

AGENDA

TORRES STRAIT ISLAND REGIONAL COUNCIL

April 2022

Wednesday 20th April 2022, 10:35am – 4:30pm

Thursday 21st April 2022, 9:00am – 4:00pm

Video Conference

COUNCIL ORDINARY MEETING

Wednesday 20th April 2022

Agenda Items:

- | | | |
|----|--------------------------|--|
| 1. | <u>10:35am – 10:45am</u> | <u>Welcome and Opening Remarks</u> |
| 2. | <u>10:45am – 10:50pm</u> | <u>Apologies</u> |
| 3. | <u>10:50am – 10:55am</u> | <u>Declaration of Conflict of Interest (COI) (Prescribed and Declarable)</u> |
| 4. | <u>10:55am – 11:00am</u> | <u>Confirmation of Previous Council Ordinary Meeting Minutes</u> <ul style="list-style-type: none">• 22nd and 23rd March 2022 |
| 5. | <u>11:00am – 11:05am</u> | <u>Confirmation of Previous SARG Committee Minutes</u> <ul style="list-style-type: none">• 5th April 2022 |
| 6. | <u>11:05am – 11:15am</u> | <u>Confirmation of Previous Climate Adaptation and Environment Committee Minutes</u> <ul style="list-style-type: none">• 11th March 2022 |
| 7. | <u>11:10am – 11:45am</u> | <u>Outstanding Council Ordinary Meeting Action Items</u> |
| 8. | <u>11:45am – 12:00pm</u> | <u>Standing Agenda Items:</u> <ul style="list-style-type: none">• Executive Director, Communities and Building Services - Housing Authority (verbal) |

LUNCH 12:00pm – 1:00pm

- | | | |
|-----|------------------------|---|
| 9. | <u>1:00pm – 1:30pm</u> | <u>CORPORATE – Community Grants Program – April 2022</u> |
| 10. | <u>1:30pm – 2:00pm</u> | <u>CORPORATE – Operational Plan 2021-22 Q3 Update</u> |
| 11. | <u>2:00pm – 2:20pm</u> | <u>CORPORATE – Council Policies</u> |
| 12. | <u>2:20pm – 2:40pm</u> | <u>ENGINEERING – Award Contract TSIRC 2021-354 Top Western DRFA Works (Saibai, Dauan & Boigu)</u> |
| 13. | <u>2:40pm – 3:00pm</u> | <u>ENGINEERING – Award Contract No. TSIRC 2021-355 (Hammond Island) DFRA Works</u> |

AFTERNOON TEA 3:00pm – 3:20pm

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|-----|------------------------|---|
| 14. | <u>3:20pm – 3:40pm</u> | <u>ENGINEERING - Award Contract TSIRC 2021-359 – ICCP Project #45, #49 & #69, - St Pauls, Kubin & Mabuiag WTP Upgrade</u> |
| 15. | <u>3:40pm – 4:00pm</u> | <u>ENGINEERING – Contract Award TSIRC 2021-357 Various Island DFRA Works (Kubin, Mabuiag, St Pauls, Iama, Warraber, Erub, Mer Ugar, Masiq & Poruma)</u> |
| 16. | <u>4:00pm – 4:25pm</u> | <u>FINANCE – Island Trust Funds</u> |
| 17. | <u>4:25pm – 4:30pm</u> | <u>Closing Remarks and Prayer</u> |

COUNCIL ORDINARY MEETING

Thursday 21st April 2022

Agenda Items:

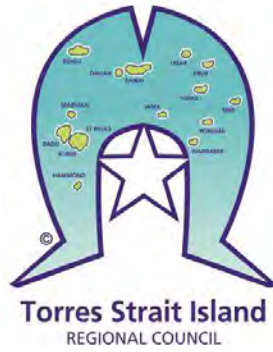
18. 9:00am – 9:05am Welcome and opening prayer.
19. 9:05am – 10:00am **Deputation 1** | Joint Australian Defence Force / Australian Border Force
/ Department of Foreign Affairs and Trade

MORNING TEA 10:00am – 10:20am

20. 10:20am – 10:20am COUNCIL MOVES INTO CLOSED BUSINESS
21. 10:20am – 11:00am BUILDING – CB – BSU Update
22. 11:00am – 11:20am BUILDING – CB – Contractual Matter – Water Tank Boigu - **Late**
23. 11:20am – 11:40am ENGINEERING – CB – Funding Matter – TSIRC.0017.2021G.
REC Disaster Recovery Funding Arrangement
24. 11:40am – 12:00pm ENGINEERING – CB – Coates Hire Contractual Matter
25. 12:00pm – 12:30pm ENGINEERING – CB – Fuel Delivery Status Report

LUNCH 12:30pm – 1:30pm

26. 1:30pm – 2:00pm FINANCE – CB – Mer Engineering Shed and Offices Demolition –
Late
27. 2:30pm – 3:00pm FINANCE – CB – Financial Dashboard Report March 2022
28. 3:00pm – 3:00pm COUNCIL MOVES OUT OF CLOSED BUSINESS AND RESUMES IN
OPEN BUSINESS
29. 3:00pm – 3:15pm Business Arising from Information Reports
30. 3:15pm – 3:20pm Next Council Meeting Date – 16th and 17th May 2022 – Cairns
31. 3:20pm – 3:45pm Strategic Matters
32. 3:45pm – 4:00pm Closing Remarks and Prayer



Draft Minutes

TORRES STRAIT ISLAND REGIONAL COUNCIL

March 2022

Tuesday 22nd March 2022, 1:10pm – 4:30pm
Wednesday 23rd March 2022, 9:15am – 4:11pm

Video Conference

COUNCIL ORDINARY MEETING
Tuesday 22nd March 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, 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, Community and Building Services (AEDCBS)
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

1. **1:10pm – 1:11pm** **Welcome and Opening Remarks**

Mayor Phillemon Mosby established a quorum, welcomed Councillors and Staff and convened the Council Ordinary Meeting.
2. **1:11pm – 1:12pm** **Apologies**

No apologies
3. **1:12pm – 1:15pm** **Declaration of Conflict of Interest (COI) (Prescribed and Declarable)**

1:19pm - Cr Laurie Nona joined the meeting

Cr Kabay Tamu declared a Prescribed Conflict of Interest in Council Meeting Agenda Item 14 – CORPORATE – Community Grant Program as the Individual Applicant, Milleon Tamu is his sister and therefore are related parties under s150EP. Milleon Tamu is the applicant in this matter and Cr Kabay Tamu declared an interest under s150EQ(4).

Cr Kabay Tamu proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Cr Getano Lui declared a Declarable Conflict of Interest in Council Meeting Agenda Item 14 – CORPORATE – Community Grant Program from the Yam Island Dance Group as persons involved are close relatives and therefore a related party under s150EP. Cr Getano Lui declared an interest under s150EQ(4).

Cr Getano Lui proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

Cr Torenzo Elisala declared a Declarable Conflict of Interest in Council Meeting Agenda Item 14 – CORPORATE – Community Grant Program from the Dauan Island Under 12's Rugby League Teamas persons involved are close relatives and therefore a related party under s150EP. Cr Getano Lui declared an interest under s150EQ(4).

Cr Torenzo Elisala proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.
4. **1:15pm – 1:20pm** **Confirmation of Previous Council Ordinary Meeting Minutes**
 - 15th February 2022 – Day 1 Ordinary Meeting

RESOLUTION:
Moved: Cr Jimmy Gela; Second: Cr Laurie Nona
That Council resolves to accept the minutes of the Ordinary Meeting held on 15th February 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

 - 16th February 2022 – Day 2 Ordinary Meeting

RESOLUTION:
Moved: Cr Kabay Tamu; Second: Cr Aven Noah
That Council resolves to accept the minutes of the Ordinary Meeting held on 16th February 2022, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

5. **1:20pm – 1:25pm** **Confirmation of Previous Council Special Meeting Minutes**
- 4th February 2022
- ACTION:** Secretariat Officer to amend – Agenda Item 5 - change Engineering report title to CB – Engineering – Waste Metal Project – Contractual Matter – Verbal
- RESOLUTION:**
Moved: Cr Francis Pearson; Second: Cr Rocky Stephen
That Council resolves to accept the minutes of the Special Meeting held on 4th February 2022, to be a true and accurate account of that meeting.
- MOTION CARRIED UNANIMOUS**
6. **1:25pm – 1:30pm** **Confirmation of Previous SARG Committee Minutes**
- 1st March 2022
- RESOLUTION:**
Moved: Cr Laurie Nona; Second: Cr Francis Pearson
That Council resolves to accept the minutes of the Strategic Advisory Reference Group (SARG) held on 1st March 2022, to be a true and accurate account of that meeting.
- MOTION CARRIED UNANIMOUS**
7. **1:30pm – 1:35pm** **Confirmation of Previous Cultural, Arts, Land and Heritage Committee Meeting**
- 25th February 2022
- RESOLUTION:**
Moved: Cr Torenzo Elisala; Second: Cr Rocky Gela
That Council resolves to accept the minutes of the Cultural, Arts, Land and Heritage Committee Meeting held on 25th February 2022, to be a true and accurate account of that meeting.
- MOTION CARRIED UNANIMOUS**
8. **1:35pm – 1:40pm** **Confirmation of Previous Governance and Leadership Committee Meeting**
- 10th November 2021
- Minutes of the Governance and Leadership Committee Meeting held on 10th November 2021 left laying on the table to be rectified by Minute Taker, Ms Naila Nomoa.
9. **1:40pm – 1:45pm** **Outstanding Council Ordinary Meeting Action Items**
- Mr David Baldwin, Executive Director Engineering Services provided an update on the outstanding action items listed on the register from 15th and 16th February 2022.
10. **1:45pm – 2:00pm** **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 the above topic.
- 2:43pm – Mayor Mosby left the meeting.
2:46pm – Mayor Mosby re-joined the meeting.

11. **2:00pm – 2:40pm** **Deputation 1: Ms Pat O'Shane – Candidate for Leichhardt**

Mayor Phillemon Mosby welcomed Ms Pat O'shane. Ms O'Shane spoke of her candidacy for the seat of Leichhardt in the upcoming Federal elections and would contesting the seat in the House of representative for the Socialist Alliance party and had an in-depth conversation on matters relating to the Torres Strait.

Mayor Mosby thanked Ms Pat O'Shane for her time.

12. **2:40pm – 2:50pm** **CORPORATE – Change of April OM meeting place**

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

Due to COVID-19, Council's February and March Ordinary Meetings were relocated from face-to-face meetings at Masig and Warraber respectively to meetings conducted via videoconference. It is now considered safe for Councillors, Council Officers and Communities to conduct face-to-face meetings in Community. However, unfortunately, due to accommodation unavailability, both Masig and Warraber are unable to re-host the April face-to-face meetings.

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Laurie Nona

Council resolves to relocate the April Ordinary Meeting of Council from a meeting conducted via videoconference to a face-to-face meeting to be held in Community.

MOTION CARRIED UNANIMOUS

13. **2:50pm – 3:10pm** **CORPORATE – Funding Acquisition Report**

Ms Megan Barrett, Executive Director Corporate Services spoke to report and provided an update on Council's recent grant acquisition activities.

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Torenzo Elisala

That Council resolves to note this report and its content.

MOTION CARRIED UNANIMOUS

1:53pm – Mr Jacob Matysek left the meeting

2:00pm – Mr Jacob Matysek re-joined the meeting

1:57pm – Mr James William, Chief Executive Officer left the meeting

2:37pm – Mr James William, Chief Executive Officer re-joined the meeting

14. **3:10pm – 3:30pm** **CORPORATE – Community Grant Program –
March 2022 – ~~Late~~**

Ms Megan Barrett, Executive Director Corporate Services spoke to this report and provided an overview on the Community Grants applications.

2:47pm – Cr Getano Lui left the meeting due to his Declarable Conflict of Interest.

Yam Island Dance Group

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Torenzo Elisala

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

- **Yam Island Dance Group for the eligible amount of \$5,982.00 exclusive of GST, as per submitted application.**

MOTION CARRIED UNANIMOUS

2:50pm – Cr Getano Lui rejoined the meeting.

Yam Island Under 12's Rugby League Team

RESOLUTION:

Move: Cr Kabay Tamu; Second: Cr Lama Trinkoon

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

- Yam Island Under 12's Rugby League Team for the eligible amount of \$5,000.00 exclusive of GST, as per submitted application.

MOTION CARRIED UNANIMOUS

Mabuiag Men's Sporting Group

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Aven Noah

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

- Mabuiag Men's Sporting Group for the eligible amount of \$5,000.00 exclusive of GST, as per submitted application noting that Mabuiag Men's Sporting Group applied for \$10,000.00.

MOTION CARRIED UNANIMOUS

New Day Torres Strait Islander Corporation

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Aven Noah

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

- New Day Torres Strait Islander Corporation for the eligible amount of \$5,732.00 exclusive of GST, as per submitted application.

MOTION CARRIED UNANIMOUS

Saibai Island Under 12's Rugby League Team

RESOLUTION:

Move: Cr Conwell Tabuai; Second: Cr Laurie Nona

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

- Saibai Island Under 12's Rugby League Team for the eligible amount of \$4,574.00 exclusive of GST, as per submitted application.

MOTION CARRIED UNANIMOUS

2:54pm - Cr Kabay Tamu left the meeting due to his Declarable Conflict of Interest.

Milleon Tamu

Milleon Tamu applied for the eligible amount of \$2,267.00 exclusive of GST.

MOTION LOST

3:00pm – Cr Kabay Tamu re-joined the meeting

Arkai Brothers Rugby League

RESOLUTION:

Move: Cr Lama Trinkoon; Second: Cr John Levi

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

- Arkai Brothers Rugby League for the eligible amount of \$4,144.00 exclusive of GST, as per submitted application.

MOTION CARRIED UNANIMOUS

Erub Island Under 12's Rugby League Team

RESOLUTION:

Move: Cr Jimmy Gela; Second: Cr Francis Pearson

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

- Erub Island Under 12's Rugby League Team for the eligible amount of \$5,970.00 exclusive of GST, as per submitted application.

MOTION CARRIED UNANIMOUS

Masig Mix Under 12's Rugby League Team

RESOLUTION:

Move: Cr Hilda Mosby; Second: Cr Lama Trinkoon

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

- Masig Mix Under 12's Rugby League Team for the eligible amount of \$2,435.00 exclusive of GST, as per submitted application.

MOTION CARRIED UNANIMOUS

Warraber Under 12's Rugby League Team

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Francis Pearson

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

- Warraber Island Under 12's Rugby League Team for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application noting that Warraber Island Under 12's Rugby League Team previously applied for \$3,434.00.

MOTION CARRIED UNANIMOUS

Wug Sporting Group

Wug Sporting Group applied for the eligible amount of \$4,144.00 exclusive of GST.

MOTION LOST

Boigu Touch Team Group

RESOLUTION:

Move: Cr Dimas Toby; Second: Cr Jimmy Gela

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

- Boigu Touch Team Group for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application noting that Boigu Touch Team previously applied for \$4,728.00.

MOTION CARRIED UNANIMOUS

3:17pm – Cr Torenzo Elisala left the meeting due to his Declarable Conflict of Interest.

Dauan Island Under 12's Rugby League Team

RESOLUTION:

Move: Cr Keith Fell; Second: Cr Jimmy Gela

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

- Dauan Island Under 12's Rugby League Team for the eligible amount of \$10,000.00 exclusive of GST, as per submitted application.

MOTION CARRIED UNANIMOUS

3:20pm – Cr Torenzo Elisala rejoined the meeting.

Mer Island Under 12's Rugby League Team

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Torenzo Elisala

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

- Mer Island Under 12's Rugby League Team for the eligible amount of \$3,000.00 exclusive of GST, as per submitted application noting that Mer Island Under 12's Rugby League Team previously applied for \$6,374.00.

