Torres Strait Island
REGIONAL COUNCIL

AGENDA

ECONOMIC GROWTH COMMITTEE

Date: Thursday 26th August 2021

Time: 10am – 12noon

Venue: VMR #6 – 0292 970 558

Agenda

1.   Welcome (Chair)

2.   Opening Prayer

3.   Apologies

4.   Conflict of Interest (COI)/ Material Personal Interest (MPI) Declaration

5.   Confirmation of previous minutes – 30 November 2020

6.   Draft Divestment Policy

7.   Enterprise Development Strategy

8.   Ugar and Dauan Sea and Air Access Business Plan – Verbal

9.   Dauan and Ugar Helicopter subsidy – Verbal

10. Community Engagement Policy

11. Indigenous Procurement Policy

12. Enterprise Risk Management – Verbal

13. Elphinstone Close/ Grafton Street Update – Verbal

14. General/ Other Business (on notice)

15. Next meeting date

  – Thursday 28th October 2021

16. Closing Prayer

Economic Growth Committee
30 November 2020

Present

Cr. Rocky Stephen (Chair)

Cr. Conwell Tabuai

Apology

Erub Councillor – current vacancy until new Councillor is appointed

Officers

Nicola Daniels   (A/CFO)

Kylie Sturges   Manager, Enterprise Development and Delivery

Guests

Michael   Lucid

Apology

No apologies

Conflict of Interest (Prescribed / Declarable)

There were no conflict of interests or material personal interests declared.

PURPOSE OF MEETING

To consider the matters listed on the agenda.

Terms of Reference Discussion

RECOMMENDATION:

It is recommended that the Committee note that:
- the terms of reference for the Economic Development have been read and understood
- members will undertake to review the terms of reference off-line and recommend any changes, particularly around invited guests/consultants prior to the next meeting. Report to be submitted with agenda to decide if changes to the terms of reference need to be submitted to Council for endorsement.

Carried unanimously

INVITED GUEST 12.30 TO 1.30

Michael from Lucid

Michael has been engaged by the Corporate Affairs team to assist in developing an Enterprise Development strategy for TSIRC. His experience has led him to assisting in devising strategies for and working with traditional owners in remote regions such as the Pilbara and Kimberly's.

Michael joined the committee to run through some of his preliminary research and findings and discuss how he would like to move forward. This project is aligned with the committee's goals and therefore it is expected that there will be a close working relationship between the two committees.

RECOMMENDATION:

It is recommended that the Committee work closely with Michael and the Corporate Affairs team to ensure that information is shared to avoid unnecessary duplication and all necessary information to be able to make well-informed decisions.

Carried unanimously

Standing Agenda Items Discussion
RECOMMENDATION:
It is recommended that the Committee adds the following items as standing agenda items for discussion:
- enterprise development strategy update Michael & Kylie
- divestment update

It is recommended that further standing items be added and removed as required over time.

Carried unanimously

Meeting Dates 2021
RECOMMENDATION:
It is recommended that the Committee:
1. Accepts March, June, September & December as the official quarterly meeting months
2. Sets the dates of meeting after Council Ordinary meeting dates are known

Carried unanimously

General Other Business
RECOMMENDATION:
It is recommended that the draft economic development plan be reviewed and updated in an ongoing process of continuous improvement to develop an economic strategy and update progress at the next meeting.
The following actions will be undertaken and reported on at the next committee meeting:
- List of commercial assets / available for divestment
- Update on divestment policy through Legal
- Terms of reference review (with any recommendations to Council for changes)
- Elphinstone Close update

Carried unanimously

Next Meeting Date
RECOMMENDATION:
It is recommended that the next meeting date to be held Monday 18 January 2021 12pm to 2pm

Carried unanimously

Close meeting

TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

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ECONOMIC GROWTH STANDING COMMITTEE MEETING
DATE: February 2021
ITEM:
SUBJECT: **Draft Divestment Policy**
AUTHOR: **Julia Maurus, Manager Legal Services**

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RECOMMENDATION

That the Committee endorse the Divestment Policy for adoption by Council, as presented.

PURPOSE

The purpose of this report is to provide the Committee with an opportunity to consider the proposed Divestment Policy.

BACKGROUND

Since Local Government amalgamation in March 2008, it has been a desire of Council to divest local government–owned and –operated enterprises to community proprietors to assist in self-determination and economic development in the region, and for Council to concentrate on its core local government functions into the future.

The Enterprise Divestment Program (excluding bus services and fuel bowsers) currently stands as follows:

DIVESTED   14 (entity has land tenure OR land tenure not required)

                  8 (land tenure required/pending)

APPROVED   21 enterprises approved for divestment by Council

                  2 of which are on hold (Saibai Guesthouse, Saibai Variety Store)

ON HOLD   4 enterprises (Iama Kiosk, Iama Kodakal Lodge, Iama Sundowner Guesthouse, Ugar Ferry Service)

PENDING   4 enterprises not yet approved for divestment (St Pauls Nursery, Ugar Community Centre Kitchen, Warraber Guesthouse, Warraber Motel)

TOTAL   **51 enterprises in Program**

Included as **Attachment 1** is a list of the enterprises and the status of each. The list does not include enterprise divestment that has been cancelled, including seven (7) fuel bowsers.

There is a history of enterprise divestment negotiations not progressing for years following a Council resolution, while the approved applicant awaits capacity (e.g. funding) to take on the enterprise.

OFFICER COMMENT

The proposed Divestment Policy (**Attachment 2**) and covers:
- Types of enterprise divestment
- Key sectors and industry development opportunities
- Working with partners to facilitate development
- Divestment process
- Cost recovery policy

Council's Enterprise Development Officer, who attends TSRA's enterprise development working group, has suggested the following considerations, which may be appropriate to incorporate into the Divestment Policy or into the Enterprise Development Strategy that is being developed through Corporate Affairs:
- A business framework should be in place when infrastructure is divested and Council should include monitoring framework; ie – reporting requirements, asset management plans etc.
- Training and business support should be offered for a period of at least 12-24 months to ensure the success of the divestment.
- Look at lease-back arrangements: If someone would like to manage a TSIRC asset they can on a licence arrangement for the first 12 months to ensure they are successful and sustainable. If the first 12 months they provide monthly reporting, WHS updates etc. then they qualify and we then divest.

In the past, the practice has been to offer a peppercorn lease of stand-alone premises and the choice of two options:
1. The successful applicant purchases the premises from Council at the market price stated in Council's Asset Register; or
2. Council retains asset ownership and only leases the premises, rather than transferring the ownership of the premises.

Asset values tends to run into six or seven figures ($100,000 to $1,000,000). If it is in Council's financial interest to reduce its asset base, then Council may wish to consider options for divesting ownership of these enterprise divestment assets at less than market value.

Manager Legal Services recommends that the Divestment Policy and the enterprise divestment project be assigned to Enterprise Development & Delivery in Council's Corporate Affairs division. Legal Services is available to draft agreements and assist with any related legal issues as they arise.

CONSULTATION

Council workshop November 2020 – Council directed MLS to refer the draft Divestment Policy to the Economic Growth Standing Committee

LINKS WITH STRATEGIC PLANS

Corporate Plan 2020 to 2025

10.1 Facilitate the establishment of an Enterprise Development Strategy, identifying key sector opportunities.

10.2 Divestment of non-core council owned business.

STATUTORY REQUIREMENTS

Local Government Act 2009 (Qld)
Local Government Regulation 2012 (Qld)

FINANCE AND RISK

Capital Cost

NIL

Operating Cost

NIL

Risk Assessment

Failure of business enterprises under new management and closure.
Risk of negative perception if Council revokes a previous divestment offer.
Potential cost to Council if Council retains asset ownership.

SUSTAINABILITY

Reduction in non-core local government financial liability.

Financial sustainability of Council (cost recovery).

CONCLUSION

As presented.

David Baldwin   Julia Maurus

**Acting Chief Executive Officer**   **Manager Legal Services**

ATTACHMENTS:

1. Enterprise divestment list as at February 2021
2. Proposed Divestment Policy

3/02/2021

List of Divestments

Island	Enterprise	Asset number	Asset description	Divestment Status	Council resolution date	Trustee resolution date	Successful Tenderer	Status / Notes
Boigu	Accommodation Motel Guesthouse and ICC Demountables 2 x Guest Demountables	1002104 1000112 1000111 1000109 1000119 1000110	Contractor Accom - Lot 116 aka Lot 95B Airport Rd 2 Bedroom Lowset Donga - Lot 117 Airport Rd Contractors Accom - Lot 113 Airport Rd Guesthouse - Lot 113 Airport Rd Motel - Substructure - Lot 114 Airport Rd House - Contractors - Lot 95 Airport Rd	APPROVED - docs sent	April 2015	Pending	Malu Ki'ai (TSI) Corporation RNTBC or related party. Enterprise corporation: Mura Boegulgaw Aykuyk (Torres Strait Islander) Corporation	Documents sent 12 August 2016. Await response. NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Boigu	Crab Farm *not a going concern*	1000113	Crab Farm (Crab Processing Plant) - Lot 124 (SLUP) Army Street aka Lot 119 (DOH) Army Street	APPROVED - docs sent	April 2015	Pending	Malu Ki'ai (TSI) Corporation RNTBC or related party. Enterprise corporation: Mura Boegulgaw Aykuyk (Torres Strait Islander)	Documents sent 12 August 2016. Await response. NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **Trustee resolution required for Conditional Agreement to Lease. TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Dauan	Guesthouse	1000168	Guesthouse - Lot 30 on SP270872 aka Lot 83 (SLUP) Main Road	APPROVED - docs sent	April 2015	Pending	Dauanalgaw (TSI) Corporation RNTBC or related party	Documents sent 12 August 2016. Await response. NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Dauan	Kiosk *not a going concern*	1000128	Kiosk - Lot 39 on SP270872 aka Lot 64 (SLUP) Main Road	APPROVED - docs sent	April 2015	Pending	Dauanalgaw (TSI) Corporation RNTBC or related party	Documents sent 12 August 2016. Await response. NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **Trustee resolution required for Conditional Agreement to Lease. TSRA's David Farrell emailed on 20 Oct 2017**
Erub	Daido Tavern (Canteen)	1000406	Lot 76 on SP270873 aka Lot 98 (SLUP) aka Lot 89 (DOH) Medige Village.	DIVESTED - ILUA and lease pending	November 2009	November 2009; August 2017 subject to prior community consultation, native title future	Ged Erub Trading Homeland Enterprise (TSI) Corp	DIVESTED - no lease in place. JM emailed Ged Erub's Peter Hansen on 21 Nov 2016 requesting proposed lease term and providing template lease and ILUA. Ged Erub advised 7 Feb 2017 that it is seeking a lease for as long as possible. Ged Erub submitted a lease EOI. JM emailed the EOI to the NTO on 8 May 2017 seeking the PBC's advice on the lease proposal. **Community consultation required to progress with CATL.**
Erub	(Fish) Freezer	1005469	Lot 74 on SP270873 aka Lot 102 (SLUP) Medige Village	APPROVED - docs sent	August 2016	Pending	Erub Fisheries Management Torres Strait Islander Corporation/EFMA (or related party)	Documents sent 1 February 2017 by email and post. Await response. **Trustee resolution required for Conditional Agreement to Lease.**
Erub	Ocean View Lodge Accommodation	1000371	Ocean View Lodge Accommodation (Ocean View 5 Star Lodge) - Lot 20 on SP270873 aka Lot 161 (DOH) Greenhill Village	APPROVED - docs sent	April 2015	Pending	Erubam Le Traditional Land and Sea Owners (TSI) Corporation RNTBC or related party	Documents sent 12 August 2016. Await response. NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Hammond	Arts Centre Complex (including Nursery) *not a going concern*	1000164 1000163 1000162	Arts Centre Complex (Arts & Crafts Building) Lot 24 on SP248418 aka Lot 24 (SLUP) Mangoe Sow Cl. Arts and Crafts Shed and Awning Lot 25 on SP248418 aka Unnumbered Lot (SLUP) Mangoe Sow Cl. Nursery Pt Lot 26 on SP248418 aka Lot 26 (SLUP) Mangoe Sow Cl.	APPROVED - docs sent	August 2015	Pending	Kirriri Foundation	Documents sent 12 September 2016 by email and post. Await response. **Trustee resolution required for Conditional Agreement to Lease.**
Iama	Iama Kiosk	1000643	Lot 11 on SP270867 Lot 13 (SLUP) Mosby St, abuts the Sundowner Guest House.	ON HOLD UNTIL FURTHER NOTICE		Nil		July OM: Iama Kiosk divestment ON HOLD. Applicant Kerai Kepa advised by letter dated 31 July 2017. Applicant Phyllis Sampson advised by letter dated 2 February 2018. Cr Lui advised on 14 Aug 2018 that the freezer and two bain-maries can be sold, but the divestment remains on hold.
Iama	Kodakal Lodge	1000514	Lot 80 on SP270867 Kebisu St	ON HOLD UNTIL FURTHER NOTICE		Nil		July OM action item: guesthouse divestment ON HOLD until native title dispute finalised. Applicant Ralph Pearson-Bann and Dianne Lockyer advised by letter dated 31 July 2017.
Iama	Sundowner Guest House	1000643	Lot 11 on SP270867 Lot 13 (SLUP) Mosby St	ON HOLD UNTIL FURTHER NOTICE		Nil		July OM action item: guesthouse divestment ON HOLD until native title dispute finalised. Applicant Ralph Pearson-Bann and Dianne Lockyer advised by letter dated 31 July 2017. Applicant Phyllis Sampson advised by letter dated 2 February 2018.
Kubin	Horticulture *not a going concern*	No Asset #	Part of lot 5 on SP248095 Wagalgau Yabu. Near airstrip lagoon.	APPROVED - docs sent	July 2016	Pending	Mualgal (TSI) Corporation RNTBC or related party	Documents sent 22 August 2016. Await response. NTO requested market price on 8 May 2017. JM advised on 10 May 2017 that there is no price for this asset (no relevant asset). **Trustee resolution required for Conditional Agreement to Lease. TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Kubin	Arkal Kaziw Childcare Centre *not a going concern*	1000592	Arkal Kaziw Childcare Centre (Arkai Ipkazil Childrens Centre) - Lot 133 on SP271019 aka Lot 133 (SLUP) Ikilgau Yabu	APPROVED - docs sent	April 2015	Pending	Mualgal (TSI) Corporation RNTBC or related party	Documents sent 22 August 2016. Await response. NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **Trustee resolution required for Conditional Agreement to Lease. TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Kubin	Mrs Lizzie Nawia Motel	1000471	Mrs Lizzie Nawia Motel - Lot 41 on SP271019 aka Lot 41 (SLUP) Wagalgau Yabu	APPROVED - docs sent	April 2015	Pending	J&N Enterprises or related party	Documents posted 16 August 2016. **NB update 28 March 2017: BSU invested funds into bringing the building up to standard, for the purpose of using this accommodation for NPARIH until 30 June 2018.** Discussions with approved applicant have stalled.

