



# Ordinary Council Meeting

## Agenda

**Date:** 5-6 March 2024  
**Time:** 10.30am to 5.00pm – Day 1  
9.00am to 5.00pm – Day 2 (*if required*)  
**Venue:** Iama (Yam) Island  
Torres Strait

# Agenda

Time	Subject
10.30am	1. Welcome   Quorum Confirmation   Opening Prayer
10.45am	2. Apologies
10.50am	3. Conflict of Interest (COI) - Declarable/Prescribed
10.55am	4. Confirmation of Council Ordinary Meeting Minutes – February 2024
	5. Ratification of SARG Committee Meeting Minutes (19 & 22 January 2024)
	6. Ratification of Climate Change Adaptation and Environment Committee Meeting Draft Minutes (19 February 2024)
	7. Ratification of SARG Committee Meeting Minutes (29 February 2024)
11.05am	8. Action Items from Previous Council Ordinary Meetings
	9. BUILDING SERVICES: Building Services Report (February 2024)
	10. CORPORATE SERVICES: Committees Review
	11. CORPORATE SERVICES: Delegations (Waste Reduction and Recycling Regulation)
	12. CORPORATE SERVICES: Fuel Price Update - Gas
	13. FINANCIAL SERVICES: Financial Dashboard Report – February 2024
3.00pm	14. <b>MOVE INTO CLOSED BUSINESS</b>
	15. ENGINEERING SERVICES: Information Report – Capital Works Projects Update <i>[Reason for closed discussion: These matters involve negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.]</i>
	16. <b>MOVE OUT OF CLOSED BUSINESS</b>
	17. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED BUSINESS
	18. BUSINESS ARISING <i>(from Information Reports)</i>
	19. Strategic Matters
	20. Next Council Meeting Date: <b>Post-Election Meeting (TBA)</b>
5.00pm	21. Official Close & Prayer



# Draft Minutes

## ORDINARY COUNCIL MEETING

20-21 February 2024

**PRESENT:**

**Councillors**

**Mayor**

Division 3 – Saibai  
Division 4 – Mabuiag  
Division 5 – Badu  
Division 6 – Arkai  
Division 8 – Kirirri  
Division 9 - Iama  
Division 12 – Masig  
Division 13 - Ugar  
Division 15 – Mer

Cr Phillemon Mosby  
Cr Conwell Tabuai  
Cr Keith Fell  
Cr Ranetta Wosomo  
Cr Lama Trinkoon  
Cr Seriako Dorante  
Cr Getano Lui (Jnr) AM ( **Deputy Mayor**)  
Cr Hilda Mosby  
Cr Rocky Stephen  
not represented

**Officers:**

Chief Executive Officer  
Executive Director Building Services  
Executive Director Community Services  
Executive Director Corporate Services  
Executive Director Engineering Services  
Executive Director Financial Services

DOGIT Transfer, Land Tenure & Native Title Advisor  
Executive Support Coordinator  
Executive Assistant to the Mayor  
Secretariat

Mr James William  
Mr Wayne Green  
Mr Dawson Sailor  
Ms Susanne Andres  
Mr David Baldwin  
Ms Hollie Faithfull – *joined the meeting at 12.05pm*  
Ms Joanne Bryant  
Ms Sharon Russell  
Ms Trudy Lui  
Darryl Brooks

**APOLOGIES:**

Division 1 - Boigu  
Division 2 - Dauan  
Division 10 – Warraber  
Division 11 – Poruma  
Division 14 – Erub

Cr Dimas Toby – *immediate family member needing assistance*  
Cr Torenzo Elisala – *prior GBK commitments*  
Cr Kabay Tamu – *prior GBK commitments*  
Cr Francis Pearson – *prior training commitments in Cairns*  
Cr Jimmy Gela – *prior GBK and Malu Lamar Meeting commitments*

**1. Welcome & Quorum Confirmation**

The Mayor formally opened the February 2024 at 11.05am, noting that a quorum of members were present.

**2. Apologies**

The following apologies were noted:

Division 1 - Boigu

Division 2 - Dauan

Division 10 – Warraber

Division 11 – Poruma

Division 14 – Erub

Cr Dimas Toby – *immediate family member needing assistance*

Cr Torenzo Elisala – *prior GBK commitments (also as advised at the February 2024 Trustee meeting)*

Cr Kabay Tamu – *prior GBK commitments*

Cr Francis Pearson – *prior training commitments in Cairns*

Cr Jimmy Gela – *prior GBK and Malu Lamar Meeting commitments*

**RESOLUTION**

Moved: Cr Keith Fell

Second: Cr John Levi

**Council accepts the apology of Cr Dimas Toby for the February 2024 Council Meeting and approves the payment of the Councillor's Monthly Meeting Allowance.**

**CARRIED UNANIMOUSLY**

**RESOLUTION**

Moved: Cr Conwell Tabuai

Second: Cr Lama Trinkoon

**Council accepts the apology of Cr Torenzo Elisala for the February 2024 Council Meeting and approves the payment of the Councillor's Monthly Meeting Allowance.**

**CARRIED UNANIMOUSLY**

**RESOLUTION**

Moved: Cr Keith Fell

Second: Cr Conwell Tabuai

**Council accepts the apology of Cr Kabay Tamu for the February 2024 Council Meeting and approves the payment of the Councillor's Monthly Meeting Allowance.**

**CARRIED UNANIMOUSLY**

**RESOLUTION**

Moved: Cr Keith Fell

Second: Cr Ranetta Wosomo

**Council accepts the apology of Cr Francis Pearson for the February 2024 Council Meeting and approves the payment of the Councillor's Monthly Meeting Allowance.**

**CARRIED UNANIMOUSLY**

**RESOLUTION**

Moved: Cr Keith Fell

Second: Cr Ranetta Wosomo

**Council accepts the apology of Cr Jimmy Gela for the February 2024 Council Meeting and approves the payment of the Councillor's Monthly Meeting Allowance.**

**CARRIED UNANIMOUSLY**

**3. Conflict of Interest (COI) - Declarable/Prescribed**

The Mayor invited Councillors to make any relevant conflict of interest declarations and to also advise if they were currently involved in any legal proceedings which pertain to Ordinary Council business to be considered at the meeting.

No declarations were made.

**4. Confirmation of Council Ordinary Meeting Minutes – January 2024**

**RESOLUTION**

*Moved: Cr Keith Fell*

*Second: Cr Conwell Tabuai*

**Council agrees that the Minutes for the Council Ordinary Meeting held on 23-24 January 2024 are confirmed as a true and accurate record of that meeting.**

**CARRIED UNANIMOUSLY**

**5. Confirmation of Special Council Meeting Minutes – 25 January 2024**

**RESOLUTION**

*Moved: Cr Keith Fell*

*Second: Cr Ranetta Wosomo*

**Council agrees that the Minutes for the Special Council Meeting held on 25 January 2024 are confirmed as a true and accurate record of that meeting.**

**CARRIED UNANIMOUSLY**

**6. Action Items from Previous Ordinary Council Meetings**

The Chief Executive Officer provided the Council with a verbal update on the status of Action Items arising from the previous meeting, as well as outstanding action items from previous meetings.

➤ *Council adjourned for a lunch break from 12.10pm to 1.25pm*

**7. Mayor Report – February 2024**

The Mayor spoke to his February 2024 report to Council. The report was noted by Council.

**Action:**

Agenda for the March 2024 Ordinary Council meeting to include a deputation from the Chair of the Torres Strait Regional Authority (TSRA).

**8. Chief Executive Officer Report – February 2024**

The Chief Executive Officer spoke to his February 2024 report to Council. The report was noted by Council.

**9. CORPORATE SERVICES: Community Grants Program Allocation – February 2024**

**OFFICER RECOMMENDATION:**

*Council resolves to:*

- (a) *allocate Community Grants Program funding to the following applicants in accordance with the Community Grants Policy:*
  - *Dengham Elisala for the eligible amount of \$2,500, exclusive of GST;*
- (b) *allocate \$882 from the current available balance for Badu Community for the application of the Dhahdin Geai Warriors and \$9, 118 support from the Community Gifts (CEO) available funds or consider funds from other Division funds;*
- (c) *note the report of grant applications processed out-of-cycle and funeral donations provided in February 2024 in accordance with the Community Grants policy.*

Council noted the report of grant applications processed out-of-cycle and funeral donations provided in February 2024 in accordance with the Community Grants policy.

**RESOLUTION**

*Moved: Cr Conwell Tabuai*

*Second: Cr Keith Fell*

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

- **Dengham Elisala for the eligible amount of \$2,500, exclusive of GST.**

**CARRIED UNANIMOUSLY**

**RESOLUTION**

*Moved: Cr Rocky Stephen*

*Second: Cr Ranetta Wosomo*

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

- **allocate \$882 from the current available balance for Badu Community for the application of the Dhahdin Geai Warriors; and**
- **\$9, 118 support from the Mayor's Fund.**

**CARRIED UNANIMOUSLY**

**10. CORPORATE SERVICES: Funding Acquisition Report (January 2024)**

**OFFICER RECOMMENDATION:**

*That Council resolves to note this report and its content.*

Ms Susanne Andres (Executive Director Corporate Services) spoke to this report. The report was noted by Council.

**11. MOVE INTO CLOSED BUSINESS**

**RESOLUTION**

*Moved: Cr Lama Trinkoon*

*Second: Cr Keith Fell*

**Council resolves to close the meeting to the public pursuant to *Section 254J of the Local Government Regulation 2012* to allow the Council to discuss items listed on the agenda under Closed Business and for the reasons outlined under those items.**

**CARRIED UNANIMOUSLY**

**14. MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION**

Moved: Cr Keith Fell

Second: Cr Hilda Mosby

That Council resolve to re-open the meeting to the public pursuant to *Section 254I of the Local Government Regulation 2012*.

**CARRIED UNANIMOUSLY**

**15. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED BUSINESS**

**12. CORPORATE SERVICES: Fuel & Fleet Update**

The Executive Director Corporate Services (Ms Susanne Andres) spoke to this report. The report was noted by Council.

**13. ENGINEERING SERVICES: Capital Works Projects Update**

The Executive Director Engineering Services (Mr David Baldwin) spoke to this report. The report was noted by Council.

**16. FINANCIAL SERVICES: Financial Dashboard Report - December 2023**

**OFFICER RECOMMENDATION:**

*That the Council receive and endorse the monthly financial statements attached to the Officer's Report for the 2023-2024 year to date, for the period ended 31 December 2023, as required under Section 204 Local Government Regulation 2012.*

**RESOLUTION**

Moved: Cr Hilda Mosby

Second: Cr Rocky Stephen

That the Council receive and endorse the monthly financial statements attached to the Officer's Report for the 2023-2024 year to date, for the period ended 31 January 2024, as required under *Section 204 Local Government Regulation 2012*.

**CARRIED UNANIMOUSLY**

**17. BUSINESS ARISING (from Information Reports)**

Nil.

**18. STRATEGIC MATTERS**

- (a) Cr Conwell Tabuai raised concerns about official work assets being utilized by staff of funded organisations for private/personal use, rather than making those assets available as required to service the needs of community.

**Action:**

Chief Executive Officer to arrange follow-up on this matter with Cr Tabuai.

- (b) Cr Keith Fell advised that there are currently problems with external agencies being unable to access the Council's Visitor Information Portal when requesting to visit Divisions. The Executive Director Community Services advised Council that there is a glitch in the system and Council's Information Technology team are currently working on the issue.



- (c) Cr Getano Lui (Jnr) AM asked Councillors to be mindful that there is an increasing level of drug trafficking throughout the Pacific, with Papua New Guinea being the main transit site into Australia (through the Torres Strait). Methamphetamine, heroin, and cocaine trafficking is on the rise, along with marijuana.

The dire economic circumstances and the limited job prospects in some of the Papua New Guinea communities make vulnerable individuals within those communities more susceptible to the lure of the cash incentives being offered by the drug cartels for people to traffic drugs.

Cr Lui urged Councillors to be mindful of the growing drug trafficking issue and to be vigilant in ensuring that applications submitted to them to approve traditional visits are genuine applications for that purpose.

- *The Mayor was unable to participate further in the Council Meeting due to technology and phone issues and requested the Deputy Mayor to Chair the meeting in his absence.*
- *The Deputy Mayor assumed the Chair at 3.10pm.*

The Deputy Mayor further added that another potential border issue may be asylum seekers/people smugglers using the Torres Strait to gain entry into Australia, as he was concerned about recent influx of asylum seekers arriving in Western Australia and the Northern Territory.

**19. Next Council Meeting Date: 5-6 March 2024 (Iama)**

Noted by Council.

**20. Official Close & Prayer**

The Deputy Mayor thanked Councillors, Executives and Staff for their contributions for this meeting and he looked forward to welcoming Council to Iama. The Deputy Mayor also urged Councillors to look out for a monument at the Iama airstrip worth viewing for the history recorded on it.

The Deputy Mayor formally closed the meeting at 3.30pm. Cr Keith Fell delivered the closing prayer.

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

.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date:



# Strategic Advisory Reference Group Meeting

## Minutes

**Date:** 19 & 22 January 2024

**Time:** 9.00am to 4.00pm

**Venue:** Level 3, 111 Grafton Street,  
Cairns

## Day 1 – Friday, 19 January 2024

### PRESENT:

#### Mayor / Chairperson

Culture, Arts, Land & Heritage Committee  
Governance & Leadership Committee  
Climate Change Adaptation & Environment Committee  
Economic Growth Committee

Cr Phillemon Mosby  
Cr Ranetta Wosomo  
Cr Getano Lui (Jnr) AM - **Deputy Mayor**  
Cr Hilda Mosby – *joined the meeting by dial-in at 9.30am*  
Cr Rocky Stephen

### APOLOGIES:

Housing and Safe & Healthy Communities Committee

Cr Keith Fell

### OFFICERS:

Chief Executive Officer  
Executive Director Building Services  
Executive Director Community Services  
Acting Executive Director Corporate Services  
Acting Executive Director Engineering Services  
Executive Director Financial Services  
Executive Support Coordinator  
Executive Assistant to the Mayor  
Secretariat

Mr James William  
Mr Wayne Green – *joined meeting at 11.55am*  
Mr Dawson Sailor  
Mr Gary Stevenson PSM  
Mr Adeah Kabai  
Ms Hollie Faithfull – *joined meeting at 11.55am*  
Ms Sharon Russell  
Ms Trudy Lui  
Darryl Brooks

### GUEST SPEAKER:

Democracy Matters

Ms Sandy Killick – *joined meeting by dial-in at 10.30am*

**1. Welcome | Quorum Confirmation | Opening Prayer**

The Mayor opened the meeting at 9.15am, noting that a quorum of members was established.

The Mayor welcomed Committee Members and TSIRC staff and made acknowledgements to traditional owners throughout Zenadth Kes.

The Mayor also made a special acknowledgement to Council's Engineering staff who were on call over the shutdown period in order to maintain operations right across the TSIRC footprint for our communities. The Mayor asked the Acting Executive Director Engineering Services (Mr Adeah Kabay) to convey these sentiments to his staff.

The Mayor also thanked and acknowledged the Deputy Mayor for his leadership of Council towards the end of 2023 during the Mayor's convalescence.

Cr Getano Lui (Jnr) AM delivered the opening prayer.

The Chief Executive Officer added a special acknowledgement of thanks to the Acting Director Corporate Services (Mr Gary Stevenson PSM) for the preparation of papers for this special SARG Meeting for agreeing to fill the role of Executive Director Corporate Services in the short-term prior to the appointment of Ms Andres and for his invaluable contributions to the role during that time.

**2. Apologies**

The following apology was noted:

Housing and Safe & Healthy Communities Committee

Cr Keith Fell

**RESOLUTION**

*Moved: Cr Ranetta Wosomo*

*Second: Cr Rocky Stephen*

**Council accepts the apology of the Chairperson of the Housing and Safe and Healthy Communities Committee, Cr Keith Fell, for Day 1 of the January 2024 SARG Committee Meeting.**

**CARRIED UNANIMOUSLY**

**3. Conflict of Interest (COI) – Declarable/Prescribed**

Mayor Mosby requested that members make any relevant conflict of interest declarations and advise if any relevant legal proceedings were current pertaining to Committee business to be considered at the meeting.

**Cr Rocky Stephen** advised that he had a COI and Material Personal Interest in relation to AI 13 (Enterprise Divestment and Licence Fee Waivers) as he and his Brother (Pau Stephen) own Brother Bear Cafe and Catering Service and their business submitted a formal expression of interest to TSIRC for the Ugar Community Hall Kitchen.

**4. Ratified Minutes of Previous Meeting (June 2023)**

**RESOLUTION:**

*Moved: Cr Rocky Stephen*

*Seconded: Cr Ranetta Wosomo*

**The Committee notes the Ratified Minutes of the SARG Meeting held on 6 June 2023.**

**CARRIED UNANIMOUSLY**

The Deputy Mayor expressed concern that no SARG Committee meetings were held in the period July-December 2023. The Mayor agreed that this was unacceptable and that all Committee members will need to prioritise their attendance at future meetings. The Mayor added that he has sent an email request to SARG members requesting feedback on what has worked/not worked with the Council's Committees and how any improvements can be suggested for the incoming Council to consider.

## 5. Action Items from Previous Meeting

The Committee noted the verbal updates provided by the Chief Executive Officer and other Executives.

The Mayor noted that a number of outstanding action items have been overtaken by other events and requested that the Chief Executive Officer provide him with a copy of all action items arising from future SARG Committee meetings, as well as Trustee Council and Ordinary Council meetings within the standard 10 day deadline used for posting of draft Minutes.