MOTION CARRIED UNANIMOUS

Badu Island Under 12's Rugby League Team

RESOLUTION:

Move: Cr Conwell Tabuai; Second: Cr Laurie Nona

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

- **Badu Island Under 12's Rugby League Team for the eligible amount of \$2,000.00 exclusive of GST, as per submitted application**

MOTION CARRIED UNANIMOUS

Cr Laurie Nona advised he thought the support value was \$1500 which was offered from Saibai. It was clarified that Saibai had offered \$2000, so the grant application was increased from \$1500.00 to \$2000.00. Cr Laurie Nona graciously thanked Cr Conwell Tabuai for the generous contribution.

AFTERNOON TEA – 3:26 – 3:44PM

15. 3:44pm – 3:50pm

ENGINEERING – Award Tender No. TSIRC 2021-358 - ICCIP Project #21 – Dauan Island Water Main, WTP & Well Upgrade

3:46pm – Cr Tabuai joined the meeting.

Mr David Baldwin, Executive Director Engineering Services spoke to this report. The purpose of the report is to award a water project on Dauan. Part of the ICCIP (Indigenous Critical Communities Infrastructure Project) \$51m project funded through the State Government to M&J Arthur Pty Ltd.

RESOLUTION:

Move: Cr Torenzo Elisala; Second: Cr Keith Fell

That Council resolves to:

- **Subject to confirmation of funding extension, Award the Tender No. TSIRC 2021-358 – ICCIP Project #21 – Dauan Island Water Main, WTP & Well Upgrades to M&J Arthur Pty Ltd for an amount of up to \$2,897,000.00 excl. GST;**
- **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 UNANIMOUS

16. 3:50pm – 4:01pm

ENGINEERING – Award Contract TSIRC2022-361, Coastal Hazard Adaptation Strategy

Mr David Baldwin, Executive Director Engineering Services spoke to this report seeking Council resolution to engage Alluvium Consulting Australia to complete the remaining phases (6-8) of the Coastal Hazard Adaptation Strategy (CHAS) noting Phases 1-5 have been completed.

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Kabay Tamu

Council resolves to

- **Award contract TSIRC 2022-361 - Coastal Hazard Adaptation Strategy Phase 6-8 to Alluvium Consulting Australia Pty Ltd, for the amount of \$245,030.00 excluding GST; and**
- **Delegate authority to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009*:**
- **power to make, amend or discharge contract TSIRC 2022-361 – Coastal Hazard Adaptation Strategy Phase 6-8;**
- **power 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 policy and ethical sourcing policy.**

MOTION CARRIED UNANIMOUS

17. **4:01pm – 4:30pm** **Closing Remarks and Prayer**

For minute taking purposes, all staff were requested to leave the meeting at 4:01pm with the exception of the Chief Executive Officer.

MEETING ADJOURNED – 4:30PM

COUNCIL ORDINARY MEETING
Wednesday 23rd March 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, 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, Community and Building Services (AEDCBS)
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

18. **9:15am – 9:20am** **Welcome and opening prayer – Day 2**

The meeting resumed at 9:15am

Mayor Phillemon Mosby completed a roll call of Councillors for Day 2, established a quorum and acknowledged and paid respects to:

- Our Heavenly Father for his awesome, wisdom, knowledge and understanding upon our lives
- Traditional owners on the land we are all dialling in across the length and breadth of Zenadth Kes and Cairns region
- Organisational arm of Council

Mayor Phillemon Mosby invited Cr John Levi to open the meeting in a word of prayer.

9:18am – Mr James William, Chief Executive Officer joined the meeting.

9:18am – Ms Megan Barrett, Executive Director Corporate Services joined the meeting.

19. **9:20am – 10:20am** **Deputation 2: Ms Elida Faith – Candidate for Leichhardt**

Mayor Phillemon Mosby welcomed Ms Elida Faith. Ms Faith spoke of her candidacy for the seat of Leichhardt in the upcoming Federal as a member of the Australian Labour Party and had an in-depth conversation on matters relating to the Torres Strait.

Mayor Phillemon Mosby thanked Ms Pat O'Shane for her time.

9:40am – Mr Dawson Sailor left the meeting

9:45am – Mr Dawson Sailor re-joined the meeting

9:45am – Cr Hilda Mosby joined the meeting

9:49am – Cr Conwell Tabuai left the meeting

10:04am – Cr Conwell Tabuai re-joined the meeting

MORNING TEA 10:20am – 10:35am

10:24am – Ms Megan Barrett left the meeting.

20. **10:35am – 10:38am** **COUNCIL MOVES INTO CLOSED BUSINESS**

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Kabay Tamu

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.
- (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 – Building Services Update (February)**

22. **BUILDING – CB – Increase to CEO Financial and Contractual Delegation – Late**

23. **BUILDING – CB – Darnley and Badu Islands – 3 x Plug-ins – Lates**

24. **FINANCE – CB – Finance dashboard report February 2022**

25. **LEGAL – CB – Proposed adaptation of Torres Strait Islander Flag**

26. 1:23pm – 1:23pm

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

RESOLUTION:

Moved: Cr Aven Noah; Second: Cr Laurie Nona

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:

10:42am – Cr Laurie Nona joined the meeting
10:44am – Cr Laurie Nona left the meeting
11:05am – Cr Laurie Nona re-joined the meeting
11:11am – Ms Ursula Nai left the meeting
11:11am – Mr Dawson Sailor left the meeting
11:13am – Mr Dawson Sailor re-joined the meeting
11:13am – Ms Megan Barrett re-joined the meeting
11:16am – Ms Ursula Nai re-joined the meeting
11:26am – Mr James William left the meeting
11:28am – Mr James William re-joined the meeting
11:39am – Cr Elisala left the meeting
11:40am – Mr Dawson Sailor left the meeting
11:45am – Cr Getano Lui left the meeting due to a scheduled meeting with Federal Police
11:45am – Cr Conwell Tabuai left the meeting
11:51am – Cr Torenzo Elisala re-joined the meeting
11:58am – Cr Conwell Tabuai re-joined the meeting
12:03pm – Mr Dawson Sailor re-joined the meeting

BUILDING – CB – Building Services Update (February)

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Aven Noah

That Council resolves to note the information on this report.

MOTION CARRIED UNANIMOUS

BUILDING – CB – Increase to CEO Financial and Contractual Delegation – Late

RESOLUTION:

Moved: Cr Seriako Dorante; Second: Cr Rocky Stephen

Council resolves:

- Pursuant to section 257 of the *Local Government Act 2009* Council delegates to the Chief Executive Officer:
- power to award, make, amend or discharge contracts relating to QBuild upgrade and homeownership works up to a value of \$350,000 excluding GST; and
- power to negotiate, finalise and execute any and all matters associated with or in relation to these projects and contracts including without limitation any options and/or variations.
- power to update Appendix 1 of Council's Procurement and Ethical Sourcing Policy to reflect this updated financial and contractual delegation.

MOTION CARRIED UNANIMOUS

BUILDING – CB – Darnley and Badu Islands – 3 x Plug-Ins - Late

RESOLUTION:

Moved: Cr Kabay Tamu; Second: Cr John Levi

Council resolves:

- To award contract 2021_05_81908_1 - Darnley & Badu Islands - 3 x Plug-Ins to Matt Birney Builders Pty/Ltd for the amount of \$1,294,999.34 excluding 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 contract 2021_05_81908_1 - Darnley & Badu Islands - 3 x Plug-Ins: and
- power 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.

MOTION CARRIED UNANIMOUS

FINANCE – CB – Finance dashboard report February 2022

RESOLUTION:

Moved: Cr Aven Noah; Second: Cr Jimmy Gela

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 28 February 2022, as required under Section 204 *Local Government Regulation 2012*.

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

12:03pm – Mrs Ursula Nai left the meeting

12:06pm – Mrs Ursula re-joined the meeting

12:05pm – Mr James William left the meeting

12:15pm – Mr James William re-joined the meeting

Complaint OIA ref C/21/00634

Cr Aven Noah raised a concern regarding the resolution passed at February's Council meeting of the complaint made against him. Mr Peter Krebs, Manager Legal Services was requested to look into the matter. Mayor Mosby asked if an independent legal advice could be obtained for Cr Aven Noah.

ACTION: That the Manager Legal Service have an offline meeting with Cr Aven Noah on this subject.

28. **1:30pm – 1:40pm**

FINANCE – Audit Committee Membership Renewal

Ms Hollie Faithfull, Executive Director Financial Services spoke to the report. The purpose of the report is to re-engage the services of Mr Paul Shipperley as a member of the Audit committee until 31st December 2022. In the interim Mr Paul Shipperley has agreed to act as Chair until the position has been recruited.

RESOLUTION:

Moved: Cr Keith Fell; Second: Cr Hilda Mosby

That Council resolves to renew the services of Mr Paul Shipperley as an external independent member of the Torres Strait Island Regional Council Audit Committee until 31 December 2022.

MOTION CARRIED UNANIMOUS

29. **1:40pm – 1:58pm**

**LEGAL – Local Thriving Communities – Joint
Coordinating Committee – TSIRC recommendation of a
community representative member – Late**

Mr Peter Krebs, Manager Legal Services spoke to the report. Council is requested to put forward a nominee for membership of the Joint Coordinating Committee. The nominee is unable to be a Councillor.

An in-depth conversation was held whether Councillors could be nominated as an elected leader or as a community representative. The Councillors agreed to elect Laurie Nona as a Community member and not as an elected Councillor.

RESOLUTION:

Moved: Cr Getano Lui; Second: Cr Aven Noah

Council resolves to recommend the appointment of Cr Laurie Nona as a community representative member to the new Joint Coordinating Committee.

MOTION CARRIED

AGAINST: Cr Keith Fell and Cr Kabay Tamu

1:47pm – Mr Jacob Matysek left the meeting

1:50pm – Mr Jacob Matysek re-joined the meeting

1:53pm – Cr Kabay Tamu joined the meeting

30. **1:58pm – 2:09pm**

LEGAL – Cultural Heritage Act review

Mr Peter Krebs, Manager Legal Services spoke to this report. This paper has been submitted and reviewed by the Culture, Arts, Land and Heritage Committee.

RESOLUTION:

Moved: Cr Aven Noah; Second: Cr Jimmy Gela

Council resolves to confirm support for the following proposal to the Aboriginal and Torres Strait Islander Cultural Heritage Act 2003 as outlined in the Options paper of December 2021 and recommends endorsement at Councils March 2022 Ordinary meeting and Recommends that Council provide written submissions to the Department confirming council support of the proposal and Councils continuing involvement in the process so as to further protect customary law.

MOTION CARRIED UNANIMOUS

1:58pm – Mr Jacob Matysek left the meeting

2:05pm – Mr Jacob Matysek re-joined the meeting

2:09pm – Mr Jacob Matysek left the meeting

2:10pm – Mr Jacob Matysek re-joined the meeting

2:09pm – 3:05pm

Deputation 3: Ms Cynthia Lui, Member for Cook

Mayor Phillemon Mosby welcomed Member for Cook, Ms Cynthia Lui MP. Ms Cynthia Lui MP had in-depth conversation with Councillors on the topics such as Marine Infrastructure, Community Grants, Waste and DOGIT Transfer.

Mayor Phillemon Mosby thanked Member for Cook, Ms Cynthia Lui MP for her time.

ACTION: Executive Director Building and Community Services to investigate the Dauan Basketball court and provide an update to the next Council Meeting.

2:18pm – Cr Conwell Tabuai left the meeting
2:19pm – Cr Conwell Tabuai re-joined the meeting
2:35pm – Mayor Phillemon Mosby left the meeting
2:39pm – Mayor Phillemon Mosby re-joined the meeting
2:51pm – Mr Dawson Sailor left the meeting
3:03pm – Cr Conwell Tabuai left the meeting
3:05pm – Cr Conwell Tabuai re-joined the meeting

Cr Kabay Tamu declared a Declarable Conflict of Interest in Council Meeting Agenda Item 31 – LEGAL – Joint Statement on Climate Change in the Torres Strait. Cr Kabay Tamu is an applicant in this matter and Cr Kabay Tamu therefore declared an interest under s150EQ(4).

Cr Kabay Tamu proposed to leave and stay away from the place where the meeting is being held while this matter is discussed and voted on.

3:04pm – Cr Kabay Tamu left the meeting

31. **3:05pm – 3:13pm**

LEGAL – Joint Statement on Climate Change in the Torres Strait

Mr Peter Krebs, Manager Legal Services spoke to the report regarding an email from Lisa Viliamu Johnson of 350 Australia requesting Council's support for a joint statement on Climate Change.

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Hilda Mosby

That Council endorses the Joint Statement on Climate Change in the Torres Strait.

MOTION CARRIED UNANIMOUS.

3:13pm – Cr Kabay Tamu re-joined the meeting

32. **3:13pm – 3:14pm**

Business Arising from Information Reports

Mayor Mosby acknowledged the Administration Team for putting the reports together in keeping Council up to date across all departments and for having information at our finger tips.

33. **3:14pm – 3:20pm**

Next Council Meeting Date – 20th and 21st April 2022 – VC

Ms Megan Barrett explained that normal protocol in accordance with the Local Government Act when confirming a meeting, council should include the date and location. In accordance with the Act there would normally be a resolution to identify the location. That then enables the advertising of the meeting in advance that we are required to do under the Act but it also provides an audit trail. If we are unable to identify a location at today's meeting then we would have to call a special meeting to identify a location prior to the April meeting.

Cr Hilda Mosby expressed her apologies for not being able to host the face-to-face meeting at Masig due to the recent increase in numbers of COVID-19 cases in the community.

Cr Dimas Toby sought Councillor's support of having the next Council face-to-face meeting at Boigu in line with the opening of their new seawall.

Mr James William, Chief Executive Officer advised a special meeting would be called to confirm the location of the April Meeting.

34. **3:20pm – 4:00pm** **Strategic Matters**

Cr Dimas Toby requested an update on the current Katter lease properties to include what is still to be finalised and what has been divested.

ACTION: Manager Legal Services to provide further information on the Katter Leases to Cr Dimas Toby offline.

Cr Getano Lui raised issues on the following:

- Basketball Court – Court is finished but structure is too high.
- Lighting – floodlights were no good. Could Council fund floodlights.
- Satellite Phones – connectivity problems or whether account not paid. Asked if this matter could be looked into further.
- Federal police investigations on Yam in regards to an illegal PNG boat.
- Community Grants applications. Concerned with the ground truthing. Suggested that the applications be reviewed by the Councillor first before the applications are submitted as Councillors are not aware of the submissions until it is brought to Council's meeting to be approved.
- Community Grants applications for funding the Junior Rugby League Camp at Iama and Mabuia. Why are we putting in individual applications when it's regional and should have come out of regional funding thus saving our community grants funding.

Cr Keith Fell raised issues on the following:

- Connectivity of Satellite phones within divisions.
- Food security in our region and needing to be proactive in our discussions with providers especially CEQ in regards to what plans they have on this topic.
- Email sent regarding Skyport and if there was an opportunity for their CEO to present to Council at our May meeting in relation to the Torres Strait being a pilot on tests of drones for the future of delivering mail and freight services.

Mayor Phillemon Mosby requested all future projects be brought to the attention of the CEO so appropriate processes are activated to ensure we have full Council endorsement before sending letters of support.

ACTION: Executive Director, Engineering Services to investigate the connectivity issues with the SAT phones in divisions.

Cr Conwell Tabuai highlighted the international border breaches happening on Saibai at present. There are issues with family members supplying food, and or harbouring PNG nationals. Cr Conwell Tabuai advised this has been happening for over a few months and would like support and advice on addressing the issues.

Mayor Phillemon Mosby advised that this matter will be processed further through LDMG and also collate information on border movements and send correspondence to Treaty Liaison Officer.

ACTION: Mayor Phillemon Mosby to raise International Border breaches as an agenda topic at the next LDMG and liaise with the Treaty Liaison Officer from DFAT on this topic.

Cr Francis Pearson raised the issue of repairs and maintenance on Council assets in his community. Ms Hollie Faithfull, Executive Director Financial Services provided an overview of the process of reporting repairs and maintenance and the budget owner for these requests.