Location	Enterprise	Asset #	Description	Status	Date 1	Date 2	Party	Notes
Kubin	Mualgal Minnaral Artists' Collective *not a going concern*	1000486	Mualgal Minnaral Artists' Collective (Ngalmun Lagau Minaral Arts Centre) - Lot 73 on SP271019 aka Lot 73 (SLUP) Ikilgau Yabu	APPROVED - docs sent	April 2015	Pending	Mualgal (TSI) Corporation RNTBC or related party	Documents sent 22 August 2016. Await advice from PBC as to who will take on the enterprise (PBC or Moa Arts). NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **Trustee resolution required for Conditional Agreement to Lease. TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Mabuiag	Guesthouse Motel	1000273	Guesthouse/Motel (Maitui Whap Snr. Motel) - Lot 16 (SLUP) Map Street	APPROVED - docs sent	April 2015	Pending	Goemulgaw (TSI) Corporation RNTBC or related party	Documents sent 14 July 2016. Await response. NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Mabuiag	Kiosk *not a going concern, no goods*	1005387	Kiosk is within the Airstrip Terminal building at Lot 56 Warria St	APPROVED - docs sent	Feb-17	Pending	Brett Tyrrell or related party	Documents sent 20 March 2017. Six-month negotiation timeframe applies.**Deadline 20 September 2017.** Licence only because the kiosk is located within a Council building. Approved applicant raised issues regarding licence terms.
Mabuiag	Donga Accommodation	1000300	Donga Accommodation (Contractors Donga Accommodation x 4) - Lot 117 (SLUP) Warria Street	APPROVED - docs sent	April 2015	Pending	Goemulgaw (TSI) Corporation RNTBC or related party	Documents sent 14 July 2016. Await response. NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence.**
Masig	Lowatta Lodge	1000562, 1000564, 1000566, 1000568, 1000570, 1000571, 1000572, 1000573	Lot 186 on SP277431 Dans Rd.	DIVESTED - ILUA and lease pending	June 2010	August 2017 subject to prior community consultation, native title future act validation, development approval and	Kailag Enterprises Ltd	Business Sale Contract was executed October 2012. Under special condition 3.1, a License to operate was granted by Council to Kailag effective 15 October 2012, pending satisfaction of various conditions which would see settlement of the transaction, namely entry into an ILUA and registration of a formal lease. Neither of these conditions has yet been satisfied. Council has not elected to terminate and take back the enterprise and premises and thus the license remains in effect. **Awaiting ILUA and Lease.** Kailag Enterprises submitted lease EOI form on 19 June 2017. JM forwarded lease EOI form to NTO & PBC on 21 June 2017. Await response from NTO/PBC. **Community consultation required to progress with CATL.**
Poruma	Poruma (Sawadgee Donga Accommodation) Lodge	1000308 1000307 1000306 1000305 1000304 1000303	Poruma (Sawadgee Donga Accommodation) Lodge (Sawadgee Mudh Guesthouse): Common area; Kitchen area; Amenities; Units 1 to 5; Units 6 to 10; Units 11 to 15. Lot 11 on SP270862 aka Lot 216 (SLUP) Sawadgee Road.	APPROVED - docs sent	April 2015	Pending	Porumalgal (TSI) Corporation RNTBC or related party Enterprise corporation: Poruma Zagethau Lag Torres Strait Islander Corporation	Documents sent 29 March 2016. Await advice from Luke Hockey (TSRA). NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017. **Trustee resolution required for Conditional Agreement to Lease. TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence. March 2019: Council resolution passed to finalise the divestment of the Sawadgee Donga Accommodation.**
Poruma	Kiosk *not a going concern*	1005366	Kiosk (Lamont Kiosk) - Lot 8 (SLUP) Mimia Street	APPROVED - docs sent	April 2015	Pending	Porumalgal (TSI) Corporation RNTBC or related party Enterprise corporation: Poruma Zagethau Lag Torres Strait Islander Corporation	Documents sent 25 July 2016. Await advice from Luke Hockey (TSRA). NTO requested market price on 8 May 2017. JM emailed market price (from Asset Register) on 10 May 2017.**Trustee resolution required for Conditional Agreement to Lease. TSRA's David Farrell emailed on 20 Oct 2017 requesting various docs for due diligence. March 2019: Council resolution passed to progress licensing of the Lamont Kiosk.**
Saibai	Guesthouse	1000267 1000268 1000269 1000638	2 B/R Transportable Lot 16 on SP248241 Main Rd. Accom Tranportable Lot 16 on SP248241 Main Rd. 5 ensuites Lot 16 on SP248241 Main Rd. 4 x Transportables Lot 16 on SP248241 Main Rd.	ON HOLD UNTIL FURTHER NOTICE	November 2009	Pending	Saibai Development (TSI) Corp	Documents re-sent 5 August 2016. Await advice from Mariana Babia re tenderer capacity and lease/sublease proposal. Ms Babia advised 25 January 2017 that she would arrange a Corporation meeting and advise by next week. A/CEO instructed 28 March 2017 to maintain status quo for this divestment.
Saibai	Variety Store (includes a Gym)	1000265	Lot 34 on SP267944 aka combined Lots 302 & 303 (SLUP) School Rd.	ON HOLD UNTIL FURTHER NOTICE	November 2009	August 2013	Saibai Development (TSI) Corp	Documents re-sent 5 August 2016. Await advice from Mariana Babia re tenderer capacity and lease/sublease proposal. Ms Babia advised 25 January 2017 that she would arrange a Corporation meeting and advise by next week. A/CEO instructed 28 March 2017 to maintain status quo for this divestment.
Saibai	New Canteen	1000244	Pt Lot 44 on SP267944 aka Lot 16 (SLUP) School Rd.	DIVESTED - ILUA and lease pending	November 2009	November 2009	Saibai Development (TSI) Corp	DIVESTED. Bill of Sale dated 25 February 2010. Lease required. Standard Lease template send 5 August 2016. Await advice from Mariana Babia. A/CEO instructed 28 March 2017 to maintain status quo for this divestment.
Saibai	Old Canteen	Disposed asset 1000247	Pt Lot 44 on SP267944 aka Lot 121 (SLUP) School Rd.	DIVESTED - ILUA and lease pending	November 2009	November 2009	Saibai Development (TSI) Corp	DIVESTED. Bill of Sale dated 25 February 2010. Lease required. Standard Lease template send 5 August 2016. Await advice from Mariana Babia. A/CEO instructed 28 March 2017 to maintain status quo for this divestment.
St Pauls	Nursery	No Asset #	Pt Lot 37 on SP256048 Oza Bosun Road, St Pauls	PENDING				Advertised to May 2019.
St Pauls	Old Childcare Centre *not a going concern*	1000536	Lot 47 on SP256048 Levi St	APPROVED - docs sent	February 2017	August 2017 subject to prior community	Isobel Stephen	Documents sent 10 March 2017.**Community consultation required to progress with CATL. Approved applicant indicated she does not want to proceed - awaiting written confirmation.**
St Pauls	St Pauls Lodge	1000444	Lot 176 on SP256048 Oza Bosun Rd	DIVESTED - ILUA and lease pending	September 2016	Pending	Susannah Sailor (or related party)	Business Sale Contract executed. **Date of Contract is 14 August 2017.** Under special condition 3.1, a License to operate has been granted by Council to Susannah Sailor from 14 August 2017, pending satisfaction of various conditions including ILUA and registration of lease.

Location	Asset	Asset #	Lot	Status	Date 1	Date 2	Party	Notes
St Pauls	St Pauls Block Plant *not a going concern*	No Asset #	Lot 83 on SP256048 Oza Bosun Rd	DIVESTED - ILUA and lease pending	February 2017	August 2017 subject to prior community consultation, native title future act validation, development approval and Ministerial consent (if required).	George Saveka (or related party)	Documents sent 10 March 2017. **Licence Agreement in place 3 August 2017 to 30 June 2019. Sublicence permitted (see clause 4.8). Community consultation required to progress with CATL.**
St Pauls	Mechanical Workshop *not a going concern*	1000440	Lot 62 on SP256048 Oza Bosun Rd	APPROVED - docs sent	March 2017	August 2017 subject to prior community consultation	Fred Erra Wapau (or related party)	Documents sent 8 June 2017. **Negotiations ongoing as per Council direction in July 2018. Community consultation required to progress with CATL.**
St Pauls	Main Road Contractors' Camp *not a going concern* Main Road's Camp Main Road's Camp Storage Shed	1000445 1000446	Lot 77 on SP256048 Oza Bosun Rd	DIVESTED - ILUA and lease pending	February 2017	August 2017 subject to prior community consultation, native title future act validation, development approval and Ministerial consent (if required).	George Saveka (or related party)	Documents sent 5 May 2017. **Licence Agreement in place 5 Nov 2017 to 30 June 2019. Community consultation required to progress with CATL.**
St Pauls	Nursery (known as Builders/plumbers store lot)	1000443	Lot 37 on SP256048 Oza Bosun Rd	PENDING				Apparently MyPathway had a hydroponic set up at this location. There appears to be the remains of the shaded-type structure there. VMR stores its rescue boat on site. Added to divestment list by Council resolution July 2018. Advertised to May 2019 - no EOIs received. Re
Ugar	Ugar Community Centre kitchen	TBC	TBC	APPROVED - documents pending	August 2019		Brother Bear Fisheries (or related party)	Licence agreement pending
Ugar	Freezer	1000354	Lot 28 on SP282706 aka Lot 26 (SLUP) Ned St	DIVESTED - ILUA and lease pending	May 2012	September 2015	Kos and Abob Fisheries (TSI) Corp	DIVESTED. Lease required. NNTT advised the area is outside the native title determination, so a Body Corporate ILUA cannot be registered. Awaiting advice from PBC and TSRA NTO regarding progressing this divestment.
Ugar	Ferry Service including trailer	1003565 1003840		ON HOLD UNTIL FURTHER NOTICE			Nil	On hold as directed by SARG (August 2016). Dania advised from Ordinary Meeting September 2016 that if Ugar Ferry is re-advertised that it must be conditional on maintainin a service for the Ugar community. **A/CEO advised 17 May 2017 to put this divestment on hold until further notice, due to Ugar Safe Access funds for Council to re-establish the Ugar Ferry Service.**
Warraber	Guest House Shelter at Guest House Store Shed at Guest House	1000492 1000404 1000405	Lot 52 on SP270859 aka Lot 21 (SLUP) Aikuru St	PENDING			Nil	March 2019 OM Council decided not to re-advertise due to condition of building.
Warraber	Motel (Resort reception) Resort 2 B/R Unit Cabin C Resort 1 B/R Cabin A Resort 1 B/R Cabin B Resort 3 x Gazebos	1000394 1000395 1000396 1000397 1000398	Lot 50 on SP270859 aka Lot 201 (SLUP) Dabus St	PENDING			Nil	March 2019 OM Council decided not to re-advertise due to condition of building.
Warraber	Kiosk (Saloma Kaikai House) *not a going concern*	1000428	Lot 95 on SP270859 aka Lot 52 (SLUP) Ganaia St	APPROVED - docs sent	July 2017	Pending	Iris Billy (or related party)	Successful letter sent 31 July 2017. Draft documents to Iris Billy on 13 October 2017. Six-month negotiation timeframe applies. **Deadline 13 April 2018.**
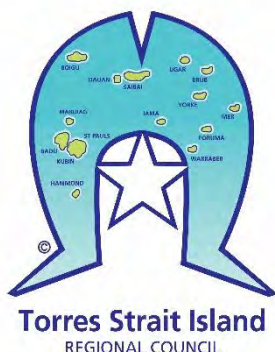
DIVESTMENT POLICY

PO INSERT

Responsible Manager:	Chief Executive Officer
Head of Power:	*Local Government Act 2009* (Qld) *Local Government Regulation 2012* (Qld)
Authorised by:	Council resolution
Authorised on:	INSERT
Implemented from:	INSERT
Last Reviewed:	N/A
Review History:	N/A
Review Date:	30 June 2022
Corporate Plan:	Corporate Plan 2020 to 2025

10.1   Facilitate the establishment of an Enterprise Development Strategy, identifying key sector opportunities.

10.2   Divestment of non-core council owned business.

1.   **POLICY STATEMENT**

Council is committed to:

(a) advocating and fostering regional prosperity through enterprise development;

(b) advocating for community and individual enterprise models and investment attraction;

(c) facilitating the establishment of an Enterprise Development Strategy, identifying key sector opportunities;

(d) advocating and facilitating key industry development;

(e) working with key partners to facilitate pre-feasibility studies on key sectors and industry development opportunities within the region; and

(f) divesting non-core council-owned business.

2.   **SCOPE**

(a) This Policy applies to all local government employees, Councillors, contractors and agents of Council.

(b) This Policy applies to the following types of enterprise divestment:

   i.   A business currently operated by Council (a going concern) that is not part of Council's core business as a local government service provider.

   ii.   A business premises owned by Council that is not currently operational.

   iii. Vacant premises owned by Council that could potentially be used as a business premises.

3.   **KEY SECTORS AND INDUSTRY DEVELOPMENT OPPORTUNITIES**

Council considers the following to be the key sectors for enterprise divestment in the region:

(a) Accommodation (operational lodges, motels, guesthouses and resorts)

(b) Shops and hospitality: non-operational taverns, canteens, kiosks and variety stores

(c) Seafood and garden industries: non-operational fish freezers, crab farms and nurseries

(d) Construction industry: disused block plant and mechanical workshop

(e) Community centres: disused childcare centres, gyms, radio stations and arts centres; vacant kitchen and office space in community centres

In December 2017, Council passed a resolution, following review and reconsideration, that Council intends to continue to operate its fuel bowers and depots into the foreseeable future rather than divesting these enterprises.

4.   **WORKING WITH PARTNERS TO FACILITATE DIVESTMENT**

(a) Council will work with regional funding bodies to facilitate enterprise development opportunities and the divestment of non-core council-owned business.

(b) Organisations and individuals seeking to fund or develop enterprises within the region are encouraged to contact Council's Manager Enterprise Development & Delivery and Manager Legal Services to discuss feasibility, including:

      i. Ownership of relevant buildings/assets;

      ii. Operational matters for going concerns;

      iii. Upfront and ongoing costs of running the enterprise;

      iv. Approvals required to run the enterprise;

      v. Approvals required for any proposed refurbishment or replacement of existing improvements on the land.

5. DIVESTMENT PROCESS

(a) The register of enterprises available for divestment by Council is managed by Legal Services ("Enterprise Divestment Database").

(b) An enterprise can be added to the Enterprise Divestment Database by nomination by the Divisional Councillor and endorsed at a Council Ordinary Meeting.

(c) Council advertises for expressions of interest from organisations or individuals who are interested in taking up one of Council's enterprise divestment opportunities.

(d) Expressions of interest are assessed and ranked against the following criteria:

      i. Is the applicant based in the community? (50%)

      ii. What is the applicant's capability to run a community-based enterprise? (25%) (What skills, interests, experience and training does the applicant have that will help in running a community-based business?)

      iii. What is the applicant's financial/resource capacity (staff, funding) to start up or take over a business? (25%)

(e) Expressions of interest are presented to Council for consideration. Council may, by resolution, decide to accept an expression of interest.

(f) After Council has considered expressions of interest, Council's Legal Services team will contact all applicants to advise of the outcome, and send to any approved applicant draft documentation to progress the divestment.

      i. For businesses currently operated by Council, Council prepares a Business Sale Contract.

      ii.   For enterprises operating inside part of a Council building, Council provides a renewable peppercorn licence.

      iii. For stand-alone buildings/assets, Council prepares an agreement documenting the requirement for the approved applicant to obtain a lease of the land and buildings.

      iv. For non-operational businesses, Council prepares a peppercorn Bill of Sale to transfer ownership of any business chattels inside the premises.

(g) If a significant period of time lapses with no progress towards divestment, Council may decide to cancel the divestment to the approved applicant and re-advertise for expressions of interest.

6. COST RECOVERY

(a) Council supports enterprise development by waiving commercial rent for new operators under the enterprise divestment program. However, due to its limited financial capacity and large asset base, Council is unable to fund enterprise divestment. Council therefore manages the enterprise divestment program on a cost-recovery basis.

(b) Divestment on an "as is, where is" basis. This means that Council remains owner of the premises and, where Council is the trustee of the relevant land, offers to grant a lease of the buildings/assets to the business operator. The lease states that all maintenance and upgrades are the sole responsibility of the business operator for the term of the lease.

(c) Council continues to insure all buildings/assets owned by Council.

(d) The business operator can ask Council's permission to make improvements to the building/assets. The business operator is then responsible for insuring its improvements.

(e) Business operators are given the option to purchase the relevant buildings/assets of Council at the value specified in Council's Asset Register. Otherwise, Council provides a Licence to Operate (under a Business Sale Contract) or a Conditional Agreement to Lease at a peppercorn rate ($1.00 per year), pending native title future act validation and lease registration.

(f) Under a Conditional Agreement to Lease or a Business Sale Contract (licence to operate), the business operator is required to pay outgoings, rates and charges and is responsible for repairs, maintenance and upgrades. The business owner is required to have public liability insurance for the business' activities, and is responsible for insuring its improvements to the buildings/assets.

(g) Once a lease is registered with Council as the trustee lessor, the rent is a peppercorn ($1.00 per year). The business operator continues to be responsible for outgoings, rates and charges, repairs and maintenance, upgrades, public liability insurance, and insurance for improvements.

(h) For enterprises operating inside part of a Council building, Council provides a renewable peppercorn licence ($1.00 per year). The business operator is only charged for outgoings if utilities are separately metered. The business operator is not charged rates or charges and is not responsible for capital repairs and maintenance but is required to have public liability insurance for the business' activities.

In summary:

(i) For stand-alone buildings/assets, Council places the responsibility on business operators to repair and maintain the building, and requires operators to pay outgoings, rates and charges.

(j) For businesses operating in part of a Council building, the licensee is only charged for outgoings if utilities are separately metered. The business operator is not charged rates or charges and is not responsible for capital repairs and maintenance.

7. PROCEDURE

This Policy shall be achieved with reference to the following:

- Queensland Government *Leasing Torres Strait Islander DOGIT Land: Manual for Trustees* and *Leasing Aboriginal DOGIT Land: Manual for Trustees*
- PO19-PR1 Native Title and Cultural Heritage Procedure
- PO19-PR2 Leasing Procedure
- Enterprise Development Strategy

AUTHORISATION

This document was duly authorised by Council as the Torres Strait Island Regional Council Divestment Policy (PO INSERT) on DATE, and shall hereby supersede any previous policies of the same intent.

Date:

_____

David Baldwin

Acting Chief Executive Officer

Kathy Cochran

From:	Julia Maurus
Sent:	Wednesday, 3 February 2021 8:56 PM
To:	Kathy Cochran; Ilario Sabatino
Cc:	Hollie Faithfull; Peter Krebs; Ursula Nai
Subject:	Report to Economic Growth Standing Committee - Divestment Policy
Attachments:	2021.02.03 February 2021 EGSC Agenda Report - Divestment Policy.docx; 2021.02.03 February 2021 EGSC Agenda Report - Divestment Policy - Attachment 1.pdf; 2021.02.03 February 2021 EGSC Agenda Report - Divestment Policy - Attachment 2.docx

Hi Kathy and Ilario,

The enterprise divestment project and the draft Divestment Policy were discussed briefly at the November Council workshop and it was decided to refer the discussion to the Economic Growth Standing Committee.

Please see **attached** report to the Economic Growth Standing Committee.

I recommend that the Divestment Policy and the enterprise divestment project be assigned to Enterprise Development & Delivery in Council's Corporate Affairs division. Legal Services is available to draft agreements and assist with any related legal issues as they arise.

Regards,

Julia Maurus | Manager, Legal Services (P/T Tuesday - Wednesday)

Torres Strait Island Regional Council

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Find us on:

From: Ursula Nai <Ursula.Nai@tsirc.qld.gov.au>
Sent: Tuesday, 17 November 2020 12:39 PM
To: Mette Nordling <Mette.Nordling@tsirc.qld.gov.au>; Luke Ranga <luke.ranga@tsirc.qld.gov.au>; Rachel Pierce <Rachel.Pierce@tsirc.qld.gov.au>; Peter Jacques <Peter.Jacques@tsirc.qld.gov.au>; Terri Jacklin <Terri.Jacklin@tsirc.qld.gov.au>; Peter Krebs <Peter.Krebs@tsirc.qld.gov.au>; Julia Maurus <Julia.Maurus@tsirc.qld.gov.au>
Cc: Nicola Daniels <Nicola.Daniels@tsirc.qld.gov.au>; David Baldwin <David.Baldwin@tsirc.qld.gov.au>; Ilario Sabatino <Ilario.Sabatino@tsirc.qld.gov.au>; Hollie Faithfull <Hollie.Faithfull@tsirc.qld.gov.au>
Subject: Executive Support to Standing Committees

Good Afternoon All

The Executive Support to the Standing Committees has been finalized and endorsed at the last SARG Meeting. Please refer below:

Standing Committee	Executive Support
SARG	ACEO
Governance and Leadership Committee	COO
Housing and Safe and Healthy Communities Committee	CE
Climate Change Adaptation and Environment Committee	CE
Economic Growth Committee	CFO
Cultural Arts, Land and Heritage Committee	COO

All communication requiring Councillors input/feedback must first go through the Executive Officer. Executive Officer will liaise directly with committee members.

Mette- Please let me know some dates next week when you are free so that I can book a meeting with the Executive Officers and yourself to discuss creating a framework to implement this.

