



DRAFT MINUTES

STRATEGIC ADVISORY REFERENCE GROUP COMMITTEE

Date: Tuesday 6th April 2021

Time: 1:00pm to 5:45pm

Venue: Video Conference

SARG – Tuesday 6th April 2021

Present:

Mayor Phillemon Mosby
Cr Rocky Stephen
Cr Keith Fell
Cr Aven Noah
Cr Hilda Mosby

Ilario Sabatino – Acting Chief Executive Officer
Hollie Faithfull – Chief Financial Officer
Adeah Kabai – Acting Chief Engineer
Rachel Pierce – Acting Chief Operating Officer
Peter Krebs – Senior Legal Counsel
Ursula Nai – Senior Executive Assistant
Naila Nomoa – Travel Officer

Apology

Cr Getano Lui

Agenda

1. Welcome (Chair)
2. Opening Prayer
3. Apologies
 - Cr Getano Lui
4. Conflict of Interest (COI) Declarable / Prescribed
5. Confirmation of Minutes - SARG Meeting – 2nd March 2021 – VC
6. Strategic Action Items Review
7. **DEPUTATION**: - **Bartholomew Stanford** – The marginalisation of Indigenous institutions in Queensland's system of local government

8. Mayor

Standing Committee Chair Update –

- *Culture Arts Land and Heritage*
 - a. Local Law – Entry into Trust Land
- *Housing and Safe and Healthy Communities*
 - a. Sea Rescue (Fuel /support)
 - b. Prepare for Disaster (cyclone)
- *Governance and Leadership*
- *Climate Adaptation and Environment*
- *Economic Growth*

9. Chief Executive Officer

1. SWOT Analysis
2. May Councillor Workshop
3. MOA TSRA
4. Information Report Update on Council Name Change
5. Information Report Update on Local Government Area Name Change
6. Information Report Update on Boundary Change
7. Information Report Update on Elphinstone Close
8. Information Report Update on Transition Action Plan (TAP)
9. Information Report Update on Reconciliation Action Plan (RAP)

10. Memorandum of Agreement Update
11. Strategic Organisation Sustainability Action Plan Update

10. Chief Engineer

1. Local Disaster Management Group Membership

11. Chief Financial Officer

1. Standing Agenda Item – Project Plan Update
2. Briefing Note – Risk Management
3. Action/ Activity Plan – Enterprise Risk Management
4. New Policy – Public Interest Disclosure Policy and Management Program
5. Works for Queensland Project Report
6. The National Voice Submission
7. Community Grant Policies

12. Chief Operating Officer

1. Standing Agenda Item – Housing Authority Update
2. Interim Capital Program (plug-ins)
3. Detailed report on tender process for 24 Main St, St Pauls
4. Forward Capital (14.4m)
5. BSU Update
6. Fuel Update
7. Presentation – Interim and Forward Capital Works Programs presented by Aboriginal and Torres Strait Islander Housing Unit

13. CLOSED BUSINESS

1. Industrial Matter 1
2. Industrial Matter 2
3. Industrial Matter 3

14. General/ Other Business (on notice)

15. Next meeting date – proposed Tuesday 4th May 2021

16. Closing Remarks and Prayer

Agenda

17. Welcome (Chair)

Mayor Mosby acknowledged Heavenly father, family, beautiful region and our organisation.

Pay respect and acknowledge the traditional owners our length and breadth of Zenath Kes, TSIRC offices where we a dialling in from including where our staff are based in Cairns Office and acknowledgement their traditional landowners as well.

Acknowledge families who are mourning for their loss through the length and breadth of our beautiful region.

18. Opening Prayer

Mayor Mosby invited Cr Fell to open with a word of prayer, followed by a minute silence.

19. Apologies

- Cr Getano Lui (Chair of Governance and Leadership Committee)

Mover; Cr Noah Second; Cr Stephen

MOTION CARRIED

20. Conflict of Interest (COI)/ Declarable / Prescribed

Nil.

21. Confirmation of Minutes - SARG Meeting – 2nd March 2021 – VC

RESOLUTION:

Moved: Cr Stephen Second: Cr Fell

That the minutes for the February 2021 SARG meeting be adopted as true and accurate.

22. Strategic Action Items Review

Acting Chief Executive Officer, Mr Ilario Sabatino spoke to report and provided update on the action items list.

Mayor Mosby spoke about the Queensland Treasury Corporation and Local Government Association Queensland workshops to be more interactive sessions to be facilitated

Mover: Cr Noah *Second:* Cr Fell
Noted the action items.

ACTION: Mayor Mosby requested Queensland Treasury Corporation and Local Government Association Queensland workshops to be more interactive

23. DEPUTATION: - Bartholomew Stanford – The marginalisation of Indigenous institutions in Queensland’s system of local government

- Asked for feedback and comments on the paper
- Mainstreaming for indigenous council and used TSIRC as an example.
- Stronger recognition of Native Title rights under Local Government Legislation.

Mayor Mosby

- Paper highlights the conflicting issues that elected representatives have in their community.
- Balance our roles as elected representative under the Local Government Act.
- How do we as Torres Strait Islanders and traditional landowners in our own right put forward and continue to protect Ilan Kustom.
- Local Government Act mentions that may be acknowledged.
- The paper clearly identifies the conflicting roles we have as Councillors and as Torres Strait Islanders.
- The paper could be a key document that we could reference or use to provide a point for self-determination.

Cr Fell

- Mainstream Councils should have Traditional Land-owners representation.

24. Mayor

Community Grants Policy

- Change the Community Grants Policy that didn't restrict how the funds were spent.
- Addressing the recent amendments to the legislations around the discretionary fund.

Chief Finance Officer provides an update.

- Council in the November workshop did not want to support weddings, graduations.
- Cr Fell wanted to look at each community wanted their set of guidelines within the rights of legislation and policy.
- Working with MacDonnells law, the expected date to go to May SARG due to delays in compliance policy and audit.

Standing Committee Chair Update –

- *Culture Arts Land and Heritage (Chair Cr Noah provide an update)*
 - a. Local Law – Entry into Trust Land
 - Local law, how it relates to Ilan Kustom and when visitations do occur.
 - Council assists with island protocols that exists throughout the region.
 - Working with Manager Legal Services to advise Committee on a document that TSRA has in place and have a look through as a committee.
 - Entry into Local law- trust land more powerful for allowing corporate travellers or visitors given protocol when they visit in the context of 'Ilan Kustom'
 - Monitor by staff on ground and adhere to protocols in place.
 - Highlights place you can and cannot go.
 - Trial on Mer and work with PBC and see how it goes.

ACTION Item: Legal team to come up with a paper and work closely with Culture Arts Land and Heritage Committee. DOGIT on all islands still sits with the Council except Murray Island and Badu Island. Ensure there is consistency across the board.

- **Housing and Safe and Healthy Communities (Cr Fell Update)**
 - a. Sea Rescue (Fuel /support)
 - b. Prepare for Disaster (cyclone)
- Discuss with David Baldwin and Matthew Brodbeck.
- Engagement within communities and key stakeholders will need to be brought up to speed e.g.: Bad weather, not enough fuel or motors spark plug broken.
- Discussion within communities and key stakeholders on safety, the importance of carry EPIRB, phone, fuel, motor parts.
- Revisits the disaster plans and who is responsible for the divisions and how we can make it effective and report it back to Council as a standing agenda item.
- Look at what infrastructures on ground, equipment, control centres and what agencies can be helping and assisting with fuel purchases.
- Police had a standing purchase order in case or emergency for fuel.
- What happens within community “when airplanes go es down” assessment.
- Be prepared for natural disasters.

Acting Chief Engineer- Adeah Kabai

- Limited resources for disaster events that could occur in our region.
- Review disaster management plans and staff plans.
- Finding funding for resources
- Prevent issues from happening.
- Have a PLAN not based around emotions.

ACTION: David Baldwin, Matthew Brodbeck and Adeah Kabai to review the disaster management plan.

- Touch base with SES people and visit.
- Police

ACTION: Reports standing Agenda items or Information report on the Radios audit, incidents happening in the region, community engagement and Disaster Plan.

25. Chief Executive Officer

1. SWOT Analysis
2. May Councillor Workshop
3. MOA TSRA
4. Information Report Update on Council Name Change
5. Information Report Update on Local Government Area Name Change
6. Information Report Update on Boundary Change
7. Information Report Update on Elphinstone Close
8. Information Report Update on Transition Action Plan (TAP)
9. Information Report Update on Reconciliation Action Plan (RAP)
10. Memorandum of Agreement Update
11. Strategic Organisation Sustainability Action Plan Update

Transition Action Plan, Reconciliation Action Plan and Organisation Sustainability Action Plan update will be presented in May workshop.

Data will inform audit process for continuous improvement.

Council name change, local government area name change, and boundary name change requires an immediate focus.

Recommendations will be to engage a specialist to work on the

- Transition Action Plan (TAP)
- Setting up the reference committee

Contact has been made with Reconciliation Australia, who have specialised people that can work with organisations to develop RAPs. The proposal is to set some money aside to engage somebody with experience to work with council.

Council Name Change, Local Government Area Name Change and Boundary Change will be through the Change Commission and having somebody for a certain amount of time to facilitate that process.

- Administration
- Reporting
- Conjured between Council and the Change Commission to manage and facilitate and manage through this process.

The Senior Executive Assistant gave an update on the May Workshop.

- Currently finalising the quotations of the venues
- Quotations for training the Mayor has requested, working with Chief Finance Officer to provide recommendation to both Mayor and the CEO.

- Priorities of the Agenda.
- Discuss the Workshop dates with Mayor and CEO.

Mayor Mosby receive the documentations from Corporate Affairs regarding the Council Name Change, Local Government Area Name Change and Boundary Change.

- The document needs to be simplified to standard English.

26. Chief Engineer – Acting Chief Engineer Adeah Kabai

1. Local Disaster Management Group Membership

- Gave a brief background on the local disaster management group which was formed in 2013
- Discussion for TSIRC to be a stand-alone disaster group
- Core Membership.
- Advisory Group is restricted.

Cr Fell

- Opportunity for Housing and Safe communities committee to be added to the group membership.
- Never given a disaster management report back to community in their information session e.g.: risk
- Consulting community.

Chief Engineer to take on notice Cr Fell's request for opportunity for Housing and Safe communities committee to be added to the group membership.

Mayor Mosby

- CEO to ensure that all project Plans are consistent.

27. Chief Financial Officer

1. Standing Agenda Item – Project Plan Update

- Acting CEO provided an update under item 9.

2. Briefing Note – Risk Management

- Council has updated its policy.
- GAP analysis which was facilitated by Ian Barton at the November Workshop 2020.

- Executive team was interviewed by Ian Barton individually and has been drafted and comments received.
- Guidelines Framework to go to audit committee and audit required clarification on communication and reporting within council.
- Focus on risk management as it had dropped off the radar several times.
- Communication to be implemented and imbedded in the culture of Council.
- Reporting mechanisms, if the guideline is adopted by Council there will be a report on a monthly basis goes to SARG and reflected through to the full Council through the SARG minutes.
- Report will be endorsed by audit committee and then to full Council as a late report in April for endorsement and then it will become policy.
- Workshop done with Ian Barton on Strategic Risk.
- Ian Barton will be on site to updating Council's operational risk.
- Council recently updated the Fraud and Corruption policy.
- Manage risk and avoid conflicts for employees running for Council election. (separate procedure has been drafted and it is not part of the code of conduct but referred to in the human resources handbook which is currently under review by People and Wellbeing).

Chief Financial Officer – to take on notice Mayor Mosby question regarding family members being employed, and look if there is a policy and if we can add this to an existing policy.

Chief Financial officer will liaise with Head of Corporate Affairs and Engagement as falls under People and Wellbeing.

3. Action/ Activity Plan – Enterprise Risk Management

4. New Policy – Public Interest Disclosure Policy and Management Program

- Policy has been drafted and reviewed by internal audit and the office of the Qld Ombudsman reviews the policy to see if it was consistent with all legislation.
- Policy will have to be endorsed by SARG to be presented at April Council meeting.
- Policy was recommended as part of the fraud and ethics review that Pacifica undertook 2020.
- Undertook Island communication about fraud and corruption on Dauan, St Pauls and Hammond Island.

Chief Financial Officer read the New Policy – Public Interest Disclosure Policy and Management Program.

Recommendation

Moved; Cr Fell Second; Cr Stephen

That the Strategic Advisory Reference Group endorse the Public Interest Disclosure Policy and Management Program for Council resolution.

5. The National Voice Submission

- Voice proposal document Corporate Affairs would like feedback from councillors.

Mayor Mosby

- Mayor advised that Head of Corporate Affairs send email to Councillors for feedback.
- National voice submission development be consistent with local governments in the regions, current future aspirations for the regional assembly.
- Presented too SARG and Council meeting.

28. Chief Operating Officer

1. Standing Agenda Item – Housing Authority Update

- No action item from the March meeting.
- Council to make a resolution about their position in relation to a Housing Authority proposal.
- COO recommendation to the ACEO that there would be an independent analysis of the financial implications in moving to a housing authority and the social impact in moving to a housing authority.

Mayor Mosby to take discussion offline with Chief Operating Officer.

2. Interim Capital Program (plug-ins)

Building Services, Project Manager spoke to report.

- Building services unit will prepare report for consideration to the April meeting.
- take on note the quote from the quantity surveyor.
- Report and resolution will be prepared for the April Meeting for endorsement.

Acting Chief Operating Officer advised that there is no further funding available for the interim funding program.

Cr Fell

- No discussion regarding to the plug-ins.

Moved; Cr Mosby Second; Cr Noah

Recommendation:

The SARG Committee consider the following two options for the Interim capital delivery (plug- ins) program and recommend one option for Agenda Item for resolution at the April Ordinary Meeting.

1. Council resolves to

- A) Give the A/CEO authority to apply to vary the Interim remote capital program funding agreement from seven (7) to Five (5) plug-ins with zero impact to Council's budget.**

And

- B) Delegate Power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to execute a letter requesting the aforementioned change, and negotiate, finalise and execute any and all matters associated with or in relation to this agreement including any further variations.**

OR

2. Council resolves to

Instruct Building Services Unit to construct the seven (7) plug-ins identified in the Interim remote capital program agreement, with a council contribution of \$1.3 million dollars.

Motion left lying on table – recommended to go to full council.

MOTION NOT CARRIED

3. Detailed report on tender process for 24 Main St, St Pauls

Building Services, Project Manager spoke to report.

Cr Fell spoke about

- Support
- Build relationships
- Establish our locals.

Project Manager explained the tender process which includes:

- Worker order for Smaller contracts to protects the local workforce.
- Larger contracts the risks become larger as well.

Mayor Mosby discussed:

- Council wants to invest into local business owned by Local people first nations people.
- Benefit indigenous people from start to finish.
- Council to have a policy to our people to take advantage
- How do we as an indigenous local government receiving indigenous money to deliver project for indigenous house.
- Supportive people in any depart in TSIRC help and guide them through, they will make it.
- Empower our people, our people must be properly resourced.
- Indigenous employment strategy has been lost.
- Change document that keeps the cultures of this organisation alive too meet peoples need on a day-to-day base.

Information will be passed onto Head of Building Services.

Mayor Mosby to take discussion offline with Acting Chief Executive Officer.

Cr Fell

- Look at our mission statement.

Chief Financial Officer spoke of:

- Certain criteria and council need to be met for tender.
- Seek legal advice from Julia Manager Legal Services for Mayor Mosby's request (Contact all the tenders to resubmit). Nick Sturges to provide the tender process and provide advice back to council.
- Procurement Policy, when council makes their decision regarding the procurement policy in a strategic way forward, consideration will need to be made in regards the effect that will have with councils Bottomline. BSU currently budget for a 20% profit margin for some of their projects which covers management within BSU to do the operations and any profits BSU makes to fund councils that is not a profit generating area. If council went in a strategic direction that value for money was not the area there would be a financial affect and that will need to be communicated to council to make an informed decision for the policy.

Acting Chief Executive officer spoke of:

- Procurement requires application to go back to council meeting for decision.
- It is negligent if administration do not provide advice. However, Council has the discretion to go against what is recommended by the panel, but it needs to be state why or provide reasons as there are implication financial and compliance considerations.
- As advised by Panel, due process and diligence has been followed as per policy.
- Indigenous employment to be recognised by it also has to be reflected through procurement.

Recommendation:

Moved; Cr Stephen Second; Cr Mosby

That the Strategic Advisory Reference Group:

- **Note this report and**
- **Recommend Council consider the Agenda Report – Contractual Matter 24 Main Street, St Pauls Community at the April Ordinary Meeting.**

MOTION CARRIED

Mayor Mosby requested Acting chief executive note the following:

- Administration provides the support and advice to councillors achieving what is best interest of the region.

4. BSU Update

Building Services, Project Manager spoke to report

Recommendation:

Moved; Cr Noah Second; Cr Mosby

It is recommended that SARG note the information contained in this paper.

5. Fuel Update- Verbal

- Fuel Transition plan stage 1 commenced on the 8th of March.
- People and wellbeing and safety workshop completed on 16th March to identify the support required to roll out the training across all divisions.
- External training organisation as been identified by Special projects and logistics to provide online compliance learning course for each site the cost \$1600 excluding gst per site per annum.
- Patrick Thaiday and Dick Walit – Special training completed 24th of March in Special Projects and logistics to assist staff on daily fuel and site safety inspections.

- Engineering stakeholders workshop completed on 25th march on Reports, drum, clean-up, and risk rating.
- Walk through engagement on the project plan, delivers, training and safe fuel operations.
- DEO has been nominated on ground for strategic projects and logistics.
- Safe works and NQ Petro fuel audit – Boigu, Darnley, Hammond, and Mabuiag.
- New equipment- to eliminate drum fuel for bowers that are operational.
- Current estimated to complete works is 12 week or the 4th of June 2021
- Total capital outlay for works is estimated at \$273,000 excluding gst.
- Alternative supplier quotes are being requested.
- 553 empty fuel drums have been removed from community and recycled cost \$90,080.
- Liase with seaswift's to pick-up drums.
- Saibai will be made safe until construction of the new depo is completed.

Strategic projects and logistics will provide a information report to the April ordinary meeting including the summary of the fuel transition project achievements to date.

Mayor Mosby requested the value of money lost in the process of fuel for having this issue not addressed in a timely manner.

Mabuiag fuel depo does not need a shed advice came from the consultation process.

- Fuel drum are being covered by tarp and has been advised that is more effective being used to stop the water.
- Refuelling takes place under a covered area no extra shelter is required or PPE for employees.
- The fuel and tanks are considered safe where it is until the pump is refurbished.

Manager Special Projects and Logistics and to raise a report paper to seek additional funds.

6. Presentation – Interim and Forward Capital Works Programs presented by Aboriginal and Torres Strait Islander Housing Unit

- Recent SARG and council meeting papers have been presented in relation too interim delivery program, forward capital delivery program, regional housing plan and associated investment plan one of those agenda reports was left lying on the table for further information to support the request the Aboriginal and Torres Strait Islander Housing Unit was invited to present.
- Presentation prepared Aboriginal and Torres Strait Islander Housing Unit.

Aboriginal and Torres Strait Islander Housing Unit Presenters.

- Zac Matysek – Engagement and Partnerships team
- Sharon Kenyan – Acting Executive Director
- Wade Gevonski – Acting Manager Brisbane (Qld and Torres Straits)
- Hannah Albrow – Acting Principal Manager

SARG moves into Closed Business

RESOLUTION:

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

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

(b) industrial matters affecting employees.

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

(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

29. CLOSED BUSINESS

1. Industrial Matter 1
2. Industrial Matter 2 – Staff leave room
3. Industrial Matter 3- Staff leave room

SARG moves out of Closed Business

RESOLUTION:

Moved: Cr Noah Second: Cr Fell

That SARG moves out of closed business.

30. General/ Other Business (on notice)
31. Next meeting date – proposed Tuesday 4th May 2021
32. Closing Remarks and Prayer