Mr James William, Chief Executive Officer gave his assurance that he will look into these matters further. If there are issues identified then they should be resolved.

ACTION: Acting Executive Director, Building and Community Services to investigate the repairs and maintenance reporting for Poruma and provide an update offline to Cr Francis Pearson.

Cr Hilda Mosby followed up on Masig Decarbonisation Project. Mr Dawson Sailor, Acting Executive Director, Building and Community Services provided an overview of the status of this project.

ACTION: Acting Executive Director Building and Community Services have an offline conversation with Cr Hilda Mosby to update her on the Masig Decarbonisation Project.

Cr Rocky Stephen, Cr Torenzo Elisala and Cr Laurie Nona raised some concerns regarding operational issues within Building and Community Services.

ACTION: Acting Executive Director, Building and Community Services to contact Cr Rocky Stephen, Cr Torenzo Elisala and Cr Laurie Nona offline regarding their operational issues.

Mayor Mosby advised that all the above matters raised would be looked into. Any future concerns should go directly to the CEO and not directed to individual staff members. Those issues will be then be raised up with the Executive Directors in their individual Departments.

3:43pm – Mr Dawson Sailor left the meeting
3:46pm – Mr Dawson Sailor re-joined the meeting
3:37pm – Ms Hollie Faithfull left the meeting
3:38pm – Ms Hollie Faithfull re-joined the meeting
3:58pm – Ms Ursula Nai left the meeting
3:58pm – Ms Ursula Nai re-joined the meeting
4:00pm – Mr David Baldwin left the meeting
4:01pm – Mr David Baldwin re-joined the meeting

35. **4:00pm – 4:05pm** **Confirmation of Previous Governance and Leadership Committee Meeting**

Deputy Mayor, Cr Getano Lui spoke to this topic and requested the minutes for the Governance and Leadership Committee come back to Council for endorsement as his concerns with the minutes have been clarified.

- 10th November 2021

RESOLUTION:

Moved: Cr Aven Noah; Second: Cr Jimmy Gela

That Council resolves to accept the minutes of the Governance and Leadership Committee Meeting held on 10th November 2021, to be a true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

Cr Aven Noah sought clarity regarding his concern of the minuting of the closed business resolution from February's Ordinary Meeting being uploaded onto the website or to wait for legal advice.

Mayor Phillemon Mosby advised that unless the resolution is rescinded, the minutes will be uploaded onto the website as ratified.

ACTION: Manager Legal Services to speak to Cr Aven Noah offline in relation to obtaining legal advice in regards to the February Meeting Minutes.

36.

4:05pm – 4:11pm

Closing Remarks and Prayer

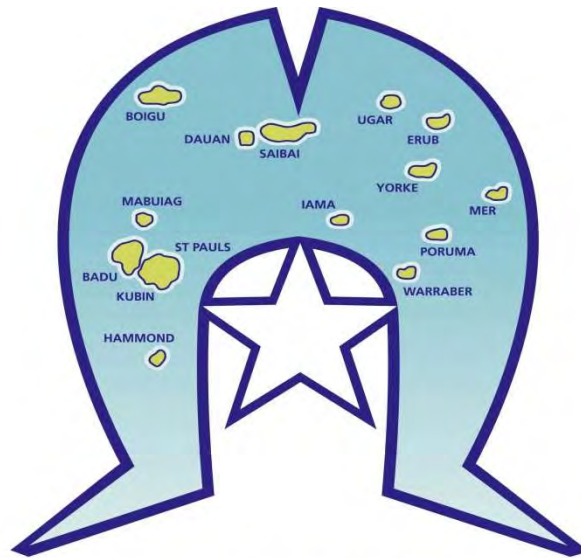
Mayor Mosby thanked the Chief Executive Officer, the Executive and Secretariat Teams in putting the meeting and papers together.

In closing Mayor Mosby thanked everyone for their patience, encouragement, advice and leadership and invited Deputy Mayor, Cr Getano Lui to close the meeting in a word of prayer.

MEETING CLOSED AT 4:11PM

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

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



Torres Strait Island
REGIONAL COUNCIL

Minutes

STRATEGIC ADVISORY REFERENCE GROUP

Date: Tuesday 5th April 2022

Time: 1:05pm to 4:00pm

Venue: Video Conference

PRESENT:

Cr Phillemon Mosby, Mayor – Poruma (Coconut)
Cr Hilda Mosby, Division 12 – Masig (Yorke)
Cr Aven Noah, Division 15 – Mer (Murray)
Cr Jimmy Gela, Division 14 – Erub (Darnley) - Proxy for Cr Rocky Stephen
Cr Lama Trinkoon, Division Arkai (Kubin) – Proxy for Cr Getano Lui
Cr Francis Pearson, Division Poruma (Coconut) - Proxy for Cr Keith Fell

STAFF:

Mr James William, Chief Executive Officer
Ms Hollie Faithfull, Executive Director Financial Services
Mr David Baldwin, Executive Director, Engineering Services
Mr Dawson Sailor, Acting Executive Director Building and Community Services
Ms Megan Barrett, Executive Director Corporate Services
Mrs Ursula Nai, Senior Executive Assistant to the CEO
Mr Jacob Matysek – Executive Assistant to the Mayor

APOLOGIES:

Cr Keith Fell, Division 4 - Mabuiag
Cr Getano Lui, Deputy Mayor, Division 9 – Iama (Yam)
Cr Rocky Stephen, Division 13 – Ugar (Stephen)

Ms May Mosby – Secretariat Officer

1. Welcome (Chair)

Mayor Phillemon Mosby welcomed all Councillors and acknowledged the following:

- Our Heavenly father for his awesome knowledge, wisdom and understanding upon our lives
- Traditional owners across the length and breadth of Zenadth Kes including, Cairns office
- Families in sorry business on ples and on the mainland

2. Opening Prayer

Mayor Mosby invited Cr Francis Pearson to open the meeting in a word of prayer at 1:07pm

3. Apologies

- Cr Keith Fell, Division 4 – Mabuiag
- Cr Getano Lui, Deputy Mayor, Division 9 – Iama (Yam)
- Cr Rocky Stephen, Division 13 – Ugar (Stephen)

RESOLUTION:

Moved: Cr Aven Noah; Second: Cr Hilda Mosby

That the Strategic Advisory Reference Group Committee accepts the apology of Cr Keith Fell, Cr Getano Lui and Cr Rocky Stephen for their absence at this meeting.

MOTION CARRIED UNANIMOUS

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

No declarations made. Mayor Mosby encouraged Councillors to make a declaration at any time.

5. Noting of Ratified Minutes - SARG Meeting

- 1st March 2022 – VC – ratified at March 2022 OM

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Hilda Mosby

That the Minutes for the SARG meeting held on 1st March 2022 be adopted as a true and correct account of the meeting.

MOTION CARRIED UNANIMOUS

6. Strategic Action Items Review

Mr James William, Chief Executive Officer provided an update on the current action items and provided an update on Strategic Priorities and deadlines for the next 3-6months.

7. Mayor

1. **Update/review on strategic priorities for all TSIRC Standing Committees - Verbal**

Mayor Mosby spoke to this agenda topic. Mayor Mosby has sent a number of emails to Councillors on this topic and has encouraged the standing committee chairs to complete the template of the 3 priorities for their committees that can be accomplished during this term.

ACTION: Executive Assistant to the Mayor to liaise with the Standing Committee Chairs on completing the 3 priorities for their Standing Committee's.

2. **Update/review of Standing Committee procedures and Agenda Items - Verbal**

Mayor Mosby spoke to this agenda topic and encouraged Standing Committee Chairs to liaise with Administration on the creation of the Agenda. Mayor Mosby and the Chief Executive Officer will continue to look at ways to improve this process.

Cr Aven Noah advised the committee that he is actively engaged in the creation of the agenda and regularly has conversations with Administration to facilitate requests that have come from Council Meeting to his committee.

3. **Update/review of all current TSIRC MOU's (i.e. Defence, TSRA, other) - Verbal**

Mayor Mosby spoke to this topic and advised that TSIRC currently has an expired MOU with TSRA. Mayor Mosby acknowledged that due to staff turnover this has not been renewed. Mayor Mosby discussed that the MOU should be strategically aligned to TSIRC priorities.

ACTION: Executive Director, Corporate Services to liaise with Corporate services to revise TSRA MOU to better align with TSIRC priorities and re-start negotiations with TSRA for execution.

Mayor Mosby discussed the crossover of roles and services TSIRC currently provided verses other departments and organisations and how TSIRC will engage with these stakeholders and Government bodies to discuss these sensitive issues and cross overs and a proposed way forward.

ACTION: Chief Executive Officer to meet with State Government Director Generals to discuss TSIRC concerns and challenges in relation to the crossover of TSIRC services by other departments.

4. **Update/review on policies/plans related to Advocacy and Communication - Verbal**

Mayor Mosby spoke to this topic and requested that the following be included into the draft Advocacy Policy

- Lobbying with Government
- Engagement with Ministers and Departments
- Engagement with stakeholders who wish to assist Council
- Social Media engagement

Ms Megan Barrett, Executive Director, Corporate Services provided an update on the current policies and the need for a broader communication policy along with a plan to deliver the policy

ACTION: Executive Director Corporate Services and Executive Assistant to the Mayor to work together to amend the communication policy and draft the plan to deliver the policy and provide draft as an Agenda Report to the June SARG meeting.

8. **Executive Director Corporate Services**

1. **Digital Connectivity Update**

Ms Megan Barrett, Executive Director, Corporate Services spoke to this report and provided an update on the decommissioning of the copper service in August 2022. An in-depth conversation was held on the topic.

Telstra has given informal advice that there will be a delay in termination of copper services until end of February 2023.

A Funding application has been lodge with the Local Government Grant and Subsidy Program 2022-2024 to fund the upgrades however as backup, should the funding application be unsuccessful, the amount has been included in the Capital Budget for next Financial Year.

Ms Megan Barrett recommends that this matter be treated as a priority and will have a paper to be presented at the May Ordinary Meeting. Mayor Mosby asked if there were alternative options and received advice that there are not.

Mr James William discussed the role of TSRA in advocacy of funding with the Federal Government and NIIA.

ACTION: Executive Director, Corporate Services to draft a letter to TSRA requesting funding to cover the cost of the Digital Connectivity Upgrade.

RESOLUTION:

Moved: Cr Lama Trinkoon, Second: Cr Francis Pearson

That the Strategic Advisory Reference Group (SARG) notes the update regarding digital connectivity for TSIRC.

MOTION CARRIED UNANIMOUS

2. Council Policies – Child and Youth Risk Management Policy

Ms Megan Barrett, Executive Director, Corporate Services spoke to this report and advised the policy changes are only minimal and relate to changes of names only and not the body of the policy.

RESOLUTION:

Moved: Cr Aven Noah, Second: Cr Jimmy Gela

That the Strategic Advisory Reference Group note the information contained in this report and recommend the Child and Youth Risk Management Policy for endorsement by Council.

MOTION CARRIED UNANIMOUS

3. Conferencing System Options

Ms Megan Barrett, Executive Director, Corporate Services spoke to this report and provided an update on the provision of a new conferencing system for Council and Standing Committee meetings.

Ms Megan Barrett has advised that the cost of this purchase has been added to the capital budget for the next Financial Year.

Cr Francis Pearson requested further information if using this system will impact staff on ground with limited bandwidth.

ACTION: Executive Director Corporate Service to obtain advice from IT / Supplier on impacts, if any, to current bandwidth if the system is introduced (increase or decrease bandwidth in divisions)

RESOLUTION:

Moved: Cr Hilda Mosby, Second: Cr Jimmy Gela

That the Strategic Advisory Reference Group (SARG) notes the update regarding conferencing systems for Council meetings.

MOTION CARRIED UNANIMOUS

9. **Executive Director, Financial Services**

1. Indigenous Procurement Policy – Verbal

Ms Hollie Faithfull, Executive Director, Financial Services spoke to this topic and provided an update on the status of the policy noting the title is incorrect and should read Strategic Sourcing and Procurement Policy.

ACTION: Executive Director, Financial Services to add this the Strategic Sourcing and Procurement Policy as an agenda report to the next Economic Growth standing committee.

10. Legal Services

1. Status of LHA Lease resolution – Verbal Update

2:40pm - Ms Julia Maurus, Senior Legal Officer dialled into the meeting

Senior Legal Officer gave a verbal update on progress since the February 2022 Trustee Information Report, when the number of unresolved LHA entitlements was 52. Since then, one lease has been granted, and another nine are currently in the process of being granted. That brings the total unresolved entitlements to 42.

John Coyle, Manager of the ATSIP Home Ownership Team, has advised that ATSIP has done everything it can to resolve the remaining 42 entitlements. Most (29) are at Boigu, and Cr Toby has been provided with mapping of the 29 unresolved LHA entitlements. Each of the remaining 42 entitlements has some sort of impediment. Examples include inability to identify or locate the lease beneficiary, disagreement within the family over who should receive the lease, and competing interests on the land such as Council assets or a tenant who needs to be relocated. Mr Coyle has advised that engagement and consultation work has been done for every entitlement and that after 30 June 2022, ATSIP will no longer have resources dedicated to LHA entitlement resolution. The Home Ownership Team will still assist with LHA lease transfers, development applications related to home-ownership, and divestment of Council assets on registered LHA lease land, along with assisting applicants for 99-year home-ownership leases. However, the LHA resolution project will end on 30 June and each unresolved LHA entitlement will be referred to another agency as deemed appropriate: either Department of Resources, Department of Housing or (for beneficiary issues) the Public Trustee.

ACTION: Senior Legal Officer to provide the Chief Executive Officer a full briefing to understand the blockages for the remaining entitlements, so that Council can make a fully informed decision on whether to advocate for additional State resources.

2:49pm – Ms Julia Maurus, Senior Legal Officer dialled out of the meeting.

11. SARG COMMITTEE MOVED INTO CLOSED BUSINESS

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Lama Trinkoon

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:

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

- EDES – TSIRC Fuel Improvement Program Status Update Report

- EDBCS – BSU Update – **late**
- EDCS – TAP Update

12. COMMITTEE MOVED OUT OF CLOSED BUSINESS AND RESUME IN OPEN BUSINESS

RESOLUTION:

Moved: Cr Francis Pearson; Second: Cr Jimmy Gela

That the Strategic Advisory Reference Group Committee move out of closed business and resume in open business.

MOTION CARRIED UNANIMOUS

Mayor Mosby noted for minute taking purposes.

2:49pm – Mayor Mosby left the meeting and handed the chair over to Cr Aven Noah.

2:50pm – Mayor Mosby re-joined the meeting and took over as chair.

Resolutions following closed business:

EDCS – TSIRC Fuel Improvement Program Status Update Report

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Hilda Mosby

That the Strategic Advisory Reference Group (SARG) notes the report.

MOTION CARRIED UNANIMOUS

EDBCS – BSU Update – **late**

RESOLUTION:

Move: Cr Francis Pearson; Second: Cr Jimmy Gela

That SARG committee notes the information on this report and proceeds to Council ordinary meeting.

MOTION CARRIED UNANIMOUS

EDCS – Transitional Action Plan (TAP) update

RESOLUTION:

Move: Cr Aven Noah; Second: Cr Francis Pearson

That the Strategic Advisory Reference Group (SARG) notes the update regarding the TSIRC Transition Action Plan (TAP).

MOTION CARRIED UNANIMOUS

13. General/ Other Business (on notice)

Housing Authority

Mr James William, Chief Executive Officer spoke to this topic and a brief conversation was held.

ACTION: Mayor Mosby and Chief Executive Officer to meet with Minister Fentiman, Cynthia Lui MP and Minister Crawford to discuss Qld Governments policy position in terms of housing assets and the benefit provided back to the community.

Mer Shed Upgrade

Cr Aven Noah spoke to this topic and requested to be kept informed and involved in all aspects of the upgrade.