Kind regards

Ursula Nai | **Senior Executive Assistant to Mayor and CEO**

Torres Strait Island Regional Council

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Find us on:

Torres Strait Business Enterprise Strategy

Background Report

Report prepared for

Torres Strait Island Regional Council

November 2020

lucid

/'lu:sid/

adjective

1. expressed clearly; easy to understand

2. bright or luminous

Document Control

Job Name: TORRES STRAIT Business Enterprise Strategy

Client: Torres Strait Island Regional Council

Client Contact: Kylie Sturges

Version Control

Version	Date	Authorisation
Draft v1	16/11/20	MC

Table of Contents

1. Introduction

1.1 Background

Lucid Economics has been engaged by the Torres Strait Island Regional Council (TSIRC) to complete an Enterprise Development Strategy.

The Enterprise Development Strategy will support future economic growth across the region's islands and for the communities on these islands. The Enterprise Development Strategy is highlighted in the 2019-20 Operational Plan and builds on past work conducted. It should provide a strategic roadmap for Council's key partners and stakeholders, aligned to community aspirations for economic prosperity within the region.

The Torres Strait Island Regional Council is made up of 15 islands, extending from the northern most reaches of Queensland up to Papua New Guinea (Figure 1.1):

- Boigu (Talbot Island)
- Dauan (Mt Cornwallis Island)
- Saibai (Saibai Island)
- Ugar (Stephens Island)
- Erub (Darnley Island)
- Masig (Yorke Island)
- Mer (Murray Island)

- Iama (Yam Island)
- Poruma (Coconut Island)
- Warraber (Sue Island)
- Mabuiag (Jervis Island)
- Badu (Mulgrave Island)
- Moa (St Pauls and Kubin communities)
- Kirriri (Hammond Island)

Figure 1.1. Map of Torres Strait Island Regional Council Islands and Communities


Source: TSIRC (2020).

1.2   Geography

The islands of the Torres Strait Island Regional Council form the Torres Strait Islands Statistical Area 2 (SA2), which allows for the collection, collation and analysis of a range of data from the Australian Bureau of Statistics (ABS). Any reference in the report to the Torres Strait Islands region or the Torres Strait Islands will be referring the Torres Strait Islands SA2 region (Figure 1.2). For comparison, Queensland and the Far North SA3 region (Figure 1.3) have been used. The Far North SA3 includes all of the Torres Strait Islands, Weipa, Cooktown, Einasleigh and all areas in between. The Far North SA3 excludes Port Douglas and Cairns.

Figure 1.2. Map of Torres Strait Islands SA2
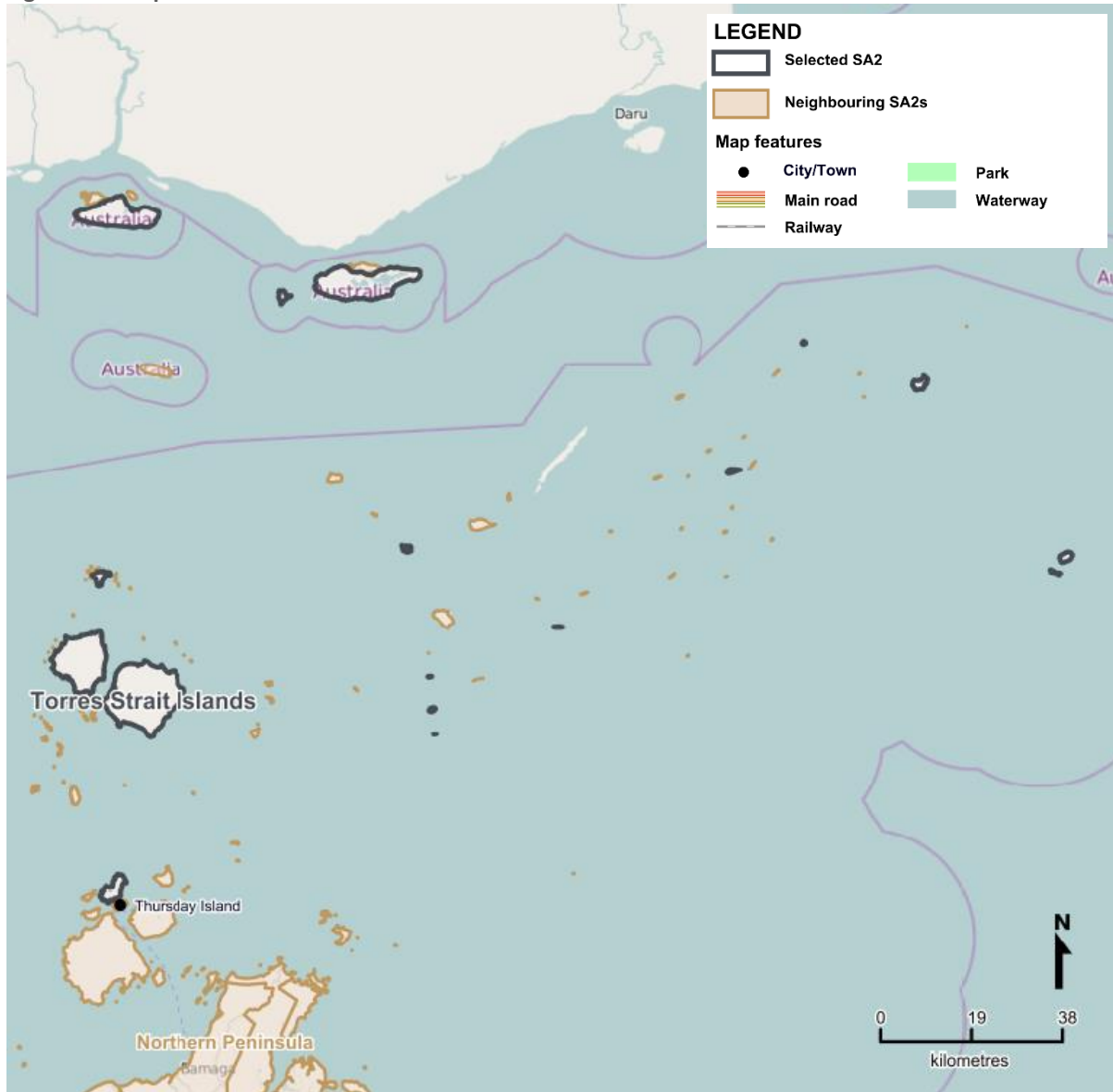
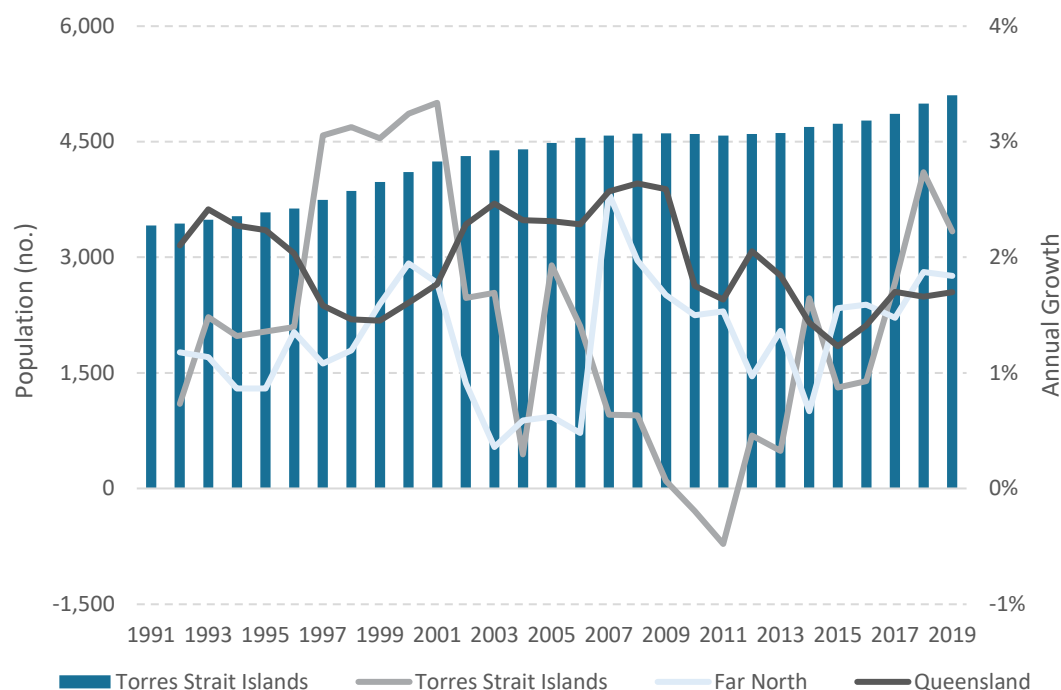Source: QGSO (2020).

Figure 1.3. Map of Far North SA3
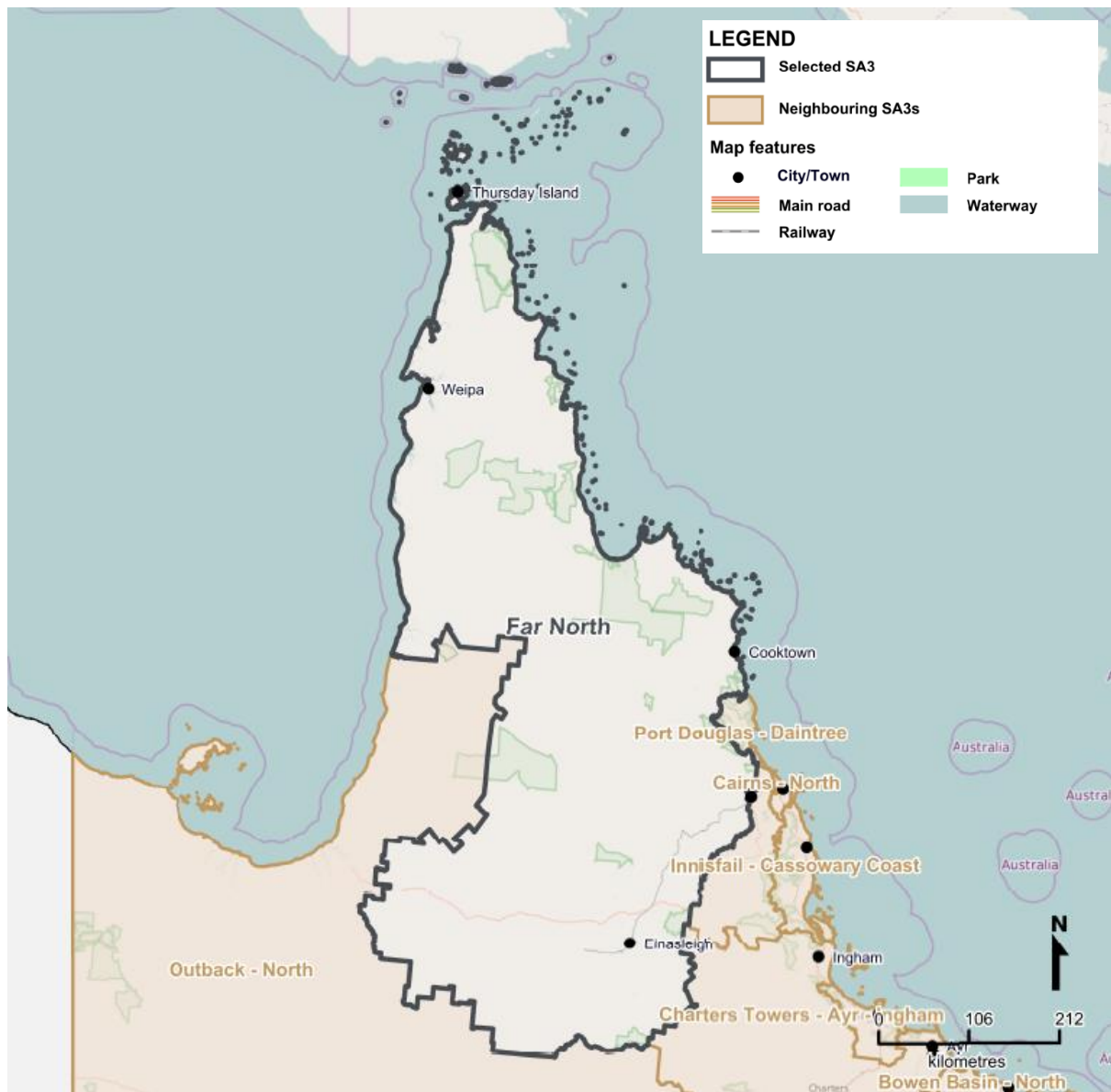
Source: QGSO (2020).

2. Population & Demographics

2.1 Population

- The Torres Strait Island region's population was 5,104 in 2019, up 2.2% from the 2018.
- Population growth in the region has accelerated in recent years, rising an average of 2.2% per annum over the past three years.
- However, Torres Strait Island region's population growth has been considerably more volatile than the Queensland average since 1991.
- Further, despite the recent acceleration in population growth, the Queensland Government Statistician's Office (QGSO, 2020) is projecting the Torres Strait Island region's population to stagnate to around 5,200-5,300 persons through to 2041. Population growth is projected to fall well below the Queensland average throughout the projection period.
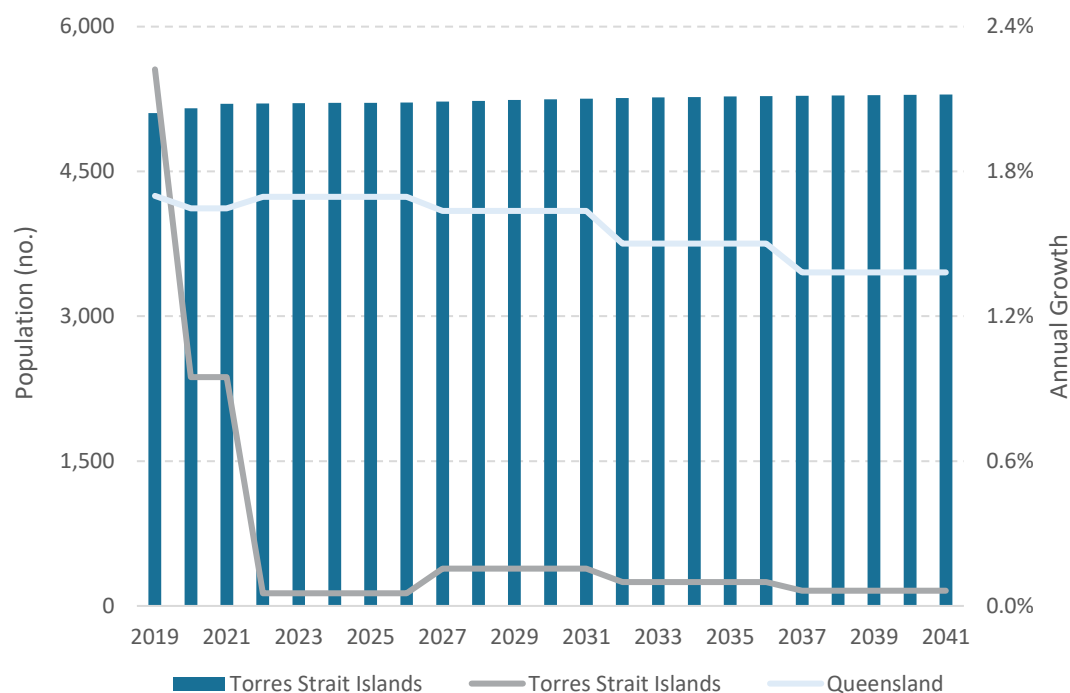
Figure 2.1. Historical Population

Note: ERP at 30 June of each year.
Source: QGSO (2020).

Figure 2.2. Projected Population

Source: QGSO (2020).

2.2   Age

- The Torres Strait Island region's median age was just 24 in 2016 and has been stable since 2006.
- The Torres Strait Island region's median age was considerably lower than the comparison regions in 2016, particularly Queensland's (37 years).

Table 2.1. Median Age

|	2006	2011	2016
Torres Strait Islands SA2	23	23	24
Far North SA3	31	31	31
Queensland	36	36	37

Source: ABS (2017).

2.3   Income

- Both the Torres Strait Island region's median weekly personal and median weekly household incomes were considerably lower than the Far North and Queensland medians.
- In particular, the Torres Strait Island region's median personal income was just $373 per week in 2016, almost half the Queensland median ($660).
- Further, growth in the Torres Strait Island region's median weekly household income has been significantly lower than the comparison regions.
- The Torres Strait Island region's median weekly household income rose an average of 1.7% per annum from 2011 to 2016 and 2.2% from 2006 to 2016. This compares to 2.7% and 3.1% in Far North and 2.6% and 3.0% in Queensland, respectively.

Table 2.2. Median Income

	2006	2011	2016
Personal income ($/week)			
Torres Strait Islands SA2	$245	$313	$373
Far North SA3	$330	$420	$494
Queensland	$476	$587	$660
Household income ($/week)			
Torres Strait Islands SA2	$756	$861	$936
Far North SA3	$885	$1,053	$1,202
Queensland	$1,036	$1,227	$1,392

Source: ABS (2017).

Figure 2.3. Median Household Income
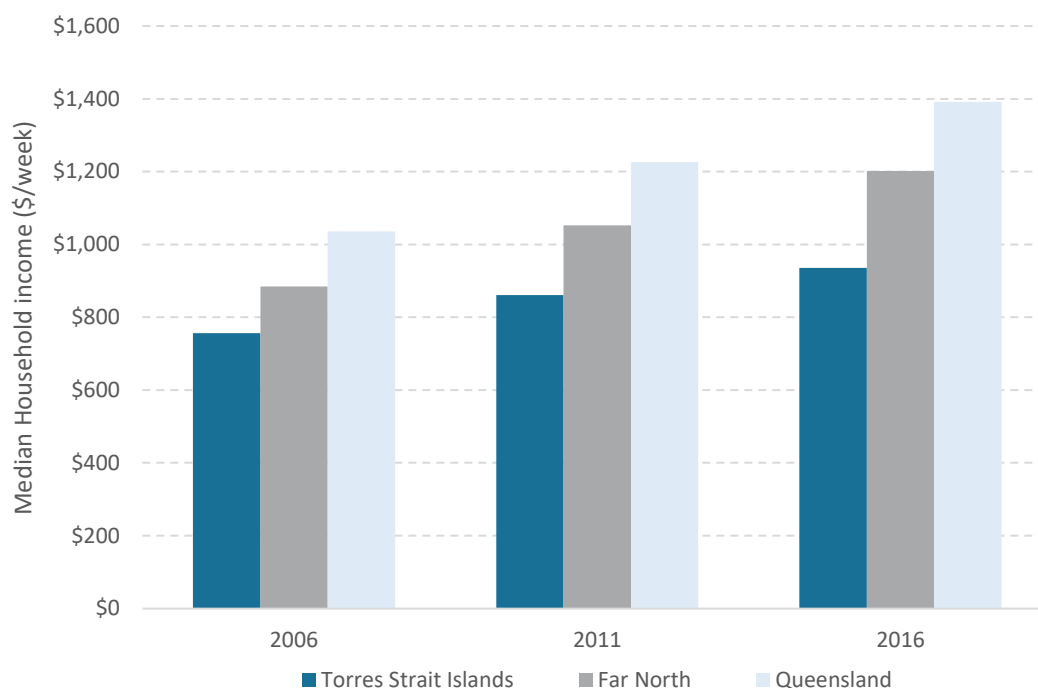
Source: ABS (2017).

