

AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

May 2022

Monday 16th May 2022, 11:30am – 4:00pm

Tuesday 17th May 2022, 9:00am – 4:00pm

Cairns

COUNCIL ORDINARY MEETING

Monday, 16th May 2022

Agenda Items:

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|----|--------------------------|---|
| 1. | <u>11:30am – 11:40am</u> | <u>Welcome and Opening Remarks</u> |
| 2. | <u>11:40am – 11:45am</u> | <u>Apologies</u> |
| 3. | <u>11:45am – 11:50am</u> | <u>Declaration of Conflict of Interest (COI) (Prescribed and Declarable)</u> |
| 4. | <u>11:50am – 12:00pm</u> | <u>Confirmation of Previous Council Ordinary Meeting Minutes</u> <ul style="list-style-type: none">• 20th and 21st April 2022 |
| 5. | <u>12:00pm – 12:10pm</u> | <u>Confirmation of Previous Council Special Meeting Minutes</u> <ul style="list-style-type: none">• 13th April 2022 |
| 6. | <u>12:10pm – 12:30pm</u> | <u>Outstanding Council Ordinary Meeting Action Items</u> |

LUNCH 12:30pm – 1:30pm

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|-----|------------------------|--|
| 7. | <u>1:30pm – 1:45pm</u> | <u>Standing Agenda Items:</u> <ul style="list-style-type: none">• Executive Director, Communities and Building Services - Housing Authority (verbal) |
| 8. | <u>1:45pm – 2:05pm</u> | <u>CORPORATE – Funding Acquisition Report</u> |
| 9. | <u>2:05pm – 2:30pm</u> | <u>CORPORATE – Community Grant Program – May 2022</u> |
| 10. | <u>2:30pm – 2:50pm</u> | <u>CORPORATE – Policy Review</u> |
| 11. | <u>2:50pm – 3:10pm</u> | <u>CORPORATE – Standing Committee Terms of Reference</u> |

AFTERNOON TEA 3:10pm – 3:30pm

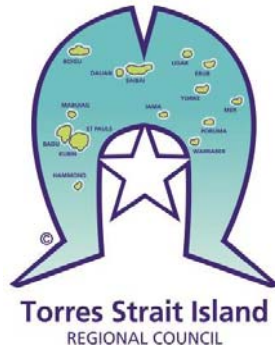
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| 12. | <u>3:30pm – 3:50pm</u> | <u>LEGAL – Correction of March 2022 Ordinary Meeting Minutes</u> |
| 13. | <u>3:50pm – 4:00pm</u> | <u>Closing Remarks and Prayer</u> |

COUNCIL ORDINARY MEETING

Tuesday 17th May 2022

Agenda Items:

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|---|--------------------------|---|
| 14. | <u>9:00am – 9:05am</u> | <u>Welcome and opening prayer.</u> |
| 15. | <u>9:05am – 10:00am</u> | <u>Deputation 1</u> <u>Rod Jensen – Candidate for Leichhardt</u> |
| <u>MORNING TEA 10:00am – 10:20am</u> | | |
| 16. | <u>10:20am – 10:20am</u> | <u>COUNCIL MOVES INTO CLOSED BUSINESS</u> |
| 17. | <u>10:20am – 11:00am</u> | <u>BUILDING – CB – BSU Update</u> |
| 18. | <u>11:00am – 11:30am</u> | <u>ENGINEERING – CB – Fuel Improvement Program Status Update</u> <u>Report</u> |
| 19. | <u>11:30am – 12:00pm</u> | <u>FINANCE – CB – Financial Dashboard Report – April 2022</u> |
| 20. | <u>12:00pm – 12:30pm</u> | <u>FINANCE – CB – Write off the amount of \$3,607.86</u> |
| <u>LUNCH 12:30pm – 1:30pm</u> | | |
| 21. | <u>1:30pm – 2:00pm</u> | <u>LEGAL – CB – LEGAL DISPUTE: Debtor Supplier – 11804 – ACN 088</u> <u>686 453</u> |
| 22. | <u>2:00pm – 2:00pm</u> | <u>COUNCIL MOVES OUT OF CLOSED BUSINESS AND RESUMES IN</u> <u>OPEN BUSINESS</u> |
| 23. | <u>2:00pm – 2:15pm</u> | <u>Business Arising from Information Reports</u> |
| 24. | <u>2:15pm – 2:20pm</u> | <u>Next Council Meeting Date – 28th and 29th June 2022 – Video</u> <u>Conference</u> |
| 25. | <u>2:20pm – 2:45pm</u> | <u>Strategic Matters</u> |
| 26. | <u>2:45pm – 3:00pm</u> | <u>Closing Remarks and Prayer</u> |



Draft Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

April 2022

Wednesday 20th April 2022, 10:04am – 3:00pm

Thursday 21st April 2022, 9:05am – 3:25pm

Video Conference

COUNCIL ORDINARY MEETING
Wednesday 20th April 2022 – Day 1

PRESENT:

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

STAFF:

Mr James William, Chief Executive Officer (CEO)
Ms Hollie Faithfull, Executive Director, Financial Services (EDFS)
Mr David Baldwin, Executive Director, Engineering Services (EDES)
Mr Dawson Sailor, Acting Executive Director, Building and Community Services (AEDBCS)
Ms Megan Barrett, Executive Director, Corporate Services (EDCS)
Mr Peter Krebs, Manager Legal Services (MLS)
Mrs Ursula Nai, Senior Executive Assistant to the Chief Executive Officer (SEA)
Mr Jacob Matysek, Executive Assistant to the Mayor (EA)
Ms May Mosby, Acting Secretariat Officer (ASO)

APOLOGIES:

Nil

COUNCIL ORDINARY MEETING
Wednesday 20th April 2022 – Day 1

1. **10:04am – 10:09am** **Welcome and Opening Remarks**

Mayor Phillemon Mosby welcomed Councillors and Staff and convened the Council Ordinary Meeting.

Mayor Mosby acknowledged the Chief Executive Officer, Mr James William in week 7 of his role and gave him an opportunity to speak to Council.

2. **10:09am – 10:09am** **Apologies**

No apologies

3. **10:09am – 10:09am** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

No declarations were made by Councillors. Mayor Mosby encouraged Councillors to make a declaration at any time during the meeting.

4. **10:09am – 10:12am** **Confirmation of Previous Council Ordinary Meeting Minutes – Day 1**

- 22nd March 2022

RESOLUTION:

Moved: Cr Laurie Nona; Second: Cr Francis Pearson

That Council resolves to accept the minutes of the Ordinary Meeting held on 22nd March 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

Day 2

- 23rd March 2022

RESOLUTION:

Moved: Cr Hilda Mosby; Second: Cr Keith Fell

That Council resolves to accept the minutes of the Ordinary Meeting held on 23rd March 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

5. **10:12am – 10:13am** **Confirmation of Previous SARG Committee Minutes**

- 5th April 2022

RESOLUTION:

Moved: Cr Jimmy Gela; Second: Cr Aven Noah

That Council resolves to accept the minutes of the Strategic Advisory Reference Group (SARG) held on 5th April 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

6. **10:13am – 10:14am** **Confirmation of Previous Climate Adaptation and Environment Committee Minutes**

- 11th March 2022

RESOLUTION:

Moved: Cr Hilda Mosby; Second: Cr Seriako Dorante

That Council resolves to accept the minutes of the Climate Adaptation and Environment Committee Meeting held on 11th March 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

7. **10:14am – 10:45am** **Outstanding Council Ordinary Meeting Action Items**

Executive officers provided an update on current action items.

ACTION: Executive Assistant to the Mayor to invite DFAT to attend the May Workshop to discuss the Torres Strait Treaty.

MORNING TEA 10:45AM – 11:03AM

Mayor Mosby established a quorum and continued with the outstanding action items.

Cr Aven Noah requested Councillors be included in recruitment emails.

ACTION: Executive Director Corporate Services to liaise with People and Wellbeing to make sure all recruitment emails are sent to Councillors.

8. **11:18am – 11:42am** **Standing Agenda Items:**

- Executive Director, Communities and Building Services - Housing Authority (verbal)

Mr Dawson Sailor, Acting Executive Director Building and Community Services provided a verbal update on this topic and an in-depth conversation was held.

ACTION: Acting Executive Director Building and Community Services to provide a report Councillors prior to the workshop as to where we are at with the Housing Authority.

LUNCH 11:42AM – 1:03PM

Mayor Meeting completed a roll call of Councillors and established a quorum.

Cr Laurie Nona will be delayed after lunch due to medical appointment.

Cr Aven Noah declared a Declarable Conflict of Interest in Council Meeting Agenda Item 8 – CORPORATE – Community Grants Program as two of the applicants being Women of Mabo and Komet Tribe are close relatives and therefore are related parties under s150EP. As the applicants are related parties in this matter Cr Aven Noah declared an interest under s150EQ(4).

9. **1:03pm – 1:13pm** **CORPORATE – Community Grants Program – April 2022**

Ms Megan Barrett, Executive Director Corporate Services spoke to this report. Three (3) applications have been received from Community Entities for the maximum threshold of \$10,000.00. Each of those three applications have been deemed eligible.

Ms Megan Barrett also advised that during April, two (2) out of cycle Community Grants applications were approved and in each instance, they were deemed to be out of cycle as they had missed the cut off date and the proposed event would occur prior to the next meeting being held and they have been processed in accordance with the policy meaning that the CEO had the opportunity to review them, recommend them to the Mayor, the Mayor has then approved them executively.

1:06pm - Cr Kabay Tamu joined the meeting.

1:06pm - Cr Torenzo Elisala joined the meeting.

1:10pm - Cr Keith Fell left the meeting at 1:10pm

Mabuygiw Garkaziw Kupay TSI Corporation

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Torenzo Elisala

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

- **Mabuygiw Garkaziw Kupay TSI Corporation for the eligible amount of \$700.00 exclusive of GST, as per submitted application noting that Mabuygiw Garkaziw Kupay TSI Corporation applied for \$3,216.90.**

MOTION CARRIED UNANIMOUS

Women of MABO

RESOLUTION:

Move: Cr Hilda Mosby; Second: Cr Jimmy Gela

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

- **Women of MABO for the eligible amount of \$5,740.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

Komet Tribe

RESOLUTION:

Move: Cr Kabay Tamu; Second: Cr John Levi

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

- **Komet Tribe for the eligible amount of \$1,500.00 exclusive of GST, as per submitted application noting that Komet Tribe applied for \$2,000.00**

MOTION CARRIED UNANIMOUS

1:14pm - Cr Keith Fell re-joined the meeting.

10. 1:14pm – 1:18pm CORPORATE – Operational Plan 2021-22 Q3 Update

Ms Megan Barrett, Executive Director Corporate Services spoke to this report.

Cr Aven Noah asked if Ms Megan Barrett could furnish himself and the Councillors with a copy of the Organisation structure of Corporate Services.

ACTION: Executive Director Corporate Services provide Councillors with a copy of the Organisational Structure of Corporate Services portfolio.

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Jimmy Gela

Council resolves to note the Operational Plan 2021-22 Quarter 3 Update

MOTION CARRIED UNANIMOUS

11. 1:18pm – 1:20pm CORPORATE – Council Policies

Ms Megan Barrett, Executive Director Corporate Services spoke to this report regarding the Child and Youth Risk Management Policy which is due for revision.

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Rocky Stephen

That Council adopts the revised Child and Youth Risk Management Policy.

MOTION CARRIED UNANIMOUS

1:20pm - Cr Tabuai joined the meeting

12. 1:20pm – 1:43pm ENGINEERING – Award Contract TSIRC 2021-354 Top Western DRFA Works (Saibai, Dauan & Boigu)

Mr David Baldwin, Executive Director Engineering Services spoke to the report and an in-depth discussion took place on this topic.

RESOLUTION:

Move: Cr Dimas Toby; Second: Cr Francis Pearson

That Council resolves:

1. To rescind the Resolution made on 15 February 2022, listed as item 15 relating to Contract TSIRC 2021-354 Top Western Islands DRFA Works, in the ratified minutes from the February 2022 Ordinary Council meeting; and
2. Subject to funding confirmation award Contract TSIRC 2021-354 – Top Western Islands DRFA Works, Separable Portion A, to Koppens Development Pty Ltd for an amount of up to \$1,292,433.85 excl. GST; and
3. Subject to approved funding availability for Separable Portion B, to award contract, TSIRC 2021-354 – Top Western Islands DRFA Works, Separable Portion B, to Koppens Development Pty Ltd for an amount of up to \$1,691,400.21 excl. GST; and
4. Award contract, TSIRC 2021-354 – Top Western Islands DRFA Works, Separable Portion C, to Koppens Development Pty Ltd for an amount of up to \$1,161,673.78 excl. GST; and
5. Pursuant to section 257 of the Local Government Act 2009, Council delegates to the Chief Executive Officer:
 - Power to make, amend or discharge any required approvals and or funding agreements with relevant funding bodies in relation to this project: and
 - Power to negotiate, finalise, and execute any and all matters associated with or in relation to this project and contracts including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUS

13. 1:43pm – 2:02pm ENGINEERING – Award Contract No. TSIRC 2021-355 (Hammond Island) DRFA Works

Mr David Baldwin, Executive Director Engineering Services spoke to this report and an in-depth conversation was held on this topic.

RESOLUTION:

Move: Cr Conwell Tabuai; Second: Cr Rocky Stephen

That Council resolves to:

- Subject to funding approval and finalisation, award the Tender No. TSIRC 2021-355 – Hammond Island DRFA Works to Gulf Civil Pty Ltd for an amount of up to \$538,994.92 excl GST.
And
- Delegate power to the Chief Executive Officer, pursuant to section 257 of the Local Government Act 2009 to negotiate, finalise, and execute any and all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED

AGAINST – MAYOR PHILLEMOS MOSBY, CR KEITH FELL AND CR SERIAKO DORANTE

14. 2:02pm – 2:07pm ENGINEERING - Award Contract TSIRC 2021-359 – ICCP Project #45, #49 & #69, - St Pauls, Kubin & Mabuiag WTP Upgrade

Mr David Baldwin, Executive Director Engineering Services spoke to this report.

RESOLUTION:

Move: Cr Lama Trinkoon; Second: Cr John Levi

That Council resolves to:

- Award the Contract TSIRC 2021-359 – ICCIP Projects #45, #49 & #69 – St Pauls, Kubin & Mabuiag WTP Upgrade to Northern Water Ltd for an amount of up to \$1,562,832.50 excl GST;
- and
- Pursuant to section 257 of the Local Government Act 2009, Council delegates to the Chief Executive Officer:
 - Power to negotiate, finalise, and execute any and all matters associated with or in relation to this project and contracts including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

MOTION CARRIED UNANIMOUS

15. **2:07pm – 2:33pm** **ENGINEERING – Contract Award TSIRC 2021-357 Various Islands DFRA Works (Kubin, Mabuiag, St Pauls, Iama, Warraber, Erub, Mer Ugar, Masig & Poruma)**

Mr David Baldwin spoke to the report.

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Keith Fell

That Council resolves to:

- Subject to funding approval and finalisation, Award the Tender No. TSIRC 2021-357 – Various Islands DRFA Works (Kubin, Mabuiag, St Pauls, Iama, Warraber, Erub, Mer, Ugar, Masig & Poruma) to Gulf Civil Pty Ltd for an amount of up to \$1,436,550.63 excl. GST.
- and
- Pursuant to section 257 of the Local Government Act 2009 Council delegates to the Chief Executive Officer:
 - Power to make, amend or discharge any required approvals and or funding agreements with relevant funding bodies in relation to this project: and
 - Power to make, amend or discharge contract TSIRC 2021-357: and
 - Power to negotiate, finalise and execute any and all matters associated with or in relation to this project, funding, and contract including without limitation any options and/or variations.

MOTION CARRIED UNANIMOUS

16. **2:33pm – 2:57pm** **FINANCE – Island Trust Funds**

Ms Hollie Faithfull, Executive Director Financial Services along with Ms Joanne Parisi and Mr Ralph from MacDonnell Law spoke to this report.

This report has been tabled due to an action that arose from the February Ordinary Meeting requesting further legal advice on trust funds. Ms Hollie Faithfull confirmed that the Island Trust Funds relate to funeral funds or social funds and are not part of the DOGIT Trust Funds.

2:35pm - Mayor Mosby left the meeting and requested Deputy Mayor Cr Getano Lui to chair the meeting.

2:43pm - Mayor Mosby re-joined the meeting and recommenced his role as chair.

2:52pm - Cr Laurie Nona joined the meeting.

Mayor Mosby thanked MacDonnell's Law for their attendance for this agenda topic.

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Jimmy Gela

That Council notes this Report and directs the Chief Executive Officer (or their representative) to:

1. Consult with the Divisional Councillor for each Trust Fund;

2. **Provide a Further Report to Council with recommendations in relation to each Trust Fund including:**
 - (a) **Whether Court proceedings should be instituted seeking directions for:**
 - (i) **The divestment of the Trust Funds;**
 - (ii) **The use of the Trust Funds; and**
 - (iii) **Any Advertising/community consultation which should occur**
 - (b) **Where an existing Policy or process document for the use of the Trust Funds can be located, it be reviewed, and Policy implemented.**

MOTION CARRIED UNANIMOUS

17. **2:57pm – 3:00pm** **Closing Remarks and Prayer**

Mayor Mosby thanked Mr James William, Chief Executive Officer and his Executive Director's Team for ensuring that the reports came to Council on time, the Secretariat Team and also to all Councillors for their engagement and discussions around how we can improve for the benefit of our organisation. Mayor Mosby acknowledged the leadership of SARG members, Deputy Mayor Cr Getano Lui and invited Cr Francis Pearson to close the meeting in a word of prayer.

MEETING ADJOURNED – 3:00PM

COUNCIL ORDINARY MEETING – DAY 2
Thursday 21st April 2022

PRESENT:

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

STAFF:

Ms Hollie Faithfull, Executive Director, Financial Services (EDFS)
Mr David Baldwin, Executive Director, Engineering Services (EDES)
Mr Dawson Sailor, Acting Executive Director, Building and Community Services (AEDBCS)
Ms Megan Barrett, Executive Director, Corporate Services (EDCS)
Mr Peter Krebs, Manager Legal Services (MLS)
Mrs Ursula Nai, Senior Executive Assistant to the Chief Executive Officer (SEA)
Mr Jacob Matysek, Executive Assistant to the Mayor (EA)
Ms May Mosby, Acting Secretariat Officer (ASO)

APOLOGIES:

Nil

Note: Mr James William, Chief Executive Officer (CEO) – to dial in later in the day.

COUNCIL ORDINARY MEETING
Thursday 21st April 2022

18. **9:05am – 9:10am** **Welcome and opening prayer.**

Mayor Mosby completed a roll call and established a quorum.

Mayor Mosby welcomed everyone to the meeting and asked everyone to be up standing and invited Cr Keith Fell to open the meeting in a word of prayer.

19. **9:10am – 10:08am** **Deputation 1 | Joint Australian Defence Force / Australian Border Force/ Department of Foreign Affairs and Trade**

Deputation via telephone from Mr Andrew Berryman, Department of Foreign Affairs and Trade; Mr Michael Talbot, Australian Border Force and Major Chris Reimann from ADF Charlie Company dialling in from Thursday Island.

Mayor Mosby welcomed the three representatives to the meeting and explained the purpose of the meeting is due to the number of concerns Councillors had with the border opening up, breaches in the region and illegal movements across the border.

An in-depth discussion took place on the border movements within the Torres Strait.

9:15am – Cr Laurie Nona joined the meeting.

9:16am – Cr Torenzo Elisala joined the meeting.

9:21am – Cr Seriako Dorante joined the meeting and advised he was late due to technical issues.

MORNING TEA 10:08am – 10:28am

20. **10:28am – 10:28am** **COUNCIL MOVES INTO CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Elisala ; Second: Cr Trinkoon

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

(c) local government budget.

(e) legal advice obtained by the local government or legal proceedings involving the local government.

(f) matters that may directly affect the health and safety of an individual or a group of individuals.

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

MOTION CARRIED UNANIMOUS

- 21. BUILDING – CB – BSU Update
- 22. BUILDING – CB – Contractual Matter – Water Tank Boigu – **Late**
- 23. ENGINEERING – CB – Funding Matter – TSIRC.0017.2021G REC Disaster Funding Agreement
- 24. ENGINEERING – CB – Coates Hire Contractual Matter
- 25. ENGINEERING – CB – Fuel Delivery Status Report
- 26. FINANCE – CB – Mer Engineering Shed and Offices Demolition – **Late**
- 27. FINANCE – CB – Financial Dashboard Report March 2022

LUNCH: 12:34PM – 1:35PM

28. 1:51pm – 1:51pm

**COUNCIL MOVES OUT OF CLOSED BUSINESS AND
RESUMES IN OPEN BUSINESS**

RESOLUTION:

Moved: Cr Laurie Nona; Second: Cr Francis Pearson

That Council resolves to move out of closed business and resume in open business.

MOTION CARRIED UNANIMOUS

Resolutions and minutes for noting following closed business:

1:51pm – 1:52pm

BUILDING – CB – BSU Update

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Lama Trinkoon

Council resolves to note the information on this report.

MOTION CARRIED UNANIMOUS

1:52pm – 1:53pm

**BUILDING – CB – Contractual Matter – Water Tank Boigu
Late**

RESOLUTION:

Move: Cr Dimas Toby; Second Cr Aven Noah

Council resolves to:

1. Submit a tender to the Queensland State Government through the Department of Housing and Public Works to carry out Water Tank Works at the following properties.

- Lot 45 Kada Street, Boigu
- Lot 45A (46) Kada Street, Boigu
- Lot 57 Army Street, Boigu
- Lot 201 Army Street, Boigu
- Lot 17 Toby Street, Boigu
- Lot 51 Chamber Street, Boigu
- Lot 115 Airport Road, Boigu

with a tender price of \$421,261.61 excl of GST
and

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

ACTION: That Acting Executive Director Building and Community Services to look into further regarding 4 other houses that were not captured in the report.

MOTION CARRIED UNANIMOUS

1:53pm – 1:54pm

**ENGINEERING – CB – Funding Matter TSIRC.0017.2021G.
REC Disaster Recovery Funding Arrangement**

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Francis Pearson

Council resolves to:

- Enter into the proposed funding agreement, TSIRC.0017.2021G.REC for Disaster Recovery Funding Arrangement, administered by Queensland Recovery Authority (QRA) in relation to Council's submission of TSIRC.0017.2021G.REC for the grant sum of \$2,992,809.20 (excl. gst)

and

- to delegate authority to the Chief Executive Officer under the provisions of the *Local Government Act 2009*:
 - power to make, amend or discharge the funding agreement; and
 - power to negotiate, finalise and execute any and all matters associated with or in relation to this to this funding agreement including without limitation any options and/or variations.

MOTION CARRIED UNANIMOUS

1:54pm – 1:56pm

ENGINEERING – CB – Coates Hire Contractual Matter

It was noted that for minute taking purposed Ms Joanne Parisi from MacDonnell's Law attended the meeting in person to provide further legal advice on this matter.

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Torenzo Elisala

Council resolves to:

Pursuant to Section 257 of the Local Government Act, Council resolves to delegate the authority to negotiate and resolve this matter to the CEO on whatever terms he sees fit and within the CEO's nominal financial delegation.

MOTION CARRIED UNANIMOUS

1:56pm – 1:57pm

ENGINEERING – CB – Fuel Delivery Status Report

RESOLUTION:

Move: Cr Jimmy Gela; Second: Cr Rocky Stephen

That the Council notes the report.

MOTION CARRIED UNANIMOUS

1:57pm – 1:58pm

**FINANCE – CB – Mer Engineering Shed and Offices
Demolition – Late**

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Laurie Nona

1. **Council notes that the Mer Engineering Shed & Offices located on Mer Island are in a state of disrepair and require demolition urgently to avoid any health and safety issues which might arise; and**
2. **Council resolves to engage Top End Plumbing and Amped Up Electrical to attend to the required demolition of the Mer Engineering Shed & Offices; and**
3. **Pursuant to Section 257 of the Local Government Act, Council resolves to delegate the authority to negotiate, finalise and execute and all matters associated with the engagement of Top End Plumbing and Amped Up Electrical to the Chief Executive Officer on whatever terms he sees fit including without limitation any variations.**

MOTION CARRIED UNANIMOUS

1:58pm – 1:59pm

FINANCE – CB – Financial Dashboard Report March 2022

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Rocky Stephen

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2021-22 year to date, for the period ended 31 March 2022, as required under Section 204 Local Government Regulation 2012.

MOTION CARRIED UNANIMOUS

29.

1:59pm – 2:04pm

Business Arising from Information Reports

Mayor Mosby acknowledged and thanked the Chief Executive Officer and the Executive Directors team for producing the reports for Council to gain an insight into the operations of Council.

1:58pm – Cr Rocky Stephen joined the meeting.

Cr Keith Fell asked if the reports could also capture the gaps and blockages so we can work through these issues as a team.

Cr Getano Lui expressed his appreciation to Mr David Baldwin, Executive Director Engineering Services on the quality of the engineering reports now produced.

30. **2:04pm – 2:05pm** **Next Council Meeting Date – 16th and 17th May 2022 – Cairns**

Mayor Mosby advised the next Council Meeting will be face-to-face in Cairns with all Councillors. Mayor Mosby asked Councillors to contact Mr Jacob Matysek, Executive Assistant to the Mayor and Ms Naila Nomoa, Travel Officer offline in regard to travel and accommodation if not already completed.