14. Next meeting date – Tuesday 3rd May 2022 | 1pm – 4pm

Mayor Mosby advised the dates of the next SARG meeting to be held via video conference.

15. Closing Remarks and Prayer

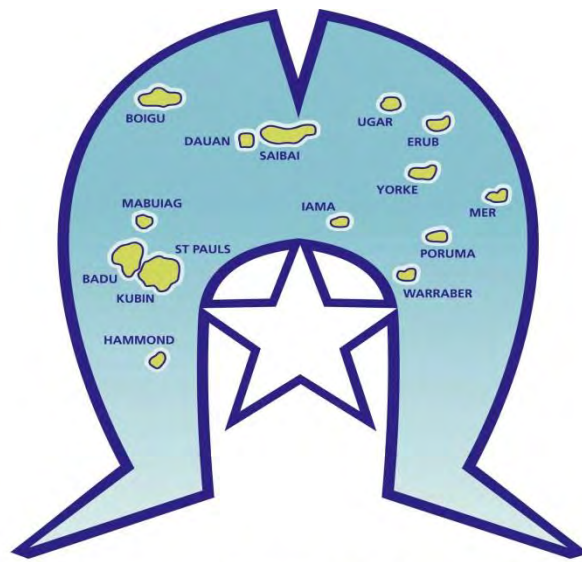
Mayor Mosby acknowledged and thanked the Councillors for their valuable input, Mr James William, Chief Executive Officer, the Executives and staff for the reports provided and their support.

Cr Hilda Mosby closed the meeting in prayer.

MEETING CLOSED – 4:00PM

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

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



Torres Strait Island
REGIONAL COUNCIL

Draft Minutes

CLIMATE CHANGE ADAPTATION AND ENVIRONMENT COMMITTEE

Date: Friday, 11th March 2022

Time: 10:00am – 12:00pm

Venue: Video Conference

PRESENT:

Cr Hilda Mosby – Chair, Division 12 – Masig (Yorke)

Cr Seriako Dorante – Committee Member, Division 8 – Kirirri (Hammond)

APOLOGY:

Cr Kabay Tamu, Division 10 – Warraber

STAFF:

Mr David Baldwin, Executive Director Engineering Services

Mr Peter Krebs, Manager Legal Services

May Mosby, Acting Secretariat

Agenda

1. Welcome (Chair)

Chair, Cr Hilda Mosby, welcomed everyone to the meeting and acknowledged Traditional Owners on the land we meet today.

2. Opening Prayer

Cr Hilda Mosby invited Cr Seriako Dorante to open the meeting in a word of prayer at 10:15am.

3. Apology

- Cr Kabay Tamu, Division 10 – Warraber

RESOLUTION:

Move: Cr Seriako Dorante; Second: Cr Hilda Mosby

That the Climate Change Adaptation and Environment Committee accepts the apology of Cr Kabay Tamu for his absence at this meeting.

MOTION CARRIED UNANIMOUS

4. Declaration of Conflict of Interest (COI) (Prescribed and Declarable)

Cr Hilda Mosby advised the meeting that she holds the following positions:

- Board member for Torres Strait Regional Authority
- Portfolio Member for Environment with Torres Strait Regional Authority
- Indigenous Climate Change

Upon advice sought from Manager Legal Services, Cr Hilda Mosby did not declare a conflict of interest as there are no matters involving Torres Strait Regional Authority.

5. Noting of previous Ratified Minutes – 3rd November 2021

- 3rd November 2021 – VC – Ratified at November 2021 Ordinary Meeting

RESOLUTION:

Move: Cr Hilda Mosby; Second: Cr Seriako Dorante

That the Committee notes the Minutes of the meeting held on 3rd November 2021 as true and accurate account of that meeting.

MOTION CARRIED UNANIMOUS

6. Action Items List

Mr David Baldwin, Executive Director Engineering Services provided an update on the three (3) outstanding action items.

7. Engineering - CHAS Update

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

The purpose of this report is to seek Council's Resolution at the Council's March meeting to award the last three phases of CHAS (Coastal Hazard Adaptation Strategy) to the consultant, Alluvium Consulting to complete the last three phases.

Cr Hilda Mosby requested Mr Jarrah Doran-Smith, Waste & Sustainability Engineer to dial in to speak further to the report.

10:58am – Mr Jarrah Doran-Smith, Waste & Sustainability Engineer joined the meeting.

Cr Hilda Mosby asked if the Adaptation plan will be an individual plan for each division and not just one plan across the whole council. Mr Jarrah Doran-Smith advised that they will be specific to each island due to the geographic conditions and what infrastructure each island has. Cr Hilda Mosby thanked Mr Jarrah Doran-Smith for his explanation on behalf of the committee.

11:10am – Mr Jarrah Doran-Smith left the meeting

RESOLUTION:

Moved: Cr Hilda Mosby; Second: Cr Seriako Dorante

That the Climate Change Adaptation and Environmental Committee notes the report and support the content to be referred to full Council at the March 2022 Council Ordinary Meeting.

MOTION CARRIED UNANIMOUS

8. Engineering - Waste Management and Climate Change Adaptation Brief

Mr David Baldwin, Executive Director Engineering Services spoke to report and advised that in future, this report will be an information report.

RESOLUTION:

Move: Cr Hilda Mosby; Second: Cr Seriako Dorante

That the Climate Change Adaptation and Environment Committee notes this report.

MOTION CARRIED UNANIMOUS

9. Legal – Joint Statement on Climate Change in the Torres Strait – Late

Mr Peter Krebs, Manager Legal Services spoke to this report regarding an email received from Lisa Viliamu Jameson of 350 Australia seeking Council's support for a joint statement on Climate Change.

11:31am - May Mosby left meeting.

11:34am – May Mosby joined the meeting.

Cr Hilda Mosby asked if Cr Kabay Tamu could dial in to the meeting to talk further on the topic.

11:43am - Cr Kabay Tamu dialled in to the meeting and spoke on the issues of climate change affecting the region and the importance of Council having a position on this matter moving forward.

11:47am – Cr Tamu dialled out of the meeting.

RESOLUTION:

Move: Cr Hilda Mosby; Second: Cr Seriako Dorante

That the Climate Change Adaptation and Environment Committee recommends that Council endorses the Joint Statement on Climate Change in the Torres Strait.

MOTION CARRIED UNANIMOUS

10. General/ Other Business (on notice)

Nil

11. Next meeting date

Next meeting date to be confirmed.

12. Closing Prayer

Chair, Cr Hilda Mosby thanked Cr Seriako Dorante and staff for their attendance and participation in the meeting and invited Cr Seriako Dorante to close the meeting in a word of prayer.

MEETING CLOSED - 11:53AM

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

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

STRATEGIC 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	Community	Agenda Report	Action	Lead Officer	Advisory Officer	B u d	P I	Lead Officer Comments
22	March	2022	Council Ordinary	VC	Confirmation of Previous Council Special Meeting Minutes - 4th February 2022	Secretariat Officer to amend – Agenda Item 5 - change Engineering report title to CB – Engineering – Waste Metal Project – Contractual Matter – Verbal	Secretariat				Minutes amended and uploaded to website
23	March	2022	Council Ordinary	VC	Complaint OIA ref C/21/00634	That Manager Legal Service have an offline meeting with Cr Aven Noah on this subject.	Manager Legal Services				in progress
23	March	2022	Council Ordinary	VC	Deputation 3 - Ms Cynthia Lui - Member for Cook	Executive Director Building and Community Services to investigage the Dauan Basketball court and provide an update to the next Council Meeting.	Acting Executive Director Building & Community Services				To be provided during OM
23	March	2022	Council Ordinary	VC	Strategic Matters	Manager Legal Services to provide further information on the Katter Leases to Cr Dimas Toby offline	Manager Legal Services				Email sent to Cr Toby from Julia Maurus
23	March	2022	Council Ordinary	VC	Strategic Matters	Executive Director, Engineering Services to investigage the connectivity issues with the SAT phones in divisions.	Executive Director Engineering Services				Investigation completed
23	March	2022	Council Ordinary	VC	Strategic Matters	Mayor Phillemon Mosby to raise International Border breaches as an agenda topic at the next LDMG and liaise with the Treaty Liaison Officer from DFAT on this topic.	Mayor Mosby				Topic emailed to Mat Brodbeck to add to LDMG agenda
23	March	2022	Council Ordinary	VC	Strategic Matters	Acting Executive Director, Building and Community Services to investigate the repairs and maintenance reporting for Poruma and provide an update offline to Cr Francis Pearson.	Acting Executive Director Building & Community Services				currently in progress
23	March	2022	Council Ordinary	VC	Strategic Matters	Acting Executive Director Building and Community Services have an offline conversation with Cr Hilda Mosby to update her on the Masig Decarbonisation Project.	Acting Executive Director Building & Community Services				currently in progress
23	March	2022	Council Ordinary	VC	Strategic Matters	Acting Executive Director, Building and Community Services to contact Cr Rocky Stephen, Cr Torenzo Elisala and Cr Laurie Nona offline regarding their operational issues.	Acting Executive Director Building & Community Services				currently in progress
23	March	2022	Council Ordinary	VC	Strategic Matters	Manager Legal Services to speak to Cr Aven Noah offline in relation to obtaining legal advice in regards to the February Meeting Minutes.	Manager Legal Services				currently in progress.



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	April 2022
DATE:	19 th -20 th April 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Community Grants Program Allocation – April 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:

The following applications were received before the monthly deadline of 5pm, 25/03/2022. Community Grants applications must be submitted on the last Friday of the month to be tabled at the next Ordinary Council meeting.

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

- Mabuygiw Garkaziw Kupay TSI Corporation for the eligible amount of \$3,216.90 exclusive of GST, as per the submitted application.
- Women of MABO for the eligible amount of \$5,740.00 exclusive of GST, as per the submitted application.
- Komet Tribe for the eligible amount of \$2,000.00 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:

- Nil (0) applications were received.

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 April, three (3) 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 three (3) applications which meet eligibility requirements are:

Community Entity Applicants	Project/Event	Location
Mabuygiw Garkaziw Kupay TSI Corporation	Contribution towards costs associated with hosting and participating in the 2022 Torres Strait Flag Day and Mabo Day Community Celebration on Mabuiag Island, 30/05/22-03/06/22	Mabuiag
Women of Mabo	Contribution towards costs associated with hosting the 2022 Torres Strait Flag Day Celebration for Mabo Week on Mer Island, 27/05/2022	Mer
Komet Tribe	Contribution towards costs associated with participating in the Mabo Day 30 th Anniversary Celebration on Mer Island, 03/06/22	Mer

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, two (2) Out of Cycle Community Grants applications were approved.

<p><u>Applicant</u> Wug Sporting, St Pauls Community</p> <p><u>Reference</u> Community Grants CG2022-074</p> <p><u>Received</u> Thursday, 10.14am, 31/03/22</p> <p><u>Event</u> 2022 Junior Rugby League Camp Mabuiag Island, 06-08/04/22</p>	<p>At the March 2022 Ordinary Meeting of Council, Cr Levi declined to support an application for the Wug Sporting Group to attend the Junior Rugby League Camp, to be held at Mabuiag in early April 2022. He declined on the grounds that there is less than the requested amount (\$4 144) remaining in the St Pauls Community Grants allocation. Cr Trinkoon confirmed in writing that he would support the Wug Sporting Group to the value of \$2 200 for the purposes of attending the Junior Rugby League Camp, on the condition that Cr Levi meet the balance of the value of the request. Cr Levi has agreed to that condition and graciously accepted Cr Trinkoon's offer. The next cycle for Community Grants will be considered at the April 2022 OM, which will be well after the Junior Rugby League camp at Mabuiag. It was recommended that the application be considered as an Out-of-cycle proposal, in accordance with S12.6 of the Community Grants policy.</p>
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<p><u>Applicant</u> Georgina Dorante, Hammond Island</p> <p><u>Reference</u> Community Grants CG2022-081</p> <p><u>Received</u> Thursday 4:57pm, 31/03/22</p> <p><u>Event</u> Hammond Island Youth Workshop, 01-03/04/22</p>	<p>An out-of-cycle Community Grant application was received to provide catering to the Community Youth Forum scheduled for the weekend of the 1st – 3rd April 2022.</p> <p>An out-of-cycle application was considered on the following basis: -The opportunity and event timing for the youth forum did not coincide with the normal grant application and approval timeframes.</p>
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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.

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 table refers to all funeral grants that were received for this month's reporting period, including details of their values and outcomes.

Applicant	Project	Division	Amount Approved
Louisa Larry	Contributions towards funeral related casket travel and catering expenses.	Iama	\$2,000.00

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
Anthony David	Hire of Community Hall to host the 2022 Junior Rugby League Camp on Iama, 07-09/04/2022	Iama	\$304.00
Melaney Nona	Hire of Community Hall to host the Parents & Citizens Annual General Meeting on 31/03/2022	Badu	\$304.00
Georgina Dorante	Hire of Community Hall to host the Hammond Island Youth Forum, 01-03/04/2022	Hammond	\$456.00
Restoration Revival Ministries	Hire of Community Hall and Pool Vehicle for the 3 Night Crusade – Church Rally, 22-24/04/2022	Saibai	\$852.00

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
Executive Director, Corporate Services



Approved:

James William
Chief Executive Officer

Attachment: Fund Balances

Attachment: Fund Balances (after payment of applications endorsed at March 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	\$19,773.00	\$5,227.00
Kubin	Cr. Trinkoon	\$25,000.00	\$12,655.08	\$12,334.92
Mabuiag	Cr. Fell	\$25,000.00	\$12,702.78	\$12,297.22
Mer	Cr. Noah	\$25,000.00	\$20,346.74	\$4,653.26
Poruma	Cr. Pearson	\$25,000.00	\$9,549.12	\$15,450.88
Saibai	Cr. Tabuai	\$25,000.00	\$17,817.97	\$7,182.03
Warraber	Cr. Tamu	\$25,000.00	\$25,000.00	\$0.00
Yorke	Cr. Mosby	\$25,000.00	\$23,965.69	\$1,034.31
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	\$261,917.16	\$193,082.84

COUNCIL REPORT

ORDINARY MEETING: April 2022

DATE: 20/21 April 2022

ITEM: Agenda Item for Noting by Council

SUBJECT: Operational Plan 2021-22 Q3 Update

AUTHOR: Mette Nordling, Manager of Governance and Compliance

Recommendation:

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

Background:

Pursuant to Section 174 of the *Local Government Regulation 2012*, Council adopted its Operational Plan for the 2021/22 period, during its Ordinary Meeting on 20 July 2021.