2.4   Education

- Around 49% of the Torres Strait Island region's population had completed high school in 2016, up from 42% in 2011.
- However, the proportion of the Torres Strait Island region's population that had completed year 12 in 2016 was significantly below the Queensland average (55.5%).

**Table 2.3. Highest Year of School Completed**

	Torres Strait Islands SA2		Far North SA3	Queensland
	2011	2016	2016	2016
Year 12 or equivalent	42.2%	49.0%	42.3%	55.5%
Year 11 or equivalent	13.4%	12.1%	11.8%	8.5%
Year 10 or equivalent	21.6%	20.6%	28.3%	24.9%
Year 9 or equivalent	5.1%	4.7%	7.0%	5.3%
Year 8 or below	17.3%	12.7%	9.8%	5.2%
Did not go to school	0.4%	0.9%	0.9%	0.5%

Source: ABS (2017).

LUCID ECONOMICS

2.5 Socio-Economic Disadvantage

- The Socio-Economic Index for Areas (SEIFA) is an index that the ABS develops to understand relative advantage and disadvantage.
- The Torres Strait Island region has a much lower SEIFA Score than its neighbouring Torres Strait Island area and many other parts of Queensland.
- The Torres Strait Island region's SEIFA score is one of the lowest in Australia (in the bottom 1% of all SA2s in the country), currently ranking 18th lowest out of 2,184 SA2 regions in Australia.

Figure 2.4. SEIFA Score 2016
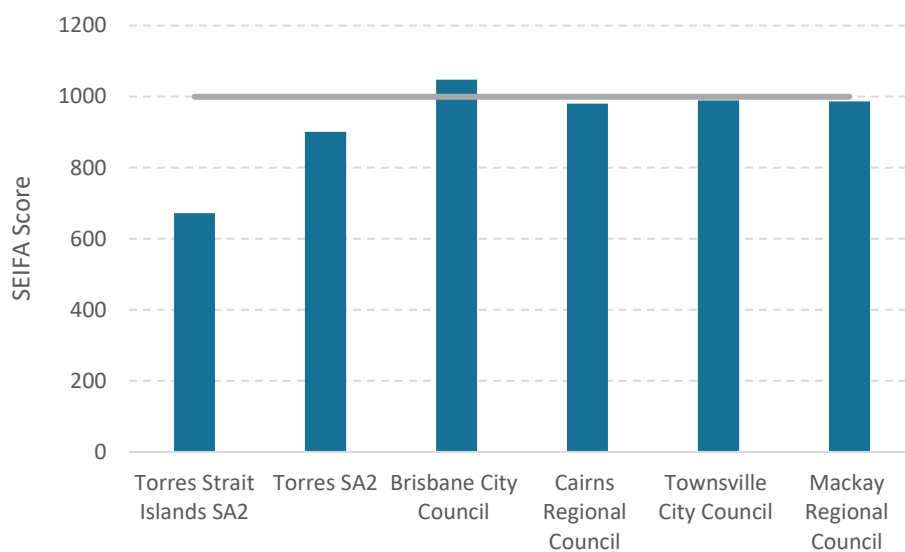
Source: ABS (2017).

3. Labour Force, Employment and Unemployment

3.1 Labour Force and Unemployment

- The Torres Strait Island region's unemployment rate was 32.7% in March quarter 2020, down from a recent high of 49.2% in June quarter 2017.
- The March quarter 2020 unemployment rate compares to rates of 15.8% in Far North and 6.1% in Queensland.
- the Torres Strait Island region's unemployment rate has been considerably higher than the Queensland average since 2011, although the difference has grown substantially in recent years.
- This is a result of the region's labour market having deteriorated significantly since 2012, with the region's total employment and labour force declining significantly since this time.
- However, there have been signs of improvement in recent years, with employment up 45.2% (or 339 persons) over the year to March quarter 2020, while the region's labour force is up 19.1% (or 259 persons) over the same period.

**Figure 3.1. Labour Force, Employment and Unemployment Rates**
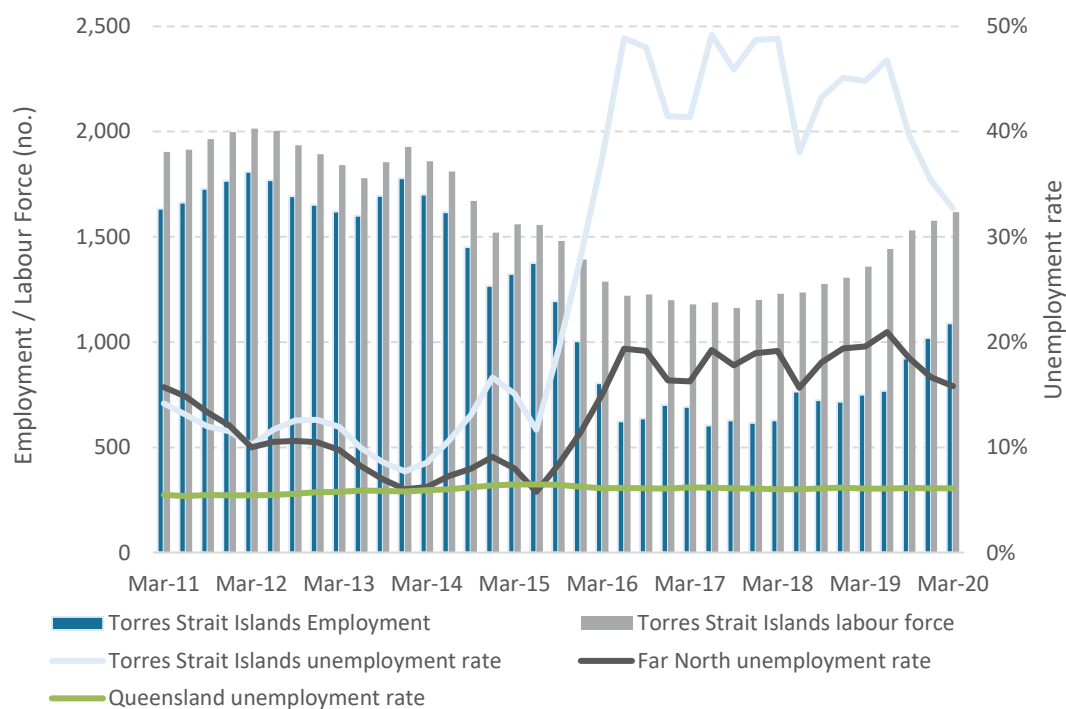
Note: No small area labour market data exists for the Aurukun SA2, so this information is not included in the Far North regional data in the above graph.
Source: DESE (2020).

3.2   Employment by Industry

- The Torres Strait Island region does not have a diverse economy.
- The public sector is the key employing sector in the region, accounting for around 70% of employment in the region in 2016. This compares to around 40% of total employment in the Far North SA3 and around 30% of employment across Queensland.
- By industry, the Torres Strait Island region's key employers in 2016 included *public administration and safety* (36.5% of total employment), *education and training* (19.0%) and *health care and social assistance* (14.1%).
- The key private sector industries in the region by employment are retail trade (7.9% of total employment) and construction (4.5%). These proportions are considerably lower than the Queensland average.
- Several industries did not exist in the Torres Strait Islands in 2016. These include:
    o   Professional, scientific and technical services;
    o   Rental, hiring and real estate services;
    o   Financial and insurance services;
    o   Wholesale trade;
    o   Electricity, gas, water and waste services;
    o   Manufacturing; and
    o   Mining.
- Employment has fallen significantly over the decade to 2016. Total employment was 974 persons in 2016, down from 1,850 in 2006 (a decline of 47.4%, or 876 persons).
- By industry, *public administration and safety* (down 1,143 persons) was the key driver of the fall in employment over the decade.
- However, there was growth in *other services* (up 117 persons), *health care and social assistance* (up 65 persons) and *education and training* (up 57 persons) over the decade.

Figure 3.2. Employment by Industry, Torres Strait Islands SA2
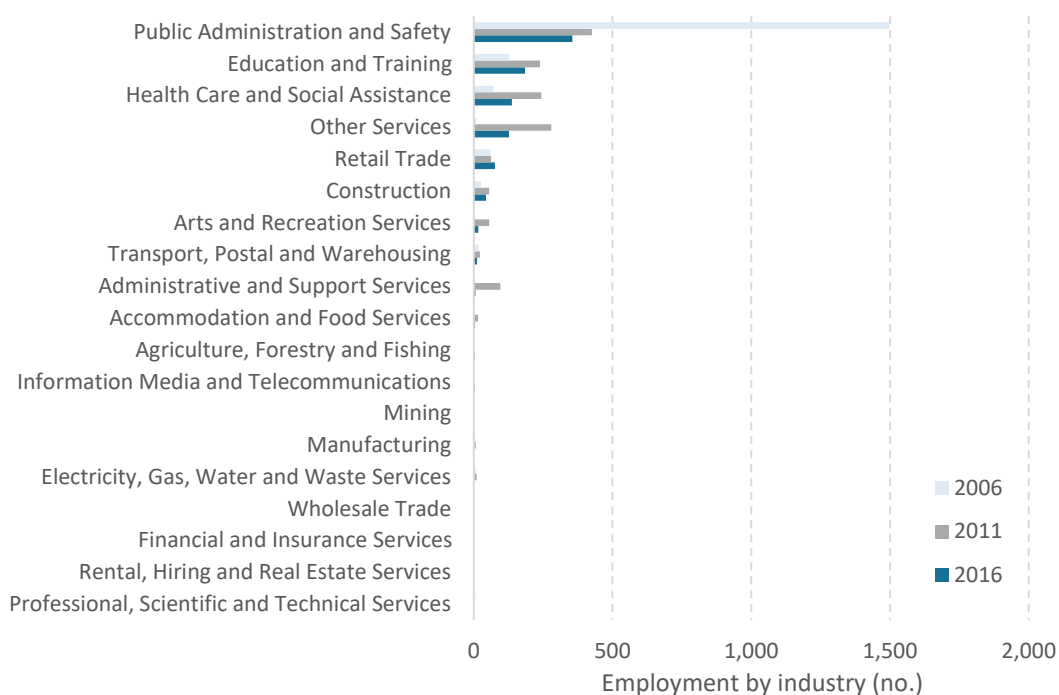
Source: ABS (2017).

Figure 3.3. Employment by Industry, 2016
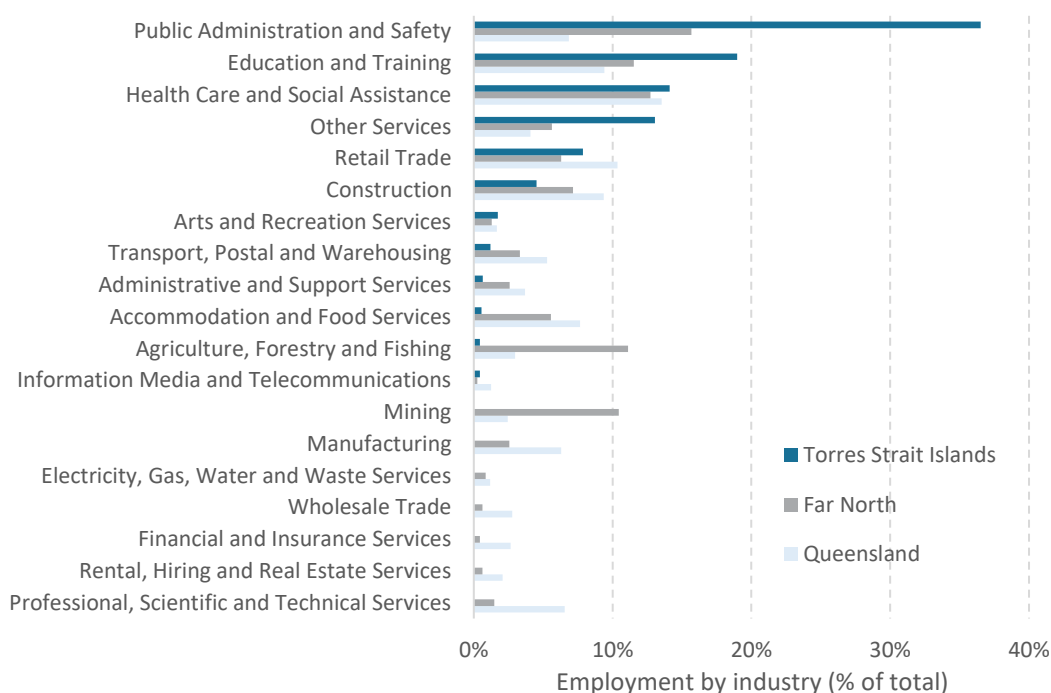
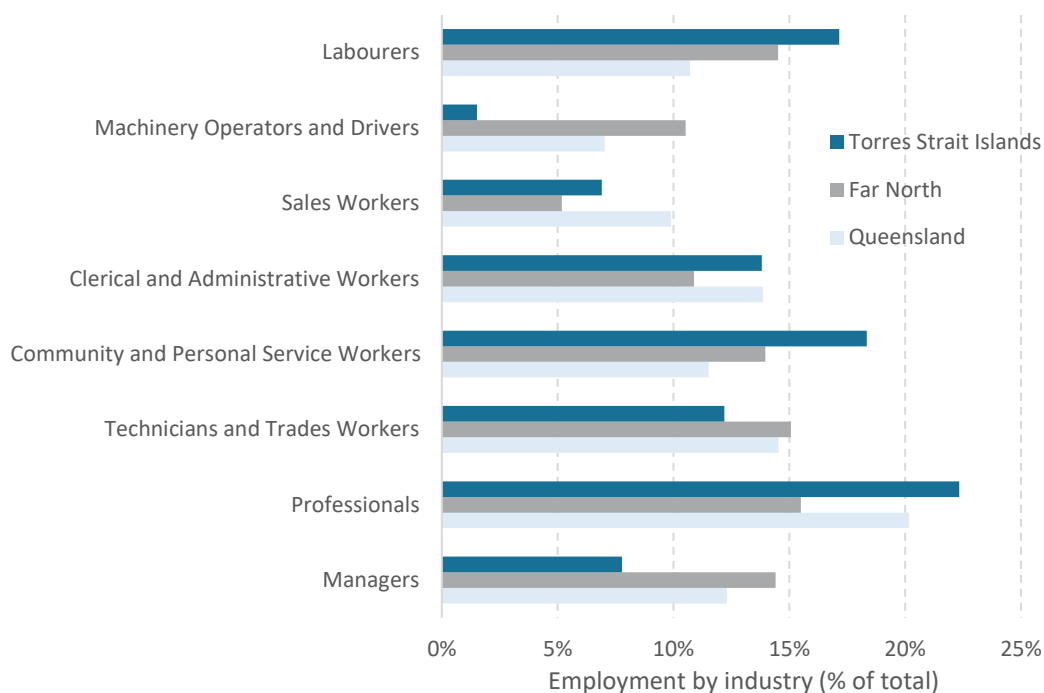Source: ABS (2017).

3.3   Employment by Occupation

- The Torres Strait Island region saw a substantial decline in the number of persons employed as *labourers*, *community and personal service workers* and *machinery operators and drivers* over the decade to 2016.
- The only occupation to see an increase in employment over the decade to 2016 was for professionals (up 43 persons), although employment in this occupation has declined since 2011.
- Despite the falls in employment over the decade to 2016, the Torres Strait Island region still has a significantly larger proportion of is employment in the occupations of *labourers* (17.2%) and *community and personal service workers* (18.3%) than the Queensland average (10.7% and 11.5%, respectively).
- However, *machinery operators and drivers* comprise a much smaller proportion of the Torres Strait Island region's total employment (1.5%) than the comparison regions (10.5% in Far North and 7.0% in Queensland, respectively).

Figure 3.4. Employment by Occupation, Torres Strait Islands SA2
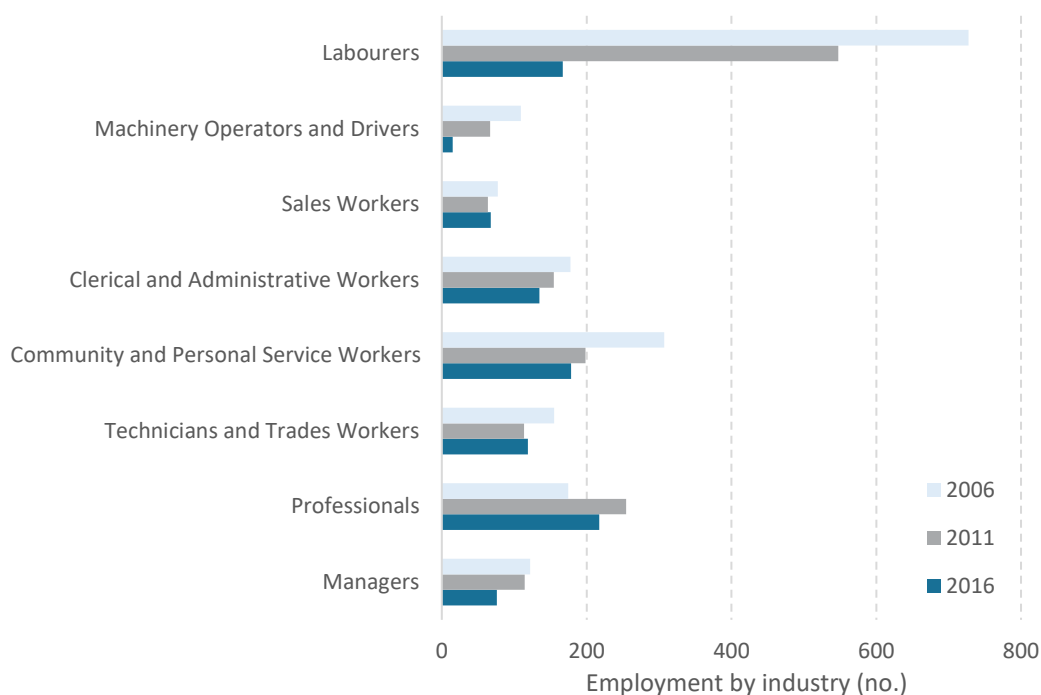
Source: ABS (2017).