### Action/s:

Chief Executive Officer to provide Mayor with a copy of all action items arising from future SARG Committee meetings, as well as Trustee Council and Ordinary Council meetings within the standard 10 day deadline used for posting of draft Minutes.

- *In the absence of Cr Keith Fell (Chair of the Housing and Safe & Healthy Communities Committee) for Day 1 of the meeting, the SARG Committee elected to verbally discuss the remaining nominated agenda items and take formal decisions on these items on Day 2 of the meeting when Cr Fell is present.*
- *Ms Sandy Killick (Democracy Matters) dialled into the meeting at 10.30am. The Committee elected to move directly to Agenda Item 10 (Advancing the Masig Statement) to accommodate Ms Killick's limited availability.*
- *Ms Killick discussed her report to date with the Committee and recommended:*
  - (i) *that Council 'experiment its way forward' with advancing the Masig Statement as all of the reports, evidence and knowledge behind Council and now it is about taking action between now and the Year 2037, citing Council's Housing Pilot as a brilliant example of the 'Look, Listen, Adapt' approach and it is a matter of finding more of those pilot initiatives in order to show government and partners that they have nothing to fear about self-determination, regional governance and sovereign rights when dealing with the Torres Strait region.*
  - (ii) *Ms Killick further recommended that Council adopt the proposed Action Plan (2024-2028) and flesh it out in the most appropriate way to ensure effective handover for the incoming Council after each local government election.*
- *Ms Killick dialled out of the meeting at 11.40am.*
- *The Committee resumed its verbal discussions around the agenda items.*

**Action/s:**

Executive Director Corporate Services to prepare a letter to the Australian Ambassador for First Nations People (Mr Justin Mohamed) seeking support to champion TSIRC's aspirations in relation to matters such as Regional Governance, Treaty, Native Title (DOGIT), the Masig Statement and other key strategic initiatives.

- *The Committee paused deliberations to take lunch from 12.15pm to 1.15pm.*
- *The Committee resumed deliberations on the remaining agenda items and the Mayor formally closed Day 1 at 4.00pm.*

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## Day 2 – Monday, 22 January 2024

### PRESENT:

#### **Mayor / Chairperson**

Culture, Arts, Land & Heritage Committee  
Governance & Leadership Committee  
Climate Change Adaptation & Environment Committee  
Economic Growth Committee  
Housing and Safe & Healthy Communities Committee

Cr Phillemon Mosby  
Cr Ranetta Wosomo  
Cr Getano Lui (Jnr) AM - **Deputy Mayor**  
Cr Hilda Mosby  
Cr Rocky Stephen  
Cr Keith Fell

### APOLOGIES:

Nil

### OFFICERS:

Chief Executive Officer  
Executive Director Building Services  
Executive Director Community Services  
Executive Director Corporate Services  
Executive Director Engineering Services  
Executive Director Financial Services  
Executive Assisting the Executive Director Corporate Services  
Executive Support Coordinator  
Executive Assistant to the Mayor  
Secretariat

Mr James William  
Mr Wayne Green  
Mr Dawson Sailor  
Ms Susanne Andres  
Mr David Baldwin  
Ms Hollie Faithfull  
Mr Gary Stevenson PSM  
Ms Sharon Russell  
Ms Trudy Lui  
Darryl Brooks

### INVITED GUEST:

Division 10 – Warraber

Cr Kabay Tamu

- *For Day 2 of the meeting, the SARG Committee elected to follow the agenda from Item 6 onwards as appropriate.*

- *Welcome / Quorum Confirmation / Opening Prayer*

Mayor Mosby opened the meeting at 9.25am, noting that all Committee members were present.

The Mayor welcomed Committee Members and TSIRC staff and made acknowledgements to traditional owners and families throughout Zenadth Kes and in Cairns, as well as the traditional custodians of the Cairns region where the SARG Committee is meeting.

The Mayor summarized the term of this Council as a lesson on how Council has managed to stand together as one and how the Council collaborated in solidarity. The Year 2024 now allows the Council to reflect on 2023 and the lessons learned and the Mayor looks forward to working productively with Councillors and staff up to the local government elections.

The Deputy Mayor, Cr Getano Lui (Jnr) AM, delivered the opening prayer.

The Mayor paid special acknowledgement to the Executive Assisting the Executive Director Corporate Services (Mr Gary Stevenson PSM) for his contributions during the past couple of months in his role as the former Acting Executive Director Corporate Services. The Mayor also formally welcomed the newly appointed Executive Director Corporate Services (Ms Susanne Andres).

The Mayor also extended his best wishes to the Executive Director Engineering Services (Mr David Baldwin) and his family and wished them a full and speedy recovery from the impacts of the recent cyclone on their home. The Mayor also reaffirmed the Council's deepest appreciation of the commitment of the Engineering Services team who were on call over the shutdown period in order to maintain operations right across the TSIRC footprint.

- *Apologies (Day 2)*

Nil.

- *Conflict of Interest (COI) – Declarable/Prescribed*

Mayor Mosby requested that members make any relevant conflict of interest declarations and advise if any relevant legal proceedings were current pertaining to Committee business to be considered at the meeting. No declarations were made.

## **6. CORPORATE SERVICES: Community Radio**

### **RESOLUTION**

Moved: Cr Ranetta Wosomo

Second: Cr Hilda Mosby

**The SARG Committee endorses the recommendation of the Culture, Arts, Land and Heritage Committee and recommends to Council that:**

- 1. the renewal of licenses update be noted;**



2. the representations made to the Australian Communications and Media Authority be endorsed;
3. the Chief Executive Officer be authorised to facilitate an expression of interest process to identify a suitable service broadcaster; and
4. the Chief Executive Officer be requested to present expressions of interest to the Council as soon as practicable after the 2024 local government election for consideration of a recommendation to Council in April/May 2024.

**CARRIED UNANIMOUSLY**

**7. CORPORATE SERVICES: Economic Development Strategy (*verbal discussion*)**

The Executive Assisting the Executive Director Corporate Services (Mr Gary Stevenson PSM) spoke to this report, advising the Committee that a revised scope will need to be developed by Lucid Economics and then considered by the Economic Growth Committee prior to presentation to Council, as the original scope for this project needed to change. This development can proceed unincumbered by the Caretaker Period arrangements as funding for this project has been secured and is in place until 30 June 2024. The Strategy involves careful community consultation throughout its development.

**RESOLUTION**

*Moved: Cr Ranetta Wosomo*

*Second: Cr Hilda Mosby*

**The SARG Committee notes the update.**

**CARRIED UNANIMOUSLY**

**8. CORPORATE SERVICES: Elphinstone Matters (*verbal discussion*)**

The Chief Executive Officer spoke to this item advising the Committee that Elphinstone needs some critical strategic planning to be undertaken to properly identify the pathway to get the best use out of the facility for it to be a potential revenue source.

The Mayor requested that a brief be prepared for the February 2024 Ordinary Council Meeting providing Council with an update on Elphinstone.

**Action/s:**

1. Executive Director Corporate Services to prepare a brief for the upcoming Economic Growth Committee Meeting which includes the original business case for Elphinstone.
2. Executive Director Corporate Services to prepare a brief for the February 2024 Ordinary Council Meeting providing Council with an update on the Elphinstone asset.

**9. CORPORATE SERVICES: Transport Options – Ugar and Dauan Business Case**

The Executive Assisting the Executive Director Corporate Services (Mr Gary Stevenson PSM) spoke to this report, advising that the Economic Growth Committee has requested that the scope of the business case be revised. The revised scope was endorsed at the December 2023 meeting of the Economic Growth Committee and has since been provided to three companies for quotes to be submitted by 31 January 2024.

It is expected that the quotes will be considered at the Economic Growth Committee meeting in February 2024. The Economic Growth Committee will then recommend a proposal to Council for endorsement which will include a full community consultation process. Funding for the project has been secured up until 30 June 2024.

Cr Rocky Stephen acknowledged the valuable input provided by the Economic Growth Committee Members (Cr Jimmy Gela and Cr Conwell Tabuai) as well as Cr Torenzo Elisala which has guided this process to this point. Cr Stephen also thanked the former Acting Executive Director Corporate Services (Mr Gary Stevenson PSM) for driving the project to this stage in such a short period of time.

**RESOLUTION**

*Moved: Cr Hilda Mosby*

*Second: Cr Keith Fell*

**The SARG Committee notes the update.**

**CARRIED UNANIMOUSLY**

**10. CORPORATE SERVICES: Advancing the Masig Statement**

**RESOLUTION**

*Moved: Cr Rocky Stephen*

*Second: Cr Hilda Mosby*

**That Committee recommends to Council that:**

- 1. The report entitled "Advancing the Masig Statement - a 100 year journey to Ailan governance" be adopted and that the Council expresses its appreciation to its author Ms Sandy Killick of Democracy Matters;**
- 2. The Chief Executive Officer be requested to strengthen the report by describing the process of drafting, agreeing and endorsing the Masig Statement which would allow regional stakeholders to identify with the document;**
- 3. The Masig Statement Action Plan be adopted;**
- 4. The Chief Executive Officer be requested to allocate action responsibilities to relevant officers for further development of the actions, outcomes and timing;**
- 5. The Chief Executive Officer be requested to incorporate the report findings into relevant strategic Council documents including the next version of Council's Corporate Plan;**
- 6. The Chief Executive Officer be requested to prepare and submit to Council, a three-year Advocacy Strategy with a clear focus on the Commonwealth Government's next election to secure support/commitment to meaningfully advance the attainment of Masig Statement objectives no later than the end of May 2024;**
- 7. The Chief Executive Officer be requested to prepare and submit to Council, a three-year Community Engagement Strategy (including activation of the regional Taskforce) to engender community awareness and enduring commitment to meaningfully influence relevant Commonwealth and State Government policy and financial settings no later than the end of May 2024;**
- 8. The Chief Executive Officer be requested to change Council's website to include a dedicated page called "The journey to Ailan sovereignty by 2037" no later than end of May 2024, with the web page to include promotion of the Action Plan, the Advocacy Strategy and the Community Engagement Strategy and that the case study 'Delivering climate suitable, healthy and affordable housing the Ailan way' be published as an example of a 'look, listen, adapt approach' and that other case studies using the Ailan Way be added over time;**
- 9. The Chief Executive Officer be requested to include adequate provision in the draft 2024/25 operational budget to facilitate the implementation of relevant stages of the Action Plan and the implementation of the Advocacy Plan and the Community Engagement Plan; and**
- 10. The Chief Executive Officer be requested to report to Council post-election on the merit of establishing a role for one of Council's Standing Committees to monitor progress on advancing the Masig Statement.**

**CARRIED UNANIMOUSLY**

**11. MOVE INTO CLOSED BUSINESS**

**RESOLUTION**

Moved: Cr Rocky Stephen

Second: Cr Ranetta Wosomo

The Committee resolves to close the meeting to the public pursuant to *Section 254J of the Local Government Regulation 2012* to allow the Committee to discuss items listed on the agenda under Closed Business and for the reasons outlined under those items.

**CARRIED UNANIMOUSLY**

**16. MOVE OUT OF CLOSED BUSINESS**

**RESOLUTION**

Moved: Cr Ranetta Wosomo

Second: Cr Rocky Stephen

The Committee resolves to move out of closed business and resume in open business

**CARRIED UNANIMOUSLY**

**17. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED BUSINESS**

**12. CORPORATE SERVICES: Torres Strait Islander Flag Policy**

**RESOLUTION**

Moved: Cr Ranetta Wosomo

Second: Cr Hilda Mosby

The Committee recommends that Council:

1. Decline statutory licensing royalties from the Copyright Agency on the basis of Council's policy that Council does not seek any financial reimbursement for the use of the Torres Strait Islander flag image; and
2. Endorse the draft Torres Strait Islander Flag Policy for the purposes of undertaking a community consultation process.

**CARRIED UNANIMOUSLY**

- Cr Rocky Stephen advised the Committee that he had a COI and Material Personal Interest in relation to AI 13 (Enterprise Divestment) as he and his Brother (Pau Stephen) own Brother Bear Cafe and Catering Service and their business submitted a formal expression of interest to TSIRC for the Ugar Community Hall Kitchen.
- The Committee agreed that Cr Stephen remain in the meeting during deliberation of Agenda Item 13, but will be required to excuse himself prior to endorsement of a resolution.

**RESOLUTION**

Moved: Cr Ranetta Wosomo

Second: Cr Hilda Mosby

The Committee agrees that Cr Rocky Stephen should remain present during deliberation of Agenda Item 13 (Enterprise Divestment), but shall vacate the meeting prior to endorsement of a resolution by the Committee.

**CARRIED UNANIMOUSLY**

- Cr Rocky Stephen remained present during deliberations, then departed the meeting at 10.25pm prior to endorsement of the resolution.

**13. CORPORATE SERVICES: Enterprise Divestment**

**RESOLUTION**

*Moved: Cr Ranetta Wosomo*

*Second: Cr Hilda Mosby*

**The Committee recommends that this matter be deferred for consideration until after the 2024 Local Government elections.**

**CARRIED UNANIMOUSLY**

- *Cr Rocky Stephen returned to the meeting at 10.27am following endorsement of the above resolution.*

**Action/s:**

Executive Director Corporate Services (in consultation with the Economic Growth Committee) to prepare a brief for the February 2024 Ordinary Council Meeting in relation to Council's Enterprise Divestment Policy.

**14. CORPORATE SERVICES: Mirabou Energy – Renewable Energy Project**

**RESOLUTION**

*Moved: Cr Ranetta Wosomo*

*Second: Cr Hilda Mosby*

**The Committee recommends that Council:**

**1. Affirms Council's overall objectives as follows:**

- to facilitate and support the establishment of a commercially sustainable business model for microgrids comprising Behind the Meter (BTM) renewable energy (solar) and controlled demand infrastructure and grid Battery Energy Storage System (BESS) units across all Torres Strait Island communities;
- to make a substantial improvement to community air pollution standards by contributing to reducing greenhouse gas emissions, and
- to provide a platform for employment and the professional development of Torres Strait Islanders in the renewable energy and electricity sector;

**2. Acknowledges the perceived conflict of interest of the Chief Executive Officer and that his involvement in the Mirabou Energy - Renewable Energy Project will be managed by continued consultation with members of the Executive Leadership Team and with the oversight of the Mayor;**

**3. Affirms Council's support in principle for the Mirabou Energy - Renewable Energy Project subject to the following to be pursued in strategic partnership with Mirabou Energy Pty Ltd and Mirabou Energy Remote Power Systems Pty Ltd in a timely manner:**

- due diligence investigations into key implications and risks;
- statutory approvals being obtained as required;
- statutory compliance being achieved;
- appropriately planned and staged community engagement; and
- satisfactory negotiation of the Master Agreement in good faith;

**4. Instructs the Chief Executive Officer in consultation with the Executive Leadership Team to undertake the following with progressive reporting to Council:**

- conduct due diligence investigations into key implications and risks;

- make appropriate enquiries and take necessary steps to obtain relevant statutory approvals;
  - ensure Council's statutory compliance is achieved at all times;
  - prepare and implement plans for staged community engagement, particularly for Pilot communities;
  - negotiate the terms of a Master Agreement with due regard for Council's financial and reputational risks and its sustainable involvement in the project (short-term and long-term); and
  - report back to Council with draft Master Agreement for Council's approval.
5. Acknowledges Mirabou Energy's proposal for Council to apply a procurement exemption under section 235(b) of the *Local Government Regulation 2012* for delivery of the Master Agreement, but declines to do so until such time that it is satisfied that matters identified in recommendation 4 are progressed sufficiently.
6. Acknowledges Mirabou Energy's late proposal for the following specific minor projects to be undertaken at Council's cost as practical interim progress towards the overall project objectives while due diligence and negotiation on the Master Agreement takes place:
- Site Inspection and Design (one island); and
  - Council's Energy Requirements Analysis;
7. Acknowledges that the Chief Executive Officer in consultation with the Executive Leadership Team intends to negotiate terms with Mirabou Energy Pty Ltd and Mirabou Energy Remote Power Systems Pty Ltd to deliver the following projects within operational budget capacity, in accordance with Procurement and Ethical Sourcing Policy requirements and in particular ensuring that they offer value for money:
- Site Inspection and Design (one island); and
  - Council's Energy Requirements Analysis;
8. Resolves that because of the specialised nature of the following services, it would be impractical within the required timeframe to invite quotes:
- Site Inspection and Design (one island); and
  - Council's Energy Requirements Analysis.