The Operational Plan is structured around Council's corporate structure as at 20 July 2021, which was updated and endorsed to that shown below in the same meeting:




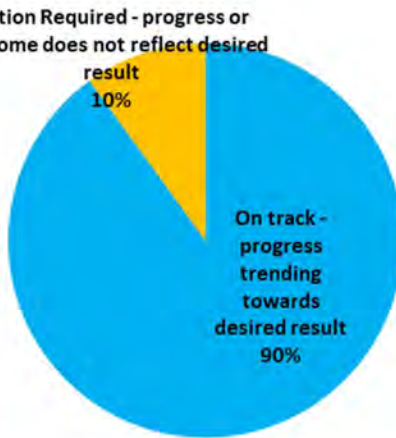





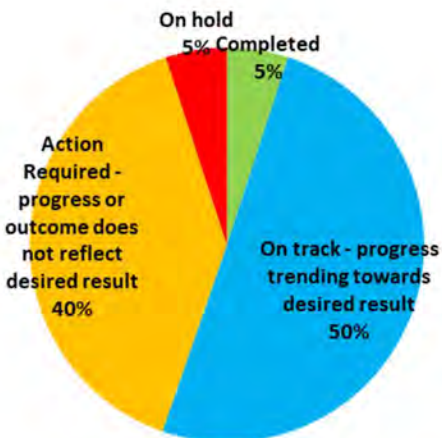

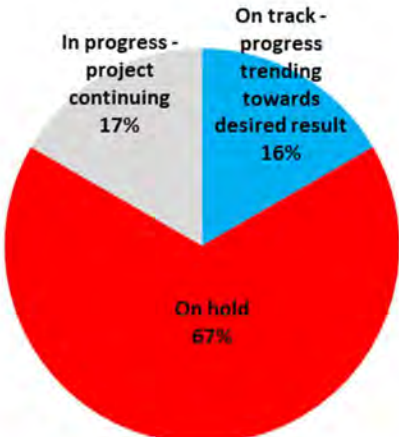

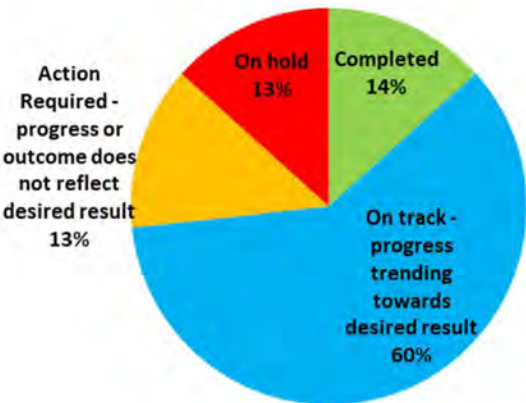
Each of the 60 objectives listed in the Operational Plan, link back to a relevant *Strategic Delivery Pillar* of Council's current Corporate Plan 2020-25 as follows:

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

Operational Plan Progress:

Council's Operational Plan 2020-21 Q3 Dashboard is as follows:

Department:	Total Objectives:	Progress										
<div> Business Services</div>	6	<div><table><thead><tr><th>Category</th><th>Percentage</th></tr></thead><tbody><tr><td>On track - progress trending towards desired result</td><td>50%</td></tr><tr><td>Action Required - progress or outcome does not reflect desired result</td><td>33%</td></tr><tr><td>Completed</td><td>17%</td></tr></tbody></table></div>	Category	Percentage	On track - progress trending towards desired result	50%	Action Required - progress or outcome does not reflect desired result	33%	Completed	17%		
Category	Percentage											
On track - progress trending towards desired result	50%											
Action Required - progress or outcome does not reflect desired result	33%											
Completed	17%											
<div> Engineering Services</div>	10	<div><table><thead><tr><th>Category</th><th>Percentage</th></tr></thead><tbody><tr><td>On track - progress trending towards desired result</td><td>90%</td></tr><tr><td>Action Required - progress or outcome does not reflect desired result</td><td>10%</td></tr></tbody></table></div>	Category	Percentage	On track - progress trending towards desired result	90%	Action Required - progress or outcome does not reflect desired result	10%				
Category	Percentage											
On track - progress trending towards desired result	90%											
Action Required - progress or outcome does not reflect desired result	10%											
<div> Building Services</div>	5	<div><table><thead><tr><th>Category</th><th>Percentage</th></tr></thead><tbody><tr><td>On track - progress trending towards desired result</td><td>40%</td></tr><tr><td>Completed</td><td>20%</td></tr><tr><td>On hold</td><td>20%</td></tr><tr><td>Action Required - progress or outcome does not reflect desired result</td><td>20%</td></tr></tbody></table></div>	Category	Percentage	On track - progress trending towards desired result	40%	Completed	20%	On hold	20%	Action Required - progress or outcome does not reflect desired result	20%
Category	Percentage											
On track - progress trending towards desired result	40%											
Completed	20%											
On hold	20%											
Action Required - progress or outcome does not reflect desired result	20%											

 Community Services	18	 <table><tr><th>Status</th><th>Percentage</th></tr><tr><td>On track - progress trending towards desired result</td><td>50%</td></tr><tr><td>Action Required - progress or outcome does not reflect desired result</td><td>40%</td></tr><tr><td>On hold</td><td>5%</td></tr><tr><td>Completed</td><td>5%</td></tr></table>	Status	Percentage	On track - progress trending towards desired result	50%	Action Required - progress or outcome does not reflect desired result	40%	On hold	5%	Completed	5%
Status	Percentage											
On track - progress trending towards desired result	50%											
Action Required - progress or outcome does not reflect desired result	40%											
On hold	5%											
Completed	5%											
 Corporate Affairs	6	 <table><tr><th>Status</th><th>Percentage</th></tr><tr><td>On hold</td><td>67%</td></tr><tr><td>In progress - project continuing</td><td>17%</td></tr><tr><td>On track - progress trending towards desired result</td><td>16%</td></tr></table>	Status	Percentage	On hold	67%	In progress - project continuing	17%	On track - progress trending towards desired result	16%		
Status	Percentage											
On hold	67%											
In progress - project continuing	17%											
On track - progress trending towards desired result	16%											
 Corporate Services	16	 <table><tr><th>Status</th><th>Percentage</th></tr><tr><td>On track - progress trending towards desired result</td><td>60%</td></tr><tr><td>Completed</td><td>14%</td></tr><tr><td>On hold</td><td>13%</td></tr><tr><td>Action Required - progress or outcome does not reflect desired result</td><td>13%</td></tr></table>	Status	Percentage	On track - progress trending towards desired result	60%	Completed	14%	On hold	13%	Action Required - progress or outcome does not reflect desired result	13%
Status	Percentage											
On track - progress trending towards desired result	60%											
Completed	14%											
On hold	13%											
Action Required - progress or outcome does not reflect desired result	13%											

Statutory Requirements:

Local Government Act 2009 (Qld)

Local Government Regulation 2012 (Qld)

Conclusion:

That Council notes the Operational Plan 2021-22 Quarter 3 Update.

**Endorsed:**

Mette Nordling

Manager Governance and Compliance

**Recommended:**

Megan Barrett


Executive Director Corporate Services

**Approved:**

James William

Chief Executive Officer

Attachments:

- Table providing breakdown of objectives, progress, and comments
- Operational Plan 2021-22  [Operational Plan 2021-22 amended.pdf](#)

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Delivery Quarter	Q3 update	Q3 notes	Integration with Corporate Plan 2025
	TSIRC Operational Plan 201/22							
	Business Services							
1	Automation of fees & charges platform.	Successful implementation of platform in time for FY23 budget	Financial Services	1	2	Complete	Fees and Charge Platform finalised and operational. Platform utilised for the development of the fees and charges for the 22-23 Original Budget	Sustainability
2	Streamline Council's budget and financial statement process aligned to legislated time frames.	Successfully meet Budget Review 21/22 - December 2021 Successfully meet Original Budget 22/23 - June 2022 Statements should be adopted prior to mandated date and be free from material error or misstatement.	Financial Services	2	4	Ongoing & on track	<ul style="list-style-type: none"> Financial Statements signed by QAO 17 September 2021 21/22 Budget Review adopted at December 2021 Ordinary meeting. 22/23 Original Budget currently in development and to be workshopped with Council in May. Expected adoption July 22 	Sustainability
3	Migration of all business units to CI Anywhere and implementation of financial performance dashboard capability.	Development of implementation plan and gain roll-out approval. <ul style="list-style-type: none"> Successful scoping of CI Anywhere dashboard capabilities and implementation roadmap identified. 	Financial Services	1	4	Ongoing & on track	All 'pulse check' workshops have been finalised and draft roadmap has been received. Internal review is currently underway. Feedback will be provided to TechOne for updating (if required) and roadmap to be presented to Executive and CEO for sign off. Approved roadmap for implementation of CI Anywhere expected by June 2022.	Sustainability
4	Deliver end of month continuous improvement program to further drive Council's financial maturity.	All monthly reports to Council submitted by due date. <ul style="list-style-type: none"> Implementation of standard checklist for end of month processes which are routinely completed in a timely manner. 	Financial Services	1	4	Ongoing & on track	Financial Health Check has been completed with suggestions for system / process improvements that may create efficiencies. There are some quick wins and some larger projects only accessible after transition to CIA.	Sustainability
5	Deliver asset management enhancement strategy and system upgrade delivery roadmap.	Strategy complete & roadmap identified.	Asset Management	1	3	Action required	Management is working with TechOne on developing a roadmap for system implementation that is reflective of current resourcing within department. Approved roadmap for implementation of Asset Management Enhancement System is expected by June 2022.	Sustainability
5a		Full Implementation of LocalBuy NextGen & reporting suite Further evolve Council's procurement procedures & policies	Procurement	1	3	Action required	Due to staff secondments, Local Buy NextGen program work has experienced delays. Council's Ethic Sourcing and Procurement Policy and associated procedures are currently under review. Revised completion date is 30 June 2022.	Sustainability
	Engineering Services							
6	Streetlight defect audit completed, and fee proposal obtained from Eigon to undertake rectification works.	Audit completed.	Engineering	1	4	Action required	Fee proposal have been obtained from Eigon to undertake rectification of streetlights. Funding opportunities are being explored to fund the rectifications works.	People
7	Coastal Hazard Adaptation Strategy (CHAS). <ul style="list-style-type: none"> Seawalls program for Torres Strait Islander Partnerships Master planning. Seawalls Program works for Boigu, Poruma, lama, Wararaber & Masig Communities. 	CHAS Stage 4. Seawalls program on schedule.	Engineering	1	4	Ongoing & on track	TSIRC has been successful in securing funding from LGAO for completion of phases 6-8 of the CHAS. Council have resolved to engage aatorium to undertake the remaining phases (6-8) of the CHAS including additional community engagement activities.	Sustainability
8	Access projects delivery: <ul style="list-style-type: none"> Dauan helpad road upgrade. Saibai airport road upgrade - design. Poruma airport access road - design. Dauan western reservoir - design. Badu wells access road culvert reconstruction. 	All capital works completed prior to end of financial year.	Engineering	1	4	Ongoing & on track	Road design projects (ATSI TIDS Funded) are in final stages of design and expected to be completed before 30 June 2022. Funding opportunities for road construction projects are being explored with budget shortfall identified for Dauan Helpad Road & Badu wells culvert crossing. Funding from QRA has been secured for Dauan Western Reservoir Road and Tender to be awarded in April 2022.	Sustainability
9	Water and waste water: <ul style="list-style-type: none"> Saibai STP upgrade - design. Badu & lama SPS upgrades SCADA Upgrade for Sewer Pump Stations at Masig. 	All capital works completed prior to end of financial year.	Engineering	1	4	Ongoing & on track	<ul style="list-style-type: none"> Saibai STP is at final stages of Testing & Commissioning Badu and lama SPS upgrade works completed by 30 June 2022 with works at Badu completed and 1/2 SPS's completed at lama. SCADA upgrade projects on multiple islands are ongoing and expected to be completed by June 2022. 	Sustainability
10	Ugar channel dredging study & scoping.	Study and scoping works delivered.	Engineering	1	4	Ongoing & on track	Proposed dredged depth has been endorsed following Environmental Assessment Report. The project is now at final stages of Detailed Design and selection of proposed sites for dredged material disposal sites.	Sustainability
11	Access projects scoping: <ul style="list-style-type: none"> Marine infrastructure scoping and condition assessment. Regional airstrip condition assessment. Dauan pontoon upgrade - design. Mer airport fencing upgrade - design. Boigu airport sign upgrade - Design. Boigu, Kubin, St. Pauls and Masig finger jetty repairs. Airport/helpad mangrove clearing - Mabuag & lama. 	Studies and design work complete.	Engineering	1	4	Ongoing & on track	<ul style="list-style-type: none"> Marine Infrastructure Audit is expected to be completed by June 2022 with remaining islands to be inspected in May 2022. Draft report of the findings have been submitted to Council in March 2022. Regional TSIRC aerodrome on site condition assessment inspections have been completed with report currently being finalized. Dauan pontoon upgrade design works is approaching final stages of design selection. Boigu airport sign upgrade have been completed in December 2021. Boigu Aerodrome Apron upgrade is at final stages of detailed design. Badu, Kubin, St. Pauls and Masig finger jetty repairs completed by local contractor. Airport/helpad mangrove clearing - Approvals for Dauan Helpad have been obtained and works have been scoped currently at tendering stage. 	Sustainability
12	Climate Risk Management Strategy.	Strategy drafted.	Engineering	1	4	Ongoing & on track	Climate Risk Strategy is being developed and forecasted to be completed by 30 June 2022.	Sustainability
13	Disaster management program: <ul style="list-style-type: none"> Separation of Torres Strait Local Disaster Management Group (LDMG). Annual update of Community Disaster Management Plans. Set up and coordination of Local Disaster Management Group (LDMG). 	New Local Disaster Management Group (LDMG) model established and operational readiness achieved.	Engineering	1	4	Ongoing & on track	Annual update of the Community Disaster Management Plans have been completed. Council have prepared an Implementation Plan for the separation of the current TS LDMG to re-establish of the TSIRC LDMG, with a plan for this to come into effect by June 2022, subject to relevant Ministerial approval. Letter outlining TSIRC's intent to separate from combined TSLDMG has been sent to relevant Ministers in December 2022 with no formal response to date.	Sustainability

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Delivery Quarter	Q3 update	Q3 notes	Integration with Corporate Plan 2025
14	Waste management: • Local Government Association Queensland Region Strategy • Metal Waste Legacy Stockpile Clean-up Project.	Regional Waste Strategy completed. Initial clean up completed.	Engineering	1	1	4 Ongoing & on track	- TSIRC's Legacy Metal Waste Project is currently underway with contractor mobilized to site in March 2022. EoT for the ICCIP funding has been approved until 31 December 2022 in line with Project delivery schedule.	Sustainability
15	Water projects: • Dauan rising main and well refurbishment. • Indigenous Councils Critical Infrastructure Program (ICCIP) – water project - critical infrastructure/legislative compliance upgrades. • Le-sludge lagoons - Badu, Kubin, St Pauls, Mabo. • Lagoon cover replacement - Bogu, Warraber, Mabo. • Rising main and reservoir upgrade - Iama, Kubin, Mabuag, St Pauls.	All capital works completed prior to end of financial year.	Engineering	1	1	4 Ongoing & on track	Lagoon cover replacement and lagoon desludging works are being progressively rolled out across the region. Rising main and reservoir upgrades are being performed progressively. Multiple ICCIP projects have been completed, in progress and/or have had scope changes due to budget shortfalls etc. All projects are on track for completion by June 2022. EoTs have been sought/approved for identified projects that are likely to go beyond funding end date.	Sustainability
	Building Services							
16	Delivery of fuel bowser program.	Program scope identified and commencement of works.	Building Services	1	1	4 On hold	Mer project on hold due to land availability, negotiations and alternative options are currently being considered.	Sustainability
17	Delivery of capital works program.	Building Services Unit engaged internally to undertake.	Building Services	1	1	4 Ongoing & on track	Projects are progressing in their own workflow. A few are now completed. Some are in construction phase on ground others in Tender phase and others are in planning development for preparation to issue tenders.	Sustainability
18	Partnering with agencies to look at alternative materials that are more sustainable such as replacing laminex benchtops with stainless steel.	Alternative materials identified.	Building Services	1	1	4 Action required	Currently on hold due to unprecedented industry material cost increases and supply restrictions normal materials are still being acquired. The Housing Investment Plan is being identified for longer lifecycle materials in structural components.	Sustainability
19	Build new tropical house design on St Pauls.	House completed within specified time frames.	Building Services	1	1	4 Complete	Completed and is currently back to being occupied.	Sustainability
20	Procure system along with Pro Est fully integrated and all Building Services Unit staff trained.	All staff trained and Procure running by December 2022.	Building Services	1	1	4 Ongoing & on track	Procure is implemented and being utilised with increased efficiencies in management, reporting and program deliveries. Staff are trained through continual improvements and technical cliches being completed as they arise. The Estimating build was put on hold due to the unprecedented industry rises modified build was adopted to support rapid price increases. This build is slower as need information from Suppliers prior to building. Though creates a more robust estimating platform. The estimating Software is Procure so no linking cliches.	Sustainability
	Community Services							
21	Tenancy management program: • Develop and deliver programs to clients in support of sustaining long term tenancy. • Provide awareness of general tenancy agreement for clients to strengthen relationships between TSIRC and communities.	Successfully deliver Awareness of Landlord and Tenants Responsibility Program to all communities.	Housing Services	1	1	4 On hold	Item on hold largely due to covid impacts in the reporting period. Project to be revisited in Qtr 4	Sustainability
22	Complete housing needs assessment with relevant stakeholders ensuring appropriate housing modifications are completed.	Successful assessments completed in all communities.	Housing Services	1	1	4 Action required	Project to be reported and implemented in 4th Qtr.	Sustainability
23	Develop a Community focus group to address complex housing situations, provide appropriate recommendations, including future housing design and construction quality in conjunction with Building Services Unit.	Successfully conducted focus groups, recommendations drafted.	Housing Services	1	1	4 Action required	Item to be revisited for completion in 4th qtr reporting period or roll over to the new year.	Sustainability
24	Increase rental collection rates.	Achieve a reduction in debt from 2021 to 21/22.	Housing Services	1	1	4 Ongoing & on track		
25	Undertake regional tenancy management study.	Delivery of study and recommendations.	Housing Services	1	1	4 Action required	Item require action for implementation in the 4th qtr or roll over to new financial year.	Sustainability
26	Advocate for the establishment of localised small businesses in communities to provide support services for consumers with a disability.	NDIS representation in region.	Community Services	1	1	4 Ongoing & on track	Establishment of Xtreme Care Indigenous NDIS Service Provider to be introduced to the region in April / May. Council to clarify service delivery and benefits to vulnerable target group.	Sustainability
27	Review and streamline referral process for respite care in partnership with QLD Health and regional residential care providers.	Completion of review, recommendations presented.	Community Services	1	1	4 Action required	Manager to revisit task and report in 4th Qtr. Initial meeting in 3rd quarter have not progressed further due to availability and impacts of Covid.	People
28	Work collaboratively with Council's Housing Department, Department of Communities, Housing and Digital Economy and Qld Health occupational therapists to streamline the process for undertaking home modifications to enhance in-home safety and address accessibility.	Process streamlined and implemented.	Community Services	1	1	4 Ongoing & on track	Continuous discussion and collaboration with Housing Services and Building Services to ensure appropriate modifications for clients. Further advocacy is required with CHDE in planning and design stage of building works / program.	Sustainability