**Figure 3.5. Employment by Occupation, 2016**

Source: ABS (2017).

4. Fishing Profile

- The Torres Strait Island region is part of the Torres Strait Fishery, together with the Torres Strait Regional Authority area (representing the southern islands of the Torres Strait).
- Historically, spanish mackerel, coral trout and prawns (both tiger prawns and blue endeavour prawns) have been the local commercial catch.
- The volumes have been volatile due to license agreements and the state of the fleet engaging in the activity.
- The price per kg of fish has averaged around $10 over the last three years, while the gross value of production for prawn trawlers was estimated to be $400,944 in 2018-19.
- Despite the fishing activity in the region, there is virtually no benefit that is received by the Torres Strait Island region, as according to the 2016 Census, only four people were employed in the fishing industry.
- The Torres Strait fishing industry produces 4.2% of the prawns produced in Queensland and 0.9% of finfish in the State.

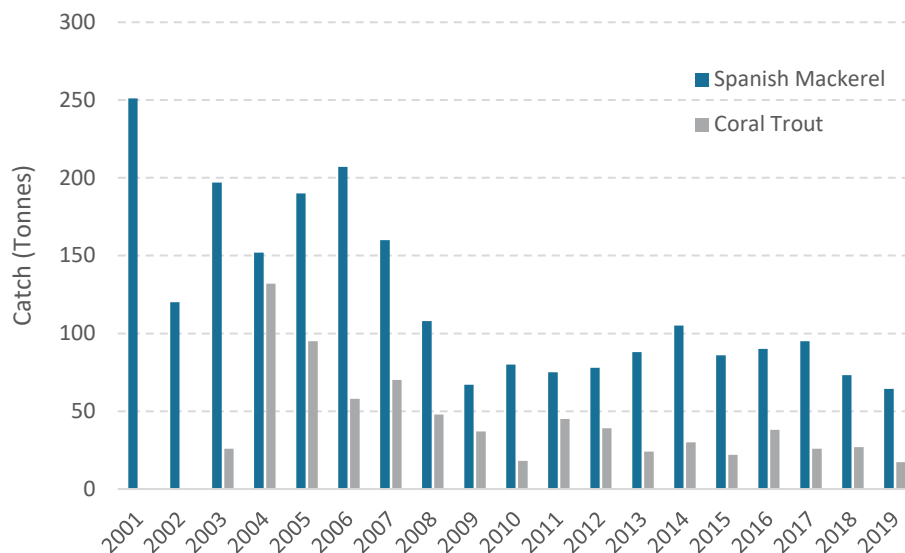**Figure 4.1. Area of the Torres Strait Finfish Fishery, 2019**
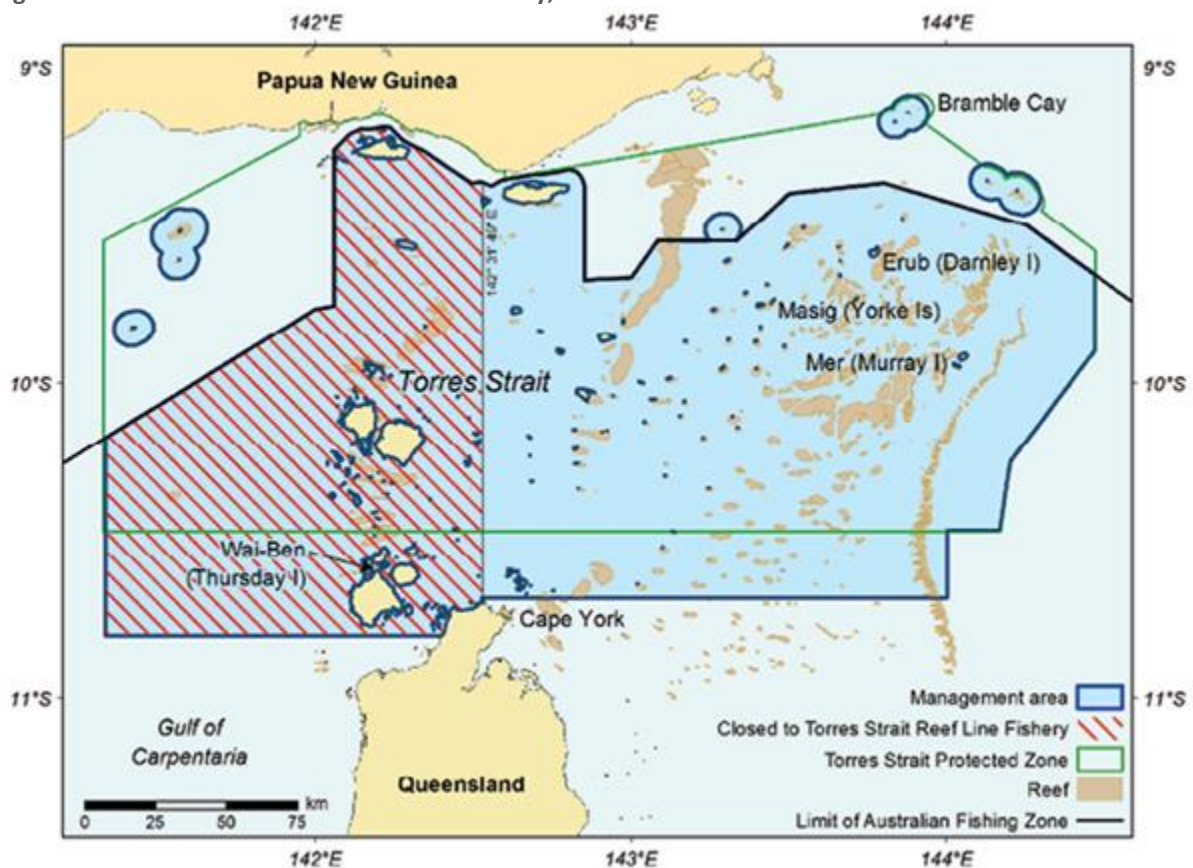
Source: Department of Agriculture (2020)

Figure 4.2. Fishing intensity in the Torres Strait Prawn Fishery, 2019
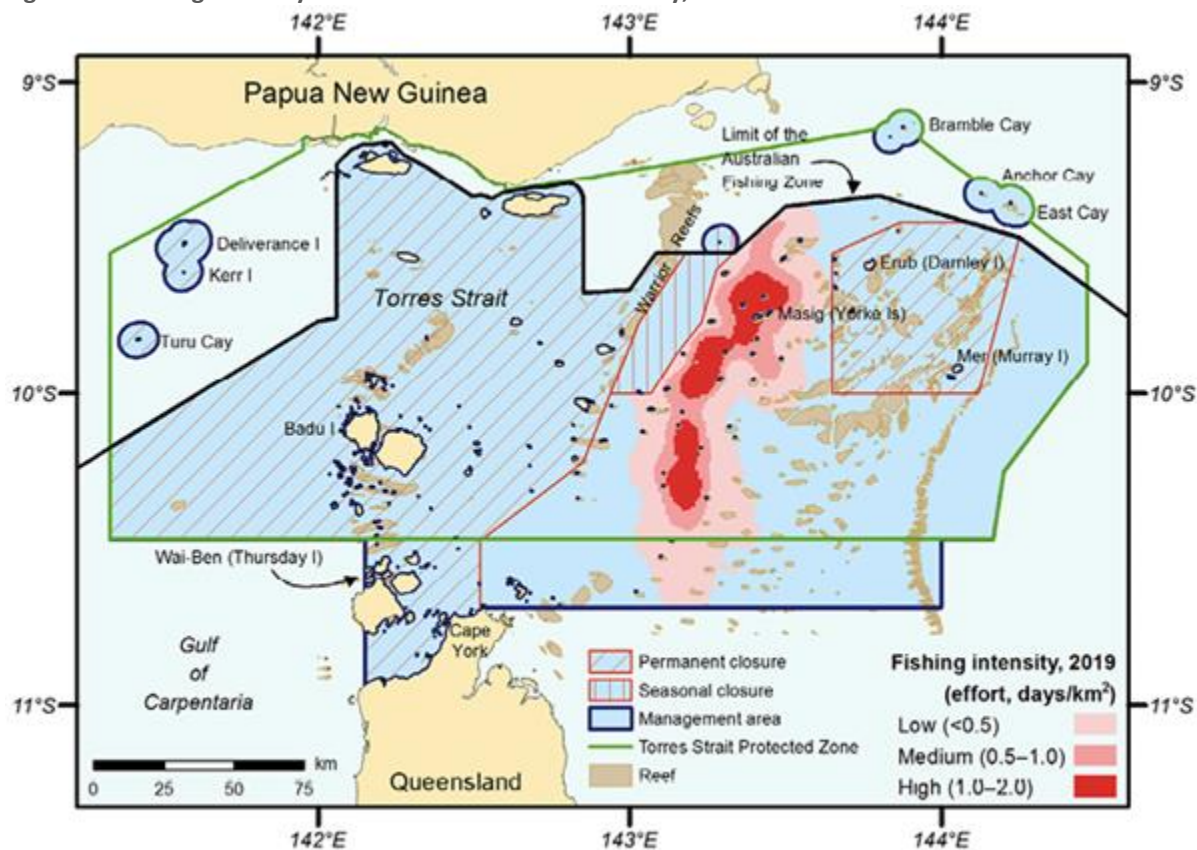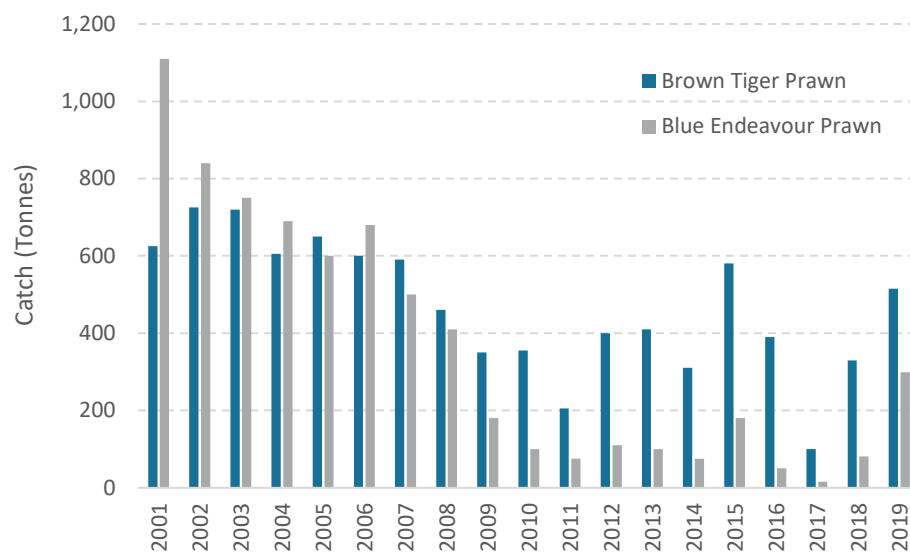

Source: Department of Agriculture (2020)

Figure 4.3. Finfish Catch, Torres Strait Fishery

Source: Department of Agriculture (2020)

Figure 4.4. Prawn Catch, Torres Strait Fishery

Source: Department of Agriculture (2020)

5. Tourism Profile

Limited Data Availability

The Tourism Research Australia (TRA) national and international visitor survey is the best source of visitor information in Australia and is used extensively by Commonwealth and State Government tourism agencies. However, there are limits on the analysis that can be performed using this data. There is an insufficient sample for the Torres Strait SA2, so only data for the Far North Region (i.e. Far North SA3 region) has been included in this section.

While this data does not provide any direct insights for the Torres Strait region, it does provide an understanding of the overall number and type of visitor in the broader Far North region, which would include the Torres Strait region. These visitors are already coming to the region so the data represents the existing market that is in proximity to the Torres Strait region.

- Visitation to the region has been volatile, experiencing increases and decreases over time and across visitor types.
- The market is dominated by domestic overnight visitors (just under a third of all visitors), then day trip visitors (one third of all visitors), with international visitors making up roughly 3% of the market.
- In terms of visitor nights, domestic overnight visitors contribute 85% of all nights in the region and have grown steadily over the last three years, averaging over 13% per year.
- Leisure visitors make up roughly 60% of total visitors, followed by business travellers (25%), visiting friends and relatives (11%) and other reasons (4%).
- The majority of travellers (70%) to the Far North region actually come from within the region itself. This high level of intra-regional travel is somewhat typical of Northern Australia, however, the level of intra-regional travellers for the Far North region is still very high. Visitors from the rest of Queensland (15%) and other states (12%) make up the remainder, leaving just a minor contribution from overseas visitors.
- The top visitor activities in the Far North region include many social activities (i.e. eating out, visiting friends, going to pubs or visiting museums/art galleries) as well as nature-based activities (i.e. sightseeing, bushwalking, fishing, visiting national parks or going to the beach).
- Interestingly, visiting an Indigenous site/community or experiencing Indigenous art / craft and cultural displays did not rank highly amongst visitor activities in the region, which could be explained given the larger regional catchment and not a sufficient sample from visitors to the Torres Strait region.

Figure 5.1. Visitors, Far North Region
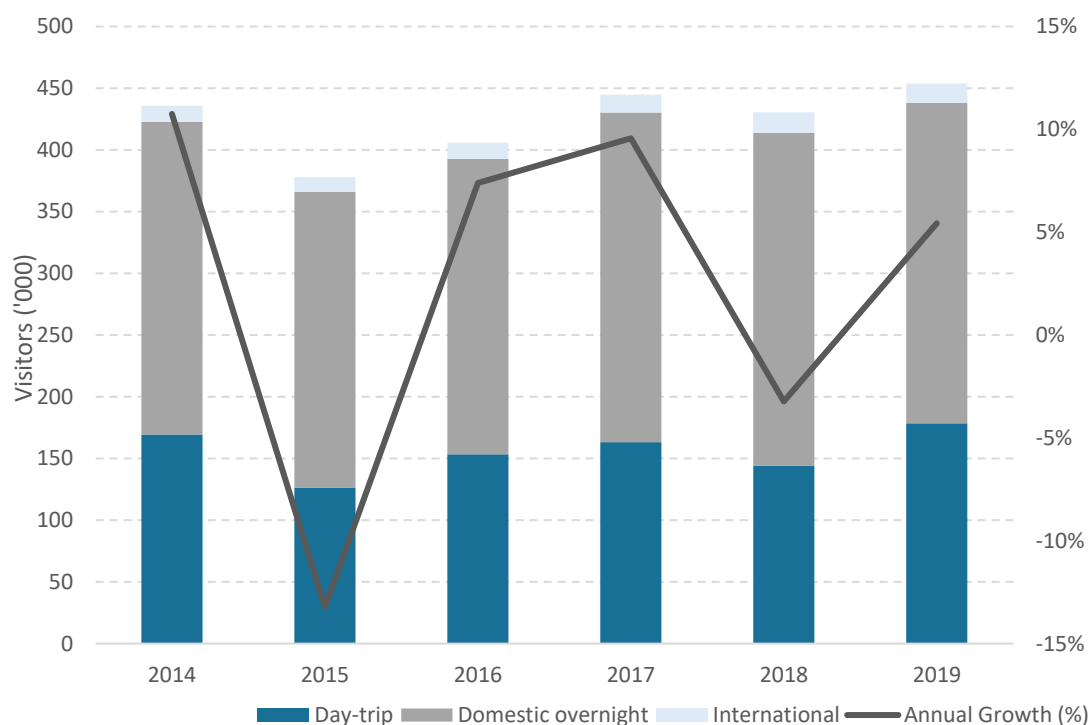
Note: Calendar years, ending December. 2-year running average used due to low sample size.
Source: TRA (2020).

Figure 5.2. Visitor Nights, Far North Region
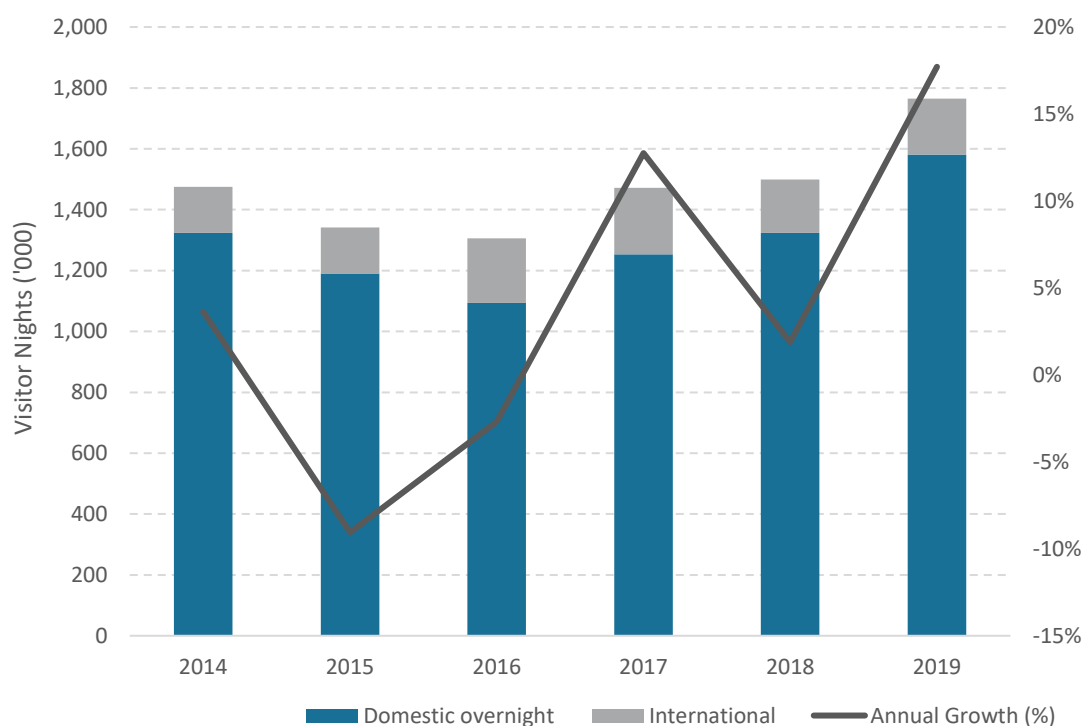
Note: Calendar years, ending December. 2-year running average used due to low sample size.
Source: TRA (2020).