**CARRIED UNANIMOUSLY**

- *Cr Kabay Tamu commended the progress on this matter as it was one of the aspirations of Council in this space to transition into renewable energy and setting examples of how even smaller regions can step up and do their part in alleviating the impacts of climate change.*
- *Cr Keith Fell sought advice about any concerns about how the perceived conflict of interest of the Chief Executive Officer and that his involvement in the Mirabou Energy - Renewable Energy Project is to be managed.*
- *The Executive Assisting the Executive Director Corporate Services (Mr Gary Stevenson PSM) responded by saying that it was important for the community to note that the issue of the CEO's perceived conflict of interest is noted in the decision of the Committee, in order for the community to see that any conflicts are being managed by Council (refer specifically to paragraph 2 of the recommendation). Council's responsibility is to ensure that any perceived conflict of interest is disclosed and mechanisms are in place for it to be managed.*

- *Cr Rocky Stephen requested that the Economic Growth Committee and the Climate Change Adaptation and Environment Committee are kept informed of progress on this matter.*

**15. CORPORATE SERVICES: Beneficial Enterprise Proposal**

**RESOLUTION**

Moved: Cr Ranetta Wosomo

Second: Cr Rocky Stephen

**The Committee recommends that Council:**

- 1. Supports in principle the establishment of a beneficial enterprise to deliver services under the Commonwealth Government's Community Development Program,**
- 2. Acknowledges the proposed joint venture by Enterprise Management Group Pty Ltd,**
- 3. Authorises the Chief Executive Officer to negotiate and execute a non-binding Memorandum of Understanding with Enterprise Management Group Pty Ltd with a relatively focussed scope,**
- 4. Requests the Chief Executive Officer to undertake the following in a timely manner;**
  - **Conducting due diligence investigations into legal, financial, regulatory, and operational aspects,**
  - **Preparing joint venture business plans including (but not limited to) budgets, policies, procedures and strategic and operational plans,**
  - **Negotiating joint venture agreements including (but not limited to) constitution, shareholders' agreement, deed of confidentiality, dividend policy and service plans,**
  - **Making appropriate enquiries and take necessary steps to obtain relevant statutory approvals,**
  - **Ensuring Council's statutory compliance is achieved at all times,**
  - **Preparing community engagement plans, and**
  - **Preparing an Advocacy and Engagement Plan to engage with Commonwealth Government about Community Development Program reform opportunities.**
- 5. Requests the Chief Executive Officer to report back to Council at the earliest opportunity as developments require Council determination.**

**CARRIED UNANIMOUSLY**

**18. Day 1 - Closing Remarks & Prayer**

N/A

**19. Treaty Management Issues**

Cr Keith Fell raised an issue on behalf of Cr Conwell Tabuai in relation to an emerging issue about stealing and other matters which are getting worse on Saibai. The offences are being committed by traditional inhabitant visitors from Papua New Guinea and the offenders are being protected by Saibai Island families related to the offenders (hiding offenders in their homes so they cannot be apprehended under 'traditional trespass laws').



There is concern that relevant Australian Treaty agencies (such as DFAT, Border Force, the AFP and others) are aware of these matters, but are unable or are unwilling to use enforcement.

The Deputy Mayor confirmed that he has also met with Australian authorities on-ground at Saibai to raise a number of similar concerns which elders in the Saibai community are asking to be resolved. Traditional inhabitant visitors from Papua New Guinea are setting up shacks, tents, huts, etc. on Saibai to pursue commercial activities with buyers who are coming in from Indonesia.

The Deputy Mayor suggested that the 'free movement' aspects of the Treaty are now being totally abused by the next generations. The 'free movement' aspects of the Treaty were originally devised by the elders at the time and were based on trust and respect by all parties concerned. The Deputy Mayor added that 'free movement' should really be reworded as 'traditional movement' as the term 'free movement' is misleading and misinterpreted as being free to move whenever and wherever you want.

The Deputy Mayor also advised that much more work still needs to be done with Australian authorities and Torres Strait Island communities to clarify interpretations around other aspects in relation to border matters (i.e. border closed/border suspension) with simple everyday language used.

The Deputy Mayor also advised that the Treaty arrangements are being abused by rogue elements from Papua New Guinea, including instances where Australians are subject to 'threats' from Papua New Guinea people around illegal fishing (shaking machettes in a threatening manner when collecting beche-de-mer). Cr Keith Fell also added that banned nationals from Papua New Guinea (Section 16) are still entering Australia.

**Action/s:**

Chief Executive Officer to prepare communication with DFAT's Treaty Liaison Office to formalise TSIRC concerns in relation to Treaty issues, specifically the current situation on Saibai Island and other matters.

**20. Safe & Healthy Housing Committee – (Verbal Update)**

Not discussed

**21. General / Other Business (on notice)**

Nil.

**22. Next Meeting Date: 6 February 2024**

The Committee noted the next meeting date of 6 February 2024.

**23. Closing Remarks & Prayer**

The Mayor closed the meeting at 12.45pm, thanking the Deputy Mayor for his leadership in standing in for the Mayor during the past few months. Cr Rocky Stephen delivered the closing prayer.

.....  
Mr James William  
Chief Executive Officer

.....  
Cr. Phillemon Mosby  
Mayor

Torres Strait Island Regional Council  
Date:

Torres Strait Island Regional Council  
Date:

DRAFT





# Climate Change Adaptation & Environment Committee Meeting

## Minutes

**Date:** 19 February 2024

**Time:** 10.00am to 12.00nn

**Venue:** **TEAMS MEETING**  
Meeting ID: 451 948 283 089  
Passcode: EBd6ee

# Minutes

TSIRC Climate Change Adaptation & Environment Committee Meeting – 19 February 2024

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## 1. Welcome & Quorum Confirmation (Chair)

The Chairperson welcomed Committee Members and TSIRC staff.

## 2. Opening Prayer

Cr Dorante delivered the opening prayer.

## 3. Attendance / Apologies

Cr Kabay Tamu was an apology for this meeting.

The following attendances were noted:

### Chairperson & Committee Members

Chairperson

Cr Hilda Mosby

Member

Cr Seriako Dorante

### TSIRC Officers

Executive Director – Engineering Services

Mr David Baldwin

Engineer, Waste & Sustainability – Engineering Services

Mr Jarrah Doran-Smith

TSIRC Secretariat

Darryl Brooks

- *Cr Dorante advised the Chairperson that he can only participate in the Committee meeting until 11.00am due to his other work commitments.*

## 4. Conflict of Interest (COI) – Declarable/Prescribed

The Chairperson invited Committee Members to make any relevant conflict of interest declarations. No declarations were made.

## 5. Ratified Minutes of Meeting held on 14 September 2023

The Committee noted the Ratified Minutes from the 14 September 2023 which were provided for background/reference purposes.

## 6. Action Items from Previous Meeting

The Committee noted that there were no outstanding action items for the Committee.

# Minutes

TSIRC Climate Change Adaptation & Environment Committee Meeting – 19 February 2024

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## 7. Priority Recommendations for Incoming Council

The Chairperson advised the Committee that at the January 2024 SARG meeting, the Mayor requested feedback from all Council committees on the following matters:

- What has worked/not worked for the individual committees and their members in terms of progressing strategic matters assigned to the committees;
- Suggested improvements to committee processes for incoming Council consideration;
- Current and future priority projects, status, and next steps for incoming Council consideration; and
- Challenges.

The Executive Director Engineering Services (Mr David Baldwin) suggested that the Committee consider as part of its deliberations on this matter the information report to be discussed at Agenda Item 8 of this Committee meeting, as it highlighted various ongoing projects and initiatives and also highlights key actions and next steps required for those projects.

The Committee identified the following issues and considerations as priorities for the incoming Council:

- Waste Management/Biosecurity
- Erub Landfill Project
- Zenadth Kes Coastal Hazard Adaptation Strategy (CHAS) – Progressing with Outcomes
- Renewable Energy Solutions
- Development of holistic/long-term strategies to address the impacts of climate change (building homes on locations that are safe from rising water levels, i.e. planning for staged housing and infrastructure redevelopment, etc.)
- Council must also prioritise funding for appropriate TSIRC staffing resources for positions with expertise in town planning/strategic planning as well as overall strategic policy expertise to mitigate the impacts of climate change.

The Chairperson also suggested that any future Committees that are established by the incoming Council be able to draw on appropriate TSIRC resources to build the Committee's capacity to have access to as much information as possible across all Council operations.

## 8. Information Report – Environmental Initiatives & Projects

The Executive Director Engineering Services (Mr David Baldwin) spoke to this report. The Committee noted the report.

# Minutes

TSIRC Climate Change Adaptation & Environment Committee Meeting – 19 February 2024

Page 4 of 5

## 9. General / Other Business (on notice)

The Executive Director Engineering Services (Mr David Baldwin) asked the Committee to note that a current and ongoing risk for the work of the Climate Change Adaptation and Environment Committee is the limited staffing resources and expertise currently available within TSIRC to effectively address climate change challenges. TSIRC would benefit from a Town Planning/Land Use professional to assist longer term planning and actions to address climate change impacts to communities.

- *Cr Dorante advised the Chairperson at 11.00am that he had to be excused from the meeting to attend to his work commitments.*
- *The Chairperson therefore noted that Cr Dorante's departure meant that the Committee meeting would lack a quorum and would need to conclude.*
- *The Chairperson thanked Cr Dorante for his attendance and then delivered the closing prayer, before formally closing the meeting at 11.02am.*

## 10. CLOSE THE MEETING TO THE PUBLIC

N/A

## 11. Information Update: Mirabou Energy – Renewable Energy Project *(verbal update)*

N/A

## 12. REOPEN MEETING TO THE PUBLIC

N/A

## 13. CONSIDERATION OF MATTERS DISCUSSED IN CLOSED SESSION

N/A

## 14. Next Meeting Date: N/A

# Minutes

TSIRC Climate Change Adaptation & Environment Committee Meeting – 19 February 2024

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## 15. Closing Remarks & Prayer

N/A (see Agenda Item 9)

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

.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date:

DRAFT



# Strategic Advisory Reference Group Meeting

## Minutes

**Date:** 29 February 2024

**Time:** 10.00am to 11.15am

**Venue:** **TEAMS MEETING**  
Meeting ID: 434 846 764 375  
Passcode: WyU2X3

**PRESENT:**

**Mayor / Chairperson**

Climate Change Adaptation & Environment Committee  
Culture, Arts, Land & Heritage Committee  
Economic Growth Committee  
Governance & Leadership Committee  
Housing and Safe & Healthy Communities Committee

Cr Phillemon Mosby  
Cr Hilda Mosby  
Cr Ranetta Wosomo  
Cr Rocky Stephen  
Cr Getano Lui (Jnr) AM - **Deputy Mayor**  
Cr Keith Fell

**OFFICERS:**

Chief Executive Officer  
Executive Director Building Services  
Executive Director Corporate Services  
Executive Director Financial Services  
Executive Support Coordinator  
Executive Assistant to the Mayor  
Secretariat

Mr James William  
Mr Wayne Green  
Ms Susanne Andres  
Ms Hollie Faithfull  
Ms Sharon Russell  
Ms Trudy Lui  
Darryl Brooks

**APOLOGIES:**

Executive Director Community Services  
Executive Director Engineering Services

Mr Dawson Sailor  
Mr David Baldwin

## 1. Welcome | Quorum Confirmation | Opening Prayer

The Mayor opened the meeting at 10.10am, noting that a quorum of members was established.

The Mayor welcomed Committee Members and TSIRC staff to the final SARG Committee meeting for this term of Council. The Mayor thanked Committee Chairs for their support, leadership and commitment to their respective portfolios and for their work through SARG.

The Mayor made the following acknowledgements:

- The Traditional Custodians throughout Zenadth Kes and the communities and constituents that Council serves;
- The Traditional Custodians of the Cairns region which hosts Council's Cairns footprint on Country; and
- Our Heavenly Father for his awesome wisdom, knowledge, understanding, favour and blessings throughout our lives, our families, our communities and upon our organisation.

The Mayor also conveyed to those members of the Torres Strait Islander community who may be observing Sorry Business at this time – whether in the homelands or on the Australian mainland – the thoughts and prayers of all Committee members.

The Mayor delivered the opening prayer.

## 2. Apologies

Nil.

## 3. Conflict of Interest (COI) – Declarable/Prescribed

Mayor Mosby invited participants to make any relevant conflict of interest declarations and to advise if any legal proceedings were current in relation to matters listed on the Committee agenda. No declarations were made.

## 4. Minutes of Previous Meeting (January 2024)

### RESOLUTION:

*Moved: Cr Hilda Mosby*

*Seconded: Cr Ranetta Wosomo*

**The Committee confirms the Draft Minutes (Day 1) of the SARG Meeting held on 19 January 2024.**

**CARRIED UNANIMOUSLY**

### RESOLUTION:

*Moved: Cr Hilda Mosby*

*Seconded: Cr Rocky Stephen*

**The Committee confirms the Draft Minutes (Day 2) of the SARG Meeting held on 22 January 2024.**

**CARRIED UNANIMOUSLY**

## 5. Action Items from Previous Meeting

The Chief Executive Officer (Mr James William) suggested to the Committee that the present listing of action items from previous SARG meetings will need to be suspended, pending a review around the subject matter, as many of the actions listed have either been superseded by events or require strategic implementation.



- *Cr Keith Fell advised the Mayor that he would need to leave the meeting for a short period before rejoining discussions. Cr Fell left the meeting at 10.20am and then rejoined the meeting at 10.25am.*

The Chief Executive Officer further advised that the complexity of some of the 'big ticket' items (i.e. economic growth actions, climate change actions and housing issues, DFAT and Treaty matters, the Masig Statement, etc.) which require strong and robust policy input for the purposes of conveying these matters informatively to relevant authorities strategically for action. Current action is being taken by TSIRC administration (Corporate Services) to recruit key personnel into the organisation to ensure that these actions are reframed accordingly.

This review of the action items list will then be presented to the incoming SARG Committee.

Cr Rocky Stephen supported this proposal by the Chief Executive Officer and the Committee accepted the Chief Executive Officer's recommendation.

## 6. CORPORATE SERVICES: Committees Review

### **OFFICER RECOMMENDATION:**

***That the Committee recommend the incoming Council:***

- a) take note of Council term 2020-2024 committee priorities and challenges;***
- b) note the SARG performance review for the 2020/24 Council term;***
- c) determine the structure and processes for its committees for the 2024-2028 Council term.***

The Executive Director Corporate Services (Ms Susanne Andres) spoke to this item.

The Deputy Mayor commented that this Council's Standing Committees have generated a spirit of inclusiveness and participation and have highlighted and helped this Council to develop and operate around the principles that drive the committee processes in decision-making and collaboration.

### **RESOLUTION**

*Moved: Cr Keith Fell*

*Second: Cr Hilda Mosby*

**The Committee recommends that Council recommends to the incoming Council:**

- a) take note of Council term 2020-2024 committee priorities and challenges;**
- b) note the SARG performance review for the 2020/24 Council term;**
- c) determine the structure and processes for its committees for the 2024-2028 Council term.**

**CARRIED UNANIMOUSLY**

### **Action/s:**

Executive Director Corporate Services to include as an attachment into the briefing paper "Committees Review" for the March 2024 Ordinary Council Meeting the table prepared by the Mayor and SARG Members following the January 2024 SARG meeting.

**7. CORPORATE SERVICES: Delegations (Waste Reduction and Recycling Regulation)**

**OFFICER RECOMMENDATION**

**1. Updates to existing delegations:**

*That, pursuant to section 257 of the Local Government Act 2009, the Strategic Advisory Reference Group (SARG) recommends that Council delegate to the Chief Executive Officer the exercise of powers under the Waste Reduction and Recycling Regulation 2023 (Qld) and these powers must be exercised subject to Ailan Kastom and any limitations contained in Schedule 2 of the attached Instrument of Delegation.*

The Executive Director Corporate Services (Ms Susanne Andres) spoke to this item.

**RESOLUTION**

*Moved: Cr Hilda Mosby*

*Second: Cr Keith Fell*

**1. Updates to existing delegations:**

**That, pursuant to section 257 of the Local Government Act 2009, the Strategic Advisory Reference Group (SARG) recommends that Council delegate to the Chief Executive Officer the exercise of powers under the Waste Reduction and Recycling Regulation 2023 (Qld) and these powers must be exercised subject to Ailan Kastom and any limitations contained in Schedule 2 of the attached Instrument of Delegation.**

**CARRIED UNANIMOUSLY**

**18. General / Other Business (on notice)**

Nil.

**19. Next Meeting Date: N/A**

The Committee noted that the incoming Council will determine future meeting dates.

**20. Closing Remarks & Prayer**

The Mayor stated that he has been humbled and proud to have had the opportunity during this SARG Committee to be surrounded and guided by such great leaders. There have been many lessons learned.

The Mayor also thanked the Chief Executive Officer and the Executive Directors for their contributions to the work of SARG and the other Standing Committees and expressed the appreciation of this Committee and its members on the leadership of the Chief Executive Officer in supporting and encouraging greater connection between the elected and administrative arms of TSIRC and hoped that this would continue as best practice into the upcoming term of Council.

The Deputy Mayor added his appreciation and thanks for the work of the Committee and its members during this term of Council, despite the constraints and challenges faced. We are now in a better position to move forward with the long overdue work required for our people. The Deputy Mayor reminded members that our work must always be ‘for the people’.

The Mayor closed the meeting at 10.50am and Cr Keith Fell delivered the closing prayer.