Objective number	Annual Plan Item	Delivery target	Responsible function	Start Quarter	Delivery Quarter	Q3 update	Q3 notes	Integration with Corporate Plan 2025
29	Improve the delivery of and access to childcare services.	Meeting KPIs of funding agreements. Increased enrolment.	Community Services	1	4	Ongoing & on track	Childcare continuously monitoring and looking at ways to increase access to child care services. Executive discussion with planned Internal audit in 4th qtr to identify service delivery challenges and opportunities.	People
30	Advocate the Queensland Government to identify childcare options for the region.	Queensland Government Commence process of identifying childcare options.	Community Services	1	4	Action required	Action required on this item. Task to be revisited in the 4th Qtr and possibly roll over to the 22/23 year.	People
31	Development and implementation of compliance and enforcement program (Local Laws - Authorised Officers).	Successful implementation and delivery and 100% compliance.	Environmental Health	1	4	Ongoing & on track	Two new EHW required Training and appointment to Authorised Persons Compliance activities ongoing. Outstanding infringements referred to SPER. AP training approved	People
32	Delivery of Environmental Health and Animal Management Program.	Program delivered on time and within budget.	Environmental Health	1	4	Ongoing & on track	Progressing well, despite Pandemic related barriers, impinging on travel and training and development.	Sustainability
33	Develop and implement 12 weeks Kenba Way co-design program.	Signed Service agreement.	Health & Wellbeing	1	4	Action required	In phase to acquire services of consultant to further develop Kenba Way to compliment other programs and implemented in 4th Qtr.	People
34	Health and wellbeing program: • Secure funding for employment and delivery of Health and wellbeing program. • Delivery of KPIs identified in signed service agreement.	Signed service agreement. Meeting set in signed service agreement KPIs.	Health & Wellbeing	1	4	Ongoing & on track	Discussions internally and with funding agency for 22/23 year underway. Further advocacy is required for a recurrent program.	People
35	Develop and implement annual events planner to increase engagement and visibility of Council at divisional level through partnering with stakeholders.	Facilitation of events in accordance with annual plan.	Visitor Operations & Events	1	4	Ongoing & on track	Covid outbreak in the region stalled facilitation of events in the reporting period. However, the team supported Divisions with events such as International Womens Day, church day celebrations. However, planning for Mabo Day and Flag Day events are underway in conjunction with other regional stakeholders.	People
36	Indigenous Knowledge Centres (IKC): • Develop and implement 2021-22 IKC strategy. • Delivery of core IKC programs: - First 5 Forever program. - Public/Community Library program.	Strategy developed and implemented. Successful delivery of IKC core programs.	Health & Wellbeing	1	4	Action required	Due to loss of key staff management and operations of IKC, program has not progressed in the reporting period. Item to be revisited and reported in 4th	People
37	Implement standard admin processes including guides and templates across 15 Divisions in line with audit requirement.	All divisional admin staff and offices utilising same processes.	Divisional Administration	1	4	Ongoing & on track	staff turnovers are still delaying progress. Item to be revisited and progress in 4th Qtr in preparation for new financial year.	Sustainability
38	Lead implementation of the Visitor Management Strategy, including visitor entry and exit, accommodation, and travel.	Successful implementation of process and roadmap.	Visitor Operations & Events	1	4	Complete	<ul style="list-style-type: none"> Investigated and refreshed council's existing visitor management process and implementation roadmap with Melissa Haswell & Britta Wigginton – University of Sydney & Queensland University of Technology Installed digital signboards in each of our divisions for information communication – Project Managed by Tony Wyren & Rotmanah Passi. Project logistics – Donna Dai 	Prosperity
Corporate Affairs								
39	Develop Council's first Reconciliation Action Plan.	Scoping and research, Reconciliation Action Plan developed.	Governance and Risk	1	4	Ongoing & on track	Scoping and research underway	Prosperity
40	Scoping of formal name change proposal and delivery of implementation road map. Change to Local Government Area boundary review.	Undertake risk and cost analysis. Collect and analyse data from community consultation/ surveys.	Governance and Risk	1	4	On hold	Additional resources required to undertake the work required	People
41	Evolve Council's community information & engagement channels.	Obtain project funding & commence digital noticeboard project. Community feedback/training sessions delivered.	Enterprise Development & Delivery	1	4	On hold	Outdoor screens require funding to purchase. This project will be added to the list of projects requiring funding.	People
42	Further develop a good governance and risk culture across Council.	Delivery of Corporate Governance Framework incl. Governance, Risk, Fraud & Ethics awareness programs. Incident reporting implemented. Evolve Council's Business Continuity Plan model, awareness, core team training & tools. Website phase 2 implementation successfully delivered.	Governance and Risk	1	4	On hold	<ul style="list-style-type: none"> Framework not progressed to due to lack of resources/awaiting recruitment and direction from ELT An e-learning Fraud Awareness module has been trialed by a selection of employees. Incident reporting happens via Mango. Training materials for the next BCP mock scenario have been finalized – awaiting a suitable training date from the Executive . Website design mock-ups received 	Sustainability
43	Delivery of Council's Enterprise Development Strategy, identifying key sector opportunities.	Successful delivery of strategy. Community consultation completed.	Enterprise Development & Delivery	1	2	On hold	Travel was unable to proceed in Q3 due to COVID restrictions. Strategy on hold until further notice.	Prosperity
44	Evolve employee information & engagement channels.	Successful implementation of internal digital noticeboards. Implementation and further development of Council's employee intranet - phase 2 and 3.	Creative Services	1	4	In progress - project continuing	<ul style="list-style-type: none"> All equipment has been purchased and is currently in transit. Project on hold due to lack of resources/awaiting recruitment 	Sustainability
Corporate Services								
45	Support for the development of regional governance framework.	Support provided as required.	Legal Services	1	4	Ongoing & on track	It has been raised with council that to properly implement this project, a designated project officer will have to be appointed to carry out community consultations and stakeholder engagements and other duties which will be labor intensive. Correspondence from the Deputy Premier Steven Miles MP outlined issues that need to be addressed before there can be any government support. Direction is being sought from Council to approve this process.	People



TORRES STRAIT ISLAND REGIONAL COUNCIL

COUNCIL REPORT

ORDINARY MEETING: April 2022

DATE: 20 and 21 April 2022

ITEM: Agenda Item for Resolution by Council

SUBJECT: Council Policies

AUTHOR: Tracey Burrell, Manager People & Wellbeing

Recommendation

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

Executive Summary:

The Child and Youth Risk Management policy required revision to accurately reflect the titles of TSIRC staff, in accordance with recent re-structuring. The policy was also scheduled for review, in accordance with the TSIRC policy review register.

Changes have been tracked through the document for ease of reference. The changes are not material.

Conclusion:

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

Attachments:

Attachment 1: Current policy with proposed changes tracked

Attachment 2: Revised policy with changes accepted

A handwritten signature in black ink, appearing to read 'T. Burrell'.

Tracey Burrell
Manager People and Wellbeing

A handwritten signature in black ink, appearing to read 'M. Barrett'.

Megan Barrett
Executive Director Corporate Services

A handwritten signature in black ink, appearing to read 'James William'.

James William
Chief Executive Officer

Child and Youth Risk Management Policy

Responsible Manager	Manager Head-of People and Wellbeing
Head of power	<i>Commission for Children and Young People Act 2000 Commission for Children and Young People and Child Guardian Amendment Bill 2004 The Child Protection Act 1999 Working with Children Risk Management and Screening Act 2000</i>
Authorised by	Council
Authorised on	16 November 2020 <u>TBC</u>
Implemented from	16 November 2020 <u>TBC</u>
Last reviewed	July 2020 <u>March 2022</u>
Review history	2020, <u>2022</u>
To be reviewed on	August 2022 <u>March 2024</u>
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

The Child and Youth Risk Management Policy provides guidelines that ensure that ~~TSIRC~~ Council has appropriate procedures in place to maintain the safety and wellbeing for children and young people by complying with our legislative requirements under the blue card system, ensuring that our policy and procedure remains current and effective in identifying and minimising risks of harm to children and young people.

2. Application

This policy applies to all Councillors, employees, volunteers, contractors and third-party providers acting on behalf of TSIRC.

3. Legislation/Policies

This policy is established with reference to obligations specified in the *Working with Children (Risk Management and Screening) Act 2000* and the *Working with Children (Risk Management and Screening) Regulation 2011*.

4. Provisions or other relevant heading

The Working with Children (Risk Management and Screening) Act 2000 (the Act) and the Working with Children (Risk Management and Screening) regulation 2011 require regulated organisations to develop and implement a Child and Youth Risk Management Strategy which aims to keep children and young people safe.

Council~~TSIRC~~ will comply with the eight minimum requirements outlined in the legislative framework as follows:

Commitment

1. Council~~TSIRC~~ is committed to maintaining the safety and wellbeing of children and the protection of children and young persons who use our services from harm so has developed a Child and Youth Risk Management Procedure to ensure appropriate procedures are in place; and
2. A code of conduct for interacting with children is included in the Child and Youth Risk Management Procedure which sets out the actions, behaviours and conduct expected of all TSIRC Councillors, employees, volunteers, contractors, consultants and third party providers acting on behalf of TSIRC.

Capability

3. Council~~TSIRC~~ has policies and procedure in place for the recruitment, selection, training and managing staff and volunteers.

Concerns

4. Procedures for handling disclosures or suspicions of harm, including reporting guidelines are included in the Child and Youth Risk Management Procedure;
5. A plan is in place for managing breaches of our risk management strategy; and
6. Risk management plans must be conducted for high risk activities and special events as outlined in the Child and Youth Risk Management Procedure.

Consistency

7. A written procedure is in place which provides clear guidelines for managing compliance with the blue care system; and

8. Strategies have been developed to ensure the organisation has effective communication and support processes in place. (Communication Guidelines)

Manager Responsible for Review:

Manager People and Wellbeing

Adopted: ~~21 December 2021~~

Due for revision: ~~December 2022~~ March
2024

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

Child and Youth Risk Management Policy

Responsible Manager	Manager People and Wellbeing
Head of power	<i>Commission for Children and Young People Act 2000</i> <i>Commission for Children and Young People and Child Guardian Amendment Bill 2004</i> <i>The Child Protection Act 1999</i> <i>Working with Children Risk Management and Screening Act 2000</i>
Authorised by	Council
Authorised on	TBC
Implemented from	TBC
Last reviewed	March 2022
Review history	2020, 2022
To be reviewed on	March 2024
Corporate Plan	People, Sustainability and Prosperity

1. Purpose

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Manager Responsible for Review:

Manager People and Wellbeing

Adopted:

James William, Chief Executive Officer

Due for revision: March 2024



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	April 2022
DATE:	20 & 21 April 2022
ITEM:	Agenda Item for Resolution by Council
SUBJECT:	Award Contract TSIRC 2021-354 Top Western Islands DRFA Works (Saibai, Dauan & Boigu)
AUTHOR:	Peter Price – Acting Senior Project Engineer

Recommendation:

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. To 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.

Purpose:

The purpose of this Agenda Report is Repeal the February council resolution and to provide Council with a recommendation to award the Tender No. TSIRC 2020-354 – Top Western Islands DFRA Works Separable Portions A, B* and C to Koppens Development Pty Ltd, for an amount of up to \$2,454,107.63 (\$4,145,507.84*) excl. GST.

Note*: \$4.145M amount includes Portion B which is subject to funding confirmation.

Background:

Torres Strait Island Regional Council is undertaking works on Boigu, Dauan and Saibai Islands, hereafter referred to as the Top Western Islands group, to both restore assets damaged by natural disaster events and improve existing assets to provide a higher level of functionality, reliability, and durability.

The restoration of unsealed roads in the top-western region island cluster will be undertaken after they were damaged because of the Disaster Relief Funding Arrangements eligible event: *Far North Queensland Tropical Low, 24-30 January 2021 event*. The restoration of these roads will be to a pre-event standard in a like for like manner.

Capital improvements are proposed for:

- Dauan Island Helipad Road, and
- The top 120m portion of the Dauan Island Reservoir Road.

In both cases, the capital improvements to the existing roads, is the replacement of the existing roads to a concrete pavement.

The February Resolution is no longer relevant as at the time the resolution was subject to confirmation of certain matters. This included the external funding through QRA for the concrete construction of the Dauan Helipad Road via 'betterment funding'. Due to additional barge requirements (lack of large barges and thus extra movements and associated costs) these proposed works was not deemed eligible under the QRA eligibility criteria. This resulted in a variation of costs to be funded across the remaining eligible projects and this meant a new resolution is required to enable award of revised tender amounts to the remaining projects – as a result of a portion of the packed works being 'taken out' from the earlier proposal.

Comment:

Works Scope:

The tender has three separable portions. These separable portions and their scope of works are summarised below:

1) Separable Portion A

Restoration of roads in the top-western region island cluster (Saibai, Dauan and Boigu Island) that was damaged as a result of the DRFA eligible event: *Far North Queensland Tropical Low, 24-30 January 2021 event*. The scope of works include:

- Contractors Site Facilities and Camp.
- Provision for Traffic.
- Environmental Management.
- Erosion and Sediment Control.
- Relocation of Services (if required).
- Earthworks – Preparation, excavation, subgrade treatment, backfill
- Unbound and bound pavements.
- Concrete Works.
- Any other works that could be expected to complete the works specified.

2) Separable Portion B

Construction of a reinforced concrete roadway on the Dauan Island Helipad Road. This portion of the Works is to be funded by The Main Roads Aboriginal and Torres Strait Islander Transport and Infrastructure Development Scheme (TMR ATSI TIDS) and other funding bodies are being sourced due to budget shortfall. The scope of works include:

- Concrete Works.
- Any other works that could be expected to complete the works specified.