Figure 5.3. Visitors, by Main Purpose of Visit, Far North Region
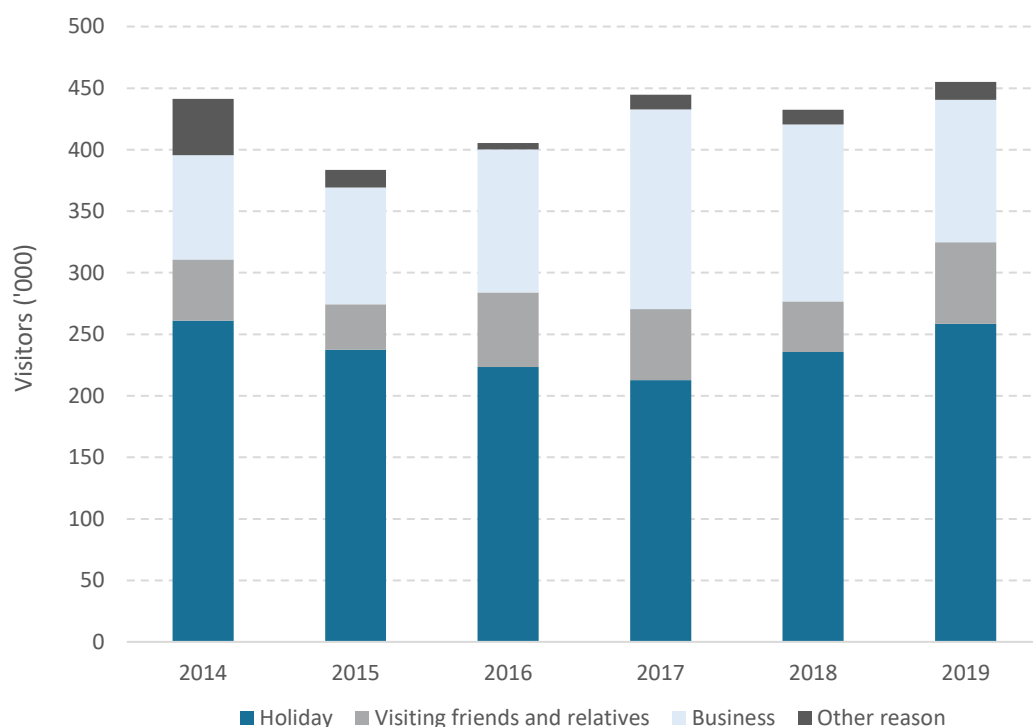

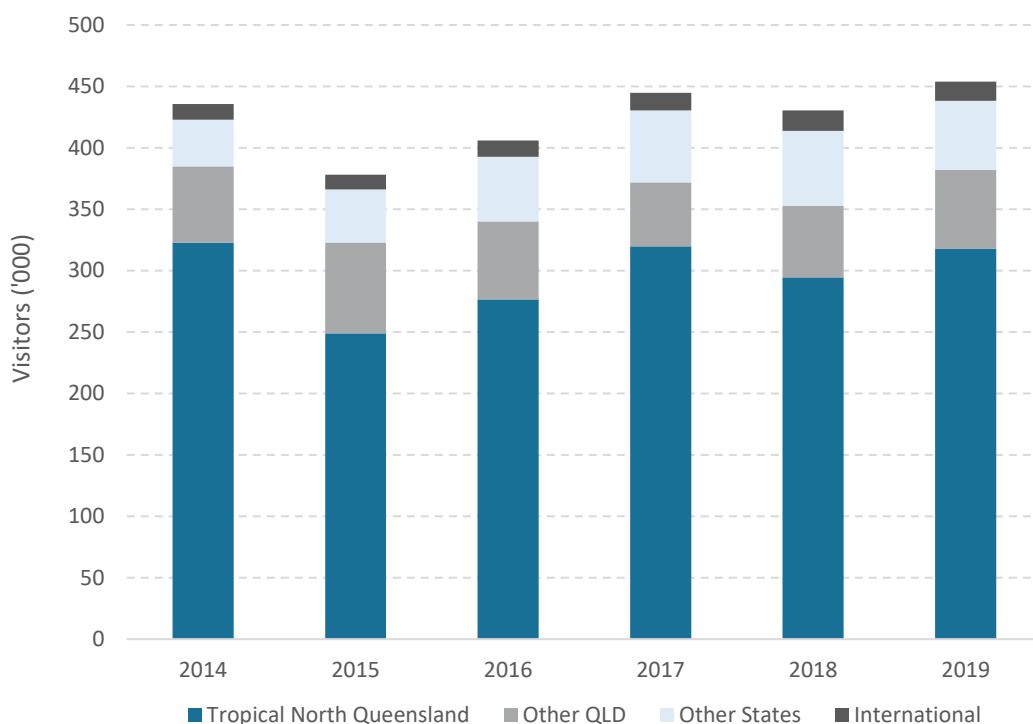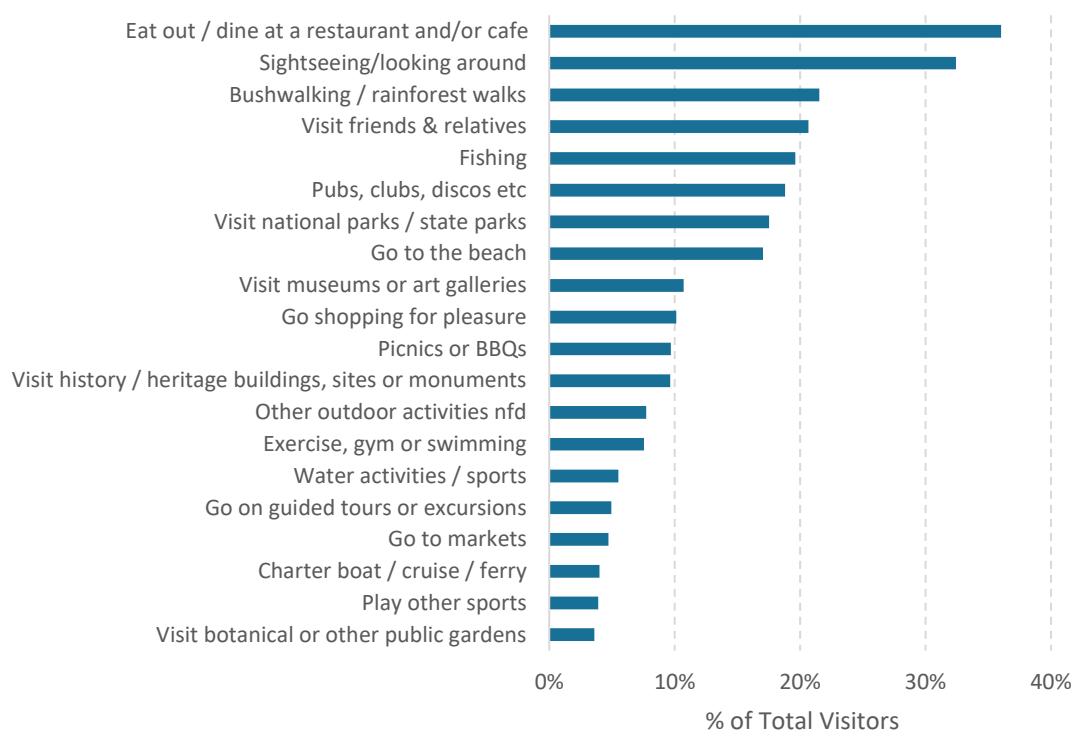Note: Calendar years, ending December. 2-year running average used due to low sample size.
Source: TRA (2020).

Figure 5.4. Visitor Nights, by Main Purpose of Visit, Far North Region

Note: Calendar years, ending December. 2-year running average used due to low sample size.
Source: TRA (2020).

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Figure 5.5. Top Visitor Activities, Far North Region

Note: 10 year average.
Source: TRA (2020).

6. Summary and Next Steps

The analysis shows that the economy of the Torres Strait Island region lacks depth and value. It is very reliant upon largely public sector and government driven industries, including public administration, health and education. The region is one of the most socio-economic disadvantaged areas in Australia with the demographics of the area characterised as lower skilled, lower levels of educational attainment and lower incomes.

Despite the existence of a fishing and tourism industry in the region, the Torres Strait Island region does not seem to benefit from them, with four people employed in fishing and three people employed in the accommodation and food service sector in 2016.

Given the size and scale of the area (i.e. it is a collection of micro economies), the likely solution to transitioning people out of a state of socio-economic disadvantage is through micro economic interventions.

The next step for this project is to engage with communities to identify their interest in terms of future potential business projects and to identify (if possible) individuals willing to pursue a specific project.

This evidence base will provide a background for the Business Enterprise Strategy and creates a baseline of data from which progress into the future can be measured.

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Torres Strait Island
REGIONAL COUNCIL

ENGAGEMENT
FRAMEWORK

PAPUA NEW GUINEA

Boigu

Dauan Saibai

Ugar
Erub

Iama Masig

Mabuyag Mer

Badu Poruma

Wug
Arkai Warraber

Kirriri

**CAPE YORK
AUSTRALIA**

- EMPOWERING OUR PEOPLE IN OUR DECISION, IN OUR CULTURE, FOR OUR FUTURE -

Ngalpun yangu Kaaba woeydhay, a ngalpun muruygaw danalagan mabaygal kunakan palayk, bathayngaka.

| **KALA LAGAU YA**

Buaigiz kelar obaiswerare, merbi mir apuge mena obakedi, muige merbi areribi tonarge, ko merbi keub kerkerem.

| **MERIAM MIR**

Ngalpan moebaygal thoepoeriwoeyamoeyn, ngalpan ya kuduthoeraynu, ngalpan igililmaypa, sepa setha wara goeygil sey boey wagel.

| **KALA KAWAY YA**

Council's vision was created by the elected leaders of the Torres Strait and Northern Peninsula Area in 2008.

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SECTION 1 | The Framework

SECTION 1 | The Framework

The Engagement Framework is guided by Council's vision of '**Empowering our people, in our decision, in our culture, for our future'.**

The purpose of the Engagement Framework is to:

- Connect our diverse workforce with our 15 remote communities and external stakeholders.

- Guide Council's work to ensure our vision is delivered.

- Support best practice in the services we deliver.

- Consolidate vast fields of research and experience so that it is relevant and accessible for people working in the Torres Strait Island region.

- Improve capacity building and skill sharing so that more professional opportunities in our communities become available.

Improving your engagement skills involves self-reflection, listening, and learning. This Framework provides tools to support these reflective processes and run successful engagement activities.

The Framework has three sections.

- **Section 1** is a high-level overview of what engagement is and why we do it.

- **Section 2** is an informative set of tools designed to guide and inform your project and service delivery.

- **Section 3** includes a glossary and a list of additional resources for those who want to learn more.

Evidenced-based research and high-level advice from Torres Strait Islander people have shaped this document. Additional information has been sourced from government and non-government sectors, specifically those working with First Nations people both in Australia and internationally.

Council is required to develop and review a Community Engagement Policy under the Local Government Act 2009. Engagement and consultation are also requirements under a range of other State and Federal legislation and funding agreements.

The Framework
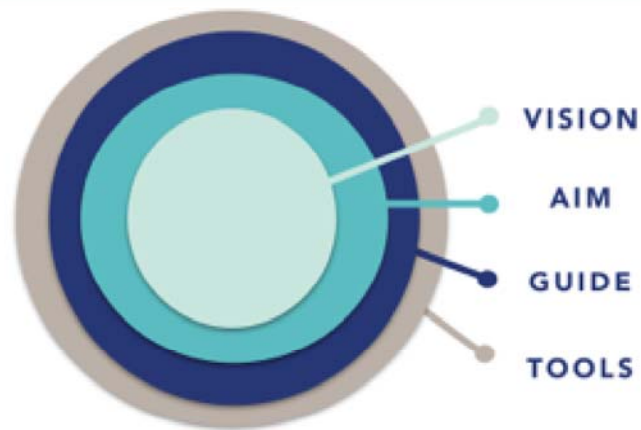
The Framework has been developed so that employees can operationalise Council's vision in its planning and day-to-day activities.

Vision: The purpose of a vision is to provide strategic direction for an organisation. Council's vision is *Empowering our people, in our decision, in our culture, for our future*.

Aim: The aim of the 'Engagement Framework' is to support Council's work, to action our vision.

Guide: Reflect TSIRC's values, policies, protocols and actions that support engagement.

Tools: Provide's practical tools to support effective engagement in our project and service delivery.

What is Engagement?

Engagement is about how we form relationships and networks to deliver better outcomes for our communities. Good engagement practice can connect people, and provide everyone with an equal chance to take part.

Theories and models of good engagement are derived from international development, community engagement, capacity building, stakeholder engagement and similar fields of practice.

Council operates across a diverse range of languages, dialects and cultures across our 15 island communities and through the bureaucratic environment of government. Government environments also contain their own culture and languages (terminology).

All good engagement aims to build relationships between our employees, the community and our external stakeholders. Effective engagement helps build clear communications and strong, respectful ongoing relationships.

There are three common foundations for effective engagement:

1.   Knowledge – knowing what effective engagement is.

2.   Skills – having the skills to put that knowledge into practice.

3.   Resources – having the people, practical tools and time for effective engagement.

Why Engage?

Meaningful engagement aligns our actions with Council's vision and supports us to improve planning and adapt services which best meet the needs of our communities.

We engage everyday – with our workmates, community members, contractors, other organisations. Greeting someone at the front counter, phone calls, meetings, joint projects, casual conversations. All of these interactions involve connecting and engaging with people.

Evidence in the fields of public participation and sustainable development demonstrates that people tend to support policies and services that have been shaped by grassroots community input and participation. When Council planning, service delivery, community needs and expectations are well matched it can:

• Minimise resource wastage.

• Increase sustainable service use.

• Prioritise the most important services needed.

Good engagement means providing opportunitie to collaborate. Being open to both leading and learning so that skills and knowledge are shared across departments and communities.

Ngalpun Idid and Strategic Planning

Since the inception of Torres Strait Island Regional Council in 2008, strategic foundations have been developed through the engagement of industry and community experts.

At the very heart of TSIRC planning is Ngalpun Idid | Cycle of Prosperity. Ngalpun Idid holds up our vision and has been developed as an overarching theme made up of three pillars:

• Art | Culture | People

• Environment

• Economic Development

The 'Engagement Framework' sits alongside Council's significant guiding documents including our **Five - Year Corporate Plan** and our **Annual Operational Plans.** These documents outline our vision, values and strategic direction into direct action and are used for planning and service delivery. The plans can be accessed through our website.

Our Region

Council service 15 separate communities across 42,000 square kilometres of water, each with its own unique cultural, linguistic and geographic identity.

Many challenges we face are unique to the region and impact our daily work across every area of Council Delivery.

These complexities require particular approaches to how we communicate, solve problems, make decisions, act and learn. The good news is there are simple tools and ways of approaching our work that can improve our project and service delivery outcomes.

Ngalpun Idid describes our aspirations and articulates very clearly our collective move as a nation of people towards achieving a more efficient and streamlined model of governance.

It is important that our community, employees, partner organisations and other key State and Commonwealth stakeholders have a clear view of our vision.

Ngalpun Idid outlines a future where Ailan Kastom is embraced and preserved for our children, whilst health and environmental management are top priorities for the wellbeing of our people. It outlines a strong strategic focus on sustainable economic and community growth.

Excerpts from the Mayoral Foreword of the 2009 – 2014 Corporate Plan

Getting the best outcomes

Complex environments such as ours have a number of important qualities to understand. Key factors to consider include:

History – The Torres Strait is a region of co-existing laws – one traditional, and one colonial in origin. Because of this there has been a difficult and complex history for our communities. *[see next section for further reading]*

Readiness – Readiness of people and resources has an enormous impact on project outcomes. If a community, its physical and resource conditions are not receptive or ready for a project, the likelihood of successful outcomes decreases dramatically.

Dynamic, adaptive & evolving – Conditions on the ground are always changing. When we engage it is important to be open, respond to change and have adaptation strategies so we can stay connected and achieve our goals.

Circular feedback – Communication and actions around an issue don't only occur in a straight line between the project and the community being engaged. Communication and actions occur across community, between communities and with stakeholders.

Regular cycles of communication, action, reflection and feedback are important to staying on track to projects outcomes. Skills in listening and interpreting complex information are essential to good cross-cultural communication.

Multiple influences – We are not the only influencer. Any action or communication has a ripple effect (good, bad or neutral) that impacts our outcomes.

It is important to get to know the environment you are working in so that you are 'tuned in' to the bigger picture.

History Matters

The Torres Strait is a region of co-existing laws – one traditional, and one colonial in origin. Traditional law, Zogo, is often referred to as 'lore' to distinguish it from the Western law of the Australian nation.

In 1872 the Torres Strait was annexed (occupied) by the State of Queensland and colonial rule of the Torres Strait commenced. From the early 1900's conditions became particularly difficult with increasing colonial control of people's rights and restrictions on their movements and actions. Government interventions included removing people to reserves and missions across Queensland.

Examples of government administration for Aboriginal and Torres Strait Islander people included evening curfews, government control of wages (now known as Stolen Wages) and getting permission for marriage. Some of these restrictions took place up until the 1970's.

Many people still remember these days and have witnessed the impact on their families.

Despite this history of oppression, Torres Strait culture and lore has continued and is still held in high regard.

It is vital to understand and respect that the Torres Strait is a region of co-existing laws – traditional, and colonial. How Australian law and administration is conducted in the Torres Strait is a very sensitive experience for people.

It is important to be mindful of this context in everyday administration of our work to ensure that we are not engaging in ways that may be felt to be disrespectful, controlling or otherwise remind people of past bad experiences.

Ailan Kastom and Australian Law

It is essential that planned engagement by Council staff, consultants and partners is conducted with respect for Ailan Kastom.

'Both ways' is a working philosophy which equally balances respect and understanding of traditional Torres Strait law and custom, with Australian law. A

willingness to learn and engage in this way is essential to working in a culturally capable way.

Within the context of Lore and Law there are many ways that Council can engage with community members and stakeholders in activities and decision making processes.