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

.....  
Cr Phillemon Mosby  
Mayor  
Torres Strait Island Regional Council  
Date:

DRAFT



## ORDINARY MEETING ACTION ITEMS

*[as at 21 Feb 2024]*

Agenda Item	Action	Action Area	Current Status
Jan 2024 Mtg  AI 7  Action Items	Chief Executive Officer to provide Mayor with a list of action items within the 10-day timeline following each meeting of Council.	CEO	
Jan 2024 Mtg  AI 21  Fuel & Fleet Update	<ol style="list-style-type: none"><li>1. Executive Director Corporate Services to follow up on a request from Cr Keith Fell for the Manager Fuel and Fleet to visit Mabuiag (and all Divisions preferably) for on-ground briefing in relation to local requirements.</li><li>2. Executive Director Corporate Services / Manager Fuel and Fleet to contact Cr Francis Pearson to provide an update on the fuel bowser situation on Poruma.</li><li>3. Executive Director Corporate Services to brief Council on contingency fuel supplies across the TSIRC footprint.</li></ol>	ED Corporate Services	<ol style="list-style-type: none"><li>1. In progress. Visitation plan being developed.</li><li>2. TBA</li><li>3. TBA</li></ol>
Jan 2024 Mtg  AI 30 (c)  Mail Deliveries	<p>Executive Director Community Services to follow-up discussions with Australia Post in relation to mail deliveries across the TSIRC footprint.</p> <ul style="list-style-type: none"><li>➤ Communities have lost confidence in the service being provided by Skytrans and it may be worth exploring other providers for this service.</li><li>➤ In addition, Councillors have also personally observed how mail is 'sitting' with Australia Post on Horn Island and not being delivered to Seaswift or to the air services to deliver to communities.</li><li>➤ It is an urgent issue for the community (i.e. drivers licences; Centrelink paperwork; etc are not being delivered to the community)</li></ul>	ED Community Services / ED Corporate Services	<p>Corporate Services have contacted Australia Post and are awaiting a reply.</p> <p>Hinterland have now commenced mail deliveries to Erub and Mabuiag under a temporary agreement with</p>

Agenda Item	Action	Action Area	Current Status
			Australia Post until 31/3/24. Skytrans will lift its restrictions on the two communities on 1/4/24.
Nov 2023 Mtg  AI 32(g)  Removal of Unwanted Persons	Executive Director Corporate Services (Legal Services) to prepare advice for the December 2023 Ordinary Council Meeting on the removal of unwanted persons from the community.  ➤ Important to include a clear definition on the term “unwanted person”	ED Corporate Services / Legal Services	No further developments.
Oct 2023 Mtg  AI 31 (c)  Business Arising (from Information Reports)	<u>Ugar Dredging Matters (Cr Rocky Stephen)</u>  November 2023 Council Workshop to consider options to address issues in relation to dredging matters for standard Ugar access.	ED Engineering Services	Ongoing. Off-shore disposal option being pursued and in discussions with consultant and contractors.
Sept 2023 Mtg  AI 7 Mayor Report	ED Corporate Services to explore social media options for Councillors to promote TSIRC News.	ED Corporate Services	In progress.
September 2023 Mtg  AI 16 Auditor-General Observation Report on the Interim Audit for the Y/E 30 June 2023	ED Corporate Services to oversee the review and update of the TSIRC Recruitment Policy to include the requirement for criminal history checks for positions that warrant a higher level of vetting as part of the recruitment process.	ED Corporate Services	In progress. Criminal history checks are already being carried out for relevant positions. Policy yet to be

Agenda Item	Action	Action Area	Current Status
			formally updated.
<p>Aug 2023 Mtg</p> <p>AI 8</p> <p>Action Items from Previous Meetings</p>	<p><u>(Refer also AI 34 of July 2023 Meeting – Garbage/Waste Collection Vehicle for Moa):</u></p> <ol style="list-style-type: none"> <li>1. Chief Executive Officer will obtain an update via Executive Director Engineering, regarding “Safety – Manual Handling” training.</li> <li>2. Executive Director Engineering and Acting Executive Director Corporate Services, in conjunction with the TSIRC Workplace Health and Safety Coordinator, to expedite interim safety procedures until a long-term solution can be arranged.</li> </ol>	<p>ED Engineering Services / ED Corporate Services (WHS Coordinator)</p>	<p>In progress. Priority being made for an interim replacement vehicle for Moa. Moa staff provided with refresher training on use of bins on trailers.</p> <p>Awaiting delivery of donated fleet from the Gold Coast Regional Council (this has been delayed due to non-arrival of Gold Coast R/C replacement fleet).</p> <p>1 x vehicle from the Gold Coast RC fleet has now arrived in Cairns and this is being prioritized for Moa.</p>

Agenda Item	Action	Action Area	Current Status
<p>July 23 Mtg</p> <p>AI 34</p> <p>General Matters</p>	<p><b>(6) Fuel Depot upgrade/repair for the ageing fuel infrastructure on Arkai (Kubin pods)</b></p> <p>Executive Director Engineering Services to explore short-term/long-term solutions.</p>	<p>Now being led by ED Corporate Services</p>	<p>In progress. Pod ready for delivery to Kubin. The issue is not 'ageing' infrastructure, as there is 'no infrastructure' (32km round trip for fuel supplies).</p> <p>A site at Kubin (near the wharf ramp) has now been identified and there are no native title issues to hinder progress.</p> <p>Currently considering the engagement of a specialist with the requisite skills to plan strategically about fuel and fleet (pending funds availability).</p>

Agenda Item	Action	Action Area	Current Status
	<b>(7) Asset Condition Report</b>  Acting Executive Director Corporate Services to prepare relevant correspondence to the TSRA around costings before the November 2023 TSRA Board Meeting (discuss with Cr Rocky Stephen prior to submission).	ED Corporate Services/ED Engineering Services	In progress. Peak Services to coordinate. No baseline data available.





# TORRES STRAIT ISLAND REGIONAL COUNCIL

## COUNCIL REPORT

**ORDINARY MEETING:** March 2024  
**DATE:** 05 March 2024  
**ITEM:** Agenda Item for Noting by Council  
**SUBJECT:** Building Services Update  
**AUTHOR:** Wayne Green – Executive Director TSIRC BSU

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### Recommendation:

Council resolves to note the Building Services Report for February 2024.

### Executive Summary:

This report provides an overview of the ongoing activities carried out by the Building Services Unit (BSU) during the reporting period of February 2024.

### Upgrade & HO Program:

BSU continues to initiate the tendering process for this financial year, Upgrade Works & Home Ownerships. Regular meetings with funding partners are being held to address challenges related to high delivery costs, extended timeframes for project completion and tender awarding.

#### Current Status (as of 26 February 2024)

Tenders Awaiting Approvals - 54

Upgrades – 44 projects (\$6.5m)

Home Ownerships – 10 projects (\$6.8m)

#### Upgrade and HO Program - Revenue Comparison July to January

	2022		2023		Variance
	\$	5,558,391.22	\$	2,673,753.95	-\$ 2,884,637.27

The above figures are based upon actual invoices and do not include accruals. They have been adjusted for capitalisations yet to be processed for 23/24 FY

Currently working with funding partners to forecast achievable end of financial year delivery.

Priority Upgrade works, in the Vacant and Dis-Mod (OT) work types, has been initiated for enhanced visibility and priority actions.

Strategies are continuing the implementation of planning for the delivery of the NAHA Upgrade program and Home Ownerships. These strategies encompass:

- Reviewing contractors' existing workloads
- Prioritising essential works
- Conducting bulk tendering for all upgrades in each community
- Holding contractors accountable through liquidated damages
- Reviewing and modifying contracts to mitigate risk to TSIRC (e.g., material, freight, flights, etc.)

### **R&M Program:**

The realignment of the Tier 1 stream has continually improved service delivery to our customers and most importantly our communities. This restructure has also led to increased revenue for TSIRC.

As of 26 February 2024, there is a backlog of maintenance work comprising 2016 tasks with a total value of approximately \$3 million that has been pending for over 30 days.

<b>R&amp;M Program - Revenue Comparison July to February</b>				
<b>2022/2023</b>		<b>2023/2024</b>		<b>Variance</b>
\$	6,936,581.38	\$	8,760,474.39	\$ 1,823,893.01
The above figures are based upon actual invoices and do not include accruals.				

### **Housing Investment Plan (Capital Housing Program) - \$14.4M:**

Stage 1 funding was released on September 27, 2022. In October 2023 Council resolved to deliver the program through a staged approach and in partnership with QBuild. Working closely with Community Services and identifying the priorities for deliveries (domestic violence, disability services and overcrowding) the Communities of Erub, Iama, Mabuiag, Saibai and Warraber have been identified as priority 1.

Meetings and presentations with Warraber and Mabuiag PBC's were delivered on the 10 January regarding partnering with the PBC's to ensure we are improving our communities liveability and the restricted funding Council has to deliver this program. Discussions focussed on designs and fees associated with Social Housing ILUA's. Both meetings were positive and further follow up meetings will be planned to implement the finalisation of the ILUA's in coordination with Joanne Bryant (who commenced with TSIRC Tuesday 20 February).

Working closely with QBuild and the design team to progress through to Design Documentation, currently at 80% complete.

## **Business Relationships:**

Meetings are continuing a weekly basis between BSU and key stakeholders.

TSIRC BSU and Communities are working together in partnership to improve the delivery of service to our communities to ensure we are improving the liveability within each Division.

## **Logistics:**

TSIRC Contract documentation has been updated to establish contractor accountability for the projects they undertake. Timely project delivery is a priority for TSIRC.

## **Considerations:**

### Risk Management

- Continued review of scheduled works for this financial year to clarify projects and their financial impact.
- Ongoing review of departmental structure, resourcing, and processes to enhance service delivery across all levels.
- Regular monitoring of performance to manage revenue, expenses, service delivery, and community outcomes

## **Consultation:**

- Building Services Executive Director
- Building Services Management
- Business Services Accountant
- Building Services Construction Software
- Procore Published Industry statistical data

## **Links to Strategic Plans:**

### Corporate Plan 2020-2025

- Delivery of Capital Works program

## **Statutory Requirements:**

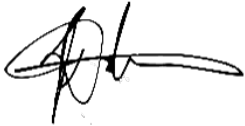
- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *National Construction Code Building Act 1975*
- *Building Regulation 2006*
- *Queensland Building and Construction Commission Act 1991*
- *Queensland Building and Construction Commission Regulation 2018*

**Conclusion:**

That Council notes the information contained in this report.

A handwritten signature in black ink, appearing to be 'W. Green', with a long horizontal stroke extending to the right.**Recommended:**

Wayne Green  
Executive Director Building Services

A handwritten signature in black ink, appearing to be 'J. William', with a large circular loop and a long horizontal stroke extending to the right.**Approved:**

James William  
Chief Executive Officer



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## MEETING

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<b>ORDINARY MEETING:</b>	March 2024
<b>DATE:</b>	5-6 March 2024
<b>ITEM:</b>	Agenda Report
<b>SUBJECT:</b>	Committees Review
<b>AUTHOR:</b>	Susanne Andres – Executive Director Corporate Services

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### **Recommendation:**

That the Council recommend the incoming Council:

- a) take note of Council term 2020-2024 committee priorities and challenges;
- b) note the SARG performance review for the 2020/24 Council term;
- c) determine the structure and processes for its committees for the 2024-2028 Council term.

### **Executive Summary:**

The SARG Committee endorsed this report and attachments at its meeting on 29 February 2024 to progress its self-assessment and to provide committee priorities to Council for recommendation to the incoming Council.

### **Background:**

At the January SARG meeting, the Mayor requested feedback from all Council committees on the following matters:

- What has worked/not worked for the individual committees and their members in terms of progressing strategic matters assigned to the committees;
- Suggested improvements to committee processes for incoming Council consideration;
- Current and future priority projects, status, and next steps for incoming Council consideration;
- Challenges.

The Mayor further requested that SARG carry out a performance review of its work over the current Council term and provide key recommendations for the next term.

During the January SARG meeting and the days following, the Committee Chairs submitted information collated in *Attachment 1*. The Mayor collated the SARG committee self-assessment comments following the January SARG meeting.

### **Officer's comment:**

Council to review the submissions and progress its performance review with a view to providing the incoming Council with recommendations.

*Attachments 2 – 7* (Committees Terms of Reference) are provided for background information.

**Consultation:**

Mayor  
SARG Committee Chairs  
Chief Executive Officer

**Links to Strategic Plans:**

TSIRC Corporate Plan 2020-2025:

- *People - Outcome 4:* We are a transparent, open, and engaging Council.
- *Sustainability - Outcome 8:* We manage Council affairs responsibly to the benefit of our communities.

**Statutory Requirements:**

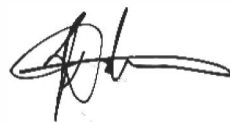
- *Local Government Act 2009*
- *Local Government Regulation 2012*

**Conclusion:**

It is recommended that Council endorse the committee priorities and processes to the incoming Council.

**Recommended:**

Susanne Andres  
Executive Director Corporate Services

**Approved:**

James William  
Chief Executive Officer

**ATTACHMENT 1** – Information provided by Committee Chairs following the January 2024 SARG meeting

**ATTACHMENT 2** – Terms of Reference for the Climate Change Adaptation and Environment Committee - November 2021

**ATTACHMENT 3** – Terms of Reference for the Culture Arts Land and Heritage Committee - October 2023

**ATTACHMENT 4** – Terms of Reference for the Economic Growth Committee - November 2021

**ATTACHMENT 5** – Terms of Reference for the Governance and Leadership Committee - November 2021

**ATTACHMENT 6** – Terms of Reference for the Housing, and Safe and Healthy Communities Committee - November 2021

**ATTACHMENT 7** – Terms of Reference for the Strategic Advisory Reference Group Committee - November 2021

**ATTACHMENT 1 – TSIRC Committee Review January 2024**

Committee	Priority/Project	Current Status/Next Steps	Challenges
<b>Housing and Safe Communities</b>  Chair – Cr Fell Exec Support – Executive Director Engineering Services and Executive Director Community & Building Services	Housing <ul style="list-style-type: none"> <li>▪ Katter Lease.</li> <li>▪ Home Ownership.</li> <li>▪ Abandon Homes.</li> <li>▪ Repairs &amp; Maintenance.</li> <li>▪ Plugins</li> <li>▪ Paying for works to be done on your own.</li> <li>▪ Transfer of Tenancy.</li> <li>▪ Someone to look after house while away (Caretaker).</li> <li>▪ Housing into the future?</li> <li>▪ Housing Authority (pie in the sky)</li> <li>▪ GBK housing conversation.</li> <li>▪ Lessons learn - Mer and Badu (PBC's).</li> <li>▪ Rental payments to pay off your home.</li> </ul>	Plans for moving forward: <ul style="list-style-type: none"> <li>▪ Visit Schools, Communities where possible.</li> <li>▪ Engage with key stakeholders on ground.</li> <li>▪ Develop Road Maps (Way Forward) where we can.</li> <li>▪ Strengthen what is working already within.</li> <li>▪ Stay Positive and have faith.</li> <li>▪ Reports needs actions &amp; Feedback.</li> </ul>	<ul style="list-style-type: none"> <li>▪ UGAR no housing officer.</li> <li>▪ Badu - Families give home for others to live while studying However, not being able to come back.</li> <li>▪ St Paul's Major housing concerns.</li> <li>▪ Housing is a Regional Concern.</li> <li>▪ Abandon Homes.</li> </ul>
	Sport and Recreation <ul style="list-style-type: none"> <li>▪ Green Fields.</li> <li>▪ Local Sporting Activities.</li> <li>▪ Cultural Activities.</li> <li>▪ Movie Nights.</li> <li>▪ Building Unity within Communities.</li> <li>▪ Safe and available Facilities.</li> <li>▪ Holiday Programs.</li> <li>▪ Clean our Cemeteries once a quarter.</li> <li>▪ Playgrounds.</li> <li>▪ Community Gardens.</li> <li>▪ Community "Clean up Days".</li> </ul>		<ul style="list-style-type: none"> <li>▪ Safe and available Facilities.</li> <li>▪ Sporting facilities not safe for community usage.</li> </ul>

Committee	Priority/Project	Current Status/Next Steps	Challenges
			Health Challengers: <ul style="list-style-type: none"> <li>▪ Hammond Island Health Centre? (Safe)</li> <li>▪ RN needed on UGAR?(Safe)</li> <li>▪ HLO's Funding/Hours – Healthy communities?</li> <li>▪ HLO review?</li> <li>▪ Age Care/HACC – Concerns?</li> <li>▪ Asbestos concerns within Communities (Badu major concern).</li> </ul>
			Animal Management Challengers (Horses, Dogs and Cats): <ul style="list-style-type: none"> <li>▪ Major concern in St Pauls (Safe)</li> <li>▪ Concern within Badu (Safe)</li> <li>▪ Mabuiag (Dogs)</li> </ul>
	Safe Communities <ul style="list-style-type: none"> <li>▪ Lighting in Community.</li> <li>▪ Keeping Communities safe in general.</li> <li>▪ COVID19 safe places (Quintin) within Communities.</li> <li>▪ Asbestos within Communities.</li> <li>▪ Dogs, Cats &amp; Horses etc.</li> <li>▪ Clean Beaches.</li> <li>▪ Safe walkways &amp; Paths.</li> <li>▪ Public Safety (drinking/fighting) etc.</li> <li>▪ Waste</li> </ul>		<ul style="list-style-type: none"> <li>▪ Lighting in St Pauls Community major concern.</li> <li>▪ Horses on Moa?</li> </ul>
Committee	Priority/Project	Current Status/Next Steps	Challenges
<b>Economic Growth Committee</b>  Chair – Cr Stephen	A. Economic Development Strategy	- Scope of work to be completed - Engage consultant to do the work	* Funding is required to support Community Consultation and develop Economic Development Strategy.