3) Separable Portion C

Construction of a 120m, long reinforced concrete roadway on the Dauan Island Reservoir Road. This portion of works is funded by the Queensland Reconstruction Authority (QRA) Betterment fund. The scope of works include:

- Concrete Works.
- Any other works that could be expected to complete the works specified.

Funding:

Funding for each of the separable portions varies in origin.

Separable Portion A – 2021 DRFA Works

Separable Portion A is QRA DRFA funded Reconstruction of Essential Public Assets (REPA) works. This funding has been approved with the funding contract being executed.

Separable Portion B – Dauan Helipad Road Upgrade

Separable Portion B is to be funded by TMR ATSI TIDS, however, these funds expire 30 June 2022. It is noted that all revised tendered amounts for Separable Portion B are more than the available TMR ATSI TIDS funding allocated for the project. Currently extra funding is being sought to cover the shortfall.

Separable Portion C – Dauan Reservoir Road Upgrade

Separable Portion C is funded by the QRA Betterment fund. Funding has been approved with the funding contract being executed.

Procurement Process:

In accordance with Council's Procurement and Ethical Sourcing Policy and the *Local Government Regulations 2012*, an open tender process was conducted for contract TSIRC 2021-354. Table 1 below outlines the tendering process undertaken.

Description	Details
Advertising	Vendor Panel Portal
Advertised Date	3 rd November 2021
Tenders Due	11.00am Monday 25 th November 2021
Tender Period	21 Days
Tenders received	Three conforming tenders and one non-conforming tender were received by Council

Table 1: Details of the tendering and procurement process

At the close of the public tender process on 25th November 2021, Council had received three conforming submissions and one non-conforming submission from the following companies:

Company	Conformance
Durack Civil Pty Ltd	Conforming
Koppens Development Pty Ltd	Conforming
Torres Strait Island Homes Pty Ltd	Conforming
Gulf Civil Pty Ltd	Non-conforming

Table 2: Companies that provided submissions

Durack Civil's tender was not shortlisted or considered any further in the tender assessment based on tendered price.

The tender from Gulf Civil was not considered further as it was non-conforming.

The Tender assessment was undertaken by External Engineering Consultant (ARO Industries) engaged by Council and with input and oversight by TSIRC Engineering.

1. Rudd Rankine – Principal Civil Engineer (ARO)
2. Kael Whitnell – Civil Engineer (ARO)
3. Tracy Stanesby – Senior Project Officer (ARO)

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

Criteria	Weighting
Value for Money	40%
Relevant Skills and Experience	15%
Demonstrated Understanding	15%
Program of Works	20%
Local Content	10%

Table 3: Evaluation Criteria

Summary of the tender overall evaluation can be seen in Table 4 below:

Tenderer	Value (100%)	Rank
Durack Civil Pty Ltd	-	-
Gulf Civil Pty Ltd	-	-
Koppens Development Pty Ltd	92.5	1
Torres Strait Island Homes Pty Ltd	79.5	2

Table 4: Overall tender assessment summary

Indigenous Economic Opportunities Plan (IEOP):

The following table outlines the Indigenous Economic and Opportunities for this Tender:

Core Requirement	Minimum Requirement A and C (A, B and C)	Koppens Proposed IEOP A and C (A, B and C)
Apprentice/Trainees (new entrants)	484 hrs (788 hrs)	490 hrs (800 hours)
Other Workforce	228 hrs (525 hours)	340 hrs (600 hours)
Total Deemed Hours	807 hrs (1,314 hours)	830 hours (1,400 hours)
Local Indigenous Business Supply and/or Subcontractors	\$40,328.00 (\$65,681.00)	\$44,000.00 (\$70,000.00)

Table 5: Indigenous Employment and Business Plan

Note: Shown in brackets and highlighted in Yellow is if all Separable Portions A, B & C are awarded to Koppens Construction.

Considerations:

Risk Management

Funding - Separable Portion A (DRFA)

Separable Portion A tendered Scope of Works were based on approved quantities from the QRA. The QRA approval amount is less than the tendered amounts received for the DRFA works. DRFA REPA works are paid on actual expenditure and the funding amount will be assessed and revised by QRA once Contractor rates are received by the QRA. This is referred to as market price update, by the QRA, and has been undertaken for Separable Portion A of the contract. DFRA funding has been approved for Separable Portion A for the Tendered value.

Funding - Separable Portion B (Dauan Helipad Road)

Separable Portion B is ATSI TIDS funded. To maintain ATSI TIDS funding eligibility, the works must be completed prior to 30 June 2022. A program has been provided by the recommended tenderer, Koppens, which proposes that both Separable Portion B and C are completed by 6 June 2022. However, current tender values exceed the available funding nominated to Separable Portion B. Possible solutions being considered for the funding shortfall are: LRCI R3 funding is available to cover some of the shortfall, with excess ATSI TIDS funding from completed TSIRC projects to be utilised for Separable Portion B as well.

Additional funding is being sought to cover the remaining of the shortfall. Separable Portion B is only to be awarded upon confirmation of approved funding being reallocated to this project.

Funding - Separable Portion C (Dauan Reservoir Road)

Separable Portion C is funded by QRA Disaster Relief Funding Arrangements Betterment Fund. During the tender assessment period an amount (excl. GST, incl. escalation & contingency) was approved by the QRA for the construction of Separable Portion C. It is noted that this funding approved exceeds the costs associated with the recommended tenderers costs and the budget has provision for certification and design costs etc.

A detailed design has been undertaken by ARO, with quantities and costings amended as necessary. Quantity changes may entitle the Contractor to profit and attendance if the quantities exceed the limits of accuracy noted in the tender documents ($\pm 80\%$). It is not envisaged by ARO that changes in quantities will exceed these limits. These new values have been submitted to and approved by QRA.

ARO believe there is an acceptable level of risk associated with the award of Separable Portion C.

Council Finance

There is nominal financial risk to Council as the project is to be fully funded by the following external grants but risks still need mitigating via good contract management. However, there is a risk that Council will lose the unspent TMR ATSI TIDS by 30 June 2022 if no additional is secured to fund the budget shortfall.

Consultation:

- Councillors as appropriate
- Council's Engineering Management
- Funding body
- External Consultants

Statutory Requirements:

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

Conclusion

Based on the Tender Assessment, it is recommended that Council:

- Award the Tender No. TSIRC 2021-354 – Top Western Islands DRFA Works, separable portion A & C to Koppens Development Pty Ltd,
- Subject to approved funding availability for Separable Portion B, award contract, TSIRC 2021-354 – Top Western Islands DRFA Works, Separable Portion B, to Koppens Development Pty Ltd
- Delegate power to the Chief Executive Officer, 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.



Author:

Peter Price
Acting Senior Project Engineer



Reviewed:

Adeah Kabai
Manager, Capital Works



Recommended:

David Baldwin
Executive Director – Engineering Services



Approved

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	April 2022
DATE:	20 th & 21 st April 2022
ITEM:	Agenda Item for <u>Resolution</u> by Council
SUBJECT:	Award Contract No. TSIRC 2021-355 (Hammond Island) DFRA Works
AUTHOR:	Peter Price – Acting Senior Project Engineer

Recommendation:

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.

Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to award the Tender No. TSIRC 2020-355 – Hammond Island, for an amount of up to \$538,994.92 excl. GST.

Background:

The Torres Strait Island Regional Council (TSIRC) is undertaking restoration of the sealed and unsealed road network on Hammond Island that sustained damage following the Far North Queensland Tropical Low, 24-30 January 2021 event. TSIRC has applied for funding through the Queensland Reconstruction Authority (QRA) to undertake repairs to essential public assets and has been successful in obtaining funding. The approved sites will be repaired to the pre-event standards in a like for like manner.

Works Scope:

The scope of works include:

- Contractors Site Facilities and Camp.
- Provision for Traffic.
- Environmental Management.
- Erosion and Sediment Control.
- Relocation of Services (if required).
- Earthworks – Preparation, excavation, subgrade treatment, backfill
- Unbound and bound pavements.
- Concrete Works.
- Any other works that could be reasonably expected to complete the works specified.

Scope of Works for Hammond Island

REPA works involve the Reconstruction of Essential Public Assets, the assets for these works are local roads, to the original condition before storm damage occurred. The roads involved in REPA works on each island are as follows:

- Hammond Island - Command Post Road
- Hammond Island - Francis Road
- Hammond Island - Mangosow Road
- Hammond Island - Monkey Point Road
- Hammond Island - Red Salt Road
- Hammond Island - Reservoir Road
- Hammond Island - Waterfront Road

Funding:

The tender is fully funded by the Disaster Recovery Funding Arrangements (DRFA), which is managed by the Queensland Reconstruction Authority (QRA). This funding is allocated based on benchmark rates and Contractor prices are updated through MARS Portal. Final Contractor prices and funding amount is subject to QRA assessment and approval.

Procurement Process:

In accordance with Council's Procurement and Ethical Sourcing Policy and the Local Government Regulations 2012, an open tender process was initiated for Tender No TSIRC 2021-355. Table 1 below outlines the tendering process undertaken.

Description	Details
Advertising	Vendor Panel Portal
Advertised Date	3 rd November 2021
Tenders Due	11.00am Monday 25 th November 2021
Tender Period	3 weeks
Tenders received	Three (3) conforming tenders were received by TSIRC

Table 1: Details of the tendering and procurement process

At the close of the public tender process on 25th November 2021, Council received three (3) conforming submissions from the following company:

- Durack Civil Pty Ltd
- Gulf Civil Pty Ltd
- Torres Strait Island Homes Pty Ltd

The assessment was undertaken for the tender by an external Engineering Consultancy with oversight with Council:

1. Rudd Rankine – Principal Civil Engineer (ARO)
2. Kael Whitnell – Civil Engineer (ARO)
3. Tracy Stanesby – Senior Project Officer (ARO)

The tender assessment was completed in accordance with the predefined tender evaluation criteria weighting as table 2, below.

Criteria	Weighting
Value for Money	40%
Relevant Skills and Experience	15%
Demonstrated Understanding	15%
Program of Works	20%
Local Content	10%

Table 2: Evaluation Criteria

Summary of the tender overall evaluation can be seen in Table 3, below:

Tenderer	Value (100%)	Rank
Durack Civil Pty Ltd	48	3
Gulf Civil Pty Ltd	77.25	1
Torres Strait Island Homes Pty Ltd	75.5	2

Table 3: Overall Tender Assessment Summary.

Indigenous Economics and Opportunities Plan (IEOP):

This tender value results in the following Indigenous Economics and Opportunities Plan.

Core Requirement	Minimum Requirement	Gulf Civil Proposed
Apprentice/Trainees (new entrants)	97 hrs	90 hrs
Other Workforce	65 hrs	90 hrs
Total Deemed Hours	162 hrs	180 hrs
Local Indigenous Business Supply and/or Subcontractors	\$8,085.00	\$30,000.00

Table 4: Indigenous Economics and Opportunities Plan

Considerations:

Risk Management

Funding

The tendered Scope of Works were revised based on approval quantities from the QRA. It should be noted that DRFA REPA works are paid on *actual* expenditure and the funding amount will be assessed and revised by QRA once Contractor rates are received.

It is recommended that a market-price update is lodged for this submission in MARS Portal prior to the award to mitigate any financial risk incurred by Council.

Contractor Performance

Council believes that there is an acceptable level of risk awarding to Gulf Civil, noting that:

- i) More scrutiny, surveillance and supervision of the Works will be required to ensure that the Works are completed in accordance with the terms of the *Contract*.
- ii) The scope of works involved is clearly defined and limited in complexity.
- iii) As Gulf Civil has not completed works in the Torres Strait region previously, information regarding barging of resources between islands to be supplied.

Council Finance

The project is to be fully funded by QRA through the Disaster Relief Funding Arrangements (DRFA). Therefore, the project holds no financial risk to council.

Consultation:

- Councillors as appropriate
- TSIRC Engineering Management
- Queensland Recovery Authority (Funding body)
- External Consultants (ARO Industries)

Links to Strategic Plans:

- Outcome 4: We are transparent, open and engaging Council.

- Outcome 5: Facilitate accessible and reliable road infrastructure.

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Conclusion

Based on the Tender Assessment, it is recommended that Council:

- 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
- Delegate power to the Chief Executive Officer, pursuant to section 257 of the *Local Government Act 2009* to negotiate, finalise, and execute all matters associated with or in relation to this project and contract including without limitation any options and/or variations as per Council's procurement and ethical sourcing policy.

**Author:**

Peter Price
Acting Senior Project Engineer

**Reviewed:**

Adeah Kabai
Manager, Capital Works

**Recommended:**

David Baldwin
Executive Director – Engineering Services

**Approved**

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	April 2022
DATE:	20 th & 21 st March 2022
ITEM:	Agenda Item for <u>Resolution</u> by Council
SUBJECT:	Award Contract TSIRC 2021-359 - ICCIP Project #45, #49 & #69, – St Pauls, Kubin & Mabuiag WTP Upgrade
AUTHOR:	Daniel Harrington – Senior Project Engineer

Recommendation:

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.

Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to award the Tender No. TSIRC 2021-359 – ICCIP Projects #45, #49 & #69 – St Pauls, Kubin & Mabuiag WTP Upgrade to Northern Water for an amount of up to \$1,562,832.50 excl. GST;

Background:

ICCIP is a one-off funding program, administered by the Queensland Government Department of State Development, Infrastructure, Local Government and Planning (DSDLIGP), previously Queensland Government Department of Local Government, Racing and Multicultural Affairs (DLGRMA). The Grantee for the St Pauls, Kubin & Mabuiag WTP Upgrades is the Torres Strait Island Regional Council (TSIRC).

ICCIP Projects #45, #49 & #69 involves the renewal and upgrades of the WTPs at St Pauls, Kubin & Mabuiag. The existing water treatments are at the end of their design life and needs refurbishment. The proposed works is critical to provide a robust long-term solution for the provision of safe drinking water for the Moa and Mabuiag communities.

Works Scope:

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

1. Procure materials
2. Finalise Design for Approval
3. Mobilisation to each site
4. Remove existing filter pumps, pipework, valving, instrumentation, media filters and switchboards and electrical wiring.
5. Installation of new filter pumps, pipework, valving, instrumentation, media vessels, bag filters and new switchboards and electrical wiring.

6. Quality Assurance testing & Commissioning

7. Disposal of all redundant equipment and material offsite & demobilisation from site

Note: The ICCIP budget only allowed for media filter upgrades at Mabuiag, pending potential savings from other current ICCIP projects nearing completion the scope at Mabuiag could be increased to include additional valving, instrumentation, and/or electrical upgrades.

Funding:

The ICCIP funding deadline for these projects has been extended to 31st December 2022. The Northern Water Program has a 17-week project period, excluding unknown delays. It is projected therefore that the project will be completed within the revised funding period if Council Resolution is provided at the April 2022 Council Ordinary Meeting.

Note:

Based on Northern Waters *Alternate Tender* price, there is sufficient budget allocated through ICCIP funding for this project.

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

Procurement Process:

In accordance with Council's procurement policy and the Local Government regulations 2012, an open tender process was initiated for Tender No TSIRC 2021-359. Table 1 below outlines the tendering process undertaken.

Description	Details
Advertising	VendorPanel Website
Advertised Date	27 th January 2022
Tender Site Inspection	11 th February 2022
Tenders Due	5pm Monday 25 th February 2022
Tender Period	5 weeks
Tenders received	Two (2) conforming and one (1) non-conforming tender were received by TSIRC.