31. **2:05pm – 3:20pm** **Strategic Matters**

Cr Dimas Toby raised the following issues in his community:

- Contractors coming into community without notification.
- Minor issues with the seawalls

ACTION: Executive Director Engineering Services have an offline conversation with Cr Dimas Toby

- Rubbish truck for Boigu.
- Tree lopping in community – concerned with the large trees becoming a hazard on properties.

Mr David Baldwin, Executive Director Engineering Services advised that the garbage truck should be back on the island within a couple of weeks. Engineering will look into tree lopping further with two contractors in the region.

- Roadworks

ACTION: Executive Director Engineering Services have an offline conversation with Cr Dimas Toby.

- Trust Fund – requested staff to assist with obtaining quotes to access the Community Trustee money.

Ms Hollie Faithfull, Executive Director Financial Services requested Cr Dimas Toby to send her an email with the details of the project and she will forward internally to the appropriate officer.

- May Workshop dates
Mayor Mosby advised that SARG and other executive matters are on the agenda for the last two days of the workshop.

Cr Keith Fell raised the following matters:

- Community grants of \$4000 allocated for each community for events such as Mabo Day celebrations and the reason he only allocated \$700 from his community grants applications.

Ms Hollie Faithfull, Executive Director Financial Services advised that the funds of \$4000 per division still exist and are managed by community services. The funds are primarily used for staff however community members are invited to those events.

Cr Torenzo Elisala raised the following:

- Requested an update from Manager Legal Services on the leases of the kiosk and Wapil facility?

ACTION: Manager Legal Services provide an update on the leases of the kiosk and Wapil facility to Cr Elisala of any response received from the Native Titles office or GBK.

- Students travelling down south to attend school and the delays in their flights; should we respond to Abstudy and Torres Shire?

Mayor Mosby advised that he did reach out to Mr Ned David at TSIREC to take the matter up further with Abstudy and the Department of Education.

- Process around complaints that have been lodged online over the years from members of the community and whether those complaints have been followed up via the complaint's portal.

ACTION: Manager Legal Services to discuss the complaint portal offline with Cr Elisala.

Cr Francis Pearson raised the following concern:

- Queensland Police Service.
Cr Pearson was not informed of a recent incident on the island, but rather by a community member. He found it impolite and disrespectful for police not approaching him in the first instance to inform him of the incident.

Cr Conwell Tabuai raised a concern:

- Community/TO's not informed of new projects in community. Recommended that notices be placed on noticeboards around the community prior to works being carried out and the duration.

Cr Lama Trinkoon:

- Waste management vehicle. Noticed that the engineering officers are still using the trailer.

Mr David Baldwin, Executive Director Engineering Services advised that after speaking with Mr George Chapman, Kubin would soon have its own backhoe and garbage truck meaning that both Kubin and St Paul's will each have a backhoe and garbage truck.

- DRFA recovery funding – upskilling our people in community in regard to basic training in roadworks.

Cr Seriako Dorante:

- Seeking support around the community health centre and requested a copy of the support letter under Mayor's hand so he has the relevant document.

ACTION: Chief Executive Officer to provide a copy of the letters sent to the Minister regarding the Hammond Health Centre to Cr Seriako Dorante.

- Signage on the pontoon - Concerned about the damages to the floatation of the pontoon.

ACTION: Acting Executive Director Building and Community Services to liaise with the Manager Environment and Health to discuss offline with Cr Dorante on signage options for the pontoon.

- CCTV at the Hammond wharf is currently not in operation and would like this to be fixed.

2:43pm – Ms Megan Barrett left the meeting

Cr Aven Noah:

- Extended an invitation to Council to this year's 30th Anniversary of Mabo Day at Mer and 30th Anniversary of the Torres Strait Flag. The Women of Mabo are hosting the event. Flyers of the program will be sent out and extend an invite in particular for women from each division to attend.

Cr Rocky Stephen:

- Support letter to Qld Health on the position of the registered nurse on Ugar.
- Helicopter subsidy. There is a concern with the subsidy in penalising the community in accessing the service.

- BSU service delivery to Ugar.

ACTION: Acting Executive Director Building and Community Services to look into this matter to provide feedback to Cr Rocky Stephen offline.

- Discussions at this morning's meeting with the relevant stakeholder around treaty as our community are in the dark over these issues and felt these discussions should be more face to face as it affects our community. Recommends that this matter be brought again to the May meeting for a face to face.

Cr Getano Lui raised the following:

- Local Fare Scheme (LFS) – should non islander teachers in community be eligible for the Local Fare Scheme
- Climate change – An important issue and should be supported as such.
- Suggest change of name for SARG to Strategic Alliance Committee, being one people.

ACTION: Executive Assistant to the Mayor to add SARG name change to the May workshop for further discussion.

2:56pm - Cr Aven Noah left the meeting.

Cr Laurie Nona raised a concern about:

- Asbestos in community

ACTION: Acting Executive Director Building and Community Services to provide a report on Asbestos to the next Housing Safe and Healthy Communities Committee to look further into progressing this matter.

Cr Kabay Tamu:

- Joint statement on climate change paper at last Council meeting. Do we have Council's support moving forward with the media and with the decision of the UN coming up in the next couple of months? Do we have support from the region?

ACTION: Manager Legal Service to present a report to Climate Change Adaptation and Environment Committee in terms of Council position on this matter based on the campaign and five demands. Once endorsed the paper is to proceed through to SARG and to full Council.

32. **3:20pm – 3:25pm**

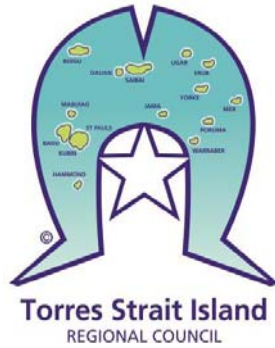
Closing Remarks and Prayer

Mayor Mosby expressed his appreciation and thanks to the Councillors for their valuable time, participation and constructive engagement. Mayor Mosby also expressed his appreciation to the operational arm of Council for their dedication, commitment and outstanding work and asked Deputy Mayor, Cr Getano Lui to close the meeting in a word of prayer.

MEETING CLOSED AT 3:25PM

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

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



Draft Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

SPECIAL MEETING

April 2022

Wednesday 13th April 2022, 09:10am – 10:00am

Video Conference

COUNCIL SPECIAL MEETING
Wednesday, 13th April 2022

PRESENT

Cr Phillemon Mosby, Mayor
Cr Keith Fell, Division 4 – Mabuiag
Cr Lama Trinkoon, Division 6, Kubin (Arkai), Mua Island
Cr John Levi, Division 7 – Wug (St Pauls), Mua Island
Cr Seriako Dorante, Division 8 – Hammond
Cr Getano Lui, Deputy Mayor, Division 9, Iama (Yam)
Cr Francis Pearson, Division 11 – Poruma (Coconut)
Cr Hilda Mosby, Division 12 – Masig (Yorke)
Cr Jimmy Gela, Division 14 – Erub (Darnley)
Cr Aven Noah, Division 15 – Mer (Murray)

STAFF:

Ms Hollie Faithfull, Executive Director Financial Services (EDFS)
Mr Dawson Sailor, Acting Executive Director Building and Community Services (aEDBCS)
Mr Peter Krebs – Manager Legal Services (MLS)
Mrs Ursula Nai, Senior Executive Assistant to the CEO (SEA)
Mr Jacob Matysek, Executive Assistant to the Mayor (EA)
Ms May Mosby, Acting Secretariat Officer (aSO)

APOLOGIES

Cr Conwell Tabuai, Division 3 – Saibai
Cr Kabay Tamu, Division 10 – Warraber
Cr Rocky Stephen, Division 13 – Ugar
Cr Dimas Toby, Division 1 – Boigu

Mr James William, Chief Executive Officer (CEO)
Mr David Baldwin, Executive Director Engineering Services (EDES)
Ms Megan Barrett – Executive Director Corporate Services (EDCS)

COUNCIL ORDINARY MEETING

Wednesday 13th April 2022

Agenda Items:

1. **09:10am – 09:24am** **Welcome and Opening Remarks**

Mayor Mosby welcomed Councillors and Staff to the meeting and acknowledged:

- Papa God for his awesome wisdom, knowledge and understanding
- Traditional Owners across the length and breadth of Zenadth Kes including from all offices we are dialling in from
- Families across the region sitting for sorry business

Mayor Mosby invited Cr Keith Fell to open the meeting in a word of prayer.

2. **09:12am – 09:15am** **Apologies**

Apologies noted from Chief Executive Officer, Mr James William.

Ms Hollie Faithfull, Executive Director Financial Services to present the report on his behalf.

- Cr Kabay Tamu, Division 10 - Warraber

RESOLUTION:

Moved: Cr Aven Noah; Second: Cr Francis Pearson

That Council accepts the apology of Cr Kabay Tamu for April 2022 Special Meeting.

MOTION CARRIED UNANIMOUS

- Cr Dimas Toby, Division 1 – Boigu

RESOLUTION:

Moved: Cr Keith Fell; Second: Cr Lama Trinkoon

That Council accepts the apology of Cr Dimas Toby for April 2022 Special Meeting.

MOTION CARRIED UNANIMOUS

- Cr Conwell Tabuai, Division 2 – Saibai

RESOLUTION:

Moved: Cr Keith Fell; Second: Cr Jimmy Gela

That Council accepts the apology of Cr Conwell Tabuai for April 2022 Special Meeting.

MOTION CARRIED UNANIMOUS

- Cr Torenzo Elisala, Division 3 – Dauan

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Aven Noah

That Council accepts the apology of Cr Torenzo Elisala for April 2022 Special Meeting.

MOTION CARRIED UNANIMOUS

- Cr Rocky Stephen, Division 13 – Ugar

RESOLUTION:

Moved: Cr Keith Fell; Second: Cr Jimmy Gela

That Council accepts the apology of Cr Rocky Stephen for April 2022 Special Meeting.

MOTION CARRIED UNANIMOUS

3. **09:15am – 09:15am** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

No declarations were made by Councillors. Mayor Mosby encouraged Councillors to make a declaration at any time during the meeting.

4. **09:15am – 09:20am** **CORPORATE – Change of April OM meeting place**

Ms Hollie Faithfull, Executive Director Financial Services spoke to the report on changing the meeting place of April's Council's Ordinary Meeting face-to-face back to videoconference.

RESOLUTION:

Move: Cr Lama Trinkoon; Second: Cr Aven Noah

Council resolves to reallocate the April 2022 Ordinary Meeting of Council from a face-to-face meeting to a meeting conducted via videoconference.

MOTION CARRIED UNANIMOUS

5. **09:20am – 09:24am** **Closing Remarks and Prayer**

Mayor Mosby conveyed his appreciation and thanks to Councillors, the operational and arm of Council, the Secretariat team and a special mention to the Executive Assistants, Mrs Ursula Nai and Mr Jacob Matysek for the planning of the upcoming workshops.

Mr Jacob Matysek confirmed the dates for the SARG workshop being 26th – 29th April 2022 and Councillors workshop being 16th - 27th May 2022. Mr Jacob Matysek advised the Travel Officer will send an email to all Councillors regarding travel options.

Cr Jimmy Gela advised Mayor Mosby the community of Erub has requested the Mayor and the Executive team travel to Erub for a community meeting.

ACTION: Executive Assistant to the Mayor to liaise with Cr Jimmy Gela offline regarding the proposed community meeting.

9:22am - Cr Laurie Nona joined the meeting.

Mayor Mosby closed the meeting in a word of prayer.

MEETING CLOSED AT 9:24AM

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

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

STATAGIC AND OPERATIONAL ACTIONS FROM ORDINARY MEETING AND EXECUTIVE - PLUS OPERATIONAL ACTIONS ONLY FROM SARG TO BE INPUT ONTO THIS DOCUMENT #85075

| Date | Month of Meetin | Year | Type of Meeting | Communi | Agenda Report | Action | Lead Officer | Adviso | ry | B | PI | Lead Officer Comments | ETA |
|------|-----------------|------|-----------------|---------|---|--|---|--------|----|---|----|--|-----------|
| 20 | April | 2022 | Ordinary | VC | Outstanding Action Items | Executive Assistant to the Mayor to invite DFAT to attend the May Workshop to discuss the Torres Strait Treaty | EA to the Mayor | | | | | Currently in Progress | |
| 20 | April | 2022 | Ordinary | VC | Outstanding Action Items | Executive Director Corporate Services to liaise with People and Wellbeing to make sure all recruitment emails are sent to Councillors | Executive Director Corporate Services | | | | | People and Wellbeing have been notified of request | Completed |
| 20 | April | 2022 | Ordinary | VC | Standing Agenda Item - Housing Authority Update | Acting Executive Director Building and Community Services to provide a report to Councillors prior to the workshop on the Housing Authority | Acting Executive Director Building & Community Services | | | | | Currently in progress | |
| 20 | April | 2022 | Ordinary | VC | Corporate - Operational Plan 2021-22 | Executive Director Corporate Services to provide Councillors with a copy of the Orgnisational Structure of Corporate Services portfolio | Executive Director Corporate Services | | | | | Organisational Structure for Corporate Affairs sent to Councillors | Completed |
| 20 | April | 2022 | Ordinary | VC | Strategic Matters - Boigu Seawall | Executive Director Engineering Services to have an offline conversation with Cr Dimas Toby regarding minor issues with Boigu Seawalls | Executive Director Engineering Services | | | | | Visit to Boigu by David and Adeah undertaken and meeting with Councillor, matters raised are in defects list to be dealt with as per contract. Additionally, temporary fencing being considered at camp/dam area | Completed |
| 20 | April | 2022 | Ordinary | VC | Strategic Matters - Boigu Roadworks | Executive Director Engineering Services to have an offline conversation with Cr Dimas Toby regarding roadworks in community | Executive Director Engineering Services | | | | | Visit to Boigu by David and Adeah undertaken and meeting with Councillor, matters raised are in defects list to be dealt with as per contract. Some areas not covered by seawalls contract, but 'repairs/make better' intended to be addressed during other road works activities. | Completed |
| 20 | April | 2022 | Ordinary | VC | Strategic Matters - Dauan | Manager Legal Services provide an update on the leases of the kiosk and Wapil facility to Cr Elisala of any response received from the Native Titles office or GBK. | Manager Legal Services | | | | | In progress | |
| 20 | April | 2022 | Ordinary | VC | Strategic Matter - Dauan | Manager Legal Services to discuss the complaint portal offline with Cr Elisala. | Manager Legal Services | | | | | In progress | |
| 20 | April | 2022 | Ordinary | VC | Strategic Matter - Hammond Health Centre Petition | CEO to provide a copy of the letters sent to the Minister regarding the Hammond Health Centre to Cr Seriako Dorante. | Chief Executive Officer | | | | | Letter sent to Cr Dorante | Completed |
| 20 | April | 2022 | Ordinary | VC | Strategic Matter - Hammond Wharf | Acting Executive Director Building and Community Services to liaise with the Manager Environment and Health to discuss offline with Cr Dorante on signage options for the pontoon. | Acting Executive Director Building & Community Services | | | | | EDES discussed options with Cr and to have broken gate and compliance matters addressed with Community Services/Authorised Officers. Possible "loading area" for non-commercial to be considered in near future | ongoing |
| 20 | April | 2022 | Ordinary | VC | Strategic Matter - BSU Ugar | Acting Executive Director Building and Community Services to look into this matter to provide feedback to Cr Rocky Stephen offline. | Acting Executive Director Building & Community Services | | | | | Currently in progress and Executive Director Building and Community Services to meet with Cr Stephen in person during the May workshop | ongoing |
| 20 | April | 2022 | Ordinary | VC | Strategic Matter - Asbestos | Acting Executive Director Building and Community Services to provide a report on Asbestos to the next Housing Safe and Healthy Communities Committee look further into progressing this matter. | Acting Executive Director Building & Community Services | | | | | EDES met with Cr on Badu and saw the 10 houses in question. EDES in discussion with State with possibility of "piggy back" required asbestos demo work with concurrent other works being undertaken by eng dept. | ongoing |
| 20 | April | 2022 | Ordinary | VC | Strategic Matters - Climate Change | Manager Legal Service to present a report to Climate Change Adaptation and Environment Committee in terms of Council position on this matter based on the campaign and five demands. Once endorsed the paper is to proceed through SARG to full Council. | Manager Legal Services | | | | | Currently in progress | |



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

| | |
|--------------------------|---|
| ORDINARY MEETING: | May 2022 |
| DATE: | 16 th & 17 th May 2022 |
| ITEM: | Agenda Report |
| SUBJECT: | Funding Acquisition Report |
| AUTHOR: | Melissa Wright - Acting Manager Enterprise Development & Delivery |

Recommendation:

That Council resolves to note this report and its content.

Executive Summary:

This report provides an update on and summary of Council's recent grant acquisition activities.

New Agreements/Variations:

The following is a list of all new agreements and/or variations that were executed during the month of April 2022 within the Chief Executive Officer's financial delegation limit of \$1,000,000 as per Council's Strategic External Grant Funding Policy:

- University of Sydney – Service Learning in Indigenous Communities (SLIC) Program
New Agreement
Value \$55,000

Current Application Status Report:

The following table highlights all funding applied for during this financial year, including details on their outcomes and a status report on all unsuccessful and long-term pending applications. Please note, the reporting period is for the fiscal year to align with Council's budget and projected forecasts.

| Funding Stream | Value | Project Details | Date of Application | Outcome | Current Status Report |
|---|-----------|---|-----------------------------|---------|-----------------------|
| Reporting period - 1 July 2021 – 30 April 2022 | | | | | |
| TSRA – Dauan Island Helicopter Subsidy | \$180,000 | Application for continuation of funding to continue to provide subsidised Helicopter Flights. | 29 th April 2022 | Pending | |

| Funding Stream | Value | Project Details | Date of Application | Outcome | Current Status Report |
|---|--------------------|---|--------------------------------------|---------------------|---|
| <i>TSRA – Ugar Helicopter Subsidy</i> | <i>\$200,000</i> | <i>Application for continuation of funding to continue to provide subsidised Helicopter Flights.</i> | <i>29th April 2022</i> | <i>Pending</i> | |
| <i>TSRA – Tourism Officer and Events Coordinator</i> | <i>\$862,500</i> | <i>Application for continuation of funding to support the Tourism Officer and Events Coordinator positions</i> | <i>29th April 2022</i> | <i>Pending</i> | |
| <i>National Indigenous Australian's Agency</i> | <i>\$350,000</i> | <i>Application for continuation of funding to support the Healthy Lifestyle Officers –1 year program extension.</i> | <i>April 2022</i> | <i>Successful</i> | |
| <i>Queensland Health – ATSI Public Health Program</i> | <i>TBD</i> | <i>Application for continuation of funding to continue Environmental Health Program</i> | <i>April 2022</i> | <i>Pending</i> | |
| <i>Department of Sport & Rec</i> | <i>\$225,000</i> | <i>Application for continuation of funding to deliver the Sport & Rec program</i> | <i>April 2022</i> | <i>Pending</i> | |
| <i>University of Sydney</i> | <i>\$55,000</i> | <i>Service Learning in Indigenous Communities (SLIC) Program</i> | <i>22nd March 2022</i> | <i>Successful</i> | |
| <i>Local Government Grants and Subsidies Program</i> | <i>\$1,200,000</i> | <i>Fuel infrastructure upgrade for Poruma, Hammond and Dauan Islands</i> | <i>18th March 2022</i> | <i>Pending</i> | |
| <i>Local Government Grants and Subsidies Program</i> | <i>\$497,192</i> | <i>Upgrade of internet infrastructure from copper to satellite.</i> | <i>18th March 2022</i> | <i>Pending</i> | |
| <i>Remote Aerodrome Upgrade Programme</i> | <i>\$2,154,557</i> | <i>Upgrade of the York Island Aerodrome helicopter designated apron area</i> | <i>17th March 2022</i> | <i>Pending</i> | |
| <i>DESE – Community Child Care Funding</i> | <i>\$18,000</i> | <i>Structural Report and QS Completed for the Aragun Child Care Centre Building</i> | <i>16th February 2022</i> | <i>Successful</i> | |
| <i>Qld Resilience & Risk Reduction Fund – EOI</i> | <i>\$295,000</i> | <i>HF Radio Network Expansion</i> | <i>21st February 2022</i> | <i>Unsuccessful</i> | <i>Due to a heavily oversubscribed program, only our 1st preference was selected to proceed to a formal application stage.</i> |

| Funding Stream | Value | Project Details | Date of Application | Outcome | Current Status Report |
|--|---------------------|---|--------------------------------------|---|--|
| <i>Qld Resilience & Risk Reduction Fund – EOI</i> | <i>\$2,000,000</i> | <i>Purchase and installation of backup generators for disaster coordination centres</i> | <i>18th February 2022</i> | <i>Unsuccessful</i> | <i>Due to a heavily oversubscribed program, only our 1st preference was selected to proceed to a formal application stage</i> |
| <i>Qld Resilience & Risk Reduction Fund - EOI</i> | <i>\$265,000</i> | <i>Employment of a Coastal Hazard Resilience Officer</i> | <i>18th February 2022</i> | <i>Invited to submit a formal application</i> | |
| <i>Saluting Their Service Commemorative Grant</i> | <i>\$10,000</i> | <i>Installation of a Defence Force Memorial on Erub Island</i> | <i>9th February 2022</i> | <i>Successful</i> | |
| <i>Regional & Remote Recycling Modernisation Fund</i> | <i>\$517,550</i> | <i>Development and implementation of a pilot program on Warraber Island to effectively manage recyclable materials and reduce landfill.</i> | <i>25th January 2022</i> | <i>Pending</i> | <i>The outcome of this funding is expected in April 2022</i> |
| <i>QRA – Disaster Recovery Funding Arrangements</i> | <i>\$561,097.03</i> | <i>Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. DRFA Various Islands.</i> | <i>December</i> | <i>Successful</i> | |
| <i>Building our Regions Round 6 – Reservoir Roads Design – EOI</i> | <i>\$275,000</i> | <i>Development of detailed engineering plans for all-weather access roads to reservoirs at Hammond, Badu, Mabuag, lama and Mer</i> | <i>21st December 2021</i> | <i>Pending</i> | <i>The outcome of this funding is expected by June 2022</i> |
| <i>Building our Regions Round 6 – lama Drinking Water Lagoon Study – EOI</i> | <i>\$175,000</i> | <i>Feasibility study for new water storage lagoon on lama Island</i> | <i>21st December 2021</i> | <i>Pending</i> | <i>The outcome of this funding is expected by June 2022</i> |
| <i>Building our Regions Round 6 – St Pauls Ladyhill Rd Drainage Design – EOI</i> | <i>\$85,000</i> | <i>Detailed drainage design and engineering report for Ladyhill Road on St Pauls</i> | <i>21st December 2021</i> | <i>Pending</i> | <i>The outcome of this funding is expected by June 2022</i> |
| <i>Building our Regions Round 6 – Warraber Sewer Replacement -EOI</i> | <i>\$1,875,000</i> | <i>Replacement of sewer Pumpstation 1 on Warraber Island</i> | <i>23rd November 2021</i> | <i>Pending</i> | <i>The outcome of this funding is expected by June 2022</i> |

| Funding Stream | Value | Project Details | Date of Application | Outcome | Current Status Report |
|--|-----------------------|--|--------------------------------------|-------------------|---|
| <i>Building our Regions Round 6 – Badu Reservoir Main – EOI</i> | <i>\$350,000</i> | <i>Construction of a new section of water main from the reservoir to the town network – Badu</i> | <i>23rd November 2021</i> | <i>Pending</i> | <i>The outcome of this funding is expected by June 2022</i> |
| <i>Building our Regions Round 6 – Badu & Mabuig Water Network Management – EOI</i> | <i>\$280,000</i> | <i>Implementation of smartmeters and additional valving into water network</i> | <i>23rd November 2021</i> | <i>Pending</i> | <i>The outcome of this funding is expected by June 2022</i> |
| <i>QRA – Disaster Recovery Funding Arrangements</i> | <i>\$499,983.82</i> | <i>Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. Boigu, Dauan and Saibai Islands</i> | <i>November 2021</i> | <i>Successful</i> | |
| <i>QRA – Disaster Recovery Funding Arrangements</i> | <i>\$740,652.25</i> | <i>Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. Hammond Island</i> | <i>November 2021</i> | <i>Successful</i> | |
| <i>QRA – Disaster Recovery Funding Arrangements</i> | <i>\$89,697.95</i> | <i>Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. Ugar Island.</i> | <i>November 2021</i> | <i>Successful</i> | |
| <i>QRA – Disaster Recovery Funding Arrangements</i> | <i>\$2,241,893.17</i> | <i>Reconstruction of essential public assets, Tropical Low 24-30 January 2021 event. Various Roads.</i> | <i>November 2021</i> | <i>Successful</i> | |
| <i>LRCI Phase 3</i> | <i>\$388,576</i> | <i>Upgrade of Dauan Helipad Road</i> | <i>22nd November 2021</i> | <i>Successful</i> | |
| <i>State Government Financial Aid</i> | <i>\$7,393,000</i> | <i>Recurring annual funding to assist local governments with operational costs</i> | <i>N/A</i> | <i>N/A</i> | |
| <i>Revenue Replacement Program</i> | <i>\$546,200</i> | <i>Recurring annual funding for Indigenous Councils that handed over profitable liquor licences</i> | <i>N/A</i> | <i>N/A</i> | |
| <i>LGAQ QCoast2100 2.0</i> | <i>\$247,500</i> | <i>Funding to complete phases 6-8 of the Coastal Hazard Adaption Strategy</i> | <i>5th November 2021</i> | <i>Successful</i> | |




| Funding Stream | Value | Project Details | Date of Application | Outcome | Current Status Report |
|-------------------------------------|-----------|--|-------------------------------|--------------|-----------------------|
| Indigenous Language Grants | \$20,000 | Development of Environmental Health Material and other Community Messages using Torres Strait Language. The media will include posters, prints, and videography. | 15 th October 2021 | Unsuccessful | |
| Queensland Reconstruction Authority | \$67,554 | Design of Dauan Island Western Reservoir Road. | August 21 | Successful | |
| State Library of Qld | \$17,000 | Extension of funding for a further one-year period. | 5 th July 21 | Successful | |
| Dept. Sport & Rec | \$225,000 | Funding to increase HLO's hours to deliver a fitness program under the direction of a qualified Personal Trainer | July 21 | Successful | |

| |
|---|
| Total Amount Applied for between 1 July 2021 and 30 April 2022 |
| \$24,907,953.22 |

| | |
|--|------------------------|
| Total Amount Successful between 1 July 2021 and 30 April 2022 | |
| Building Services | |
| Engineering | \$4,836,954.22 |
| Community Services | \$675,000 |
| Business Services | \$7,393,000 |
| Executive | \$546,200 |
| Combined Total | \$13,451,154.22 |

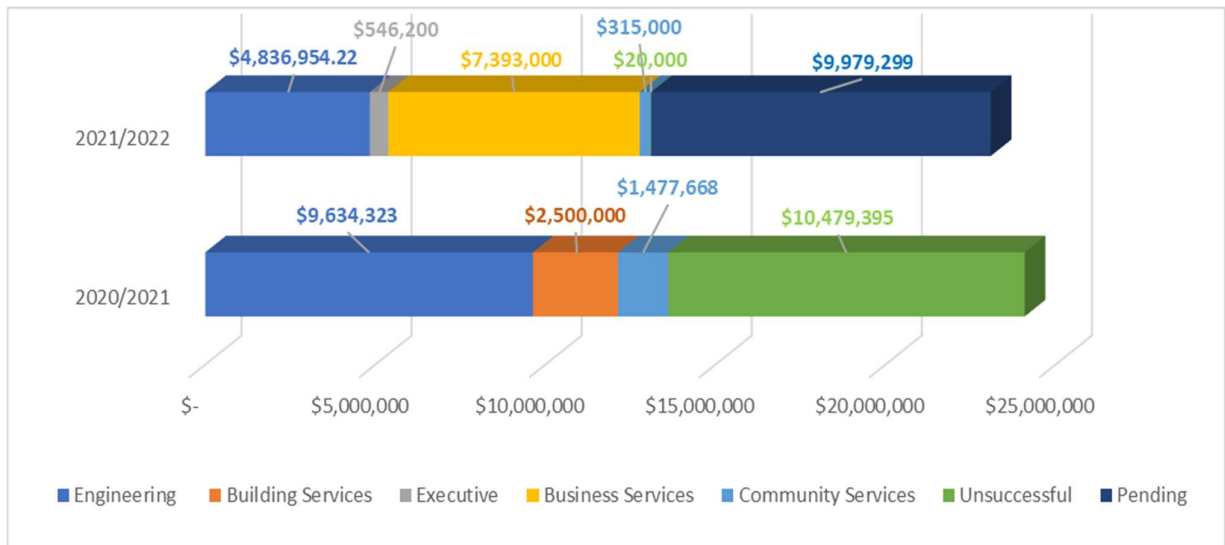
Funding Applications in Progress:

The below list outlines all funding applications that are currently in progress.

-  Department of Health
Major capital funding to complete rectification works at Aragon Child Care
Value - To Be Determined
-  Qld Resilience and Risk Reduction Fund
Employment of a Coastal Hazard Resilience Officer
Value - \$265,000
-  Department of Agriculture, Water & the Environment
Enhancing Local Government Biosecurity Capacity
Value – To Be Determined

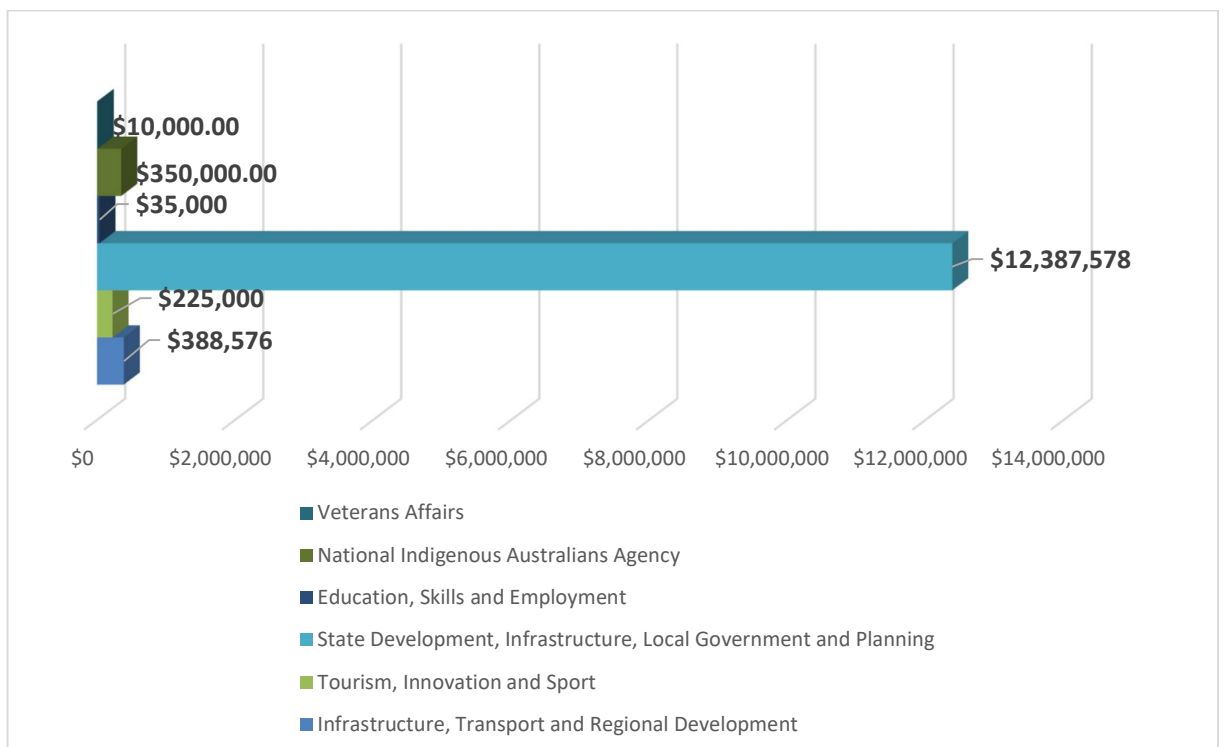
Historical Funding Comparison:

The following graph provides a historical comparison of total funding applied for during each financial year, with a breakdown of funding received per internal department, including the value of pending and unsuccessful applications.



Breakup of Funding Per Portfolio:

The following graph is a breakdown of successful funding received to date per ministerial portfolio.



Councillor's Top 5 Priorities Status:

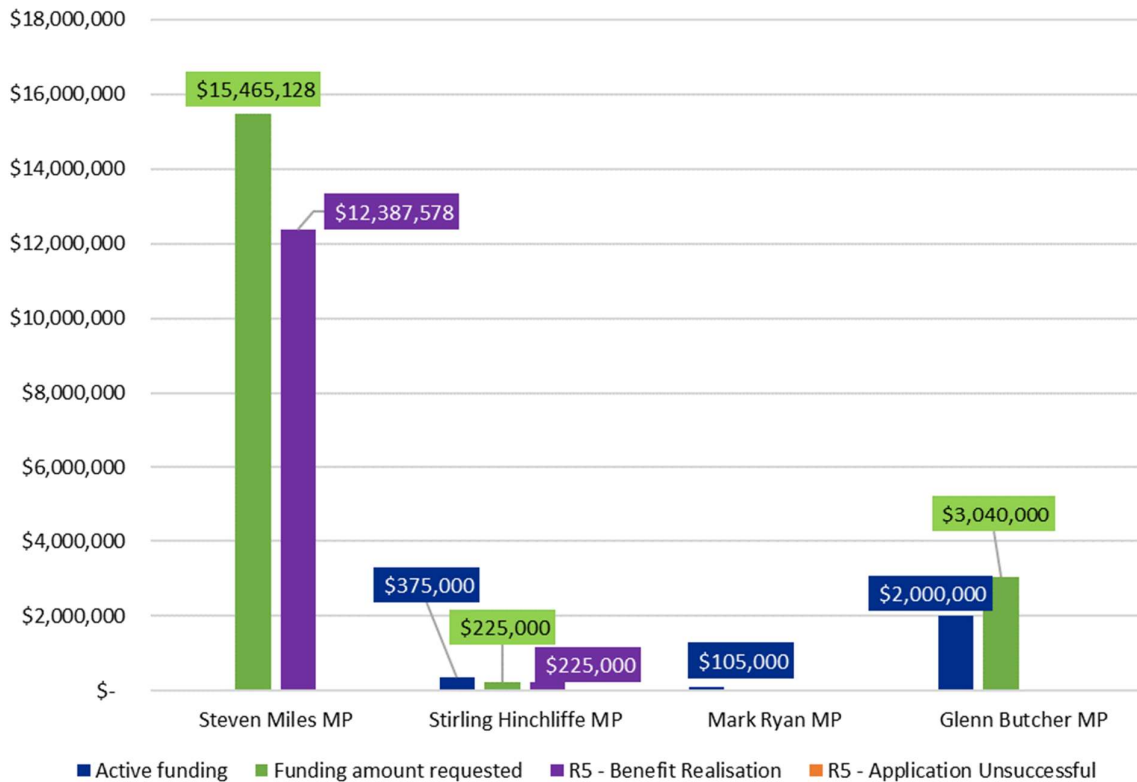
The following table provides an update on the current status of Councillor Top 5 Priority projects. Out of 75 identified projects there are currently 16 projects that have either been completed or are in the process of being completed, and a further 1 project that is in initial application stages. All remaining projects will continue to be matched against potential funding opportunities as they arise.

| Priority List | Number of Initiatives | Total Value | %Total | R1 - Identified | R2 - Qualified | R3 - BSA Review | R4 - Submitted | R5 - Benefit Realisation |
|---------------|-----------------------|------------------------|-------------|-----------------|----------------|-----------------|----------------|--------------------------|
| Priority 1 | 15 | \$22,393,800.00 | 29% | 8 | 3 | 0 | 0 | 4 |
| Priority 2 | 15 | \$23,071,857.00 | 30% | 10 | 2 | 0 | 0 | 3 |
| Priority 3 | 15 | \$8,658,857.00 | 11% | 6 | 4 | 0 | 0 | 5 |
| Priority 4 | 15 | \$11,622,000.00 | 15% | 11 | 2 | 0 | 0 | 0 |
| Priority 5 | 15 | \$11,467,718.00 | 15% | 9 | 1 | 0 | 0 | 4 |
| Total | 75 | \$77,214,232.00 | 100% | 44 | 12 | 0 | 0 | 16 |

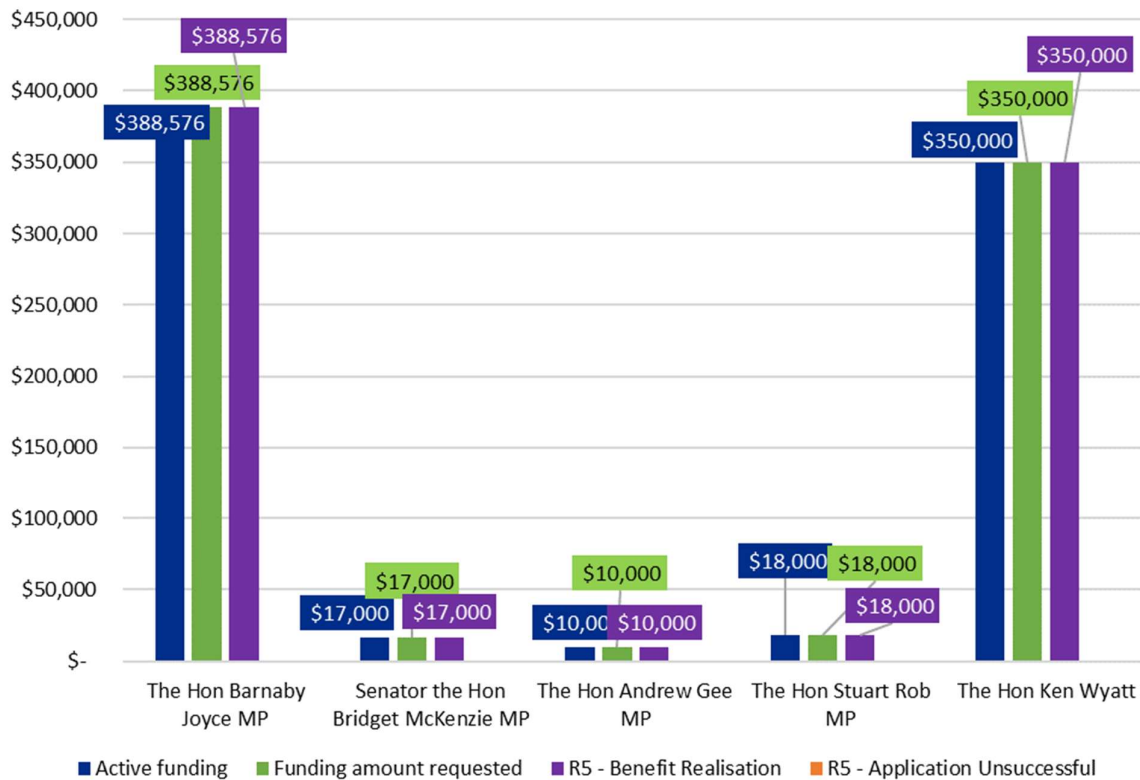
Funding Agency Portfolio Breakdown:

The Funding Agency Portfolio breakdowns show the total value of active funding, requested funding, and successful and unsuccessful applications per State (below) and Federal (overleaf) Ministerial.

Funding Agency Portfolio (active funding only) by State



Funding Agency Portfolio (active funding only) by Federal

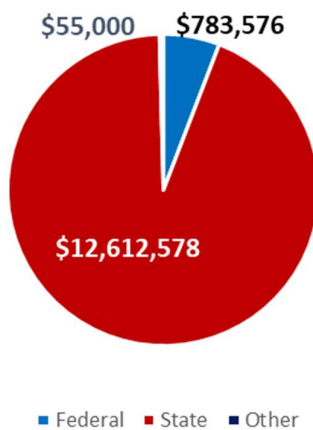


Value of Applications by Stage:

The two pie charts displayed below outline the total amount of successful funding broken down into State and Federal Portfolio's (Graph 1) and the total value of funding applications submitted versus the total value of successful applications.

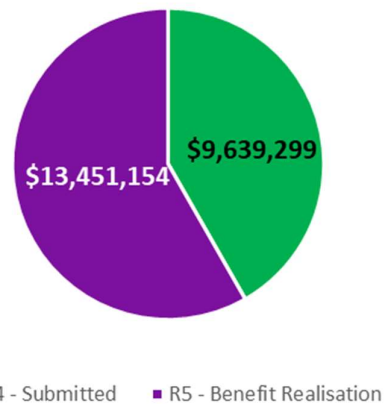
Graph 1

Successful Funding Only (Federal vs State)



Graph 2

Submitted - Benefit Realisation



Links to Strategic Plans:

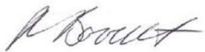
- Corporate Plan 2020-2025:
 - People - Outcome 4: We are a transparent, open and engaging Council.
 - Sustainability - Outcome 8: We manage Council affairs responsibly to the benefit of our communities.
- Operational Plan 2022-2022:
 - Objective 11: Further develop a good governance and risk culture across Council.

Statutory Requirements:

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

Conclusion:

That Council resolves to note and provide any necessary feedback to this report.



Recommended:
Megan Barrett
Executive Director Corporate Services



Approved:
James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

| | |
|--------------------------|---|
| ORDINARY MEETING: | 4 th May 2022 |
| DATE: | 16 th – 17 th May 2022 |
| ITEM: | Agenda Item for Resolution by Council |
| SUBJECT: | Community Grants Program Allocation – May 2022 |
| AUTHOR: | Katherine Epseg, Customer Services Officer, Enterprise Development and Delivery Team – Corporate Services |

Recommendation:

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

Community Grants applications must be submitted on the last Friday of the month to be tabled at the next Ordinary Council meeting. The following applications were received before the monthly deadline of 5pm, 29/04/2022.

For the month of May, Community Grants applications received from Community Entities for the maximum threshold of \$10,000:

- Mabygiw Garkaziw Kupay TSI Corporation for the eligible amount of \$1,443.91 exclusive of GST, as per the submitted application.
- Women of MABO for the eligible amount of \$4,260.00 exclusive of GST, as per the submitted application.
- New Day Torres Strait Islander Corporation for the eligible amount of \$4,268.00 exclusive of GST, as per the submitted application.
- Tagai State College – Poruma Campus for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.
- Erubam Le Traditional Land and Sea Owners TSI Corporation for the eligible amount of \$1,000.00 exclusive of GST, as per the submitted application.
- Meuram Tribe for the eligible amount of \$2,000.00 exclusive of GST, as per the submitted application.
- Australian Christian Churches – Dauan Island for the eligible amount of \$10,000.00 exclusive of GST, as per the submitted application.
- Badu Futsal Club for the eligible amount of \$2,772.00 exclusive of GST, as per the submitted application.

For the month of April, Community Grants Applications received from Individual applicants for the maximum threshold of \$2,500:

- Harry Lui for the eligible amount of \$2000.00 exclusive of GST, as per the submitted application.
- Bernard Dorante for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.
- Anette Fell for the eligible amount of \$2,500.00 exclusive of GST, as per the submitted application.

Executive Summary:

In line with Council's Community Grants Policy, endorsed by Council at the December 2021 Ordinary Meeting, and further advice provided by MacDonnells Law, Community Grant applications must be decided upon, on one occasion at any time during the month.

Community Grants Background:

For the month of May, eleven (11) Community Grant applications meeting the eligibility requirements were received.

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

The eleven (11) applications which meet eligibility requirements are:

| Community Entity Applicants | Amount Requested | Project/Event | Amount Supported by Councillor | Location |
|---|------------------|--|--|----------|
| Mabuygiw Garkaziw Kupay TSI Corporation | \$1,443.91 | Contribution towards costs associated with purchasing safety supplies and equipment for the Mabuyag Community Transport Services Vehicle – Zilabu. | \$1,443.91 | Mabuiag |
| Women of Mabo | \$4,260.00 | Contribution towards costs associated with hosting the Mabo Day 30 th Anniversary Celebration on Mer Island, 03/06/2022 | \$3351.26 | Mer |
| New Day Torres Strait Islander Corporation | \$4,268.00 | Contribution towards costs associated with participating in the Kulkalgaw-Kulkalgaw Ya Recording Project on Poruma Island. | \$4,268.00 | Poruma |
| Tagai State College – Poruma Campus | \$2,000.00 | Contribution towards costs associated with hosting and participating in the 100 Years of Education Celebration on Poruma Island, 26-28/09/2022 | \$2,000.00 | Poruma |
| Erubam Le Traditional Land & Sea Owners TSI Corporation | \$1,000.00 | Contribution towards costs associated with hosting and participating in the 2022 Mabo Day Celebration on Erub Island, 03/06/2022 | \$1,000.00 | Erub |
| Meuram Tribe | \$2000.00 | Contribution towards costs associated with hosting and participating in the 1 st of July 2022 Celebration on Erub Island. | At the time of writing the report, Cr's response has not | Erub |

| | | | | |
|--|-------------|---|----------------------------------|-------|
| | | | been received. | |
| Australian Christian Churches – Dauan Island | \$10,000.00 | Contribution towards costs associated with purchasing musical instruments and equipment for ongoing community church services on Dauan Island. | \$2,500.00 | Dauan |
| Badu Futsal Club | \$2,772.00 | <p><i>Deemed eligible for Council's Community Grants Program, being for contributions towards costs associated with community members participating in sports training in Cairns, 25-29/06/2022</i></p> <p><i>It is noted that the current balance for Badu Community is \$265.35</i></p> <p><i>Cr. Nona is requesting support from the other divisions to contribute funds from their grant's allocations to support this application.</i></p> | Badu's current balance: \$265.35 | Badu |

| Individual Applicants | Amount Requested | Project/Event | Amount Supported by Councillor | Location |
|-----------------------|------------------|--|--|----------|
| Bernard Dorante | \$2,500.00 | Contribution towards costs associated with purchasing Tribal Shirts in support of the Mabo Day Celebration on Hammond Island, 03/06/2022 | \$2,500.00 | Hammond |
| Harry Lui | \$2,000.00 | <p><i>Deemed eligible for Council's Community Grants Program, being for contributions towards costs associated with participating in the Peninsula School Sports for Volleyball in Brisbane, 16-19/06/2022</i></p> <p><i>It is noted that the current balance for Warraber Community is \$0.00</i></p> <p><i>Cr. Tamu is requesting support from the other divisions to contribute funds from their grant's allocations to support this application.</i></p> | Saibai division contributed \$500.00, 28/04/22 | Warraber |
| Annette Fell | \$2,500.00 | Contributions towards costs associated with supporting her son, Vincent Mau to participate in the Peninsula School Sports for Rugby League in Gold Coast, 21-24/05/2022 | \$2,500.00 | Dauan |

Out of Cycle – Community Grants Background:

In line with Council's Community Grants Policy, Council recognises that there may be occasions where urgent assessment of Community Grants is required. This is particularly in relation to emergent projects and/or extenuating circumstances. Such requests will be assessed by the Enterprise Development and Delivery Team, at request of the Chief Executive Officer, for eligibility and finally approved or rejected by the Mayor or delegate Councillor and Chief Executive Officer based on assessment.

For this month's reporting period, one (1) Out of Cycle Community Grants application was approved.

| | |
|---|---|
| <u>Applicant</u> Maryanne Mosby, Poruma Island | A Community Grants application was received, and it was determined that if the application follows the Out of Cycle criteria of the community grants policy, it would be eligible to be submitted as an Out of Cycle community grants application. As the received date, and the dates of the event does not coincide with the submission timeframes of the April Ordinary Council meeting, this application was eligible to be processed as an Out of Cycle application. The balance of Community Grant Funds available for Poruma community was \$15,450.88. Cr Pearson had adequate funds at his disposal to support the expenses for the above-mentioned purpose. |
| <u>Reference</u> Community Grants CG2022-076 | |
| <u>Received</u> Wednesday, 1:16pm, 30/03/22 | |
| <u>Event</u> Community Information Session, Poruma Island | |

Regional Grants Background:

In line with Council's Community Grants Policy, eligible Regional Grants are submitted during three (3) funding rounds per financial year. The final Regional Grants funding round for this financial year is 15th April – 15th May 2022. Any Regional Grants applications received during this submission period will be tabled at the June 2022 Ordinary Council Meeting on 28-29/06/2022.

For the period April 15 to May 15, one (1) Regional Grants application was received, as follows:

- **New Day Torres Strait Islander Corporation** is requesting financial assistance through the Regional Grants Program to cover costs associated with hosting and participating in the Kulkalgai-Kulkalgaw Ya Recording Project. This community entity is eligible for the maximum threshold of \$2,500.00

Funeral Donations Background:

In line with Council's Community Grants Policy, applications for funeral grants may be made at any time throughout the financial year. Funeral Donation and Funeral Travel Assistance applications are assessed by Council Officers according to the eligibility criteria and endorsed by the Chief Executive Officer for the maximum threshold of \$5,000.00, per community – per funeral.

These applications will be determined by the Chief Executive Officer having regard to the recommendations of the Divisional Councillor, and approvals from the Executive Directors of Building and Community Services, Financials Services, and Corporate Services.

The following lists refers to all funeral grants that were received for this month's reporting period:

- Nil (0) application received.

In-Kind Assistance Background:

In line with Council's Community Grants Policy, applications for In-Kind Assistance can be made at any time for the use of Council's facilities and/or assets through waiver of fees for the purposes of the project and/or activity. Reasonable applications will be determined by the Chief Executive Officer having regard to the recommendations of the Divisional Councillor, and approvals from the Executive Directors of Building and Community Services, Engineering Services, Financial Services, and Corporate Services.

Approved In-Kind Assistance applications do not impact divisional budget allocations.

In-Kind Assistance will be reported as part of Council's contributions made to the community.

The following table highlights the approved In-Kind Assistance applications received for this month's reporting period.

| Applicant | Description | Division | Waiver of Fees |
|--------------------------------------|---|-----------------|-----------------------|
| Jermaine Reuben – Kulpiyam Y&S | Hire of Community Hall to host a community school holidays – kid's disco, 08/04/2022 | Badu | \$298.00 |
| Yessie M. Pearson | Hire of Community Hall to host a community dinner with Rugby League Player, Justin Hodges, 04/04/2022 | Poruma | \$74.00 |
| Maryanne Mosby behalf of Cr. Pearson | Hire of Community Hall to host a community dinner and information session for the Poruma Community, 14/04/2022 | Poruma | \$295.00 |
| Walter Yessie Enosa | Hire of Warraber Island Sports Stadium to host community social volleyball games during the school holidays, 08-09/04/2022 & 11/04/2022 | Warraber | \$1,058.00 |
| Geiza Stow | Hire of Community Hall for Church Conference, 29/04/2022-01/05/2022 | Badu | \$602.00 |

Links to Strategic Plans:

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

Finance & Risk:

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

Sustainability:

N/A

Statutory Requirements:

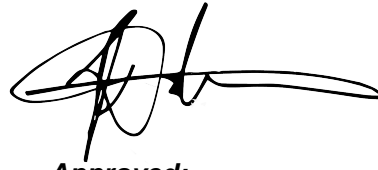
Local Government Act 2009

Conclusion:

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

Recommended:

Megan Barrett
Interim Executive Director, Corporate Services

A handwritten signature in black ink, appearing to be 'James William', written over a horizontal line.

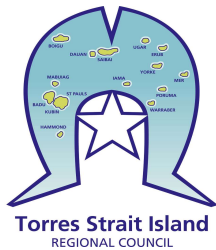
Approved:

James William
Chief Executive Officer

Attachment: Fund Balances

Attachment: Fund Balances (after payment of applications endorsed at April 2022 OM)

| Division | Councillor | Budget | Less approved funding | Closing Balance |
|-----------------|-------------------|---------------------|--------------------------------------|----------------------------|
| Boigu | Cr. Toby | \$25,000.00 | \$20,130.45 | \$4,869.55 |
| Hammond | Cr. Dorante | \$25,000.00 | \$9,160.94 | \$15,839.06 |
| St Pauls | Cr. Levi | \$25,000.00 | \$20,690.20 | \$4,309.80 |
| Ugar | Cr. Stephen | \$25,000.00 | \$11,176.66 | \$13,823.34 |
| Badu | Cr. Nona | \$25,000.00 | \$24,734.65 | \$265.35 |
| Dauan | Cr. Elisala | \$25,000.00 | \$10,000.00 | \$15,000.00 |
| Erub | Cr. Gela | \$25,000.00 | \$19,337.77 | \$5,662.30 |
| Iama | Cr. Lui | \$25,000.00 | \$24,442.00 | \$558.00 |
| Kubin | Cr. Trinkoon | \$25,000.00 | \$12,655.08 | \$12,334.92 |
| Mabuiag | Cr. Fell | \$25,000.00 | \$9,062.78 | \$15,937.22 |
| Mer | Cr. Noah | \$25,000.00 | \$21,648.74 | \$3,351.26 |
| Poruma | Cr. Pearson | \$25,000.00 | \$9,549.12 | \$15,450.88 |
| Saibai | Cr. Tabuai | \$25,000.00 | \$19,817.97 | \$5,182.03 |
| Warraber | Cr. Tamu | \$25,000.00 | \$25,000.00 | \$0.00 |
| Yorke | Cr. Mosby | \$25,000.00 | \$23,826.69 | \$1,173.31 |
| Mayor | Cr. Mosby | \$30,000.00 | \$0.00 | \$30,000.00 |
| Regional Grant | | \$50,000.00 | \$4,866.18 | \$45,133.82 |
| | | \$455,000.00 | \$266,109.16 | \$188,890.84 |



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

| | |
|--------------------------|---|
| ORDINARY MEETING: | April 2022 |
| DATE: | 16-17 May 2022 |
| ITEM: | Agenda Item for Resolution by Council |
| SUBJECT: | Policy Review |
| AUTHOR: | Nerida Carr, Manager of Risk and Ethics |

RECOMMENDATIONS

- That Council resolves to adopt the revised Fraud and Corruption Prevention Policy, and publish on its website
- and
- Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to make further minor administrative amendments as they arise.

PURPOSE

The purpose of this report is to present for adoption the revised Fraud and Corruption Prevention Policy for Council.

BACKGROUND

Fraud and Corruption are recognized as common Local Government risks, with possible consequences including significant financial loss, reputational damage and loss of public confidence.

This Policy was most recently reviewed and endorsed in January 2021.

OFFICER COMMENT

Previous reviews of this Policy have resulted in the addition of more details to comply with current legislation and standards, and the incorporation of Internal Audit recommendations to expand the Policy's examples of internal and external fraud. Only nominal changes to reflect Council's current templates have now been made, as there have been no subsequent changes to any of the relevant legislation or updates to other guiding publications referenced below.

Although it is not currently a statutory requirement to publish Council's Fraud and Corruption Policy on its website, doing so is consistent with Right to Information principles of strengthening the community's right to access such information, and the Council's Values (Accountability and One) as stated in the Corporate Plan.

REFERENCES

Queensland Audit Office:

- Fraud Management and Local Government Report 19 2014-15
- Fraud Risk Management Report 6 2017-18

Crime and Corruption Commission:

- Fraud and Corruption Control Best Practice Guide 2018

Queensland Ombudsman:

- Public Interest Disclosure Guides

LINKS WITH STRATEGIC PLANS

Corporate Plan 2020-2025

- Accountability: We are reliable, honest and ethical in all that we do

STATUTORY REQUIREMENTS

Local Government Act 2009

Local Government Regulation 2012

Public Sector Ethics Act 1994

Integrity Act 2009

Public Interest Disclosure Act 2010

Right to Information Act 2009


Crime and Misconduct Act 2001 (Qld)

Criminal Code Act 1899 (Qld)

CONCLUSION

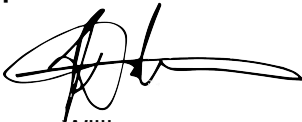
The Fraud and Corruption Prevention Policy has been reviewed in line with the listed documents and legislation and is recommended for adoption and publication.

Recommended:



Megan Barrett
Executive Director Corporate Services

Approved:

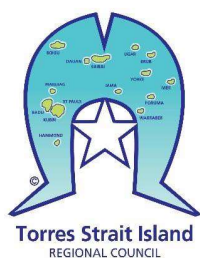


James William
Chief Executive Officer

ATTACHMENTS:

1. *Fraud and Corruption Prevention Policy*

GOVERNANCE TO ADD NEW POLICY HEADER AFTER ADOPTION



FRAUD AND CORRUPTION PREVENTION-POLICY

Policy No: PO14

Responsible Manager: Chief Executive Officer

Head of Power: *Crime and Corruption Act 2001*
Criminal Code Act 1899
Integrity Act 2009
Public Interest Disclosure Act 2010
Public Sector Ethics Act 1994
Right to Information Act 2009
Local Government Act 2009
Local Government Regulation 2012

Authorised by: Council

Implemented from: ~~January 2021~~ April 2022

Last Reviewed: ~~February~~ January 2021

Review History: 2016, 2020, 2021, 2022

To be reviewed on: ~~January~~ April 2024

Corporate Plan: Accountability: we are reliable, honest and ethical in all that we do.

1. **POLICY STATEMENT PURPOSE**

Council is committed to the control and elimination of all forms of fraud and corruption, and to create an ethical environment and culture that discourages and prevents them. Council has zero tolerance to activities related to fraud and corruption, which are commonly associated: fraud is usually regarded as some form of deliberate deception to facilitate or conceal misappropriation, and corruption involving a breach of trust in the performance of official duties.

All staff are responsible for the prevention and detection of fraud and corruption. There is a mandatory duty of every public officer under Section 38 and 39 of the *Crime and Corruption Act 2001* to notify the Crime and Corruption Commission if s(he) reasonably suspects that a complaint or information or matter involves or may involve corrupt conduct. This mandatory duty is despite any obligation the person has to maintain confidentiality.

All allegations and suspicions of fraud will receive attention. All substantiated cases will be dealt with appropriately either by criminal, disciplinary or administrative mechanisms suitable to the case (having due regard for the rights of all persons, including any person reporting a fraud and of any alleged perpetrator of fraud).

As fraud and corruption constitute a significant risk to Council, it is appropriate that a culture of ethical conduct be developed to recognise and avoid fraud and to deal appropriately with any cases of fraud. Torres Strait Island Regional Council is committed to ethical practices and the prevention of fraud and corrupt practices across all levels of operation.

Council is committed to:

- Taking a risk management approach to the prevention, identification and management of fraud and corruption;
- Reducing or removing the potential for fraudulent or corrupt conduct on the part of its employees, contractors, clients and suppliers;
- Detecting fraudulent or corrupt conduct;
- Responding to all instances of suspected fraudulent or corrupt conduct exposed as a result of our detection processes, or as a result of receiving an allegation of fraudulent or corrupt activities;
- Managing, disciplining or facilitating the prosecution of those responsible for incidents of fraud and corruption as appropriate;
- Minimising the risk of fraud and corruption; and
- Ensuring the continuing organisational integrity and transparency of its operations.

Council will act on any suspicion of illicit conduct on the part of its staff or any party with whom it conducts business.

Council officers have a responsibility and an obligation to report suspected or known incidents of fraud or corruption.

Council will take action against anyone who takes reprisal action against a Council officer who reports suspected or known incidents, consistent with Public Interest Disclosure standards.

Council recognises that fraud and corruption prevention and control are integral components of good governance and risk management.

The Local Government Act 2009 mandates Councils establish and maintain appropriate systems of internal controls and risk management.

2. **SCOPEAPPLICATION**

This policy applies to any fraud or corruption, or suspected fraud or corruption, involving Council employees, Councillors, contractors, consultants, volunteers, suppliers or any other party dealing with Torres Strait Island Regional Council.

3. **DEFINITIONS**

For the purposes of this policy, the following definitions apply:

3.1 **Corruption**

Corruption means dishonest activity in which an employee of an organisation acts contrary to the interest of the organisation, in order to achieve some gain or advantage, or to avoid loss or disadvantage, for the employee or for another person or entity. Corruption can include, but is not limited to, behaviour such as:

- Provision of false credentials, references or identification by an applicant to gain a position within Council.
- Payment or receipt of secret commissions (bribes), which may be paid in money or in some other form of value to the receiver and may relate to a specific decision or action by the receiver or generally.
- Release of confidential information in exchange for financial benefit or some form of non-financial benefit or advantage to the employee releasing the information
- Collusive tendering (the act of multiple tenderers for a particular contract colluding in preparation of their bids).
- Payment or solicitation of donations for an improper political purpose.
- Serious conflict of interest involving an Officer acting in his or her own self-interest rather than the interests of Council.
- Manipulation of the procurement process by favouring one tenderer over another for personal reasons or selectively providing information to some tenderers.
- Manipulation or avoidance of the recruitment process to appoint staff.
- Reprisal against a Public Interest Discloser and subject officers.

As defined in the *Crime and Corruption Act 2001 S15*,

Corrupt conduct - means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of—
 - (i) a unit of public administration; or
 - (ii) a person holding an appointment; and
- (b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that—
 - (i) is not honest or is not impartial; or
 - (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or

- (iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and
- (c) would, if proved, be—
 - (i) a criminal offence; or
 - (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.

Corrupt conduct - also means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) impairs, or could impair, public confidence in public administration; and
- (b) involves, or could involve, any of the following—
 - (i) collusive tendering;
 - (ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)—
 - (A) protecting health or safety of persons;
 - (B) protecting the environment;
 - (C) protecting or managing the use of the State's natural, cultural, mining or energy resources;
 - (iii) dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;
 - (iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;
 - (v) fraudulently obtaining or retaining an appointment; and
- (c) would, if proved, be—
 - (i) a criminal offence; or
 - (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.

Under the *Crime and Corruption Act 2001* S14, **conduct** includes:

- a) neglect, failure and inaction; and
- b) conspiracy to engage in conduct; and
- c) attempt to engage in conduct.

3.2 Fraud

Fraud is where dishonest activity causes actual or potential loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following, the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal purpose or the improper use of information or position for personal benefit.

Fraud may include but is not limited to:

- theft of cash, goods, services or property;
- obtaining property, a financial advantage or any other benefit by deception;
- causing a loss, avoiding or obtaining a benefit by deception;
- knowingly providing false or misleading information to Council, or failing to provide information where there is an obligation to do so;
- a breach of trust in the performance of official duties, by which an employee or Councillor acts contrary to the interest of Council in order to achieve some personal gain or advantage for themselves or for another person or entity;
- using a forged or falsified documentation for an improper purpose;
- deliberate misstatement of accounting information for an improper purpose.

Internal Fraud refers to fraudulent acts undertaken by Councillors or employees. Examples or potential indicators of such fraud include:

- falsification of expenses claimed (expense reimbursements) including any claim for reimbursement of expenses that are not made for the exclusive benefit of Council;
- forgery or alteration of cheques, invoices, computer records and other documents;
- theft of cash and alteration of records to conceal any deficiency;
- falsification of invoices for payment;
- failure to receipt monies collected;
- procurement fraud;
- timesheets where ordinary or overtime hours have been inappropriately claimed;
- inappropriate use of Council resources (labour/plant) or information for personal gain;
- dealing inappropriately with benefit claims of friends or relatives;
- unexplained and/or sudden sources of wealth;
- excessive secrecy in relation to work;
- employees who are aggressive or defensive when challenged, and/or controlling of certain colleagues;
- poorly reconciled cash expenses or customer accounts;
- employees known to be under financial pressure;
- employees who delay providing information, or who provide different answers to different people;
- employees under apparent stress without identifiable pressure;
- employees making procedural or computer enquiries inconsistent with, or not related to, their normal duties;
- managers who avoid using normal procurement processes (e.g. excessive use of credit card or cash to purchase items, outside the procurement framework);
- employees who appear to make many mistakes, especially those leading to financial loss;
- employees with competing or undeclared external business interests;
- managers with too much hands-on control;
- employees refusing to take leave;
- an unusual number of customer complaints; ~~and/or~~
- customers or suppliers insisting on dealing with just one individual;
- any misappropriation of funds, securities, supplies or any other Council property;
- any irregularity in the handling or reporting of money transactions;
- seeking or accepting anything of material value from suppliers, consultants or contractors doing business with Council;
- unauthorised use or misuse of Council property, equipment, materials or records;
- any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Council owned software;
- lodgement of a false claim against Council e.g. workers' compensation or public liability;

- running a private business during work hours;
- making false statements or altering signatures or other information and materials so as to mislead or misrepresent a position or hide wrongdoing; and/or
- destroying or removing records without approval for personal gain or to conceal fraudulent activity.

In some instances, there can be potential for those in positions of trust within Council to perpetrate fraud against third parties.

External Fraud refers to fraud committed against Council by persons outside Council. Examples of such fraud include:

- applications for Council assistance with inconsistent signatures, mismatched fonts or handwriting on different pages of the same document;
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- lack of supporting evidence, or falsified evidence that eligibility criteria for grant or community funding has been met;
- expenditure exceeding approved budgets for grant funding but there is not adequate information to explain the variance;
- a high volume of transactions from one service provider (such as a registered training organization) used to support a licence, community or grant funding application, as this may indicate collusion between applicants and the provider; and/or
- attempts to obtain sensitive information such as usernames, passwords, and credit card details.

4. PROCEDURE

Council's commitment to fraud control will be managed by ensuring that fraudulent or corrupt behaviour is discouraged, conflicts of interest are avoided, and training and auditing systems are in place. This will be achieved with reference to the following procedures:

1. Fraud and Corruption Control (~~PO14-PR-1~~)
2. Gifts (~~PR-PO4-4~~)
3. Lost, Stolen and Damaged Property (~~PR-PO4-6~~)
4. Complaint Management Procedure (~~SPO9-PR1~~).

Training and awareness of ethical principles and ethical decision-making are essential elements of fraud and corruption prevention. Council is committed to providing staff access to training and awareness programs that build on the Code of Conduct and provide clear understanding of fraud and corrupt conduct, including relevant scenarios that encourage participation and link training to everyday local government work situations:

- Council's values, policies, code of conduct and reporting arrangements
- Public Interest Disclosures
- How to respond to suspicions of fraud and corruption
- The risk areas identified in fraud and corruption risk assessments
- Case studies and techniques to further develop ethical decision-making skills

5. ROLES AND RESPONSIBILITIES

5.1 Mayor and Councillors

The *Local Government Act 2009* provides the Mayor and Councillors with clear roles and responsibilities. In the context of this policy, the role of the Mayor and Councillors is to ensure that there are appropriate processes in place to reduce the risk of fraud and corruption.

The Mayor and Councillors are also accountable to the communities they serve. Complaints about the conduct of Elected Members can be made to the Office of the Independent Assessor, Phone 1300 620 722, Email OIAcomplaints@oia.qld.gov.au, or online at www.oai.qld.gov.au.

5.2 The Chief Executive Officer and Executive Management

The CEO has primary responsibility for the proper management of Council resources and the development and implementation of systems and practices to minimise the risk of fraud and corruption. The CEO and Executive Management will lead by example in a manner consistent with the values and principles detailed in the Employee Code of Conduct.

The CEO is required to notify the Crime and Corruption Commission if there is reason to suspect corrupt conduct as defined by the *Crime and Corruption Act 2001* has occurred. The CEO should refer to the *Crime and Corruption Commission - Corruption in Focus guide to dealing with corrupt conduct in the Queensland Public Sector* for guidance in any dealings with fraud and corruption matters.

The CEO and Executive Management will assume responsibility for fraud and corruption prevention to ensure that the fraud and corruption control strategies are implemented effectively across all work areas. Consideration of fraud and corruption issues will form part of both annual and longer term operational and business processes.

5.3 Managers and Supervisors

It is the responsibility of managers and supervisors to ensure that the decision-making process is as open and accountable as possible. They must display ethical leadership in the promotion of Council's Fraud and Corruption Control, and visibly conduct themselves in a manner consistent with the values and principles of Council's Code of Conduct. Fraudulent conduct is more likely to occur in an environment where systems, standards and procedures are not clearly defined and may be open to exploitation. Therefore, measures to prevent fraud should be continually monitored, reviewed and developed, particularly as new systems or procedures are being introduced or modified, or where current systems or controls are outdated.

All managers and supervisors must recognise that fraud and corruption may occur in their area of responsibility. Managers are to critically examine their areas of responsibility and business processes to identify and evaluate potential fraud and corruption risk situations. Managers and supervisors are expected to develop and maintain fraud and corruption resistant work practices.

Each manager is responsible for managing fraud risk in their Department including:

- Identifying and periodically reviewing the risks, including fraud risks;
- Establishing controls to manage or mitigate fraud risks;
- Monitoring established controls to determine if they are operating as intended;
- Identifying fraud prevention training needs of staff;
- Implementing (in accordance with policy) disciplinary action concerning staff involved in fraudulent activity; ~~and-~~
- Fostering the highest standards of ethical behaviour and culture.

5.4 All Council Officers

Staff are encouraged to contribute to the development of improved systems and procedures that will enhance TSIRC's resistance to fraud and corruption. All Council Officers are responsible for the following:

- Acting appropriately when using official resources and handling and using public funds, whether they are involved with cash or payment systems, receipts or dealing with suppliers;
- Safeguard ~~of~~ any assets under their control;
- Indicate any lack or weakness in controls;
- Report maladministration;
- Clearly understand their obligations with respect to any losses, deficiencies and shortages;
- Ensure all personal claims are correct;
- Being alert to the possibility that unusual events or transactions could be indicators of fraud or corruption;
- Reporting details immediately if they suspect that a fraudulent or corrupt act has been committed;
- Reporting any behaviour that is in breach of the Code of Conduct; and
- Co-operating fully with whoever is conducting internal checks, reviews or investigations into possible acts of fraud or corruption.

All Council Officers who have any knowledge of fraudulent or corrupt activities/behaviour within Council have an obligation to report such matters to a manager/supervisor, or the Chief Executive Officer. Incidents may be reported on TSIRC's website under the Complaints process. If the matter involves corruption, this may also be reported to the Crime and Corruption Commission Phone 1800 061 611 Email mailbox@ccc.qld.gov.au or online at www.ccc.qld.gov.au. Matters involving maladministration may be reported to the Office of the Queensland Ombudsman Phone 1800 068 908, Email ombudsman@ombudsman.qld.gov.au, or line at www.ombudsman.qld.gov.au.

5.5 Audit Committee

Fraud-related matters will be reported to Council's Audit Committee by the nominated person to ensure that a realistic view of Council's exposure and the maturity of its systems to prevent, detect and respond to fraud are understood.

5.6 External Audit

External Auditors certify that Council's accounts represent a true and fair view of the Council's financial position. Senior management and the Audit Committee will undertake discussions with the external auditor in terms of the audit strategy and procedures that will be carried out during the audit that are aimed at detecting material misstatements in Council's financial statements due to fraud or error.

5.7 Internal Audit

The Internal Audit program supports Council's efforts to establish an organisational culture that embraces ethics, honesty, and integrity. Internal Audit assists Council with the evaluation of internal controls used to detect or mitigate fraud and evaluates the organisations assessment of fraud risk.

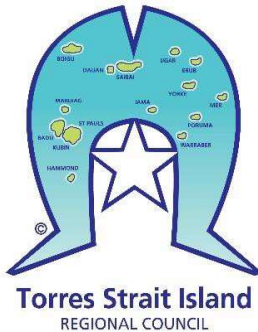
The responsibility for prevention of irregularities rests with Council and management through the implementation and continued operation of an adequate internal control system. Internal Auditors are responsible for examining and evaluating the adequacy and the effectiveness of actions taken by management to fulfil this obligation.

James WilliamHollie Faithfull
Acting Chief Executive Officer

Date: XX 20 JanuaryApril 20221

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FRAUD AND CORRUPTION PREVENTION POLICY

Policy No: PO14

GOVERNANCE TO ADD NEW POLICY HEADER AFTER ADOPTION.

Responsible Manager:

Chief Executive Officer

Head of Power:

Crime and Corruption Act 2001
Criminal Code Act 1899
Integrity Act 2009
Public Interest Disclosure Act 2010
Public Sector Ethics Act 1994
Right to Information Act 2009
Local Government Act 2009
Local Government Regulation 2012

Authorised by:

Council

Implemented from:

~~January 2021~~ April 2022

Last Reviewed:

~~February 2020~~ January 2021

Review History:

2016, 2020, 2021, 2022

To be reviewed on:

~~January 2022~~ April 2024

Corporate Plan:

Accountability: we are reliable, honest and ethical in all that we do.

1. POLICY STATEMENT PURPOSE

Council is committed to the control and elimination of all forms of fraud and corruption, and to create an ethical environment and culture that discourages and prevents them. Council has zero tolerance to activities related to fraud and corruption, which are commonly associated: fraud is usually regarded as some form of deliberate deception to facilitate or conceal misappropriation, and corruption involving a breach of trust in the performance of official duties.

All staff are responsible for the prevention and detection of fraud and corruption. There is a mandatory duty of every public officer under Section 38 and 39 of the *Crime and Corruption Act 2001* to notify the Crime and Corruption Commission if s(he) reasonably suspects that a complaint or information or matter involves or may involve corrupt conduct. This mandatory duty is despite any obligation the person has to maintain confidentiality.

All allegations and suspicions of fraud will receive attention. All substantiated cases will be dealt with appropriately either by criminal, disciplinary or administrative mechanisms suitable to the case (having due regard for the rights of all persons, including any person reporting a fraud and of any alleged perpetrator of fraud).

As fraud and corruption constitute a significant risk to Council, it is appropriate that a culture of ethical conduct be developed to recognise and avoid fraud and to deal appropriately with any cases of fraud. Torres Strait Island Regional Council is committed to ethical practices and the prevention of fraud and corrupt practices across all levels of operation.

Council is committed to:

- Taking a risk management approach to the prevention, identification and management of fraud and corruption;
- Reducing or removing the potential for fraudulent or corrupt conduct on the part of its employees, contractors, clients and suppliers;
- Detecting fraudulent or corrupt conduct;
- Responding to all instances of suspected fraudulent or corrupt conduct exposed as a result of our detection processes, or as a result of receiving an allegation of fraudulent or corrupt activities;
- Managing, disciplining or facilitating the prosecution of those responsible for incidents of fraud and corruption as appropriate;
- Minimising the risk of fraud and corruption; and
- Ensuring the continuing organisational integrity and transparency of its operations.

Council will act on any suspicion of illicit conduct on the part of its staff or any party with whom it conducts business.

Council officers have a responsibility and an obligation to report suspected or known incidents of fraud or corruption.

Council will take action against anyone who takes reprisal action against a Council officer who reports suspected or known incidents, consistent with Public Interest Disclosure standards.

Council recognises that fraud and corruption prevention and control are integral components of good governance and risk management.

The Local Government Act 2009 mandates Councils establish and maintain appropriate systems of internal controls and risk management.

2. SCOPE APPLICATION

This policy applies to any fraud or corruption, or suspected fraud or corruption, involving Council employees, Councillors, contractors, consultants, volunteers, suppliers or any other party dealing with Torres Strait Island Regional Council.

3.1. DEFINITIONS

For the purposes of this policy, the following definitions apply:

3.1.1 Corruption

Corruption means dishonest activity in which an employee of an organisation acts contrary to the interest of the organisation, in order to achieve some gain or advantage, or to avoid loss or disadvantage, for the employee or for another person or entity. Corruption can include, but is not limited to, behaviour such as:

- Provision of false credentials, references or identification by an applicant to gain a position within Council.
- Payment or receipt of secret commissions (bribes), which may be paid in money or in some other form of value to the receiver and may relate to a specific decision or action by the receiver or generally.
- Release of confidential information in exchange for financial benefit or some form of non-financial benefit or advantage to the employee releasing the information
- Collusive tendering (the act of multiple tenderers for a particular contract colluding in preparation of their bids).
- Payment or solicitation of donations for an improper political purpose.
- Serious conflict of interest involving an Officer acting in his or her own self-interest rather than the interests of Council.
- Manipulation of the procurement process by favouring one tenderer over another for personal reasons or selectively providing information to some tenderers.
- Manipulation or avoidance of the recruitment process to appoint staff.
- Reprisal against a Public Interest Discloser and subject officers.

As defined in the *Crime and Corruption Act 2001 S15*,

Corrupt conduct - means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) adversely affects, or could adversely affect, directly or indirectly, the performance of functions or the exercise of powers of—
 - (i) a unit of public administration; or
 - (ii) a person holding an appointment; and
- (b) results, or could result, directly or indirectly, in the performance of functions or the exercise of powers mentioned in paragraph (a) in a way that—
 - (i) is not honest or is not impartial; or
 - (ii) involves a breach of the trust placed in a person holding an appointment, either knowingly or recklessly; or

- (iii) involves a misuse of information or material acquired in or in connection with the performance of functions or the exercise of powers of a person holding an appointment; and
- (c) would, if proved, be—
 - (i) a criminal offence; or
 - (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.

Corrupt conduct - also means conduct of a person, regardless of whether the person holds or held an appointment, that—

- (a) impairs, or could impair, public confidence in public administration; and
- (b) involves, or could involve, any of the following—
 - (i) collusive tendering;
 - (ii) fraud relating to an application for a licence, permit or other authority under an Act with a purpose or object of any of the following (however described)—
 - (A) protecting health or safety of persons;
 - (B) protecting the environment;
 - (C) protecting or managing the use of the State's natural, cultural, mining or energy resources;
 - (iii) dishonestly obtaining, or helping someone to dishonestly obtain, a benefit from the payment or application of public funds or the disposition of State assets;
 - (iv) evading a State tax, levy or duty or otherwise fraudulently causing a loss of State revenue;
 - (v) fraudulently obtaining or retaining an appointment; and
- (c) would, if proved, be—
 - (i) a criminal offence; or
 - (ii) a disciplinary breach providing reasonable grounds for terminating the person's services, if the person is or were the holder of an appointment.

Under the *Crime and Corruption Act 2001* S14, **conduct** includes:

- a) neglect, failure and inaction; and
- b) conspiracy to engage in conduct; and
- c) attempt to engage in conduct.

3.21.2 Fraud

Fraud is where dishonest activity causes actual or potential loss to any person or entity including theft of moneys or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following, the activity. This also includes the deliberate falsification, concealment, destruction or use of falsified documentation used or intended for use for a normal purpose or the improper use of information or position for personal benefit.

Fraud may include but is not limited to:

- theft of cash, goods, services or property;
- obtaining property, a financial advantage or any other benefit by deception;
- causing a loss, avoiding or obtaining a benefit by deception;
- knowingly providing false or misleading information to Council, or failing to provide information where there is an obligation to do so;
- a breach of trust in the performance of official duties, by which an employee or Councillor acts contrary to the interest of Council in order to achieve some personal gain or advantage for themselves or for another person or entity;
- using a forged or falsified documentation for an improper purpose;
- deliberate misstatement of accounting information for an improper purpose.

Internal Fraud refers to fraudulent acts undertaken by Councillors or employees. Examples or potential indicators of such fraud include:

- falsification of expenses claimed (expense reimbursements) including any claim for reimbursement of expenses that are not made for the exclusive benefit of Council;
- forgery or alteration of cheques, invoices, computer records and other documents;
- theft of cash and alteration of records to conceal any deficiency;
- falsification of invoices for payment;
- failure to receipt monies collected;
- procurement fraud;
- timesheets where ordinary or overtime hours have been inappropriately claimed;
- inappropriate use of Council resources (labour/plant) or information for personal gain;
- dealing inappropriately with benefit claims of friends or relatives;
- unexplained and/or sudden sources of wealth;
- excessive secrecy in relation to work;
- employees who are aggressive or defensive when challenged, and/or controlling of certain colleagues;
- poorly reconciled cash expenses or customer accounts;
- employees known to be under financial pressure;
- employees who delay providing information, or who provide different answers to different people;
- employees under apparent stress without identifiable pressure;
- employees making procedural or computer enquiries inconsistent with, or not related to, their normal duties;
- managers who avoid using normal procurement processes (e.g. excessive use of credit card or cash to purchase items, outside the procurement framework);
- employees who appear to make many mistakes, especially those leading to financial loss;
- employees with competing or undeclared external business interests;
- managers with too much hands-on control;
- employees refusing to take leave;
- an unusual number of customer complaints; and/or
- customers or suppliers insisting on dealing with just one individual;
- any misappropriation of funds, securities, supplies or any other Council property;
- any irregularity in the handling or reporting of money transactions;
- seeking or accepting anything of material value from suppliers, consultants or contractors doing business with Council;
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- any computer related activity involving the alteration, destruction, forgery or manipulation of data for fraudulent purposes or misappropriation of Council owned software;
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4.2. PROCEDURE

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- Case studies and techniques to further develop ethical decision-making skills

5. ROLES AND RESPONSIBILITIES

5.1 Mayor and Councillors

The *Local Government Act 2009* provides the Mayor and Councillors with clear roles and responsibilities. In the context of this policy, the role of the Mayor and Councillors is to ensure that there are appropriate processes in place to reduce the risk of fraud and corruption.

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- Implementing (in accordance with policy) disciplinary action concerning staff involved in fraudulent activity-; and
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Staff are encouraged to contribute to the development of improved systems and procedures that will enhance TSIRC's resistance to fraud and corruption. All Council Officers are responsible for the following:

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5.5 Audit Committee

Fraud-related matters will be reported to Council's Audit Committee by the nominated person to ensure that a realistic view of Council's exposure and the maturity of its systems to prevent, detect and respond to fraud are understood.

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The Internal Audit program supports Council's efforts to establish an organisational culture that embraces ethics, honesty, and integrity. Internal Audit assists Council with the evaluation of internal controls used to detect or mitigate fraud and evaluates the organisations assessment of fraud risk.

The responsibility for prevention of irregularities rests with Council and management through the implementation and continued operation of an adequate internal control system. Internal Auditors are responsible for examining and evaluating the adequacy and the effectiveness of actions taken by management to fulfil this obligation.

~~Hollie Faithfull~~ James William
~~Acting~~ Chief Executive Officer

Date: ~~20 January 2021~~ April 2022





TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

| | |
|--------------------------|---|
| ORDINARY MEETING: | May 2022 |
| DATE: | 16-17 May 2022 |
| ITEM: | Agenda Item for Resolution by Council |
| SUBJECT: | Standing Committee Terms of Reference |
| AUTHOR: | Mette Nordling, Manager Governance and Compliance |

Recommendation:

That Council resolves to:

- Amend and endorse the Terms of Reference for Council's
 - Economic Growth Committee
 - Housing, and Safe and Healthy Communities Committee;
- and
- Delegate authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make any further minor administrative amendments to the Terms of Reference as they arise.

Executive Summary:

The April 2022 Council Meeting requested that the Terms of Reference for the Housing, and Safe and Healthy Communities Committee and the Economic Growth Committee be changed to reflect amendments to the respective portfolios.

Background:

The standing committees were established in July 2020, and portfolios for each committee are described in the Terms of Reference.

Comment:

The April 2022 Strategic Advisory Reference Group Committee Meeting requested that the Terms of Reference for the Housing, and Safe and Healthy Communities Committee and the Economic Growth Committee were changed to amend the portfolios.

The Housing, and Safe and Healthy Communities portfolio has been expanded to include Youth, Women and Employment.

The Economic Growth Committee portfolio has been expanded to include Employment and Training.

The terms of reference for the two committees have been updated to reflect these changes.

Links to Strategic Plans:

These Committees provide support for Council to deliver objectives under the People, Sustainability, and Prosperity pillars of Council's Corporate Plan.

Finance & Risk:

N/A

Sustainability:

N/A

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion:

That Council resolves to endorse the amended terms for reference for each standing committee.

**Endorsed:**


Mette Nordling

Acting Head of Corporate Affairs

**Recommended:**

Megan Barrett

Executive Director, Corporate Services

**Approved:**

James William

Chief Executive Officer

Attachment:

- Draft Terms of Reference for the Economic Growth Committee
- Draft Terms of Reference for the Housing, and Safe and Healthy Communities Committee

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
- Employment
- Training

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 May 2022 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
- Youth
- Women
- Employment

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 May 2022 Ordinary Meeting.



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

LEG

| | |
|--------------------------|---|
| ORDINARY MEETING: | May 2022 |
| DATE: | 16 May 2022 |
| ITEM: | Agenda Item for Resolution by Council |
| SUBJECT: | Correction of March 2022 Ordinary Meeting Minutes |
| AUTHOR: | Julia Maurus, Senior Legal Officer |
| PRESENTER: | Peter Krebs, Manager Legal Services |

Recommendation:

That Council resolve to correct the minutes of its ordinary meeting on 23 March 2022 by deleting resolution 4 in the item "LEGAL – CB – Proposed adaptation of Torres Strait Islander Flag" recorded on page 13 of the Minutes.

Executive Summary:

The purpose of the report is to correct an error in the minutes of the March 2022 Council Ordinary meeting, relating to Torres Strait Islander flag licensing.

Background:

At the March 2022 Ordinary Meeting, Council discussed a closed-business report relating to the Torres Strait Islander Flag.

Council passed the first three of four proposed resolutions. The fourth resolution, which concerned Council's position on Copyright Agency royalties, was not passed by the Council. The issue of the royalties was reserved for discussion at another meeting.

However, the [ratified Minutes](#) of the meeting (page 13) recorded all four resolutions as "Motion carried unanimous".

LEGAL – CB – Proposed adaptation of Torres Strait Islander Flag

RESOLUTION:

Moved: Cr Aven Noah; Second: Cr Laurie Nona

1. That Council grant permission to Aboriginal Affairs New South Wales, NSW Department of Premier and Cabinet's Reconciliation Working Group, the State of New South Wales and its departments, agencies and statutory bodies to reproduce and adapt the image of the Torres Strait Islander flag by:
 - a. superimposing the image on the NSW Waratah Logo to create a "Torres Strait Islander Flag Waratah Logo"; and
 - b. superimposing the image on the NSW Waratah Logo alongside the Aboriginal Flag to create a "Reconciliation Waratah Logo" for use in their general communications, Reconciliation Plan and during key annual national events.
2. That pursuant to section 257 of the *Local Government Act 2009*, Council:
 - a. delegate to the CEO the power to decide requests to reproduce the image of the Torres Strait Islander flag and issue royalty-free licences, administered by the Department of Community Services; and
 - b. delegate to the CEO, in consultation with the Mayor, the power to decide requests to adapt or modify the image of the Torres Strait Islander flag and issue royalty-free licences, administered by the Department of Building & Community Services.
3. That the Executive Director Building & Community Services prepare a written flag licensing policy for Council endorsement, incorporating the information that Council submitted to the Senate Select Committee on the Aboriginal Flag in September 2020 and also incorporating a requirement that the Executive Director of Building & Community Services present an annual information report to Council on flag licensing.
4. That Council 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.

MOTION CARRIED UNANIMOUS

Comment:

To ensure the Minutes correctly reflect Council's decision, the Minutes must be corrected to remove resolution 4.

Considerations

Risk

Council's decision must be correctly recorded to avoid any future action or reliance upon a resolution that was not passed by Council.

Council Finance

Not applicable

Consultation:

- Legal Services

Links to Strategic Plans:

TSIRC Corporate Plan 2020–2025

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

Conclusion:

It is recommended that Council resolve to correct the minutes of the March 2022 Council Ordinary Meeting by deleting resolution 4 in the item "LEGAL – CB – Proposed adaptation of Torres Strait Islander Flag" recorded on page 13 of the Minutes.

**Recommended:**

Peter Krebs
Manager Legal Services

**Endorsed:**

Megan Barrett
Executive Director, Corporate Services

**Endorsed:**

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL REPORT

| | |
|-------------------------|--|
| COUNCIL MEETING: | May 2022 |
| DATE: | 16/17 May 2022 |
| ITEM: | Agenda Item for the Strategic Advisory Reference Group Committee |
| SUBJECT: | Closed Business - Building Services Update (April 2022) |
| AUTHOR: | Nicholas Sturges, Manager Construction Operations |

Recommendation:

That Council notes the content of this report.

Executive Summary:

This report outlines the current business activities of the Building Services Unit (BSU) for the reporting period of April 2022.

Performance – value of work

The first table shows the value of work that BSU has performed which is behind in comparison to the budget, however, but the impact of this on BSU's bottom line (net result) is not as extreme as shown in the second table.

Performance – Value of Work

| | March | | April | | Total (year to date) | |
|--------------|------------------|------------------|------------------|------------------|----------------------|-------------------|
| | Budget | Actual | Budget | Actual | Budget | Actual |
| Upgrades | 2,030,101 | 1,064,079 | 2,482,568 | 865,145 | 21,038,456 | 10,075,253 |
| R&Ms | 489,600 | 781,619 | 489,600 | 384,381 | 4,896,000 | 5,613,630 |
| New builds | 179,057 | 131,290 | - | 106,855 | 1,223,013 | 939,647 |
| Total | 2,698,758 | 1,976,988 | 2,972,168 | 1,356,381 | 27,157,469 | 16,628,530 |

Year to date net result

| | March (previous month) | April (current month) |
|-------------------|---------------------------|--------------------------|
| Budget | 3,782,027 | 4,915,169 |
| Actual | 3,696,280 | 3,802,323 |
| Difference | -85,747 | -1,112,846 |

Disclosure: The April month end process was not finalised at time of SARG report preparation. Net result figures expected to change.

BSU monthly upgrade claims happen at the end of each month, followed by extractions from TechOne for analysis.

BSU has been working with the Business Services Accountant to identify allocated works issued from QBuild in 21/22 to identify the value of works that will rollover to establish the BSU 22/23 budget revenue.

As part of this process, BSU sought to clarify its performance to ascertain the effect of its improvement actions since FY20-21. BSU previously investigated completed projects works margins, reviewed estimates and structured workflows, which led to improvement actions through FY 20-21 that stopped the downward trend and provided major contributing factors to BSU current position.

This review encompassed past and present data from Council's financial system, Tech One. The extracted data provides support to the BSU claims, that as a business unit within Council, a solid base system, operational structure and workflows have been established, that are robust and allow for delivery, growth, and sustainability.

Currently BSU are also operating within the impacts to work deliverables by;

Unprecedented construction Industry volatility:

- Material shortages
- Material cost increases.
- Qualified trade shortages
- Fuel cost increases

These issues are combined with unique locality inhibitors including;

- Freight - Sea Swift still awaiting arrival of their new barge which is causing backlog.
- Additional issues of time and costs for waste removal from region.

Along with the impact of COVID

- Mer being impacted directly this last month

Additionally current individual deliverable blockages, referenced in this report under Considerations - Risk Management, have now been identified. Actions undertaken to mitigate these individual deliverable blockages will directly further enhance BSU deliverable works performance.

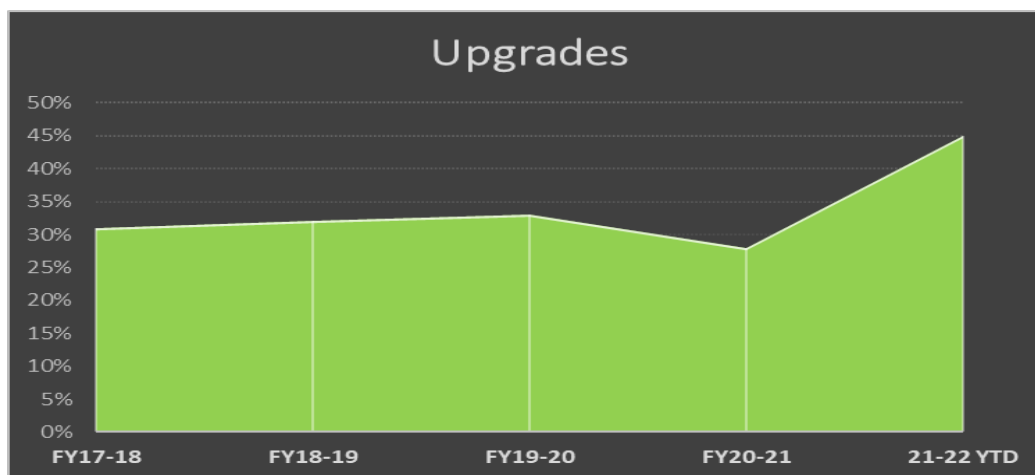
When the following graphs are viewed, in context to the current operating environment listed above, it clearly demonstrates the commitment to the operational viability of BSU to Council and the communities it serves.

Upgrade & HO Program

Upgrades and Home Ownership program extractions from Tech One highlight the margin retention for works over the past 5 years. The graph clearly demonstrates the correction of downward trend during FY20-21 and re-establishing a stronger performance grade than any other previous year.

These improvement actions take approx. six months to operationally work through, from adjustments in systems, workflows through to works awarding, delivery and completions for Tech One extractions to be completed.

Therefore, it highlights the results of corrections implemented in FY 20-21 to obtain the 21-22YTD growth.

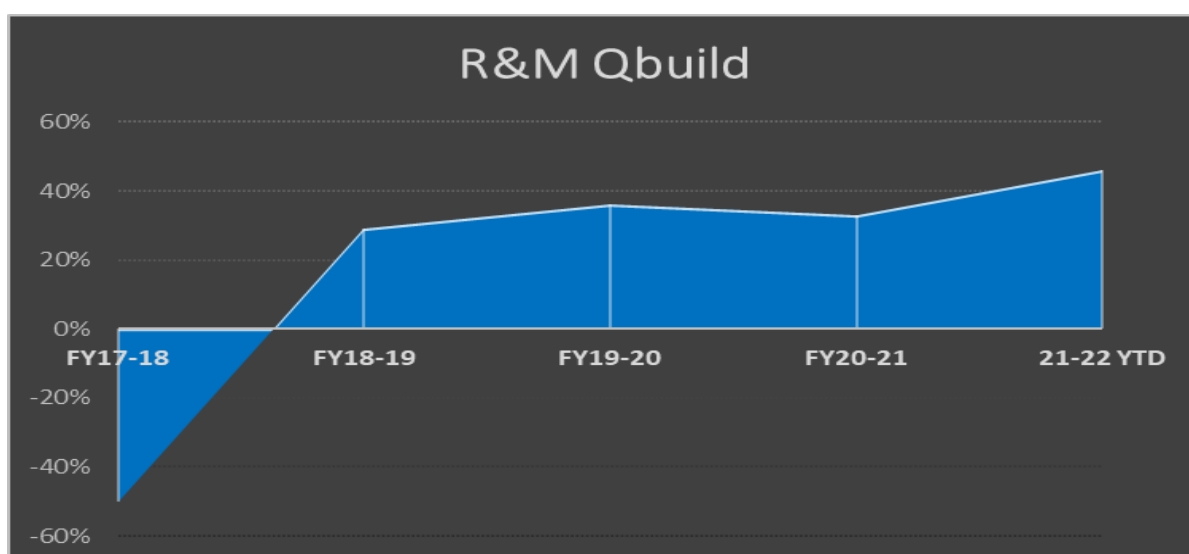


Disclaimer: there may be discrepancies in the extracted data, though it would be generic across all years. The increase for 21-22 YTD clearly highlights the difference and the increase that is substantially higher than normally attributed inflation. This was a five (5) year comparison. The information extracted from Tech One is based on the financial completion date of the upgrade works which may differ to the year in which the bulk of the works was completed.

R&M Program

The R&M program is tracking ahead of budget forecasts and improved financial position with greater informational transparency.

The information for the below graph was extracted out of Tech One which clearly demonstrates the increase in R&M margin. The graph demonstrates that the BSU R&M program is performing the best financially in the past 5 years.



Disclaimer: there may be discrepancies in the extracted data, though it would be generic across all years. The increase for 21-22 YTD clearly highlights the difference and the increase that is substantially higher than normally attributed inflation. This was a five (5) year comparison

Business Relationships

QBuild and BSU have been completing their collaborative, weekly to bi-weekly operational meetings.

QBuild have commenced a new resource structure for the QBuild Thursday Island District Office. The main changes are;

- District Manager Thursday Island – Tony Mosely
- Operations Manager – Lachlan Grant
- 4 Senior Supervisors

This has added a range of new QBuild staff which is creating additional works, as new staff get up to speed and requesting changes to communication systems. BSU is being patient and persistent as we utilise our data as a point of truth.

BSU is still requesting better clarity of work types to allow collaborative discussion of projects Work-In-Progress (WIP). As shown in last month's report extract below:

QBuild issues Pos to BSU without identifying what program the works relate to.

- *HO (therefore cannot be identified by BSU – 14 were found and adjusted).*
- *New Upgrade terminology QBuild started reporting on NAHA Upgrade / NAHA Maintenance*
 - *16 NAHA Upgrades were found and adjusted*
 - *QBuild has stated that they are only focusing on HO and NAHA Upgrades*

BSU has formally requested that QBuild add the 'Work Type' to the PO so we can collaborate appropriately and be able to prioritise work types for delivery and completions.

Key discussions with QBuild occurring at present relate to the 22/23FY forecast and having better clarity of information supply.

Logistics:

BSU has implemented a monitoring of Cairns issued freighting notices to reduce the risk to material orders and freighting to support end of FY works deliverables.

Albeit, that BSU cannot control the freighting process, BSU has met with Account Managers at Sea Swift and are extracting data that will be used to assist BSU's shipping allocations. This is currently in action and will proceed over the next couple of months. This is to identify a load amount to set as a weekly base for shipment e.g. a weekly allocation of 1 x 20 Ft container is perpetually allocated to BSU. If not utilised the next freight in queue is loaded.

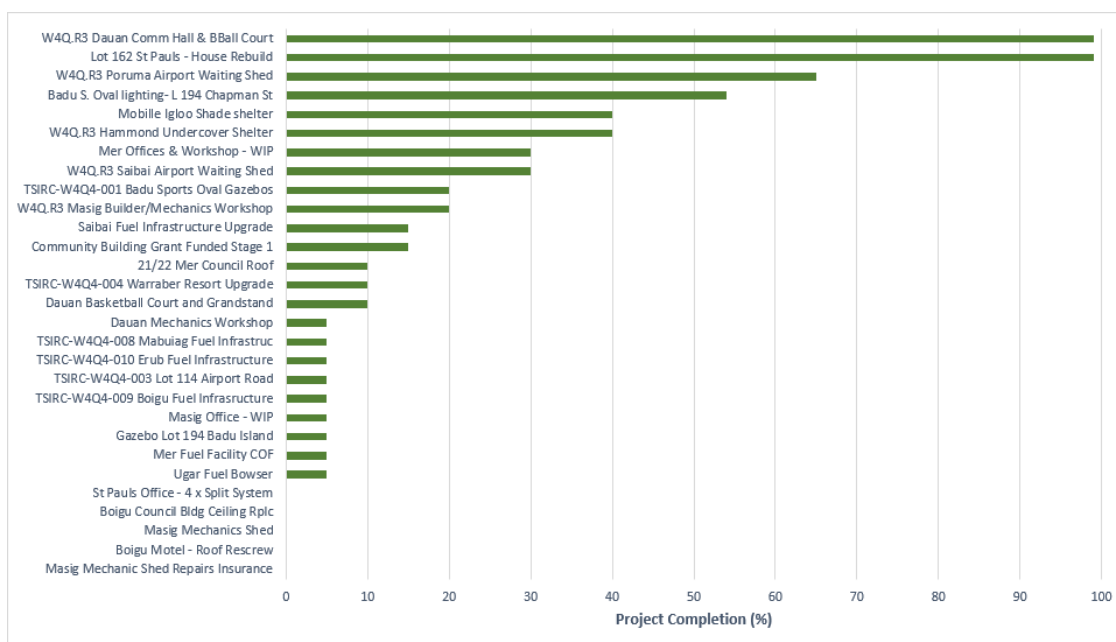
This was actioned prior to the Directive from CEO issued to BSU at 4.44pm 19/04/2022.

BSU seeks clarification, as it believes the above actions are not related to any litigation or contractual matters. Though we await clarity and direction before BSU proceed further.

Capital Works:

On review of BSU's contribution to Capital Works delivery, BSU has established a 1.35% overhead charge. This charge meets funding criteria and covers works performed by staff inclusive of supervision, administration tasks (PO / tendering / freighting / travel bookings / accommodation bookings) and contribution to BSU systems through volume of works. Currently at the Capital Works volume, this will contribute 5% of BSU salaries and wages costs, that would have been covered previously by profit margins.

Capital Works projects are currently tracking as per below graph;



Considerations

Risk Management

- BSU Works Delivery Blockages 2022 report was drafted and issued to CEO and Acting Executive Director Community & Building Services for their information and consideration.
- Urgent review of tabled works for next financial year to clarify actual projects and financial impact.
- Urgent action to address with Dept. of Housing, to obtain designated works for the FY 22/23
- Monitoring of performance regularly being undertaken to manage revenue, expenses, and service delivery and outcomes to community
- Monitoring of supply chains and materials is ongoing.
- Operations working through logistics of stockpiling goods to effectively ease our supply problems. This is paramount to the ongoing success of Repairs and Maintenance and upgrades to our communities.
- The most run-down contractor's accommodation is being identified to upgrade the facility that will directly assist with contractor availability on certain island communities for work loads.

Consultation:

- Previous, Acting Executive Director, Community & Building Services
- Business Services Accountant

Links to Strategic Plans:

Corporate Plan 2020-2025

- Sustainability - Objective 7: Our communities are consulted around liveable places, aligned to lifestyle and environmental suitability
- Operational Plan 2021-2022
- 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 content of this report.

Nicholas Sturges

Endorsed:
Nicholas Sturges
Manager Construction Operations



Approved:
James Williams
Chief Executive Officer

CLOSED BUSINESS REPORT

| | |
|-------------------------|---|
| COUNCIL MEETING: | May 2022 |
| DATE: | 16 th May 2022 |
| ITEM: | Agenda Item Council Meeting |
| SUBJECT: | TSIRC Fuel Improvement Program Status Update Report |
| AUTHOR: | Norman Griffett, Manager Fuel & Fleet |

Recommendation

That the Council notes the report.

Purpose

The purpose of this report is to provide Council with an update in relation to TSIRC's Fuel Improvement Program and upgrade projects.

Background:

TSIRC is the primary provider of fuel (ULP & Diesel) to most of the 15 communities delivering to customers (community, businesses and other local government agencies and service providers) approximately 850,000L of fuel per year.

Figure 1 below is a map outlining the fuel type provided by TSIRC on each of its 15 communities, as well as third party supplied community fuel sites.

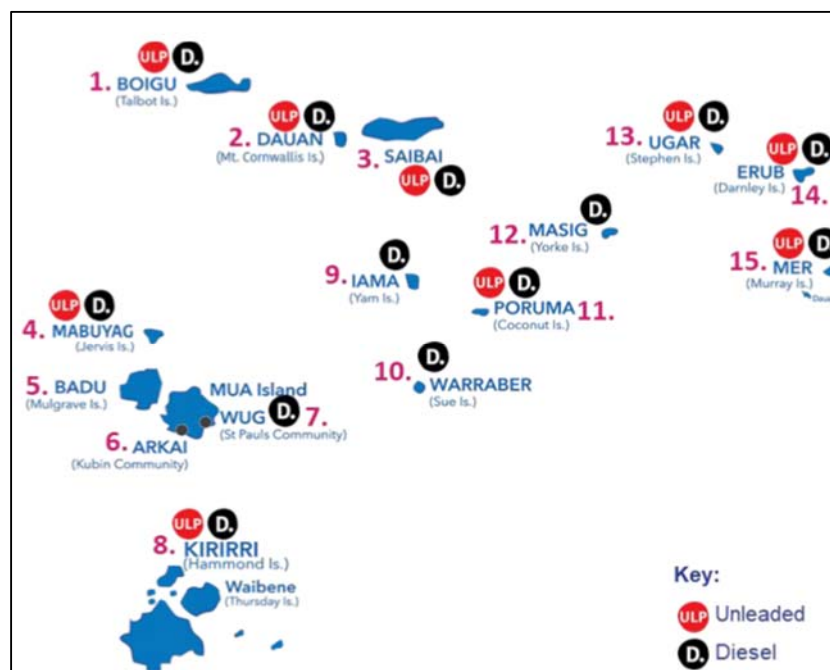


Figure 1- Fuel type provided by TSIRC

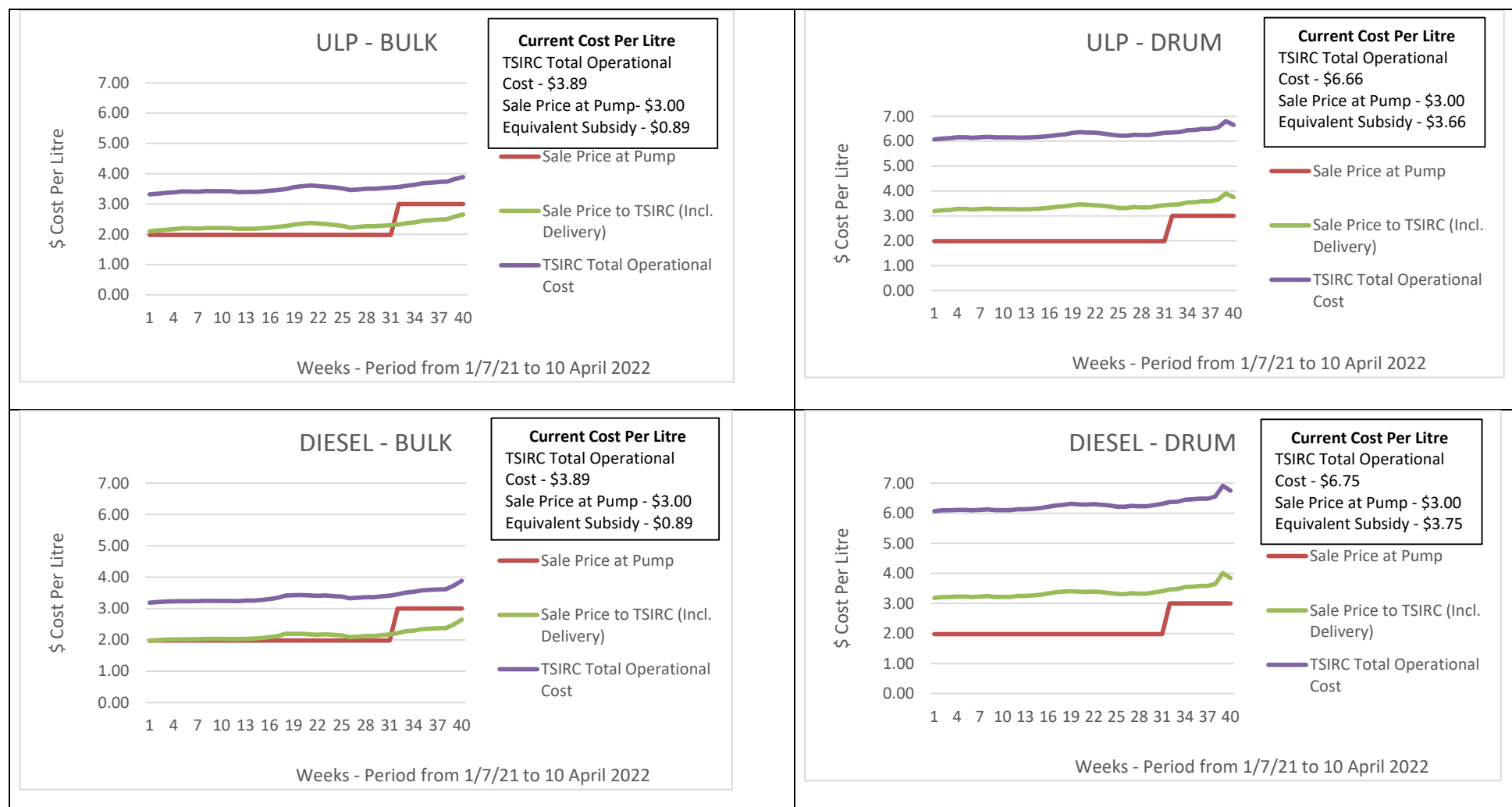
Fuel Status Summary

Table 1 details the fuel supplied across TSIRC communities by Council and other external parties. The table further details the status and condition of the fuel bowzers that are own and operated by TSIRC, and funding secured or need to upgrade the fuel sites.

| # | Community | Fuel Type(s) | Current Delivery Method | Bowser Status | Funded | Funding Notes | Average Fuel Supplied Per Annum (Litres) |
|--|-----------|---|-------------------------|--|---------------------------|--------------------------------|--|
| 1 | Boigu | - ULP - Diesel | - Drums - Drums | - Non-Operational - Non-Operational | ✓\$400,000 | Works for Queensland | 115,535 |
| 2 | Dauan | - ULP - Diesel | - Bulk - Bulk | - End of Life - End of Life | Funding Request Submitted | Est \$400K | 83,788 |
| 3 | Saibai | - ULP - Diesel | - Drums - Bulk | - Non-Operational - End of Life | ✓ \$1,006,600 | Building our Regions | 139,115 |
| 4 | Mabuyag | - ULP - Diesel | - Drums - Drums | - Operational - Operational | ✓ \$400,000 | Works for Queensland | 94,171 |
| 5 | Badu | Fuel fulfilment provided by Island & Cape | | | | | |
| 6 | Arkai | ULP fulfilment provided by IBIS, Diesel provided from Wug | | | | | |
| 7 | Wug | - Diesel | - Bulk | - None | x Unfunded | Est \$500K-\$800k | 49,701 |
| 8 | Kirirri | - ULP - Diesel | - Drums - Drums | - Non-Operational | Funding Request submitted | Est \$400K | 50,416 |
| 9 | Iama | - Diesel | - Drums | - None | x Unfunded | Est \$500K-\$800k | 10,600 |
| 10 | Warraber | - Diesel | - Bulk | - None | x Unfunded | Est \$500K-\$800k | 11,050 |
| 11 | Poruma | - ULP - Diesel | - Bulk - Bulk | - Operational - Operational | Funding Request Submitted | Est \$400K | 65,015 |
| 12 | Masig | - Diesel | - Bulk | - None | x Unfunded | Est \$500K-\$800k | 12,576 |
| 13 | Ugar | - ULP - Diesel | - Drums - Drums | - None - None | ✓ \$572,000 | TSRA additional funds required | 31,440 |
| 14 | Erub | - ULP - Diesel | - Bulk - Bulk | - Operational - Operational | ✓ \$400,000 | Works for Queensland | 110,196 |
| 15 | Mer | - ULP - Diesel | - Drums - Drums | - None - None | ✓ \$572,000 | Council Owned Funds | 72,300 |
| Total Avg Fuel Supplied Per Annum (Litres) | | | | | | | 845,903 |

Table 1 TSIRC Fuel Status Summary

Table 2 Fuel price movement to 10 April 2022.



Sale Price at Pump – the initial price is the designated price as set in Fees and Charges being \$1.98 that increased to \$3.00 from the 24 January 2022 based on information provided to Council and approved in November 2021.

Sale Price to TSIRC (Incl. Delivery) – this is the Unit Cost of a litre of fuel at the base price of fuel charged to TSIRC on a weekly basis. i.e., cost of fuel charged by SeaSwift to TSIRC including delivery.

TSIRC Total Operational Cost– This includes “Fuel Cost including Delivery” and all other costs incurred by TSIRC to enable the pumping of fuel. (e.g., administration, staffing costs, repairs, depreciation)

STATUS - OPERATIONS - Division 2 Dauan

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------|-------------------------|----------------|--------------------|------------------------|--|---------------------------------|--|--|---|--|
| ULP | 83,788 | 6,000 Lts | Bulk / Operational | Bowser / Operational | Bowzers being inspected and will improve operational reliability – service visit organised to replace bowser displays and provide scoping for a possible upgrade | 200 Litre Drums | Hand pumps from drums (on standby if needed) | Work has been completed on fuel site which has now restored operational capability. April 2022 | Mon-Wed & Fri 11:00am-12:00 noon then 2:00pm-4:00pm Thur. 9:00-10:00am 2:00-3:00pm | Funding Application lodged 18 March 2022 |
| Diesel | | 2,000 Lts | Bulk / Operational | Bowser / Operational | | 200 Litre Drums | Hand pumps from drums (on standby if needed) | | | |

STATUS - CAPITAL - Division 2 Dauan

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|--------|----------------|------------|------------|------------------------------------|------------------------------|--------------------------|----------------------------|---|
| ULP | Pending | LGGSP/ COF | \$ 400,000 | Major upgrade and renewal proposed | June 30 2023 | Funding not yet approved | Seek other funding sources | Funding Application lodged 18 March 2022 funding to commence 1 July 2022 if approved. |
| Diesel | Pending | LGGSP/ COF | | | | | | |

STATUS - OPERATIONS - Division 3 Saibai

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------|-------------------------|----------------|------------------------|--------------------------|---|---------------------------------|----------------------------------|--|--|--|
| ULP | 139,115 | 4,880 Lts | Bulk / Non-Operational | Bowser /Non-Operational | Temporary tanks to be installed due to the delay in construction. Expect delivery in April 2022 | 200 Litre Drums | Hand pumps from drums | Construction commenced week beginning 18 April 2022 decision to deliver temporary tanks under review | Mon-Fri 11:00am-12:00noon then 3:00pm-4:00pm | Capital funding available as outlined below. |
| Diesel | | 30,000 Lts | Bulk / Non-Operational | Bowser / Non-Operational | | 200 Litre Drums | Hand pumps from drums | | | |

STATUS - CAPITAL - Division 3 Saibai

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|--------|----------------|----------------------|--------------|--|------------------------------|--|-----------------|--|
| ULP | ✔ | Building Our Regions | \$ 1,006,600 | Interim solution to locate temporary tanks was halted due to cost and timing but is being revisited due to delay in construction and the cost of drum fuel. Current project has been delayed due to weather and machinery access with restrictions due to weight and impact on the site of heavy lifting machinery. Contract awarded to build new facility with EFTPOS to rollout in second quarter of 2022 due to delay in procuring tanks from overseas and up to the community before the wet season. | June 30 2022 | Work has commenced and is expected to be finished in June 2022 | | Current projection is for completion by 30 June 2022 |
| Diesel | ✔ | Building Our Regions | | | | | | |

STATUS - OPERATIONS - Division 4 Mabuyag

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------|-------------------------|----------------|------------------------|------------------------|---|--|--|--|---|--|
| ULP | 94,171 | 6,000 Lts | Bulk / Non-Operational | Bowser / Operational | Assessment of project scope to fit within funding constraints conducted in January 2022 | 200 Litre Drums (On standby if needed) | Hand pumps from drums (on standby if needed) | Work has been completed on fuel site which has now restored operational capability. April 2022 | Mon-Fri 11:00-12:00noon 3:00-4:00pm Emergency any time. | Capital funding available as outlined below. |
| Diesel | | 2,000 Lts | Bulk / Non-Operational | Bowser / Operational | | 200 Litre Drums (On standby if needed) | Hand pumps from drums (on standby if needed) | | | |

STATUS - CAPITAL - Division 4 Mabuyag

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|--------|----------------|--------|------------|---|------------------------------|-------------------------------------|--|---|
| ULP | ✓ | W4Q | \$ 400,000 | Construction requirements are being assessed to fit within the budget funding available | June 30 2023 | Fit requirements in funding package | Limit scope to compliance requirements | Existing Tanks are being assessed for remaining useful life. Project specifications are currently being finalised to fit within funding constraints and expect to be released for tender by BSU by 31 May 2022. In addition, remediation works have been undertaken to bring site back to operational status in April 2022. |
| Diesel | ✓ | W4Q | | | | | | |

STATUS - OPERATIONS - Division 5 Badu

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------------|-------------------------|----------------|------------------|------------------------|---|---------------------------------|----------------------------------|-------------------------------------|-----------------|--|
| ULP - I&C | | Island & Cape | External / PO | External / PO | Currently reviewing options to have facilities available for operational use only | N/A | External / On Site | N/A | On Demand | Determine site location and requirements |
| Diesel - I&C | | Island & Cape | External / PO | External / PO | | Portable Bulk facility | External / On Site | | | |

STATUS - CAPITAL - Division 5 Badu

[illegible]

STATUS - OPERATIONS - Division 6 Arkai (Kubin)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|------------|-------------------------|----------------|----------------------|------------------------|--|---------------------------------|----------------------------------|---|-----------------|----------|
| ULP - IBIS | | IBIS | External / Card (MC) | External / Card (MC) | No Diesel available in Kubin. ULP - Reliance on IBIS only | N/A | N/A | Possible site for future utilisation of Temporary tanks for Diesel and ULP being reviewed in April 2022 | Refer St Pauls | |
| Diesel | | N/A | Use St Pauls | N/A | | Refer St Pauls | Refer St Pauls/On site | | | |

STATUS - CAPITAL - Division 6 Arkai (Kubin)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|-------------------|----------------|--------|--------|-------------------------|------------------------------|-----------------------|-----------------|--|
| ULP - IBIS | ✗ | N/A | N/A | Possible tank solution. | | | | Scoping for availability of Council use only facility to be completed by 31 March 2023 |
| Diesel - St Pauls | ✗ | N/A | | | | | | |

STATUS - OPERATIONS - Division 7 Wug (St Pauls)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|------------|-------------------------|----------------|----------------------|------------------------|---|---------------------------------|----------------------------------|---|---------------------|---|
| ULP - IBIS | 49,701 | IBIS | External / Card (MC) | External / Card (MC) | Diesel solar powered fuel tank with bowser operational Currently reviewing options to have ULP facilities available for operational use only | N/A | External / On Site | Possible site for future utilisation of an additional Temporary tank to be completed by June 2022 | On Demand | Add additional ULP tank to existing site for operation supply |
| Diesel | | 2,000 Lts | Bulk / Operational | Bowser / Operational | | 200 Litre Drums | Hand pumps from drums | | Mon-Fri 1:00-3:00pm | |

STATUS - CAPITAL - Division 7 Wug (St Pauls)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|------------|----------------|--------|--------|---|------------------------------|-----------------------|-----------------|--|
| ULP - IBIS | ✗ | | | Diesel solar powered fuel tank with bowser operational | | | | Scoping for additional tank to be completed by 31 March 2023 |
| Diesel | ✗ | | | Currently reviewing options to have ULP facilities available for Council operational use only | | | | |

STATUS - OPERATIONS - Division 8 Kirirri (Hammond)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------|-------------------------|----------------|------------------------|-------------------------|--|---------------------------------|----------------------------------|---|--|--|
| ULP | 50,416 | 6,000 Lts | Bulk / Non-Operational | Bowser /Non-Operational | Infrastructure assessment has been completed in late January 2022 and currently undertaking costing to bring existing bulk service back into operational capacity. | 200 Litre Drums | Hand pumps from drums | Planned work underway to bring site back to operational capacity. Solar Equipment confirmed under TSIRC control and not Ergon 24 March 2022 | Mon-Fri 9:30-10:00am 10:30-11:00am 1:30-2:00pm 3:30-4:00pm dep on weather | Capital funding available as outlined below. |
| Diesel | | 2,000 Lts | Bulk / Non-Operational | Bowser /Non-Operational | | 200 Litre Drums | Hand pumps from drums | | | |

STATUS - CAPITAL - Division 8 Kirirri (Hammond)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|--------|----------------|-----------|-----------|------------------------------------|------------------------------|--------------------------|----------------------------|---|
| ULP | Pending | LGGSP/COF | \$400,000 | Major upgrade and renewal proposed | | Funding not yet approved | Seek other funding sources | Funding Application lodged 18 March 2022 funding to commence 1 July 2022 if approved. |
| Diesel | Pending | LGGSP/COF | | | | | | |

STATUS - OPERATIONS - Division 9 lama (Yam)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|------------|-------------------------|----------------|----------------------|------------------------|--|---------------------------------|----------------------------------|---|---|---|
| ULP - IBIS | 10,600 | Account | External / Card (MC) | External / Card (MC) | Review has been completed in late January 2022 and currently undertaking costing to provide a bulk Diesel facility | N/A | N/A | Possibility housing Temporary tanks being investigated for diesel | Mon & Thur 1:00-3:00pm Tue, Wed & Fri 9:00-12:00noon | Condition assessment visit planned to determine work to be required |
| Diesel | | Drums | Drums / Operational | Drums /Operational | | Portable Bulk facility | Hand pumps from drums | | | |

STATUS - CAPITAL - Division 9 lama (Yam)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|------------|----------------|--------|--------|-------------------------|------------------------------|-----------------------|-----------------|--|
| ULP - IBIS | ✗ | | | Possible tank solution. | | | | Scoping for upgrade to be completed by 31 March 2023 |
| Diesel | ✗ | | | | | | | |

STATUS - OPERATIONS - Division 10 Warraber

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|------------|-------------------------|----------------|----------------------|------------------------|---|---------------------------------|----------------------------------|--|--|---------------------------------------|
| ULP - IBIS | 11,050 | Account | External / Card (MC) | External / Card (MC) | Review has been completed in late January 2022 and currently undertaking costing to bring existing bulk service back into operational capacity. | N/A | N/A | Possibility housing Temporary tanks being investigated | Only Diesel Mon & Thur. 9:00-10:00am 2:00-3:00pm | Use of ULP card recently recommended. |
| Diesel | | Drums | Drums /Operational | Drums /Operational | | Portable Bulk facility | Hand pumps from drums | | | |

STATUS - CAPITAL - Division 10 Warraber

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|------------|----------------|--------|--------|-------------------------|------------------------------|-----------------------|-----------------|--|
| ULP - IBIS | X | | | Possible tank solution. | | | | Scoping for upgrade to be completed by 31 March 2023 |
| Diesel | X | | | | | | | |

STATUS - OPERATIONS - Division 11 Poruma (Coconut)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------|-------------------------|----------------|--------------------|------------------------|--|---------------------------------|----------------------------------|---|-------------------------------------|--|
| ULP | 65,015 | 6,000 Lts | Bulk / Operational | Bowser / Operational | Bowzers have been made operational and upload pump has been repaired. Currently whole system is under a review for potential repair and improvement. | N/A | N/A | Work completed to bring site back to operational capacity | Mon-Fri 9:00-10:30am 1:30-2:30pm | Funding Application lodged 18 March 2022 |
| Diesel | | 2,000 Lts | Bulk / Operational | Bowser / Operational | | N/A | N/A | | | |

STATUS - CAPITAL - Division 11 Poruma (Coconut)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|--------|----------------|------------|------------|--|------------------------------|--------------------------|----------------------------|---|
| ULP | Pending | LGGSP/ COF | \$ 400,000 | Major upgrade and renewal proposed to maintain reliability | June 30 2023 | Funding not yet approved | Seek other funding sources | Funding Application lodged 18 March 2022 funding to commence 1 July 2022 if approved. |
| Diesel | Pending | LGGSP/ COF | | | | | | |

STATUS - OPERATIONS - Division 12 Masig (Yorke)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|------------|-------------------------|----------------|----------------------|------------------------|---|---------------------------------|----------------------------------|--|-------------------------------------|---|
| ULP - IBIS | 12,576 | Account | External / Card (MC) | External / Card (MC) | Portable Diesel solar powered fuel tank with bowser operational | N/A | N/A | Possible site for future utilisation of an additional Temporary tank for ULP | Only Diesel Mon & Thur. 3:00-4:00pm | Condition assessment underway to determine work to be completed |
| Diesel | | 2,000 Lts | Bulk /Operational | Bowser /Operational | | N/A | N/A | | | |

STATUS - CAPITAL - Division 12 Masig (Yorke)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|------------|----------------|--------|--------|--|------------------------------|-----------------------|-----------------|--|
| ULP - IBIS | ✗ | | | Diesel solar powered fuel tank with bowser operational | | | | Scoping for upgrade with the supply of an additional tank for Operational purposes only to be completed by 31 March 2023 |
| Diesel | ✗ | | | | | | | |

STATUS - OPERATIONS - Division 13 Ugar (Stephen)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------|-------------------------|----------------|---------------------|------------------------|--|---------------------------------|----------------------------------|---|-------------------------------------|--|
| ULP | 31,440 | Drums | Drums /Operational | Hand Pump /Operational | Project has been scoped and tenders evaluated. Funding required to complete the upgrade exceeded the balance and a request for additional \$300k funds issued to TSRA in December 2021 | Nil | Nil | Send temporary tanks to remove drum fuel until construction completed to be resolved by June 2022 | Mon-Fri 9:00-10:00am 1:00-2:00pm | Contract to be finalised when funding approved |
| Diesel | | Drums | Drums / Operational | Hand Pump /Operational | | Nil | Nil | | | |

STATUS - CAPITAL - Division 13 Ugar (Stephen)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|--------|----------------|--------|------------|---|------------------------------|-----------------------|----------------------------|---|
| ULP | ✓ | TSRA | \$ 572,000 | Project has been scoped and tenders evaluated. Funding required to complete the upgrade exceeded the project balance and a request for additional \$300k funds issued to TSRA in December 2021 | June 30 2022 | Funding not approved | Seek other funding sources | TSRA responded to funding request requiring explanation for the reason for the increase to be documented. A primary factor is that the project was originally tabled in 2018, a response has been formulated and is awaiting to be forwarded to TSRA. Construction is expected to commence in Fiscal Year 2022/23 depending on confirmation of funding. |
| Diesel | ✓ | TSRA | | | | | | |

STATUS - OPERATIONS - Division 14 Erub (Darnley)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------|-------------------------|----------------|--------------------|------------------------|---|---------------------------------|--|-------------------------------------|----------------------------------|--|
| ULP | 110,196 | 6,000 Lts | Bulk / Operational | Bulk / Operational | Assessment of project scope to fit within funding constraints conducted in January 2022. Current operations are unreliable and still require maintenance. | 200 Litre Drums | Drums and manual pumps if system fails | Site upgrade planned as part of W4Q | Mon-Fri 9:00-10:00am 1:00-2:00pm | Scoping work currently underway to fit funding |
| Diesel | | 2,000 Lts | Bulk / Operational | Bulk / Operational | | 200 Litre Drums | Drums and manual pumps if system fails | | | |

STATUS - CAPITAL - Division 14 Erub (Darnley)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|--------|----------------|--------|------------|---|------------------------------|-------------------------------------|--|---|
| ULP | ✔ | W4Q | \$ 400,000 | Rollout program has been delayed while construction requirements are being assessed to fit within the budget funding available. | June 30 2023 | Fit requirements in funding package | Limit scope to compliance requirements | Existing Tanks are being assessed for remaining useful life. Project specifications are currently being finalised to fit within funding constraints and expect to be released for tender by BSU by 31 May 2022. In addition, remediation works have been undertaken to bring site back to operational status. |
| Diesel | ✔ | W4Q | | | | | | |

STATUS - OPERATIONS - Division 15 Mer (Murray)

| Type | Approx. Litres per year | Infrastructure | Storage / Status | Delivery Type / Status | Operational Issues | Current Interim Storage Measure | Current Interim Delivery Measure | Planned Additional Interim Measures | Operating Times | Comments |
|--------|-------------------------|-----------------|---------------------|------------------------|--|---------------------------------|----------------------------------|---|-----------------------------|--|
| ULP | 72,300 | Drums/4,000 Lts | Drums / Operational | Drums /Operational | Difficulties experienced in trying to address an alternate site location. Currently formulating a proposal to provide bulk storage and delivery from existing site in conjunction with other works and other modifications to be undertaken on the building. | Nil | Nil | Site reconstruction required due to building demolition, planned utilisation of tank system in lieu of drums. | Mon-Fr 10:00am - 12:00 noon | Scoping work in conjunction with Building demolition. Existing 4,000ltr tank is not beng utilised. |
| Diesel | | Drums | Drums / Operational | Drums /Operational | | Nil | Nil | | | |

STATUS - CAPITAL - Division 15 Mer (Murray)

| Type | Funded Project | Funder | Amount | Project Description | Estimated Time of Completion | Project Issues / Risk | Risk Mitigation | Comments |
|--------|----------------|--------|------------|--|------------------------------|---|-------------------------------------|---|
| ULP | ✓ | COF | \$ 572,000 | Difficulties experienced in trying to address an alternate site location. Currently formulating a proposal to provide bulk storage and delivery from existing site in conjunction with other works and other modifications to be undertaken on the building. | June 30 2023 | Suitability of incorporating fuel location within the existing shed site, and limited options if it is moved elsewhere. | Fit equipment on existing footprint | Revised scoping and review of utilising existing location and use of tanks being undertaken to fit within funding, and to address complexities with alternative site/land constraints. Intend to provide a bulk facility solution from the existing site that is within funding constraints. |
| Diesel | ✓ | COF | | | | | | |

Conclusion:

That the Council notes the report.

Norman Griffett

Author:

Norman Griffett
Manager Fuel and Fleet

David Baldwin

Recommended

David Baldwin
Executive Director Engineering Services

James William

Approved:

James William
Chief Executive Officer

Attachments

1. Photographs of Temporary Tanks

Appendix

2500 Litre Diesel Tank



4,500 Litre ULP





TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT – CLOSED BUSINESS

| | |
|--------------------------|--|
| ORDINARY MEETING: | May 2022 |
| DATE: | 16 & 17 May 2022 |
| ITEM: | Agenda Item for Resolution by Council |
| SUBJECT: | Financial Dashboard Report – April 2022 |
| AUTHOR: | Nicola Daniels, Head of Financial Services |

Recommendation:

That Council receive and endorse the monthly financial statements attached to the officer's report for the 2021-22 year to date, for the period ended 30 April 2022, as required under Section 204 *Local Government Regulation 2012*.

Purpose:

This report seeks Council endorse the monthly financial statements for the 2021-22 year to date, for the period ended 30 April 2022.

Background:

The 2021-22 budget review was adopted in December 2021 and has taken into consideration the current COVID-19 pandemic and the expected impacts on the year ahead.










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

Each month, year to date financial statements are prepared to monitor actual performance against budget. Below is a summary of the financial performance for the period ended stated above. Actual amounts are compared against year-to-date Budget Review 2021-22 figures. (See Appendix A for Summary Financial Statements by Department and Appendix A Detailed Capital Report).

Resource implications:

The actual operating result for April 2022 YTD is a \$8.5M surplus, which is better than the YTD forecast operating deficit of \$12.4M for the 2021-22 financial year.

FINANCIAL PERFORMANCE AT A GLANCE – YTD 2022

| Key financial results | Annual budget | YTD budget | YTD actual | YTD variance \$ | YTD variance % | Status |
|--|--------------------|---------------------|---------------------|---------------------|----------------|---|
| Recurrent revenue | 60,429,067 | 40,918,909 | 49,492,460 | 8,573,552 | 21.0% |  |
| Other income | 5,761,581 | 4,853,014 | 4,622,459 | (230,555) | (4.8%) |  |
| Recurrent expenditure (excl. depreciation) | (70,790,399) | (58,126,324) | (45,626,500) | 12,499,824 | 21.5% |  |
| Operating result (excl. depreciation) | (4,599,751) | (12,354,401) | 8,488,419 | 20,842,820 | 168.7% |  |
| Capital revenue | 73,648,135 | 56,862,326 | 16,517,345 | (40,344,980) | (71.0%) |  |
| Capital expenses | (1,500,000) | (800,000) | (2,958,008) | (2,158,008) | 269.8% |  |
| Net result (excl. depreciation) | 67,548,384 | 43,707,925 | 22,047,756 | (21,660,168) | (49.6%) |  |
| Depreciation expense | (46,709,047) | (38,962,584) | (39,365,886) | (403,303) | (1.0%) |  |
| Net result | 20,839,338 | 4,745,341 | (17,318,130) | (22,063,471) | 465.0% |  |

Key:

Act Vs Bud Var % is <= -10%

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

Act Vs Bud Var % is > -5%



Operating Result

The YTD \$20.8M operating result variance mainly attributed to:

- **Financial Assistance Grant of \$10.4M was received in April (budgeted \$5.6M in June). These funds were paid in advance by the State Government and relate to the 22/23 financial year allocation; This prepayment will have a significant impact on the 22/23 Original Budget and 21/22 actual results.**
- Engineering recurrent revenue currently ahead of budget by \$1.57M for grant revenue (timing variance), this is offset by BSU recurrent revenue tracking \$3.1M behind budget expectations (further details of department performance can be obtain in BSU Update Report)
- Reduction in employee expenditure due to extended vacancies
- Material & Services for most departments are currently under budget. This is a combination of good cost management, reduction in BSU expenditure due to reduced revenue from upgrades and timing of commissioning operating works
- Lower leasing expense as some leases are now recognised as a right of use asset which is subsequently amortised with a portion recognised as interest in line with AASB 16 (effect of new accounting standard not budgeted)
- Less residential rent as Katter / private home ownership leases are executed

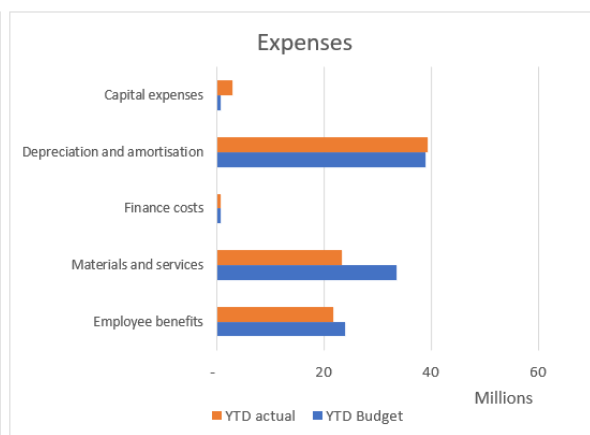
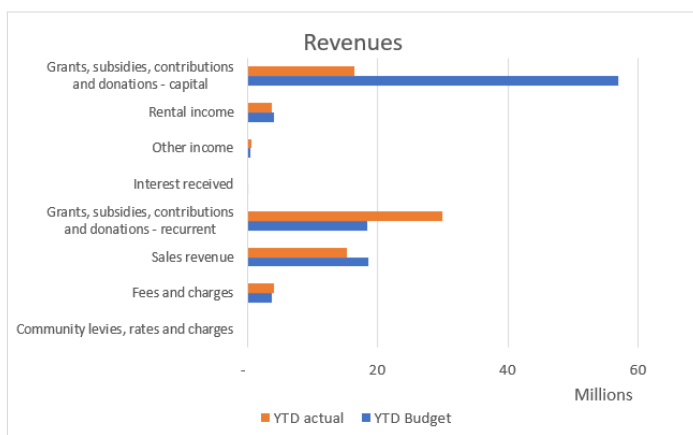
Net Result

The YTD (\$22.1M) net result variance mainly attributed to:

- Capital funding not received in line with budget expectations due to delays in timing of capital works.
- Increased capital expenditure relating to loss on disposal of houses which have been taken off the register on execution of leases under the Katter / private home ownership programs.
- Proceeds from insurance claims have not been received
- Increase in depreciation expense relates to amortisation for right of use assets in line with AASB 16 (budgeted in operational as a leasing expense)

STATEMENT OF FINANCIAL PERFORMANCE

| | Annual Budget | YTD Budget | YTD actual | YTD variance \$ | YTD variance % |
|--|---------------|-------------|--------------|--------------------|-------------------|
| Income | | | | | |
| Recurrent revenue | | | | | |
| Community levies, rates and charges | 1,607,282 | 58,637 | 58,074 | (563) | 0.0% |
| Fees and charges | 4,575,813 | 3,751,322 | 4,172,318 | 420,996 | 11.2% |
| Sales revenue | 23,896,691 | 18,640,242 | 15,328,574 | (3,311,668) | (17.8%) |
| Grants, subsidies, contributions and donations | 30,349,282 | 18,468,708 | 29,933,494 | 11,464,786 | 62.1% |
| | 60,429,067 | 40,918,909 | 49,492,460 | 8,573,552 | 21.0% |
| Capital revenue | | | | | |
| Grants, subsidies, contributions and donations | 73,648,135 | 56,862,326 | 16,517,345 | (40,344,980) | (71.0%) |
| | 73,648,135 | 56,862,326 | 16,517,345 | (40,344,980) | (71.0%) |
| Interest received | 194,956 | 169,082 | 154,724 | (14,359) | (8.5%) |
| Other income | 543,340 | 516,955 | 621,192 | 104,237 | 20.2% |
| Rental income | 5,023,285 | 4,166,977 | 3,846,543 | (320,434) | (7.7%) |
| Total income | 139,838,783 | 102,634,248 | 70,632,264 | (32,001,984) | (31.2%) |
| Expenses | | | | | |
| Recurrent expenses | | | | | |
| Employee benefits | 28,975,142 | 23,911,110 | 21,664,741 | 2,246,370 | 9.4% |
| Materials and services | 41,048,610 | 33,578,535 | 23,340,285 | 10,238,250 | 30.5% |
| Finance costs | 766,648 | 636,678 | 621,474 | 15,204 | 2.4% |
| Depreciation and amortisation | 46,709,047 | 38,962,584 | 39,365,886 | (403,303) | (1.0%) |
| | 117,499,446 | 97,088,907 | 84,992,386 | 12,096,521 | 12.5% |
| Capital expenses | 1,500,000 | 800,000 | 2,958,008 | 2,158,008 | 269.8% |
| Total expenses | 118,999,446 | 97,888,907 | 87,950,394 | (9,938,513) | (10.2%) |
| Net result | 20,839,338 | 4,745,341 | (17,318,130) | (22,063,471) | (465.0%) |

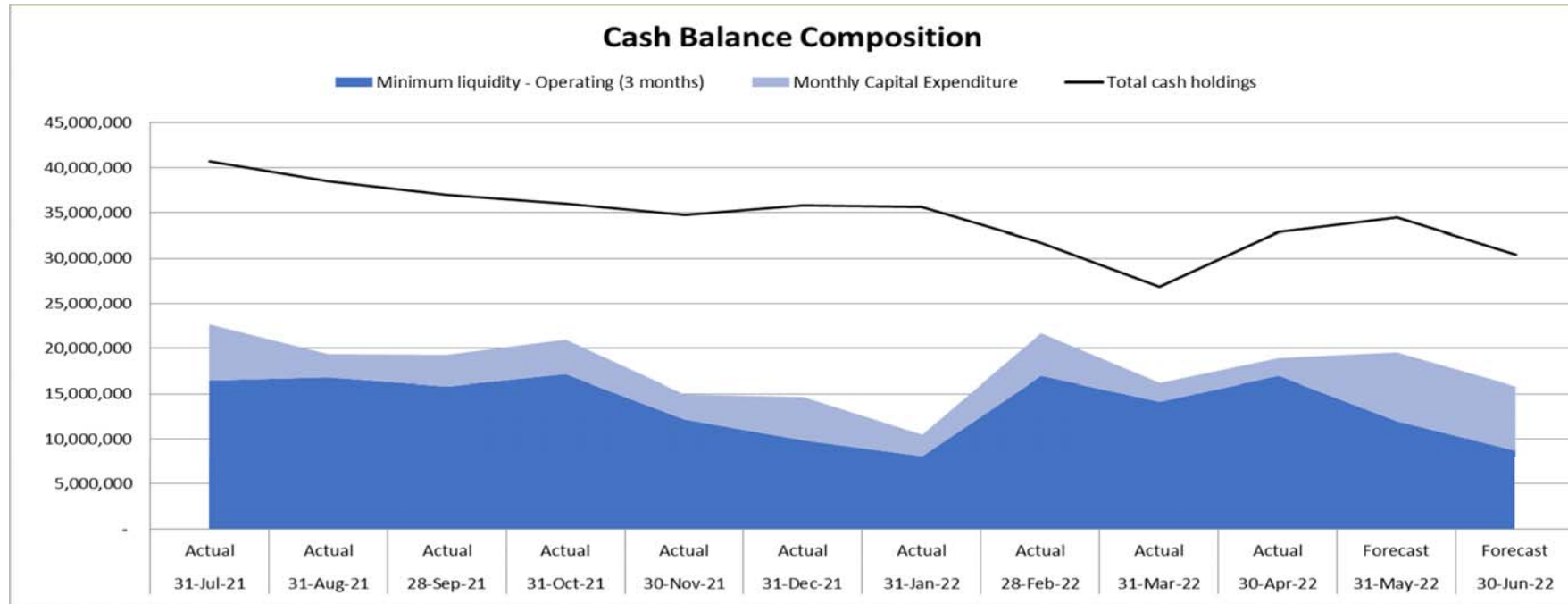


STATEMENT OF FINANCIAL POSITION

| | Current Month | Prior Month | variance \$ | variance % |
|--------------------------------------|--------------------|--------------------|--------------------|---------------|
| Current assets | | | | |
| Cash and cash equivalents | 33,108,985 | 26,556,063 | 6,552,922 | 24.7% |
| Short term deposits | 66,077 | 66,077 | 0 | 0.0% |
| Trade and other receivables | 11,337,996 | 10,759,928 | 578,068 | 5.4% |
| Inventories | 257,841 | 257,841 | 0 | 0.0% |
| Contract assets | 8,014,224 | 7,924,865 | 89,359 | 1.1% |
| Lease receivables | - 4,699 | - | (4,699) | |
| Total current assets | 52,780,424 | 45,564,774 | 7,215,650 | 15.8% |
| Non-current assets | | | | |
| Lease receivables | 13,143,289 | 13,143,290 | (1) | (0.0%) |
| Property, plant and equipment | 888,025,387 | 889,872,927 | (1,847,540) | (0.2%) |
| Right of use assets | 170,141 | 222,770 | (52,629) | (23.6%) |
| Total non-current assets | 901,338,817 | 903,238,987 | (1,900,170) | (0.2%) |
| | | | | |
| Total assets | 954,119,241 | 948,803,761 | 5,315,480 | 0.1% |
| Current liabilities | | | | |
| Trade and other payables | 5,246,972 | 4,924,763 | (322,209) | (6.5%) |
| Borrowings | - | - | 0 | |
| Provisions | 4,688,302 | 4,737,935 | 49,633 | 1.0% |
| Contract liabilities | 21,304,105 | 21,304,105 | 0 | 0.0% |
| Lease liabilities | 114,061 | 166,906 | 52,845 | 31.7% |
| Total current liabilities | 31,353,440 | 31,133,709 | (219,731) | (0.7%) |
| Non-current liabilities | | | | |
| Provisions | 4,622,754 | 4,582,866 | (39,888) | (0.9%) |
| Lease liabilities | 60,985 | 60,985 | (0) | (0.0%) |
| Total non-current liabilities | 4,683,739 | 4,643,851 | (39,889) | (0.9%) |
| | | | | |
| Net community assets | 918,082,062 | 913,026,201 | 5,055,861 | 0.6% |
| Community Equity | | | | |
| Asset revaluation surplus | 514,581,024 | 514,581,024 | 0 | 0.0% |
| Retained surplus/(deficiency) | 420,819,168 | 420,819,168 | 0 | 0.0% |
| Current Year Surplus/(Deficit) | - 17,318,130 | - 22,373,991 | 5,055,861 | (22.6%) |
| | 918,082,062 | 913,026,201 | 5,055,861 | 0.6% |

Cash Forecasting

The Queensland Treasury Corporation (QTC) recommends that Council maintain a minimum liquidity of three months operating cashflows. Council has based the monthly cashflow projections on the 21/22 Budget Review projections. Grant revenue has been forecasted on expected timing of receipt of funds as per funding agreements. July to April figures reflect actual cash balances.



Cashflow Comments

YTD April 2022 – Actual \$32.9M

- Although cash holdings remain above QTC recommendations, a majority of this is constrained funding. ICCP works forecast to increase between now and end of the financial year.
- Financial Assistance Grant received in advance - \$10.4M. These funds are for the 22/23 financial year.

YTD June 2022 – Forecast \$30.4M

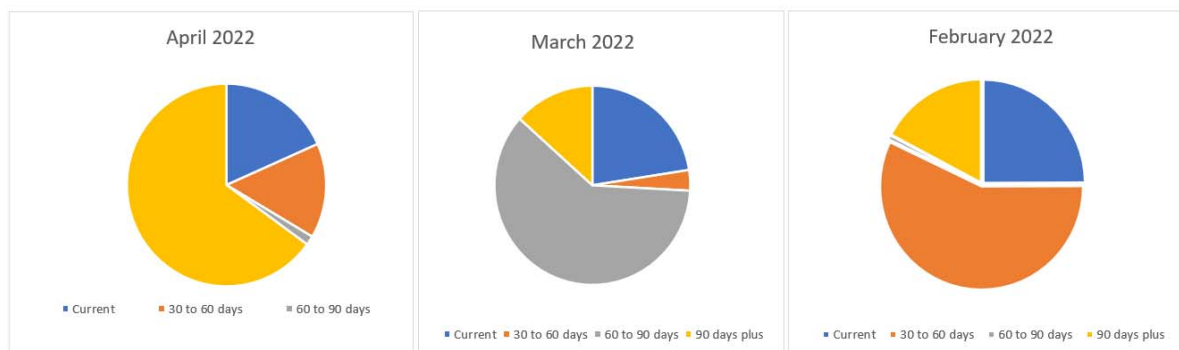
- Funds remain relatively high due to committed funding held for capital projects not finalised and Financial Assistance Grant received in advance.

Debtor Analysis

| Days outstanding | As at 30 April 2022 | | As at 31 March 2022 | | As at 28 February 2022 | |
|--------------------------------------|---------------------|------|---------------------|------|------------------------|------|
| | \$ | % | \$ | % | \$ | % |
| Current | 1,893,940 | 18% | 2,032,911 | 23% | 2,455,285 | 25% |
| 30 to 60 days | 1,559,713 | 15% | 300,514 | 3% | 5,622,004 | 57% |
| 60 to 90 days | 152,837 | 1% | 5,484,672 | 61% | 63,413 | 1% |
| 90 days plus | 6,701,189 | 65% | 1,202,856 | 13% | 1,702,953 | 17% |
| Total aged debtors | 10,307,679 | 100% | 9,020,954 | 100% | 9,843,655 | 100% |
| Housing debtors (Note 1) | 13,029,956 | | 12,989,684 | | 13,030,611 | |
| Provision | - 13,286,586 | | - 13,240,540 | | - 13,194,493 | |
| Net debtors (exc. Unapplied credits) | 10,051,049 | | 8,770,098 | | 9,679,773 | |
| Unapplied Credits | - 90,241 | | - 136,796 | | - 192,871 | |

Notes to table:

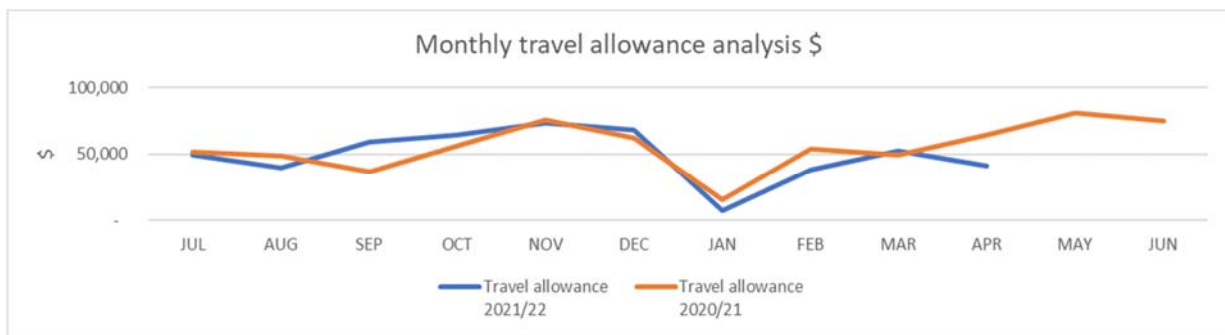
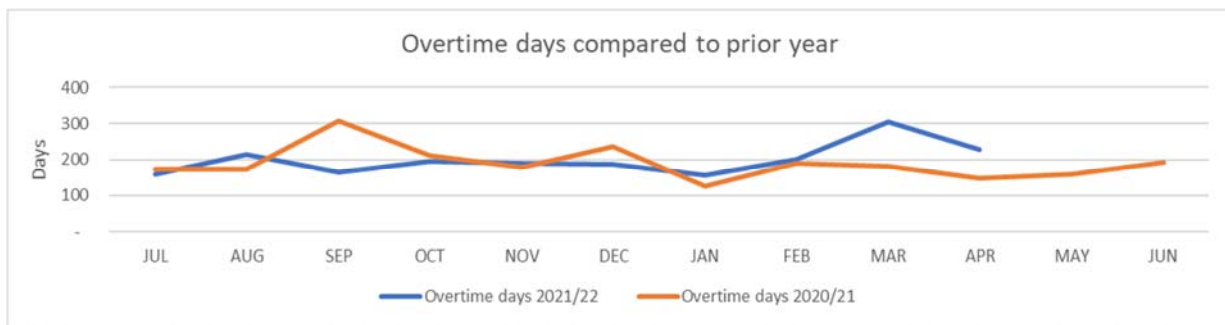
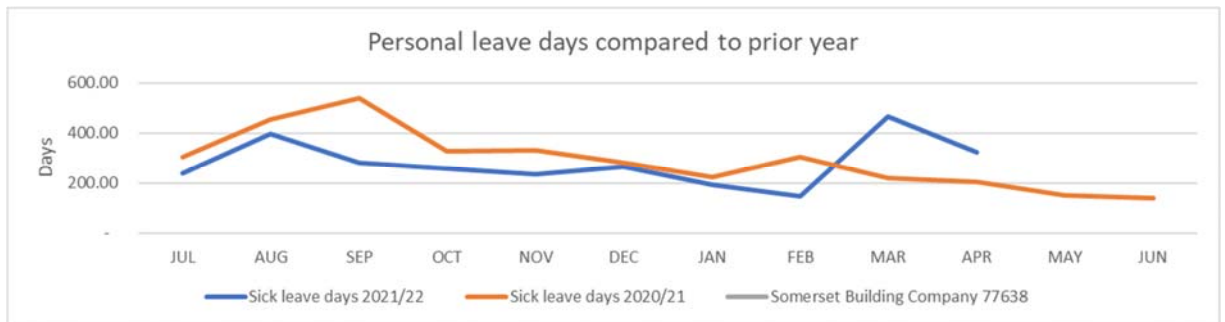
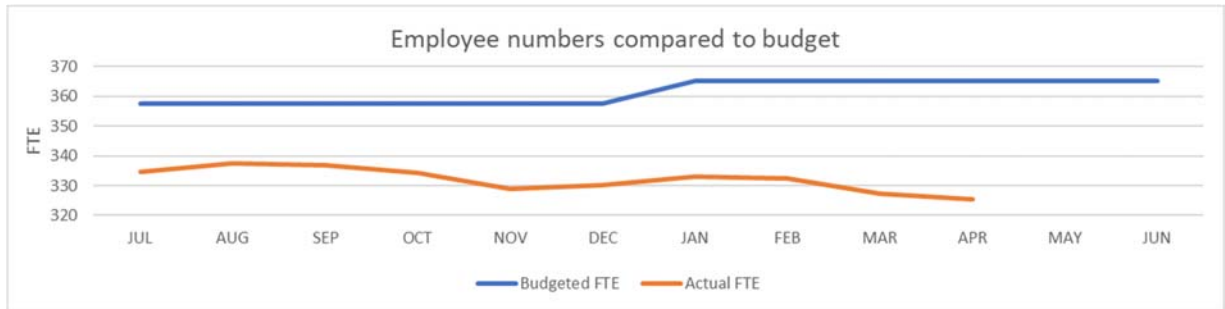
- For housing debtors and collection rates analysis refer to monthly Housing Information Report
- High debtors balance is predominately due to Seawall claim invoice totalling \$5.5M issued on the 25th January 2022. Invoice was not provided to Debtor for payment until late February due to extenuating circumstances relating to COVID.



Analysis of top five debtors in excess of 90 Days:

| Debtor name | Amount outstanding > 90 days | Commentary |
|---|------------------------------|--|
| Badhulgaw Kuthinaw Mudh TSI Corporation Badu Art Centre | \$98,378.40 | Head of Financial Services following up with Executive Director Corporate Service and Legal regarding meeting with Badu Art Centre. |
| Tagai State College | \$92,576.66 | Discrepancies confirmed by RDRO and is collating a recommendation for approval based on the supporting evidence. An endorsed plan by Manager of Financial Accounting and Head of Financial Services on how to rectify the outstanding debt will be provided. |
| BIF Badu Island Foundation | \$80,229.31 | Legal is following up on Council's obligation for payment of lease fees to BIF as there is no evidence of an agreement to substantiate the claim. Debtor has agreed to pay for 2020 and 2021 invoices on a monthly basis. A formal payment plan was offered however BIF declined to execute. Debtor has started making monthly repayments for 2022/21 invoices with total repayment of \$103,824.00 received to date. The Executive Director of Finance to request a meeting with CEO and Legal on progress of moving forward. |
| Somerset Building Company | \$77,638.00 | Debt recovery team exhausted all options is recovering debt, customer account will be presented to the May OM for resolution. |
| Ged Erub Trading Homeland Enterprise | \$75,928.29 | Debtor applied for reduction/concession in charges but reasoning does not fit within current available remedies for reduction. Legal has been requested to provide advice on a way forward. |

Payroll Analysis



Grant Analysis:

Refer to 'Funding Acquisition Report' by Corporate Affairs.

Corporate Plan Linkage:

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

Consultation and communication:

Senior Executive Team
Department Heads / Managers
Finance Department

Risk Management Implications:

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

Significant Risks:

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

Areas of Concern for Noting:

| Risk | Comment |
|--------------------------|--|
| Covid-19 outbreak impact | As life returns back to a new normal there has been a noticeable increase in absenteeism and overtime due to COVID. The long effect of COVID, is also being seen, in the shortage of the goods and labour markets. It is expected that government funding will become more restricted. |

Final Considerations:

Risk Management

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

Council continues to be impacted by the effects of COVID-19 which has affected overall operations. It remains to be seen how this will affect Council operations in the next couple of months and years. Management will continue to progressively adapt, monitor, and plan into the future as the COVID-19 situation and its impact evolves over the coming months. With continuing uncertainty in the economic climate and due to the waves of COVID-19 infections and the high possibility of new variants, it makes future forecasting quite challenging.

Endorsed:



Nicola Daniels
Head of Financial Services

Recommended:



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 | 546,200 | 546,200 | 547,511 | 1,311 | 0.2% | ● |
| Other income | 0 | 0 | 0 | 0 | 0.0% | ● |
| Recurrent expenditure (excl. depreciation) | (3,357,219) | (2,762,083) | (2,203,167) | 558,916 | 20.2% | ● |
| Operating surplus (exc. Depreciation) | (2,811,019) | (2,215,883) | (1,655,656) | 560,227 | 25.3% | ● |
| Capital revenue | 0 | 0 | 0 | 0 | 0.0% | ● |
| Capital expenses | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result (excl. depreciation) | (2,811,019) | (2,215,883) | (1,655,656) | 560,227 | 25.3% | ● |
| Depreciation Expense | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result | (2,811,019) | (2,215,883) | (1,655,656) | 560,227 | 25.3% | ● |

Comments:

Expenses are under budget due to timing with the most noticeable variances occurring in training, travel and donations. This should reduce throughout May with the Workshops and expenses should become more aligned to budget

Building Services Department

| Key Financial Results | Annual Budget Review | YTD Budget Review | YTD Actual | YTD Variance \$ | YTD Variance % | Status |
|--|----------------------|-------------------|------------------|--------------------|----------------|--------|
| Recurrent revenue | 21,205,164 | 16,392,073 | 13,284,991 | (3,107,082) | -19.0% | ● |
| Other income | 0 | 0 | 0 | 0 | 0.0% | ● |
| Recurrent expenditure (excl. depreciation) | (16,015,077) | (13,165,140) | (10,436,117) | 2,729,023 | 20.7% | ● |
| Operating surplus (exc. Depreciation) | 5,190,087 | 3,226,933 | 2,848,874 | (378,059) | -11.7% | ● |
| Capital revenue | 3,376,472 | 1,688,236 | 959,845 | (728,391) | -43.1% | ● |
| Capital expenses | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result (excl. depreciation) | 8,566,559 | 4,915,169 | 3,808,719 | (1,106,450) | -22.5% | ● |
| Depreciation Expense | 0 | 0 | (20,006) | (20,006) | 0.0% | ● |
| Net result | 8,566,559 | 4,915,169 | 3,788,713 | (1,126,456) | -22.9% | ● |

Comments:

Recurrent revenue is below budget due to underperformance in upgrade works. Year to date blockages include contractor resourcing, material supply, unsuitable accommodation, Qbuild pricing. Factors specifically impacting the April month results include restricted access to some divisions, contractors on break over the public/school holiday period, no vehicle available on Mabuag, demolition works ceased on Mer due to covid.

This slow turnover correlates directly with expenditure being underbudget and the overall net result.

Health and Community Services Department

| Key Financial Results | Annual Budget Review | YTD Budget Review | YTD Actual | YTD Variance \$ | YTD Variance % | Status |
|--|----------------------|--------------------|---------------------|--------------------|----------------|--------|
| Recurrent revenue | 13,744,747 | 11,741,258 | 11,072,716 | (668,542) | -5.7% | ● |
| Other income | 489,805 | 409,002 | 430,602 | 21,600 | 5.3% | ● |
| Recurrent expenditure (excl. depreciation) | (15,982,663) | (13,182,589) | (11,755,116) | 1,427,473 | 10.8% | ● |
| Operating surplus (exc. Depreciation) | (1,748,111) | (1,032,329) | (251,798) | 780,531 | 75.6% | ● |
| Capital revenue | 12,894,462 | 11,177,483 | 2,383,694 | (8,793,789) | -78.7% | ● |
| Capital expenses | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result (excl. depreciation) | 11,146,351 | 10,145,154 | 2,131,896 | (8,013,258) | -79.0% | ● |
| Depreciation Expense | (23,988,759) | (20,004,106) | (19,838,749) | 165,357 | 0.8% | ● |
| Net result | (12,842,409) | (9,858,952) | (17,706,853) | (7,847,901) | -79.6% | ● |

Comments:

Recurrent Revenue - is currently underbudget in several revenue streams, with some, e.g. Accommodation, due to the recent COVID situation where capacity limits were set at 50%, along with reduced travel to the Communities. Grant revenue is underbudget YTD due to budget spread along with difficulty delivering some programs due to staff vacancies and awaiting acquittal sign-off by funding bodies.

Recurrent Expenditure - Recurrent expenditure is currently underbudget due to high level (12-13%) staff vacancies. Travel restrictions and staff working from home through the Covid outbreak have reduced general expenditure and caused delays to planned travel until later this financial year and into next.

Net result > budget - Capital revenue below budget due to timing of the receipt of the second instalment of the Interim Capital Housing program.

Financial Services Department

| Key Financial Results | Annual Budget Review | YTD Budget Review | YTD Actual | YTD Variance \$ | YTD Variance % | Status |
|--|----------------------|-------------------|-------------------|-------------------|----------------|--------|
| Recurrent revenue | 19,496,758 | 12,272,045 | 22,409,784 | 10,137,739 | 82.6% | ● |
| Other income | 131,414 | 169,082 | 154,724 | (14,358) | -8.5% | ● |
| Recurrent expenditure (excl. depreciation) | (5,063,368) | (4,171,657) | (2,774,377) | 1,397,280 | 33.5% | ● |
| Operating surplus (exc. Depreciation) | 14,564,804 | 8,269,470 | 19,790,131 | 11,520,661 | 139.3% | ● |
| Capital revenue | 3,739,312 | 2,974,472 | 730,000 | (2,244,472) | -75.5% | ● |
| Capital expenses | (3,500,000) | (2,800,000) | (3,095,508) | (295,508) | -10.6% | ● |
| Net result (excl. depreciation) | 14,804,116 | 8,443,942 | 17,424,623 | 8,980,681 | 106.4% | ● |
| Depreciation Expense | (543,994) | (455,130) | (960,980) | (505,850) | -111.1% | ● |
| Net result | 14,260,123 | 7,988,812 | 16,463,643 | 8,474,831 | 106.1% | ● |

Comments:

Operating result > budget

Recurrent Revenue - Received in advance Financial assistance payment of \$10M. Generally payment is received in May and percentage payment varies from year to year.

Other revenue - decrease in other income (interest) due to decrease in cash holdings and interest rate.

Recurrent expenditure - timing of expenditure to budget timing, vacancies and changes due to AASB16 - Leasing expenses reallocated to depreciation (change not reflected in budget, however no affect to net result)

Net result < budget

Capital income - lower than budget due to timing of capital works for Works for Queensland grant

Capital expenditure - higher than budget due to Katter leases disposed YTD and amortisation in relation to right of use assets (in accordance with new accounting standard) which was budgeted in recurrent expenditure

Engineering Services Department

| Key Financial Results | Annual Budget Review | YTD Budget Review | YTD Actual | YTD Variance \$ | YTD Variance % | Status |
|--|----------------------|---------------------|---------------------|---------------------|----------------|--------|
| Recurrent revenue | 9,107,891 | 2,989,080 | 4,695,135 | 1,706,055 | 57.1% | ● |
| Other income | 30,000 | 30,000 | 90,870 | 60,870 | 202.9% | ● |
| Recurrent expenditure (excl. depreciation) | (19,388,135) | (15,833,319) | (10,360,783) | 5,472,536 | 34.6% | ● |
| Operating surplus (exc. Depreciation) | (10,250,244) | (12,814,239) | (5,574,778) | 7,239,461 | 56.5% | ● |
| Capital revenue | 51,038,271 | 39,120,147 | 11,843,806 | (27,276,341) | -69.7% | ● |
| Capital expenses | 2,000,000 | 2,000,000 | 137,500 | (1,862,500) | -93.1% | ● |
| Net result (excl. depreciation) | 42,788,027 | 28,305,908 | 6,406,528 | (21,899,380) | -77.4% | ● |
| Depreciation Expense | (21,663,074) | (18,073,308) | (18,088,326) | (15,018) | -0.1% | ● |
| Net result | 21,124,953 | 10,232,600 | (11,681,798) | (21,914,398) | 214.2% | ● |

Comments:

Operating surplus due to:

- Recurrent Revenue - Received in advance Financial assistance payment of \$235K. Generally payment is received in May and percentage payment varies from year to year.

- transfer of ICCIP Waste project grant funds from capital to recurrent \$2.655M. New recurrent grant Bio-security officer \$166K

- lower recurrent expenditure in contractor and M&S costs due to timing of operating works (including \$3.9M ICCIP Waste Management Project)

Capital revenue - below budget due to timing of claims on capital works

Capital expenses - waiting for insurance settlement on Dauan Pontoon

Appendix A

Corporate Services Department

| Key Financial Results | Annual Budget Review | YTD Budget Review | YTD Actual | YTD Variance \$ | YTD Variance % | Status |
|--|----------------------|--------------------|----------------------|--------------------|----------------|--------|
| Recurrent revenue | 24,899 | 21,443 | 21,668 | 225 | 1.0% | ● |
| Other income | 62,077 | 57,569 | 65,083 | 7,514 | 13.1% | ● |
| Recurrent expenditure (excl. depreciation) | (4,961,555) | (4,075,285) | (2,995,618) | 1,079,667 | 26.5% | ● |
| Operating surplus (exc. Depreciation) | (4,874,579) | (3,996,273) | (2,908,867) ✓ | 1,087,406 | 27.2% | ● |
| Capital revenue | 0 | 0 | 0 | 0 | 0.0% | ● |
| Capital expenses | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result (excl. depreciation) | (4,874,579) | (3,996,273) | (2,908,867) ✓ | 1,087,406 ✓ | 27.2% | ● |
| Depreciation Expense | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result | (4,874,579) | (3,996,273) | (2,908,867) | 1,087,406 | 27.2% | ● |

Comments:

Revenue - Overall variance in recurrent revenue and other income of \$7738.

Expenses - Underbudget due to staff vacancies. Travel and associated expenses, consultants and legal advice are still underbudget but may change over the next two months.

Corporate Affairs Department

| Key Financial Results | Annual Budget Review | YTD Budget Review | YTD Actual | YTD Variance \$ | YTD Variance % | Status |
|--|----------------------|--------------------|--------------------|------------------|----------------|--------|
| Recurrent revenue | 0 | 0 | 0 | 0 | 0.0% | ● |
| Other income | 0 | 0 | 0 | 0 | 0.0% | ● |
| Recurrent expenditure (excl. depreciation) | (1,289,133) | (1,063,822) | (844,690) | 219,132 | 20.6% | ● |
| Operating surplus (exc. Depreciation) | (1,289,133) | (1,063,822) | (844,690) ✓ | 219,132 | 20.6% | ● |
| Capital revenue | 0 | 0 | 0 | 0 | 0.0% | ● |
| Capital expenses | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result (excl. depreciation) | (1,289,133) | (1,063,822) | (844,690) ✓ | 219,132 ✓ | 20.6% | ● |
| Depreciation Expense | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result | (1,289,133) | (1,063,822) | (844,690) | 219,132 | 20.6% | ● |

Comments:

Expenses: currently underbudget due to staff vacancies and timing with the budget spread evenly across the year.

Fuel and Fleet Services Department

| Key Financial Results | Annual Budget Review | YTD Budget Review | YTD Actual | YTD Variance \$ | YTD Variance % | Status |
|--|----------------------|--------------------|----------------------|----------------------|----------------|--------|
| Recurrent revenue | 1,326,694 | 1,123,787 | 1,098,841 | (24,946) | -2.2% | ● |
| Other income | 25,000 | 20,383 | 7,959 | (12,424) | -61.0% | ● |
| Recurrent expenditure (excl. depreciation) | (4,737,918) | (3,872,429) | (4,256,633) | (384,204) | -9.9% | ● |
| Operating surplus (exc. Depreciation) | (3,386,224) | (2,728,259) | (3,149,833) ✓ | (421,574) | -15.5% | ● |
| Capital revenue | 2,599,618 | 1,901,987 | 600,000 | (1,301,987) | -68.5% | ● |
| Capital expenses | 0 | 0 | 0 | 0 | 0.0% | ● |
| Net result (excl. depreciation) | (786,606) | (826,272) | (2,549,833) ✓ | (1,723,561) ✓ | -208.6% | ● |
| Depreciation Expense | (513,220) | (430,040) | (457,827) | (27,787) | -6.5% | ● |
| Net result | (1,299,826) | (1,256,312) | (3,007,660) | (1,751,348) | -139.4% | ● |

Comments:

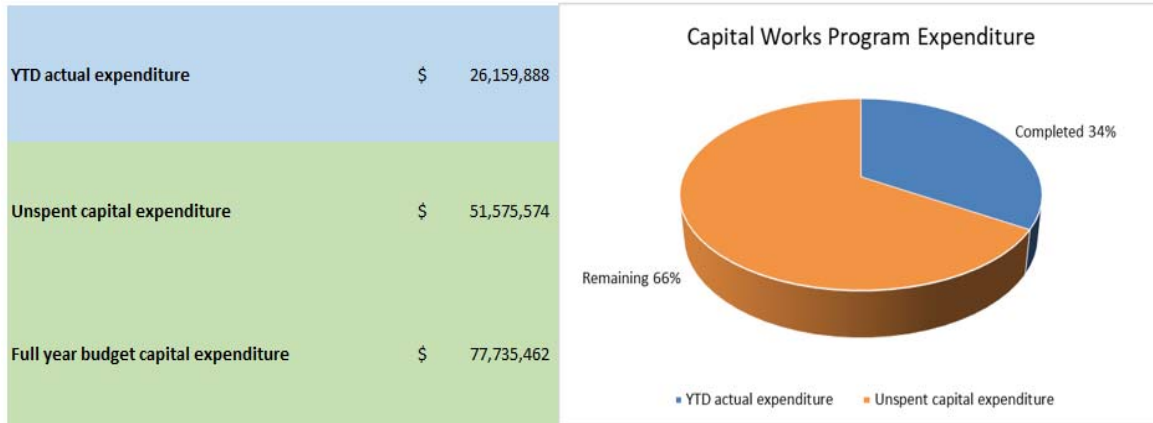
Operating result > budget

Recurrent Revenue - reduction in fuel sales due to price increase. This has led to a reduction in the quantity sold.

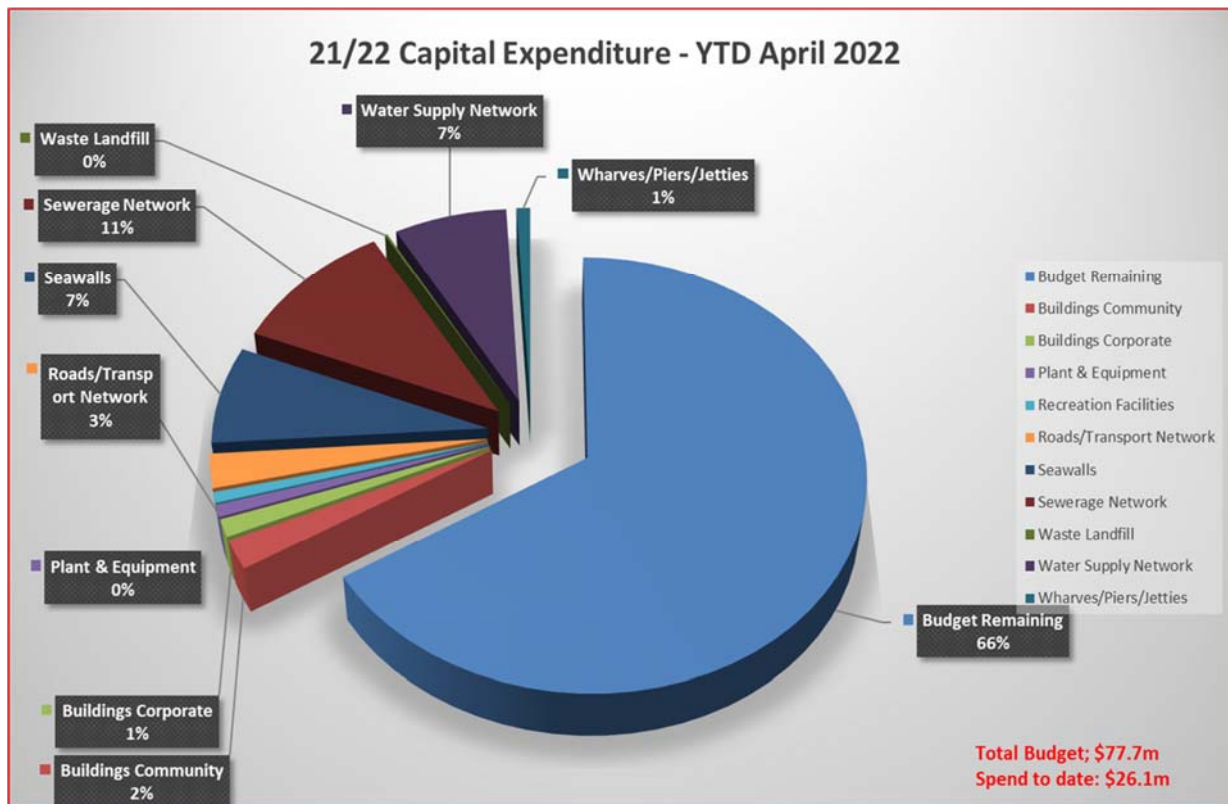
Recurrent Expenditure - Over budget in fuel expenses due to a fuel price increase across the board

Capital Revenue - discrepancy between the timing of capital projects proceeding and claims being made

CAPITAL WORKS PROGRAM



CAPITAL SPEND BY ASSET CLASS





TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

| | |
|--------------------------|---|
| ORDINARY MEETING: | May 2022 |
| DATE: | 16 & 17 May |
| ITEM: | Agenda Item for Resolution by Council |
| SUBJECT: | Write off the amount of \$3,607.86 |
| AUTHOR: | Hollie Faithfull, Executive Director Financial Services |

Recommendation:

It is recommended that Council resolve to write-off the amount of \$3,607.86 being monies paid to the incorrect account.

Executive Summary:

A Council employee received and acted on a spam email purportedly changing an employee's account details which resulted in the amount of \$3,607.86 being paid to an incorrect account in respect of wages. A dispute to recall the funds has been lodged but the amount is unlikely to be recovered however payment has been made to the correct account leaving an unrecoverable amount of \$3,607.86 to be written-off.

Background:

1. On 6 April 2022, the Council employee received a spam email.
2. On 12 April 2022, the sum of \$3,607.86 was paid to the incorrect account.
3. On 26 April 2022, came to attention of Council.
4. On 5 May 2022, the monies were paid to the correct account.
5. Attempts to recover the money are underway however unlikely to be successful, and claim on insurance unsuccessful.

Comment:

In accordance with the Fiscal Governance Policy, the CEO has delegated authority to write-off amounts of up to \$1,000 only and hence this is a matter for Council.

Considerations

Risk Management

Council officers have complied with their statutory requirements under the Local Government Regulation 2012 which required various reporting to occur.

Council officers have given consideration as to how to avoid this situation in the future.

The steps that have been/are being actioned are:

- Process changes: any bank authority request to change details requires the following additional steps to be taken;
 - Copy of bank statement with details to be provided with request
 - An independent party (another department) will call the party that wishes to update their details from a phone number held on file
 - Confirmation of call to be provided to payroll
 - 3 people to sign off audit report (previously one)
- Cybersecurity Training

Reputational

Nil further.

Council Finance

Nil further.

Consultation:

Chief Executive Officer
Executive Director – Financial Services
Executive Director – Corporate Services
Other managers in Business Services Department
People and Wellbeing
Information Technology
MacDonnell Law
External Audit

Links to Strategic Plans:

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

Statutory Requirements:

Local Government Act 2009
Local Government Regulation 2012

Conclusion:

It is recommended that Council resolve to write-off the amount of \$3,607.86 being monies paid to the incorrect account.



Endorsed:
Hollie Faithfull
Executive Director Financial Services



Approved
James Willam
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

CLOSED BUSINESS REPORT

| | |
|--------------------------|--|
| ORDINARY MEETING: | May 2022 |
| DATE: | 16/17 May 2022 |
| ITEM: | Agenda Item for Resolution by Council |
| SUBJECT: | LEGAL DISPUTE: Debtor Supplier - 11804 - ACN 088 686 453 |
| AUTHOR: | Peter Krebs, Manager of Legal Services |

Recommendation:

It is recommended that Council resolve to write-off the amount of \$77,638.00 in respect of disputed accommodation charges relating to the period January to June 2019.

Executive Summary:

Somerset Builders Pty Ltd ('**Somerset**') incurred a debt of \$77,638.00 to Council for accommodation charges. Despite demands for its payment being made directly by Council and formally through its solicitors MacDonnells Law ('**MacDonnells**'), no payment was forthcoming.

MacDonnells Law advised Council officers of the following options in regards to the debt:

1. Commence proceedings for the recovery of the \$77,638.00; or
2. Take no further steps and write – off the debt.

Background:

1. On 16 January 2019, Council was requested by Somerset to provide accommodation on Ugar Island for 3 of its employees.
2. Council provided the requested accommodation to Somerset between 17 January 2019 and 30 June 2019, invoicing Somerset a total of \$77,638.00 for the accommodation.
3. Somerset has argued that there was an "agreement" with Council that it would renovate an existing unused unit in exchange for accommodation, and that Council overbooked the accommodation and mismanaged the project. No detailed particulars about these allegations have been provided.
4. In June 2021, MacDonnells issued an initial letter of demand to Somerset.
5. Whilst Somerset did respond to this letter, no further particulars of its complaint were provided.
6. Council officers instructed MacDonnells to issue a further demand to Somerset in January 2022, with a draft Statement of Claim.

7. In response to that demand issued by MacDonnells, Kahler Lawyers advised they had a Defence and Counterclaim against Council in regard to the debt. Despite requests made by MacDonnells to Kahler Lawyers to provide details of the foreshadowed Defence and Counterclaim, no further information has been provided.
8. The \$77,638.00 remained unpaid, despite requests from Council's debt collection branch.
9. It is recommended the amount be written off given the advice from MacDonnells Law that:
 - a. Council would likely incur significant legal costs if the claim is defended (which seemed extremely likely) – in the order of at least \$20,000 to \$30,000 + GST; and
 - b. Even if judgment was obtained recovery of the Judgment Sum (including any costs orders), may be difficult.

Comment:

In accordance with the Fiscal Governance Policy, the CEO has delegated authority to write-off amounts of up to \$1,000 only and hence this is a matter for Council.

Considerations

Risk Management

Council officers have given consideration as to how to avoid this situation in the future.

The steps that are being actioned are:

- Development of a policy and standard operating procedures for debt recovery; and
- Management considering all accommodation charges to be paid in advance for all entities and individuals.

Reputational

There is a risk that by not pursuing debtors Council is seen as a soft target. Given the measures taken above to ensure this does not occur, such risk is considered minimal.

Council Finance

Nil further.

Consultation:

- MacDonnells Law

Links to Strategic Plans:

TSIRC Corporate Plan 2020–2025

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

Conclusion:

It is recommended that Council resolve to write-off the amount of \$77,638.00 in respect of disputed accommodation charges relating to the period January to June 2019.



Recommended:

Peter Krebs
Manager Legal Services



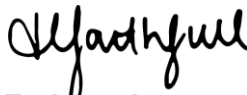
Endorsed:

Megan Barrett
Executive Director, Corporate Services



Recommended:

Nicola Daniels
Head of Financial Services



Endorsed:

Hollie Faithfull
Executive Director, Financial Services



Endorsed:

James William
Chief Executive Officer