Our World Views

Our world view shapes our perspective on life. It is our set of beliefs that influence the way we think, understand, act and see the world.

People within a culture often share common values and perspectives.

TSIRC and our stakeholders have an incredibly diverse range of cultural backgrounds and world views. This is what makes us so unique.

Recognising our own perspective on life is a first step to engaging well with others. To do this we need to step back and reflect on our own assumptions about 'how things work'.

Why does it matter?

Respecting what people value builds good engagement.

Understanding cultural differences helps build trust, mutual respect, good communication and lasting partnerships.

Finding commonalities with others (such as a shared love of cooking or fishing) is a good way to connect when we are from different cultures, and supports openness and building trust.

To engage well, we need to step out of our own comfort zone. Acknowledging other peoples' needs and priorities helps build partnerships. Be willing to learn, and apply newly developed skills and knowledge, even thought it might feel 'new' and uncomfortable.

For people from a non-Indigenous background this may often involve:

- More attention and time to building ongoing relationships, including seeking cultural guidance.

- Stepping back a bit from the details and tasks.

- Re-focusing on the big picture and being more flexible about the process and details.

- Being willing to ask questions, listen and jointly develop work approaches with colleagues in a collaborative way.

- Understanding that our community colleagues are the best people to advise on the best way forward when engaging with communities.

"No one cares how much you know, until they know how much you care." Theodore Roosevelt

Protocols

Council and other stakeholders already have protocols in place which can guide planning, conduct and feedback for engagement.

Visitor Protocol

Registering your visit informs the Councillor and PBC Chair that you are planning to visit their community. The PBC are the group representing Traditional Owners. Everyone – whether staff, visitors, contractors, politicians – follows this protocol. All TSIRC employees are responsible for directing the people they are working with to register their visit through our website.

Communication Protocol

The Communication Guideline is a guide for communications between staff and elected Councillors.

Building Capacity

Building capacity is about empowering people and their communities to do their own work. It is *not* about doing things *for*, or doing things *to* people.

Capacity building supports people to develop, implement and sustain their own solutions to problems. It builds on people's strengths, providing support that helps people influence and control their physical, social, economic and cultural environments.

It is about much more than providing training, workshops and other discrete opportunities.

In organisations, capacity building is a structured process that is integral to how an organisation functions. It puts the principles of empowerment and cultural capability at the centre of all organisational processes. This builds a culturally capable, committed workforce that can support development and advancement of First Nations people.

Where engagement focuses on building capacity, it leaves a legacy in the form of knowledge, skills and resources that are useful beyond the life of the project

SECTION 2 | Engagement Tools

SECTION 2 | Engagement Tools

This section provides guidance and easy-to-use tools to support communication and engagement. This will support you to build good relationships and community buy-in of TSIRC projects.

Our Top 10!

Good engagement can be achieved by:

1. Appreciating, and gaining the cultural experience to respond to, Indigenous historical, cultural and social dynamics.

2. Valuing the cultural skills, contributions and knowledge of Aboriginal and Torres Strait Islander people and community organisations.

3. Identifying and acknowledging non-Indigenous cultural values and attitudes (particularly if you are a non-Indigenous person!)

4. Knowing why you are engaging, and how deep that engagement needs to be to suit your activity.

5. Understanding how your service, program or project is responding to the wellbeing of our people.

6. Building long-term relationships of trust, respect and honesty.

7. Providing information in plain language and giving people enough time to respond.

8. Supporting good governance and building capacity 'both-ways' in our communities and our governments.

9. Consulting through an *Ask and Listen* approach, rather than informing people of what you think is best.

10. **Be the leading change for our region!** Work in a way that empowers others.

Who can Support Engagement?

We all engage across our organisation, with community members, and with stakeholders as part of our daily work for Council.

All TSIRC employees are responsible for improving engagement in their own teams.

The Engagement Team is available for support and advice regarding engagement activities. If you want to talk through plans or ideas, or need assistance, contact us. If we are not the right people we may be able to refer the appropriate people who can help.

Building relationships across our organisation is very important to building our capacity as an organisation. Follow up on connections with colleagues who you feel comfortable with and seek their perspective.

Our website gives the contacts of our Cluster Divisional Managers and Divisional Managers who are a first point of contact when you are planning engagement with a community.

Types of Engagement

There are three key questions to consider before deciding how best to engage with your stakeholders.

1. What **social impact** will your policy, decision or activity have on the daily life and identity of people?

2. How **important** is the project in terms of strategic planning, community need and legal compliance?

3. What **resources** (human, time and financial) are available for the engagement activity?

On their own, information and consultation activities do not create effective engagement. However, they are important tools when used with other engagement activities that focus on building strong and respectful ongoing relationships.

Good Meetings make for Good Outcomes

Meeting structure

- **Arrange prayer** to open and close meetings and ensure that food is blessed before it is served.

Budget

- **Fee for service** when engaging PBCs.

- Catering.

- **Travel of participants** from other locations if attendance is mandatory or critical to outcomes.

Communication

- **Use images** and plain language.

- **Listen and observe** before, during and after meetings. Develop awareness of the context around your project/service.

Time and timing

- **Give notice** of meetings as early as possible – it shows respect for others commitments.

- **Allow additional time** before and after scheduled meetings so start/finish times can be flexible.

- **Allow for multiple meetings** over time – outcomes may not be possible from one meeting.

- A good meeting is one that achieves good outcomes – whether today, or in follow-up meetings or contacts.

Relationships

- **Run meetings in partnership** with the Councillor or a community elder. They can bring the meeting to order if needed.

- **Spend time** before a meeting building relationships. Slow, genuine and without pressure works best in getting to know people.

- **Attend community events** as much as possible and engage in protocols (such as prayers).

- **Don't try to silence people** when there is conflict [*see Staying on Track for more info*].

- **Be humble and appreciative** of people's time and attention.

- **Always be respectful** even when offended.

- **Respectfully decline** where your beliefs conflict with an activity (e.g. being vegetarian and being offered meat), without passing judgement.

How we can Engage and Communicate

	HOW TO DO IT	EXAMPLES
INFORM	• Provide information and public education.	• Community Notices • Website & Social Media
CONSULT **[ASK + LISTEN]**	• Ask questions, listen to respond. • Support discussion and give feedback about outcomes.	• Community meetings • Stakeholder Survey
INVOLVE	• Encourage active contribution by community members and stakeholders.	• Community Events • Sports Activities
ENABLE	• Provide opportunities that increase people's confidence and leadership.	• Women's leadership course
COLLABORATE	• Ensure there are equal partnerships in decision-making processes. • Provide adequate resources and information.	• Cemetery relocation/ remediation • Public Art project

This table has been adapted by TSIRC from the IAP2 Spectrum for Public Participation © and provides practical guidance for engagement activities.

Types of Community Meetings

Meetings are a great way to get together and flesh out ideas and be informed of other people's viewpoints. TSIRC holds a variety of Community Meetings for different activities. The following information outlines which meetings are most suitable for topics being discussed.

Council Meeting

Council Meetings, or Ordinary Meetings, are hosted across our communities where all 15 elected Councillors, the Mayor and Executive staff discuss strategic business for the region.

Existing and potential stakeholders also attend to present Council business. To encourage good governance and transparent decision making processes community members are encouraged to attend the Council Meetings.

Community members can present a submission or 'deputation' on any pressing concerns. This can be done by contacting the CEO or the CEO's Executive Assistant (with two weeks' notice).

The updated Meeting Schedule is available on the homepage of our website.

Public meeting

A public meeting is **chaired by the Councillor** and is called to discuss **strategic matters** with community. Public meetings build community relations and ensure that our constituents are regularly informed of Council business and direction.

Public Meetings are where people can raise issues and engage in discussion and debate. These meetings take place as required.

Information session

Information sessions are **chaired by staff** and have a focused purpose, which is **to provide information** on TSIRC matters. Examples of an information session might be

a public health alert by an Environmental Health Worker, or communicating information on a stakeholder survey by the Divisional Manager.

Information sessions are *focused on providing information to community and are not places of discussion and debate.*

Project meetings

Project meetings may be chaired by the Councillor, Mayor, Executive Manager and/or Functional Manager. Project meetings are sometimes co-facilitated by a consultant with expertise in the project area. The meetings are usually held in the early stages of a project, or when there are changes of direction in the project.

Depending on the nature of your project (big or small, short term or long term) you may use a wide range of strategies (e.g. consult, inform and collaborate) to engage with people during the life of the project.

Community stakeholder meetings

Stakeholder meetings are a great way for service providers to get together and share information about what's happening in their organisation.

Usually a representative from each organisation speaks on behalf of that organisation. Representatives are good at building relationships, talking positively about challenging issues and knowing what information is for sharing.

Stakeholder meetings provide great opportunities to build relationships, share informal discussion on business and identify partnerships. This style of meeting ensures service providers work together for their community, rather than in isolation.

Meetings, both formal and informal, use a variety of engagement activities to achieve best results, improve community and stakeholder relationships and deliver good quality services.

Staying on Track: Managing Discussion and Debate

This guide supports your meeting to stay on track and provides pointers to help reduce conflict.

Define boundaries

Right at the start of the meeting, set boundaries and clearly state the purpose of the meeting.

Be prepared before your meeting. Know when the next public meeting is, or who the appropriate senior team-member is (Councillor, Divisional Manager, Executive, etc) so that you can refer any questions to the appropriate meeting or person.

If people interrupt during the meeting, calmly repeat the purpose of the meeting. Part of good meeting management is to have short, clear statements rehearsed beforehand, and to re-use them as needed during the meeting.

Acknowledge unrelated comments and issues

A rehearsed phrase might be "Let me look into that for you. We can have a quick chat once we have finished this session" or "The best person to speak to about this matter is our Housing Coordinator, who will be able to seek further advice from their Manager." Make sure the request is actioned.

Don't be tempted to argue, debate or tell someone off for interrupting or diverting the discussion away from topic. As soon as you engage in that way you risk losing control of the meeting.

Continue to use clear, non-judgemental and positive language that describes what you are doing and why you are there.

If you have someone who is very distressed or fired up about an issue unrelated to your topic, it is important to acknowledge they are concerned by the issue and repeat the meeting boundaries (topic) as described above. Refer people to appropriate times, people and places to discuss their concerns, outside of the meeting you are hosting. Make sure they feel listened to and valued so it does not escalate.

Everyone has the right to feel safe at work and be spoken to in a respectful manner. If anyone is acting in a threatening manner you can ask to take a break and seek support as to what steps you should take next.

Capacity Building - Two Ways, Both Ways

Here are tips to maximise how your work can build capacity in others:

1.   **Start from where people are at** and build foundations from that point.

2.   **Build understanding of people's aspirations**, passions, strengths and learning needs. Willingness and capacity to engage with and understand people's needs are critical to helping people develop successfully towards their goals.

3.   **Build a listening culture** where listening is equally or more valued than instructing. Listen to understand, don't just listen to respond.

4.   **Look for a good fit** between people's passions and opportunities in the organisation, community or region.

5.   **Conduct skills audits** to determine strengths and knowledge gaps so people can successfully and sustainably reach their goals.

6.   **Facilitate access** to mentoring, training and resources that meet people's learning and development needs.

7.   **Engage culturally capable people** in mentoring and training roles.

8.   **Value people and relationship skills** in trainers and mentors. Technical knowledge can always be accessed as needed.

Guide to Writing in Plain English

This guide and the resources listed in Section 3 can help you develop plain English writing skills.

Plain English means writing clearly, so that more people can read it easily. This also means that more people get to have a say on what is being discussed.

Plain English writing includes:

1.   Identify your audience and know your reader.

2.   Use a friendly tone, and personal and direct language.

3.   Simple short sentences (max 20 words).

4.   Short paragraphs with one idea per paragraph.

5.   Familiar, everyday words. [E.g. It's a 'spade', not a 'digging implement'].

6.   Active voice [E.g. 'he threw the ball' *not* 'the ball was thrown by him'].

7.   Provide clear definitions whenever technical terms must be used.

8.   Good use of clear and relevant headings, bullet points, tables, images and white space. This helps break up complex ideas and too many words.

9.   Break complex information into small pieces, plainly written.

10.   Use pictures to communicate ideas and information.

11.   Use the shortest word that does the job!

Plain language – a jargon-free zone

Every profession has its own jargon (or lingo). We get so used to hearing it, we forget that others might not understand it. Jargon prevents participation and clear communication in plain language, particularly in cross-cultural settings.

Tools & Tips

A good tool to check whether your writing is simple and direct is the online editing tool http://www.hemingwayapp.com/ . The Hemingway Editor is free and easy to use and can help when your writing needs clarity.

Also, you can try reading your work out loud.

Writing in plain English does not 'dumb down' or simplify your ideas. It provides clarity so that it is accessible to more people. It shows that you clearly understand your topic.

Aim to engage your reader, not isolate your reader.

Values-driven Engagement

The following values guide how we engage. These principles help us:

- Improve service delivery;

- Identify and respond to changing local needs;

- Maintain an ongoing dialogue with our community members and stakeholders.

VALUES	WE WILL
Sharing	Share information about Council services, activities and decisions.
Communication	Use clear, straightforward language, short sentences and maximise visual and spoken communication.
Focus	Guide participation so that discussion stays on track. Acknowledge and commit to providing feedback on unrelated issues at a later date.
Clarity	Clearly communicate the reasons for engaging, and any opportunities which can influence decision making.
Respect	Use community engagement methods that respect people and Ailan Kastom.
Participation	Start engagement at the very start of the project and continue through to project end, including reporting/feedback.
Transparency	Adopt decision-making processes that are open and transparent.
Inclusiveness & fairness	Ensure engagement activities are inclusive and fair for everyone.
Openness	Be open to the views and opinions of all community members.
Feedback	Provide information and feedback about the process and outcomes of community engagement.

SECTION 3 | Learning Resources

Glossary

'Both Ways' or 'Two Ways': Refers to shared learning between people of Western and Indigenous heritage where both approaches to life and learning are equally valued and all parties are open to learning from each other.

Capacity Building (or Building Capacity): An approach to social or professional development that focuses on understanding the obstacles to people, governments, and organisations realising their goals. Capacity building aims to increase the ability of individuals, organisations and societies to function, solve problems and set and achieve objectives in a sustainable manner.

Chief Protector: Between 1904 and 1939 the Office of the Chief Protector of Aboriginals in Queensland controlled virtually every aspect of the lives of Aboriginal and Torres Strait Islander people. Under the Chief Protector's control, the Protector took charge of a region with Supervisors living in communities to oversee the day-to-day management of people's lives.

Community Development: Community development is the process of working alongside individuals and groups to ensure they have the skills and support to bring about action and/or change.

Community Stakeholder: Community members – anyone living in a community.

Cross-Cultural: Interactions (relationships, communication, etc.) between two or more different cultures or cultural areas.

Cultural Capability: A combination of 'knowing', 'doing' and 'being' which makes a person capable of engaging across cultures in a way that is respectful and safe for the people of another culture.

Dominant Culture: A dominant culture is the most powerful, widespread, or influential within a social or political entity in which multiple cultures are present. In a society it refers to the established language, religion, values, rituals, and social customs which are often presumed to be the norm for the society as a whole.

First Nations: Refers to groups of peoples who are the original peoples of a place and who share the same language or language group and cultural practices and knowledge. The Torres Strait region for instance could be described as including several First Nation groups.

Indigenous: People are described as Indigenous when they are recognised to be the original inhabitants of a place. In Australia it is a term sometimes used to describe both Aboriginal and Torres Strait Islander peoples. It is important to be sensitive in its use so that the distinctive cultures and histories of both Aboriginal and Torres Strait Islander peoples remain acknowledged.

International Development: Broad term often linked with human development and international efforts to reduce poverty and inequality and improve health, education and job opportunities around the world.

Organisational Stakeholder: Organisational stakeholders are people in paid or elected roles in organisations that interact with TSIRC. Organisational stakeholders may affect, or be affected by, TSIRC's actions, such as receiving services, providing services, funding, partnership and working together.

Paternalism: Paternalism is the interference of a state or individual with another person or peoples, against their will. Paternalism is often defended or motivated by a claim that the person interfered with will be better off or protected from harm.

Strategic: High level planning and decision making about how resources are allocated. Strategic planning takes into account the uncertainty of current and future conditions and allows for this changeability in how plans may be implemented.

Resources & References

Best-practice resources

Cultural Capability: The Federal Government's Cultural Capability Framework for Commonwealth agencies. A clear and comprehensive guide to achieving cultural capability across an organisation: http://www.apsc.gov.au/publications-and-media/current-publications/cultural-capability-framework

Effective Engagement: National research that describes best practice for engaging Aboriginal and Torres Strait Islander communities: *Engaging with Indigenous Australia– exploring the conditions for effective relationships with Aboriginal and Torres Strait Islander communities:* http://www.aihw.gov.au/uploadedFiles/ClosingTheGap/Content/Publications/2013/ctgc-ip5.pdf

Building Economic Capacity:

The Federal Government's Indigenous Procurement Policy: http://www.dpmc.gov.au/resource-centre/government/commonwealth-indigenous-procurement-policy

Supply Nation is a non-profit organisation dedicated to facilitating access to markets for Indigenous businesses. Their website includes a valuable report, *"The Sleeping Giant. A Social Return on Investment Report on Supply Nation Certified Suppliers"*: http://www.supplynation.org.au/

Engagement Tools and Resources

- Community Tool Box website. A huge selection of community engagement and community development resources: http://ctb.ku.edu/en

- First Nations British Columbia (Canada) website. Includes a wide range of tools, papers and resources developed by and for Canadian First Nations peoples   http://fnbc.info/

- Asset Based Community Development website. Outlines the strengths-based approach to community development and provides a range of resources http://www.abcdinstitute.org/index.html

- An Australian website which provides a range of articles, links and resources on engagement, capacity building and community development: https://sustainingcommunity.wordpress.com/

- Governance history of the Torres Strait: http://www.tsirc.qld.gov.au/changing-region/governance-history

Plain English Resources:

An online editing program which is great at helping you work your sentences down to simple and plain format http://www.hemingwayapp.com/

Useful plain language websites:

http://centerforplainlanguage.org/5-steps-to-plain-language/

http://thecopycollective.com/copywriting-fundamentals-how-to-write-in-plain-english/
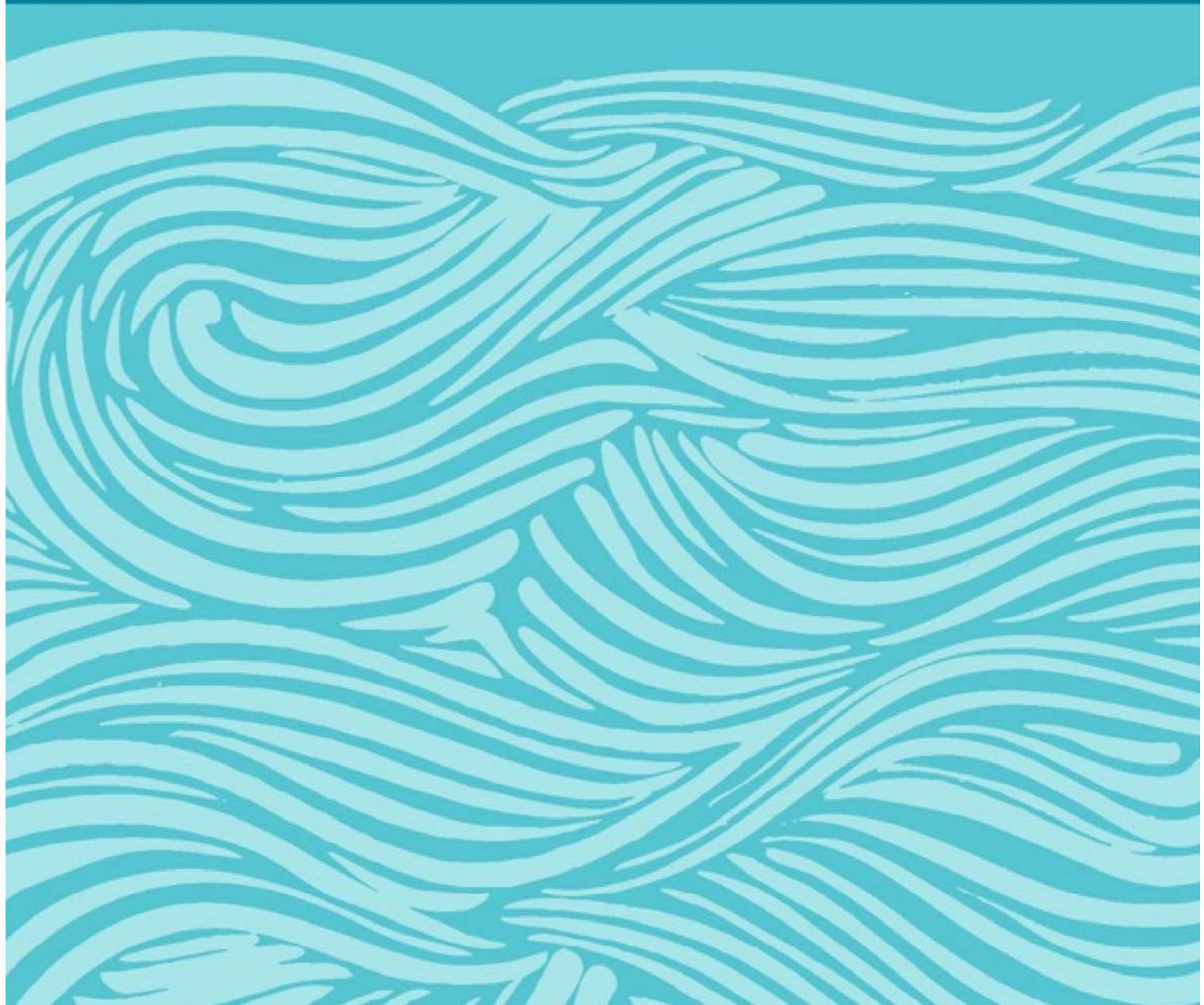
Procurement and Ethical Sourcing Policy

Responsible Manager:	Head of Corporate Affairs
Head of power:	*Local Government Act 2009* *Local Government Regulation 2012*
Authorised by:	Council
Authorised on:	30 June 2021
Implemented from:	July 2021
Last reviewed:	June 2021
Review history:	2012, 2013, 2014, 2017, 2018, 2019, 2020
To be reviewed:	June 2022
Corporate Plan:	People, Sustainability and Prosperity

1. Purpose

This policy aims to provide Torres Strait Island Regional Council with a procurement framework which is open and transparent and provides value for money in compliance with Section 198 of the *Local Government Regulation 2012*.

The Council is committed to better target their procurement activities to ensure local Indigenous businesses have equitable access to the procurement opportunities that exist within Council and deliver improved economic, environmental and social outcomes for the Torres Strait region holistically.

2. Application

This policy applies to all Council procurement activities.

3. Legislation

All Council procurement must be carried out in compliance with the *Local Government Act 2009* and the *Local Government Regulation 2012*.

4. Procurement

Procurement means to purchase, hire, lease, rental, exchange or any other commercial transaction involving the outlay of funds in return for the provision of goods, equipment and or services. The purchase of goods, works, or services shall not be broken down into unreasonable components or reduced order quantities in order to avoid the necessity to comply with the dollar limit requirements under this Policy.

5. Sustainable and Social Procurement

Torres Strait Islander and Social Procurement

Council is committed to the development of local Torres Strait Islander businesses and social procurement, a strategic approach to meeting social objectives through procurement and contracting, and in particular facilitating employment opportunities to communities within Council's jurisdiction and the Torres Strait region.

Torres Strait Islander and social procurement delivers benefits to Council including:

- Developing and attracting Torres Strait Islander businesses and social enterprises;

- Encouraging local businesses to include Torres Strait Islander, social or community objectives into daily business practices;

- Promoting employment opportunities and inclusive and accessible work environments for young people or older persons who are unemployed and people with disabilities;

- Building the skills, knowledge and ability of not-for-profit community groups to enable them to access funds and expand services.

Council intends to use a portion of its annual procurement spend to engage suppliers that provide a direct benefit to the communities within Council's jurisdiction and the Torres Strait region, including offering quoting opportunities directly to Torres Strait Islander businesses, social enterprises and social benefit suppliers.

Sustainable Procurement

Council is committed to protecting the environment and doing business with ethical and socially responsible suppliers and procuring goods and services that achieve sustainability outcomes such as those that have a reduced negative impact on the environment and/or an improved social outcome. When procuring goods and services, Council will consider:

- Strategies to avoid unnecessary consumption and manage demand;

- Minimising environmental impacts over the whole-of-life of the goods and /or services;

  o Products that are durable and long lasting e.g. avoiding or reducing disposable products and single use plastics;

  o Products that consume less energy, fuel or water in their operation;

- Supplier's socially responsible practices; and

- Value for money over the whole-of-life of the goods and/or services, rather than just initial cost.

Torres Strait Islander, social and sustainable procurement must be conducted in line with consideration to the sound contracting principles and other legislative requirements.

6.   Provisions

Objectives

Council's procurement activities aim to achieve beneficial outcomes by:

- Promoting value for money with probity and accountability;

- Advancing Council's economic, social and environmental policies;

- Providing reasonable opportunity for local Indigenous businesses to supply to Council;

- Promoting compliance with relevant legislation; and

- Promoting continuous improvement and best practice in procurement activities.

Responsibility

Council officers are required to:

- Adhere to the sound contracting principles as stipulated in the *Local Government Act 2009*;

- Preserve Council's integrity in the procurement process to ensure that council acts beyond reproach in all dealings; and

- Obtain best value whole of life costs.

During the entire procurement process, any officers who intend to have any input or influence should ensure they have read Council's Code of Conduct as well as the supporting documents

to this Policy.

All officers involved in procurement and contracting activity must comply with the following interlinked principles and objectives of probity:

- Use of a competitive process;

- Fairness and impartiality;

- Transparency of process;

- Independence through effective management of conflicts of interest;

- Accountability of process; and

- Security and confidentiality of information and materials.

Officers participating in procurement and contracting activities must comply with the requirements of Council's Code of Conduct, and the supporting documents to this Procurement Policy and must:

- Notify the Strategic Sourcing Manager immediately they become aware of any conflict of interest (perceived, potential or actual);

- Not accept gifts from parties related to any procurement or contracting activity; and

- Action the pre and post offer declarations of conflict of interest and confidentiality as applicable.

Councillors and staff must ensure that they do not participate in any action, which may be deemed to be:

- Canvassing by any party with a material interest in the procurement; or

- Releasing commercial in confidence information; or

- Collusion - i.e. collaboration between parties involved in the procurement process.

Any approach or known evidence of canvassing, breach of confidentiality or collusion must be reported to the Chief Executive Officer.

7. Sound Contracting Principles

Council officers must have regard to the sound contracting principles set out in section 104(3) of the *Local Government Act 2009*:

a) value for money;
b) open and effective competition;
c) the development of competitive local business and industry;
d) environmental protection;
e) ethical behaviour and fair dealing.

Value for money

The objective of the value for money principles is to ensure that all procurement and contracting activities represent the best return and performance for money spent form a whole-of-life cost perspective to assist Council to effectively and efficiently use public money.

Value for money should not be limited to price alone. In assessing value for money, officers

must consider:

- The contribution to the advancement of Council priorities and vision, including buying from local Torres Strait Island businesses and organisations as first preference, community and social benefits, and suitability considerations consistent with and supporting the strategic direction of the Corporate Plan;

- Factors such as fit for purpose, innovation, maintenance and support, relevant experience and performance, availability and suitability of staff, plant and equipment, application of relevant and sound systems of operational management, risk, legal and reputation exposure and business continuity; and

- Cost related factors including whole-of-life costs, transactional costs and risk exposure associated with the acquisition, use, administration, holding, maintenance and disposal of the goods and/or services.

As the application of the value for money principle may not necessarily favour the lowest price, contracting decisions must substantiate how application of the principles ensures council is receiving the most advantageous outcome for our community.

Open and effective competition

Procurement processes must be open and transparent to suppliers and the public and result in effective competition in the provision of all goods and services. Council must give fair and equitable consideration to all prospective suppliers.

Development of competitive local business and industry

Council will proactively support local Torres Strait Islander owned businesses, organisations and industry to provide jobs within Council's jurisdiction, and the greater Torres Strait region, in recognition of the economic and social benefits that this brings. When applying these principles Council will:

- Buy from local Torres Strait Islander businesses and organisations as first preference;

- Reserve the right to invite only local Torres Strait Islander owned businesses, organisations and industry to quote for appropriate contracts; and

- Include a statement in its invitation to quote/tender documentation that Council, through this policy, encourages the development of competitive local Torres Strait Islander businesses, organisations and industry.

A local supplier means a supplier that maintains a workforce whose usual place of residency is located within Council's jurisdiction and/or the Torres Strait region. If a capable local supplier does not exist within the Torres Strait region, the area should be extended to include the Cape York and Cairns region and then extended progressively to Queensland, then Australia until a suitable supplier is identified.

Environmental protection

The objective of the principle of environmental protection is to maintain commitment to long-term ecological sustainability through procurement and contracting activities that conserve resources, save energy, minimise waste, protect human health and maintain environmental quality and safety.

In undertaking procurement activities council will endeavour to:

- Promote the procurement of environmentally friendly goods and services that satisfy the value for money criteria;

- Foster the development of products and processes of low environmental and climatic impact;

- Provide an example to business, industry and the community by promoting the use of climatically and environmentally friendly goods and services:

- Ensure suppliers clean up construction sites and remove all plant and equipment from islands; and

- Encourage environmentally responsible activities.

Ethical behaviour and fair dealing

Council officers must behave with impartiality, fairness, independence, openness, integrity and professionalism in their discussions and negotiations with suppliers and their representatives.

It is the responsibility of Council officers to report any actual, potential or perceived conflict of interest to their branch manager prior to and during any business dealings.

8. Budgetary Provisions

Procurement must be in accordance with the adopted Annual Budget or a Council resolution and sufficient funds must be available to meet the full cost of the proposed procurement.

9. Procurement Guidelines

Procurement Thresholds

Value threshold (GST excl.)	RFQ Documentation
Under $2,000	1 written quote
$2,000 to $14,999	2 written quotes
$15,000 to under $200,000	3 written quotes
≥ $200,000	Public tender

When seeking quotations, officers should consider the likelihood of exceeding the value thresholds listed above in a financial year. If there is a risk that these limits will be exceeded, then the appropriate number of quotes or a public tender should be sought. All thresholds are

cumulative thresholds. If the anticipated value of goods or services of a similar nature procured from the same supplier exceeds $200,000 in a financial year, or over the proposed term of the contractual arrangement, then a public tender is required.

10. Exemptions to Procurement Guidelines

Legislation obligates Council to utilise a public tender process (or a closed tender process if an expression of interest has first been called to shortlist tenderers) before making a contract for the carrying out of work, or the supply of goods and services involving a value of $200,000 or more, unless there is a legislative exemption.

Council officers must follow the procurement guidelines unless they utilise a legislative exemption. Exemptions are provided for under sections 229-235 of the *Local Government Regulation 2012*. These exemptions are:

- A quote or tender consideration plan

- A contractor on an approved contractor list

- A supplier on a register of pre-qualified suppliers

- A supplier on a preferred supplier arrangement

- A supplier on another LGA arrangement, e.g. LGAQ (LocalBuy).

Further exemptions exist if:

- Council resolves (Council resolution obtained) it is satisfied that there is only one supplier who is reasonably available (sole suppliers); or

- Council resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tender; or

- A genuine emergency exists; or

- The contract is for the purchase of goods and is made by public auction; or

- The contract is for the purchase of second-hand goods; or

- The contract is made with, or under an arrangement with, a government agency e.g. Queensland State Government arrangements.

Refer to sections 230-235 of the *Local Government Regulation 2012* for further details on the above exemptions.

Register of Pre-qualified Suppliers (ROPS)

Council may establish a ROPS for carrying out of works, goods, services or ICT, by inviting public tenders. Suppliers must submit a tender response and if successful following the evaluation process, suppliers are appointed to the ROPS for a term of up to three years. Once the ROPS is established, further quotes or cost estimates from selected suppliers are required to ensure value for money.

Preferred Supplier Arrangement (PSA)

Council can establish a PSA where better value for money can be obtained by aggregating

the demand for goods and services. Council must invite public tenders and evaluate submissions from suppliers in order for suppliers to be successfully appointed to the PSA. Prices or a schedule of rates are usually fixed for the duration of the arrangement.

Sole Suppliers

Where the required goods or services are available only from one original source or available from only one stockist, agent or supplier with relative ease of accessibility to Council, the supply of those goods and or services can be applied for under a sole supplier arrangement via Council resolution.

Procurement provides a report on an annual basis listing all proposed sole supplier arrangements, for the financial year, for adoption by Council. A report is presented to Council bi-annually listing expenditure on sole suppliers.

Emergencies

In recognition that full compliance with existing Council procurement procedures may not support Council's needs during a critical or emergency incident, an alternative procurement process may operate during the incident. This alternative process aims to accommodate urgent Council needs, while ensuring that the procurement process adopted is reasonable and conducted with appropriate consideration of standard procurement principles.

Any emergency procurement must be authorised by the Chief Executive Officer, once a critical or emergency incident has been declared. Such incidents are:

- A state of disaster declared under the *Disaster Management Act 2003*, or any other emergency declaration made by the State's Premier under an enactment;

- Any incident declared by the Chief Executive Officer where the safety or security of any person or property associated with the Council is threatened; and

- An external incident to which the Chief Executive Officer has authorised the provision of urgent support.

Once the immediacy of the incident has passed, purchase orders must be raised to record the expenditure in the same way as they would have been in normal circumstances.

As soon as practical upon cessation of the emergency, a report must be presented to Council to authorise the unapproved expenditure, where this expenditure exceeds delegation, and the methodology by which it was incurred. The Council Resolution must define the genuine emergency situation (such as natural disaster), as well as delegate authority.

11. Financial Delegation

The Chief Executive Officer has procurement authority of $200,000. Any amount greater than this requires Council approval.

The Chief Executive Officer further has delegation to issue requests for quotes and tenders for any project up to any amount.

Other officers may only incur expenditure on behalf of Council if:

- The officer has been granted the financial delegation by the Chief Executive Officer and this delegation has been recorded in the Register of Financial Delegations, and

- The expenditure is provided for in Council's budget, and

- The officer has received training in Council's procurement systems and procedures, or

- There is a disaster/genuine emergency.

No officer, except the Chief Executive Officer may have procurement delegation exceeding $200,000.

The Chief Executive Officer must approve all financial delegations by recording them in a register of financial delegations to enable procurement activities to occur.

Appendix 1 lists the delegations for all management positions.

12. Variations to Purchases

For the purposes of this policy, variation refers solely to a financial deviation from original contract value. The contract can be a Council purchase order or agreement signed by a delegated Council officer with an external service provider/organisation. Other variations such as non-financial scope changes, extension of time etc are to be managed by delegated Council officers.

Variation procedures are as follows:

- Each variation can only be approved by an officer up to their authorised contractual and financial delegation;

- All variations are to be approved in writing;

- Each variation requires an additional line item on the original purchase order stating the scope and cost.

Manager Responsible for Review: Head of Corporate Affairs

Adoption: 30 June 2021
Due for Revision: 30 June 2022 Chief Executive Officer

Appendix 1 – Financial and Contractual Delegations

Officers may incur expenditure on behalf of Council but only if the expenditure is provided for in Council's budget the officer's position has been delegated the power to enter into contracts up to an amount not less than the amount of the expenditure proposed to be incurred.

Each delegation to an officer of the power to enter into contract must be delegated by the Chief Executive Officer.

The delegation is a positional delegation and remains in force unless revoked by the Chief Executive Officer.

Any officer incurring expenditure on behalf of Council must do so in accordance with any constraints imposed by Council or the Chief Executive Officer.

Position	Delegation (ex GST)
Chief Executive Officer	$200,000
Chief Operating Officer	$50,000
Chief Financial Officer	$50,000
Chief Engineer	$50,000
Head of Department and Functional Manager	$35,000
Regional Manager	$25,000
Regional Building Supervisor	$25,000
Senior Executive Assistant to Mayor and CEO	$25,000
Divisional Manager	$10,000
Other officers where financial delegation is considered an operational requirement, CEO discretion	$10,000

Council further delegate to the Chief Executive Officer the authority to negotiate, finalise and execute recurring operational expenditure, that are within the adopted budget. These include rent on leased Council premises, Council rates, electricity, telephone, freight, fuel, vehicle registration and others, regardless of whether the value of the expenditure is more or less than $200,000.