Table 1: Details of the tendering and procurement process

At the close of the public tender process on 11th February 2022, Council received two (2) conforming submissions from the following companies:

- Northern Water
- SNG Constructions Pty Ltd

The assessment was undertaken for the tender by:

- Daniel Harrington – Senior Project Engineer (TSIRC)
- Michael Lancini – Senior Engineer (MAL Engineers Pty Ltd)
- Shaun Scippa – Engineer (MAL Engineers Pty Ltd)

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

Criteria	Weighting
Value for Money	50%
Relevant Company Experience	15%
Methodology & Program	15%
QA, Environmental Management Plan and WH&S	10%
Financial (Past Projects)	5%
Local Employment and Training Opportunities	5%

Table 2: Evaluation Criteria

Summary of the tender overall evaluation can be seen in table 3 below:

Tenderer	Tender Score	Rank
Northern Water	8.38	1
SNG Constructions Pty Ltd	4.53	2

Table 3: Overall Final Tender Scores

At the completion of the assessment, the evaluation panel considered the *Alternate Tender* from Northern Water as the best value for money submission. Northern Water have extensive experience on similar water projects in the Torres Strait region, which favourably addressed the requirements of the project.

Indigenous Economic Opportunities Plan (IEOP):

This tender value results in the following Indigenous Economic Opportunities.

Core Requirement	Requirement	Northern Water Proposal
Apprentice/Trainees (new entrants)	281hrs	0hrs
Other Workforce	187hrs	150hrs
Total Deemed Hours	496hrs	150hrs
Local Indigenous Business Supply and/or Subcontractors	\$23,437.00	\$80,000.00

Table 4: Indigenous Economic Opportunities

Note: The contractor is only planning to be onsite for 1 week at each WTP, therefore there is limited capacity to achieve the calculated IEOP requirements.

Considerations:

Risk Management

Schedule risk - delaying Council Resolution at the 2022 April Council Ordinary Meeting will directly impact the commissioning schedule.

Council Finance

The project is fully funded by ICCIP.

Consultation:

- Councillors as appropriate
- TSIRC Engineering Management Team (W&WW Team)
- Funding body
- External Consultants

Statutory Requirements:

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

Conclusion

Based on the Tender Assessment, it is recommended that Council:

- Award the Works for Alternate Tender No. TSIRC 2021-359 – ICCIP Projects #45, #49 & #69 – St Pauls, Kubin & Mabuiag WTP Upgrade to Northern Water for an amount of up to \$1,562,832.50 excl. GST;
- 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.



Author:

Daniel Harrington
Senior Project Engineer



Reviewed:

Adeah Kabai
Manager Capital Works



Recommended:

David Baldwin
Executive Director – Engineering Services



Approved

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	April 2022
DATE:	20 & 21 April 2022
ITEM:	Agenda Item for <u>Resolution</u> by Council
SUBJECT:	Contract Award TSIRC 2021-357 Various Islands DFRA Works (Kubin, Mabuiag, St Pauls, Iama, Warraber, Erub, Mer, Ugar, Masig & Poruma)
AUTHOR:	Peter Price – Acting Senior Project Engineer

Recommendation:

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.

Purpose:

The purpose of this Agenda Report is to provide Council with a recommendation to award the Tender No. TSIRC 2020-357 – Various Islands to Gulf Civil Pty Ltd, for an amount of up to \$1,436,550.63 excl. GST.

Background:

The Torres Strait Island Regional Council (TSIRC) is undertaking restoration of the sealed and unsealed road network within various TSIRC Communities being Kubin, Mabuiag, St Pauls, Iama, Warraber, Erub, Mer, Ugar, Masig & Poruma that sustained damage following the Far North Queensland Tropical Low, 24-30 January 2021 event. The TSIRC has applied for funding through the Queensland Reconstruction Authority (QRA) to undertake repairs to essential public assets and has been successful in obtaining funding. The approved sites will be repaired to the pre-event standards in a like for like manner.

Works Scope:

The scope of works include:

- Contractors Site Facilities and Camp;

- Provision for Traffic;
- Environmental Management;
- Erosion and Sediment Control;
- Relocation of Services (if required);
- Earthworks – Preparation, excavation, subgrade treatment, backfill
- Drainage Works;
- Unbound and bound pavements;
- Any other works that could be reasonably expected to complete the works specified.

Scope of Works for Islands

REPA works involve the Reconstruction of Essential Public Assets, the assets for these works are local unsealed roads. The works will involve treatment (like-for-like) to get the damaged roads back to the original condition before the event (monsoon damage) with (like-for-like). The roads involved in REPA works on each island are as follows:

- Ugar (Stephen or Stephens Island) - Apro Road
- Ugar (Stephen or Stephens Island) - Dump Road
- Ugar (Stephen or Stephens Island) - Ned Street
- Arkai (Kubin) Community - Mua - Cemetery Road
- Arkai (Kubin) Community - Mua - Dam Road
- Arkai (Kubin) Community - Mua - Dump Road
- Arkai (Kubin) Community - Mua - Football Field Road
- Arkai (Kubin) Community - Mua - Maimalgau Street
- Arkai (Kubin) Community - Mua - Sewage Treatment Plant Road
- Erub (Darnley Island) - BRACS Road
- Erub (Darnley Island) - Egru Road
- Erub (Darnley Island) - Kemus Road
- Erub (Darnley Island) - STP Road
- Iama (Yam Island) - Airstrip Road
- Iama (Yam Island) - Gej Street
- Iama (Yam Island) - Reservoir Road
- Iama (Yam Island) - Telstra Tower Road
- Iama (Yam Island) - Dump Road
- Mabuyag (Jervis Island) - Batch Plant Road
- Mabuyag (Jervis Island) - Dabangay Road
- Mabuyag (Jervis Island) - Barge Ramp Road
- Mabuyag (Jervis Island) - Dump Road
- Mabuyag (Jervis Island) - Reservoir Road
- Mabuyag (Jervis Island) - Sewage Treatment Plant Road
- Mabuyag (Jervis Island) - Water Treatment Plant Road
- Masig (Yorke Island) - Airport Road South
- Masig (Yorke Island) - Lawrences Road
- Masig (Yorke Island) - Lowatta Road
- Masig (Yorke Island) - Williams Road
- Mer (Murray Island) - Area 3 Reservoir Road
- Mer (Murray Island) - Arpec Road
- Wug (St Pauls) Community - Mua - Lady Hill Road
- Wug (St Pauls) Community - Mua - Dam Road
- Mer (Murray Island) - Koki Gab Road
- Mer (Murray Island) - Marou Road
- Mer (Murray Island) - Mebs Road
- Mer (Murray Island) - Noah Road
- Mer (Murray Island) - Warramet Road
- Poruma (Coconut Island) - Airport Road

- Poruma Boat ramp
- Warraber (Sue Island) - Airport Road
- Warraber (Sue Island) - Ioane Street
- Warraber (Sue Island) - James Street
- Warraber (Sue Island) - Ring Road
- Warraber (Sue Island) - Phillemon Street
- Wug (St Pauls) Community - Mua - Saveka Point Road
- Wug (St Pauls) Community - Mua - Bougian Road
- Wug (St Pauls) Community - Mua - Cemetery Road
- Wug (St Pauls) Community - Mua - Damascus Road
- Wug (St Pauls) Community - Mua - Dump Road
- Wug (St Pauls) Community - Mua - Esplanade Road
- Wug (St Pauls) Community - Mua - Gela Road
- Wug (St Pauls) Community - Mua - Lowah Street
- Wug (St Pauls) Community - Mua - Saveka Street
- Wug (St Pauls) Community - Mua - Solomons Road

Funding:

The proposed works is fully funded by the Disaster Recovery Funding Arrangements (DRFA), which is managed by the Queensland Reconstruction Authority (QRA). This funding is allocated based on benchmark rates and Contractor prices are updated through MARS Portal. Final Contractor prices and funding amount is subject to QRA assessment and approval.

Procurement Process:

In accordance with Council's Procurement and Ethical Sourcing Policy and the Local Government Regulations 2012, an open tender process was initiated for Tender No TSIRC 2021-355. Table 1 below outlines the tendering process undertaken.

Description	Details
Advertising	Vendor Panel Portal
Advertised Date	3 rd November 2021
Tenders Closed	11.00am Monday 25 th November 2021
Tender Period	Three (3) weeks
Tenders Received	Three (3) conforming tenders were received by Council.

Table 1: Details of tendering and procurement process

At the close of the public tender process on 25th November 2021, Council received three (3) conforming submissions from the following company:

- Durack Civil Pty Ltd
- Gulf Civil Pty Ltd
- Koppen Developments Pty Ltd

A value-based Tender assessment was conducted by External Engineering Consultants (ARO Industries) with input from Council's Engineering Management Team:

1. Rudd Rankine – Principal Civil Engineer (ARO)
2. Kael Whitnell – Civil Engineer (ARO)
3. Tracy Stanesby – Senior Project Officer (ARO)

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

Criteria	Weighting
Value for Money	40%
Relevant Skills and Experience	15%
Demonstrated Understanding	15%
Program of Works	20%
Local Content	10%

Table 2: Evaluation Criteria

The tender assessment was completed in accordance with the predefined tender evaluation criteria weighting as table 3, below.

Tenderer	Consolidated weighted score (100%)	Rank
Durack Civil Pty Ltd	63	3
Gulf Civil Pty Ltd	72.5	1
Koppen Development Pty Ltd	69	2

Table 3: Overall tender assessment summary

Indigenous Economics and Opportunities Plan (IEOP):

This tender value results in the following Indigenous Economics and Opportunities Plan.

Core Requirement	Minimum Requirements	Gulf Civil Proposed
Apprentice/Trainees (new entrants)	284	330
Other Workforce	190	330
Total Deemed Hours	474	660
Local Indigenous Business Supply and/or Subcontractors	\$23,703	\$101,500

Table 4: Indigenous Economics and Opportunities Plan

Considerations:

Risk Management

Funding

The tendered Scope of Works were revised based on approval quantities from the QRA. It should be noted that DRFA REPA works are paid on *actual* expenditure and the funding amount will be assessed and revised by QRA once Contractor rates are received.

It is recommended that a market-price update is lodged for this submission in MARS prior to the award to mitigate any financial risk incurred by Council.

Contractor Performance

Council believes that there is an acceptable level of risk awarding the works to the recommended tenderer:

- i) More scrutiny, surveillance and supervision of the Works will be required to ensure that the Works are completed in accordance with the terms of the *Contract*.
- ii) The scope of works involved is clearly defined and limited in complexity.
- iii) As Gulf Civil has not completed works in the Torres Strait region previously, information regarding barging of resources between islands to be supplied.

Council Finance

The project is to be fully funded by QRA through the Disaster Relief Funding Arrangement (DFRA) funding program. Therefore, the project holds no financial risk to Council.

Consultation:

- Councillors as appropriate
- Council Engineering Management
- Queensland Recovery Authority (Funding Body)
- External Consultants (ARO Industries)
- Council's Manager, Governance and Compliance

Links to Strategic Plans:

- Outcome 4: We are transparent, open and engaging Council.
- Outcome 5: Facilitate accessible and reliable road infrastructure.

Statutory Requirements:

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

Conclusion

Based on the tender assessment, it is recommended that Council:

- Subject to funding approval, award the Tender No. TSIRC 2021-357 – Various Islands DRFA Works to Gulf Civil Pty Ltd for an amount of up to \$1,436,550.63 excl. GST, and provide delegation to the Chief Executive Officer to finalise these matters.



Author:

Peter Price
Acting Senior Project Engineer



Reviewed:

Adeah Kabai
Manager, Capital Works



Recommended:

David Baldwin
Executive Director, Engineering Services



Approved

James William
Chief Executive Officer



TORRES STRAIT ISLAND REGIONAL COUNCIL

AGENDA REPORT

ORDINARY MEETING:	April 2022
DATE:	20/21 April 2022
ITEM:	Agenda Item for Information/Noting by Council
SUBJECT:	Island Trust Funds
AUTHOR:	Hollie Faithful, Executive Director Financial Services

Recommendation:

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.

Executive Summary:

This Report provides an update to Council on Island Trust Funds and seeks guidance for Council officers on the future treatment of Island Trust Funds.

Background:

1. Since March 2008 when the Island Councils were amalgamated into TSIRC, Council has held Trust Funds which relate to a number of Islands. The origins of some of the Trust Funds are unknown but appear to have been held by the former Island Councils either under one or more earlier pieces of legislation prior to the application of the Local Government Act to TSIRC or as a trustee.
2. Since that time, Council has treated those funds as being Trust Funds held on behalf of the relevant Island (or relevant contributors as the case may be) to be used for the purposes for which the Fund have been established.
3. In 2015 and again in 2017, Council resolved to invite Expressions of Interest from Community Organisations to hold and administer the Trust Funds.

4. Since that time funds in the order of \$350,000 have been used. The Trust Funds which continue to be held by Council total approximately \$294,000 and as are detailed below, together with relevant comments:

General Ledger Balances as at 28 March 2022			
Account Number	Description	Total Balance	Comments
Dauan			
90-9102-9001-99136	Church - Dauan	9,781.33	Council resolved to distribute – 2/3 distributed in 2016/2017
Badu			
90-9105-9001-99117	Funeral - Badu	126,438.09	Not utilised
Kubin			
90-9106-9001-99138	Funeral - Kubin	1,015.27	Not utilised
St Paul			
90-9107-9001-99140	Funeral - St Paul	196.42	Not utilised
90-9207-9010-99141	St Pauls - Wu Apu	23,714.63	Not utilised
Iama			
90-9109-9001-99122	Funeral - Iama	1,231.98	Not utilised
Warraber			
90-9110-9001-99119	Funeral - Warraber	4.60	Not utilised
Poruma			
90-9111-9001-99125	Funeral - Poruma	3,699.03	Contributions continue Policy for use
Yorke			
90-9112-9001-99124	Community - Yorke	6,441.90	Contributions continue
Erub			
90-9114-9001-99113	Funeral Fund - Erub	100,863.48	Contributions continue Policy for use
90-9214-9004-99148	Erub Trust A/C	272.70	Not utilised
90-9214-9015-99134	Sport&Rec Erub	61.77	Not utilised
90-9214-9017-99153	Erub Mem Plaque	5,303.19	Not utilised
Saibai			
90-9203-9007-99120	Xmas Club - Saibai	13,122.72	Not utilised
90-9203-9008-99129	Buraway - Saibai	1,452.35	Not utilised
90-9203-9009-99130	Dance - Saibai	1,712.78	Not utilised
		295,312.24	

Comment:

1. It is not clearly documented how all of the Trust Funds are to be used and a number of them are inactive. This means that the beneficiaries of the Trust Funds, the community are not receiving the benefit of these monies.
2. Further, contributions continue to be added to Yorke Funeral Fund, Erub Funeral Fund and Poruma Funeral Fund by some community members whilst other community members and other communities access the Community Grants money in the instance of a Funeral.
3. Council officers wish to draw this matter to Council's attention and seek guidance on:
 - (a) Divestment of the Trust Funds to an appropriate body;
 - (b) Future Use of the Trust Funds; and

- (c) Future Contributions to a number of the Trust Funds.

Considerations

Risk Management

Council is acting as Trustee of each relevant Island Trust Fund and has obligations. Council officers propose that this risk be managed by seeking ongoing legal assistance.

Reputational

The beneficiaries of the Trust Funds, the communities are not receiving the benefit of the trust monies as it is not clear how the monies are to be utilised.

Further, contributions continue to be added to Yorke Funeral Fund, Erub Funeral Fund and Poruma Funeral Fund by some community members whilst other Island members and other Island communities access the Community Grants money in the instance of a Funeral.

Council Finance

The main costs to Council will be Council Officers time and legal costs which are both covered in the current budget.

Consultation:

- MacDonnells Law
- Council Divisional Officers
- Head of Community Services
- Chief Executive Officer
- Financial Services

Links to Strategic Plans:

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

Statutory Requirements:

Local Government Act 2009

Local Government Regulation 2012

Trusts Act 1973

Conclusion:

That Council notes the above Report and directs the Executive Director Financial Services (or their representative) to:

1. Consult with the Divisional Councillor;
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
 - (iii) Any Advertising/community consultation 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.



Endorsed:
Hollie Faithfull
Executive Director, Financial Services



Approved
James William
Chief Executive Officer