaken in the following order:

- Mobilisation to each site,
- Installation of SCADA monitoring infrastructure,
- Replacement of existing switchboards as required,
- Disposal of all redundant equipment and material offsite,
- Quality assurance testing and commissioning,
- As constructed survey, and
- Demobilisation from site.

## Funding

The ICCIP funding deadline is 30<sup>th</sup> June 2022. Austek's program has a 123 day construction period from when the Letter of Acceptance (LoA) is issued until completion of commissioning. Pending the outcome of May 2021 Council Resolution, it is anticipated that the LoA will be issued in May 2021 and project scheduled for completion in October 2021, which will be in time for the ICCIP funding deadline

Based on Austek's price there is sufficient budget allocated through ICCIP for this project.

It is to be noted that the anticipated project schedule is not inclusive of any unknown delays associated with impacts due to Covid 19. Potential impacts could be supply of equipment, as well as site access to complete the scope of works. Any delays will be communicated to the funding body and managed by TSIRC accordingly.

## Procurement Process:

In accordance with Council's procurement policy and the Local Government Regulations 2012, an open tender process was initiated via LG Tenderbox for Tender no TSIRC2020-301.

Table 1 below outlines the Tendering process undertaken.

Description	Details
Advertising	Open public tenders (via LG Tenderbox)
Advertised Date	Monday 25 <sup>th</sup> January 2021
Tender Close Date	Friday 5 <sup>th</sup> March 2021
Tender Period	5 weeks
Tenders received	Three (3) tenders were received by TSIRC.

Table 1 – Tender details.

At the close of the public tender process on 5<sup>th</sup> March 2021, Council received three (3) submissions from the following companies:

- Austek Pty Ltd
- JM Switchboards
- SAFEgroup Automation Pty Ltd

A value-based assessment was undertaken for the 3 tenders, the tenders were assessed by:

- Daniel Harrington – Senior Project Engineer (TSIRC)
- Michael Lancini – Senior Engineer (MAL Engineers Pty Ltd)
- Patrick Whittington – SCADA Technician and Data Analyst.

The tender assessment was completed in accordance with the predefined tender evaluation criteria weighting as per Table 2.

Criteria	Weighting
Price	40%
Relevant experience	15%
Technical skills	15%
Demonstrated understanding	10%
Project quality, health and safety management	10%
Project experience within the Torres Strait and IEOP	10%

Table 2 – Scoring criteria weighting.



The tender evaluation found Austek Pty Ltd to be the highest ranked tender submission (see Table 3 below).

Tenderer	Tender Score (out of 10)
Austek Pty Ltd	9.08
JM Switchboards	8.16
SAFEgroup Automation Pty Ltd	7.23

Table 3 – Contractor tender evaluation scores

At the completion of the assessment the evaluation panel considered the offer from Austek Pty Ltd as the best value for money submission. Austek have a strong construction and maintenance history in the Torres Strait region and are familiar with standardisation of SCADA across other islands. The Austek submission was the lowest rationalised pricing submission.

Due to the specialist nature of the work, there is limited opportunity for indigeous employment and training hours, however targets set for local spend.

### Considerations

#### Risk Management

Schedule risk - delaying Council Resolution to award the Contract at the May Council Meeting will directly impact the commissioning schedule.

#### Council Finance

The project is fully funded by ICCIP.

### Statutory Requirements:

*Local Government Act 2009*

*Local Government Regulation 2012*

### Conclusion

Based upon the tender assessment it is recommended that Council delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to:

- Award Contract TSIRC 2020-301 – SCADA Upgrades (ICCIP project #75) to Austek Pty Ltd for an amount of \$2,330,751.60 excl. GST, and
- Negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council procurement policy.



**Author:**

Daniel Harrington  
Senior Project Engineer



**Recommended:**

Adeah Kabai  
Acting Chief Engineer



**Approved:**

David Baldwin  
Acting Chief Executive Officer

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

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**ORDINARY MEETING:** May 2021  
**DATE** 24-25 May 2021  
**ITEM:** May Agenda Report  
**SUBJECT:** April Financial Dashboard  
**ECM:** ECM\_302710  
**AUTHOR:** Nicola Daniels – Head of Financial Services

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### **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 April 2021, as required under Section 204 *Local Government Regulation 2012*.

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### **Purpose:**

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

### **Background:**

The percentage of year passed (pro-rata rate) as at 30 April 2021 is 83%.

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:**

Council is forecasting an operating deficit of \$5.7 million for the 2020/21 financial year. The actual operating result for April 2021 YTD is a \$8.1 million deficit compared to a forecasted operating deficit of \$7.9 million (\$147K or 2% below budget).

Capital delivery currently represents 30% of YTD budget including accrued expenditure for works in progress. The delivery of key capital projects continues to be a focus for Council.

## FINANCIAL PERFORMANCE AT A GLANCE – APRIL 2021

Key financial results	Annual budget review	YTD budget review	YTD actual	YTD variance \$	YTD variance %	Status
Recurrent revenue	53,285,964	40,666,768	40,840,105	173,337	0.4%	●
Other income	5,963,102	4,971,154	5,020,159	49,005	1.0%	●
Recurrent expenditure (excl. depreciation)	(64,996,594)	(53,580,813)	(53,950,295)	(369,482)	(0.7%)	●
<b>Operating result (excl. depreciation)</b>	<b>(5,747,527)</b>	<b>(7,942,892)</b>	<b>(8,090,032)</b>	<b>(147,140)</b>	<b>(1.9%)</b>	●
Capital revenue	63,686,473	38,975,617	16,523,613	(22,452,004)	(57.6%)	●
Capital expenses	(3,500,000)	(2,800,000)	(3,613,861)	(813,861)	(29.1%)	●
<b>Net result (excl. depreciation)</b>	<b>54,438,946</b>	<b>28,232,725</b>	<b>4,819,720</b>	<b>(23,413,005)</b>	<b>(82.9%)</b>	●
Depreciation expense	(46,507,984)	(38,756,653)	(38,618,287)	138,366	0.4%	●
<b>Net result</b>	<b>7,930,962</b>	<b>(10,523,928)</b>	<b>(33,798,567)</b>	<b>(23,274,639)</b>	<b>(221.2%)</b>	●
<b>Key:</b>						
Act Vs Bud Var % is <= -10%	●					
Act Vs Bud Var % is > -10% and <= -5%	●					
Act Vs Bud Var % is > -5%	●					

### Operating Result

The YTD (\$147K) operating result variance can be attributed to:

- Increased salary and wages;
  - o Payment to Stream A employees transitioning to a 36.25 hour working week per the Award. Payment per Council resolution.
  - o Allocation of salary and wages to capital projects; due to delay in processing and difference in predicted allocation between operating and capital works
- 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)

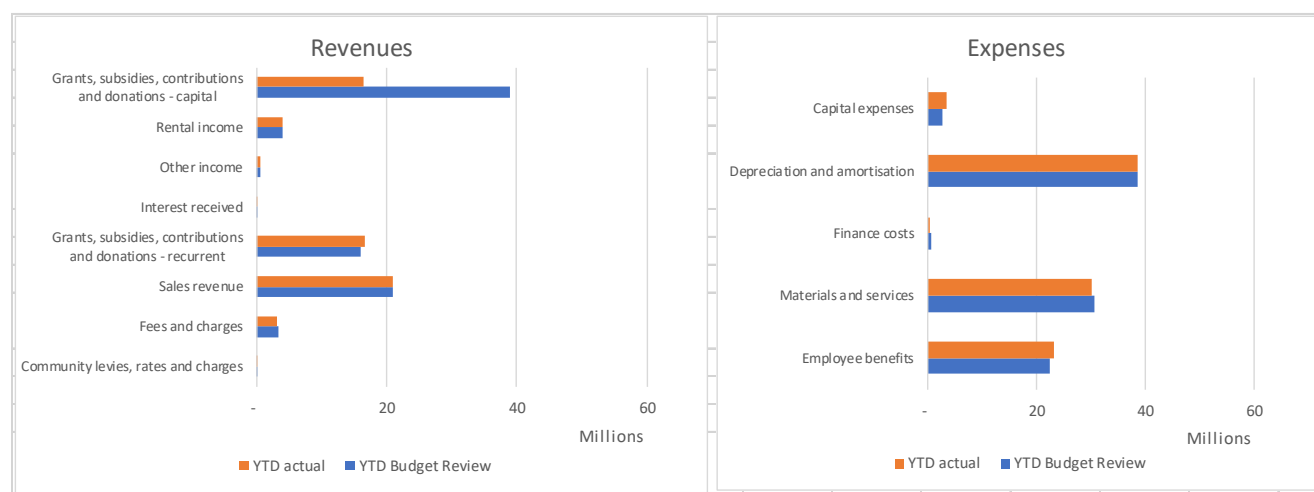
### Net Result

The YTD (\$23.3M) 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)
- Cost of asset disposal is higher than full year budget of \$3.5M – disposal of residential housing transferred per Katter Lease/Home Ownership Program

## STATEMENT OF FINANCIAL PERFORMANCE

	Annual Budget Review	YTD Budget Review	YTD actual	YTD variance \$	YTD variance %
<b>Income</b>					
<b>Recurrent revenue</b>					
Community levies, rates and charges	1,534,078	19,344	62,665	43,321	69%
Fees and charges	4,055,497	3,504,511	3,117,302	(387,209)	-12%
Sales revenue	23,950,753	20,971,266	20,901,398	(69,868)	0%
Grants, subsidies, contributions and donations	23,745,636	16,171,647	16,758,740	587,093	4%
	53,285,964	40,666,768	40,840,105	173,337	0%
<b>Capital revenue</b>					
Grants, subsidies, contributions and donations	63,686,473	38,975,617	16,523,613	(22,452,004)	-136%
	63,686,473	38,975,617	16,523,613	(22,452,004)	-136%
Interest received	379,151	315,728	304,942	(10,786)	-4%
Other income	739,888	632,018	617,774	(14,244)	-2%
Rental income	4,844,063	4,023,407	4,097,443	74,036	2%
<b>Total income</b>	<b>122,935,539</b>	<b>84,613,539</b>	<b>62,383,877</b>	<b>(22,229,662)</b>	<b>-36%</b>
<b>Expenses</b>					
<b>Recurrent expenses</b>					
Employee benefits	27,083,224	22,388,162	23,256,924	868,762	4%
Materials and services	37,248,310	30,621,290	30,158,226	(463,063)	-2%
Finance costs	665,059	571,362	535,145	(36,217)	-7%
Depreciation and amortisation	46,507,984	38,756,653	38,618,287	(138,366)	0%
	111,504,577	92,337,467	92,568,583	231,116	0%
<b>Capital expenses</b>					
	3,500,000	2,800,000	3,621,458	821,458	23%
<b>Total expenses</b>	<b>115,004,577</b>	<b>95,137,467</b>	<b>96,190,040</b>	<b>1,052,574</b>	<b>1%</b>
<b>Net result</b>	<b>7,930,962</b>	<b>(10,523,928)</b>	<b>(33,806,163)</b>	<b>(23,282,235)</b>	<b>69%</b>

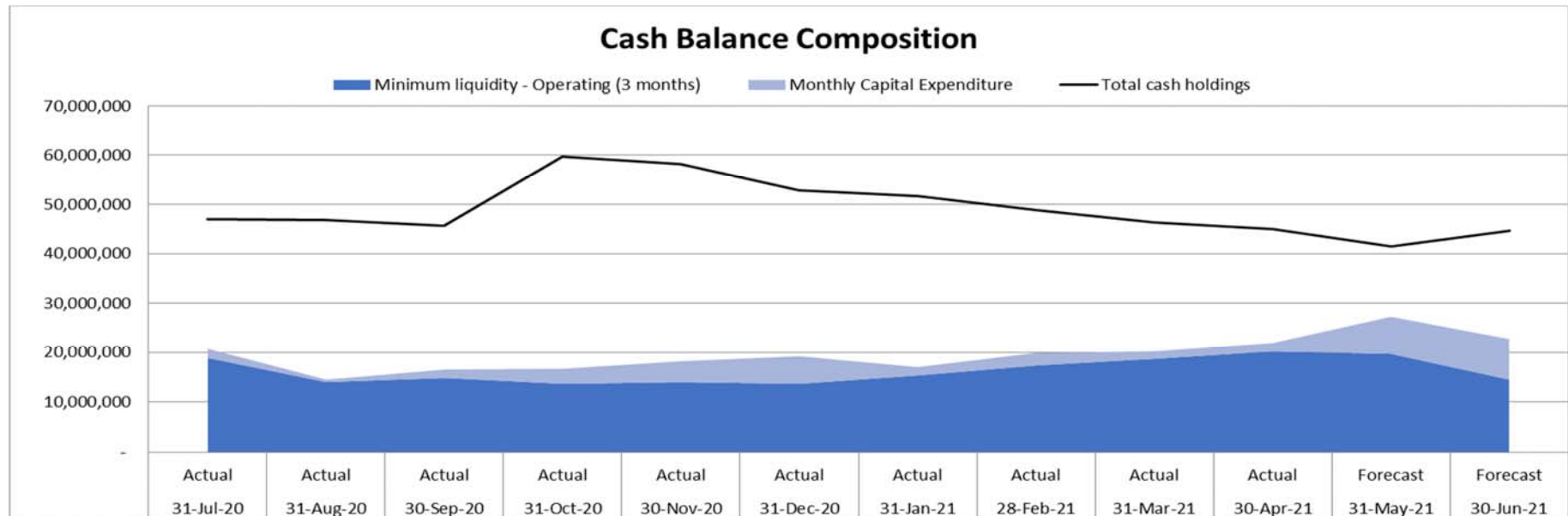


**STATEMENT OF FINANCIAL POSITION**

	<b>Current Month 2021</b>	<b>Prior Month 2021</b>	<b>variance \$</b>	<b>variance %</b>
<b>Current assets</b>				
Cash and cash equivalents	44,843,023	46,313,585	(1,470,562)	-3%
Short term deposits	65,374	65,374	0	0%
Trade and other receivables	4,128,952	7,621,510	(3,492,558)	-46%
Inventories	249,515	249,515	0	0%
Contract assets	2,753,418	1,193,003	1,560,415	131%
Lease receivables	-	-	0	
<b>Total current assets</b>	<b>52,040,282</b>	<b>55,442,987</b>	<b>(3,402,705)</b>	<b>-6%</b>
<b>Non-current assets</b>				
Lease receivables	14,715,268	14,715,268	0	0%
Property, plant and equipment	862,043,867	863,987,171	(1,943,304)	0%
Right of use assets	1,330,000	1,330,000	0	0%
Intangible assets	-	-	0	
<b>Total non-current assets</b>	<b>878,089,135</b>	<b>880,032,439</b>	<b>(1,943,304)</b>	<b>0%</b>
<b>Total assets</b>	<b>930,129,417</b>	<b>935,475,426</b>	<b>(5,346,009)</b>	<b>0%</b>
<b>Current liabilities</b>				
Trade and other payables	5,766,234	5,375,442	(390,792)	-7%
Borrowings	18,056	17,741	(315)	-2%
Provisions	3,347,342	3,364,020	16,678	0%
Contract liabilities	17,844,335	17,844,335	0	0%
Lease liabilities	651,775	651,775	0	0%
<b>Total current liabilities</b>	<b>27,627,742</b>	<b>27,253,313</b>	<b>(374,429)</b>	<b>-1%</b>
<b>Non-current liabilities</b>				
Borrowings	36,100	36,100	0	0%
Provisions	3,757,363	3,677,491	(79,871)	-2%
Lease liabilities	688,927	688,927	0	0%
<b>Total current liabilities</b>	<b>4,482,390</b>	<b>4,402,519</b>	<b>(79,871)</b>	<b>-2%</b>
<b>Net community assets</b>	<b>898,019,285</b>	<b>903,819,594</b>	<b>(5,800,309)</b>	<b>-1%</b>

## 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 for the future months 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 April figures reflect actual cash balances.



## Cashflow Comments

### YTD April 2021 - \$46M

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

### EOY Forecast \$44.5M comparison to Budget \$29M

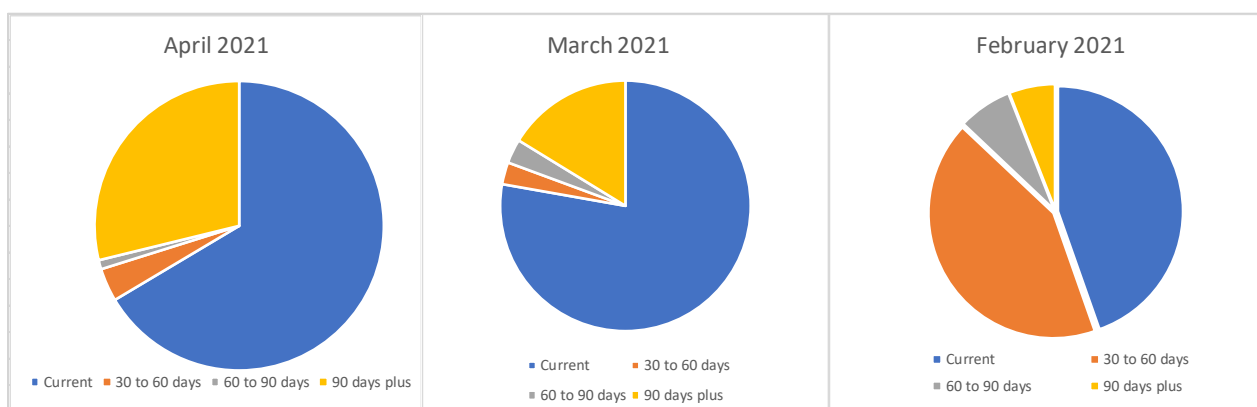
- Grant funding forecast (\$49M) < budget (\$78.7M) – ICCIP delay in timing of works (extended to 30 June 2022)
- Delay in expected timing of capital works; forecast (\$66M) < budget (\$80M)
- Although cash holdings remain above QTC recommendations, a majority of this is constrained funding

## Debtor Analysis

Days outstanding	As at 30 April 2021		As at 31 March 2021		As at 28 February	
	\$	%	\$	%	\$	%
Current	2,079,572	66%	2,915,222	93%	1,549,100	41%
30 to 60 days	116,303	4%	105,933	3%	1,473,183	39%
60 to 90 days	32,024	1%	117,174	4%	243,151	6%
90 days plus	902,248	29%	609,159	19%	207,057	6%
Total aged debtors	3,130,146	100%	3,747,488	120%	3,472,491	93%
Unapplied Credits	- 1,511,440		- 975,905		- 782,090	
Housing debtors (Note 1)	13,150,656		13,265,247		13,103,196	
Provision	- 14,141,890		- 14,114,978		- 14,088,067	
Net debtors	627,473		1,921,851		1,705,530	

### Notes to table:

- Analysis of housing debtors and collection rates contained in monthly Housing Information Report
- Provision for doubtful debt to be recalculated in May 2021 and posted prior to interim audit
- Unapplied credits balance relates to unallocated grant funding receipts - invoice to be processed.