Committee	Priority/Project	Current Status/Next Steps	Challenges
Exec Support – Executive Director Financial Services		<ul style="list-style-type: none"> <li>- Develop a community consultation timetable</li> <li>- Consultation with Community</li> <li>- Develop Economic Development Strategy</li> </ul>	
	B. Enterprise Divestment Policy/Procedure	<ul style="list-style-type: none"> <li>- Priorities the current policy and present a position to Council for endorsement</li> <li>- Seek Council Endorsement</li> </ul>	* Funding is required to engage a consultant to do analyst on assets if work can't be done within Council.
	C. CDP Submission	<ul style="list-style-type: none"> <li>- Council endorsement to engage My Pathways</li> <li>- My Pathways to develop a CDP proposal to submit to Council for consideration</li> <li>- My Pathways to do Community Consultation</li> </ul>	* Funding is required to engage My Pathways to develop a CDP proposal submission
	D. Ugar and Dauan Feasibility Studies	<ul style="list-style-type: none"> <li>- Engaged a consultant to do the project</li> <li>- Consultant to develop feasibility as agreed to the scope of work</li> </ul>	* Funding has been sorted for the project through TSRA.
	E. Mirabou Energy	<ul style="list-style-type: none"> <li>- Develop next stage of the project.</li> </ul>	* Funding is required to do next steps
	F. Fuel Bowser	<ul style="list-style-type: none"> <li>- Work with IOR on options to present to Council for consideration.</li> </ul>	* Funding is required to progress the project once supported by Council.
	G. Elphinstone Close	<ul style="list-style-type: none"> <li>- Develop options for Council to consider</li> </ul>	* Funding is required to progress the development.

Committee	Priority/Project	Current Status/Next Steps	Challenges
	H. Asset Condition Report	- Engage a consultant to do analysis on assets if can't be done within Council.	* Funding is required to do the work
	I. Age Care Funding (HACC)	- Put information together about the funding	* Develop a policy for the program
	J. Building Service Unit	- Implement plan to create revenue	* Develop a plan for the project
Committee	Priority/Project	Current Status/Next Steps	Challenges
<b>Culture Arts Land and Heritage Committee</b>  Chair – Cr Wosomo Exec Support – Executive Director Corporate Services	Torres Strait Flag policy		
	Community Radio (Remote Island Broadcast Service)		
	Transfer of DOGIT		
	Cultural Development Strategy/Policy		
	Cultural Festival for Outer Islands		
Committee	Priority/Project	Current Status/Next Steps	Challenges
<b>Governance Committee</b>  Chair – Cr Lui Exec Support – Executive Director Community and Building Services	Advancing the Masig Statement		
	Treaty		
Committee	Priority/Project	Current Status/Next Steps	Challenges
<b>Climate Change and Environment Committee</b>	1. Torres Strait & NPA Biosecurity & Waste management strategy		

Committee	Priority/Project	Current Status/Next Steps	Challenges
Chair – Cr Mosby Exec Support – Executive Director Engineering Services	2. Coastal hazard and adaptation strategies		
	3. Community adaptation plans		
	4. Waste management		
	5. Seawall Project		
	6. Renewable energy (Mirabou Energy)		
	7. Environmental Health		
	8. Climate change impacts		
Committee	Priority/Project	Current Status/Next Steps	Challenges
<b>Strategic Advisory Reference Group</b>  Chair – Mayor Mosby Exec Support – Chief Executive Officer	Report Card of Standing Committees with recommendations for next term – Thursday		
	Clear roadmap		
	Advocacy Policy and Plan		
	Transitional Action Plan		

## **Terms of Reference for the Climate Change Adaptation and Environment Committee**

### **1. Objective**

The Climate Change Adaptation and Environment Committee is established as a standing committee under section 264 of the *Local Government Regulation 2012*.

The Committee members should:

- Be proactively involved in the portfolio area
- Review and shape Council's policy position of portfolio area
- Develop desktop management system for the portfolio area
- Develop, advocate and lead community engagement process/program with key stakeholders and departments in the portfolio area
- Represent the Mayor/Deputy at conferences/workshops/meetings in the absence of the Mayor/Deputy
- Address Council on strategic matters in relations to the portfolio areas
- Provide cultural advice and assistance

### **2. Portfolio Area**

The Committee's portfolio area covers:

- Torres Strait Climate Change Strategy
- Torres Strait Sea Wall Program/Project
- Torres Strait and North Peninsula Area Biosecurity Plan
- Renewable Energy Productions
- Waste Management
- Land & Sea Management

### **3. Term**

The Climate Change Adaptation and Environment Committee is effective from 1 August 2020 until terminated by Council.

### **4. Membership**

Members shall be:

- The Mayor
- Three Councillors – as nominated by Council

The Council will determine who will be the chair.

#### **Councillor members elected by Council at Council's June 2020 Ordinary Meeting:**

- Cr H Mosby - **Chair**
- Cr Tamu
- Cr Dorante

## **5. Standing Orders and Meeting Procedures**

Council's Standing Orders Policy and Meeting Procedures Policy apply to the meetings of the Committee.

Where a member misses two consecutive meetings without formal apology, the member will be removed from the Committee and Council will nominate a replacement at its next ordinary meeting.

## **6. Meetings**

The Committee will meet quarterly unless otherwise scheduled. The Committee will meet monthly unless otherwise scheduled. These meeting will be open to the public unless the Committee resolve to close the meeting under section 275 of the *Local Government Regulation 2012*.

Meeting quorum shall be two members.

Attendance may be via videoconference or teleconference; however, the Reference Group will meet face-to-face wherever possible by aligning meeting times with other Council approved travel e.g. Monthly Council Meetings, Council workshops.

Agenda items and papers must be provided to the Secretariat at least ten (10) working days prior to the meeting date. Late submissions will only be included with the written approval of the Chair.

Agenda items and papers will be distributed via email to members at least five (5) working days prior to the meeting date.

Written minutes are required to be published within ten days of the meeting and endorsed at the following Ordinary meeting.

## **7. Amendment, Modification or Variation**

These Terms of Reference may be amended, varied, or modified in writing with approval from Council.

## **8. Executive Support**

An Executive Officer will be assigned to the Committee to provide support to the committee members and be liaison between the elected members and the administration.

**Executive Officer assigned to Committee:** Executive Director, Engineering Services.

## **9. Administrative Support**

Secretariat support will be provided by the Secretariat Office.

*Terms of Reference endorsed by Council resolution at November 2021 Ordinary Meeting.*

## **Terms of Reference for the Culture, Arts, Land & Heritage (CALH) Committee**

### **1. Objective**

The Culture, Arts, Land and Heritage Committee is established as a standing committee under section 264 of the *Local Government Regulation 2012*.

The Committee members should:

- Be proactively involved in the portfolio area
- Review and shape Council's policy position of portfolio area
- Develop desktop management system for the portfolio area
- Develop, advocate and lead community engagement process/program with key stakeholders and departments in the portfolio area
- Represent the Mayor/Deputy at conferences/workshops/meetings in the absence of the Mayor/Deputy
- Address Council on strategic matters in relations to the portfolio areas
- Provide cultural advice and assistance

### **2. Portfolio Area**

The Committee's portfolio area covers:

- Alian Kastom
- Cultural Heritage Advisory Committee
- Language & Arts Advisory Committee
- Regional Events
- Reconciliation Action Plan (RAP)
- Torres Strait Islander Flag
- Native Title
- Deeds of Grant in Trust
- Land transfer

### **3. Term**

The Culture, Arts, Land and Heritage Committee is effective from 1 August 2020 until terminated by Council.

#### 4. Membership

Members shall be:

The Mayor	Cr Phillemon Mosby
Member	Cr Ranetta Wosomo (Chairperson)
Member	Cr Torenzo Elisala

#### 5. Standing Orders and Meeting Procedures

Council's Standing Orders Policy and Meeting Procedures Policy apply to the meetings of the Committee.

Where a member misses two consecutive meetings without formal apology, the member will be removed from the Committee and Council will nominate a replacement at its next ordinary meeting.

#### 6. Meetings

The Committee will meet quarterly unless otherwise scheduled. These meetings will be open to the public unless the Committee resolve to close the meeting under section 275 of the *Local Government Regulation 2012*.

Meeting quorum shall be two members.

Attendance may be via videoconference or teleconference.

Agenda items and papers must be provided to the Secretariat at least five (5) prior to the meeting date. Late submissions will only be included with the written approval of the Chair.

Agenda items and papers will be distributed via email to members at least five (5) working days prior to the meeting date.

Written minutes are required to be published within ten (10) days of the meeting and endorsed at the following Ordinary meeting.

#### 7. Amendment, Modification or Variation

These Terms of Reference may be amended, varied, or modified in writing with approval from Council.

#### 8. Executive Support

An Executive Officer will be assigned to the Committee to provide support to the committee members and be liaison between the elected members and the administration.

***Executive Officer assigned to Committee:*** Executive Director, Corporate Services.

#### 9. Administrative Support

Secretariat support will be provided by the Secretariat Office.

*Terms of Reference endorsed by Council resolution at October 2023 Ordinary Meeting.*



## Terms of Reference for the Economic Growth Committee

### 1. Objective

The Economic Growth Committee is established as a standing committee under section 264 of the *Local Government Regulation 2012*.

The Committee members should:

- Be proactively involved in the portfolio area
- Review and shape Council's policy position of portfolio area
- Develop desktop management system for the portfolio area
- Develop, advocate and lead community engagement process/program with key stakeholders and departments in the portfolio area
- Represent the Mayor/Deputy at conferences/workshops/meetings in the absence of the Mayor/Deputy
- Address Council on strategic matters in relations to the portfolio areas
- Provide cultural advice and assistance

### 2. Portfolio Area

The Committee's portfolio area covers:

- Divestment of Enterprises
- Regional Stimulus Projects
- Industry Development
- Torres Strait Procurement Policy
- Connectivity & Tele-communication

### 3. Term

The Economic Growth Committee is effective from 1 August 2020 until terminated by Council.

### 4. Membership

Members shall be:

- The Mayor
- Three Councillors – as nominated by Council

The Council will determine who will be the chair.

#### **Councillor members elected by Council at Council's June 2020 Ordinary Meeting:**

- Cr Stephen - **Chair**
- Cr Tabuai
- Cr Gela – elected by Council at Council's February 2021 Ordinary Meeting



## **5. Standing Orders and Meeting Procedures**

Council's Standing Orders Policy and Meeting Procedures Policy apply to the meetings of the Committee.

Where a member misses two consecutive meetings without formal apology, the member will be removed from the Committee and Council will nominate a replacement at its next ordinary meeting.

## **6. Meetings**

The Committee will meet quarterly unless otherwise scheduled. The Committee will meet monthly unless otherwise scheduled. These meeting will be open to the public unless the Committee resolve to close the meeting under section 275 of the *Local Government Regulation 2012*.

Meeting quorum shall be two members.

Attendance may be via videoconference or teleconference; however, the Reference Group will meet face-to-face wherever possible by aligning meeting times with other Council approved travel e.g. Monthly Council Meetings, Council workshops.

Agenda items and papers must be provided to the Secretariat at least ten (10) working days prior to the meeting date. Late submissions will only be included with the written approval of the Chair.

Agenda items and papers will be distributed via email to members at least five (5) working days prior to the meeting date.

Written minutes are required to be published within ten days of the meeting and endorsed at the following Ordinary meeting.

## **7. Amendment, Modification or Variation**

These Terms of Reference may be amended, varied, or modified in writing with approval from Council.

## **8. Executive Support**

An Executive Officer will be assigned to the Committee to provide support to the committee members and be liaison between the elected members and the administration.

**Executive Officer assigned to Committee:** Executive Director, Financial Services

## **9. Administrative Support**

Secretariat support will be provided by the Secretariat Office.

*Terms of Reference endorsed by Council resolution at November 2021 Ordinary Meeting.*

## Terms of Reference for the Governance and Leadership Committee

### 1. Objective

The Governance and Leadership Committee is established as a standing committee under section 264 of the *Local Government Regulation 2012*.

The Committee members should:

- Be proactively involved in the portfolio area
- Review and shape Council's policy position of portfolio area
- Develop desktop management system for the portfolio area
- Develop, advocate and lead community engagement process/program with key stakeholders and departments in the portfolio area
- Represent the Mayor/Deputy at conferences/workshops/meetings in the absence of the Mayor/Deputy
- Address Council on strategic matters in relations to the portfolio areas
- Provide cultural advice and assistance

### 2. Portfolio Area

The Committee's portfolio area covers:

- Regional Assembly
- Transition Action Plan (TAP)
- Torres Strait Treaty
- Local Government Boundaries

### 3. Term

The Governance and Leadership Committee is effective from 1 August 2020 until terminated by Council.

### 4. Membership

Members shall be:

- The Mayor
- Three Councillors – as nominated by Council

The Council will determine who will be the chair.

**Councillor members elected by Council at Council's June 2020 Ordinary Meeting:**

- Cr Lui - **Chair**
- Cr Trinkoon
- Cr Toby

## **5. Standing Orders and Meeting Procedures**

Council's Standing Orders Policy and Meeting Procedures Policy apply to the meetings of the Committee.

Where a member misses two consecutive meetings without formal apology, the member will be removed from the Committee and Council will nominate a replacement at its next ordinary meeting.

## **6. Meetings**

The Committee will meet quarterly unless otherwise scheduled. The Committee will meet monthly unless otherwise scheduled. These meeting will be open to the public unless the Committee resolve to close the meeting under section 275 of the *Local Government Regulation 2012*.

Meeting quorum shall be two members.

Attendance may be via videoconference or teleconference; however, the Reference Group will meet face-to-face wherever possible by aligning meeting times with other Council approved travel e.g., Monthly Council Meetings, Council workshops.

Agenda items and papers must be provided to the Secretariat at least ten (10) working days prior to the meeting date. Late submissions will only be included with the written approval of the Chair.

Agenda items and papers will be distributed via email to members at least five (5) working days prior to the meeting date.

Written minutes are required to be published within ten days of the meeting and endorsed at the following Ordinary meeting.

## **7. Amendment, Modification or Variation**

These Terms of Reference may be amended, varied, or modified in writing with approval from Council.

## **8. Executive Support**

An Executive Officer will be assigned to the Committee to provide support to the committee members and be liaison between the elected members and the administration.

**Executive Officer assigned to Committee:** Executive Director, Community and Building Services.

## **9. Administrative Support**

Secretariat support will be provided by the Secretariat Office.

*Terms of Reference endorsed by Council resolution at November 2021 Ordinary Meeting.*

## **Terms of Reference for the Housing and Safe and Healthy Communities Committee**

### **1. Objective**

The Housing and Safe and Healthy Communities Committee is established as a standing committee under section 264 of the *Local Government Regulation 2012*.

The Committee members should:

- Be proactively involved in the portfolio area
- Review and shape Council's policy position of portfolio area
- Develop desktop management system for the portfolio area
- Develop, advocate and lead community engagement process/program with key stakeholders and departments in the portfolio area
- Represent the Mayor/Deputy at conferences/workshops/meetings in the absence of the Mayor/Deputy
- Address Council on strategic matters in relations to the portfolio areas
- Provide cultural advice and assistance

### **2. Portfolio Area**

The Committee's portfolio area covers:

- Housing
- Water and Wastewater
- Access and transport
- Health
- Master Planning

### **3. Term**

The Housing and Safe and Healthy Communities Committee is effective from 1 August 2020 until terminated by Council.

### **4. Membership**

Members shall be:

- The Mayor
- Three Councillors – as nominated by Council

The Council will determine who will be the chair.

**Councillor members elected by Council at Council's June 2020 Ordinary Meeting:**

- Cr Fell - **Chair**
- Cr Levi
- Cr Pearson

## **5. Standing Orders and Meeting Procedures**

Council's Standing Orders Policy and Meeting Procedures Policy apply to the meetings of the Committee.

Where a member misses two consecutive meetings without formal apology, the member will be removed from the Committee and Council will nominate a replacement at its next ordinary meeting.

## **6. Meetings**

The Committee will meet quarterly unless otherwise scheduled. The Committee will meet monthly unless otherwise scheduled. These meeting will be open to the public unless the Committee resolve to close the meeting under section 275 of the *Local Government Regulation 2012*.

Meeting quorum shall be two members.

Attendance may be via videoconference or teleconference; however, the Reference Group will meet face-to-face wherever possible by aligning meeting times with other Council approved travel e.g. Monthly Council Meetings, Council workshops.

Agenda items and papers must be provided to the Secretariat at least ten (10) working days prior to the meeting date. Late submissions will only be included with the written approval of the Chair.

Agenda items and papers will be distributed via email to members at least five (5) working days prior to the meeting date.

Written minutes are required to be published within ten days of the meeting and endorsed at the following Ordinary meeting.

## **7. Amendment, Modification or Variation**

These Terms of Reference may be amended, varied or modified in writing with approval from Council.

## **8. Executive Support**

An Executive Officer will be assigned to the Committee to provide support to the committee members and be liaison between the elected members and the administration.

**Executive Officer assigned to Committee:** Executive Director, Engineering Services and Executive Director, Community and Building Services.

## **9. Administrative Support**

Secretariat support will be provided by the Secretariat Office.

*Terms of Reference endorsed by Council resolution at November 2021 Ordinary Meeting.*

## Terms of Reference for the Strategic Advisory Reference Group

### 1. Objective

The Strategic Advisory Reference Group Committee (SARG) is established as a standing committee under section 264 of the *Local Government Regulation 2012*.

The objective of the committee is to provide leadership on the strategic position and direction of Council arising from all external and internal influencers and their impacts resulting from various sources including:

- International developments
- Governmental Reforms
- Council vision and strategic direction
- Internal review of organisational structure
- Budgetary and/or financial funding changes
- Audit findings and recommendations

Scope may include:

- Strategic direction
- Council strategic plans and policies
- Long Term Financial Forecasts
- Council Performance Management, Measurement, Benchmarking
- Strategic Staffing Initiatives
- Strategic Asset Management
- Facilities including office and residential accommodations

### 2. Term

The Strategic Advisory Reference Group Committee is effective from 1 August 2020 until terminated by Council.