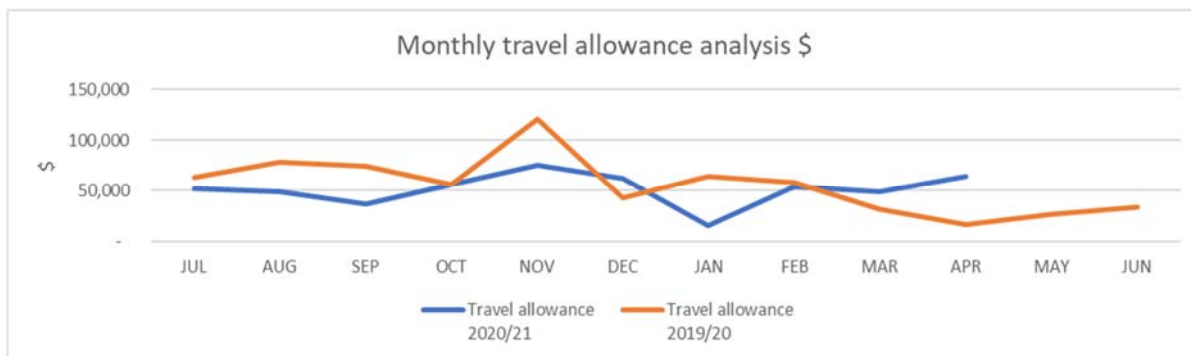
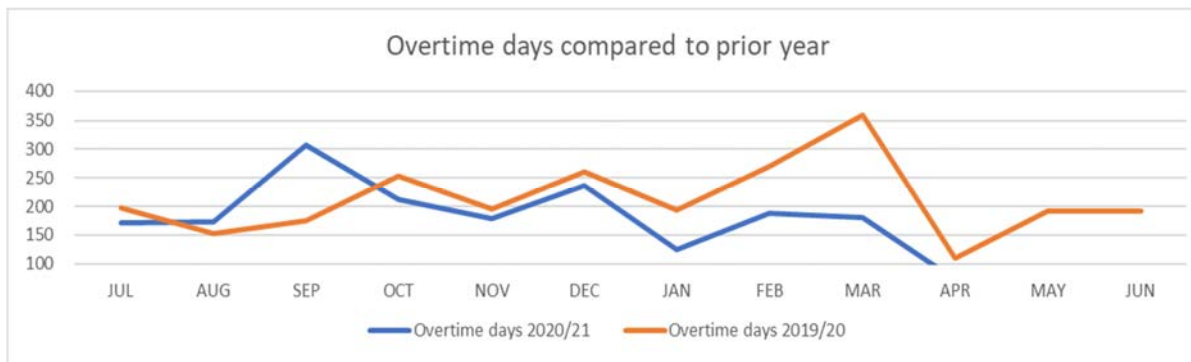
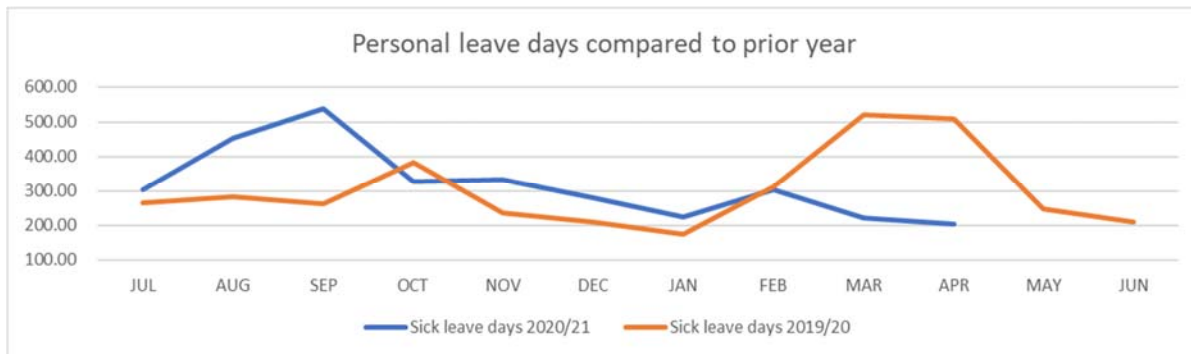
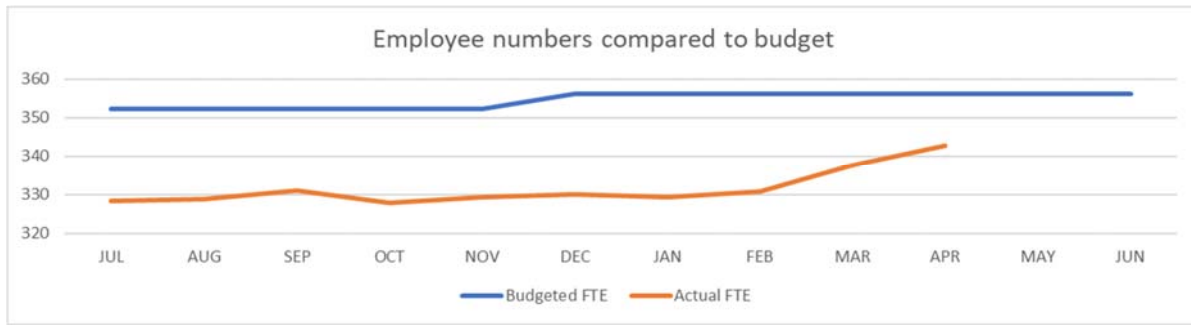


### Analysis on graphs:

#### Analysis of top five debtors in excess of 90 Days:

Debtor name	Amount outstanding in excess of 90 days	Commentary
BIF Badu Island Foundation	120,239.66	Rates and Debt Recovery Officer is following up with Debtor to establish an equitable resolution for payment.
Tagai State College	92,457.86	Debtor has disputed/questioned the content/property details of invoices - An investigation is being undertaken to investigate the property details relating to the Debtor's concerns to determine action to be taken.
Torres Strait Major Infrastructure and Other Projects Trust Fund	\$91,093.05	Financial Operations Accountant is following up with Debtor regarding delay in payment of Ugar Safe Access & Helicopter Subsidy.
Ged Erub Trading Homeland Enterprise (TSI) Corporation Tavern	85,931.29	Rates and Debt Recovery Officer is following up with Debtor to establish an equitable resolution for payment.
Badhuigaw 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

## Payroll Analysis





**Grant Analysis:**

Funding Applications for month:

Funder	Amount	Time frame	Purpose
Minister for Agriculture, Drought, and Emergency Management	312,475	3 years	The program will run over 3 years from 2020–21 to 2022–23 to provide funding to support Indigenous business opportunities relating to biosecurity activities in northern Australia including the Torres Strait.

**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 affect from international outbreaks and can be seen in the shortage of the goods and labour markets. It is expected that government funding will become more restricted. Roll-out 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. Roll-out 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**



Recommended: Hollie Faithfull  
Chief Financial Officer



Approved: David Baldwin  
Acting Chief Executive Officer

## Appendix A

### 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	570,810	562,670	(8,140)	-1.4%	●
Other income	35,000	49,463	17,982	(31,481)	-63.6%	●
Recurrent expenditure (excl. depreciation)	(3,668,630)	(3,073,310)	(3,295,070)	(221,760)	-7.2%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(3,061,829)</b>	<b>(2,453,037)</b>	<b>(2,714,418)</b> ▼	<b>(261,381)</b>	<b>-10.7%</b>	●
Capital revenue	0	0	0	0	0.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(3,061,829)</b>	<b>(2,453,037)</b>	<b>(2,714,418)</b> ▼	<b>(261,381)</b> ▼	<b>-10.7%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>(3,061,829)</b>	<b>(2,453,037)</b>	<b>(2,714,418)</b>	<b>(261,381)</b>	<b>-10.7%</b>	●

#### Comments:

Currently tracking within budget, however expenditure is being managed to minimise budget overspend without compromising service delivery.

### 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	27,200	126,390	99,190	364.7%	●
Recurrent expenditure (excl. depreciation)	(1,594,944)	(1,303,291)	(1,168,647)	134,644	10.3%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(1,560,944)</b>	<b>(1,276,091)</b>	<b>(1,042,257)</b> ▼	<b>233,834</b>	<b>18.3%</b>	●
Capital revenue	0	0	0	0	0.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(1,560,944)</b>	<b>(1,276,091)</b>	<b>(1,042,257)</b> ▼	<b>233,834</b> ▼	<b>18.3%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>(1,560,944)</b>	<b>(1,276,091)</b>	<b>(1,042,257)</b>	<b>233,834</b>	<b>18.3%</b>	●

#### Comments:

Expected to stay within budget for the financial year

Due to planned travel to all Divisions by the WHS Officer to carry out safety inspections and audits, the majority of travel budget will be expended by the Engaging consultant to guide the development and implementation of the Safety Management System

## Appendix A

### 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	8,098,564	6,967,406	(1,131,158)	-14.0%	●
Other income	426,853	359,218	422,650	63,433	17.7%	●
Recurrent expenditure (excl. depreciation)	(12,574,166)	(10,317,580)	(10,032,407)	285,173	2.8%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(3,302,265)</b>	<b>(1,859,798)</b>	<b>(2,642,350)</b> ✓	<b>(782,552)</b>	<b>-42.1%</b>	●
Capital revenue	364,735	364,735	19,735	(345,000)	-94.6%	●
Capita expenses	0	0	45	45	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(2,937,530)</b>	<b>(1,495,063)</b>	<b>(2,622,570)</b> ✓	<b>(1,127,507)</b> ✓	<b>-75.4%</b>	●
Depreciation Expense	(4,421,009)	(3,684,175)	(3,885,735)	(201,560)	-5.5%	●
<b>Net result</b>	<b>(7,358,540)</b>	<b>(5,179,237)</b>	<b>(6,508,304)</b>	<b>(1,329,067)</b>	<b>-25.7%</b>	●

#### Comments:

Tracking under budget due to payment to stream A employees and lower commercial property rental income  
Divisional Admin activities are minimal but managed effectively, with greater focus on revenue.

### 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	11,104,155	11,175,406	71,251	0.6%	●
Other income	579,151	475,728	315,407	(160,321)	-33.7%	●
Recurrent expenditure (excl. depreciation)	(7,011,157)	(5,793,193)	(5,530,121)	263,072 ✓	4.5%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>12,088,999</b>	<b>5,786,690</b>	<b>5,960,691</b> ✓	<b>174,001</b>	<b>3.0%</b>	●
Capital revenue	6,926,811	164,491	509,491	345,000	209.7%	●
Capita expenses	(3,500,000)	(2,800,000)	(3,622,867)	(822,867) ✓	-29.4%	●
<b>Net result (excl. depreciation)</b>	<b>15,515,810</b>	<b>3,151,182</b>	<b>2,847,316</b> ✓	<b>(303,865)</b>	<b>-9.6%</b>	●
Depreciation Expense	(1,040,048)	(866,707)	(890,803)	(24,096) ✓	-2.8%	●
<b>Net result</b>	<b>14,475,762</b>	<b>2,284,475</b>	<b>1,956,513</b>	<b>(327,962)</b>	<b>-14.4%</b>	●

#### Comments:

Net result over budget; expenditure is being managed to minimise budget overspend without compromising service delivery.  
Operating expenditure expected to remain within budget for the financial year  
Capital expenses above year budget due to the disposal of social housing for the home ownership program

## Appendix A

### 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	2,019,396	1,899,111	(120,285)	-6.0%	●
Other income	0	0	20,000	20,000	0.0%	●
Recurrent expenditure (excl. depreciation)	(14,245,401)	(11,743,896)	(11,453,502)	290,394	2.5%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(10,305,879)</b>	<b>(9,724,501)</b>	<b>(9,534,391)</b>	<b>190,109</b>	<b>-2.0%</b>	●
Capital revenue	47,309,038	32,867,478	17,105,937	(15,761,541)	-48.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>37,003,159</b>	<b>23,142,978</b>	<b>7,571,546</b>	<b>(15,571,432)</b>	<b>-67.3%</b>	●
Depreciation Expense	(21,772,716)	(18,143,930)	(18,265,278)	(121,348)	-0.7%	●
<b>Net result</b>	<b>15,230,443</b>	<b>4,999,048</b>	<b>(10,693,732)</b>	<b>(15,692,780)</b>	<b>-313.9%</b>	●

#### Comments:

Variances for recurrent revenue and expenditure are predominately due to timing differences to budget spread.

Capital revenue is down due the delay in receipt of funding for ICCIP which has been extended to 30 June 2022

### 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	18,768,987	18,685,918	(83,069)	-0.4%	●
Other income	0	909	0	(909)	-100.0%	●
Recurrent expenditure (excl. depreciation)	(17,884,838)	(14,732,371)	(16,021,246)	(1,288,875)	-8.7%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>3,397,837</b>	<b>4,037,526</b>	<b>2,664,673</b>	<b>(1,372,853)</b>	<b>-34.0%</b>	●
Capital revenue	1,735,124	1,388,100	0	(1,388,100)	-100.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>5,132,961</b>	<b>5,425,626</b>	<b>2,664,673</b>	<b>(2,760,953)</b>	<b>-50.9%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>5,132,961</b>	<b>5,425,626</b>	<b>2,664,673</b>	<b>(2,760,953)</b>	<b>-50.9%</b>	●

#### Comments:

BSU tracking behind budget as a result of further delays in the Warraber duplex and unbudgeted backpays to Stream A employees. Expenditure is being managed, although focus is placed on increasing revenues, by recovering all costs where possible and improved invoicing procedures.

Allocation between recurrent revenue and capital revenue yet to be processed by Finance (new accounting standard requirements).

Management believes at this stage the net result will not reach budget expectations by the end of financial year due to the difference in timing of works as opposed to phasing applied to the budget. A net profit of \$3.8m, with a YTD variance of (\$1.2m) is currently forecast. This variance reflects the budgeted revenues still to be received for the Warraber duplex.

## Appendix A

### 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	4,023,407	4,098,361	74,954	1.9%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(4,507,349)	(3,759,783)	(3,774,128)	(14,345) ✓	-0.4%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>336,714</b>	<b>263,624</b>	<b>324,233</b> ✓	<b>60,609</b>	<b>23.0%</b>	●
Capital revenue	6,937,314	3,777,362	0	(3,777,362)	-100.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>7,274,028</b>	<b>4,040,986</b>	<b>324,233</b> ✓	<b>(3,716,753)</b>	<b>-92.0%</b>	●
Depreciation Expense	(19,274,210)	(16,061,842)	(15,476,129)	585,713 ✓	3.6%	●
<b>Net result</b>	<b>(12,000,182)</b>	<b>(12,020,855)</b>	<b>(15,151,895)</b>	<b>(3,131,040)</b>	<b>26.0%</b>	●

#### Comments:

Tracking below budget due to payment to stream A employees

Capital revenue under budget due to timing of capitalisation of housing projects in line with new accounting standards (AASB 1058)

**Where to from here:** The team focus is to improve collection of housing rents to ensure limited/reduced bad debts in the future. In addition, we will also be working with suppliers to improve relationships to initiate cost savings (possible reduced fees). This initiative is expected to have a positive effect on the bottom line of Housing and Tenancy finances.

### Corporate Affairs & Engagement 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	55,160	46,161	(8,999)	-16.3%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(1,630,475)	(1,318,346)	(1,088,612)	229,734	17.4%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(1,565,315)</b>	<b>(1,263,186)</b>	<b>(1,042,452)</b> ✓	<b>220,734</b>	<b>17.5%</b>	●
Capital revenue	0	0	0	0	0.0%	●
Capita expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(1,565,315)</b>	<b>(1,263,186)</b>	<b>(1,042,452)</b> ✓	<b>220,734</b> ✓	<b>17.5%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>(1,565,315)</b>	<b>(1,263,186)</b>	<b>(1,042,452)</b>	<b>220,734</b>	<b>17.5%</b>	●

#### Comments:

Currently tracking under budget due to FTE and travel savings.

Department is currently focused on intranet & website delivery. Scope changes will have an effect on budget and time. The budget will be offset by savings above and projects will still be delivered within this financial year.

Department will continue to track within budget for the remainder of the financial year.

## Appendix A

### Strategic Projects and Logistics financial performance at a glance:

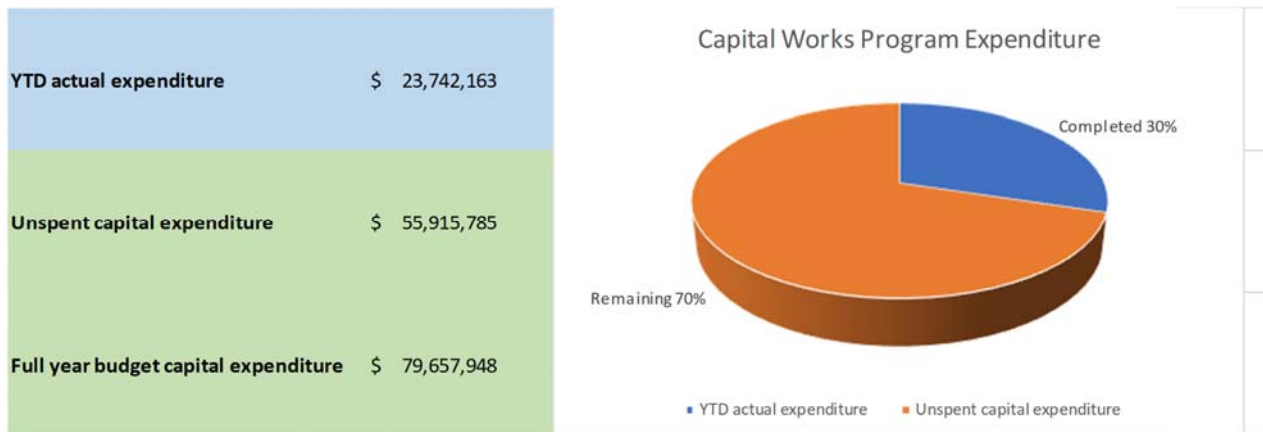
Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance \$	YTD Variance %	Status
Recurrent revenue	60,754	49,697	21,929	(27,768)	-55.9%	●
Other income	44,035	35,228	20,285	(14,943)	-42.4%	●
Recurrent expenditure (excl. depreciation)	(1,879,633)	(1,539,135)	(1,591,880)	(52,745) ✓	-3.4%	●
<b>Operating surplus (excl. Depreciation)</b>	<b>(1,774,844)</b>	<b>(1,454,210)</b>	<b>(1,549,666)</b> ✓	<b>(95,455)</b>	<b>6.6%</b>	●
Capital revenue	413,450	413,450	413,450	0	0.0%	●
Capita expenses	0	0	8,960	8,960 ✓	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(1,361,394)</b>	<b>(1,040,760)</b>	<b>(1,127,256)</b> ✓	<b>(86,495)</b>	<b>8.3%</b>	●
Depreciation Expense	0	0	(100,342)	(100,342) ✓	0.0%	●
<b>Net result</b>	<b>(1,361,394)</b>	<b>(1,040,760)</b>	<b>(1,227,598)</b>	<b>(186,838)</b>	<b>18.0%</b>	●

#### Comments:

Logistics business operation start date delayed due to continuing financial analysis of strategic direction

Fleet costs currently over budget; an assessment of all Council's fleet is currently being conducted which will assist in devising a strategy to

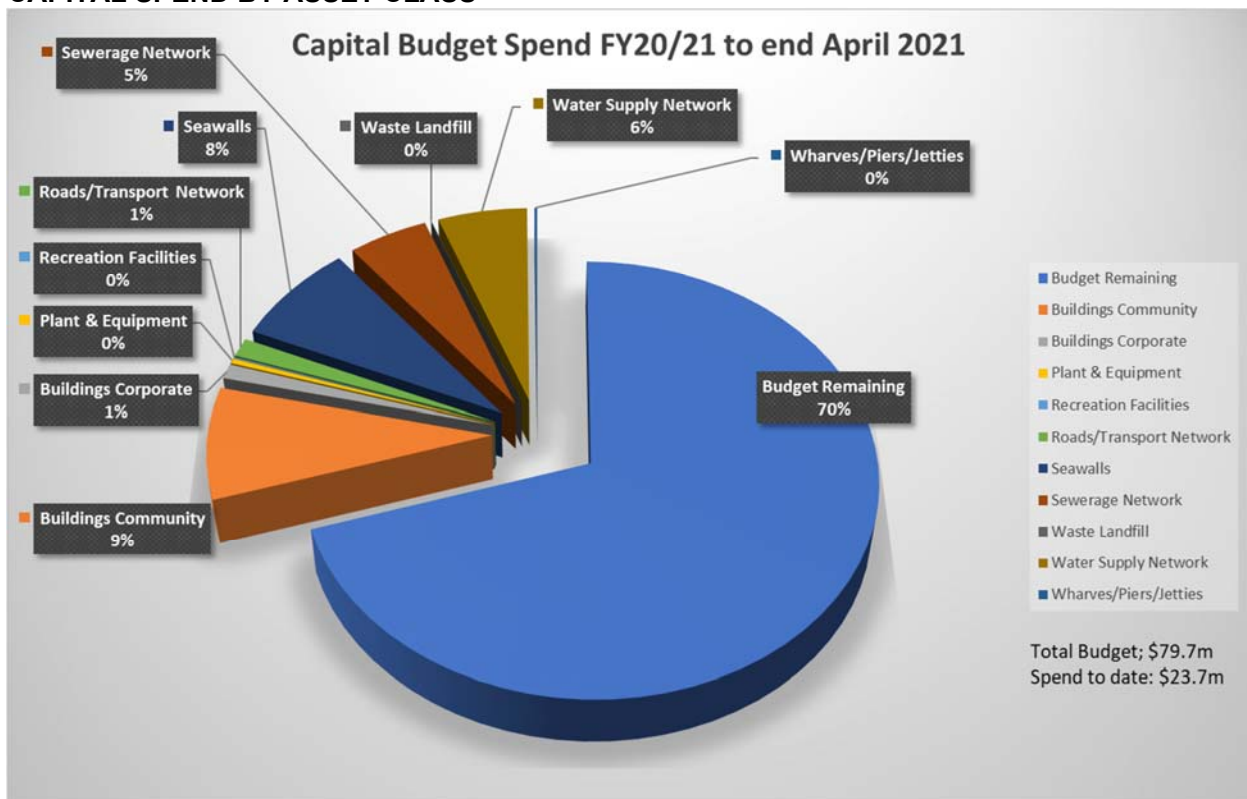
## CAPITAL WORKS PROGRAM



Council's capital works program is below budget. Works are expected to increase in the final months especially ICCP capital works.