### 3. Membership

Members shall be:

- The Mayor – **Cr P Mosby**
- The Chairs of Council's other standing committees
  - Culture, Arts, Land and Heritage Committee – **Cr Noah**
  - Governance and Leadership Committee – **Cr Lui**
  - Economic Growth Committee – **Cr Stephen**
  - Housing, and Safe and Healthy Communities Committee – **Cr Fell**
  - Climate Change Adaption and Environment Committee – **Cr H Mosby**

The respective chair of the five other standing committees may appoint another member of the specific committee to act as a proxy and attend meetings of the SARG Committee, if the committee chair is unavailable to attend a meeting of the SARG Committee.

The Mayor will be the chair of the Strategic Advisory Reference Group Committee.

#### **4. Standing Orders and Meeting Procedures**

Council's Standing Orders Policy and Meeting Procedures Policy apply to the meetings of the Committee.

Where a member misses two consecutive meetings without formal apology, the member will be removed from the Committee and Council will nominate a replacement at its next general meeting

#### **5. Meetings**

The Committee will meet monthly unless otherwise scheduled. These meeting will be open to the public unless the Committee resolve to close the meeting under section 275 of the *Local Government Regulation 2012*.

The Committee may nominate one (1) Councillor to be an alternate member in the case of absence of one or more Councillor members from a Committee meeting. The alternate member must be endorsed by Council resolution. The alternate member is the only permissible proxy for the Councillor members.

Meeting quorum shall be the chair plus three members.

Attendance may be via videoconference or teleconference; however, the Reference Group will meet face-to-face wherever possible by aligning meeting times with other Council approved travel e.g. Monthly Council Meetings, Council workshops.

Agenda items and papers must be provided to the Secretariat at least ten (10) working days prior to the meeting date. Late submissions will only be included with the written approval of the Chair.

Agenda items and papers will be distributed via email to members at least five (5) working days prior to the meeting date.

Written minutes are required to be published within ten days of the meeting and endorsed at the following Ordinary meeting.

#### **6. Amendment, Modification or Variation**

These Terms of Reference may be amended, varied, or modified in writing with approval from Council.

#### **7. Executive Support**

**Executive Officer assigned to Committee:** Chief Executive Officer

The Chief Executive Officer; Executive Director, Financial Services; Executive Director, Community and Building Services; Executive Director, Engineering Services; and Executive Director, Corporate Services will attend meetings of the Strategic Advisory Reference Group Committee.

Other officers will be invited to attend as required.

#### **8. Administrative Support**

Administrative support will be provided by the Secretariat Office.

*Terms of Reference endorsed by Council resolution at November 2021 Ordinary Meeting.*



## AGENDA REPORT

<b>MEETING:</b>	March 2024
<b>DATE:</b>	5-6 March 2024
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	Delegations (Waste Reduction and Recycling Regulation)
<b>AUTHOR:</b>	Julia Mauro, Senior Legal Officer

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### Recommendations:

#### 1. Updates to existing delegations:

That, pursuant to section 257 of the *Local Government Act 2009*, Council delegate to the Chief Executive Officer the exercise of powers under the ***Waste Reduction and Recycling Regulation 2023 (Qld)*** and these powers must be exercised subject to Ailan Kastom and any limitations contained in Schedule 2 of the attached Instrument of Delegation.

### Executive Summary:

The *Waste Reduction and Recycling Regulation 2023 (Qld)* (WRRR) was introduced to replace the previous *Waste Reduction and Recycling Regulation 2011 (Qld)* (Previous WRRR), which expired on 31 August 2023. The WRRR is in substantially similar form to the Previous WRRR, and amendments were made to reflect current drafting practice and ensure clear alignment with the policy objectives.

### Background:

#### Delegation of statutory power from Council to CEO

1. The powers of Local Government are exercised through its officers, with the principal officer being the Chief Executive Officer. Instruments of Delegation allow certain Local Government powers to be exercised by appropriately qualified local government employees to ensure operational efficiency.
2. Council may only exercise those powers delegated to it by State legislation. The Chief Executive Officer may only exercise those powers given to him directly or delegated to him by Council. Local Government employees may only exercise those powers delegated to them by the Chief Executive Officer.
3. An update of Instruments of Delegations must occur regularly (at least annually) to ensure exercise of powers according to law. The individual instruments of delegation are updated to reflect Council resolutions to date and are uploaded to Council's intranet for staff reference.
4. The sub-delegations register records sub-delegations from the CEO to an employee or contractor. The sub-delegations register requires updating, both to reflect legislative changes and to reflect changes to Council's corporate structure. Council adoption is not required for sub-delegations. Updated sub-delegations instruments are being prepared for review by the CEO.



## Comment:

### Replacement of the Waste Reduction and Recycling Regulation

5. The *Waste Reduction and Recycling Regulation 2023* (Qld) (WRRR) was introduced to replace the previous *Waste Reduction and Recycling Regulation 2011* (Qld) (Previous WRRR), which expired on 31 August 2023. The WRRR is in substantially similar form to the Previous WRRR.
6. This law reform requires a new Instrument of Delegations.
7. Council previously delegated all powers under the WRRR to the CEO on 23 February 2021 and renewed these delegations on 24 January 2024.
8. There are no trustee powers in the proposed Instrument of Delegations.
9. The proposed Instrument of Delegation for the WRRR is included as **Attachment 1**.
10. The proposed delegations have been reviewed by Senior Legal Officer as per the usual practice:
  - a. Powers that Council previously declined to delegate have not been recommended for delegation.
  - b. Powers that MacDonnells Law recommends not be delegated have not been recommended for delegation.
  - c. Powers not recommended for delegation are marked "N/A" in the delegations document.
  - d. All conditions included in previous delegations have been carried over. Senior Legal Officer has consolidated the conditions into a single section that covers both Council's standard conditions and the conditions recommended by MacDonnells Law. This is to improve the readability of the Instruments of Delegations.
  - e. Conditions imposed on all delegations state that whilst exercising a power, the delegate must (not "may") take into account Ailan Kastom. Ailan Kastom is defined in section 6 of the *Torres Strait Islander Land Act 1991* (Qld). Section 9(3) of the *Local Government Act 2009* states "may take into account" and therefore makes this discretionary; however, since 2021 Council has instructed that the delegate must take Ailan Kastom into account.
11. For continued operational efficiency and statutory compliance in all Departments, the new Instrument of Delegation should be approved by Council.

## Considerations

### Risk Management

This is a significant risk of non-compliance if Council's delegations are not updated. This is because without up-to-date delegations, the CEO and Council staff are more likely to make decisions without the necessary delegated authority; those decisions are invalid and could be challenged. For continued operational efficiency and statutory compliance in all Departments, the delegations should be submitted to Council for adoption.

### Council Finance

No finance implications.

**Consultation:**

- MacDonnells Law has drafted the Instrument of Delegation.
- SARG Committee endorsement on 29 February 2024.

**Links to Strategic Plans:**

TSIRC Corporate Plan 2020–2025

Delivery Pillar: People

Outcome 4: We are a transparent, open and engaging council.

Delivery Pillar: Sustainability

Outcome 8: We manage council affairs responsibly for the benefit of our communities

**Statutory Requirements:**

*Local Government Act 2009*

*Local Government Regulation 2012*

*Torres Strait Islander Land Act 1991*

**Meaning of “Ailan Kastom”/Island custom**

Ailan Kastom is defined in the *Torres Strait Islander Land Act*, section 6, which is pasted below.

## **Torres Strait Islander Land Act 1991**

### **Section 6**

#### **Meaning of Island custom**

Island custom, known in the Torres Strait as Ailan Kastom, is the body of customs, traditions, observances and beliefs of Torres Strait Islanders generally or of a particular group of Torres Strait Islanders, and includes any such customs, traditions, observances and beliefs relating to particular persons, areas, objects or relationships.

The Audit Committee previously raised a query: *What is the effect of Ailan Kastom on delegations?*

Ms Mauro advised as follows:

Each delegate is required to take into account Ailan Kastom when exercising statutory powers. Many delegates have a limited understanding of traditional island law and custom (sometimes limited to the cultural awareness training that is delivered as part of employee induction). In practice, I think the requirement is for delegates to be aware of the cultural context of their decision-making and to seek guidance when the proposed exercise of statutory power may relate to Ailan Kastom. For example, Council specifically queried delegations relating to controlling beach access. If the delegate proposed to close access to a beach (or for that matter take any action relating to control over land), taking into account Ailan Kastom would mean that the delegate would need to communicate (at minimum, in an emergency situation) or consult with the Councillor to ensure that the proposed exercise of statutory power takes into account Ailan Kastom.

**Conclusion:**

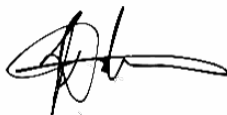
The new Instrument of Delegations (WRRR) is recommended for Council's endorsement.



**Recommended:**

Susanne Andres

Executive Director, Corporate Services



**Endorsed:**

James William

Chief Executive Officer

# **INSTRUMENT OF DELEGATION**

## **Torres Strait Island Regional Council *Waste Reduction and Recycling Regulation 2023 ("WRRR")***

Under section 257 of the *Local Government Act 2009*, Torres Strait Island Regional Council resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

**Waste Reduction and Recycling Regulation 2023 ("WRRR")****Part 3 – Designation of areas by local governments for general or green waste collection**

Entity power given to	Section of WRRR	Description
Local Government	5(b)	Power to decide the frequency of general waste or green waste collection in the designated areas.

**Part 4 – Waste levy****Division 4 – Discounting waste levy for residue waste**

Entity power given to	Section of WRRR	Description
Holder of the approval	24(1)(b)	In the circumstances, the power to give the chief executive a report that complies with subsection (2) within 2 months after each reporting period ends.

**Part 13 – Used packaging materials****Division 3 – Kerbside and other recycling collectors to give information to chief executive**

Entity power given to	Section of WRRR	Description
Local government recycling provider	83(1)	In the circumstances, the power to give the chief executive information that complies with subparagraphs (a) to (e) within 3 months after each financial year during which the kerbside collection service operates or is provided ends.
Local government recycling provider	83(2)	In the circumstances, the power to give the chief executive information about the percentage of households within the service area with access to the service within 3 months after each financial year during which the kerbside collection service operates or is provided ends.
Local government recycling provider	83(4)	Power to include obligation in contract with another person to provide a kerbside recycling collection service or another recycling service, to give the information mentioned in subsections (1) and (2) as applicable.

## **LIMITATIONS TO THE EXERCISE OF POWER**

1. Whilst exercising a power, the delegate must take into account Ailan Kastom as defined in section 6 of the *Torres Strait Islander Land Act 1991* (Qld). The delegated power shall be subject to prior Council consultation where the exercise of any delegated power may in all reasonable likelihood:
  - (a) impact on land and/or sea; and/or
  - (b) involve payment of compensation regarding land; and/or
  - (c) require a budget amendment.
2. Where Council, in its budget or by resolution, allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
3. Unless a higher financial delegation is explicitly provided for in the delegation, any decision of the delegate must be made within the financial delegation of the delegate.
4. Unless explicitly provided for in the delegation, delegated powers only apply to the delegate to the extent that they relate to a delegate's scope of duties as particularised in the Position Description pertaining to that delegate.
5. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
6. The delegate shall not give Council opinions and, if opinions are to be provided, may only provide personal opinions of the delegate, not in an official capacity as an employee of the Council.
7. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
8. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
9. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.

10. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.
11. Delegated powers must be read in the context of other powers and subject to conditions stipulated therein. Delegated powers must be exercised consistently with the provisions of Local Government Acts or Regulations, Council Policies and Procedure, Local Laws and Subordinate Local Laws.

[2023 09 01 - WRRR - Delegation Instrument]

## DELEGABLE POWERS UNDER THE WASTE REDUCTION AND RECYCLING REGULATION 2023 ("WRRR")

### Part 3 – Designation of areas by local governments for general or green waste collection

Entity power given to	Section of WRRR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Local Government	5(b)	Power to decide the frequency of general waste or green waste collection in the designated areas.				Consider conduct of significant business activities by local governments in LOGA and <i>City of Brisbane Act 2010</i> .

### Part 4 – Waste levy

#### Division 4 – Discounting waste levy for residue waste

Entity power given to	Section of WRRR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
Holder of the approval	24(1)(b)	In the circumstances, the power to give the chief executive a report that complies with subsection (2) within 2 months after each reporting period ends.				

**Part 13 – Used packaging materials**

**Division 3 – Kerbside and other recycling  
collectors to give information to chief executive**

Entity power given to	Section of WRRR	Description	Delegation to the CEO / Date of Resolution	Sub-Delegation to Officers	Date of Sub-Delegation	Limitations and Conditions
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Local government recycling provider	83(4)	Power to include obligation in contract with another person to provide a kerbside recycling collection service or another recycling service, to give the information mentioned in subsections (1) and (2) as applicable.				

[2023 09 01 - WRRR - Delegation Table]



**Torres Strait Island Regional Council**  
***Waste Reduction and Recycling Regulation 2023 ("WRRR")***

**James William**  
Chief Executive Officer  
**Torres Strait Island Regional Council**

**Position:** Insert Position  
**Position Code:** Insert Position Code

## POWERS SUB-DELEGATED

### *Waste Reduction and Recycling Regulation 2023 ("WRRR")*

**Part 3 – Designation of areas by local governments for general or green waste collection**

Entity power given to	Section of WRRR	Description
Local Government	5(b)	Power to decide the frequency of general waste or green waste collection in the designated areas.

**Part 4 – Waste levy**

**Division 4 – Discounting waste levy for residue waste**

Entity power given to	Section of WRRR	Description
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4. Unless explicitly provided for in the delegation, delegated powers only apply to the delegate to the extent that they relate to a delegate's scope of duties as particularised in the Position Description pertaining to that delegate.
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9. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.

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11. Delegated powers must be read in the context of other powers and subject to conditions stipulated therein. Delegated powers must be exercised consistently with the provisions of Local Government Acts or Regulations, Council Policies and Procedure, Local Laws and Subordinate Local Laws.

[2023 09 01 - WRRR - Sub-Delegation Instrument]



# TORRES STRAIT ISLAND REGIONAL COUNCIL

<b>ORDINARY MEETING:</b>	March 2024
<b>DATE:</b>	5 & 6 March 2024
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	2023/24 Fees and Charges – Gas prices adjustment
<b>AUTHOR:</b>	Norman Griffett, Fuel and Fleet Manager

## **RECOMMENDATION**

That Council pursuant to Section 97(1) of the *Local Government Act 2009* resolves to adjust the gas prices with immediate effect as follows:

Swap & Go 9kg	\$105
Swap & Go 45kg	\$380
9kg bottle	\$175
45kg bottle	\$550

## **EXECUTIVE SUMMARY**

Pursuant to the *Local Government Act 2009*, Fees and Charges are reviewed and updated each financial year in line with the services provided by Council. The purpose of this report is to recommend an individual increase in gas prices. This recommendation is informed by Seaswift's price increase announcement per 1 February 2024. Council historically has on-charged costs with a moderate administration fee.

## **BACKGROUND**









Gas prices play a crucial role in ensuring the viability of community services. However, the current pricing structure inadequately addresses the rising costs associated with gas production, distribution, and maintenance. Recent notifications from Elgas regarding price increases further highlight the urgency of addressing these challenges, prompting SeaSwift to pass on these increases.

## **OFFICER COMMENTS**

Fees and Charges have been formulated from analysing current operating activities unless a mandate requires otherwise.

The proposed gas price increase aligns with market realities and the need for sustainable Council operations.

## **CURRENT PRICES**

<input type="checkbox"/>	<b>COMMERCIAL FEES   Gas   Swap &amp; Go</b>		
<input type="checkbox"/>			<a href="#">Swap &amp; Go 9kg Bottle</a> \$90.00
<input type="checkbox"/>			<a href="#">Swap &amp; Go 45kg Bottle</a> \$345.00
<input type="checkbox"/>	<b>COMMERCIAL FEES   Gas   Full Bottle Price (no empty return)</b>		
<input type="checkbox"/>			<a href="#">9kg Bottle</a> \$108.00
<input type="checkbox"/>			<a href="#">45kg Bottle</a> \$430.00

## SELLING PRICE CALCULATION

Description	Cost	Unit Cost	Existing Price	Revised Price
45KG CAGE (9X45KG)(Swap)	\$2,973.35	\$330.37	\$345.00	<b>\$380.00</b>
45KG SALE CAGE (9X45KG)	\$4,311.60	\$479.06	\$430.00	<b>\$550.00</b>
9KG SWAP CAGE (30X9KG)	\$2,734.90	\$91.16	\$90.00	<b>\$105.00</b>
9KG SALE CAGE (30X9KG)	\$4,581.95	\$152.73	\$108.00	<b>\$175.00</b>

The prices are reflected at cost plus a 15% administration overhead recovery for processing purchasing, sales, storage and distribution.

## LINKS WITH STRATEGIC PLANS

Corporate Plan Strategic Delivery Pillar: Outcome 7, we manage council affairs responsibly to the benefit of our communities.

## STATUTORY REQUIREMENTS

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

*Local Government Act 2009*

*Local Government Regulation 2012*

## CONSULTATION

Financial Services

## CONCLUSION

The recommendation to increase gas prices is imperative to address the rising costs and maintain the sustainability of gas services within Council. This adjustment aligns with fiscal responsibility, regulatory requirements, and market conditions, ensuring continued provision of reliable gas services to our community.

### ***Endorsed:***

Norman Griffett  
Fuel and Fleet Manager

### ***Recommended:***

Susanne Andres  
Executive Director Corporate Services

### ***Approved:***

James William  
Chief Executive Officer



# TORRES STRAIT ISLAND REGIONAL COUNCIL

## COUNCIL REPORT

<b>ORDINARY MEETING:</b>	March 2024
<b>DATE:</b>	5 & 6 March 2024
<b>ITEM:</b>	Agenda Item for Resolution by Council
<b>SUBJECT:</b>	Financial Dashboard Report – February 2024
<b>AUTHOR:</b>	Nicola Daniels, Head of Financial Services

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### Recommendation:

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2023-24 year to date, for the period ended 29 February 2024, as required under Section 204 *Local Government Regulation 2012*.

### Purpose:

This report seeks Council endorse the monthly financial statements for the 2023-24 year to date, for the period ended 29 February 2024.

### Background:

The 2023-24 budget review was adopted in December 2023 and has taken into consideration the expected impacts of the year ahead including but not limited to high inflation, persistent labour shortages due to shifting workforce dynamics, shortages in contractors due to remote operations and material shortages. Our strategic approach to budget planning demonstrates management's dedication to proactively confronting potential financial challenges and positioning the organisation for resilient financial performance, all while ensuring the continued delivery of essential services to the community.

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

Each month, year-to-date financial statements are prepared to monitor actual performance against budget.

Below is a summary of the financial performance for the period ended stated above. Actual amounts are compared against the year-to-date budget review for 2023-24. (See Appendix A for Summary Financial Statements by Department and Appendix A Detailed Capital Report).

### Resource implications:

The actual operating result (before depreciation) for January 2024 YTD is a \$356K deficit, compared to the YTD forecast operating deficit of \$1.4M.



## FINANCIAL PERFORMANCE AT A GLANCE – Year to Date (YTD) 29/02/2024

Key financial results	Annual budget review	YTD budget review	YTD actual	YTD variance \$	YTD variance %	Status
Recurrent revenue	69,147,199	48,572,351	47,885,790	(686,561)	(1.4%)	●
Other income	5,636,324	4,118,906	4,370,587	251,681	6.1%	●
Recurrent expenditure (excl. depreciation)	(79,800,540)	(54,124,097)	(52,612,698)	1,511,399	2.8%	●
<b>Operating result (excl. depreciation)</b>	<b>(5,017,017)</b>	<b>(1,432,839)</b>	<b>(356,320)</b>	<b>1,076,519</b>	<b>75.1%</b>	●
Capital revenue	36,828,288	22,007,339	4,588,732	(17,418,606)	(79.1%)	●
Capital expenses	(3,500,000)	(2,333,333)	(136,098)	2,197,235	94.2%	●
<b>Net result (excl. depreciation)</b>	<b>28,311,271</b>	<b>18,241,166</b>	<b>4,096,315</b>	<b>(14,144,851)</b>	<b>(77.5%)</b>	●
Depreciation expense	(59,570,010)	(39,655,873)	(39,654,634)	1,239	0.0%	●
<b>Net result</b>	<b>(31,258,739)</b>	<b>(21,414,707)</b>	<b>(35,558,319)</b>	<b>(14,143,613)</b>	<b>(66.0%)</b>	●

### Key:

Act Vs Bud Var % is <= -10%

Act Vs Bud Var % is > -10% and <= -5%

Act Vs Bud Var % is > -5%



### Operating Result to Date – Favourable \$1.1M variance attributed to:

Revenue \$434K unfavourable variance.

- Timing of receipt of Engineering grants due to delay in works caused by various factors.
- Predominately offset by an overstatement of contract and recoverable works revenue due to capital works yet to be moved in line with AASB's and recorded as capital income and capitalised in asset register or recorded as work in progress (WIP).

Expenditure \$1.5M favourable variance.

- Decrease in employee benefits is a result of a large number of vacancies
- Material and services for some departments are currently under budget, however at a consolidate level is higher than budget.

### Net Result to Date \$14.1M unfavourable variance.

- The variance is attributed to a decrease in capital grants received, stemming from a reduction in the anticipated progress of capital projects due to several factors (vacancy, ability to procure contractors and cost of resources).

## STATEMENT OF FINANCIAL PERFORMANCE

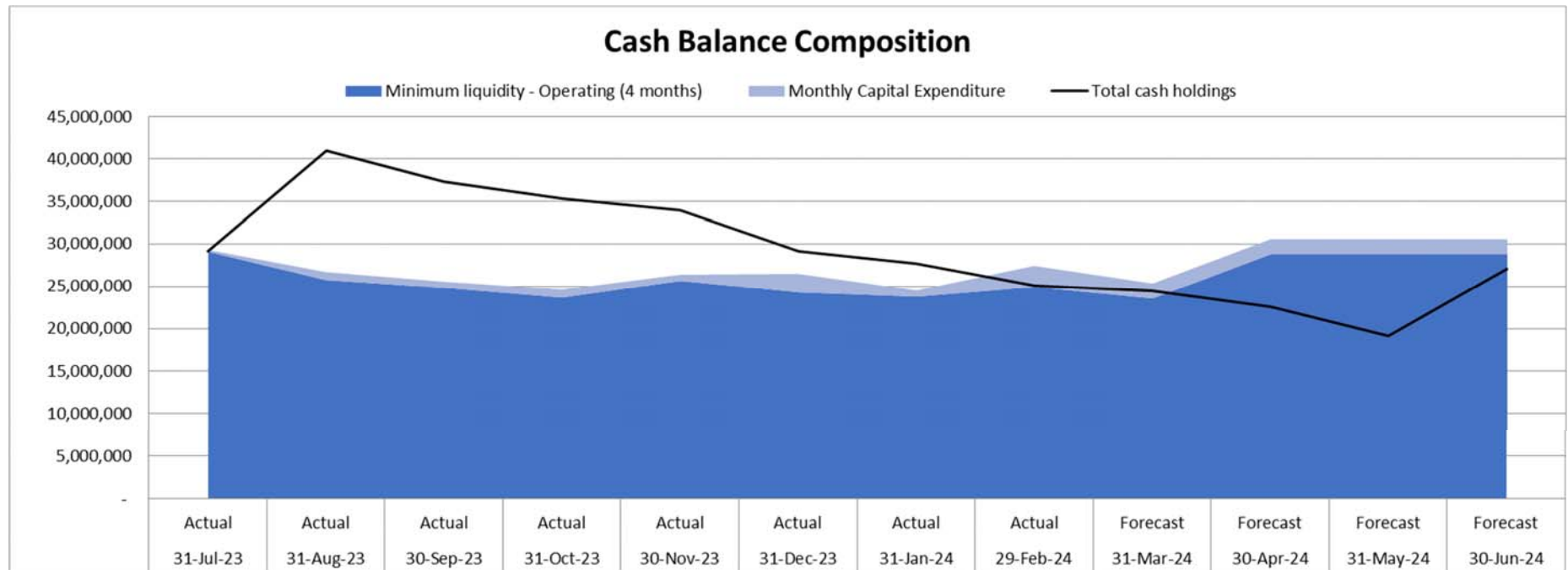
	Annual Budget Review	YTD Budget Review	YTD actual	YTD variance \$	YTD variance %
<b>Income</b>					
<b>Recurrent revenue</b>					
Community levies, rates and charges	1,891,244	64,674	63,616	(1,059)	0.0%
Fees and charges	4,881,316	3,280,845	4,055,888	775,043	23.6%
Sales revenue	20,995,399	14,479,272	18,859,673	4,380,401	30.3%
Grants, subsidies, contributions and donations	41,379,241	30,747,560	24,906,614	(5,840,947)	(19.0%)
	69,147,199	48,572,351	47,885,790	(686,561)	(1.4%)
<b>Capital revenue</b>					
Grants, subsidies, contributions and donations	36,828,288	22,007,339	4,588,732	(17,418,606)	(79.1%)
	36,828,288	22,007,339	4,588,732	(17,418,606)	(79.1%)
Interest received	634,106	435,798	824,014	388,216	89.1%
Other income	195,962	478,937	465,702	(13,235)	(2.8%)
Rental income	4,806,257	3,204,171	3,080,871	(123,300)	(3.8%)
<b>Total income</b>	111,611,812	74,698,596	56,845,110	(17,853,486)	(23.9%)
<b>Expenses</b>					
<b>Recurrent expenses</b>					
Employee benefits	31,002,631	20,001,075	18,109,734	1,891,341	9.5%
Materials and services	48,078,751	33,642,367	34,017,181	(374,814)	(1.1%)
Finance costs	719,158	480,655	485,782	(5,128)	(1.1%)
Depreciation and amortisation	59,570,010	39,655,873	39,654,634	1,239	0.0%
	139,370,550	93,779,970	92,267,332	1,512,638	1.6%
<b>Capital expenses</b>	3,500,000	2,333,333	136,098	(2,197,235)	(94.2%)
<b>Total expenses</b>	142,870,550	96,113,303	92,403,429	(3,709,874)	(3.9%)
<b>Net result</b>	(31,258,739)	(21,414,707)	(35,558,319)	(14,143,613)	66.0%

## STATEMENT OF FINANCIAL POSITION

	Current Month	Prior Month	variance \$	variance %
<b>Current assets</b>				
Cash and cash equivalents	24,966,781	26,386,747	(1,419,966)	(5.4%)
Short term deposits	66,774	66,774	0	0.0%
Trade and other receivables	9,398,694	9,737,863	(339,169)	(3.5%)
Inventories	411,753	411,753	0	0.0%
Contract assets	5,741,892	4,701,693	1,040,199	22.1%
Lease receivables	105,591	105,591	0	0.0%
<b>Total current assets</b>	<b>40,691,485</b>	<b>41,410,421</b>	<b>(718,936)</b>	<b>(1.7%)</b>
<b>Non-current assets</b>				
Lease receivables	11,233,246	11,233,246	(0)	(0.0%)
Property, plant and equipment	1,030,742,498	1,033,889,597	(3,147,099)	(0.3%)
Right of use assets	771,212	819,412	(48,200)	(5.9%)
<b>Total non-current assets</b>	<b>1,042,746,956</b>	<b>1,045,942,255</b>	<b>(3,195,299)</b>	<b>(0.3%)</b>
<b>Total assets</b>	<b>1,083,438,441</b>	<b>1,087,352,676</b>	<b>(3,914,235)</b>	<b>0.1%</b>
<b>Current liabilities</b>				
Trade and other payables	4,298,395	3,601,378	(697,017)	(19.4%)
Borrowings	-	-	0	
Provisions	1,446,799	1,445,540	(1,259)	(0.1%)
Contract liabilities	12,491,846	12,491,846	0	0.0%
Lease liabilities	462,428	461,020	(1,408)	(0.3%)
<b>Total current liabilities</b>	<b>18,699,468</b>	<b>17,999,784</b>	<b>(699,684)</b>	<b>(3.9%)</b>
<b>Non-current liabilities</b>				
Provisions	10,610,665	10,464,009	(146,656)	(1.4%)
Lease liabilities	621,246	621,246	(0)	
<b>Total non-current liabilities</b>	<b>11,231,911</b>	<b>11,085,255</b>	<b>(146,656)</b>	<b>(1.3%)</b>
<b>Net community assets</b>	<b>1,053,507,061</b>	<b>1,058,267,636</b>	<b>(4,760,575)</b>	<b>(0.4%)</b>
<b>Community Equity</b>				
Asset revaluation surplus	735,386,498	735,386,498	0	0.0%
Retained surplus/(deficiency)	353,678,883	353,678,883	0	0.0%
Current Year Surplus/(Deficit)	- 35,558,319	- 30,797,745	(4,760,573)	15.5%
	<b>1,053,507,062</b>	<b>1,058,267,635</b>	<b>(4,760,573)</b>	<b>(0.4%)</b>

## Cash Forecasting

The Department of State Development, Infrastructure, Local Government and Planning sustainability ratios recommends that Council maintain a minimum liquidity of four months operating cashflows. Council has based the monthly cashflow projections on the 23/24 Budget Review projections. Grant revenue has been forecasted on expected timing of receipt of funds as per funding agreements. July to February figures reflect actual cash balances.



## Cashflow Comments

### YTD February 2024 – Actual \$25.1M

- Cash holdings are at the 4-month recommended level. Grant payments are initially concentrated at the start of the financial year. The majority of the surplus pertains to the complete 23/24 Financial Assistance Grant paid in advance and Indigenous Councils funding program (ICFP) paid in August.

### FY June 2024 – Current forecast \$27M (Budget \$26M)

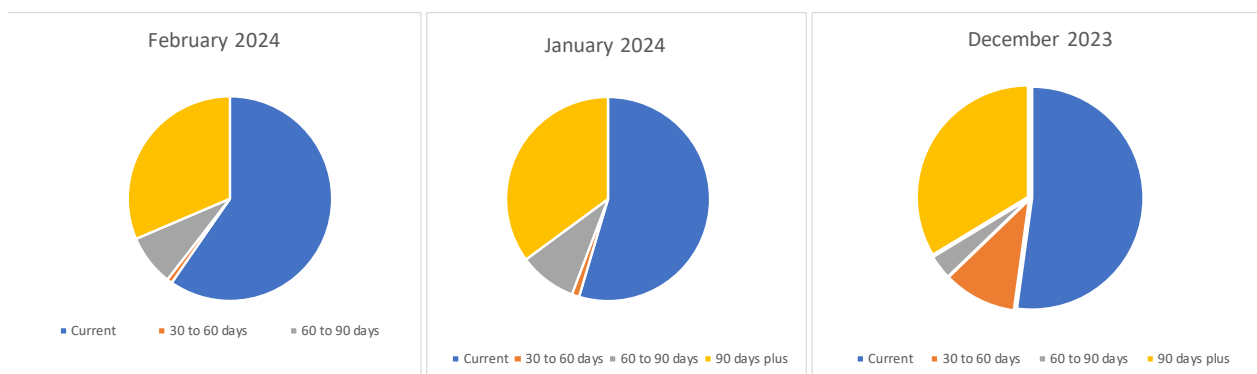
- Cash holdings are predicted to fall below the legislative 4-month liquidity requirement based on current projections.
- Advance payment of half of the 24/25 Financial Assistance Grant received budgeted to be received in June 2024.
- New ICFP grant funding replaced SGFA and RRP which is approx. \$7M more than budgeted. The above-budgeted component relates to a one-off increase by State due to an additional \$25.8M that brought the total program funding for 23/24 financial year to \$69.8M for Indigenous Councils.

## Debtor Analysis

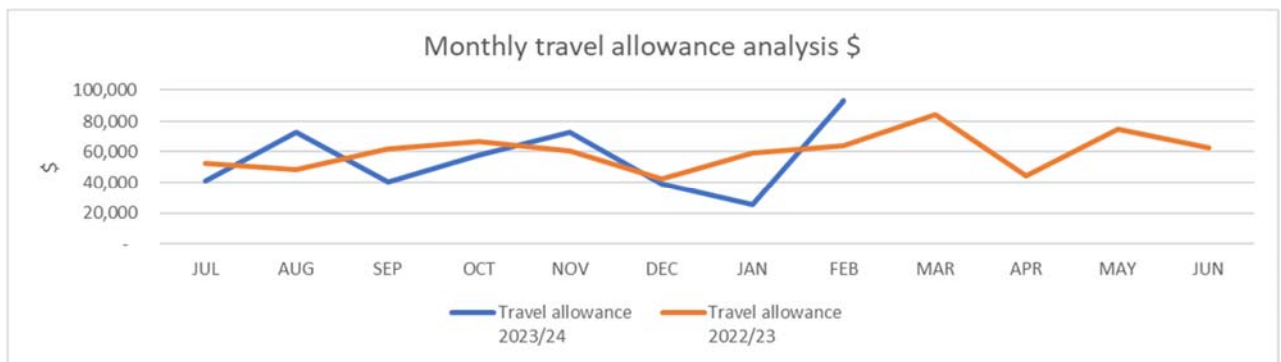
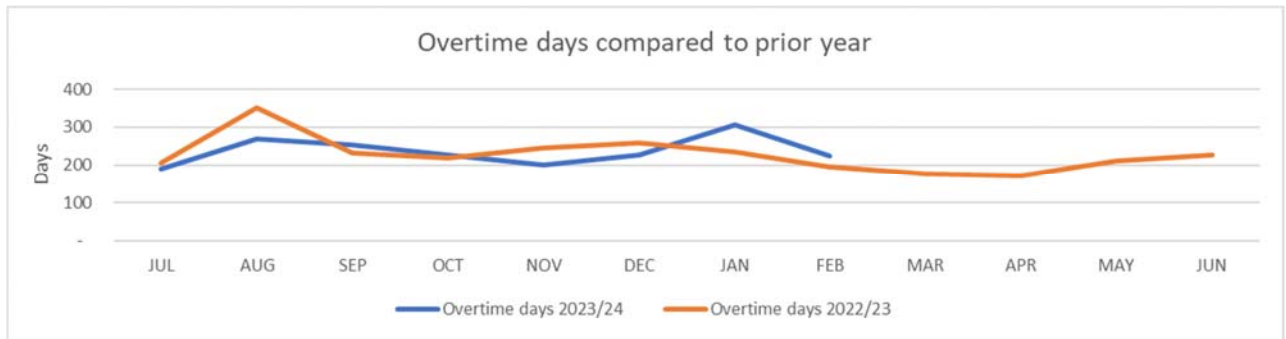
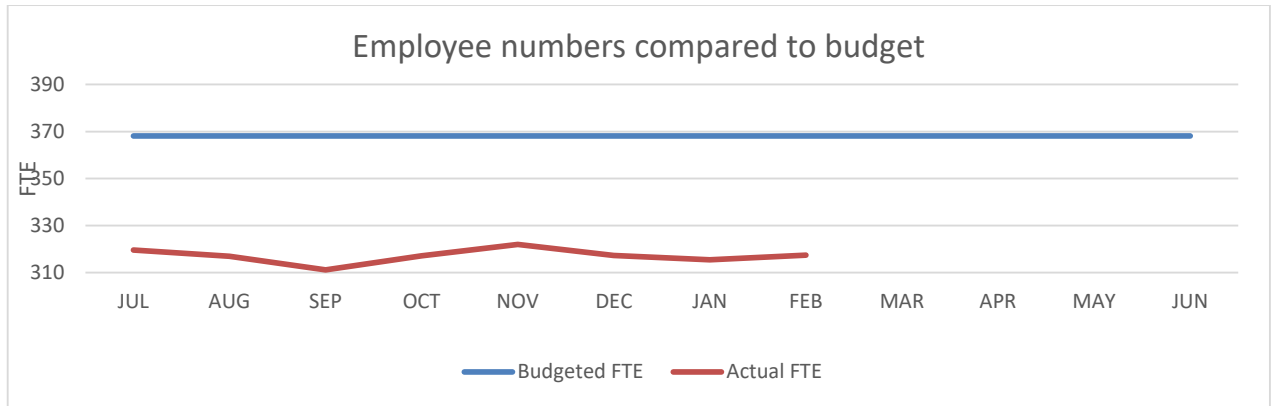
	As at 29 February 2024		As at 31 January 2024		As at 31 December 2023	
	\$	%	\$	%	\$	%
Current	3,080,575	60%	2,784,816	55%	3,062,134	52%
30 to 60 days	42,525	1%	60,880	1%	624,515	11%
60 to 90 days	417,632	8%	465,627	9%	206,533	4%
90 days plus	1,623,211	31%	1,790,282	35%	1,975,907	34%
Total aged debtors	5,163,944	100%	5,101,606	100%	5,869,090	100%
Housing debtors (Note 1)	12,706,248		12,714,248		12,804,542	
Total Provision	- 13,385,889		- 13,150,800		- 13,194,858	
Net debtors (exc. Unapplied credits)	4,484,303		4,665,053		5,478,774	
Unapplied Credits	- 543,104		- 272,150		- 217,433	

### Notes to table:

- Increase in unapplied credits relates to difference in timing of receipt of grant funding and the applicable invoice being raised.