Not expected to reach budget by EOFY

## CAPITAL SPEND BY ASSET CLASS





**TORRES STRAIT ISLAND REGIONAL COUNCIL**  
**AGENDA REPORT**

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**ORDINARY MEETING**

**DATE:** May 2021  
**ITEM:** Agenda Report  
**SUBJECT:** Correction of Minutes of Ordinary Meeting – 21 July 2020 at Poruma.  
**AUTHOR:** Senior Legal Counsel

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**RECOMMENDATION**

*That Council resolves to correct the minutes of its ordinary meeting on 21 July 2020 by adding the following resolutions to the official minutes of that meeting:*

- 1. That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda report for Warraber Island, Warraber QLD 4875. (LOT 20)  
Moved: Cr. Tamu                      Second: Cr. Pearson*
  - 2. That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island, Warraber QLD 4875. (LOT 24)  
Moved: Cr. Tamu                      Second: Cr. Elisala*
  - 3. That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Erub Island Reconfiguration for creation of new lease, Erub Island QLD 4875. (LOT 100)  
Moved: Cr. Elisala                      Second: Cr. Tinkoon*
- 

**PURPOSE**

The purpose of the report is to seek council endorsement to correct the error in the minutes of the Council Ordinary meeting on 21 July 2020 (Attachment 1) by adding the missing resolutions.

## **BACKGROUND**

A check of the official minutes of the 21 July 2020 meeting on Poruma which is on Council's website picked up an omission regarding the following agenda items (Attachment 2):

Agenda Item 6: Legal Services – DA – Lot 20 Warraber ROL

Agenda item 7: Legal Services – DA – Lot 24 Warraber ROL

Agenda item 8: Legal Services – DA – Erub Church ROL

## **OFFICER COMMENT**

A check of the official minutes of the 21 July 2020 meeting found that the above-mentioned resolutions were not included in the minutes.

An agenda report was prepared and presented at the July 2020 Ordinary meeting for the 3 agenda items by the Senior Legal Counsel. (Attachment 3).

Senior Legal Counsel also made a handwritten record of the proceedings (Attachment 4) noted that the above resolutions were made and recorded the mover and the seconder.

To ensure that the official minutes are a correct record of the meeting and of decisions made by council it is recommended that the correction be made.

The secretariat and legal assist in recording the minutes and reviewing the draft minutes to ensure accuracy. Unfortunately, the Senior Legal Officer was on leave for most of August so was not able to check the July draft minutes before they were sent to Councils August Ordinary Meeting for confirmation.

## **CONSULTATION**

Acting Chief Executive Officer

Manager Legal Services

## **LINKS WITH STRATEGIC PLANS**

Governance

## **STATUTORY REQUIREMENTS**

*Local Government Act 2009 (Qld)*

*Local Government Regulation 2012 (Qld)*

## **FINANCE AND RISK**

Nil

## **CONCLUSION**

As presented.



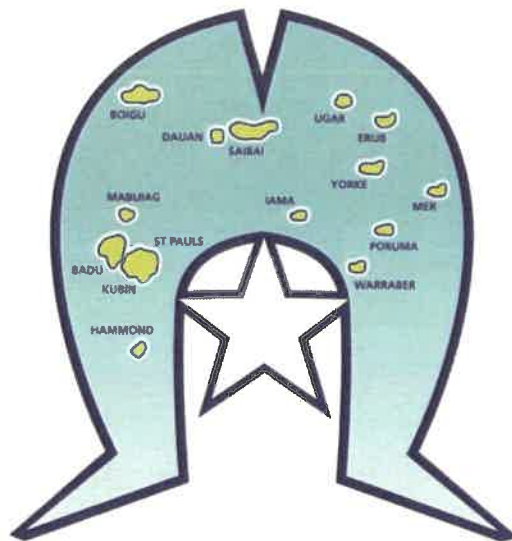
Peter Krebs  
Senior Legal Counsel



David Baldwin  
A/CEO

### **Attachment:**

- 1. Minutes of Ordinary meeting of 21 July 2020.**
- 2. Agenda for the Ordinary Meeting of 21 July 2020.**
- 3. Agenda Reports for Lot 20 Warraber ROL, Lot 24 Warraber ROL and Erub Church ROL.**
- 4. Handwritten notes of Senior Legal Counsel recording the minutes of the Ordinary meeting of 21 July 2020 and noting the missing resolutions.**



# **Torres Strait Island**

## **REGIONAL COUNCIL**

**JULY 2020**

**MINUTES**

**ORDINARY MEETING**

Tuesday 21 July 2020 09:03am – 5:13pm

Wednesday 22 July 2020 09:23am – 5:04pm

Olandi Pearson Memorial Hall  
PORUMA – Division 11

**Tuesday 21 July 2020**

**Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 – Ugar  
Cr Boggo Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer  
Ms Hollie Faithfull, Chief Financial Officer (Acting CEO)  
Mr Ilario Sabatino, Chief Operating Officer (COO)  
Mr David Baldwin, Head of Engineering (HOE)  
Mr Peter Krebs, Manager Legal Services (MLS)  
Mr Luke Ranga, Head of Corporate Affairs (HCA)  
Ms Rachel Pierce, Head of Community Services (HOCS)  
Mrs Kathy Cochran, Senior Executive Assistant (SEA)  
Ms Naila Nomoa – Secretariat Officer (Acting SO)  
Ms Mette Nordling – Manager Governance and Compliance (via telephone)

**Apologies**

Cr Laurie Nona, Division 5 – Badu

**1. 9:03am – 9:07am Opening Prayer and Welcome**

Mayor Mosby did a roll call of Councillors and staff present and informed Council he received an apology from Cr Nona due to recent sorry business in his community.

Mayor acknowledged and paid respect to:

- Papa God
- The traditional owners, Elders, Leaders, Past, Present and Emerging
- Your Elders Leaders in your respective communities and your people.
- Respect to the families in sorry business
- Councillors and Congratulating the new Councillors
- Acting Chief Executive Officer Hollie Faithfull and Staff
- Welcome back David Baldwin
- We are in it together; we need each other at all levels and all accounts to make and reach the best decision and outcome possible for our people in our region.

Mayor invited Cr Pearson to open the meeting in prayer and a observe minute silence for families mourning the loss of their loved ones.

**2. 9:07am – 9:08am Apologies**

- Cr Laurie Nona – Division 5 – Badu
- Cr Tabuai – In Transit

**RESOLUTION**

*Moved:* Cr Elisala; *Second:* Cr Tamu

**That Council accepts the apology from Cr Nona for his absence at this meeting.**

**MOTION CARRIED**

**3. 10:08am – 10:10am Confirmation of June 2020 Ordinary Meeting Minutes**

**RESOLUTION**

*Moved:* Cr Trinkoon *Second:* Cr Mosby

**That the minutes of the Council Ordinary Meeting held in June 2020, be adopted as a true and accurate record of that meeting.**

**MOTION CARRIED**

4. Action Items were moved to later in the day.

**5. 10:10am – 10:16AM COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Pearson; *Second:* Cr Tamu;

**That in accordance with section 275 (1) of the *Local Government Regulation 2012* (Qld) it is resolved for the meeting to go into closed session to discuss matters of the following nature:**

**e) Contracts proposed to be made by Council.**

**h) Business for which public discussion would be likely to prejudice the interests of Council or someone else or enable a person to gain a financial advantage.**

**MOTION CARRIED**

- |    |                          |   |
|----|--------------------------|---|
| 6. | <u>10:17am – 10:28am</u> | <u>BUILDING SERVICES – CB - Contract Matter – 157 Lowatta Road Masig</u>  |
| 7. | <u>10:28am – 10:30am</u> | <u>BUILDING SERVICES – CB - Contract Matter – Badu Childcare Centre</u>   |
| 8. | <u>10:30am – 10:48am</u> | <u>BUILDING SERVICES – CB - Contract Matter – 76 Airport Drive Saibai</u> |
| 9. | <u>10:48am – 10:48am</u> | <u>BUILDING SERVICES – CB - Contract Matter – 43 Aikurur Street</u>       |
|    | <u>Warraber</u>          |   |

10:48am – 11:07am – Morning Tea

- |     |                          |   |
|-----|--------------------------|---|
| 10. | <u>11:07am – 11:10am</u> | <u>OFFICE OF THE CHIEF EXECUTIVE OFFICER – CB – Corporate</u><br><u>Structure</u> |
| 11. | <u>11:10am – 11:25am</u> | <u>BUSINESS SERVICES – CB – Audit – Interim Management Report</u>                 |
| 12. | <u>11:25am – 12:00pm</u> | <u>CORPORATE – CB – Extension of Contract for Freight</u>                         |

- |     |                          |  |
|-----|--------------------------|--|
| 13. | <u>12:00pm – 12:00pm</u> | <u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u> |
|-----|--------------------------|--|

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Gela

**That Council move out of Closed Business**

**MOTION CARRIED**

- |     |  |
|-----|--|
| 14. | <u>BUILDING SERVICES – CB - Contract Matter – 157 Lowatta Road Masig</u> |
|-----|--|

**RESOLUTION:**

*Moved:* Cr Mosby; *Second:* Cr Stephen

**Council resolves to:**

1. **Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 157 Lowatta Road, Yorke Island (WS150559) with a tender price of 285,462.68 excl of GST.**

**And**

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

**MOTION CARRIED**

**15. BUILDING SERVICES – CB - Contract Matter – Badu Childcare Centre**

**RESOLUTION:**

*Moved; Cr Toby; Second: Cr Trinkoon*

**Council resolves to:**

1. Submit a tender to Community Services to carry out various upgrade works at Badu Childcare Centre, Badu island (quote request from Mary Gela) with a price of \$239,999.28 excl of GST

And

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

**16. BUILDING SERVICES – CB - Contract Matter – 76 Airport Drive Saibai**

**RESOLUTION:**

*Moved; Cr Noah; Second: Cr Gela*

**Council resolves to:**

1. Submit a tender to the Queensland State government through the Department of Housing and Public Works to carry out various upgrade works at 76 Airport Drive, Saibai island

And

2. Delegate to the Chief Executive Officer's endorsement for Council to tender for this work with QBuild.

**17. BUILDING SERVICES – CB - Contract Matter – 43 Aikurur Street, Warraber**

**RESOLUTION:**

*Moved; Cr Tamu; Second: Cr Trinkoon*

**Council resolves to:**

1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out various upgrade works at 43 Aikuru Street, Warraber Island (WS150450) with a tender price of \$319,204.93 excl of GST

And

2. Delegate 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.

**12:08pm - 12:59pm – Lunch Break**

Mayor welcomed Cr Tabuai to the July Ordinary meeting.

Cr Tabuai responded that he was honoured and privileged to be on Poruma for the first time.

**18. 1:05pm – 1:09pm     CORPORATE – FY21 Operational Plan**

Head of Corporate Affairs spoke to this report.

**RESOLUTION:**

*Moved: Cr Stephen; Second: Cr Pearson*

**That Council resolves to endorse the Operational Plan for the 2021 financial year, in accordance with Section 174 of the Local Government Regulation 2012.**

**MOTION CARRIED**



**19. 1:09pm – 1:23pm BUSINESS SERVICES – FY21 Budget**

Acting Chief Executive Officer spoke to this report.

Cr Toby asked Acting Chief Executive Officer to elaborate on the graph for Building Communities in the report.

**RESOLUTION:**

*Moved:* Cr Levi; *Second:* Cr Pearson

**Council resolves to adopt:**

- 1 Council's Budget for the 2020/2021 financial year, pursuant to section 170A of the Local Government Act 2009 and sections 169 and 170 of the Local Government Regulation 2012, 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 23 June 2020;
  - (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,
- as tabled.

And

- 2 The Register of Fees and Charges for the 2020/2021 financial year, pursuant to section 98 of the Local Government Act 2009.**

**MOTION CARRIED**

**20. 1:23pm – 1:29pm BUSINESS SERVICES - 19/20 Estimated Position**

Acting Chief Executive Officer spoke to this report.

**RESOLUTION:**

*Moved:* Cr Nona; *Second:* Cr Tabuai

**It is resolved that Council adopts the Estimated Statement of Financial Position in accordance with section 202 of the Local Government Regulation 2012.**

**MOTION CARRIED**

**21. 1:29pm – 1:34pm CORPORATE – Council Deputation Priority Areas**

Head of Corporate Affairs spoke to report.

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Elisala

**Council resolves to endorse the 2020 deputation priority areas for publication and dialogue with applicable State and Federal representatives, and State election candidates.**

**MOTION CARRIED**

**22. 1:34pm – 2:00pm CORPORATE – Community Grant Program**

Head of Corporate Affairs spoke to report.

Cr Stephen spoke to report.

- Ensure that when applying for community grants that persons applying have to show proof that they haven't received funds from other entity.

Cr Fell expressed his concerns about changing the community grants.

- One entity applying for grants but different events.

Mayor Mosby encouraged community members to apply for funeral insurances.

**RESOLUTION:**

*Moved:* Cr Tamu; *Second:* Cr Tabuai Against; Cr Elisala

**Council resolves to**

- adopt the proposed Community Grant Program
- and
- adopt the Community Grant Policy;
- and
- delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to determine applications and distribute grants for funeral and emergency circumstances and to make further minor administrative amendments as they arise.

**MOTION CARRIED**

**23. 1:34pm – 2:00pm OFFICE OF THE CHIEF EXECUTIVE OFFICER – People and Wellbeing Policy**

Acting Chief Executive Officer spoke to report.

Cr Lui spoke to the report

- Compatible with Our People
- Ensure our people are being appointed

Cr Tabuai spoke to the report

- Professional development for staff
- Mentor people who is wanting to experience the position

Cr Toby spoke to report.

- TAP (Transitional Action Plan)

Chief Operating Officer referred to the Indigenous employment policy

**ACTION:** Head of People and Wellbeing to draft an Indigenous employee policy for endorsement.

**RESOLUTION:**

*Moved:* Cr Tabuai ; *Second:* Cr Pearson

**Council resolves to adopt the People and Wellbeing Policy and delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make further minor Administrative amendments as they arise.**

**MOTION CARRIED**

**24. 1:34pm – 2:00pm CORPORATE – Policy Matter – Risk Management Policy**

Head of Corporate Affairs spoke to report.

**RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Noah

**Council resolves to:**

- 1. Adopt the Risk Management Policy as endorsed by the Audit Committee and**
- 2. Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make further minor administrative amendments as they arise.**

**MOTION CARRIED**

**25. 1:34pm – 2:00pm CORPORATE – Councillors Committees**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Tamu

**That Council resolves to;**

- **establish the Cultural Arts and Heritage Committee as a standing committee under section 264 of the Local Government Regulation 2012**
- and
- **adopt the Terms of Reference for the Cultural Arts and Heritage Committee**
- and
- **appoint Cr Elisala as a member of the Council's Cultural Arts and Heritage Committee**
- **appoint Cr Noah as a member of the Council's Cultural Arts and Heritage Committee**
- **appoint Cr Nona as a member of the Council's Cultural Arts and Heritage Committee**
- and
- **appoint Cr Noah as the chair of the Cultural Arts and Heritage Committee**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Tamu

**That Council resolves to;**

- **establish the Governance and Leadership Committee as a standing committee under section 264 of the Local Government Regulation 2012**
- and
- **adopt the Terms of Reference for the Governance and Leadership Committee**
- and
- **appoint Cr Lui as a member of the Council's Governance and Leadership Committee**
- **appoint Cr Trinkoon as a member of the Council's Governance and Leadership Committee**
- **appoint Cr Toby as a member of the Council's Governance and Leadership Committee**
- and
- **appoint Cr Lui as the chair of the Governance and Leadership Committee**

## **RESOLUTION**

*Moved: Cr Tabuai; Second: Cr Tamu*

**That Council resolves to;**

**establish the Economic Growth Committee as a standing committee under section 264 of the Local Government Regulation 2012**

**and**

- **adopt the Terms of Reference for the Economic Growth Committee**

**and**

- appoint Cr Stephen as a member of the Council's Economic Growth Committee
- appoint Cr Tabuai as a member of the Council's Economic Growth Committee
- appoint Cr Gela as a member of the Council's Economic Growth Committee

**and**

- appoint Cr Stephen as the chair of the Economic Growth Committee

## **RESOLUTION:**

*Moved: Cr Gela Second: Cr Tabuai*

**That Council resolves to**

- **establish the Safe and Healthy Communities Committee as a standing committee under section 264 of the Local Government Regulation 2012**

**and**

- **adopt the Terms of Reference for the Safe and Healthy Communities Committee**

**and**

- appoint Cr Fell as a member of the Council's Safe and Healthy Communities Committee
- appoint Cr Levi as a member of the Council's Safe and Healthy Communities Committee
- appoint Cr Pearson as a member of the Council's Safe and Healthy Communities Committee

**and**

- appoint Cr Fell as the chair of the Safe and Healthy Communities Committee

**That Council resolves to;**

- **establish the Climate Change Adaption and Environment Committee as a standing committee under section 264 of the Local Government Regulation 2012**

**and**

- **adopt the Terms of Reference for the Climate Change Adaption and Environment Committee**

**and**

- appoint Cr Mosby as a member of the Council's Climate Change Adaption and Environment Committee
- appoint Cr Tamu as a member of the Council's Climate Change Adaption and Environment Committee
- appoint Cr Dorante as a member of the Council's Climate Change Adaption and Environment Committee

**and**

- appoint Cr Mosby as the chair of the Climate Change Adaption and Environment Committee

## **RESOLUTION:**

*Moved: Cr Trinkoon Second: Cr Tamu*

**That Council resolves to;**

- **establish the Strategic Advisory Reference Group Committee as a standing committee under section 264 of the Local Government Regulation 2012**

**and**

- **adopt the Terms of Reference for the Strategic Advisory Reference Group Committee**

**and**

- appoint Cr Noah, Chair of the Cultural Arts and Heritage Committee, as a member of the Council's Strategic Advisory Reference Group Committee

- appoint Cr Lui, Chair of the Governance and Leadership Committee, as a member of the Council's Strategic Advisory Reference Group Committee
  - appoint Cr Stephen, Chair of the Economic Growth Committee, as a member of the Council's Strategic Advisory Reference Group Committee
  - appoint Cr Fell, Chair of the Safe and Healthy Communities Committee, as a member of the Council's Strategic Advisory Reference Group Committee
  - appoint Cr Mosby, Chair of the Climate Change Adaptation and Environment Committee, as a member of the Council's Strategic Advisory Reference Group Committee
  - appoint Cr Elisala, as an alternative member of the Council's Strategic Advisory Reference Group Committee
- and
- appoint Mayor Mosby as the chair of the Strategic Advisory Reference Group Committee

**26. 4:35pm – 5:00pm    Closing Prayer**

Mayor Mosby invited Cr Stephen to close the meeting in prayer.

**Wednesday 22<sup>nd</sup> July 2020**

**Present**

Cr Phillemon Mosby, Mayor  
Cr Dimas Toby, Division 1 – Boigu  
Cr Torenzo Elisala, Division 2 – Dauan  
Cr Conwell Tabuai, Division 3 – Saibai  
Cr Keith Fell, Division 4 – Mabuiag  
Cr Lama Trinkoon, Division 6 – Kubin, Mua Island  
Cr John Levi, Division 7 – St Pauls, Mua Island  
Cr Seriako Dorante, Division 8 – Kirriri  
Cr Getano Lui Jnr, Division 9 – Iama  
Cr Kabay Tamu, Division 10 – Warraber  
Cr Francis Pearson, Division 11 – Poruma  
Cr Hilda Mosby, Division 12 – Masig  
Cr Rocky Stephen, Division 13 – Ugar  
Cr Boggo Gela, Division 14 – Erub  
Cr Aven Noah, Division 15 – Mer  
Ms Hollie Faithfull, Chief Financial Officer (ACEO)  
Mr Ilario Sabatino, Chief Operating Officer (COO)  
Mr David Baldwin, Head of Engineering (HOE)  
Mr Peter Krebs, Manager Legal Services (MLS)  
Mr Luke Ranga, Head of Corporate Affairs and Engagement (HCAE)  
Ms Rachel Pierce, Head of Community Services (HOCS)  
Mrs Kathy Cochran – Senior Executive Assistant (SEA)  
Ms Naila Nomoa – Secretariat Officer (Acting SO)  
Ms Mette Nordling –Manager Governance and Compliance (via Telephone)

**Apologies**

Cr Laurie Nona, Division 5 – Badu

**27. 9:10am -9:11 Welcome and opening Prayer**

Mayor invited Cr Noah to open with Hymn and TSRA Chair Mr Pedro Stephen prayer.

Mayor acknowledged

- TSRA Chair Mr Pedro Stephen
- Councillors
- Chief Executive Officer for TSRA
- Leadership

**28. 9:14am – 10:01am Presentation 1: Mick Jeffery, Director and Mr Michel Zitha Manager - Far Northern Biosecurity Department of Agriculture and Fisheries – Invasive species – Torres Strait.**

Manager of Environmental Health Mr Ewan Gunn joined the meeting on VMR 8.

**29. 10:01am – 10:59am Presentation 2: Mr Pedro Stephen – Chairperson, Torres Strait Regional Authority.**

**30. 11:20am- 11:36am TSRA/TSIRC – Memorandum of Understanding – Consultative Session**

**12:00pm – 1:53pm – LUNCH**

**31. 1:53pm – 1:53pm COUNCIL MOVE INTO CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Elisala; *Second:* Cr Tamu

That in accordance with section 275 (1) of the *Local Government Regulation 2012* (Qld) it is resolved for the meeting to go into closed session to discuss matters of the following nature:

h) Business for which public discussion would be likely to prejudice the interests of Council or someone else or enable a person to gain a financial advantage.

**MOTION CARRIED**

**32. 1:53pm – 2:47pm CORPORATE – CB – Council Name Change**

**33. 2:47pm – 2:47pm COUNCIL MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION:**

*Moved:* Cr Tabuai; *Second:* Cr Trinkoon

That Council move out of Closed Business

**MOTION CARRIED**

## **CORPORATE – CB – Council Name Change**

### **RESOLUTION:**

*Moved:* Cr Fell; *Second:* Cr Elisala

**That Council resolves to;**

- write to the Minister of Local Government, Racing & Multicultural Affairs requesting Council's name change from the "Torres Strait Island Regional Council" to the "Zenadth Kes Regional Council".

and

- write to the applicable State Minister(s) requesting that the "Torres Strait" Local Government Area be renamed to "Zenadth Kes".

and

- write to the applicable Federal Minister(s) requesting that the "Torres Strait" Local Government Area be renamed to "Zenadth Kes".

### **34. 2:47pm – 2:51pm CORPORATE – Communication Guidelines**

Head of Corporate affairs spoke to report - new legislation has been passed and will come into effect on 12 October 2020. Communications Guideline will be updated and presented for endorsement in due course.

### **35. 2:51pm – 3:12pm CORPORATE –Update on Fuel Bowser – Noting Paper**

- Murray Island
- Stephen Island

### **36. 3:12pm – 3:18pm CORPORATE – CB – Councillor Top 5 Priorities**

Postponed – Four councillors to send in priority listing for their division.

- Cr Lui – Yam Island
- Cr Nona – Badu island
- Cr Toby – Boigu Island
- Cr Dorante – Hammond Island

**ACTION:** Four Councillors to send top priorities.

### **37. 3:18pm – 4:08pm Business Arising from Information Reports**

Information Reports for August 2020.

- Indigenous Knowledge Centre
- Healthy Lifestyle Officers

Cr Stephen - Ugar

- Ugar Access
- Helipad work
- Water

**ACTION:** Head of Engineering to take offline with Cr Stephen and Head of Corporate Affairs.



Community Disaster

- Head of Engineering to send out Disaster Management Plan for the Region.

Cr Tabuai - Saibai

- Police and Boarder force to retain presence in the region.

Manager of Legal Services and Head of Corporate Affairs drafted up resolutions for matters raised.

**RESOLUTION:**

*Moved; Cr Tabuai Second; Cr Toby*

**"The Australian Border Force and other Federal and State authorities to take immediate and appropriate action to remove PNG overstayers from Saibai"**

**RESOLUTION:**

*Moved; Cr Toby Second; Cr Noah*

**"That the Commonwealth and State agencies responsible for patrolling the PNG border remain on high alert, and maintain a strong presence in the region to prevent any unauthorised arrivals into the Torres Strait until the end of the calendar year"**

38. 4:08pm – 11:49am

39. 4:09pm– 5:03pm

Next Meeting Scheduled – 18 & 19 August 2020 – VC  
Strategic Matters

Page 6 – Capital works funding

- Ugar all tide access

Chief Engineer gave explanation to Cr Stephen.

- Cr Stephen asked if we can change the dredging

Cr Fell

- Funding opportunities to become a reality

Cr Pearson – Hinterland Aviation plane

**ACTION:** Cr Lui to call Chair Torres and Cape Hospital and Health Services.

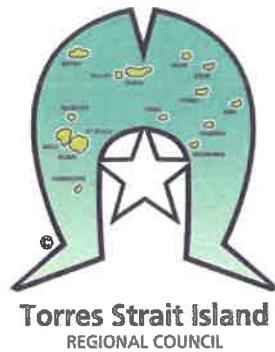
40. 5:03pm – 5:04pm

Closing Remarks

**Meeting Closed at 5:04 - Prayer by Cr Tabuai**

.....  
**Hollie Faithfull**  
**Acting Chief Executive Officer**  
**Torres Strait Island Regional Council**

.....  
**Phillemon Mosby**  
**Mayor**  
**Torres Strait Island Regional Council**



# AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

JULY 2020

Tuesday 21<sup>st</sup> July 2020, 9:00am – 5:00pm  
Wednesday 22<sup>nd</sup> July 2020, 9:00am – 5:00pm

Olandi Pearson Memorial Hall  
PORUMA – Division 11

## **COUNCIL ORDINARY MEETING**

**Tuesday 21<sup>st</sup> July 2020**

### **Agenda Items**

- |  |                          |  |
|--|--------------------------|--|
| 1.   | <u>9:40am - 9:45am</u>   | <u>Welcome and Opening Remarks</u>   |
| 2.   | <u>9:45am – 9:50am</u>   | <u>Apologies</u>   |
| 3.   | <u>9:50am – 9:55am</u>   | <u>Declaration of Conflict of Interest (COI) / Material Person Interest (MPI)</u>  |
| 4.   | <u>9:55am- 10:00am</u>   | <u>Confirmation of Meeting Minutes and Special Meeting Minutes</u> <ul style="list-style-type: none"><li>• June 2020 Ordinary Meeting</li><li>• Special Meeting – 29<sup>th</sup> June 2020</li></ul>  |
| 5.   | <u>10:00am – 10:15am</u> | <u>Outstanding Ordinary Meeting Action Items</u>   |
| 6.   | <u>10:15am – 10:20am</u> | <u>LEGAL SERVICES – DA – Lot 20 Warraber ROL</u>   |
| 7.   | <u>10:20am – 10:25am</u> | <u>LEGAL SERVICES – DA – Lot 24 Warraber ROL</u>   |
| 8.   | <u>10:25am – 10:30am</u> | <u>LEGAL SERVICES – DA – Erub Church ROL</u>   |
| <br><u>10:30am – 10:45am - MORNING TEA</u> |                          |  |
| 9.   | <u>10:45am – 10:45am</u> | <u>COUNCIL MOVE INTO CLOSED BUSINESS</u>   |
| 10.  | <u>10:45am – 10:50am</u> | <u>BUILDING SERVICES - CB - Contract Matter- Badu Childcare Centre</u>   |
| 11.  | <u>10:50am – 10:55am</u> | <u>BUILDING SERVICES - CB - Contract Matter- 157 Lowatta Road Masig</u>  |
| 12.  | <u>10:55am – 11:00am</u> | <u>BUILDING SERVICES - CB- 76 Airport Drive Saibai</u>   |
| 13.  | <u>11:00am – 11:05am</u> | <u>BUILDING SERVICES - CB - 43 Aikurur Street Warraber</u>   |
| 14.  | <u>11:05am – 11:20am</u> | <u>OFFICE OF THE CEO – CB - Corporate Structure</u>  |
| 15.  | <u>11:20am – 11:30am</u> | <u>BUSINESS SERVICES – CB – Audit – Interim Management Report</u>  |
| 16.  | <u>11:30am – 12:00pm</u> | <u>CORPORATE – CB – Extension of Contract for Freight – late report</u>  |
| 17.  | <u>12:00pm – 12:00pm</u> | <u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u>   |
| <br><u>12:00noon – 1:00pm – LUNCH</u>      |                          |  |
| 18.  | <u>1:00pm – 1:20pm</u>   | <u>CORPORATE – FY21 Operational Plan – late report</u>   |
| 19.  | <u>1:20pm – 1:40pm</u>   | <u>BUSINESS SERVICES – FY21 Budget</u>   |
| 20.  | <u>1:40pm – 1:55pm</u>   | <u>BUSINESS SERVICES – 19/20 Estimated Position</u>  |
| 21.  | <u>1:55pm – 2:15pm</u>   | <u>CORPORATE – Council Deputation Priority Areas – late report</u>   |
| 22.  | <u>2:15pm – 3:00pm</u>   | <u>CORPORATE – Community Grant Program</u>   |
| <br><u>3:00pm – 3:30pm – AFTERNOON TEA</u> |                          |  |
| 23.  | <u>3:30pm - 3:40pm</u>   | <u>OFFICE OF THE CEO – People and Wellbeing Policy</u>   |
| 24.  | <u>3:40pm – 3:50pm</u>   | <u>CORPORATE – Policy Matter – Risk Management Policy</u>  |
| 25.  | <u>3:40pm – 4:55pm</u>   | <u>CORPORATE – Councillors Committees</u> <ul style="list-style-type: none"><li>• Cultural Arts and Heritage Committee</li><li>• Governance and Leadership Committee</li><li>• Economic Growth Committee</li><li>• Safe and Healthy Communities Committee</li><li>• Climate Change Adaptation and Environment Committee</li><li>• Strategic Advisory Reference Group Committee</li></ul> |
| 26.  | <u>4:55pm – 5:00pm</u>   | <u>Closing Remarks and Prayer</u>  |

**Wednesday 22<sup>nd</sup> July 2020**  
**Agenda Items**

- |     |                          |   |
|-----|--------------------------|---|
| 27. | <u>9:00am – 9:05am</u>   | <u>Welcome and opening prayer</u>   |
| 28. | <u>9:05am – 10:05am</u>  | <b><u>PRESENTATION 1:</u></b> Mick Jeffery, Director – Far Northern Biosecurity<br>Department of Agriculture and Fisheries – Invasive species – Torres Strait.<br><br><b><u>10:05am – 10:20am – MORNING TEA</u></b> |
| 29. | <u>10:20am – 11:20am</u> | <b><u>PRESENTATION 2:</u></b> Mr Pedro Stephen – Chairperson, Torres Strait Regional Authority.   |
| 30. | <u>11:20am – 12:00pm</u> | <u>TSRA/TSIRC – Memorandum of Understanding – Consultative Session</u><br><br><b><u>12:00pm – 1:00pm – LUNCH</u></b>  |
| 31. | <u>1:10pm – 1:10pm</u>   | <u>COUNCIL MOVE INTO CLOSED BUSINESS</u>  |
| 32. | <u>1:10pm – 1:40pm</u>   | <u>CORPORATE – CB – Council Name Change</u>   |
| 33. | <u>1:40pm – 1:40pm</u>   | <u>COUNCIL MOVE OUT OF CLOSED BUSINESS</u>  |
| 34. | <u>1:40pm – 2:10pm</u>   | <u>CORPORATE – Communication Guidelines</u>   |
| 35. | <u>2:10pm – 2:30pm</u>   | <u>CORPORATE – Update on Fuel Bowser – Noting Paper – late report</u>   |
| 36. | <u>2:30pm – 3:30pm</u>   | <u>CORPORATE – Councillor Top 5 Priorities – late report</u><br><br><b><u>3:30pm – 3:45pm – Afternoon Tea</u></b>   |
| 37. | <u>3:45pm – 4:00pm</u>   | <u>Business Arising from Information Reports</u>  |
| 38. | <u>4:00pm – 4:05pm</u>   | <u>Next Meeting Scheduled – 18 &amp; 19 August 2020 – VC</u>  |
| 39. | <u>4:05pm – 4:55pm</u>   | <u>Strategic Matters</u>  |
| 40. | <u>4:55pm – 5:00pm</u>   | <u>Closing Remarks and Prayer</u><br><br><b><u>Meeting Closed – 5:00pm</u></b>  |



## **RECOMMENDATION**

***That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island, Warraber QLD 4875.***

## **EXECUTIVE SUMMARY**

The Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) are currently tasked with reviewing applications lawfully approved under the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985* but never finalised. The original applicants are entitled to be granted a lease. Lot 20 on SP270859 was subject of such an application.

There is currently one social housing dwelling located on Lot 20 on SP270859. The original applicants have since passed away, however provision exists for the lease entitlement to be granted to the beneficiaries of the deceased's estate. The proposal seeks:

- Granting of the lease entitlement to the beneficiaries – 'Site A' (proposed Lot 201) (39 Dabus Street); and
- Partial surrender of a portion of the entitlement, 'Site B' (proposed Lot 202) back to TSIRC as trustee.

Consequently an application for a Reconfiguration of a Lot for the creation of 2 lots has been submitted and the proposed development requires planning approval for:

- Site A (proposed Lot 201) and
- Site B (proposed Lot 202),

The development will reconfigure Lot 20 to create two (2) lots as shown on **Attachment 1 - Approved plan Warraber Lot 20 ROL RPS 10358-71.pdf**

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

## **DISCUSSION**

### **1. REFERRAL AGENCY CONDITIONS**

The applicant has undertaken the necessary State agency referrals for coastal management purposes. The Referral Agency Response has provided conditions to be included with the planning approval – see **Attachment 2 - Concurrence response 2002-15596 SRA RA6-N Response with conditions.pdf**. The State has not imposed any conditions, apart from undertaking the work in accordance with the approved plan.

The reasons for the department's decision are:

- The development is a continuation of an existing use and is considered further development of an existing lot that can't be relocated.
- The development is not likely to increase the risk of coastal erosion on or off the site.
- The development will not impact coastal processes or coastal resources.
- The proposed reconfiguration is not likely to impact on matters of state environmental significance (MSES).

Council **MUST** include the State's concurrence conditions in their approval.

### **2. ZENADTH KES TOWN PLANNING SCHEME 2016**

The proposed development is reflected below:

Strategic	Lot 20 - Township
Zone	Lot 24 - Township
Local Plan	Warraber Island /Dhuwal Pad (Sue) Local Plan
Environmental Values	Lot 20 within Low Environmental Value area;
Potential Acid Sulphate Soils	Yes
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 / Dhuwal Pad (Sue) Local Plan Code
- Reconfiguration of a Lot Code
- Infrastructure and Works Code
- Water Quality Code
- Acid Sulfate Soils Code
- Land Sea Sky Overlay – Low Environmental Value
- Natural Hazard Overlay – Coastal (Storm Tide, Erosion Prone)

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

### **3. ENGINEERING**

Proposed Lot 202 (also B) contains an existing Council sewer line and a smaller sewer house drain to the existing house on proposed lot 201. All future building works are to remain 1.5m clear of the Council sewer infrastructure to allow future access for maintenance if required. All future building works are to remain clear of the sewer house drain that serves the existing house on lot 201, or to make alternative plumbing arrangements

### **4. PLANNING ISSUES**

The Reconfiguration of a Lot is required for registration of boundaries around the existing dwelling located on Lot 20 on SP270859 and to grant a lease over Site A.

The lots are well above the required minimum lot size of 300m<sup>2</sup> and comply with the codes.

### **5. 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*

<b>Plan/Document Number</b>	<b>Plan/Document Name</b>	<b>Date</b>
Proposal plan with application	Proposed reconfiguration of cancelling Lot 20 on SP270859, Cnr Dabus, Jalag and Yessie Streets, Warraber Island	
RPS Locality Plan 10358-71	DA 01-20-10(2) Warraber Lot 20 SP270859 1 into 2 lot ROL - Locality Plan	9-4-2020

*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 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. *The final Survey plan is to adopt numerical Lot numbers as opposed to Site A and Site B.*
  3. *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.*
  4. *The applicant is responsible for providing any required services to the lots.*
  5. *The applicant should ensure that the clearance to the any sewer infrastructure is a minimum of 1.5m except as approved by the Executive Manager – Engineering Service.*
  6. *All future building works are to remain clear of the sewer house drain that serves the existing house on lot 201, or to make alternative plumbing arrangements.*
  7. *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.*
  8. *The finished floor level of all habitable rooms is a minimum of 300mm above the defined storm tide inundation level of 3.47m MSL.*

## Referral Agency Response

### 9. 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 2** dated 4 March 2020 for the full response.*

**Report Prepared By:** RPS (Cairns) – Ian Doust  
**Date Prepared:** 9 April 2020



## **CONCLUSION**

As presented.

**Bruce Ranga  
CEO**

**Peter Krebs  
Manager, Legal Services**

### **Attachments:**

#### **1. Approved Plans**

- Application Plan of Proposed reconfiguration of Lot 24 & 3 cancelling Lot 20 on SP270859, Cnr Dabus, Jalag and Yessie Streets, Warraber Island and
- RPS Locality Plan 10358-71 DA 01-20-10(2) Warraber Lot 20 SP270859 1 into 2 lot ROL - 9 April 2020

#### **2. DSDMIP Referral Agency Response – conditions 4 March 2020**

## 15 Site Plans

Lot 20 on SP270859

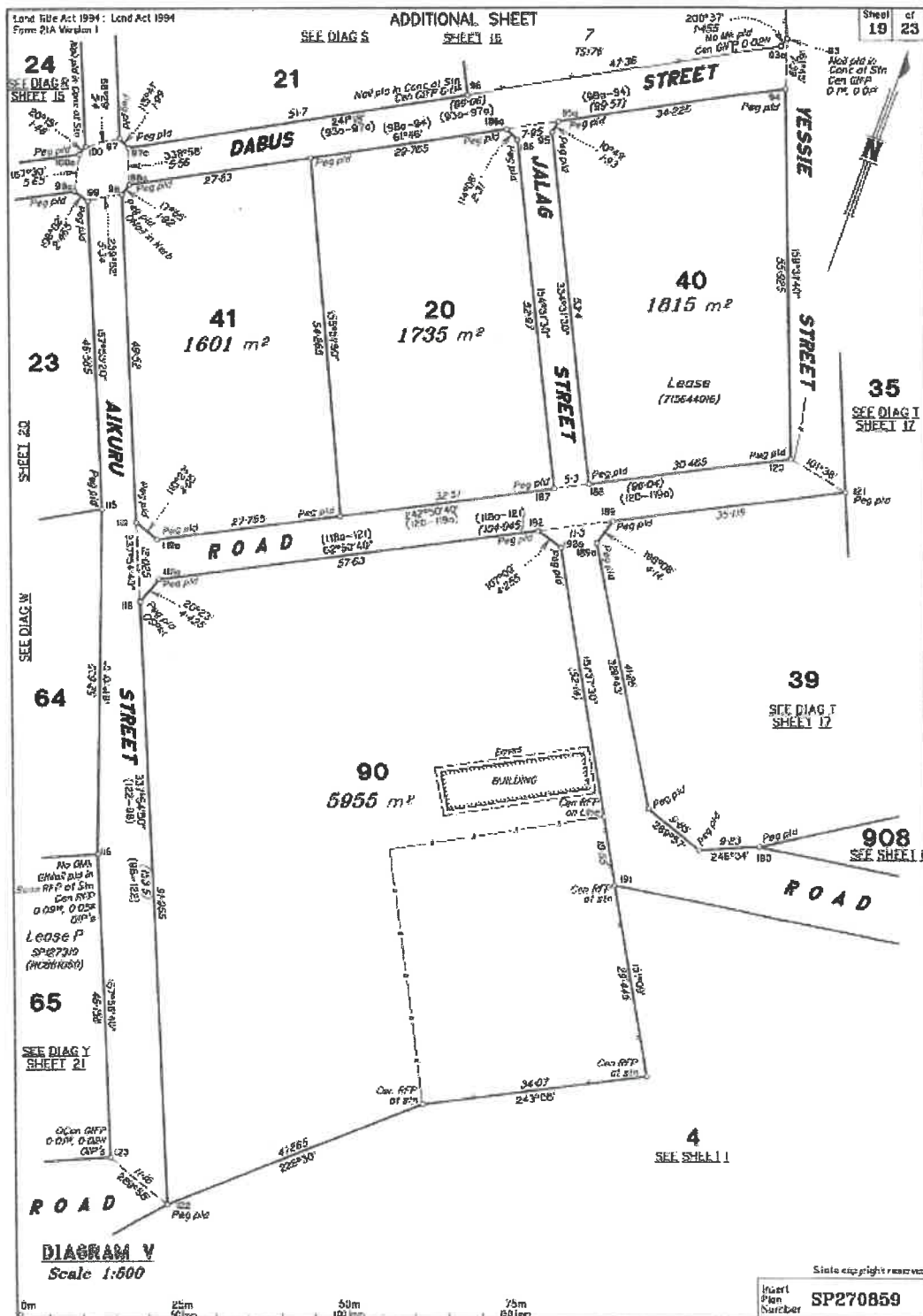


Figure: Locality Plan

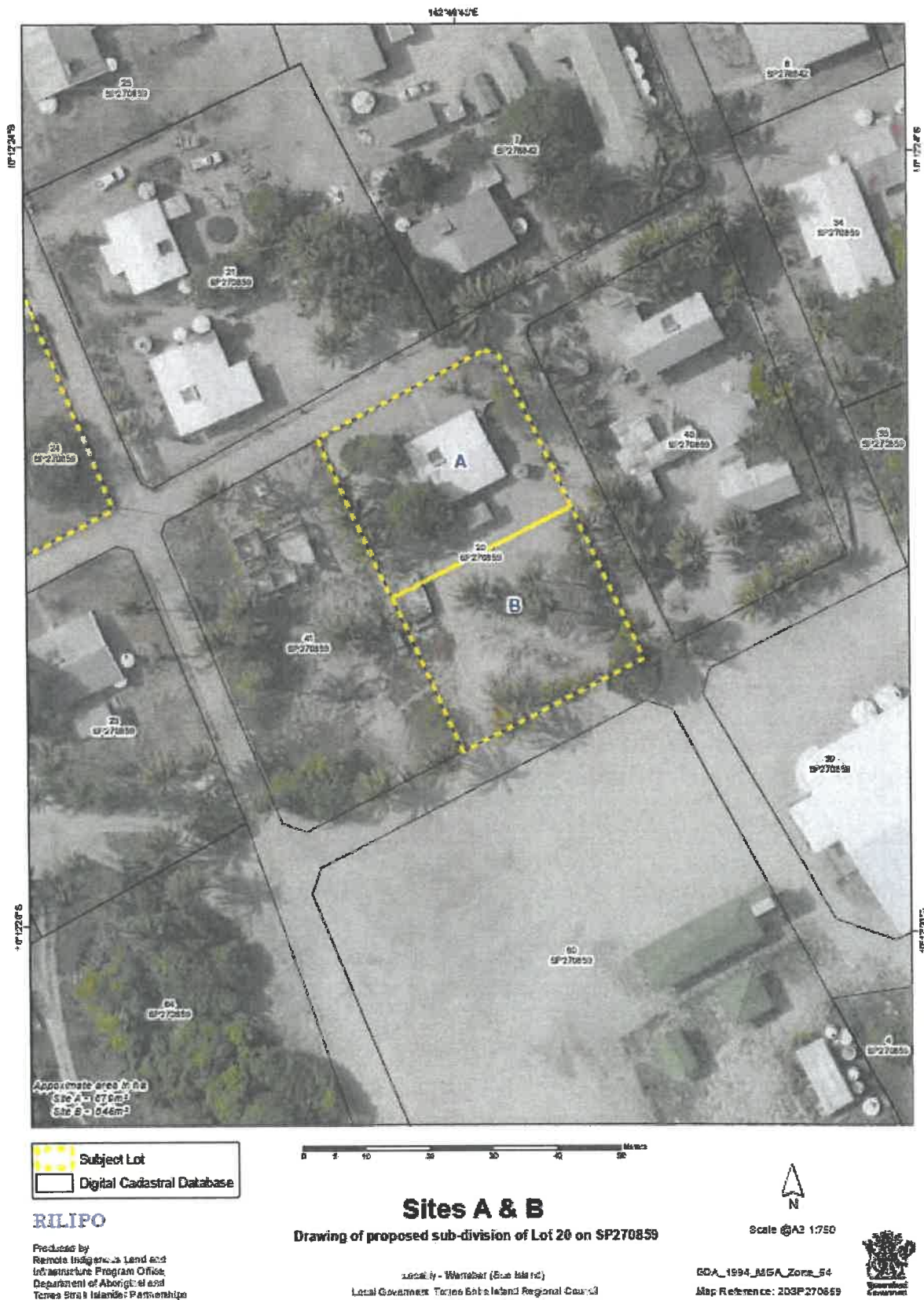


Figure: Proposed Subdivision Plan





ALL DIMENSIONS, AREAS & EASEMENT LOCATIONS ARE SUBJECT TO FINAL SURVEY.



**DA 01-20-10(2) Warraber Lot 20 SP270859**  
**1 into 2 lot ROL - Locality Plan**



**RPS**

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 2842 W [rpsgroup.com.au](http://rpsgroup.com.au)

Datum MGA94 z54 | Scale 1:300 @ A3 | Date 9-4-2020 | Drawing 10358-71

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

### COUNCIL ORDINARY MEETING

**DATE:** July 2020

**SUBJECT:** Development Application – Warraber – TSIRC –  
Reconfiguration of a Lot (1 Lot into 2 Lots)  
Warraber Island QLD 4875

**PRESENTER:** Peter Krebs – Manager, Legal Services

**APPLICANT:** Torres Strait Island Regional Council (TSIRC)

**LOCATION:** Cnr Dadus and Aikuru Street, Warraber (Sue) Island

**PROPOSAL:** Reconfiguration of a Lot (1 Lot into 2 Lots)

**EXISTING PROPERTY DESCRIPTION:** Lot 24 on SP270859

**REFERENCE:** DA 01-20-10(1)10358 Warraber

### LOCALITY PLAN



## **RECOMMENDATION**

***That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island , Warraber QLD 4875.***

## **EXECUTIVE SUMMARY**

The Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) are currently tasked with reviewing applications lawfully approved under the *Aborigines and Torres Strait Islanders (Land Holding) Act 1985* but never finalised. The original applicants are entitled to be granted a lease. Lot 24 on SP270859 was subject of such an application.

There are currently two social housing dwellings located on Lot 24 on SP270859. Donald and Elise Pearson were the original applicants, however Donald is now deceased. The remaining beneficiary is seeking to transfer the lease to her son, William Pearson. The proposal seeks:

- Granting of the lease entitlement to the beneficiary – Elise Pearson for 'Site A' (30 Aikuru Street) and then the transfer the lease (Site A) to her son, William Pearson, the current tenant of 30 Aikuru Street; and
- Partial surrender of a portion of the entitlement, 'Site B' (31 Dabus Street) back to TSIRC as trustee.

Consequently an application for a Reconfiguration of a Lot for the creation of 2 lots – Site A and Site B, has been submitted as the proposed development requires planning approval for:

- Site A (proposed Lot 242) and
- Site B (proposed Lot 241),

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

## **DISCUSSION**

### **1. REFERRAL AGENCY CONDITIONS**

The applicant has undertaken the necessary State agency referrals for coastal management purposes. The Referral Agency Response has provided conditions to be included with the planning approval – see **Attachment 2 - Concurrence response 2002-15594 SRA RA6-N Response with conditions.pdf**. The State has not imposed any conditions, apart from undertaking the work in accordance with the approved plan.

The reasons for the department's decision are:

- The development is a continuation of an existing use and is considered further development of an existing lot that can't be relocated.
- The development is not likely to increase the risk of coastal erosion on or off the site.
- The development will not impact coastal processes or coastal resources.
- The proposed reconfiguration is not likely to impact on matters of state environmental significance (MSES).

Council **MUST** include the State's concurrence conditions in their approval.

### **2. ZENADTH KES TOWN PLANNING SCHEME 2016**

The proposed development is reflected below:



Strategic	Lot 24 - Township
Zone	Lot 24 - Township
Local Plan	Warraber Island /Dhuwal Pad (Sue) Local Plan
Environmental Values	Lot 24 within Low Environmental Value area;
Potential Acid Sulphate Soils	Yes
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 / Dhuwal Pad (Sue) Local Plan Code
- Reconfiguration of a Lot Code
- Infrastructure and Works Code
- Water Quality Code
- Acid Sulfate Soils Code
- Land Sea Sky Overlay – Low Environmental Value
- Natural Hazard Overlay – Coastal (Storm Tide, Erosion Prone)

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

### 3. ENGINEERING

Both of the proposed lots have services.

### 4. PLANNING ISSUES

The lots are well above the required minimum lot size of 300m<sup>2</sup> and comply with the codes.

### 5. 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*

Plan/Document Number	Plan/Document Name	Date
----------------------	--------------------	------

Proposal plan	Proposed reconfiguration of cancelling Lot 20 on SP270859, Cnr Dabus Street and Aikuru, Warraber Island	
RPS Locality Plan 10358-72	DA 01-20-10(1) Warraber Lot 24 SP270859 1 into 2 lot ROL - Locality Plan	9-4-2020

*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 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. *The final Survey plan is to adopt numerical Lot numbers as opposed to Site A and Site B.*
3. *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.*
4. *The applicant is responsible for providing any required services to the lots.*
5. *The applicant should ensure that the clearance to the any sewer infrastructure is a minimum of 1.5m except as approved by the Executive Manager – Engineering Service.*
6. *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.*
7. *The finished floor level of all habitable rooms is a minimum of 300mm above the defined storm tide inundation level of 3.47m MSL.*

### **Referral Agency Response**

#### **8. 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 2** dated 4 March 2020 for the full response.*

**Report Prepared By:** RPS (Cairns) – Ian Doust  
**Date Prepared:** 9 April 2020

## **CONCLUSION**

As presented.

**Bruce Ranga**  
**CEO**

**Peter Krebs**  
**Manager, Legal Services**

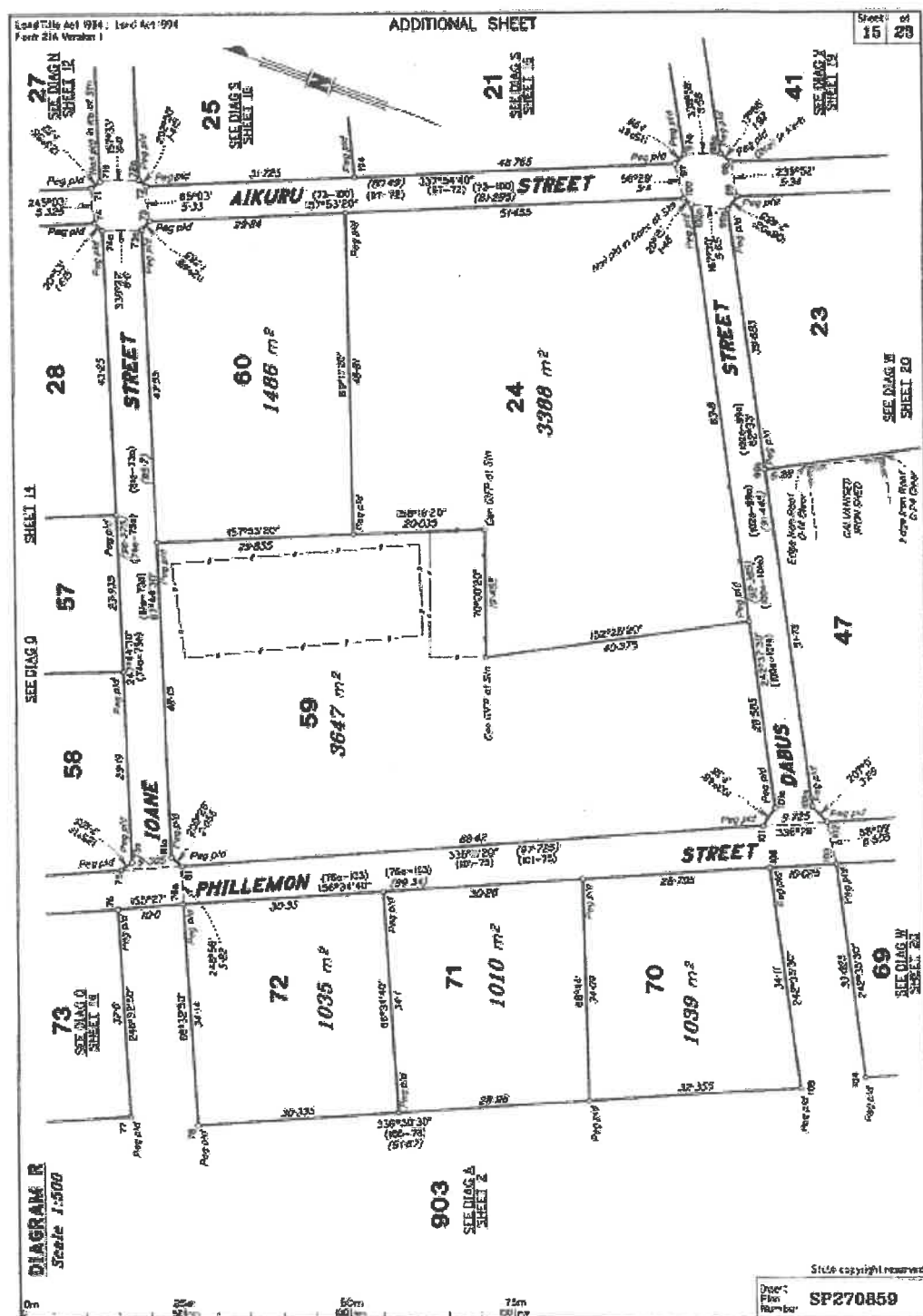


**Attachments:****1. Approved Plans**

- Application Plan of Proposed reconfiguration cancelling Lot 20 on SP270859, Cnr Dabus, Jalag and Yessie Streets, Warraber Island and
- RPS Locality Plan 10358-72 DA 01-20-10(1) Warraber Lot 24 SP270859 1 into 2 lot ROL - 9 April 2020

**2. DSDMIP Referral Agency Response – conditions 4 March 2020**

### Figure: Locality Plan



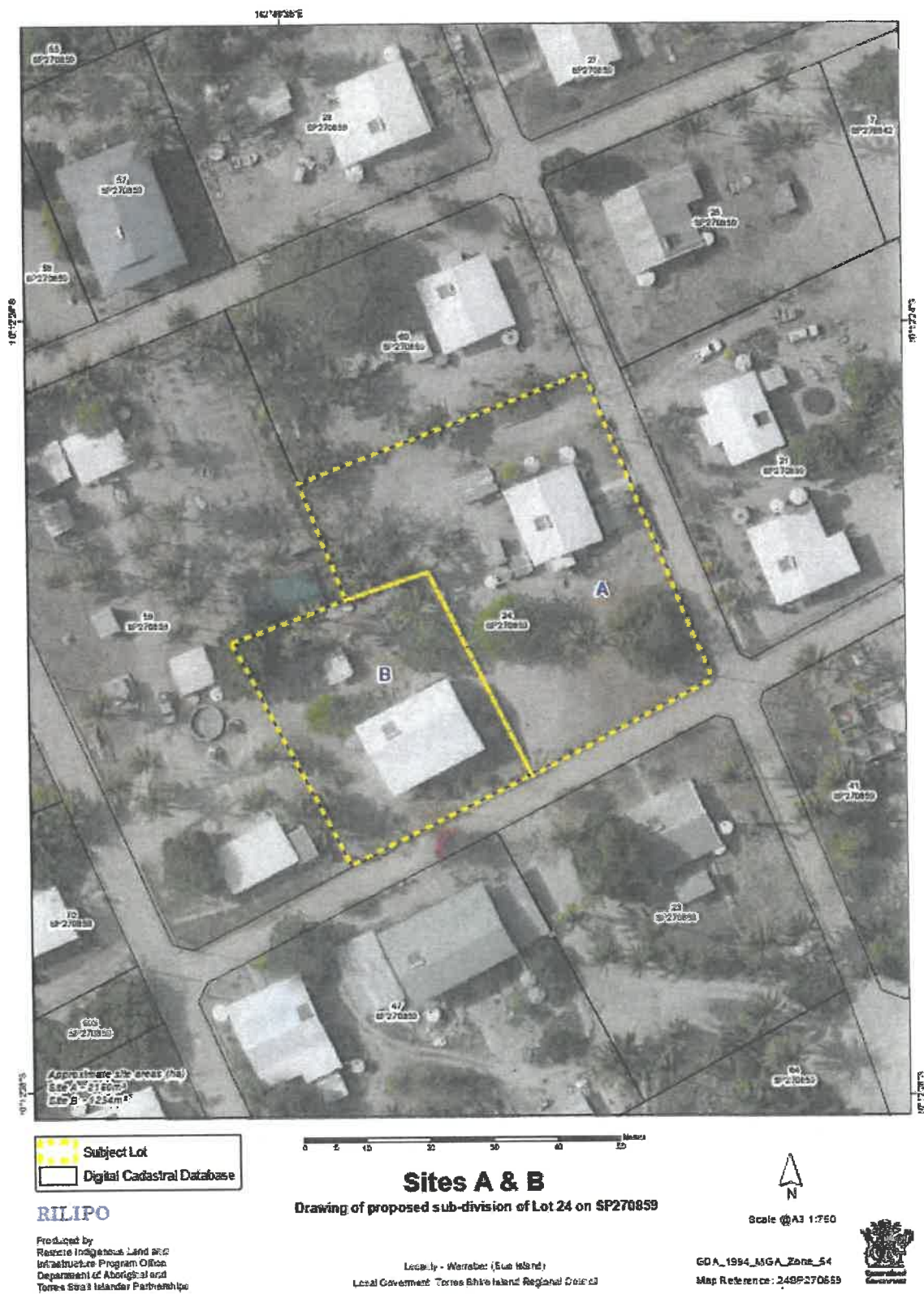
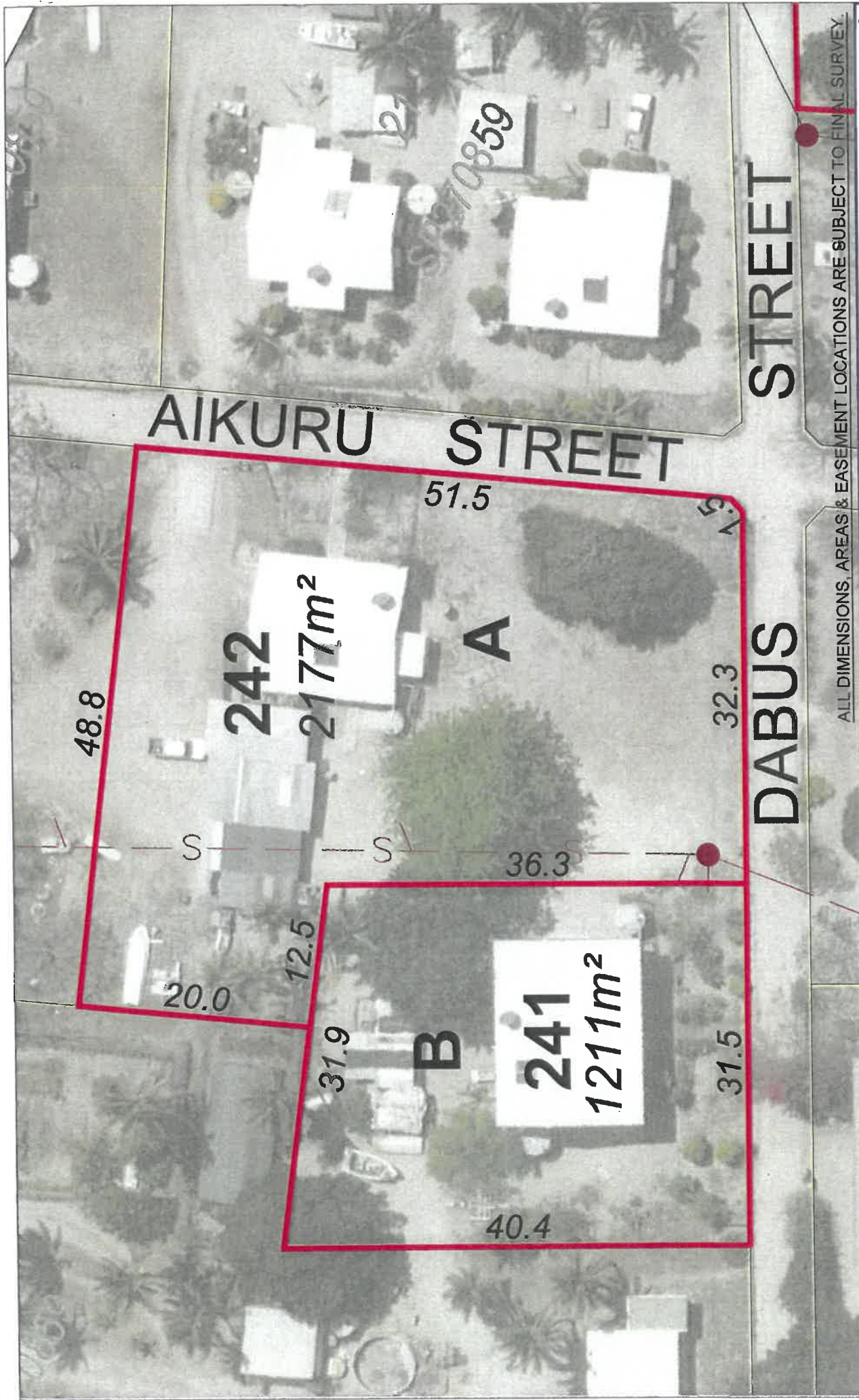


Figure: Proposed Subdivision Plan





ALL DIMENSIONS, AREAS & EASEMENT LOCATIONS ARE SUBJECT TO FINAL SURVEY.

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135 Abbott St  
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CAIRNS QLD 4870  
T +61 7 4031 1336 F +61 7 4031 2842 W rpsgroup.com.au

**RPS**

**DA 01-20-10(2) Warraber Lot 24 SP270859**  
**1 into 2 lot ROL - Locality Plan**



Datum MGA94 z54 | Scale 1:300 @ A3 | Date 9-4-2020 | Drawing 10358-72

# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

---

### COUNCIL ORDINARY MEETING

**DATE:** July 2020

**SUBJECT:** Development Application – Erub Island – TSIRC –  
Reconfiguration of a Lot – Subdivision by Agreement  
(Realignment of Lease Area), Erub Island QLD 4875

**PRESENTER:** Peter Krebs – Manager, Legal Services

---

**APPLICANT:** Anglican Diocese of North Queensland c/- Preston Law

**LOCATION:** Erub Island

**PROPOSAL:** Reconfiguration of a Lot – Subdivision by Agreement (Realignment of Lease Area) on Erub Island

**EXISTING PROPERTY DESCRIPTION:** Lot 100 on SP270873

**REFERENCE:** DA 08-19-14(1)10358 Erub

**LOCALITY PLAN**



## **RECOMMENDATION**

***That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Erub Island Reconfiguration for creation of new lease, Erub Island QLD 4875.***

## **EXECUTIVE SUMMARY**

The Anglican Diocese of North Queensland seeks development approval for the establishment of a new lease (30 year term) for the All Saints Church. The establishment of the revised lease will require a boundary that is consistent with the existing Native Title determination on land at Lot 100 Erub Island Road, Erub - Lot 100 on SP270873.

The existing church was first established in 1919 and has several re-constructions over its life span.

The original church was located on part of lot 64 on TS285 (Special Lease 43/38563) which was not included in the Erub Native Title determination. The current Lot 100 SP270873 includes both the Special Lease AND some additional land near part of the north-western boundary fronting Road No.8. The additional land is part of the native title determination and ILUA.

Consequently, an application for a 'Reconfiguration of a Lot – Subdivision by Agreement (Realigning lease boundaries)' for the Erub Island All Saints Church has been submitted to Council.

The development will create a new Lease A over only part of Lot 100 as shown on **Attachment 1 - Approved plan Proposed Lease A**.

The applicant has sought and been granted a Heritage Exemption Certificate for the proposed reconfiguring a lot "10.8.2.1 – Development on a Queensland Heritage Place".

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

## **DISCUSSION**

### **1. REFERRAL AGENCY CONDITIONS**

The applicant has undertaken the necessary State agency referrals for coastal management purposes. The Referral Agency Response has advised that there are no requirements in relation to the reconfiguration of a Lot or the establishment of a new lease (30 years) or the All Saints Church – see **Attachment 2 - Concurrence response 1912-14501 SRA Response – no requirements.pdf**. The State has not imposed any conditions, apart from undertaking the work in accordance with the approved plan.

The reasons for the department's decision are:

- The proposed reconfiguration will have no impact on the existing developed area of the site and is considered development of an existing lot that cannot be relocated.
- The development is not likely to impact on coastal processes and will not impact on the protective function of landforms and vegetation.
- The development is not likely to increase the risk of coastal erosion on or off the site.
- The proposed revised lease is within approved boundaries of an existing approval and will have no impact on matters of state environmental significance (MSES).

## 2. ZENADTH KES TOWN PLANNING SCHEME 2016

The proposed development is reflected below:

Strategic	Lot 100 - Township
Zone	Lot 100 – Township Zone Code
Local Plan	Erub (Darnley) Island Local Plan
Environmental Values	Lot 100 within Low Environmental Value area;
Potential Acid Sulphate Soils	Yes
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
- Erub (Darnley) Island Local Plan Code
- Reconfiguration of a Lot Code
- Infrastructure and 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

No new development or operational works are associated with this application.

## 4. PLANNING ISSUES

No issues.

## 5. RECOMMENDATIONS

**Based on the above, the recommendation is as follows:**

That Council issue a Development Permit for 'Reconfiguration of a Lot or Subdivision by Agreement (Realignment of Lease Area)' with the inclusion of the following conditions:

### Approved Plans

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

Plan/Document Number	Plan/Document Name	Date
RPS Plan PR144438-1	Proposed Lease A, being part of lot 100 on	12-07-2019



*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 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.*
3. *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 Response**

##### **4. 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 provided no conditions in relation to the application – see Attachment 2 dated 10 February 2020 for the full response.*

**Report Prepared By:** RPS (Cairns) – Ian Doust  
**Date Prepared:** 18 February 2020

## **CONCLUSION**

**As presented.**

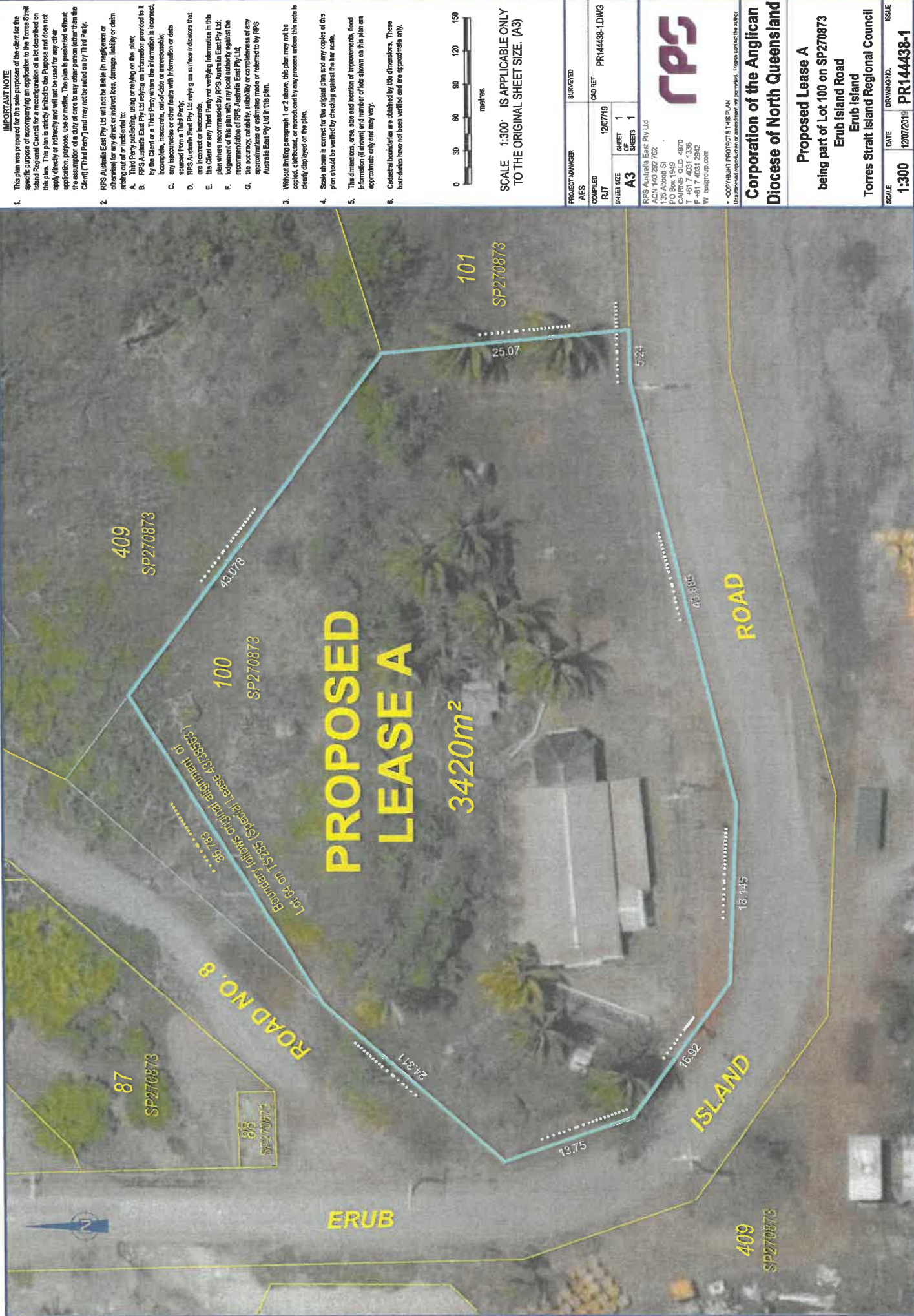
**Bruce Ranga  
CEO**

**Peter Krebs  
Manager, Legal Services**

#### **Attachments:**

1. **Approved Plans – RPS Plan PR144438-1**
2. **DSDMIP Referral Agency Response –10 February 2020**





<b>IMPORTANT NOTE</b>	
1. The plan was prepared for the sole purpose of the client for the specific purpose of accompanying an application to the Torres Strait Island Regional Council for a reconfiguration of a lot described on this plan. This plan is strictly limited to the Purpose and does not apply directly or indirectly and will not be used for any other application, purpose, use or matter. The plan is presented without the assumption of a duty of care to any other person (other than the Client) ("Third Party") and may not be relied on by Third Party.	
2. RPS Australia East Pty Ltd will not be liable (in negligence or otherwise) for any direct or indirect loss, damage, liability or claim arising out of or incidental to:	
A. Third Party publishing, using or relying on the plan;	
B. RPS Australia East Pty Ltd relying on information provided to it by the Client or a Third Party where the information is incorrect, incomplete or otherwise unreliable;	
C. any inaccuracies or other faults with information or data sourced from a Third Party;	
D. RPS Australia East Pty Ltd relying on surface indicators that are incorrect or inaccurate;	
E. the Client or any Third Party not verifying information in this plan where recommended by RPS Australia East Pty Ltd;	
F. lodgement of this plan with any local authority against the recommendation of RPS Australia East Pty Ltd;	
G. the accuracy, reliability, suitability or completeness of any approximations or estimates made or referred to by RPS Australia East Pty Ltd in this plan.	
3. Without limiting paragraph 1 or 2 above, this plan may not be relied on for any purpose other than that for which it was created by any person unless this note is clearly displayed on the plan.	
4. Scale shown is correct for the original plan and any copies of this plan should be verified by checking against the bar scale.	
5. The dimensions, area, size and location of improvements, flood information (if shown) and number of lots shown on this plan are approximate only and may vary.	
6. Cadastral boundaries are obtained by title dimensions. These boundaries have not been verified and are approximate only.	
<b>PROJECT MANAGER</b> <b>AES</b>	<b>SURVEYED</b>
<b>COMPILED</b> <b>RJT</b>	<b>CAD REF</b> <b>PR144438-1.DWG</b>
<b>SHEET SIZE</b> <b>A3</b>	<b>1207169</b>
<b>SHEET</b> <b>1</b>	<b>SHEETS</b> <b>1</b>
<b>RPS Australia East Pty Ltd</b> 1325 Abbott St PO Box 1949 CAIRNS QLD 4870 T +61 7 4031 1336 F +61 7 4031 2942 W rpsgroup.com	
<b>COPYRIGHT PROTECTED THIS PLAN</b> Unauthorized reproduction is a criminal offence. Images collected the author.	
<b>Corporation of the Anglican Diocese of North Queensland</b>	
<b>Proposed Lease A</b> being part of Lot 100 on SP270873 Erub Island Road Erub Island Torres Strait Island Regional Council	
<b>SCALE</b> <b>1:300</b>	<b>DATE</b> <b>12/07/2019</b>
<b>DRAWING NO.</b> <b>PR144438-1</b>	<b>ISSUE</b>



Department of  
**State Development,  
 Manufacturing,  
 Infrastructure and Planning**

SARA reference: 1912-14501 SRA  
 Council reference: DA08-19-14(1) 10358 L78282  
 Applicant reference: PR144438-2

10 February 2020

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

Attention: Bruce Ranga

Dear Sir/Madam

## **SARA response—Lot 100 Erub Island Road, Erub Island – Reconfiguring a Lot - Subdivision by agreement (realignment of lease area)**

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

The development application described below was confirmed as properly referred by the Department of State Development, Manufacturing, Infrastructure and Planning on 5 December 2019.

### **Response**

Outcome:	Referral agency response - No requirements
	Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	10 February 2020
Advice:	Advice to the applicant is in <b>Attachment 1</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 2</b> .

### **Development details**

Description:	Development permit	Reconfiguration of a Lot for the establishment of a new lease (30 years) for the All Saints Church
SARA role:	Referral Agency.	
SARA trigger:	<b>Schedule 10, Part 17, Division 3, Table 5, Item 1 (Planning</b>	

Regulation 2017) - Reconfiguring a lot in a coastal management district

SARA reference: 1912-14501 SRA  
Assessment Manager: Torres Strait Island Regional Council  
Street address: Lot 100 Erub Island Road, Erub Island  
Real property description: Lot 100 on SP270873  
Applicant name: Anglican Diocese of North Queensland  
Applicant contact details: C/- RPS Australia East  
135 Abbott Street  
Cairns QLD 4870  
Stacey.Devaney@rpsgroup.com.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 3**.

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

For further information please contact Anthony Westbury, Planning Officer, on 0740373215 or via email CairnsSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Graeme Kenna  
Manager (Planning)

cc Anglican Diocese of North Queensland, Stacey.Devaney@rpsgroup.com.au

enc Attachment 1 - Advice to the applicant  
Attachment 2 - Reasons for referral agency response  
Attachment 3 - Representations provisions

## Attachment 1—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) [v2.5]. If a word remains undefined it has its ordinary meaning.

## Attachment 2—Reasons for referral agency response

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

- The department carried out an assessment of the development application against the State Development and Assessment Provisions (SDAP), State Code 8: Coastal development and tidal works, and has found that the proposed development complies with the relevant assessment benchmarks as follows:
  - The proposed reconfiguration will have no impact on the existing developed area of the site and is considered development of an existing lot that cannot be relocated.
  - The development is not likely to impact on coastal processes and will not impact on the protective function of landforms and vegetation.
  - The development is not likely to increase the risk of coastal erosion on or off the site.
  - The proposed revised lease area is within approved boundaries of an existing approval and will have no impact on matters of state environmental significance (MSES).

### 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 [2.5]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system
- State Planning Policy mapping system

## **Attachment 3—Change representation provisions**

---

(page left intentionally blank – attached separately)

Day 1

Council OM

21, 7, 20

July 2020 - Poruma Council Person No

9:03 Mayor opens meeting. Acknowledges TOI  
Cr Pearson opening prayer & 1 minute silence

Apology: Cr Nana on Sany business, Cr Mark Elsdale  
2nd Trustee  
CARRIED

Trustee

Mayor

LOT 20 Warrack  
No name in report.

Mayor Cr Tamm Roulson  
2nd Cr Fell Cr Tamm  
Cr Fell

\* Spelling Keith  
Interpretation

CARRIED

Lot 24 Warrack

Mayor Cr Tamm  
2nd Cr Elsdale  
CARRIED

Ench CHURCH

Mayor Cr Tamm  
2nd Cr Fell

COF - Cr Lini, Cr Stephen, Cr Nash CARRIED

Ann delighted to Mayor by Cr Gole.

10:03

Previous Minutes June 17

Mayor Cr Elsdale  
Cr Fell

CARRIED.



Day 1

Council AM

21, 7, 20<sup>5</sup>

July 2020 - Bruma

## Council Ordinary Meeting.

10:12 June Minutes      Mnd Cr Frimborn      Carried  
2nd Cr Mosby

June 20 Minutes      Mnd Cr Noach      Carried.  
2nd Cr Stephen

Lot 20

Mnd Tamm  
2nd Pearson  
CAR

Lot 24

Mnd Tamm  
2nd Elsie

CARRIED

10:16 End Chair

Mnd Elsie  
2nd. Frimborn

CARRIED

Movement of Chair Business

Mnd Cr Pearson  
2nd. Cr Tamm

CARRIED

Building Services

Illerio 157 Lawrence M  
Mosby

Mnd Mosby  
2nd Stephen



Day 1

3/3  
24, 7, 20

Bedu Childcare Centre  
Ilario read report.

Mand: Toby  
2nd: Frankon.  
CARRIED

10:30.

76 Airport Rd Seibai  
Ilario read report

Mand: Cr Noah  
2nd: Cr Gela  
CARRIED

10:33

43 Aikur St Warraber  
Ilario read report.

Mand: Cr Tomy  
2nd: Cr Frankon  
CARRIED

### Morning Tea

11:05 - Organised Structure  
Hollie

Mand ~~Frankon~~ <sup>Steph</sup>  
2nd ~~Frankon~~ <sup>Noah</sup>  
CARRIED

Interim Aud. & Report  
Hollie

Mand Frankon  
2nd Levi  
CARRIED

11:30 - Freight Services  
Luke

Mand: Fall  
2nd: Toby  
CARRIED

12:00 Resolution amended.

OUT of Club  
Business

Mand Tomy  
2nd Gela  
CARRIED

\$5K - 6 in fees

\$1K - \$1,500 2 in fees

\$2K - 6 in fees

Day 1

21, 7, 20.

4/5

12:03 Confirmation of agenda for pass in class business

Bede Auldege Center CARRIED

157 Lancelotti Rd Masig CARRIED

76 Airport Drive Seebai CARRIED

43 Arthur St Waverly CARRIED

Organizational Structure CARRIED

Internal Audit Report CARRIED

Freight Services CARRIED

12:09 LUNCH

1:01 pm Resume

1:05 Operational Plan FY21  
Luke

Moved Cr Stephen  
2nd Cr Pearson  
CARRIED

FY21 Budget  
Hollie

1:23 Moved Cr Levi  
2nd Cr Pearson  
CARRIED

1:30 19/20 Estimated Position  
Hollie

Moved: Cr Noah  
2nd: Cr Tabuai  
CARRIED

Council Deputation Report  
Luke

Moved: Cr Tarr  
2nd: Cr Elisela  
CARRIED

2:00 pm

(Cr Elisela)  
Laguna at 3:05  
Community Grant Policy  
Luke  
Option 2 adopted.  
Financial Opt 2 May Vote.

Moved: Cr Tarr  
2nd: Cr Tabuai  
CARRIED

Day 1

5/3  
21, 7, 20

## Afternoon Tea

Resume: 3:23pm

3:25pm People & Wellbeing Policy  
Hollic

Moved Cr Tabuai  
2nd Cr Pearson  
CARRIED

Indigenous employment policy  
to be developed by SARE

3:40 Risk Management Policy  
Luche

Moved Cr Fell  
2nd Cr Noah  
CARRIED

## 3:43 - Councillor Committees (STAFF LEAVE)

- Cultural Arts & Heritage - Cr Elisela, Noah & Mona (Noah Chair)  
Moved: Cr Tabuai 2nd: Cr Tama - CARRIED
- Governance & Leadership - Cr Livi, Cr Trinboon, Cr Taly (Livi Chair)  
Moved: Cr Gela 2nd: Cr Elisela - CARRIED
- Economic Growth Committee - Cr Stephen, Cr Tabuai, Cr Gela (Stephen Chair)  
Moved: Cr Noah 2nd: Director
- Safe & Healthy Community Committee - Cr Livi, Cr Fell, Cr Pearson (Fell Chair)  
Moved: Cr Gela 2nd: Cr Tabuai - CARRIED
- Climate Change Adaptation & Environment Committee - Msgr Tama & Msgr  
Moved: Cr Fell 2nd: Cr Trinboon (Chair Cr Msgr)
- Strategic Advisory Reform Group Committee alternate Cr Elisela  
Moved: Cr Trinboon 2nd: Cr Tama - CARRIED

4:32

4:35 - Closing Prayer Cr Stephen

## Peter Krebs

---

**From:** Peter Krebs  
**Sent:** Wednesday, 5 May 2021 9:13 AM  
**To:** Kathy Cochran  
**Cc:** Mette Nordling; Julia Maurus  
**Subject:** Omission in the Minutes of the July 2020 Council Ordinary Meeting at Poruma

Good morning Kathy,

I have found an omission in the 21 July 2020 minutes from the Council Ordinary Meeting held at Poruma for the following agenda items listed.

I was on leave for most of August 2020, hence I would not have reviewed the draft minutes when they were sent around for review.

The omission is the following resolutions which I have recorded in my handwritten notes taken at the time of the meeting which are missing in the official minutes on our website:

Agenda Item 6: Legal Services – DA – Lot 20 Warraber ROL

*That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda report for Warraber Island, Warraber QLD 4875.*

*Moved: Cr. Tamu  
Second: Cr. Pearson*

**MOTION CARRIED**

Agenda Item 7: Legal Services – DA – Lot 24 Warraber ROL

*That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Warraber Island, Warraber QLD 4875.*

*Moved: Cr. Tamu  
Second: Cr. Elisala*

**MOTION CARRIED**

Agenda Item 8: Legal Services – DA – Erub Church ROL

*That Council issue a Development Permit for 'Reconfiguration of a Lot' with the inclusion of the conditions set out in Part 6 of the Agenda Report for Erub Island reconfiguration for creation of new lease, Erub Island QLD 4875.*

*Moved: Cr. Elisala  
Second: Cr. Trinkoon*

**MOTION CARRIED**

Can you please advise on how best to correct the minutes so that we can action the resolutions as soon as possible.

Kind regards

Peter

**Peter Krebs | Senior Legal Counsel**

Torres Strait Island Regional Council



Phone: 07 4034 5772 Mobile: 0428 216 571

Fax: 07 4034 5750

Address: TSIRC, PO Box 7336, Cairns, QLD 4870

Website: [www.tsirc.qld.gov.au](http://www.tsirc.qld.gov.au)

Email: [Peter.Krebs@tsirc.qld.gov.au](mailto:Peter.Krebs@tsirc.qld.gov.au)

Find us on:



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# TORRES STRAIT ISLAND REGIONAL COUNCIL

## COUNCIL REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24-25/05/2021
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	Appointment of proxies to the Audit Committee
<b>AUTHOR:</b>	Mette Nordling, Manager, Governance and Compliance

---

### **Recommendation:**

That Council calls for nominations and appoints a proxy member to the Council's Audit Committee.

### **Executive Summary:**

In accordance with section 208 of the *Local Government Regulation 2012* a local government can establish an audit committee.

As per section 210 of the *Local Government Regulation 2012* an audit committee must consist of at least three but no more than six members, including one but not more than two councillors appointed by the local government.

There must also be at least one member with significant experience and skills in financial matters.

At Council's Ordinary meeting in December 2019 Council resolved to re-appoint Mr Eric Muir as the chair of the TSIRC Audit Committee and Mr Paul Shipperley as member of Council's Audit Committee for a two-year period.

At Council's Ordinary meeting in April 2020 Council resolved to appoint Mayor Mosby and Councillor Fell to Council's Audit Committee.

It has become apparent, that proxy Councillor members are required to ensure the Audit Committee meetings can go ahead as scheduled, in case of Councillor apologies.

The TSIRC Audit Committee meets approximately 4-5 times per year.

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

The work of the Audit Committee align to specific delivery objectives under the People, Sustainability, and Prosperity pillars of Council's Corporate Plan.

### **Finance & Risk:**

No financial risk identified.

### **Sustainability:**

N/A

### **Statutory Requirements:**

*Local Government Act 2009*

**Resolution:**

- Council resolves to appoint Cr **INSERT** as a proxy Councillor member of the Audit Committee.
- Council resolves to appoint Cr **INSERT** as a proxy Councillor member of the Audit Committee.

**Recommended:**

Hollie Faithfull  
Chief Financial Officer

**Endorsed:**

Mette Nordling  
Manager, Governance and Compliance

**Recommended:**

David Baldwin  
Acting Chief Executive Officer



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24 & 25 May 2021
<b>ITEM:</b>	Agenda Item for Ordinary Meeting of Council
<b>SUBJECT:</b>	People and Wellbeing Policies
<b>AUTHOR:</b>	Tracey Burrell, Acting Head of People & Wellbeing

---

### Recommendation

Council resolves to:

1. endorse the following Torres Strait Island Regional Council policies:
  - Work Health and Safety Policy
  - Workers Compensation and Rehabilitation Policy
  - Domestic and Family Violence Policy

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 endorsed policies, including the power to make any further minor administrative amendments to the policies as they arise.

### Executive Summary:

The policies contained in this report needed redrafting and updating due to either having expired or changes to legislation. To ensure compliance with legislation and already existing policies, these have been updated to reflect legislative changes or changes internally at Council.

These policies were presented to and noted by the Audit Committee at its meeting on 12 April 2021.

The table below show the policies and procedures contained in this report:

Policy	Changes
Work Health and Safety Policy	Had expired and updated to reflect internal changes.
Workers Compensation and Rehabilitation Policy	Had expired and updated to reflect internal changes.
Domestic and Family Violence Policy	Had expired and updated to reflect internal changes.
Equal Employment Opportunity Policy	Had expired and updated to reflect internal changes.

### Links to Strategic Plans:

These policies strategically align to specific delivery objectives under all 3 pillars of Council's recently adopted Corporate Plan, being *People*, *Sustainability* and *Prosperity*.



**Risk:**

There is a risk to Council's reputation and compliance if policies are not updated and endorsed as required.

By having these policies updated and endorsed reflecting legislative changes, Council will be able to update the associated procedures and thereby mitigating these risks.

**Statutory Requirements:**

*Local Government Act 2009 (Qld)*

*Local Government Regulation 2012 (Qld)*

**Conclusion:**

That Council approves the attached policies.



Tracey Burrell  
**Acting Head of People and Wellbeing**



Hollie Faithfull  
**Chief Financial Officer**



David Baldwin  
**Acting Chief Executive Officer**

# Work Health and Safety Policy

## PO3

<b>Responsible Manager</b>	<u>Head of People &amp; Wellbeing</u> <del>Executive Manager</del> <del>Corporate Services</del>
<b>Head of power</b>	<i>Work Health &amp; Safety Act 2011 (Qld)</i> <i>Work Health &amp; Safety Regulation 2011 (Qld)</i>
<b>Authorised by</b>	Council
<b>Authorised on</b>	TBC 2021
<b>Implemented from</b>	TBC 2021
<b>Last reviewed</b>	October 2015
<b>Review history</b>	2013, 2014, 2015, 2021
<b>To be reviewed on</b>	March 2024
<b>Corporate Plan</b>	<u>Governance</u> <del>People, Sustainability and Prosperity</del>

## 1. PURPOSE

This policy establishes the approach to work health and safety management at Torres Strait Island Regional Council (Council) and outlines management's commitment to ensure a safe work environment for all workers.

## 2. POLICY STATEMENT

Torres Strait Island Regional Council is committed to providing a safe and healthy working environment for all workers, contractors and visitors to our workplaces.

Council is also dedicated to achieving a high standard of health and safety performance and will strive to continuously improve the safety performance results in all of our operations through the implementation of a Safety Management System aligned with the requirements of Occupational Health and Safety Management Systems AS/NZS 4801 and ISO 45001.

Council will apply its best endeavours to comply with all relevant health and safety legislation and related standards, codes of practice and industry guidelines. We establish clear objectives with measurable targets, and report on our performance against those targets at pre-determined intervals.

It is our core belief that:

- all accidents can, and should be prevented; and
- no task is so important that risk of injury to people is ever justified.

Council will deliver on these commitments by:

- having our leaders lead by example and demonstrate a visible commitment to health and safety, to motivate, educate and support all persons involved in council activities
- proactively identifying and managing health and safety risks
- ensuring that there is participative consultation to support and enhance our decision making processes
- emphasising in all communications and interactions that people, safety and systems are our priority, including the effective distribution of important WHS information
- ensuring all incidents and near misses are fully investigated and corrective measures taken to prevent reoccurrence
- ensuring our employees and contractors receive the appropriate health and safety training to enable them to conduct their work safely
- the ongoing regular monitoring and review of our health and safety performance to support the effectiveness of work health safety actions and ensure our health and safety objectives and targets are being met
- ensuring all levels of management and staff carry out their health and safety responsibilities.

With personal commitment and active participation of all our workers, we will achieve outstanding work health and safety standards and deliver on our commitment to provide a safe working environment.

Council is committed to ensuring the health and safety of workers and visitors whilst they are at work or at a Council workplace. This commitment extends to people who may be affected by Council's work related activities and includes compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulation 2011, subordinate legislation and all associated Codes of Practice and relevant Standards.

### **3. SCOPE**

This policy applies to all Council's operations and workers, including employees, contractors, labour hire employees, volunteers and visitors.

### **AUTHORISATION**

This policy is duly authorised by Council as the Torres Strait Island Regional Council Work Health and Safety Policy (PO3) and shall hereby supersede any previous policies of the same intent.

**David Baldwin**

Acting Chief Executive Officer

**Date**

# WORKERS' COMPENSATION AND REHABILITATION POLICY

Responsible Manager	<u>Head of People and Wellbeing</u> <del>Executive Manager Corporate Services</del>
Head of power	<del>Local Government Act 2009 (Qld)</del> <del>Local Government Regulation 2012 (Qld)</del> <u>Workers' Compensation and Rehabilitation Act 2003 (QLD)</u> <u>Workers' Compensation and Rehabilitation Regulation 2014 (QLD)</u>
Authorised by	Council
Authorised on	TBC 2021
Implemented from	TBC 2021
Last reviewed	May 2017
Review history	2012, 2013, 2104, 2015, 2016, 2017, 2021
To be reviewed on	March 2024
Corporate Plan	<u>People, Sustainability and Prosperity Governance</u>

## 1. PURPOSE

Torres Strait Island Regional Council (TSIRC) has an obligation to provide workplace rehabilitation to its employees which meets legislation.

TSIRC is committed to ensuring the health, safety and wellbeing of all its employees and will provide workplace rehabilitation for all employees whose ability to carry out their duties is affected by any physical and/or physical, work related or non-work-related injury or illness. This Policy and its associated Procedure provides a framework for the provisions of workplace rehabilitation.

## 2. POLICY STATEMENT

TSIRC recognises that early intervention and early return to work programs offer substantial benefits to both the injured/ill employees and the organisation. The goal of workplace rehabilitation is the earliest possible safe return to work for an injured/ill employee to their pre-injury/illness position. Where possible, workplace rehabilitation aims to maintain the injured/ill employee at work without time off.

- a) Torres Strait Island Regional Council [Council] is committed to ensuring that employees ~~and Councillors~~ receive adequate and appropriate compensation and rehabilitation for work related injuries and illnesses. This commitment includes compliance with the Workers' Compensation and Rehabilitation Act 2003 and the Workers' Compensation and Rehabilitation Regulation 2014.
- b) Council is committed to helping its people to return to full and gainful employment following injury or illness. Council is dedicated to providing a rehabilitation program which is continuously reviewed and monitored to improve injury management activities.
- c) Where time off work is required, the aim is to ensure a return to work occurs as soon as medically advisable. Within realistic time frames, workplace rehabilitation is actively facilitated to:
  - maintain injured or ill employees at work;
  - ensure the employee's earliest possible return to work;
  - maximise the employee's independent functioning; and
  - achieve sustainable and durable return to work goals.

e)d) \_\_\_\_\_ In developing injury management plans, together with injured employees, consideration will be given to individual circumstances in line with the "whole of life" approach. Council will provide an environment that will enrich the safety, health and wellbeing of its people and actively encourage employees' early return to work from injury.

- e)e) \_\_\_\_\_ In meeting this commitment Council aims to:
- prevent workplace injuries and illnesses by providing a safe and healthy working environment;
  - recognise and complement other organisational policies and procedures where relevant;
  - provide early reporting systems and intervention procedures that will enable injured employees to stay at work or return to work as soon as medically appropriate;

- facilitate the durable return to work of employees by assisting with the safe and early integration back into the workplace;
- advise employees of their rights and responsibilities for injury management;
- facilitate participation in an injury or illness management program appropriate to an injured or ill employee's medical recovery;
- provide employees with relevant information about injury management including their rehabilitation rights and obligations;
- consult with employees and/or their representatives;
- maintain confidentiality of personal information in accordance with applicable legislation;
- Manage claims in an equitable, timely and efficient manner, consistent with applicable legislation and self-insurance requirements;
- Comply with applicable injury management and rehabilitation legislation;
- Engage appropriately qualified experts, both internally and externally to assist in the management of injury; and
- Ensure that injured/ill employees are not disadvantaged by participating in workplace rehabilitation.

TSIRC provides relevant workers' compensation cover for staff members in their respective State. Worker's compensation and workplace rehabilitation will be provided as per the respective State's legislation.

### 3. SCOPE

This policy applies to all TSIRC employees and Councillors.

### AUTHORISATION

This page and the previous bearing my initials was/were duly authorised by Council as the Torres Strait Island Regional Council Work Health and Safety Policy on [INSERT DATE] and shall hereby supersede any previous policies of the same intent.

---

David Baldwin

Chief Executive Officer

Date: \_\_\_\_\_

# DOMESTIC and FAMILY VIOLENCE POLICY

**Responsible Manager**

Head of People and Wellbeing

**Head of power**

~~Industrial Relations Bill 2016 (Qld)~~  
~~Local Government Act 2009 (Qld)~~  
~~Local Government Regulation 2012 (Qld)~~  
~~Industrial Relations Act 1999~~  
~~Human Rights and Equal Opportunity Act 1986~~  
~~(Cth)~~  
~~Public Sector Ethics Act 1994~~  
Council

**Authorised by**

**Authorised on**

TBC 2021

**Implemented from**

TBC 2021

**Last reviewed**

March 2021

**Review history**

2017, 2019, 2021

**To be reviewed on**

March 2024

**Corporate Plan**

Governance  
People, Sustainability and Prosperity



## 1. PURPOSE

The aim of the Torres Strait Island Regional Council Domestic and Family Violence Policy and the associated Procedure, is to outline how employees who are experiencing or escaping domestic or family violence, can be supported to improve their safety and work towards a life free from violence and abuse.

## 2. POLICY STATEMENT

- a) Council is strongly committed to providing a healthy and safe working environment for all employees. Council recognises that employees sometimes face difficult situations in their work and personal life, such as domestic and family violence, which may affect their attendance, performance at work or safety.
- b) Council is committed to supporting a staff member experiencing domestic or family violence to continue to participate in the workforce and maintain their employment through a broad range of support which recognises the specific need of people in diverse families and relationships.
- c) It is recognised that employees experiencing domestic and family violence may require a range of support which may include:
  - return to work support for people who need to take extended periods of time off work to recover from the health impacts, including mental health impacts, of domestic and family violence. This could include consideration to changes to work hours, location of work or relocation to suitable employment where this is able to be identified;
  - access to leave entitlements, including personal leave, as well as access to discretionary leave including annual leave and long service leave;
  - temporary changes to arrangements which may include secure car parking and IT and telephone security;
  - absences from the workplace will be reconciled subject to the employees leave entitlements and available accrued hours.
- b)d) A staff member who experiences situations of violence and abuse in their domestic life which may adversely impact on their attendance and/or performance at work will not be disadvantaged in their employment at Council.
- e)e) All personal information given in relation to situations of domestic or family violence will be kept confidential. No information will be kept on an employee's personnel file without their express permission. Council will cooperate with all legal orders protecting a staff member experiencing domestic or family violence.

The Domestic and Family Violence Procedure should be read in conjunction with this Policy, and details how employees who are experiencing or escaping violence can be supported to improve their safety and work towards a life free from violence and abuse.

## 3. SCOPE

This Policy applies to all Torres Strait Island Regional Council employees and Councillors. Refer

to Domestic and Family Violence Procedure PO16-PR1 for more information.

### **AUTHORISATION**

This page and the previous bearing my initials was/were duly authorised by Council as the Torres Strait Island Regional Council Domestic and Family Violence Policy on [INSERT DATE] and shall hereby supersede any previous policies of the same intent.

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**David Baldwin**

**Chief Executive Officer**

**Date:** \_\_\_\_\_



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## COUNCIL REPORT - Late

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	24/05/2021-25/05/2021
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	2020/2021 Asset Desktop Indexation Review
<b>AUTHOR:</b>	Hollie Faithfull, Chief Financial Officer

### Recommendation:

Council resolves to:

- note the percentage increase movements from the asset desktop indexation review conducted by Jones Lang Lasalle; and
- delegate the authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise the 2020/2021 asset desktop indexation review subject to external audit committee members endorsement.

### Executive Summary:

Since amalgamation there have been four comprehensive asset valuations with the last being as at 30 June 2020. Per Council's Policy comprehensive asset valuations are completed every three years and desktop indexation review completed in the alternate years. In line with Policy, Management undertook a desktop indexation review for the 2020/2021 year.

The table below shows recent movements in asset valuations up to 30 June 2020:

	Full Valuation 2016/17	Desktop 2017/18	Desktop 2018/19	Full Valuation 2019/20
<b>Valuer</b>	<b>JLL</b>	<b>JLL</b>	<b>JLL</b>	<b>JLL</b>
<b>Asset Class</b>				
Buildings (Community)	F.V.	3.65%	1.35%	F.V.
Buildings (Corporate)	F.V.	3.65%	1.35%	F.V.
Recreation Facilities - Playgournd Equipment	F.V.	3.65%	1.35%	F.V.
Recreation Facilities - Other	F.V.	3.65%	1.35%	F.V.
Roads / Transport Network	F.V.	4.00%	2.50%	F.V.
Stormwater Drainage Network	F.V.	4.00%	2.50%	F.V.
Flood Mitigation Network	F.V.	4.00%	2.50%	F.V.
Water Supply Network	F.V.	4.00%	3.00%	F.V.
Sewerage Network	F.V.	4.00%	3.00%	F.V.
Wharves, Piers, Jetties and Pontoons	F.V.	4.00%	3.00%	F.V.
Waste Landfill	F.V.	4.00%	2.50%	F.V.
Land	F.V.	0.00%	0.00%	F.V.

The above indexation rates were applied in TSIRC's financial records to the various asset classes in the financial year of assessment. This is in line with section 4 part C of Council's Asset Valuation – Non-current Assets Procedure

*Any movement will be recognized in the financial year in which it is recorded. This ensures Council takes a conservative and prudent approach to the indexed valuation movement in that*

*applicable period. This removes the greater fluctuations that may be required to be applied if only the movement between full valuations were to be recorded.*

#### **Officer Comment:**

Council has undertaken a full review of the valuation of its property, plant and equipment carried at fair value as at 30 June 2021. This comprises the following asset classes:

- Buildings (community)
- Buildings (corporate)
- Recreational facilities
- Road/transport network
- Stormwater/drainage network
- Flood mitigation network
- Water supply network
- Sewerage network
- Wharves, piers, jetties and pontoons
- Waste and landfill
- Land

No consideration has been given to the valuation of plant and equipment, and capital work in progress as these classes are carried at cost.

Council undertook a full comprehensive valuation of the above noted asset classes carried at fair value as at 30 June 2020 and this was performed by valuation firm Jones Lang LaSalle (JLL) who are considered to be independent of Council and experts in their field.

Council has again appointed JLL to assist with the 2021 valuation process. JLL have been appointed in the current year to perform a desktop indexation review and provide suitable indexation rates to estimate the price movement from 30 June 2020 to 30 June 2021.

The following table summarises the indexation rates provided by JLL and an estimate of the likely impact of the valuation based on the 30 June 2020 asset class balances. This will be processed in Council's ledger for the 30 June 2021 year in July 2021 following the finalisation of additions and disposals for the 2021 financial year.

<b>Asset class</b>	<b>Indexation rate</b>	<b>30 June 2020 WDV</b>	<b>Estimated valuation movement for the 2021 financial year *</b>
	<b>(%)</b>	<b>(\$)</b>	<b>(\$)</b>
Buildings (community)	4.00%	302,315,931	12,093,000
Buildings (corporate)	4.00%	52,440,966	2,098,000
Recreational facilities	4.00%	11,605,499	464,000
Road/transport network	3.75%	167,885,918	6,296,000
Stormwater/drainage network	3.75%	8,485,720	318,000
Flood mitigation network	3.75%	28,351,448	1,063,000
Water supply network	4.00%	119,458,455	4,778,000
Sewerage network	4.00%	146,360,541	5,854,000
Wharves, piers, jetties and pontoons	3.75%	29,483,454	1,106,000
Waste and landfill	4.00%	1,432,263	57,000
Land	2.50%	2,497,135	62,000
<b>Total</b>		<b>870,317,330</b>	<b>34,189,000</b>

\* based on 2020 written down values excluding the impact of any additions or disposals during the 2021 financial year and rounded to the nearest \$1,000.

Following consultation with JLL and review of their report, along with internal review and integrity testing of the results in JLL's valuation report, management are comfortable with the contents of the valuation report and the proposed indexation rates for each asset class.

Given the indexation rates proposed by JLL are considered more than insignificant and in line with Council's policies and procedures relating to Asset Valuation for Non-current assets, management will process the revaluation using the rates proposed by JLL and reflect the result of the valuation assessment in Council's ledger as at 30 June 2021.

External Audit Committee Members have been provided a copy of Council's desktop indexation review and awaiting formal response.

**Consultation:**

- Executive Management
- Asset Class Managers
- Finance and Asset Team
- Grant Thornton
- Jones Lang LaSalle

**Finance and Risk:**

Applying the results of the desktop indexation review will have the following effect to Council's Financial Statements:

- Increase in Property Plant and Equipment (Asset)
- Increase in Asset Revaluation Reserve (Equity)
- Increase in annual depreciation (Expense)

**Links with Strategic Plans:**

Corporate Plan 2020-2025

- Accountability: We are reliable, honest and ethical in all that we do
- Sustainability: We manage council affairs responsibly to the benefit of our communities

Operational Plan 2021-2021

- Objective 3: Evolve and deliver Council's Asset Revaluation program

**Statutory Requirements:**

*Local Government Act 2009*

*Local Government Regulation 2012*

**Conclusion:**

That Council notes the percentage increase movements from the asset desktop indexation review conducted by Jones Lang LaSalle and delegate the authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to finalise the 2020/2021 asset desktop indexation review subject to external audit committee members endorsement



**Recommended:**

Hollie Faithfull  
Chief Financial Officer



**Endorsed:**

David Baldwin  
Acting Chief Executive Officer



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## AGENDA REPORT - Late

<b>ORDINARY MEETING:</b>	May 2021
<b>DATE:</b>	25/05/2021
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	Policy Matter – Councillor Remuneration, Reimbursement and Facilities Provision Policy
<b>AUTHOR:</b>	Mette Nordling, Manager of Governance and Compliance

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### **Recommendation:**

Council resolves to:

1. amend the Torres Strait Island Regional Council's Councillor Remuneration, Reimbursement and Facilities Provision Policy previously endorsed by Council at its Ordinary Meeting on 28 April 2020, and 16 November 2020 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* and the *Local Government Regulation 2012* Council is required to a Councillor remuneration policy. Regular monitoring and review of these are necessary to reflect legislative changes, operational governance and to continuously improve Council governance.

The Councillor Remuneration, Reimbursement and Facilitates Provision Policy has been updated to provide discretion to the Chief Executive Officer in relation to approval of hire cars to Councillors.

### **Consultation:**

N/A

### **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:**

There is a risk to Council, if Council does not have an endorsed Councillor remuneration policy.

**Statutory Requirements:**

*Local Government Act 2009 (Qld)*

*Local Government Regulation 2012 (Qld)*

**Conclusion:**

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

A handwritten signature in black ink, appearing to read 'David Baldwin', with a stylized flourish extending from the end.**Endorsed:**

David Baldwin

Acting Chief Executive Officer

**Attachments:**

- Amended Councillor Remuneration, Reimbursement and Facilities Provision Policy



# Councillor Remuneration, Reimbursement and Facilities Provision Policy

<b>Responsible Manager:</b>	Head of Corporate Affairs
<b>Head of power:</b>	<i>Local Government Act 2009</i> <i>Local Government Regulation 2012</i>
<b>Authorised by:</b>	Council
<b>Authorised on:</b>	25 May 2021
<b>Implemented from:</b>	25 May 2021
<b>Last reviewed:</b>	May 2021
<b>Review history:</b>	2020, 2021
<b>To be reviewed:</b>	June 2021
<b>Corporate Plan:</b>	People, Sustainability and Prosperity

## 1. Purpose

To clarify the extent of remuneration, expense reimbursement and support provided to Torres Strait Island Regional Council Councillors.

## 2. Application

This policy applies to all duly elected representatives of Torres Strait Island Regional Council.

## 3. Legislation

In accordance with section 250 of the *Local Government Regulation 2012* (Regulation) Council must prepare an Expenses Reimbursement Policy and adopt this by resolution. The discussion and resolution of this policy must be conducted in open session.

This policy must provide for:

- Payment of reasonable expenses incurred, or to be incurred, by Councillors discharging their duties and responsibilities as councillors
- Provision of facilities to the councillors for that purpose

## 4. Councillor Remuneration

In accordance with section 177 of the *Local Government Act 2009*, the Local Government Remuneration Commission is responsible for deciding the maximum amount of remuneration that is payable to Councillors. The Commission must annually decide and publish the maximum amount of remuneration payable from 1 July of the following year to a Mayor, Deputy Mayor or a Councillor of a local government.

As required by section 246 of the Regulation the Local Government Remuneration Commission have prepared a remuneration schedule for the 2020/21 Financial Year:

Position	Remuneration amount effective 1 July 2020
Mayor	\$108,222
Deputy Mayor	\$62,435
Councillor	\$54,110*

\*The Commission has determined that for Category 1 Councils, including Torres Strait Island Regional Council, Councillors remuneration will be paid a base salary of \$36,073.28 (50%) from 1 July 2020 and a meeting fee of \$1,503.06 per calendar month is payable for attendance at, and participation in, scheduled Council meetings. The Mayor or Chief Executive Officer must certify the attendance and participation. This determination does not include the Mayor and the Deputy Mayor, who are to receive the full annual remuneration.

For the period between the 2020 Statutory Meeting and the commencement of the above

2020/21 remuneration schedule the following shall apply:

Position	Remuneration amount effective 1 July 2019
Mayor	\$106,100
Deputy Mayor	\$61,211
Councillor	\$53,049*

\*Base salary of \$35,366 pro rata and meeting fee \$1,473.60.

The remuneration fixed above is all inclusive and no additional remuneration is payable for sick leave, annual leave, or any other benefits otherwise applicable to employees other than superannuation. Remuneration payments are made in fortnightly instalments.

Councillors who serve only part of a given financial year, shall receive remuneration pro-rata only.

### **Advance Payment**

Meaning in this section:

**Advance Payment** means a payment of a Councillor's base salary in advance of when it is due to be paid.

This section applies to Advance Payments and the circumstances in which an Advance Payment may be paid to a Councillor on approval from the Chief Executive Officer. Any requests by Councillors which do not meet the requirements of this Policy will need to go to a Council meeting.

Upon a request being received by a Councillor, the Chief Executive Officer may approve for payment to a Councillor an Advance Payment if:

1. the Chief Executive Officer is satisfied that the Advance Payment is for:
  - financial hardship;
  - emergency relief; or
  - for another genuine reason
2. a Councillor has made the request in writing and has provided the information required to complete the Advance Payment Repayment Form demonstrating how it is intended to be repaid (attached as Appendix A to this Policy);
3. the payment of an Advance Payment is not requested to be made within the first two months of the Councillor's term;
4. the payment of an Advance Payment is not requested to be made within the last six months of the Councillor's term;
5. the total of Advance Payment/s made to any one Councillor does not exceed one fortnight's base salary.

All Advance Payments are to be repaid to Council by the Councillor within the following fortnightly pay period for the Councillor.

The Chief Executive Officer, may at the Chief Executive Officer's discretion, request a Councillor to produce material to substantiate their application for an Advance Payment which the Chief Executive Officer considers relevant to their assessment.

The Chief Executive Officer, in their discretion, can refuse any application by a Councillor for an Advance Payment whatsoever. Any approval given by the Chief Executive Officer must be in writing.

This section only applies to an Advance Payment, relating to a Councillor's base salary component, and does not cover or permit any other advance. To avoid any doubt, a Councillor's meeting fee component cannot be paid in advance.

Before any Advance Payment is made a signed copy of the Advance Payment Repayment Form must be provided.

### **Tax**

At the beginning of each financial year, Councillors must nominate a tax withholding amount to be applied by Council.

### **More than one meeting per month**

If there are two or more meetings scheduled in a given calendar month, Councillors shall be required to meet attend and participate in each meeting in order to be entitled to the meeting fee for that month. If a particular meeting commences in one calendar month and continues into the next calendar month, the meeting is treated as having taken place in the calendar month in which the meeting commenced.

### **Attendance at Meetings**

There is a requirement that the Councillor attend the whole of the monthly meeting to ensure that the meeting fee is paid, unless there is an emergency circumstance approved the Mayor and CEO. The payment for partial attendance approval via emergency circumstances will be by a formal approval by the Mayor and CEO.

### **Approved Leave**

Council will pay the monthly meeting fee to a Councillor who is absent from the monthly meeting only following approval being granted at that meeting and only for the following reasons:

1. Death of an immediate family member
2. Councillor attending other previously approved official Council business
3. Councillor or immediate family member is unwell or needing urgent medical attention
4. Councillor is required to attend court or tribunal as a witness
5. As a result of a natural disaster

The leave application must be provided to the Mayor and CEO prior to leave being taken.

## **5. Provision of Facilities and Support**

Certain equipment separately identified in this policy is provided to the Councillor once; this equipment will remain the property of the Councillor upon the completion of the entire term of Council. All other equipment and facilities not separately identified remain the property of Council and must be returned to Council when a Councillor's term expires.

### **Private use of Council owned facilities**

Based on the principle, that no private benefit is to be gained, the facilities provided to Councillor's by Council owned facilities are to be used only for Council business unless prior approval has been granted by resolution of Council.

### **Office Facilities**

Councillors will be provided with the following facilities and support:

- Mayor: Separate office accommodation on home island, Thursday Island and in Cairns Office with Secretarial and Executive Assistant Support
- Deputy Mayor and Councillors: Office accommodation and administrative support in accordance with the established staff structure and Council's Communications Guidelines (Acceptable Request Guidelines) on the Councillor's home island.

Councillors are provided with access to shared facsimile, scanner, printer, photocopier and paper shredder for business use.

Use of Council landline telephones and internet access in Council offices for Council business.

### **Uniform Provision**

The Council will provide Councillors with a Council uniform allocation, aligned to the general employee uniform allowance.

### **Motor Vehicles**

On the choice of the Mayor or Councillor:

Council will provide a 2WD dual cab utility or similar vehicle dependent upon availability on a full private use basis, that being, any member of the Councillor's family with a current driver's licence can drive this vehicle and transport passengers.

The Councillor will pay \$25 a week as hire and provide all fuel.

The Council will be responsible for the routine maintenance and insurance of the vehicle and all fair wear and tear repairs. Where repairs are required other than as a result of fair wear and tear, the Councillor will pay the full cost (including any freight costs) of rectification or, if the vehicle cannot be repaired, replacement of the vehicle. Repair or replacement must be carried out in a timely manner– within two months of damage being identified, or as soon as reasonably practicable.

Vehicle hire may be suspended for a period of time where the vehicle is taken out of operation for repairs and maintenance and an alternative vehicle is not available.

Motor vehicles will not be allocated to Councillors with outstanding unpaid charges for maintenance and unfair wear and tear repairs from previous hire arrangements through Council.

Council shall retain property in the vehicle. At the end of the Councillor's term the vehicle shall be returned to Council in the same condition as when the vehicle was provided, subject to fair wear and tear.

A Councillor will not be entitled to access any other Council vehicle, for Council business or private.

## **Computers and Telecommunication**

Council will only provide one mobile phone handset and one piece of portable IT hardware equipment to a Councillor at the start of their term of office. At the conclusion of the term these items will become the property of the Councillor. A standard suite of Council software will be provided with each piece of portable IT hardware equipment issued to the Councillor. Any additional software provision and/or installation will be at the discretion of the CEO and must comply with licencing and ICT Standard Operating Environment Procedure. This software will be removed at the end of the Councillor's term.

Support for the Council supplied IT hardware will be provided through the Information Services Helpdesk (within standard business hours). If rectification requires more than phone support the Council provided IT hardware must be returned to the Cairns office by the Councillor.

Any lost, damaged, stolen or superseded devices will be repaired or replaced by Council at the sole discretion of the Chief Executive Officer, who shall consider the reasonableness of the request.

Use of IT equipment provided by Council must comply with IT Policy and Procedures and in particular the ICT Acceptable Use Procedure.

A voice and data plan will be paid for by Council for business use only during the term of the Councillor.

## **General legal advice**

General legal advice is available to Councillors on Council-related matters. Legal advice is provided by Council's Legal Services Team.

## **6. Reimbursement of Expenses**

### **Representing Council**

Where Council resolves, or the Mayor and Chief Executive Officer consider relevant, that Councillors are required to attend study tours, conferences or workshops to either deliver a paper, to receive knowledge or as a delegate of Council; Council will pay for or reimburse expenses, associated with attending the event since participation is part of the business of Council.

Each Councillor who attends an event on behalf of Council must provide a written report to the whole Council at the second ordinary meeting after the event and a verbal report upon request.

### Mandatory professional development

Where Council resolves or the Mayor and CEO consider, that all Councillors are to attend training courses or workshops for skills development related to a Councillor's role, the Council will pay for or reimburse expenses, being the total cost of the course plus associated expenses.

### Discretionary professional development

Where a Councillor identifies a need to attend a conference, workshop or training to improve skills, other than mandatory training, Council will pay for or reimburse expenses to a maximum of \$5,000 for the current term of their office. The professional development must be related to the skill development of the Councillor in their capacity as Councillor.

## **Travel as required to represent Council**

A local government may pay for or reimburse local, interstate and overseas travel expenses (e.g. flights, car, accommodation, meals and associated registration fees) deemed necessary to achieve the business of Council where:

- A Councillor is an official representative of Council; and
- The activity/event and travel have been endorsed by resolution of Council; or
- The Mayor and Chief Executive Officer consider necessary to incur the travel on behalf of Council

Council will pay for reasonable expenses incurred for overnight accommodation. All travel expenses will be paid in advance of travel with any unused allowance recovered from future claims.

If a Councillor travels using their private vehicle, a log is to be kept of the kilometres travelled and the reimbursement will be on a cents-per-kilometre method in accordance with the Australian Taxation Office rulings for the engine capacity of the vehicle used. Claim can only be made to a maximum of 5,000 business kilometres per year per vehicle.

If a Councillor travels using a private vessel, reimbursement will be based on actual costs incurred (such as fuel costs). A log is to be kept and receipts provided to substantiate reimbursement of expenses. The claim must not exceed the cost of the same travel using economy flights plus taxi transfers.

### Travel bookings

All Councillor approved air travel will be booked and paid for by Council. For the purpose of travelling for Council (not as a result of a third-party request and payment) economy class is to be used, however for journeys of two (2) hours or more, business class may be used where available.

Class of travel for third-party travel requests such as attendance at board or other meetings of the third party will be at the discretion of the Chief Executive Officer.

Airline tickets are not transferable and can only be procured for the Councillor's travel on Council business. They cannot be used to offset other unapproved expenses. (e.g. cost of partner or spouse accompanying the Councillor.)

### Travel transfer costs

Any travel transfer expenses associated with Councillors travelling for Council approved business will be reimbursed. For example: trains, taxis, buses and ferry fares as well as possible hire cars.

Cab charge fast cards may also be used where Councillors are required to undertake duties relating to the business of Council. Cab charge statements are reviewed monthly by Councils Senior Executive Assistant to the Mayor and CEO against approved Council travel dates.

On the mainland only, for travel periods of longer than 3 days, the Councillor has an option of obtaining a hire car. The hire car will be the equivalent of the Avis car classes being either Full Size or Standard class vehicle. This is to be arranged by Council. All fuel costs and non-direct hire costs (e.g. cleaning) associated with the hire car will be borne by the Councillor.

If the CEO consider it an operational advantage or that savings can be achieved by hiring a car of a higher class, this is at the CEO's discretion.

In exceptional circumstances where there is no Council vehicle or taxi service reasonably available, a hire car may be approved, for travel periods of less than 3 days, at the CEO discretion.

Travel costs including car-hire, parking costs and fuel, when attending conferences, will be considered by the Chief Executive Officer on a case by case basis. For example: hire car including fuel and parking to attend a conference or other official Council business requiring road-based travel from the nearest airport.

NOTE: Any fines incurred while travelling in Council-owned vehicles or Council arranged hire vehicles when attending to Council business, will be the responsibility of the Councillor incurring the fine.

Costs listed on invoices to Council which are not covered by the Council hire arrangement including fines, fees, refuelling, vehicle repairs and cleaning will be recovered by Council from the next payment made to the Councillor. A copy of the invoice will be forwarded to the Councillor to support the deduction made for the cost recoveries.

### Accommodation

Council will pay for the most economical deal available. Where possible, the minimum and maximum standard for Councillors' accommodation will be four (4) star rating. Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.

For Cairns events Council has a list of pre-qualified suppliers who offer accommodation services, Councillors will be able to make a choice from these suppliers.

Where a Councillor prefers to organise their own accommodation, an accommodation allowance will be paid as per the Australian Taxation Office Tax Determination for accommodation expenses current at the date of travel. This arrangement must be pre-approved by the CEO.

Tax withholding rate for non-commercial accommodation allowance is a minimum of 20%. If Councillor's ordinary withholding rate is higher than 20%, the tax withholding rate will be at the Councillor's ordinary rate.

### Meals

Council will provide an allowance for meals, in accordance with the Australian Taxation Office ruling on travel expenses current at the date of travel, for a Councillor when a meal is not provided:

- Within the registration costs of the approved activity/event
- During an approved flight
- Any time Councillor is on Council Business

No alcohol will be paid for by Council. If the Councillor is away from home or commences their travel before 8 am or concludes after 9 am a breakfast entitlement is provided. If the Councillor is away from home or commences travel before 12 noon or concludes after 1 pm a lunch entitlement is provided. If the Councillor is away from home or commences travel before 6 pm or concludes after 7 pm a dinner entitlement is provided.

### Incidental allowance

Payment will be made for any overnight travel only; the calculation is to pay on the first day of travel, on the last day of travel and for any day in between. In effect the minimum payment will be two days entitlement.



### Reimbursement of Travel Costs

In the event that a Councillor is absent without approved leave, from a workshop, training or any organised Council business event for which travel costs have been incurred and/or travel allowance paid, the Councillor will be liable for reimbursement of travel costs and/or travel allowance paid.

## **7. Legal Representation for Councillors**

Councillors can seek legal representation by written request to the Chief Executive Officer in relation to a matter that arises from the Councillor's performance of his or her functions. Former Councillors may also request legal representation.

There are four major criteria for determining whether Council will pay the legal representation costs of a Councillor.

These are:

- the legal representation costs must relate to a matter that arises from the performance, by the Councillor, of his or her functions;
- the legal representation cost must be in respect of legal proceedings that have been, or may be, commenced;
- in performing his or her functions, to which the legal representation relates, the Councillor must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct; and
- the legal representation costs do not relate to a matter that is of a personal or private nature.

If the above four (4) criteria are satisfied, Council may approve the payment of legal representation costs:

- where proceedings are brought against a Councillor in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the Councillor; or
- to enable proceedings to be commenced and/or maintained by a Councillor to permit the Councillor to carry out his or her functions – for example, where a Councillor seeks to take action to obtain a restraining order against a person using threatening behaviour to the Councillor; or
- where exceptional circumstances are involved – for example, where a person or organisation is lessening the confidence of the community in Council by publicly making adverse personal comments about Councillors.

Council shall only approve the payment of legal representation costs if the Councillor has signed a written statement confirming that the Councillor:

- has acted in good faith, and has not acted unlawfully or in a way that constitutes corrupt conduct or misconduct, in relation to the matter to which the request for legal representation relates;
- has read, and understands, the terms of this Policy relating to legal assistance and associated costs;
- acknowledges that any approval of legal representation costs is conditional on the repayment provisions of subclause R below and any other conditions to which the approval is subject; and
- undertakes to repay to Council any legal representation costs in accordance with subclause R. G. Council will not provide or fund legal advice or representation for

Councillors in relation to personal or private matters.

Council will not, unless under exceptional circumstances, provide or fund legal advice or representation for a defamation action or a negligence action instituted by a Councillor.

Council will not, unless under exceptional circumstances, pay for legal advice or representation obtained by a Councillor where the Councillor has not obtained prior written approval from the Chief Executive Officer.

In assessing a request, Council may have regard to any insurance benefits that may be available to the Councillor under Council's insurance policies.

Council may:

- refuse;
- grant; or
- grant subject to conditions a Councillor's request for payment of legal representation costs.

Conditions may include, but are not restricted to:

- Council specifying who will provide the legal services (e.g. Council's Legal Services Division or an external law firm or legal services provider);
- a financial limit;
- a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of legal representation costs; and/or
- an obligation on the Councillor to act reasonably and to disclose to Council anything that could affect representation.

If Council approves a request for payment of legal representation costs, Council:

- shall confirm the scope of the approved legal representation;
- shall take advice on the estimated costs of the matter and set a limit on the costs to be paid by Council;
- shall require full and detailed accounts from the lawyer providing the legal representation to ensure that the representation complies with the scope of Council's approval;
- may make payment of approved legal representation costs either by a direct payment to the approved lawyer (or the relevant firm), or a reimbursement to the Councillor; and
- shall not make payment for any legal services that are outside the scope of Council's approval.

A Councillor may make a further request to Council in respect of the same matter.

Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of legal representation costs.

Council may, subject to below, determine that a Councillor whose request for legal representation costs has been approved has, in respect of the matter for which legal representation costs were approved –

- not acted in good faith, or has acted unlawfully or in a way that constitutes corrupt conduct or misconduct; or
- given false or misleading information in respect of the request.

A determination under the above may be made by Council only on the basis of, and consistent with, the findings of a court, tribunal or inquiry. Where Council makes a

determination under the above, the legal representation costs paid by Council are to be repaid by the Councillor:

- all or part of those costs – in accordance with a determination by Council as per above;
- as much of those costs as are available to be paid by way of set-off – where the Councillor receives monies paid for costs, damages or settlement in respect of the matter for which Council paid the legal representation costs.

Council may take action in a court of competent jurisdiction to recover any monies due to it under this policy.

## **8. Insurance cover**

Councillors will be covered under relevant Council insurance policies while discharging civic duties. Specifically, insurance cover will be provided for public liability, professional indemnity, Councillors liability and personal accident.

Manager Responsible for Review:

**Adoption:**  
**Due for Revision:**

Head of Corporate Affairs



A/Chief Executive Officer



## TORRES STRAIT ISLAND REGIONAL COUNCIL COUNCILLOR ADVANCE PAYMENT REPAYMENT FORM

### ADVANCE PAYMENT REPAYMENT AUTHORITY FORM

Surname or Family Name:

First Given Name:

Creditor ID:

Division:

### Councillor Authorisation

I authorise and request Torres Strait Island Regional Council (**TSIRC**) to deduct the sum of \$\_\_\_\_\_ from my fortnightly base salary which represents the total amount of Advance Payment.

In the event that I cease being a Councillor for any reason before the total amount of the Advance Payment has been repaid, I agree that the entire remaining balance then owing is to be deducted from any monies which are or which may become payable to me.

This authorisation is to remain in force until the Councillor has repaid the Advance Payment Amount.

Details/Comments

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Frequency of repayment: Fortnightly base salary

### INFORMATION PRIVACY STATEMENT

Your Personal Information is protected by law and can only be released to someone else where authorised by law or where you give your permission. Council is collecting your personal information contained in this document for the purpose of Councillor's Remuneration Payment. This collection of Personal Information is authorised by law under the Local Government Act 2009. It is Council's usual practice that the Personal Information contained in this document is disclosed to Queensland Audit Office or its Agent(s) as part of its regulatory requirements under the Local Government Act 2009. Council is aware that Queensland Audit Office and its Agent (s) may pass your Personal Information on to Department of Infrastructure Local Government and Planning as part of its own regulatory requirements.

Councillor Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_