## Payroll Analysis



**Grant Analysis:**

Refer to the 'Funding Acquisition Report' by Corporate Services.

**Corporate Plan Linkage:**

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

**Consultation and communication:**

Senior Executive Team  
Department Heads / Managers  
Finance Department

**Risk Management Implications:**

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

**Significant Risks:**

<b>Risk</b>	<b>Likelihood</b>	<b>Consequence</b>	<b>Treatment</b>	<b>Financial Impact</b>
Increase in material prices	High	Increased cost to deliver contract and recoverable works	Consider revising service agreements with funding partners to account for material increases	Negative impact to gross margins and ultimately net profits
Poor weather conditions	Low	Delay in operational and capital works resulting in reduced community service delivery	Consider works schedule	Negative impact to net profits and service delivery
Lack of available resources	High	Delays and inability to complete contract and recoverable works and capital programs	Consider methods for engaging skilled resources	Negative impact on gross margins and risk of returning grant funds if not able to deliver works

## **Final Considerations:**

### **Risk Management**

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

There are numerous drivers which have affected Council operations during the financial year. Inflationary pressures are impacting not only Council but the whole of Australia (rising energy prices, global supply chain disruptions and labour shortages) sending the cost of goods and services higher. Along with the spate of natural disasters, sharp rise in cash rates and high state wage increases.

While inflation now appears to be stabilising, it remains to be seen what the cumulative effect will be on Council operations in the next couple of months to year end, and years beyond based on the unpredictability of domestic and global events. Management will continue to progressively adapt, monitor, and plan into the future as the situation and its impact evolves. With continuing uncertainty in the economic climate and changes in market factors, it makes future forecasting challenging.

#### **Recommended:**



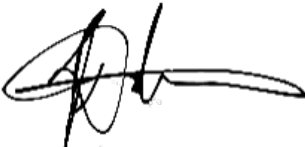
Nicola Daniels  
Head of Financial Services

#### **Endorsed:**



Hollie Faithfull  
Executive Director Financial Services

#### **Approved:**



James William  
Chief Executive Officer



## Appendix A

### Executive Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance	YTD Variance %	Status
Recurrent revenue	123	123	0	(123)	-100.0%	●
Other income	0	0	0	0	0.0%	●
Recurrent expenditure (excl. depreciation)	(3,645,255)	(2,452,783)	(2,554,471)	(101,687)	-4.1%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(3,645,131)</b>	<b>(2,452,660)</b>	<b>(2,554,471)</b>	<b>(101,811)</b>	<b>-4.2%</b>	●
Capital revenue	0	0	0	0	0.0%	●
Capital expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(3,645,131)</b>	<b>(2,452,660)</b>	<b>(2,554,471)</b>	<b>(101,811)</b>	<b>-4.2%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>(3,645,131)</b>	<b>(2,452,660)</b>	<b>(2,554,471)</b>	<b>(101,811)</b>	<b>-4.2%</b>	●

**Comments:**

**Unfavourable Operating result:**

Expenditure is slightly over budget for February 2024.

**Unfavourable Net result:**

As per above

### Building Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance	YTD Variance %	Status
Recurrent revenue	18,000,000	12,466,664	16,669,152	4,202,488	33.7%	●
Other income	100,000	82,800	83,041	241	0.3%	●
Recurrent expenditure (excl. depreciation)	(14,184,021)	(9,267,429)	(13,129,321)	(3,861,891)	-41.7%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>3,915,980</b>	<b>3,282,035</b>	<b>3,622,872</b>	<b>340,837</b>	<b>10.4%</b>	●
Capital revenue	1,800,000	600,000	0	(600,000)	-100.0%	●
Capital expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>5,715,980</b>	<b>3,882,035</b>	<b>3,622,872</b>	<b>(259,163)</b>	<b>-6.7%</b>	●
Depreciation Expense	(20,697)	(14,246)	(20,697)	(6,451)	-45.3%	●
<b>Net result</b>	<b>5,695,283</b>	<b>3,867,789</b>	<b>3,602,175</b>	<b>(265,614)</b>	<b>-6.9%</b>	●

**Comments:**

**Favourable Operating result:**

Contract and recoverable works and operating expenditure are overstated due to capital works yet to be moved to capital revenue and the asset register respectively.

**Unfavourable Net result:**

Minimal variance between budget and actuals at the end of February 2024

### Corporate Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance	YTD Variance %	Status
Recurrent revenue	22,108	15,076	4,768	(10,308)	-68.4%	●
Other income	39,000	26,024	17,832	(8,192)	-31.5%	●
Recurrent expenditure (excl. depreciation)	(6,135,526)	(3,956,069)	(3,517,344)	438,726	11.1%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(6,074,417)</b>	<b>(3,914,969)</b>	<b>(3,494,744)</b>	<b>420,226</b>	<b>10.7%</b>	●
Capital revenue	0	0	0	0	0.0%	●
Capital expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(6,074,417)</b>	<b>(3,914,969)</b>	<b>(3,494,744)</b>	<b>420,226</b>	<b>10.7%</b>	●
Depreciation Expense	0	0	0	0	0.0%	●
<b>Net result</b>	<b>(6,074,417)</b>	<b>(3,914,969)</b>	<b>(3,494,744)</b>	<b>420,226</b>	<b>10.7%</b>	●

**Comments:**

**Favourable Operating/Net Result**

Recurring Revenue - Other income lower than expected and admin fees not yet received.

Recurrent Expenditure - The key driver for favourable operating expenses are employee benefits due to a number of vacancies as well as lower total travel expenses and reduced total IT hardware and software expenditure.

### Health and Community Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance	YTD Variance %	Status
Recurrent revenue	13,666,013	9,582,980	9,446,480	(136,500)	-1.4%	●
Other income	531,961	354,204	351,998	(2,206)	-0.6%	●
Recurrent expenditure (excl. depreciation)	(16,434,522)	(10,901,334)	(10,443,957)	457,377	4.2%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(2,236,548)</b>	<b>(964,150)</b>	<b>(645,478)</b>	<b>318,671</b>	<b>33.1%</b>	●
Capital revenue	17,425,000	11,750,000	113,202	(11,636,798)	-99.0%	●
Capital expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>15,188,452</b>	<b>10,785,850</b>	<b>(532,276)</b>	<b>(11,318,127)</b>	<b>-104.9%</b>	●
Depreciation Expense	(31,560,097)	(21,059,821)	(21,135,304)	(75,482)	-0.4%	●
<b>Net result</b>	<b>(16,371,645)</b>	<b>(10,273,971)</b>	<b>(21,667,580)</b>	<b>(11,393,609)</b>	<b>-110.9%</b>	●

**Comments:**

**Favourable Operating Result:**

Recurrent Revenue - both Federal & State grant funding is lower than budgeted by approx. \$522K across a number of programs, but should align more closely to budget as the year progresses. Housing Rental income underbudget \$123K/4% YTD. Underbudget positions have been offset by Commercial Property Rental Income being ~\$493K higher than budgeted YTD (due to timing of invoicing and/or new leases).

Recurrent Expenditure - Employee Benefits are 9% underbudget due to ongoing high level of vacancies.

**Unfavourable Net result:**

Capital Revenue - Budgeted \$4.8M for BSU Capitalisations not yet processed. Housing Grants underbudget due to timing of recognition of revenue - \$6.5M Forward Remote Capital and \$368K Community Housing Grant underbudget YTD.

## Appendix A

### Financial Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance	YTD Variance %	Status
Recurrent revenue	24,543,745	16,372,426	16,557,432	185,006	1.1%	●
Other income	134,106	435,798	825,893	390,095	89.5%	●
Recurrent expenditure (excl. depreciation)	(6,284,998)	(4,448,564)	(3,608,325)	840,239	18.9%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>18,392,854</b>	<b>12,359,660</b>	<b>13,774,999</b>	<b>1,415,339</b>	<b>11.5%</b>	●
Capital revenue	1,235,474	686,371	600,255	(86,116)	-12.5%	●
Capital expenses	(3,500,000)	(2,333,333)	(136,098)	2,197,235	94.2%	●
<b>Net result (excl. depreciation)</b>	<b>16,128,327</b>	<b>10,712,698</b>	<b>14,239,156</b>	<b>3,526,458</b>	<b>32.9%</b>	●
Depreciation Expense	(1,040,325)	(693,760)	(693,133)	627	0.1%	●
<b>Net result</b>	<b>15,088,003</b>	<b>10,018,938</b>	<b>13,546,024</b>	<b>3,527,086</b>	<b>35.2%</b>	●

**Comments:**

**Favourable Operating result:**

Recurrent Revenue - slightly higher due to Increasing interest rates.

Recurrent expenditure - overall expenditure was lower then projected due to high vacancy rate which has affected delivery of projects which has resulted in decreased expenditure.

**Favourable Net result:**

Capital expenses are an unfavourable variance due to timing of disposals

### Engineering Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance	YTD Variance %	Status
Recurrent revenue	16,146,465	12,279,012	7,092,778	(5,186,234)	-42.2%	●
Other income	0	0	633	633	0.0%	●
Recurrent expenditure (excl. depreciation)	(31,033,965)	(21,795,103)	(18,243,476)	3,551,628	16.3%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(14,887,499)</b>	<b>(9,516,091)</b>	<b>(11,150,065)</b>	<b>(1,633,973)</b>	<b>-17.2%</b>	●
Capital revenue	14,151,687	7,739,786	3,804,999	(3,934,786)	-50.8%	●
Capital expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>(735,813)</b>	<b>(1,776,306)</b>	<b>(7,345,065)</b>	<b>(5,568,760)</b>	<b>-313.5%</b>	●
Depreciation Expense	(26,351,867)	(17,493,138)	(17,490,594)	2,543	0.0%	●
<b>Net result</b>	<b>(27,087,680)</b>	<b>(19,269,443)</b>	<b>(24,835,660)</b>	<b>(5,566,216)</b>	<b>-28.9%</b>	●

**Comments:**

**Unfavourable Operating result:**

Recurrent Revenue - unfavourable revenue result is due to delay in works associated with recurrent grants, mainly QRA works.

Recurrent Expenditure - favourable result is combination of unfilled employee positions and work delays associated with QRA works.

**Unfavourable Net result:**

Capital grants received lower than budget forecast (budget timing)

### Fuel and Fleet Services Department

Key Financial Results	Annual Budget Review	YTD Budget Review	YTD Actual	YTD Variance	YTD Variance %	Status
Recurrent revenue	1,575,001	1,060,242	1,196,052	135,810	12.8%	●
Other income	25,000	15,909	10,319	(5,590)	-35.1%	●
Recurrent expenditure (excl. depreciation)	(2,082,004)	(1,302,563)	(1,115,805)	186,758	14.3%	●
<b>Operating surplus (exc. Depreciation)</b>	<b>(482,003)</b>	<b>(226,413)</b>	<b>90,566</b>	<b>316,978</b>	<b>140.0%</b>	●
Capital revenue	2,216,128	1,231,182	70,276	(1,160,906)	-94.3%	●
Capital expenses	0	0	0	0	0.0%	●
<b>Net result (excl. depreciation)</b>	<b>1,734,125</b>	<b>1,004,769</b>	<b>160,842</b>	<b>(843,927)</b>	<b>-84.0%</b>	●
Depreciation Expense	(597,024)	(394,908)	(314,906)	80,002	20.3%	●
<b>Net result</b>	<b>1,137,101</b>	<b>609,861</b>	<b>(154,064)</b>	<b>(763,925)</b>	<b>-125.3%</b>	●

**Comments:**

**Favourable Operating Result**

Recurrent revenue - Higher sale of fuel and gas.

Recurrent expenditure - Employee benefits

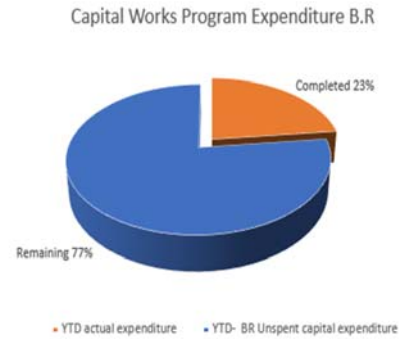
**Unfavourable Net Result**

Capital Revenue - Contract Implementation Delayed

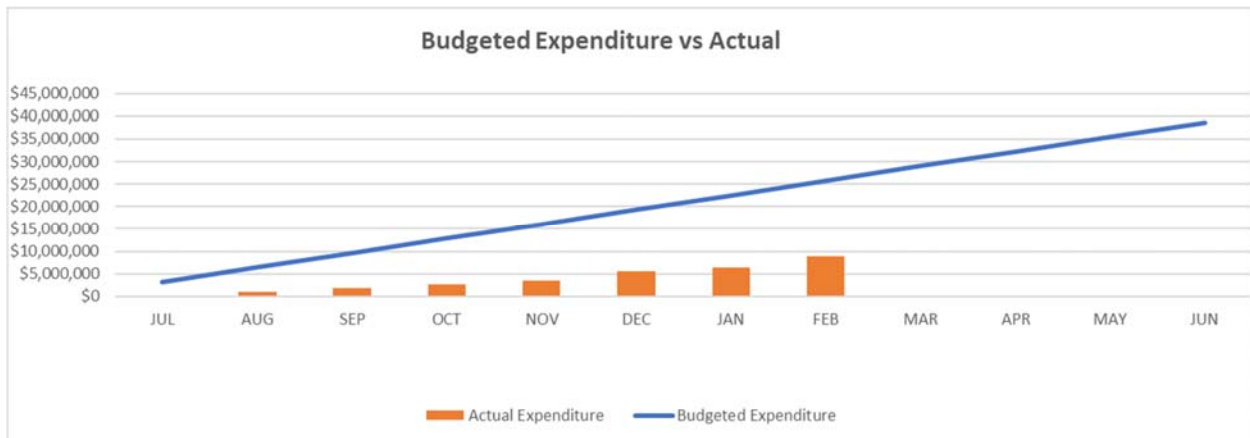
## Appendix A

### CAPITAL WORKS PROGRAM

YTD actual expenditure	\$	8,935,537
YTD- BR Unspent capital expenditure	\$	29,710,066
Full year BR budget capital expenditure	\$	38,645,603



### MONTHLY PROGRESS – CAPITAL EXPENDITURE





## TORRES STRAIT ISLAND REGIONAL COUNCIL

### MEETING MOVE INTO CLOSED BUSINESS

#### **Resolution to close the meeting to the public:**

That the Council resolve to close the meeting to the public pursuant to section 254J of the *Local Government Regulation 2012* to allow the Council to discuss items listed on the agenda under Closed Business and for the reasons outlined under those items.

#### **Personal Interests**

Councillors are reminded to declare any Conflict of Interest matters for those items listed and if any conflicts arise during deliberations.

MOVED:

SECONDED:



## TORRES STRAIT ISLAND REGIONAL COUNCIL

### COUNCIL MEETING MOVE OUT OF CLOSED BUSINESS

#### **Resolution to MOVE OUT of Closed Business:**

That the Council resolve to reopen the meeting to the public pursuant to section 254I of the *Local Government Regulation 2012*.

MOVED:

SECONDED: